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THE U.S. ARMS CONTROL AND DISARMAMENT AGENCY DURING
THE JOHNSON ADMINISTRATION (U)

VOLUME I

I. SUMMARY AND ANALYSIS OF PRINCIPAL DEVELOPMENTS

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Foreword

In a memorandum of May 31, 1968, to ACDA Director Foster, White House Special Assistant Joseph A. Califano, Jr., established the guidelines and schedule for the Departmental Histories Project. Mr. Califano described the purpose of the project in the following terms:

The basic purpose of this project is to compile for the use of future historians a compilation of significant events in the various departments and agencies of the Government during the Johnson Administration. To accomplish this purpose, we are asking each department and agency to prepare a full written history of this period, backed up by complete documentation. Emphasis should be placed on the process of arriving at and implementing major decisions, as well as on publicized events...

Mr. Foster immediately created the following committee to compile the history of ACDA during the Johnson Administration: Clement E. Conger (ACDA Executive Secretary), Robert W. Lambert (Chairman of History Project), Adalyn Davis (Assistant to the Chairman), Richard Creecy, John R. Wilbraham, Paul J. Long, Robert E. Stein, Alexander T. Liebowitz, and G. William Moser.

In later discussions with Mr. Lambert and Miss Davis, White House officials emphasized the following points: (1) the history should be entirely objective, (2) it should cover policy formulation and political differences between ACDA and other agencies, and (3) it should include both classified and unclassified materials. It was also to be accompanied by documentary annexes. The ACDA officers were assured that any restrictions on classified papers would be respected.

The plan of work is described below. Mr. Lambert was responsible for coordinating and editing Part II, "Policy and Negotiations," while Miss Davis was in charge of Part III, "Research Program," and Part IV, "Organization and Work of the Agency." After clearance within ACDA, Mr. Conger sent the drafts to the White House with the stipulation that the classified chapters should not be made available to anyone without the express consent of the Agency.

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Most of the narrative, except for the Summary and Analysis (Part I), was sent to the White House before President Johnson left office. The remainder was finished later. The Summary and Analysis, though mainly a condensation of the detailed narrative of policy and negotiations, also incorporates the results of some additional research since the completion of Part II. Owing to administrative difficulties, the documentary annexes have not been completed.

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Plan of Work

- I. Summary and Analysis. By Robert W. Lambert. Confidential.
- II. Policy and Negotiations. Edited by Robert W. Lambert.
 - A. Introduction. By Robert W. Lambert. Confidential.
 - B. Non-proliferation of Nuclear Weapons. By Robert W. Lambert. Secret/NoFORN.
 - C. Outer-Space Treaty. By John W. Syphax, Secret.
 - D. Latin American Nuclear-free Zone. By Jan H. Kalicki. Secret.
 - E. Freeze and Reduction of Strategic Nuclear Delivery Vehicles. By Harland B. Moulton. Secret/NoFORN.
 - F. Fissionable Materials Production Cutoff and Transfer. By Robert W. Lambert. Confidential/Restricted Data.
 - G. Comprehensive Test Ban. By Robert W. Lambert. Secret/Restricted Data.
 - H. Sea-Bed and Ocean Floor. By Normand C. Poirier. Secret/NoFORN.
 - I. General and Complete Disarmament. By Robert W. Lambert. Secret.
 - J. Conventional Arms Transfers. By Nathan Rich. Secret/NoFORN.
 - K. Other Measures
 - 1. Bomber Destruction. By Col. David C. Jolly. Secret.
 - 2. Chemical and Biological Weapons. By James S. Bodnar. Secret/NoFORN.
 - 3. Foreign Bases and Troop Withdrawals. By Lyman D. Wooster and Col. Frederick Sanders. Secret/NoFORN.

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4. Gomulka Proposal. By Ruth O. Ihara. Confidential/
Formerly Restricted Data.
 5. Military Expenditures. By Ruth L. Sivard and
Alexander T. Liebowitz. Secret.
 6. Non-use of Nuclear Weapons. By Robert W. Lambert.
Secret/NoFORN.
 7. Observation Posts. By Donald F. Benjamin and
Ruth O. Ihara. Secret.
- L. Implementation of Arms Control Agreements
1. Antarctic Treaty. By John F. Lippman and
Marion W. Boggs. Unclassified.
 2. Limited Test-Ban Treaty. By Davis R. Robinson.
Secret/NoFORN.
- III. Research Program. Edited by Adalyn Davis.
- A. Organization and Management of Research.
By Richard B.L. Creedy. Confidential.
 - B. Scientific and Technical Research. By Col. Paul J.
Long. Confidential.
 - C. Research on Military Implications of Arms Control.
By Evan T. Sage. Confidential.
 - D. Political Research. By James S. Bodnar. Confidential.
 - E. Economic and Behavioral Science Research.
By Alexander T. Liebowitz. Confidential.
 - F. Legal Research. By Robert E. Stein. Confidential.
 - G. Field Tests. By Capt. Archibald J. McEwan. Confidential.
- IV. Organization and Work of the Agency. Edited by Adalyn Davis.
- A. Administration and Structure. By Adalyn Davis.
Unclassified.
 1. Planning. By Adalyn Davis. Unclassified.

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2. Organizational Changes. By Adalyn Davis. Unclassified.
 3. Advisory Bodies
 - a. General Advisory Committee. By Marion W. Boggs. Unclassified.
 - b. Social Science Advisory Board. By Alexander T. Liebowitz. Unclassified.
- B. Interagency Relations
1. Policy Formulation. By Adalyn Davis. Unclassified.
 2. Intelligence Information. By Adalyn Davis. Confidential.
 3. Support. By Adalyn Davis. Unclassified.
- C. Congressional Relations
1. Authorizations and Appropriations. By Irwin L. Gubman. Unclassified.
 2. The Subject Matter of Arms Control. By Irwin L. Gubman. Unclassified.
 3. Other ACDA-Related Legislation. By Irwin L. Gubman. Unclassified.
- D. External Relations. By Jerome H. Spingarn. Unclassified.
- SUPPLEMENT. Strategic Arms Limitations. By Lawrence D. Weiler and G.W. Moser. Confidential.

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2. Organizational Changes. By Adalyn Davis. Unclassified.
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 - a. General Advisory Committee. By Marion W. Bodde. Unclassified.
 - b. Social Science Advisory Board. By Lawrence T. Liebowitz. Unclassified.
 - B. Interagency Relations
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 2. Intelligence Information. By Adalyn Davis. Unclassified.
 3. Support. By Adalyn Davis. Unclassified.
 - C. Organizational Relations
 1. Structures and Interrelations. By James D. Baker. Unclassified.
 2. The Subject Matter of Arms Control. By Irwin J. Gubman. Unclassified.
 3. Great AUSA-Related Legislation. By Irwin J. Gubman. Unclassified.
 - D. Special Missions. By Jerome H. Spindler. Unclassified.
- SUPPLEMENT. Atomic Arms Legislation. By Lawrence A. Weiler and G.W. Moser. Unclassified.

Bibliographic Note

Bibliographies

Official U.S. Government and U.N. publications on disarmament are listed in the bibliographies in the annual *Documents on Disarmament* volumes. For abstracts of unofficial literature, see the Library of Congress *Arms Control and Disarmament: A Quarterly Bibliography With Abstracts and Annotations*. External ACDA research is described in the periodic ACDA reports to the Bureau of the Budget and in the *Synopses of Contract Research*.

Source Materials

Selected source materials on disarmament negotiations are printed in the *Documents on Disarmament* volumes. The bibliographies in these volumes also describe the unclassified papers of the United Nations and international conferences. President Johnson's public statements on disarmament and related matters appear in Disarmament Document Series, Ref 369, 393, 427, 494, 530. For a classified documentary compilation on the strategic arms limitation talks (SALT), see *American and Soviet Substantive Statements on the Strategic Arms Limitation Talks, December 1966-July 1969, Confidential*.

The Johnson history also uses many classified documents from ACDA files. When the history was compiled, most of these materials were in the custody of the communications section of the Reference Information Center. Those with special restrictions (Exdis and Nodis), however, were in the control of the ACDA Executive Secretary. The classified materials include State Department telegrams, airgrams, memoranda of conversation, office memoranda, and position papers. There are also classified minutes of the meetings of the Committee of Principals, the ACDA staff, and the Research Council. The views of other agencies on arms-control questions are reflected in various communications in ACDA files. No attempt was made, however, to use the archives of other agencies.

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Secondary Materials

General - General accounts of international negotiations, U.S. policy developments, and ACDA activities may be found in the annual ACDA reports, which are printed in the *Documents on Disarmament* volumes. There are unclassified summaries of all ENDC sessions in the Disarmament Document series. This series also contains monthly and annual chronologies of the principal developments. On the Glassboro meeting of 1967, see Robert W. Lambert, *Arms Control at Previous American-Soviet Summit Meetings*, Secret/NoForN. The 1965 session of the Disarmament Commission is described in James S. Bodnar, *Report on the Debate in the United Nations Disarmament Commission, April 21-June 16, 1965* (Research Report 65-3). On moves for a world disarmament conference see Robert W. Lambert and Jean Mayer, *Recent Proposals for a World Disarmament Conference* (Disarmament Series, Ref 400). There is a useful analysis of Chinese attitudes in John Syphax, *Communist China's Attitude Toward Arms Control and Disarmament During the 1960s*, Confidential.

Non-proliferation of Nuclear Weapons - There is a full unclassified account of the negotiations in *International Negotiations on the Treaty on the Nonproliferation of Nuclear Weapons* (ACDA pub. 48, 1969). The early phase of the negotiations is covered in J. J. Kadilllis, *A History of Non-Dissemination Negotiations*, Secret. See also Robert W. Lambert, *Background Information on the Non-Dissemination of Nuclear Weapons* (Disarmament Document Series, Ref 382).

Outer Space - See James S. Bodnar, *U.S. and USSR Proposals for a Treaty on Celestial Bodies*; Robert W. Lambert, *International Negotiations Regarding the Use of Outer Space, 1957-1961* (Disarmament Document Series, Ref 244) and *Arms Control Developments Concerning Outer Space, 1957-1967* (Disarmament Document Series, Ref 575); and Glenn E. Schweitzer, *Summary of Past and Present U.S., Allies, and Soviet Positions on Outer Space*, Secret.

Nuclear Delivery Vehicles Freeze and SALT Preparations - There is a brief unclassified summary in Lambert's *Background Information on the Strategic Nuclear Delivery Vehicles Freeze, 1964-1967*, (Disarmament Document Series, Ref 511). Soviet policy is summarized in the same author's *Survey of Soviet Policy on Nuclear Delivery Vehicles, 1962-1968*, Secret. See also chronology in Disarmament Document Series, Ref 531.

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Fissionable Materials Production Cutoff and Transfer - There are unclassified accounts of the negotiations in Lambert's *Background Information on the Non-Dissemination of Nuclear Weapons* (Disarmament Document Series, Ref 382) and *Review of Negotiations on Fissionable Materials Production Cutoff and Transfer (1965-1968)* (Disarmament Document Series, Ref 515).

Comprehensive Test Ban - For unclassified accounts, see *Review of International Negotiations on the Cessation of Nuclear Weapons Tests, September 1962-September 1965* (ACDA pub. 32, 1966) and Lambert's *Negotiations on a Comprehensive Test Ban, 1965-1967* (Disarmament Document Series, Ref 518).

Sea-Bed and Ocean Floor - An unclassified review of developments may be found in Robert W. Lambert and John W. Syphax, *International Negotiations on the Seabed Arms Control Treaty* (ACDA pub. 68, 1973).

General and Complete Disarmament - There is a full analysis of the American and Soviet plans in the 1964 *Report of the Study Group on the Review of the U.S. and USSR Draft GCD Proposals*, Secret/NoFORN. A brief comparison of the two plans may be found in Lambert's *A Comparative Analysis of the U.S. and Soviet Plans for General and Complete Disarmament*. On the Gromyko disarmament proposals, see Jeremy Blanchet, *Description and Evaluation of the Gromyko Proposal for a "Nuclear Umbrella," Confidential*; James Bodnar, *Summary of Positions Taken in the ENDC by the Non-Aligned Eight on Both the "Nuclear Umbrella" Concept and the Proposed Creation of a NDV Working Group (Jan. 21-July 28, 1964)* (USRef 41); Feiveson, *The Soviet Position on the Gromyko Proposal, Confidential*. On the working group problem, see ACDA/RS memoranda, *The Soviet Position on an ENDC Nuclear Delivery Vehicle Working Group* and *The American Position on an ENDC Nuclear Delivery Vehicle Working Group*.

Conventional Arms Transfers - For the early phase, see Alan V. Washburn, *A Summary History of Efforts by the United States to Control the Export of Arms*. A detailed account of the international negotiations appears in John Syphax, *Proposals Involving the Registration and Public Reporting of International Arms Transfers, 1965-1970*, Secret. See also Ruth Ihara and Robert W. Lambert, "History of International Efforts to Control Conventional Arms Transfers Since World War II" [annex C of *The International Transfer of Conventional Arms: A Report to the Congress Pursuant to Section 302 of the Foreign Relations Authorization Act of 1972 (P.L. 92-352)*].

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Chemical and Biological Weapons - The negotiations are reviewed in Robert W. Lambert and Jean E. Mayer, *International Negotiations on the Biological-Weapons and Toxin Convention* (ACDA publication 78, 1975).

Foreign Bases and Troop Withdrawals - Additional information may be found in Jean Mayer, *American-Soviet Bilateral Talks on "Mutual Example" Force Reductions in Europe, 1963-1964*, Secret/NoFORN, and Ruth Ihara, *The "Mutual Example" Concept and the 1967 Plans for Redeployment of American and British Forces From Germany*, Secret.

Military Expenditures - See Jean Mayer, *Soviet Policy on Verification of Military Expenditure Limitations*, Secret.

Non-use of Nuclear Weapons - There is an unclassified review of negotiations in Robert Lambert's *Proposals to Ban the Use of Nuclear Weapons, 1961-1967* (Disarmament Document Series, Ref 516).

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I. SUMMARY AND ANALYSIS OF PRINCIPAL DEVELOPMENTS

The U.S. Arms Control and Disarmament Agency (ACDA), established under the Kennedy Administration, continued to have primary responsibility within the U.S. Government for finding ways to halt the arms race. The principal achievement in this field under the Johnson Administration was the non-proliferation treaty, finally concluded in 1968 after long and difficult negotiations in which ACDA played the leading role. ACDA took a prominent part in bringing about policy changes which permitted the United States to support the Tlatelolco treaty of 1967 and to sign a protocol stating that it would respect the Latin American nuclear-free zone established by the treaty. ACDA also contributed to the negotiations on the outer-space treaty (1967) banning nuclear weapons from outer space and celestial bodies.

Background

The principal negotiating forum was the Eighteen Nation Disarmament Committee (ENDC),¹ established in 1961 by agreement between the United States and the Soviet Union and endorsed by the General Assembly. In the same year, the United States and the Soviet Union agreed on a Joint Statement of Agreed Principles to guide future negotiations, and the General Assembly endorsed it. This document defined the ultimate goal as general and complete disarmament, but it also made room for "collateral" or partial measures.

In 1962 both the United States and the Soviet Union submitted plans for general and complete disarmament to the ENDC. Detailed discussions of these plans showed that they differed sharply on three basic issues:

(1) Verification. The Soviets were willing to permit inspection of declared production facilities, the destruction of weapons, and the discharge of personnel from the armed forces. But they refused to allow the proposed

¹The ENDC comprised 5 NATO countries (the U.S., Canada, France, Italy, U.K.), 5 Warsaw Pact countries (USSR, Bulgaria, Czechoslovakia, Poland, Romania), and 8 nonaligned countries (Brazil, Burma, Ethiopia, India, Mexico, Nigeria, Sweden, UAR), France did not participate.

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International Disarmament Organization to check for undeclared production facilities or clandestine arms stocks during the disarmament process, and the United States considered this kind of verification essential.

(2) Peacekeeping. While the United States proposed the gradual development of a U.N. Peace Force during the disarmament process, the Soviet Union merely offered to implement the existing provisions of the U.N. Charter.

(3) Balance. The United States proposed the reduction and eventual elimination of nuclear delivery vehicles and other major armaments by equal percentage cuts in each stage. On the other hand, the Soviet Union demanded the elimination of all nuclear delivery vehicles and all foreign military bases at the outset. The United States and its allies considered the Soviet plan unbalanced since it would preserve the conventional military superiority of the USSR even if the elimination of nuclear delivery vehicles could be satisfactorily verified. At the Moscow conference of 1963, Premier Khrushchev took the position that there could be no disarmament until the German peace treaty was signed.¹

Since the basic differences between the two sides made it unlikely that any major breakthroughs would be made in the area of general and complete disarmament, there was an increasing tendency to emphasize collateral measures. Here there were three concrete achievements in the last months of the Kennedy Administration:

Test Ban

After the Soviet Union resumed testing in 1961, it repudiated the control system that the Geneva experts had recommended in 1958 and took the position that no international control was needed for a test-ban treaty. The United States gradually came to agree that the Soviet reassessment was partially correct. On August 27, 1962, the United States and the

¹See Robert W. Lambert, *Germany, Nonaggression, and Arms Control at the Moscow Conference of 1963*, Secret.

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United Kingdom submitted a draft treaty to the ENDC providing for a ban on tests in the atmosphere, in outer space, and underwater without any international control.

The control issue was thus narrowed to the underground environment. Here there was a real problem of ascertaining whether certain underground events were earthquakes or explosions. The Western powers therefore maintained that international control was necessary to verify observance of an underground test ban; although the control system they now proposed was greatly simplified as compared to their previous proposals, they still insisted on some obligatory on-site inspections.

The Soviet Union initially rejected both the partial and the comprehensive Western proposals but made significant concessions after the Cuban missile crisis. Picking up a suggestion by the Pugwash scientists, the Soviets suggested placing automatic seismic stations, or "black boxes," on the territory of the nuclear powers. Later, Premier Khrushchev offered as a political concession to agree to two or three on-site inspections a year and claimed that U.S. Ambassador Dean had privately proposed this number to First Deputy Foreign Minister Kuznetov. Although President Kennedy denied that Dean had made any such proposals, the Soviets stuck to their guns.

After unsuccessful private talks among the United States, the United Kingdom, and the Soviet Union in January 1963, the negotiations were resumed in the ENDC without any significant progress. An Anglo-American memorandum of April 1, 1963, stipulated 7 "black boxes" and 7 on-site inspections a year, while the Soviets refused to accept more than three of either. Finally, Premier Khrushchev accepted Kennedy's proposal for new tripartite negotiations and announced that the Soviet Union would now accept a test ban restricted to the three environments where no international control was needed. The outcome of these negotiations was the limited test-ban treaty of August 5, 1963, signed by nearly all nations with the significant exceptions of Communist China and France. Prospects for future agreement on a comprehensive treaty dimmed, however, because Premier Khrushchev withdrew his offer of two or three inspections when the Moscow negotiations began.¹

¹See Robert W. Lambert, *The Negotiations of the Limited Test-Ban Treaty*, Secret.

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Outer Space

Since the Eisenhower Administration, the United States had sought an agreement with the USSR to keep the nuclear arms race from spreading to outer space. The United States had no military nuclear plans for this environment and it proposed that the two countries agree not to orbit or station weapons of mass destruction in outer space. Agreement was delayed because of differences over the scope of coverage - the Soviets wished to prohibit all *military* activities in outer space - and because they insisted on linking an outer-space agreement with the elimination of foreign military bases. When they dropped these demands, the principal obstacles to agreement were removed. At the Moscow conference of 1963, Premier Khrushchev agreed with Rusk that a non-orbiting arrangement would be useful.¹ Foreign Minister Gromyko publicly endorsed the idea in September. Since President Kennedy did not wish to seek a formal treaty at that time, it was decided to act through the General Assembly. On October 17, 1963, the General Assembly adopted a resolution welcoming the intention of the United States and the Soviet Union not to station nuclear weapons or other weapons of mass destruction in outer space and calling on all states to refrain from orbiting any objects carrying such weapons, installing them on celestial bodies, or stationing them in outer space in any other manner.

Hot Line

The "hot line" was one item in a group of measures proposed by the United States in 1962 to reduce the risk of war by accident or miscalculation. Other measures included advance notification of major military movements, observation posts, and the exchange of military missions. The Soviet Union decided in the spring of 1963 that it would negotiate on the "hot line" but was still unwilling to adopt the other measures outside the context of general and complete disarmament. On June 20, 1963, the two countries concluded an agreement for the establishment of a direct communications link between Washington and Moscow. This "hot line" was actually used by President Johnson and Premier Kosygin during the Arab-Israeli War of 1967. The British and French later established similar links with Moscow.

¹See Lambert, *Germany, Nonaggression, and Arms Control at the Moscow Conference of 1963*, Secret.

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Non-proliferation of Nuclear Weapons

At the time of President Kennedy's death, only four nations had developed nuclear weapons: the United States, the USSR, the United Kingdom, and France. Neither superpower wished to see any other nations "go nuclear." The United States had given some restricted nuclear information to the British after they developed a modest nuclear force by their own efforts, but it had withheld any aid to the French. The Soviets, after giving some initial assistance to the Chinese (1959-1960), reversed their policy and adopted a similar attitude toward their allies. Both the United States and the USSR supported the Irish resolution adopted by the General Assembly in 1961. Next year, the United States initiated private discussions with the USSR. It soon became evident in these discussions that the USSR would not accept any non-proliferation agreement that permitted the development of a multilateral force (MLF), which was then the focus of U.S. NATO defense policy.

Fissionable Materials Production Cutoff and Transfer

The Baruch plan was withdrawn in 1955, when the United States concluded that it was no longer possible to verify the total elimination of nuclear weapons stocks. But it remained possible to place a rough quantitative ceiling on existing stocks by cutting off the production of fissionable materials for weapons purposes and transferring materials in the pipeline to peaceful uses under appropriate safeguards. The cutoff and transfer proposals, initiated by President Eisenhower in 1956, were reaffirmed by President Kennedy. The Soviet Union consistently rejected them on the grounds that they would require excessive control without reducing or eliminating the nuclear threat. At the Moscow conference, however, Premier Khrushchev told Harriman that the Soviet Union might stop production in the near future. Governor Harriman stated that U.S. production might be reduced.¹

Nuclear-free Zones

The idea of regional denuclearization stemmed from Polish Foreign Minister Rapacki's 1957 proposal to establish

¹Ibid.

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a nuclear-free zone in Central Europe, comprising the two Germanies, Poland, and Czechoslovakia. The Rapacki plan and similar Communist proposals for denuclearizing other parts of Europe were strategically and politically objectionable to the NATO countries, and the United States rejected them all.

The objections to European nuclear-free zones were not, however, applicable to other areas. Beginning in 1961, the Latin Americans and Africans started to discuss the possibility of denuclearizing their areas. The United States, which had previously taken a negative attitude toward these projects, changed its policy in the closing days of the Kennedy Administration and publicly declared that nuclear-free zones could serve to prevent proliferation in areas where nuclear weapons were not part of existing security arrangements. The General Assembly approved the Latin American initiative over Soviet and Cuban objections (the Cubans wished to include U.S. island possessions and the Panama Canal in the Latin American zone and to take over the Guantanamo base).

Bomber Destruction

In the summer of 1963 the United States informally discussed with the Soviet Union the possibility of destroying American and Soviet medium bombers (B-47s and TU-16s) at the rate of 30 per month for two years. While these aircraft were becoming obsolescent, their destruction would involve concrete disarmament and provide some experience in verification.

Non-use of Nuclear Weapons

An Ethiopian proposal for a convention to ban the use of nuclear weapons was still under discussion in 1963. This proposal enjoyed wide support among nonaligned and Communist countries but was rejected by the United States and most of its NATO allies. The United States was not willing to place special restrictions on the use of nuclear weapons outside the context of general and complete disarmament.

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Observation Posts

Before the Moscow Conference began, Premier Khrushchev told Spaak that he favored the creation of fixed control posts at aerodromes and at the principal rail and road centers as safeguards against surprise attack. He also noted that both sides could now use satellites to photograph each other.

At Moscow, the Americans and British took a positive attitude toward observation posts. The Soviets still held to their 1958 position, except that they now excluded aerial reconnaissance and would accept posts at airfields. They also associated observation posts with the reduction of foreign troops in the two Germanies and denuclearization of that area.¹

Reduction of Forces

Premier Khrushchev also suggested the reduction of foreign troops in Germany as a separable measure. In private discussions of this proposal, the United States suggested the possibility of informal reciprocal actions rather than the formal agreement that the Soviets originally had in mind. It suggested applying this "mutual example" procedure to reductions of military expenditures.²

Reduction of Military Expenditures

At the Moscow conference, Premier Khrushchev suggested the freezing or reduction of military expenditures and asserted that the Soviet Union had quite enough missiles. The United States was not then interested in an agreement to reduce expenditures. Secretary of State Rusk mentioned the verification problem but indicated that the American military budget would not be increased.³

¹*Ibid.*

²See Jean Mayer, *American-Soviet Bilateral Talks on "Mutual Example" Force Reductions in Europe, 1963-1964*, Secret/NoForN; Lambert, *Soviet Policy on the Verification of Limitations on Conventional Forces and Armaments*, Secret; Lambert, *Germany, Nonaggression, and Arms Control at the Moscow Conference of 1963*, Secret.

³*Ibid.*

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Shortly after President Johnson took office, the Soviet Union announced that it would reduce military expenditures. The new President followed suit and announced in his State of the Union message that the U.S. defense budget would be reduced. This "mutual example" action attracted wide attention and became a topic of discussion at Geneva.

Initial Johnson Program

President Johnson made no radical changes in existing policy. Preparations for the 1964 ENDC negotiations were already under way when he assumed office. During these preparations, ACDA unsuccessfully attempted to win approval of a "separable first-stage" proposal to reduce nuclear delivery vehicles by 30 percent, without any conventional reductions. The failure of this effort meant that the U.S. plan for general and complete disarmament remained unchanged.

But discussion of the problem led to a new collateral proposal, which was approved just before the ENDC convened. In his message of January 21, 1964, to the ENDC, the President proposed that the United States and the Soviet Union explore a "verified freeze on the numbers and characteristics of strategic nuclear and defensive vehicles." The President reaffirmed the cutoff and transfer proposals and said that the cutoff might be implemented by reciprocal plant-by-plant shutdowns. We would be prepared to discuss observation posts. In order to stop the spread of nuclear weapons, he proposed agreements not to transfer nuclear weapons into the national control of non-nuclear nations with safeguards on international transfers of nuclear materials for peaceful uses, increasing acceptance by the major nuclear powers of international safeguards on peaceful nuclear activities, and a verified comprehensive test ban.

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The details of the freeze remained to be developed, and each point was the subject of intensive debate in the Committee of Principals.¹ It was agreed that the MLF should be protected, but this did not appear to be a great problem since we expected that the agreement would take three or four years to negotiate and the MLF could well come into being in that period. Verification was a knotty problem. U.S. intelligence capabilities in this field were excellent, and ACDA was more ready than CIA or Defense to rely on unilateral means of verification. Although it was finally possible to present a fairly detailed verification position at Geneva, the numbers of on-site inspections that we would require were not specified, both for negotiating purposes and because of continued disagreement among the Principals on the role of intelligence. There was also a dispute between ACDA and other agencies on the question of tying the freeze to the cutoff. In the end, we presented the freeze to the ENDC as a "companion measure" to the cutoff and left the question of linkage to be decided when and if the Soviets showed an interest in either proposal. The issues of ABMs and quotas for production and testing were not settled.

In their initial reactions, the Soviets attacked the freeze for permitting the development of the MLF and questioned the exclusion of tactical missiles. But they generally reserved judgment until Ambassador Timberlake presented our verification position in August 1964. Although this would not require the verification of inventories - a sticking point in previous negotiations - the Soviets considered that it involved excessive inspection. Ambassador Tsarapkin privately intimated that something might be done in this field if we dropped our inspection demands, but he presented no counter-proposals. Here, as in the first stage of general and complete disarmament, the Soviet Union was not willing to accept measures which preserved U.S. nuclear superiority.

¹The Committee of Principals, established during the Eisenhower Administration, was originally a subcommittee of the National Security Council but came to function as an independent organ. It remained the principal arms-control policy body throughout the Johnson Administration. The full committee comprised the Secretary of State (Chairman), the ACDA Director, The Secretary of Defense, the Joint Chiefs of Staff, the Director of the Central Intelligence Agency, the Director of the U.S. Information Agency, the Chairman of the Atomic Energy Commission, White House representatives, and the Vice President. Some matters were also handled by the Deputies, i.e., the Under Secretaries or Deputy Directors.

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In his first State of the Union message (January 8, 1964), President Johnson announced that he was initiating a 25 percent cut in uranium production and shutting down four plutonium reactors. On April 20 he announced further reductions of 20 percent for a plutonium and 40 percent for uranium, to be carried out over a four-year period. By previous arrangement, Premier Khrushchev and Prime Minister Douglas-Home also announced reductions of fissionable materials production. These "cutbacks" were not subject to inspection, and it is doubtful whether the Soviet Union actually fulfilled its pledge to stop construction of two large plutonium reactors.

Over JCS objections, ACDA obtained approval of a new plan for verifying the fissionable materials cutoff and presented it at Geneva. Under the new plan, declared production facilities would be inspected by the IAEA, while adversary inspectors would check for clandestine facilities. The JCS felt that adversary inspectors would also be needed at declared facilities. The issue remained theoretical, since the Soviets again rejected the cutoff on the ground that it might result in the disclosure of stockpile levels and endanger their security. Soviet stocks were still much lower than ours, but the JCS warned that the gap would narrow after 1965 and that the time might come when a cutoff would no longer be advantageous to the United States. This would be especially true if we later decided to deploy ABMs.

Neither the United States nor the Soviet Union changed its test-ban policy during 1964. Most nonaligned members of the ENDC espoused a "threshold" treaty, with a moratorium on underground tests below the threshold (usually placed at 4.75 seismic magnitude),¹ where they believed that tests could be detected and identified without on-site inspections. The United States did not comment on the threshold idea but continued to oppose any unverified suspension of tests.

¹At the start of the test-ban negotiations in 1958, the U.S. proposed a quota of 20 on-site inspections a year. Later, analysis of new seismic data made it appear that the number of unidentified seismic events would be much larger than we had originally estimated. In order to cope with this problem, we proposed in 1960 to halt underground tests above seismic magnitude 4.75, which was then considered the level at which 20 inspections would be adequate. This threshold would be lowered and hopefully abolished as seismic detection and identification capabilities improved. The U.S. dropped the threshold in 1962.

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The Johnson program had the two-fold goal of stopping the nuclear arms race through the SNDV freeze, the fissionable materials cutoff, and the comprehensive test ban and of preventing any further nuclear proliferation. The two aspects were closely connected because non-nuclear countries might well be reluctant to abandon the nuclear option unless the nuclear powers accepted some restrictions on future armaments. As we have seen, there was no immediate success on this front apart from the parallel "cutbacks" announcements.

On the specific proliferation problem, the United States introduced IAEA safeguards into the Geneva discussions but did not push the question at this time. In line with the President's message, we tried to set an example by placing one of our shut-down reactors under IAEA safeguards. While this action served to improve our image with the nonaligned, the Soviets did not follow suit. The introduction of the proliferation question into a public forum did not improve prospects for agreement but rather gave the Soviets a public opportunity for lambasting the MLF. American efforts to promote a non-acquisition agreement foundered over allied objections; the Germans were not willing to subscribe to such an agreement until the MLF was established.

Observation posts originally seemed to be a promising area of negotiations, since Premier Khrushchev had shown interest, and they were included in the Soviet lists of collateral measures.¹ The JCS made some useful studies, and the United States was well prepared for serious negotiations. In the allied consultations, the French and Germans expressed grave doubts about the political and military value of observation posts but reluctantly agreed that the measure could be discussed at Geneva. We supported a British proposal to discuss observation posts in general terms without mentioning particular locations. The Soviets, concentrating as usual on Central Europe, immediately replied that observation posts could not be discussed unless we agreed to link them with the denuclearization of Germany and the reduction of foreign forces in Central Europe. At the end of 1964, Mr. Gromyko confirmed to Rusk that the Soviet Union still insisted on linkage.

Gromyko Missile Proposals

The original Soviet draft treaty for general and complete disarmament (March 15, 1962) provided for the elimination of all nuclear delivery vehicles and foreign military bases

¹See below, p. 13.

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in stage I. Foreign Minister Gromyko modified this plan in September 1962, when he proposed that the United States and the Soviet Union keep a limited but unspecified number of ICBMs and defensive missiles until the end of the second stage. A year later, he changed this proposal and stated that the two countries could keep the "nuclear umbrella" until the end of the disarmament process. When the ENDC reconvened in 1964, the Soviet Union revised its draft treaty accordingly.

The Soviets refused to commit themselves on the exact numbers and types of weapons to be included in the "nuclear umbrella" unless we would first accept the Gromyko proposal in principle. From various Soviet statements, it appeared that the number of retained nuclear delivery vehicles would be quite small - perhaps less than 100 for each side. The quotas for the two sides would be comparable but not necessarily identical. Questioned on the "mix" of the retained forces, the Soviets explained that they excluded submarines because of the difficulty of verification and included defensive missiles to relieve Western fears of concealed stocks. They never acknowledged that ABMs might be a destabilizing factor. In a partial departure from their previous opposition to inspection of retained forces, they were now willing to accept inspection of declared missiles at launching sites.

The Soviet concession on verification was not fully satisfactory to the West, since it offered no assurance against clandestine stocks. More fundamentally, we opposed the Gromyko proposal because it would have upset the military balance between East and West to abandon U.S. nuclear superiority and to eliminate foreign bases at the outset of the disarmament process, before peacekeeping machinery had been set up.

In the summer session of the ENDC, the Soviets resorted to a new tactic and proposed an ENDC working group on the "nuclear umbrella." But it developed that they would not agree to establish a working group unless we would first accept minimum deterrence in principle. Since we were not prepared to do this and they refused to accept broader terms of reference, the effort failed. Although no one yet knew this, the curtain had closed on the last serious debate on general and complete disarmament.

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Soviet Collateral Proposals (1964)

The USSR also had a program of collateral measures, outlined in a memorandum submitted to the ENDC on January 28, 1964: (1) withdrawal of foreign troops, (2) reduction of armed forces, (3) reduction of military budgets, (4) a non-aggression pact between the NATO and Warsaw Pact countries, (5) denuclearized zones, (6) non-proliferation, (7) measures to prevent surprise attack, (8) elimination of bombers, and (9) an underground test ban.

As we have seen, serious differences between the United States and the Soviet Union prevented any significant progress on non-proliferation, observation posts, or an underground test ban. The Western side did not consider the ENDC a proper forum for discussing a nonaggression pact, which was essentially a European security measure. While most of the other Soviet proposals were non-negotiable, the bomber and military expenditures measures provoked an interesting debate.

The Soviet proposal to eliminate all bombers presented serious problems and we made it clear that we would not agree to eliminate bombers in isolation from other armaments. We took the occasion to surface our proposal for a bilateral U.S.-Soviet agreement to destroy obsolescent B-47s and TU-16s. The Soviets rejected this proposal on the ground that it did not amount to serious disarmament. The nonaligned delegations to the ENDC showed some interest but generally felt that the American proposal was inadequate standing alone. It was tacitly dropped after 1964. The Department of Defense phased out the B-47s from the active inventory but kept them in storage until 1967 in case the measure might be revived. ACDA then advised the Committee of Principals that there was no need to store the planes for arms-control purposes.

The Soviets initially pinned their hopes on their military expenditures proposal. Pointing to the "mutual example" reductions previously announced by the United States and the Soviet Union, their memorandum proposed an agreement to reduce military budgets by 10 to 15 percent. Although Ambassador Tsarapkin stated that control would not present any problems, he rejected a Canadian proposal to set up a working group to study the verification problem unless agreement was first reached in principle. He also rejected our private proposal for informal talks between American and Soviet experts. On this point, he claimed that we were seeking intelligence and that we already knew all we needed to know.

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But the immediate Soviet aim was an ENDC resolution appealing to all states to reduce their military budgets. The Soviets and their allies intimated that they might walk out of the ENDC unless this proposal was adopted. Although an ENDC resolution would not have affected the U.S. military budget at this time since we had already reduced our expenditures, we opposed it for several reasons. From a procedural point of view, we did not wish to make the ENDC a resolution-passing body. Some of our allies, e.g., the United Kingdom and the FRG, were then increasing their military expenditures. Our basic position was that reduction of expenditures should be a consequence of physical disarmament rather than vice versa. And there was the critical problem of verification; as ACDA Deputy Director Fisher pointed out in the ENDC, the published Soviet military budget consisted only of "sixteen words and one sum."¹ Nevertheless, the implicit Soviet threat to the ENDC and the danger that the Soviets might make propaganda capital out of our rejection led Fisher to recommend acceptance of the Soviet proposal in modified form. Although his recommendation was approved, the spring session of the ENDC terminated without his having to take any action. During the summer session the Soviets shifted their emphasis to the Gromyko proposal.

The Soviet program also called for "mutual example" force reductions in Europe. We had previously informed the Soviets of plans to withdraw some 8,000 men from Germany, and these reductions were made in April. Later, the Soviets withdrew 14,000 men from East Germany but made no public announcement. These reductions were not considered "mutual example" reductions like the budget cuts or the fissionable materials production cutbacks.²

At the end of the year, Foreign Minister Gromyko brought up force reductions with Rusk and stated that the Soviet Union had reduced its forces before similar action on our part. In reply, Secretary Rusk recalled our previous reductions but indicated that prospects for further U.S. action were not promising. Both informally exchanged information on budget reductions, but Mr. Gromyko did not respond to Rusk's suggestion of bilateral technical talks.

¹Documents on Disarmament, 1964, p. 153.

²See Jean Mayer, *American-Soviet Bilateral Talks on "Mutual Example" Force Reductions in Europe, 1963-1964*, Secret/Noform.

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Gomulka Plan

On December 28, 1963, Polish Communist leader Gomulka publicly advanced the idea of a nuclear freeze in Central Europe. As spelled out in more detail in a Polish memorandum of February 24, 1964, the freeze would apply to the two Germanies, Czechoslovakia, and Poland. It would cover all kinds of nuclear and thermonuclear charges, and there would be regional non-transfer undertakings. The agreement would be verified by joint commissions of Warsaw Pact and NATO representatives, with control posts at key points.

The new Polish proposal closely resembled the first stage of the Rapacki plan and was unacceptable to the United States and its NATO allies. In our reply (April 28), we objected that it would restrict important elements of NATO defense forces without placing comparable restrictions on the capabilities of the Soviet forces in the western part of the Soviet Union that threatened Europe. Moreover, it would be difficult to separate security and arms-control arrangements in Central Europe from unresolved political problems in the area. We accordingly considered it supremely important to make progress toward political settlements that could lead to new possibilities for arms limitations.

Further study within the U.S. Government confirmed our initial misgivings. To be effective, verification would have to be much more thorough than the Poles envisaged and would probably be intolerably intrusive. Moreover, it would impinge entirely on NATO since the Soviet Union then had no nuclear weapons in the area. On the whole, the JCS concluded that the plan was militarily disadvantageous.

Communist China and the Proliferation Problem

Peking's refusal to sign the limited test-ban treaty and its increasingly bitter polemic with Moscow in 1963 made it abundantly clear that the Chinese Communists were determined to continue their nuclear-weapons program, and it soon became evident that it would not be long before they conducted their first nuclear test. Although neither Washington nor Moscow welcomed this development, it was the nonaligned

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nations rather than the superpowers which first reacted publicly and called attention to the urgent problem of stopping nuclear proliferation. On July 21, 1964, African leaders declared that they were willing to join an agreement not to manufacture or control nuclear weapons. In October, participants in the Cairo nonaligned summit conference underlined the danger of proliferation, called on the nuclear powers to abstain from disseminating nuclear weapons, and declared their own willingness to refrain from producing or acquiring nuclear weapons. They also launched a movement for a world disarmament conference in order to bring Communist China into the disarmament negotiations.

Meanwhile, ACDA was trying to gain higher priority for non-proliferation. In the Committee of Principals, it proposed dropping the requirement of Chinese Communist adherence and giving the Soviets a letter of reassurance on the MLF. With the MLF campaign in high gear at this time, these ACDA efforts had little immediate success. The State Department agreed, however, that the Chinese requirement would have to be dropped. It also saw the crucial importance of India, and an interdepartmental committee chaired by Ambassador Thompson was set up to study the Indian problem. The Thompson Committee recommended several measures to keep India in the peaceful nuclear path, including closer consultations, increased peaceful nuclear cooperation, and private assurances that we would support India in the event of a Chinese attack.

The Chinese carried out their first test on October 16, and Premier Chou sent a message to heads of government stating that China would never be the first to use nuclear weapons. He proposed a world summit conference to discuss complete nuclear disarmament, and, as a first step, an agreement not to use nuclear weapons. Premier Kosygin was the only head of a nuclear nation to return a positive reply. President de Gaulle unsuccessfully attempted to interest the Chinese in the French proposals for a conference of nuclear nations and the verified reduction and elimination of nuclear delivery vehicles. The Indian reply was caustic, and Prime Minister Shastri publicly raised the question of security assurances.

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The United States did not reply to the Chinese proposal. Instead, President Johnson made a public address in which he reaffirmed our support of the limited test-ban treaty, a comprehensive test ban, and non-proliferation. On security assurances, he said that nations that did not seek nuclear weapons could be sure of our support against nuclear blackmail if they needed it.

In spite of some initial skepticism on the part of Secretary of State Rusk and the JCS, non-proliferation gradually became a more important U.S. objective. The question of a "European option" remained a serious problem. American policymakers then hoped that the MLF might some day lead to a European union with its own nuclear force, not controlled by any of the existing nuclear powers, while the Soviets objected that this would mean a force dominated by the FRG. Through Netherlands Foreign Minister Luns, we had told them that a change of this kind would mean melding existing European nuclear forces. But we could not put this in a non-proliferation agreement since this would enable the British to veto the future evolution of the MLF without joining it.

In the Committee of Principals, ACDA Director Foster now proposed to include in the non-proliferation treaty an assurance that the MLF would not be used to increase the number of independent decision-making entities controlling the use of nuclear weapons or to simply say that the United States would keep its veto over the MLF. Although these formulations were not approved at this time, they pointed the way for future developments. During the discussion of this question, AEC Chairman Seaborg noted the uncertainty over Soviet implementation of the April "cutbacks" announcement, and the Principals agreed on the need for safeguards, but these were not immediately incorporated into our proposals.

At the end of the year, Foreign Minister Gromyko told Rusk that the USSR opposed the MLF on broad political grounds and showed no interest in Rusk's suggestion that Soviet concern over non-dissemination could be met in the MLF arrangements. On the contrary, he warned that the USSR would regard establishment of the MLF as a hostile act and draw the appropriate conclusions.

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Proposed Approach to New Soviet Leaders

The fall of Khrushchev in October 1964 prompted an ACDA effort to promote a new approach to his successors. The non-proliferation effort has been described above. A draft instruction would authorize Foster to suggest a two-year halt in construction of new land-based ICBM and ABM sites, to be verified by national means; sea-borne launchers were excluded in order to keep the MLF out of the discussion and because of the verification problem. After some hesitation because of the uncertainty surrounding the previous Soviet "cutback," the fissionable materials cutoff and transfer were reaffirmed, but ACDA could not immediately overcome JCS objections to increasing the amount of material to be transferred, to including plutonium, and to obtaining some of it from the destruction of nuclear weapons. Within the Committee of Principals, ACDA advocated technical discussions with the USSR on the problem of verifying a comprehensive test ban and envisaged a change in our position on the number and types of inspections. For the time being, however, no new positions were approved.

Effects of the Vietnam War

The escalation of the conflict in Vietnam, marked by the start of U.S. bombing operations in March 1965 and the subsequent introduction of large American ground forces, had less direct effect on the arms-control negotiations than might have been supposed. This was probably because nuclear weapons were not involved in the war, and the United States and the Soviet Union were chiefly interested in the nuclear aspects of arms control; major reductions of conventional forces and arms figured only in their general and complete disarmament plans, and even there they did not occupy the center of the stage.

The war led to a considerable increase in U.S. military expenditures, and the Soviets accused us of reneging on a tacit agreement to limit budgets.¹ As will be seen, the Chinese Communists invoked the war as a reason for not pursuing arms control in the Warsaw talks. Communist charges concerning our use of herbicides and non-lethal gases in Vietnam led to the first significant discussion of chemical and biological warfare in many years.

¹See above, p. 7.

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Disarmament Commission (1965)

Normally, the summer session of the ENDC was followed by a regular session of the General Assembly, where there was a full discussion of disarmament questions in the First Committee, usually resulting in several resolutions which were referred to the ENDC for action. But the 19th session of the General Assembly (1964) did not follow the usual procedure; owing to a dispute on the payment of financial assessments, this session never got beyond the stage of general debate. In the spring of 1965, the United States proposed to reconvene the ENDC as usual. The Soviet Union, however, preferred to go the Disarmament Commission instead, on the ground that there had been no opportunity for the usual General Assembly action. The Disarmament Commission, which had been inactive for several years, comprised all U.N. members and thus offered the Soviets a larger propaganda audience than the ENDC. The larger forum could also serve as a springboard for a world disarmament conference and thus afford the Soviet Union an excuse for ditching the ENDC if it decided to do so.

In the Disarmament Commission, the Soviets tabled a compendium of collateral measures that they had previously submitted to the General Assembly. Besides the measures in their January 1964 list,¹ they now proposed to discuss the dismantling of foreign bases and a ban on the use of nuclear weapons. Both proposals had long been advocated by the Soviet Union and were completely unacceptable to the United States. As it turned out, the Soviets were unable to muster much support for them and refrained from pressing their draft resolutions to a vote.

The United States continued to advocate the Johnson program.² In his opening speech, Ambassador Stevenson surfaced the new test-ban position and stated that we would be willing to explore verification requirements in order to determine whether a different number and type of inspections would be adequate in the light of new scientific developments.³ A U.S. draft resolution urged the ENDC to reconvene and negotiate on a comprehensive test ban, a non-proliferation agreement, the fissionable materials cutoff and transfer, and the SNDV freeze. This resolution was not put to a vote.

¹See above, p. 13.

²See above, p. 8.

³Cf. above, p. 18.

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The ball was in the control of the nonaligned nations, and the results of the session were not fully satisfactory to either superpower. The proposal for a world disarmament conference, pressed by Yugoslavia, won wide support but suffered a loss of tempo when the final resolution of the Disarmament Commission merely welcomed it and asked the General Assembly to give it urgent attention. In this watered-down form, the proposal was approved by a large majority, including the United Kingdom and the USSR. Of the great powers, only the United States and France abstained.

The nonaligned generally agreed on the urgency of a non-proliferation agreement, accompanied by various other measures. While there was no complete consensus on other measures, there was wide support for security assurances, a comprehensive test ban, the SNDV freeze, the fissionable materials cutoff, and a ban on the use of nuclear weapons. In the end, the Disarmament Commission adopted a Swedish "omnibus" resolution which called on all states to adhere to the limited test-ban treaty and recommended that the ENDC resume its work as soon as possible, giving priority to a comprehensive test ban and a non-proliferation treaty - including suggestions for "a programme of certain related measures." Then and later, both the United States and the Soviet Union opposed linking the non-proliferation treaty with other measures in a "package". The resolution as a whole was closer to the American than to the Soviet position, and the USSR abstained, partly to avoid embarrassing Peking on the test-ban issue.

U.S. Policy Review (1965)

Test Ban

Meanwhile, the United States was conducting an extensive policy review of various measures. The Principals considered three alternative ACDA proposals on the test ban. The first was based on the "verification by challenge" principle, i.e., it would be verified by national means but a party could ask another to provide information on unidentified events and request on-site inspection if the information was not satisfactory. The challenging party could then withdraw from the treaty if the other side refused to permit inspection. This proposal was not well received and was little discussed.

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ACDA also provided the Principals with an alternative comprehensive proposal with obligatory on-site inspections. Less negotiable in ACDA's view, this proposal did not specify the number of inspections but noted that three each year would now provide as much assurance as the seven we had proposed in 1963. This proposal encountered opposition from the JCS, who took a pessimistic view of our detection and identification capabilities, especially at very low levels, and were inclined to question the military desirability of a comprehensive test ban.

The AEC raised the additional problem of peaceful nuclear explosions; these were excluded from the three environments covered by the limited test-ban treaty, but our Plowshare program was making progress and the AEC thought it important to make some provision for them in a comprehensive treaty. But ACDA-proposed procedures for peaceful nuclear explosions without disclosure of the explosive devices aroused concern of those who feared that such explosions could be used to disguise weapons tests.

As a third alternative, ACDA also proposed an agreement to stop underground tests above a threshold of 4.5 seismic magnitude. It estimated that a seismic system could be implemented that would identify all but nine events above this level and that improved intelligence could identify many of the nine. In the Principals' discussion, Secretary of Defense McNamara favored this proposal and the JCS opposed it. While there was a technical problem of measuring seismic magnitude, there was little question that the proposal could be verified without on-site inspections. The basic JCS objections were military; from their point of view, a threshold treaty would be disadvantageous because the Soviets were ahead in large weapons and could catch up with us if only small tests were permitted. Moreover, ABM development could require testing above the threshold, and the JCS questioned the ACDA view that a threshold agreement would seriously inhibit both sides. They also called attention to the growing Chinese threat.

From the political view, the State Department saw substantial advantages to a comprehensive test ban, which would contribute to stopping proliferation, improve Soviet-American

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relations, and widen the Moscow-Peking split to our advantage. It believed that five key potential nuclear nations - India, Israel, Sweden, Japan, and the FRG - would find a comprehensive agreement acceptable, and that the UAR and Pakistan would probably also adhere. It saw less political advantage in a threshold treaty, which might not be accepted by the Soviets and would leave a loophole for Nth country testing.

In spite of the political advantages, however, the Principals were unable to agree on any of the ACDA proposals. When the discussion ended, the ENDC had already been in session for more than a month. Mr. Foster was authorized only to present a description of the large-aperture seismic array (LASA), which the United States was developing to improve detection and identification capabilities.

Fissionable Materials Cutoff and Transfer

As noted above, ACDA raised the question of adding plutonium to the proposed fissionable materials transfer and obtaining some of the transferred plutonium and uranium by destroying nuclear weapons.¹ The Principals approved the ACDA proposal in April 1965, but it was not surfaced in the Disarmament Commission or the ENDC. The problem of verifying the destruction of nuclear weapons without disclosing weapon designs remained to be solved.

SNDV Freeze and Reductions

Ever since the birth of the SNDV freeze proposal, ACDA had been trying to complement it with reductions. Since we were still ahead of the Soviets, reductions by equal percentages would work to our advantage. In 1964 the JCS concurred in the ACDA view that 30 percent reductions would be advantageous to the United States. It will be recalled that the ACDA "separable first stage" plan that preceded the freeze called for reductions of this magnitude.²

¹See above, p. 18.

²See above, p. 8.

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But the percentage method was hardly negotiable, since it would require the USSR to formally acknowledge its nuclear inferiority by making an initial declaration of its force levels. ACDA now proposed to get around this difficulty by exploring reductions by absolute numbers, without any initial declarations. Under this plan, the United States would reduce its nuclear forces by approximately 700 aircraft and missile launchers with associated missiles over a three-year period if the USSR would make commensurate reductions.

In making this proposal, ACDA estimated that continuation of the nuclear arms race would place us at a disadvantage in a few years. This assumption was questioned by AEC and CIA, and the latter renewed its previous reservations about relying on unilateral intelligence for verification. The JCS joined CIA on this issue and further objected that the USSR could meet their quota of 700 from short-range and obsolescent vehicles while we would have to destroy one-half of our Minuteman force. They also opposed a moratorium on ABM launchers, since they were planning to begin construction of ABMs during the period when the reductions would be carried out (1966-1969). On the other hand, ACDA took the position that ABMs would be destabilizing and argued that Communist China would not be a nuclear threat to the United States or the USSR for 10 years, even if the proposed reductions were made. The Principals took no action on the ACDA proposals, and the U.S. position at the ENDC remained unchanged.

Non-proliferation

As we have seen, the nonaligned nations were pressing for action to deal with the proliferation problem. The United States was also under increasing pressure from its allies. Both the British and the Canadians prepared draft treaties which presented problems. The British draft would ban the transfer of nuclear weapons to an association of states and thus end the "European option" we were determined to preserve. The Canadian draft included security assurances and made IAEA safeguards mandatory on the peaceful nuclear activities of all parties.

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The MLF/ANF project still blocked the road to a non-proliferation agreement. We had originally hoped that the MLF charter would be approved by the end of 1964, but it was now the spring of 1965, and it was not clear when or whether agreement would be reached on this project. As Mr. Foster pointed out to the Committee of Principals, it might take 1 1/2 to 2 years, and this period was critical for the non-proliferation negotiations. If nothing was done, he warned, we might fail on both counts.

To avert such double failure, he proposed that we tell the Soviets privately that we would not exert any pressure on our allies to agree to the MLF/ANF even though we would not publicly renounce it, and leave the Soviets to draw their own conclusions. It might then be possible to agree with the USSR on compromise language which neither barred an MLF/ANF or required the USSR to endorse it. Moreover, parties would be free to withdraw from the treaty if others took any action that they considered to be a violation.

The Principals still favored continued American support for the MLF/ANF in response to the largest possible European consensus. At the same time, they agreed that we should tell the Soviets that we contemplated a non-proliferation agreement which would neither explicitly forbid nor permit the transfer of control of nuclear weapons to groups of states. Such an agreement would have a withdrawal clause similar to that in the limited test-ban treaty, but this clause would not be linked with the MLF/ANF.

There was also some movement on security assurances. The Thompson Committee recommended linked statements by India and the United States, possibly joined by the USSR and the United Kingdom. It could not agree whether the United States should simply reaffirm the President's pledge of October 1964,¹ or declare that all free countries in Asia could be sure that Chinese nuclear aggression would be met with a prompt U.S. response. Over JCS objections, the committee recommended reaffirming by either version American support for a comprehensive test ban, a fissionable material production cutoff, and a non-proliferation agreement. The Principals considered both alternatives but were unable to reach a decision. They did, however, approve a draft General Assembly resolution, prepared by ACDA, which would welcome the intention of states to assist any non-nuclear state that was "the victim of an act of aggression in which

¹See above, p. 17.

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nuclear weapons are used."¹ Congressional leaders were consulted and made no objection.

On June 28, the President issued a NSAM directing ACDA to prepare a new program, including measures to prevent the further spread of nuclear weapons. ACDA was still working on this program when the British informed us that they intended to introduce their draft treaty at Geneva, and the Canadians indicated that they might also surface their draft. The initial State Department response to the British showed how little American policy had changed. Ambassador Bruce was instructed to oppose the British draft and reaffirm our 1963 proposal, with the addition of a withdrawal clause. Over ACDA objections, the instruction also stated that a non-proliferation treaty should ban only transfers to individual states in order to leave no ambiguity on the question of a MLF/ANF. The Germans also registered strong objections to the British draft. They attached more importance to nuclear sharing than to a non-proliferation treaty and would prefer to accompany the latter with a fissionable materials cutoff and comprehensive test ban. Moreover, they hoped to get some political concessions from the USSR in return for signing the treaty. The British vigorously maintained their position, and there was a serious threat of an open split in NATO when the ENDC reconvened in July.

In these circumstances, Mr. Foster argued that we should make a serious effort for a non-proliferation treaty and pointed out that our failure to do so could have serious repercussions on some of our NATO allies. In his view, non-proliferation should no longer have second priority to the MLF/ANF, and we should try for a treaty which would neither prohibit nor sanction the multilateral project. The treaty would contain security assurances provisions, modeled on the draft General Assembly resolution, and a pledge by the nuclear powers not to use nuclear weapons against non-nuclear parties, "except in defense against an act of aggression in which a State owning nuclear weapons is engaged."² While he would prefer mandatory safeguards for non-nuclear parties, we should be prepared to offer a hortatory safeguards article as a fallback position.

¹Summary of Action, Meeting of the Committee of Principals Apr. 22, 1965. Secret.

²Foster to Committee of Principals, memorandum, July 16, 1965, Secret, with attached draft position paper on non-proliferation agreement, July 16, 1965, Secret.

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It was decided to insist on treaty language that protected the MLF/ANF and the European option. The JCS favored non-proliferation with safeguards but gave NATO defense higher priority, while the AEC particularly endorsed strong safeguards. ACDA did not press its security assurances or non-use proposals against JCS opposition. State vetoed an ACDA proposal to promote a Congressional non-proliferation resolution, because it wished to avoid a public debate on the MLF/ANF and feared that even a vague threat of economic retaliation (implied in the ACDA draft) could backfire against the non-proliferation effort.

ENDC Negotiations (1965)

When the ENDC convened on July 27, President Johnson sent a message stating that the American delegation had been instructed to seek agreements on non-proliferation, a comprehensive test ban, and limitation of nuclear weapons and nuclear delivery systems. As the previous section shows, our positions were not yet fully determined.

At the outset, we persuaded the British to refrain from tabling their draft non-proliferation treaty but were unable to get them to accept our amendments. It was not until August 17 that we introduced our draft treaty. The first two articles read as follows:

Article I

1. Each of the nuclear States Party to this Treaty undertakes not to transfer any nuclear weapons into the national control of any non-nuclear State, either directly, or indirectly through a military alliance, and each undertakes not to take any other action which would cause an increase in the total number of States and other organizations having independent power to use nuclear weapons.

2. Each of the nuclear States Party to this Treaty undertakes not to assist any non-nuclear State in the manufacture of nuclear weapons.

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Article II

1. Each of the non-nuclear States Party to this Treaty undertakes not to manufacture nuclear weapons; each undertakes not to seek or to receive the transfer of such weapons into its national control, either directly, or indirectly through a military alliance; and each undertakes not to take any action which would cause an increase in the total number of States and other organizations having independent power to use nuclear weapons.

2. Each of the non-nuclear States Party to this Treaty undertakes not to seek or to receive assistance in the manufacture of nuclear weapons, or itself to grant such assistance.¹

Owing to allied objections, the weaker version of the safeguards article was used. Little attention was paid to safeguards at Geneva, where Ambassador Tsarapkin attacked the basic provisions of the U.S. draft for legalizing the MLF and demanded that the treaty ban "indirect access" to nuclear weapons by non-nuclear nations.

The U.S. draft treaty protected the European option that the British wished to drop. In the ENDC, Lord Chalfont supported the draft as a whole but publicly stated that the United Kingdom opposed the European option and had no intention of merging its nuclear forces with its allies. Other NATO countries concurred with our proposal, and Italy also took an initiative of her own. Foreign Minister Fanfani suggested that the non-nuclear nations might agree on a "moratorium" of specified duration if the nuclear powers were unable to agree on a non-proliferation treaty in a reasonable length of time. Although Secretary Rusk personally found this idea attractive, our delegation was instructed to discourage it. Nevertheless, the Italian delegation introduced a draft declaration on a moratorium.

¹*Documents on Disarmament, 1965, pp. 347-349.*

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On September 15, the nonaligned members of the ENDC submitted a joint memorandum in which they expressed their conviction that "measures to prohibit the spread of nuclear weapons should...be coupled with or followed by tangible steps to halt the nuclear arms race and to limit, reduce and eliminate the stocks of nuclear weapons and their means of delivery."¹

U.S. policies on the SNDV freeze and the fissionable materials cutoff remained unchanged, and the Soviets had nothing to offer in this field. After ACDA failed to obtain approval for new policies on the comprehensive or threshold test ban, Mr. Foster could only reaffirm our willingness to engage in technical discussions and describe the new LASA system. The nonaligned continued to advocate technical discussions, a threshold treaty, and a moratorium on sub-threshold tests. On September 7, Ambassador Tsarapkin noted the UAR proposals for a threshold agreement and a moratorium and stated that the USSR would accept them. He did not mention a UAR proposal for scientific discussions. Mr. Foster immediately repeated our opposition to "an unverified moratorium." Without explicitly mentioning the threshold, he condemned "half-measures, which may create suspicion throughout the world that violations might be occurring."²

20th General Assembly (1965)

In his opening address to the General Assembly (September 23), Ambassador Goldberg unveiled the new proposals on the SNDV freeze and the fissionable materials cutoff that had been worked out in the Committee of Principals. The United States would be willing to explore the possibility of significant reductions if progress could be made on the SNDV freeze. If the Soviet Union accepted the fissionable materials cutoff and transfer, we would be willing to include plutonium and to obtain some of the transferred plutonium and uranium from the demonstrated destruction of nuclear weapons taken from American and Soviet stockpiles. The Soviets did not respond to either proposal.

¹*Ibid.*, pp. 424-425.

²*Ibid.*, pp. 397-398

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Non-proliferation

On September 24 the USSR submitted a draft non-proliferation treaty. The first two articles read as follows:

Article I

1. Parties to the Treaty possessing nuclear weapons undertake not to transfer such weapons in any form - directly or indirectly, through third States or groups of States - to the ownership or control of States or groups of States not possessing nuclear weapons and not to accord to such States or groups of States the right to participate in the ownership, control or use of nuclear weapons.

The said Parties to the Treaty shall not transfer nuclear weapons, or control over them or over their emplacement and use, to units of the armed forces or military personnel of States not possessing nuclear weapons, even if such units or personnel are under the command of a military alliance.

2. Parties to the Treaty possessing nuclear weapons undertake not to provide assistance - directly or indirectly, through third States or groups of States - to States not at present possessing nuclear weapons in the manufacture, in preparations for the manufacture or in the testing of such weapons and not to transmit to them any kind of manufacturing, research or other information or documentation which can be employed for purposes of the manufacture or use of nuclear weapons.

Article II

1. Parties to the Treaty not possessing nuclear weapons undertake not to create, manufacture or prepare for the manufacture of nuclear weapons either independently or together with other States, in their own territory or in the territory of other States. They also undertake to refrain from obtaining nuclear weapons in any form - directly or indirectly, through third

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States or groups of States - for purposes of ownership, control or use and shall not participate in the ownership, control or use of such weapons or in testing them.

The said Parties to the Treaty shall not seek to acquire control over nuclear weapons or over their emplacement and use for units of their armed forces or personnel thereof, even if such units or personnel are under the command of a military alliance.

2. Parties to the Treaty not possessing nuclear weapons undertake not to obtain or seek to obtain, from States possessing nuclear weapons, assistance in the manufacture of such weapons or relevant manufacturing, research or other information or documentation which can be employed for purposes of the manufacture or use of nuclear weapons.¹

There was no safeguards article. Although the Soviet draft did not explicitly ban an MLF or ANF, the Soviets made it quite clear that it was so intended.

The only new U.S. development was Goldberg's statement that we would support a General Assembly resolution against nuclear blackmail of non-nuclear nations. We did not, however, surface such a resolution.

The General Assembly approved a resolution on November 19, sponsored by the Eight, which incorporated the principles of the eight-nation memorandum of September 15. The resolution called on the ENDC to negotiate a non-proliferation treaty void of loopholes, with "an acceptable balance of mutual responsibilities and obligations of the nuclear and non-nuclear Powers."² Although both the United States and the Soviet Union supported this resolution, neither endorsed the prevalent nonaligned view that a non-proliferation treaty should be linked with concrete disarmament measures.

¹Ibid., pp. 443-446.

²Ibid., pp. 532-534.

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Conventional Arms Transfers

Before this session of the General Assembly, the question of controlling conventional arms transfers had attracted little public attention. Secretary of State Rusk personally felt that many developing countries which so passionately demanded nuclear disarmament were spending far too much of their limited resources on increasingly sophisticated conventional weapons. Both in the ENDC and in the Disarmament Commission, ACDA Director Foster had called attention to the need for regional action to halt conventional arms races. Within the U.S. Government, ACDA was playing a more prominent role in U.S. arms sale policy.

At the 20th General Assembly, Maltese Ambassador Pardo recalled the efforts of the League of Nations to regulate conventional arms transfers and submitted a draft resolution inviting the ENDC to devise a system for publicizing international arms shipments. Mr. Foster welcomed the Maltese proposal but expressed doubts that it would successfully eliminate secrecy from arms transfers. Privately, he told Pardo that we considered regional arrangements the most effective way to handle the problem.¹ The Maltese proposal failed in the First Committee, where the United States joined 38 other nations in abstaining when it came up for a vote.

World Disarmament Conference

The movement for a world disarmament conference was still alive, and in spite of our misgivings we announced that we would be willing to participate in an exploratory group as a preliminary step toward such a conference. With only France abstaining, the General Assembly approved a resolution endorsing the Cairo proposal² and urging consultations on establishing a preparatory committee to take steps toward convening a conference not later than 1967.

¹See John Syphax, *Proposals Involving the Registration and Public Reporting of International Arms Transfers, 1965-1970*, Secret, p. 4.

²See above, p. 16.

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Chinese Communist Attitude

The hopes of those who pressed for a world disarmament conference was dashed by the cold reception the proposal received from the Chinese Communists. Through our Ambassador at Warsaw, we informed the Chinese in May 1966 that we would be willing to participate in an exploratory group. They replied that they would not attend a disarmament conference or join an exploratory group and linked their refusal to the Vietnam war. They also declared that they would not participate in the ENDC, which they had not been invited to join.

We also sought to clarify a public statement by Premier Chou En-lai in which he denounced the United States for rejecting the Chinese disarmament proposals,¹ attacked the United States and the Soviet Union for engaging in non-proliferation negotiations, and declared that China had to conduct nuclear tests in these circumstances. After Ambassador Gronouski asked Wang at Warsaw whether this meant that Peking would consider a test-ban agreement linked to a non-first-use agreement, the Chinese press represented the démarche as an American proposal and denounced it as fraudulent.

Johnson Seven-Point Program (1966)

In his message of January 27, 1966, to the ENDC, President Johnson outlined a seven-point program to curb the arms race: (1) a non-proliferation treaty, (2) promotion of IAEA or equivalent international safeguards on peaceful nuclear activities, (3) security assurances to non-nuclear nations, (4) a comprehensive test ban, (5) a fissionable materials cutoff and transfer, (6) an SNDV freeze and reductions, and (7) regional cooperation to halt conventional arm races. This program was still a group of related measures designed to stop and then turn down the arms race. In the event, the non-proliferation treaty turned out to be the only negotiable measure. Since this was by no means evident at the beginning of 1966, the other proposals will be examined first.

¹See above, p. 16.

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ENDC Negotiations (1966)

Comprehensive Test Ban

If prospects for a comprehensive test ban remained dim at Geneva because of continued Soviet refusal to accept a small number of on-site inspections, they were also poor at Washington, where the objective itself was now questioned by the military. The comprehensive test ban was included in the President's message over the objections of the JCS, who were concerned about Soviet ABM development and thought that we would need a vigorous testing program to meet the Soviet threat. They asserted that no acceptable verification system could be found and denied that a small number of inspections would provide sufficient deterrence. Unlike ACDA, they refused to rely on the classified atomic energy detection system (AEDS) or unilateral intelligence. Basically, they felt that a comprehensive treaty would prejudice our national security. In their view, we must develop our own ABMs, remove missile vulnerabilities, and develop MIRVs. All these tasks would require continued testing. On the other hand, Secretary of Defense McNamara still favored a comprehensive agreement.

In the ENDC, Swedish Ambassador Myrdal introduced a plan for "verification by challenge" Under this plan, a nation could be challenged to clear itself by providing data on suspicious events that occurred on its territory. If the data did not satisfy the complaining state, it could take the case to the Security Council, challenge the other state to invite inspection, and withdraw from the treaty if it refused to supply convincing evidence that it had not violated the treaty.¹ The United States continued to insist on obligatory inspections, and the Soviet Union after some delay announced that it could not accept on-site inspection in any form.

In the Committee of Principals, ACDA renewed its efforts to promote a threshold proposal.² This would be offered as an alternative to a comprehensive test

¹ACDA had unsuccessfully advanced a somewhat similar proposal in the Committee of Principals; see above, p. 20. Mr. Fisher personally concurred in the unofficial Scarborough report endorsing the Swedish concept but made it clear at Geneva that the United States did not endorse it.

²See above, pp. 21-22.

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ban if the Soviets persisted in their refusal to consider on-site inspection. The threshold, initially set at 4.75 seismic magnitude, could be lowered whenever scientific developments made this possible or arrangements for effective verification were worked out. ACDA estimated that we could identify all but about eight events each year above the threshold and that our unilateral intelligence could eliminate many unidentified events. The Soviet Union and many near-nuclear nations might accept such an agreement.

After prolonged discussion, the Principals reported to the President on July 26 that they were unable to reach agreement. The chief difference involved verification, Nth countries, effects on American and Soviet military development, and peaceful nuclear explosions. The JCS and CIA were reluctant to rely on intelligence data for verification, and AEC raised the problem of determining magnitudes. Other agencies were inclined to stress the danger that even one or two clandestine tests might give the Soviet Union a military advantage. Since it would be technically feasible for Nth countries to test below the threshold, they questioned its political value as a non-proliferation measure. There was disagreement on the extent of the Soviet ABM development and the need for testing below the threshold but acknowledged that this would increase the cost. Finally, AEC opposed any threshold proposal until the U.S. position on peaceful explosions had been determined. In the end, none of the new ACDA proposals were approved and our test-ban position remained unchanged.

The one area where they seemed to be some prospect of progress was in the international exchange of seismic data. The Swedes took the lead in making preliminary moves for a "detection club." The United States expressed sympathy for this project but did not participate in an initial meeting at Stockholm. The USSR also stayed away from this meeting. Ambassador Roshchin told Foster privately that the Soviets were interested in the detection club idea and felt that it could be incorporated in a comprehensive treaty, provided that there were no inspections and the data were reported voluntarily and evaluated nationally (rather than by an international commission, as in most previous proposals).

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Fissionable Materials Cutoff and Transfer

Our delegation at Geneva submitted several working papers spelling out various aspects of the revised cutoff and transfer proposals previously introduced at the General Assembly.¹ One of these papers outlined procedures for destroying nuclear weapons, and another described procedures for shutdown reactors. A U.S. expert described a method for monitoring shutdown reactors in great detail, and we invited other nations to observe a demonstration of the method at the Hanford plant. The Soviet Union still opposed our proposals, arguing that they would not reduce the threat of nuclear war and that only obsolescent weapons would be eliminated. In a message to the ENDC, Premier Kosygin proposed a separable nuclear disarmament program, but the Soviets did not develop this. The nonaligned nations generally favored the cutoff, and some of them wished to link it with a non-proliferation treaty. We welcomed a Swedish proposal to set July 1, 1967, as a target date for a cutoff agreement.

SNDV Freeze and Reductions

As Ambassador Goldberg had informed the General Assembly,² the United States was now willing to explore the possibility of significant reductions if progress could be made on the SNDV freeze. We were not, however, prepared to make any specific proposals for reductions. In the Committee of Principals, ACDA proposed to authorize our delegation at Geneva to ascertain in private discussions whether the Soviets were interested in coupling significant reductions with the freeze. Our delegation could also suggest concurrent technical discussions of guidelines and criteria.

Feeling that it would not be in the security interest of the United States to even consider reductions without some progress on the freeze, the JCS objected to going beyond the existing position. Secretary of Defense McNamara also stressed that we should not give the impression that

¹See above, p. 28.

²See above, p. 28.

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we were willing "to discuss the possibility of reductions without a freeze."¹ Within these limits, the delegation was authorized to seek private talks with the Soviets. But the Soviets were still not interested.

Another ACDA initiative within the U.S. Government was a proposal for an 18-month nationally verified freeze on new construction of launchers for ABMs and fixed land-based strategic missiles. ACDA Acting Director Fisher submitted this proposal to the President on May 2, together with a draft letter from the President to Premier Kosygin. He suggested that the President discuss this proposal with the chief Principals at a White House meeting. Although Secretaries McNamara and Rusk agreed by August that such a meeting should be held, it never took place.

At Geneva, Mr. Fisher publicly explained on August 16 why the freeze should cover defensive as well as offensive missiles. If only offensive missiles were covered, he stated, a nation could upset the strategic balance by deploying ABMs and confront another nation with the choice of abrogating the freeze agreement or of deploying its own ABMs to restore stability. There was as yet no indication that the Soviets were interested in a freeze or saw Fisher's point about ABMs.

Regional Arms Races

The new item in the seven-point program was the President's proposal that the countries concerned work out regional arrangements to halt conventional arms races. In the ENDC, Mr. Foster suggested the following guidelines for implementing this proposal: (1) no import or production of regulated material, (2) the initiative should come from within the region concerned, (3) inclusion of all important states in the region, (4) respect by potential suppliers of agreed restrictions, (5) regional security and a stable military balance, and (6) adequate verification. He offered the full cooperation of the United States. Later, he urged other ENDC supplier countries to encourage regional initiatives by signifying their readiness to respect regional agreements. U.S. interest in this problem was further underlined by President Johnson, who warned Latin American states on August 17 of the need to avoid needless arms expenditures.

¹McNamara to Foster, ltr., Mar. 31, 1966, Secret.

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Non-proliferation

Although this was not at all evident at the beginning of 1966, the non-proliferation treaty turned out to be the only negotiable item in the Johnson program. Initially, we made only modest changes in our draft treaty. As amended, the draft defined "control" as the "right or ability to fire nuclear weapons without the concurrent decision of an existing nuclear-weapon state" and, to placate the Indians, changed "nuclear State" and "non-nuclear State" to "nuclear-weapon State" and "non-nuclear-weapon State."¹ The new language was questioned by ACDA within the U.S. Government and by the allies. The Germans tacitly acquiesced only after we assured them that it would not affect the existing arrangements for release of warheads to allied forces after a Presidential decision and that the European option would remain open.

The amendments did not make our draft treaty negotiable. As the previous negotiations showed, the Soviets would not accept any language that sanctioned the MLF/ANF. From their public statements, it appeared that they might also object to existing NATO arrangements, the European option, and even the Special Committee that Secretary of Defense McNamara had proposed. This was the thrust of a hard-line speech by Gromyko to the Supreme Soviet (December 8, 1965), various Soviet public statements in the ENDC, and even some private remarks by Kosygin to Chalfont and by Tsarapkin to Fisher. Nevertheless, members of the Soviet delegation at Geneva privately told American delegates that in the end the Soviets would not insist on banning existing NATO arrangements or the Special Committee.

Meanwhile, the Administration's efforts received strong support from the U.S. Senate, which approved the Pastore resolution by a large majority. During the hearings on this resolution, none of the Administration officials advocated changing the existing atomic energy legislation, which forbade any transfers of nuclear weapons. Nor did the Senators propose any changes. By summer, ACDA concluded that the MLF project was dead and that it might be possible to reach agreement with the Soviet Union if a suitable formula could be found.

¹*Documents on Disarmament, 1966, pp. 159-160.*

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Both publicly and privately, the Soviets stressed the need to deny non-nuclear nations "physical access" to nuclear weapons. But Secretary Rusk's June 23 draft treaty banning "physical access" foundered in the Committee of Principals when Mr. Fisher and Under Secretary of State Johnson pointed out that it would conflict with existing NATO arrangements. Although Mr. Foster in an inadequately cleared statement told the ENDC on June 28 that the allies did not have physical access to nuclear weapons, allied forces were in fact trained in the use and handling of nuclear weapons under safeguarded procedures. During the discussion of the Rusk draft, none of the Principals considered it essential to protect the MLF/ANF. Defense was content to protect existing NATO arrangements and allied consultation. At Geneva, we successfully resisted a British attempt to drop the European option from our existing draft treaty and other amendments suggested by Canada and Italy. We also nipped in the bud an Indian move to float a nonaligned draft treaty providing for a ban on transfer of nuclear weapons between nuclear powers, a fissionable materials cutoff, universal safeguards, and nuclear disarmament. Some of these ideas were reflected, however, in a joint memorandum submitted by the Eight to the ENDC on August 19.

Meanwhile, Mr. Fisher was authorized to give Roshchin a simplified "non-transfer" type of draft on a personal basis. Although the Soviet representative found the draft inadequate for transfers through military alliances, Mr. Fisher concluded that agreement might be possible. He suggested that the Soviets be informed at the highest level that we were not considering any nuclear-sharing arrangements involving joint ownership and that we were firm on existing arrangements and the right of allied consultation. On ACDA's recommendation, plans were made to inform the Germans and to start serious negotiations with the Soviet Union during Gromyko's forthcoming visit to the United States.¹

¹See below, p. 49.

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Peaceful Nuclear Explosive Devices

The development of the Plowshare program was arousing increasing interest in the use of peaceful explosive devices. This posed a problem for the non-proliferation treaty, for if the treaty did not ban all nuclear explosions by non-nuclear countries it might be possible for non-nuclear states to develop a nuclear weapon capability by simply claiming that the nuclear devices they tested were peaceful. There were rumors that India was planning to do this.

In February, Mr. Foster obtained authority to extend treaty coverage to all nuclear explosions. When Mr. Fisher discussed the question with the Western Four in Geneva, the British and Canadian representatives disagreed. They believed that the non-nuclear nations would consider it unfair. Both thought that the problem might be solved by a comprehensive test ban, and Lord Chalfont suggested that the nuclear powers might provide nuclear devices to non-nuclear nations, which would otherwise consider the non-proliferation treaty unfair.

Mr. Fisher was impressed with the British argument and recommended against surfacing draft treaty language covering peaceful devices at this time. On a personal basis, he told Tsarapkin that it might be necessary for the nuclear powers to conduct nuclear explosions for the non-nuclear nations. Ambassador Tsarapkin acknowledged that the problem existed and would have to be dealt with in the future. After Mr. Fisher returned to Washington in May, he brought up the question with the Deputies to the Committee of Principals and obtained JCS support.

In late June our delegation at Geneva was instructed to prepare a speech on peaceful nuclear explosive devices. During allied consultations, both the British and the Canadians questioned the timing and warned that nonaligned reaction might be unfavorable. Before the speech could be made, the Pakistanis publicly charged that India was planning to conduct an underground test and call it a nuclear explosion. The Indians denied the charge and we considered it unfounded. When Mr. Fisher explained that the speech would have no relationship to the Pakistani charge, the Indian representative asked him to reconsider the timing.

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Mr. Fisher nevertheless delivered the speech on August 9. He told the ENDC that peaceful nuclear explosive devices were indistinguishable from nuclear weapons and should be covered by the non-proliferation treaty. When such devices became technically and economically feasible, the nuclear-weapon powers should make nuclear explosive services available to other countries "under appropriate international observation, with the nuclear device remaining in the custody and under the control of the State which performs the service."¹ The British and Canadians publicly supported this approach. Ambassador Roshchin told the press that Fisher's statement was "thorough, accurate and forceful."²

Safeguards

AEC efforts to strengthen the safeguards article received powerful support from Senator Pastore, who declared that there should be no international transfers of fissionable materials except under IAEA or similar international safeguards. But Mr. Foster and Mr. Fisher opposed an AEC attempt to include in the President's January message an undertaking to apply safeguards to peaceful nuclear activities on the ground that the British and Italians would object. Accordingly, the President's message remained hortatory on this aspect.

It was now the U.S. position to require all non-nuclear parties to accept IAEA or equivalent international safeguards on all peaceful nuclear activities. All parties would undertake to cooperate in facilitating the application of safeguards to all peaceful nuclear activities and to make nuclear transfers for peaceful purposes only under safeguards. The new position was not well received by the allies. The Italians wanted to water it down, and the Canadians, objecting to its "discriminatory" features, proposed making safeguards mandatory for all parties, both nuclear and non-nuclear. On the other hand, the British were not then willing to accept international inspection of their peaceful nuclear activities.

¹Documents on Disarmament, 1966, pp. 525-528.

²From Geneva, tel. 725, Aug. 10, 1966, Confidential.

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Although the Canadians eventually came to agree with us, the British were not yet ready to accept our language, and Mr. Fisher finally outlined the U.S. position to the ENDC on July 28. In this speech, he said that it would not be useful to cover the peaceful activities of nuclear-weapon powers unless there was a fissionable materials cutoff. The nonaligned nations remained interested in the cutoff, and Mrs. Myrdal (Sweden) suggested safeguards on all international transfers.

Security Assurances

When the ENDC convened in January, the United States had not surfaced any security assurances proposals except President Johnson's statement of October 1964,¹ and Ambassador Goldberg's September 1965 statement advocating General Assembly action to assure non-nuclear countries against Nuclear blackmail.² The President's January message to the ENDC did not go beyond these previous pronouncements.

Premier Kosygin introduced a new element in his February 1 message to the ENDC by offering to include in the non-proliferation treaty a provision banning the use of nuclear weapons against non-nuclear countries which did not have them on their territory. The Kosygin offer was open to the objection that it would not prevent nuclear blackmail of non-nuclear states by nuclear powers which did not sign the treaty. It was also objectionable because it would discriminate against countries where allied nuclear weapons were stationed. Our allies also reacted negatively, but it was hard to develop effective public arguments against the Soviet proposal except that it would require verification to determine the absence of nuclear weapons in the countries concerned. It was bound to be popular with the nonaligned, and it would be particularly hard to reject it if it were amended to apply only to nonaligned non-nuclear nations.

¹See above, p. 17.

²See above, p. 30.

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Nor was it easy to develop a satisfactory American counterproposal. On February 18, Mr. Fisher proposed to the Principals a treaty article under which the parties would undertake to provide or support immediate assistance to any non-nuclear party to the treaty that was a victim of aggression in which nuclear weapons were used and had not already received assurances from a nuclear ally. The nuclear parties would agree to consult to assure implementation of this provision.

In the Principals' discussion, both State and Defense opposed any new commitments, and Secretary of State Rusk stressed Senate concern on this point. He also noted the problem of countries like Iran, which might be alarmed if we did not classify them as allies even though they had no mutual security treaties with the United States. The only possibility seemed to be an ACDA-proposed draft General Assembly resolution welcoming the intention of U.N. members to "provide or support immediate assistance to any State not possessing nuclear weapons that is the victim of an act of aggression in which nuclear weapons are used."¹ But this won little support from the nonaligned, most of whom favored the Kosygin proposal. With some difficulty, we avoided public discussion at Geneva.

Nuclear-free Zones

By this time considerable progress was being made in the negotiations on a Latin American nuclear-free zone treaty, and the Mexican representative at Geneva proposed that the non-proliferation treaty include an article on the right of states to conclude regional denuclearization agreements. Ambassador Roshchin took a "positive view" of the Mexican proposal. Our draft treaty did not prohibit nuclear-free-zones, and we saw no need for the Mexican proposal. We were not unsympathetic, however, and left the question open for future negotiations.

¹To Geneva, tel. 1448, Feb. 18, 1966, Confidential.

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Latin American Nuclear-Free Zone

The project for a Latin American zone was strongly endorsed by Vice President Humphrey in a speech of February 17, 1965, at the *Pacem in Terris* convocation in New York. There followed a long exchange of views among the Principals on the problems of geographical coverage, transit rights for American ships and planes carrying nuclear weapons, and verification.

Mr. Fisher argued that the Panama Canal should be included even if Cuba did not participate, provided that she remained denuclearized. We might also consider including Puerto Rico and the Virgin Islands if they became an important factor in the negotiations. He favored a private understanding on transit rights. Since elaborate verification machinery seemed impractical, he suggested that we support some procedures for investigating violations and placing nuclear programs in the area under IAEA safeguards. On the other hand, the JCS opposed including Puerto Rico, the Virgin Islands, Guantanamo, and the Canal Zone.

Secretary of Defense McNamara agreed with most of the JCS views but was willing to include Guantanamo if Cuba would come in. After initially objecting to Foster's statement, he acquiesced in including the Canal Zone. In a letter of December 10, 1965, to García Robles, Mr. Foster reaffirmed U.S. support for the Latin American zone. He excluded the Virgin Islands and Puerto Rico but stated that the Canal Zone could be included if transit rights were not affected. We might also include Guantánamo if Cuba joined. While it was important for all states in the area to participate and the refusal of some to join would raise serious questions, he did not actually demand Cuban participation. He welcomed the Latin American intention to apply IAEA safeguards but added that other procedures would be required for "verification against the introduction of nuclear weapons."¹

In May 1966 the Latin American Preparatory Commission asked for our comments. Within the U.S. Government, the JCS took the position that the United States should not

¹Documents on Disarmament, 1964, pp. 626-627.

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support a Latin American zone unless all states in the area, including Cuba, participated. They would also require effective verification, recognition of U.S. transit rights, and the right of the United States to "use all necessary means to protect the Panama Canal, a future canal or in the collective defense of the Americas."¹

Before we replied to the Latin Americans, Mr. Fisher publicly disclosed our position on peaceful nuclear explosions at Geneva.² We therefore advised the Latin Americans on August 29 to include explosives with the understanding that the nuclear powers would share "possible future benefits of peaceful nuclear explosions." We reaffirmed Foster's position on the inclusion of the Canal Zone and the exclusion of the Virgin Islands and Puerto Rico and asked for more precision in delimiting the Latin American zone. Noting that a guarantee by the nuclear powers would present us with constitutional problems, we did not commit ourselves on this point but indicated that we would welcome a recommendatory General Assembly resolution. No choice was made between the Mexican position that the treaty should come into force for those that accepted it and the Brazilian view that all Latin American states must first ratify.³ However, Mexico and Brazil soon reached a compromise permitting the signatories to waive conditions for entry into force if they so desired. This left the road open for piecemeal implementation of the treaty.

In the last phase of the Latin American negotiations, we blocked a Venezuelan move to prohibit the transit of nuclear weapons in the zone, and the final treaty was silent on this point. The question of peaceful nuclear explosions was much more difficult to deal with. Brazil particularly insisted on retaining the right to develop and use them.

¹JCSM-502-66, "US Comments on the 'Proposals for Drafting the Latin American Denuclearization Treaty' (C)", Aug. 4, 1966, OD-ACDA 2640, Top Secret.

²See above, pp. 39-40.

³*Documents on Disarmament*, 1966, pp. 622-628.

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In the end, article I of the treaty prohibited the "testing, use, manufacture, production of acquisition by any means whatsoever of any nuclear weapons." Article V defined "nuclear weapon" as "any device which is capable of releasing nuclear energy in an uncontrolled manner and which has a group of characteristics that are appropriate for use for warlike purposes." Article XVIII permitted the parties to carry out nuclear explosions for peaceful purposes, provided that they complied with the first and fifth articles and permitted international observation.¹ When the treaty was opened for signature on February 14, 1967, the U.S. representative publicly declared our understanding, based on "present and foreseeable technology." that article XVIII prohibited the parties from acquiring peaceful nuclear explosive devices, i.e., they could do so only if future technological advances made it possible to develop peaceful devices which could not be used as weapons. Hence, the only way for the non-nuclear countries to obtain the benefits of peaceful devices would be through arrangements with the nuclear powers, as we had already proposed at Geneva.²

The treaty did not mention the transit of nuclear weapons in the custody of nations outside the zone, and the Latin American Preparatory Commission explained that it would be up to each state to decide whether or not to permit it. An Agency for the Prohibition of Nuclear Weapons in Latin America would supervise implementation of the treaty. The parties would negotiate "multilateral or bilateral agreements" with the IAEA on safeguards. As the Mexicans had proposed, nations could waive the stringent requirements for entry into force and bring it into force on a piecemeal basis.

Attached to the treaty were two additional protocols. Additional Protocol I provided a means for countries outside the zone to undertake the obligations of the treaty with respect for their territories inside the zone. In the second protocol, the nuclear powers would undertake to

¹*Ibid.*, 1967, pp. 69 ff.

²*Ibid.*, p. 65.

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respect the "statute of denuclearization" of Latin America, not to contribute to violations of article I of the treaty, and not to use or threaten to use nuclear weapons against the parties.¹ On ACDA's recommendation, the United States took no immediate action on either protocol.

21st General Assembly (1966)

Non-proliferation

While the General Assembly was in session, the United States and the Soviet Union were engaged in private bilateral discussions that marked the real breakthrough on non-proliferation.² In the General Assembly, we joined the Soviets in cosponsoring a resolution appealing to states to refrain from actions hampering agreement and to take "all necessary steps" for conclusion of a treaty. This resolution, amended by the nonaligned Eight, was approved on November 4 by a vote of 110 to 1, with 1 abstention. Albania voted against it, and Cuba abstained.³

The nonaligned introduced a draft resolution reaffirming the 1965 General Assembly resolution,⁴ urging all states to take the necessary steps to conclude a treaty, and calling on the ENDC to give high priority to the question. They would also invite the nuclear powers to pledge not to "use, or threaten to use, nuclear weapons against non-nuclear-weapon States."⁵ The sponsors originally intended to endorse the Kosygin formula outright but dropped the expression "which do not have nuclear weapons in their territory" in response to our objections.⁶

Even the revised language was unacceptable to the United States. Aware that the resolution had strong support, ACDA proposed that we take the occasion to declare that we would not use nuclear weapons against a non-nuclear party to a

¹For the treaty and the two protocols, see *Ibid.*, pp. 69-83.

²See below, p. 49.

³*Documents on Disarmament, 1966*, pp. 686-687.

⁴See above, p. 30.

⁵*Documents on Disarmament, 1966*, pp. 672-673.

⁶For the Kosygin formula, see above, p. 41.

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non-proliferation treaty that was not engaged in aggression supported by a nuclear power. Over JCS objections, this formula was approved within the U.S. Government. In New York, our delegation attempted to promote a compromise that would list the Kosygin proposal, our new formula, and others. But this attempt failed against objections from the Soviets and the Eight, and the new U.S. proposal was never made public. Instead, the majority adopted a British compromise requesting the ENDC to consider the Kosygin proposal "and any other proposals that have been made or may be made for the solution of this problem."¹ In the First Committee, Mr. Foster expressed objection to the Kosygin proposal and asked for a separate vote on this paragraph, which was approved by a vote of 98 to 0, with 4 abstentions (U.S., Spain, Cameroon, France). The resolution as a whole was adopted by the plenary General Assembly on November 17 by a vote of 93 to 2, with 3 abstentions. Albania and the Central African Republic voted against it, and the Democratic Republic of the Congo, Iceland, and France abstained.

Another example of the tendency of the non-nuclear states to take an independent line on the proliferation problem was a Pakistani resolution calling for a conference of non-nuclear states to meet by July 1968. The conference would consider security assurances, cooperation to prevent proliferation, and the use of nuclear devices for peaceful purposes. Both the United States and the Soviet Union had grave doubts about this project, which could prove a potential threat to their efforts to work out a non-proliferation treaty bilaterally and in the ENDC. They abstained on the resolution, which was adopted by a vote of 48 to 1 (India), with 59 abstentions.²

Chemical and Bacteriological Weapons

The United States had never ratified the Geneva protocol of 1925, but it had refrained from using poison gas (except in retaliation during World War I), and it had never used bacteriological weapons. Within the U.S. Government, ACDA

¹*Documents on Disarmament, 1966, pp. 748-749.*

²*Ibid., pp. 749-750.*

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urged reaffirmation of the "no first use" policy previously announced by Roosevelt and Eisenhower.

During the Vietnam War, U.S. forces used non-lethal riot-control gases and herbicides. In our view, the use of such agents was not banned by the Geneva protocol or international law. The Soviet Union and many other states, however, held that the protocol applied to non-lethal agents. In the General Assembly, Hungary submitted a draft resolution demanding compliance by all states with the protocol and declaring that the use of chemical and bacteriological weapons was an international crime. The Hungarian resolution was an obvious attempt to embarrass us for failing to ratify the protocol and for our practices in the Vietnam war.

With the help of friendly delegations, we were able to get the objectionable elements removed from the Hungarian resolution. During the debate, Mr. Foster and Ambassador Nebrit answered the Communist charges and declared that the United States supported the principles of the protocol. They did not, however, commit the United States to ratify the protocol, and they made it clear that we did not interpret it as banning the use in war of non-lethal riot-control agents or herbicides.

Outer-space Treaty

As noted above, the "no bombs in orbit" General Assembly resolution of 1963 was one of last acts of the Kennedy Administration.¹ On May 7, 1966, President Johnson declared that there was an urgent need for an international agreement to guarantee that exploration of the moon and other celestial bodies would be for peaceful purposes only. He therefore directed Ambassador Goldberg to initiate early U.N. negotiations on a treaty. During the summer, the U.N. Committee on the Peaceful Uses of Outer Space discussed rival U.S. and Soviet draft treaties, and an ACDA officer served on the U.S. delegation. ACDA's main areas of interest lay in treaty provisions banning weapons of mass destruction on orbit and fortifications and military activities on celestial bodies, as well as in future inspection arrangements.

¹See above, p. 4.

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Negotiations were completed at the 21st General Assembly, and President Johnson called it "the most important arms control development" since the limited test-ban treaty.¹ On December 19, 1966, the General Assembly adopted by acclamation a resolution commending the treaty and requesting the depositary governments - the United States, the United Kingdom, and the Soviet Union - to open it for signature. Accordingly, the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies was opened for signature at Washington, London, and Moscow on January 27, 1967.

Non-proliferation Breakthrough September 1966, August 1967

By September 1966, the United States was prepared to agree with the USSR on a non-proliferation treaty that prohibited the MLF, but not to explicitly renounce it. We also wished to protect the European option, existing allied nuclear defense arrangements, and consultative procedures within the alliance. The Soviets were willing to accept a treaty on these terms but not to explicitly endorse the existing or future allied arrangements that we wished to protect.

Basic Provisions

The Rusk-Gromyko talks of September-October 1966 showed that both sides were in basic agreement on general principles. During these talks, Foreign Minister Gromyko declared that the treaty should state what was prohibited rather than what was allowed, and this approach governed later negotiations. The task of drafting specific treaty language *ad referendum*, left to Foster and Roshchin, proved to be extremely difficult. At one point, Mr. Foster was overruled by Washington when he tentatively agreed that the treaty should ban the transfer of nuclear weapons "directly or indirectly, either individually or collectively, with other members of a military alliance or group of States."²

¹Documents on Disarmament, 1966, pp. 807-808.

²Memcon.-Foster, Roshchin, et al., Sept, 28, 1966,

4:30 p.m., Secret/Exdis.

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The State Department, upheld by the President, felt that a public funeral for the MLF would be too high a price to pay. It was not until December that tentative agreement was reached on the basic provisions:

Article I

Each nuclear-weapon State Party to the Treaty undertakes not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly; and not in any way to assist, encourage, or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.

Article II

Each non-nuclear-weapon State Party to the Treaty undertakes not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.¹

Although our allies had been informed that we were having bilateral talks with the Soviets, they had not been consulted on the treaty language. The news that the two superpowers had been able to agree on the basic provisions of a draft treaty provoked a sharp reaction, particularly in Germany, where Chancellor Kiesinger did not refrain from public personal attacks on Foster. After several months of continual discussions in Washington and Bonn, the Germans agreed to our interpretations of the first two articles, and we assured them that we would publish the interpretations when the treaty was submitted to the Senate. Mr. Foster accordingly presented the following interpretations to Roshchin at Geneva on April 28, 1967:

¹ *Documents on Disarmament*, 1968, p. 462.

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Questions on the Draft Non-proliferation
Treaty Asked by U.S. Allies Together With
Answers Given by the United States

1. Q. What may and what may not be transferred under the draft treaty?

A. The treaty deals only with what is prohibited, not with what is permitted.

It prohibits transfer to any recipient whatsoever of "nuclear weapons" or control over them, meaning bombs and warheads. It also prohibits the transfer of other nuclear explosive devices because a nuclear explosive device intended for peaceful purposes can be used as a weapon or can be easily adapted for such use.

It does not deal with, and therefore does not prohibit, transfer of nuclear delivery vehicles or delivery systems, or control over them to any recipient, so long as such transfer does not involve bombs or warheads.

2. Q. Does the draft treaty prohibit consultations and planning on nuclear defense among NATO members?

A. It does not deal with allied consultations and planning on nuclear defense so long as no transfer of nuclear weapons or control over them results.

3. Q. Does the draft treaty prohibit arrangements for the deployment of nuclear weapons owned and controlled by the United States within the territory of non-nuclear NATO members?

A. It does not deal with arrangements for deployment of nuclear weapons within allied territory as these do not involve any transfer of nuclear weapons or control over them unless and until a decision were made to go to war, at which time the treaty would no longer be controlling.

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4. Q. Would the draft prohibit the unification of Europe if a nuclear-weapon state was one of the constituent states?

A. It does not deal with the problem of European unity, and would not bar succession by a new federated European state to the nuclear status of one of its former components. A new federated European state would have to control all of its external security functions including defense and all foreign policy matters relating to external security, but would not have to be so centralized as to assume all governmental functions. While not dealing with succession by such a federated state, the treaty would bar transfer of nuclear weapons, (including ownership) or control them to any recipient, including a multilateral entity.¹

Ambassador Roshchin was not asked to comment on the interpretations and did not do so. Mr. Foster warned him, however, that Soviet opposition would create "very serious problems."² The Soviet representative merely observed that the USSR would not be bound by unilateral interpretations, The Germans, though satisfied with the interpretations, remained concerned about the Soviet view.

Safeguards

The question of safeguards proved to be an even more difficult hurdle to clear. The previous Soviet draft treaty was silent on the point. While the U.S. draft treaty did not require mandatory safeguards, it would encourage all parties to adopt IAEA or "equivalent" international safeguards. At the 10th IAEA General Conference (September 1966), the GDR offered to accept IAEA safeguards if the FRG did likewise and the GDR was admitted to the IAEA. Poland and Czechoslovakia also offered to accept IAEA safeguards if the FRG also accepted them. The USSR supported these proposals.

¹*Ibid.*, pp. 477-478.

²To Geneva, tel. 190501, May 9, 1967, Secret/Limdis.
from Geneva, tel. 3621, May 11, 1967, Secret/Limdis.

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This was the first sign of serious Communist interest in safeguards, but it took some prodding on our part to get the FRG to even say that it would study the proposals. France, like the FRG a member of Euratom, would not accept parallel IAEA safeguards in Euratom territory and expressed concern about possible industrial espionage by East European inspectors. At the 21st General Assembly, the United States took the position that Euratom safeguards were equivalent to IAEA safeguards for the purposes of the non-proliferation treaty, but the USSR declared that they amounted only to inspection by allies and were therefore unacceptable.

The Soviets stuck to this position during the Foster-Roshchin talks. While they were still willing to leave safeguards out of the treaty, they maintained that these should be the same for all parties if they were included. They were willing, however, to accept a transition period for the Euratom countries.

Mr. Foster urged Washington on November 30 to keep on working for a safeguards article in the non-proliferation treaty, since it afforded an opportunity to promote application of IAEA safeguards all over the world. AEC Chairman Seaborg, who had always been a strong advocate of safeguards, supported Foster on this point. Moreover, Senate sentiment in favor of mandatory safeguards was so strong that the treaty might be politically unacceptable if they were not included.

We initially attempted to meet the Euratom problem by proposing a treaty article which would require the non-nuclear parties to accept IAEA safeguards "as soon as practicable."¹ There would be a transition period during which IAEA and Euratom would work out some kind of joint verification system. While the "as soon as practicable" language was too weak for the Soviets, the FRG and other Euratom countries immediately expressed fear that our proposal would lead to the break up of Euratom, permit industrial espionage by IAEA inspectors, and give France

¹Circ. tel. 127754, Jan. 30, 1967, Secret/Limdis.

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an advantage since she would not be required to accept the IAEA safeguards that would be applied to the Five. There was also strong sentiment among non-nuclear countries generally that it would be discriminatory not to apply safeguards to nuclear powers. Within the alliance, Canada was particularly concerned about this point.

We attempted to meet the allies on some of these points by noting that IAEA procedures permitted the host country to veto individual inspectors and by asking the British to join us in voluntarily placing peaceful nuclear activities under IAEA safeguards. Since the Soviets adamantly refused to accept safeguards on their territory, there was nothing more that could be done to meet the "discrimination" charge if we were to have a negotiable treaty.

On March 31 we gave the allies a draft safeguards article which provided for IAEA verification of other international safeguard systems but would require application of IAEA safeguards if no verification agreement was reached in three years. This "guillotine" clause was unacceptable to the Euratom countries, and we agreed to an FRG substitute providing that agreement for IAEA verification of another safeguards system should be reached within three years. When Mr. Foster gave the revised draft to Roshchin at Geneva on April 25, the Soviet representative flatly rejected it and declared that the USSR could not accept Euratom safeguards in the treaty even if the IAEA verified them.

After it thus became evident that no early agreement on safeguards was in sight, we rejected a German proposal to table our own draft article, which would have won little support in the ENDC. Secretary of State Rusk told Brandt, however, that we would eventually table our draft if further discussions with the Soviets proved unsuccessful. He also assured him that any reassessment of the safeguards question would be made in close consultation with the FRG and our other NATO allies.

Security Assurances

Although the question of security assurances was not solved during this period, the Soviet Union made a move that was eventually to point the way to a solution. In February, the Soviets gave the Indians a draft declaration in which they would state that an attack by a nuclear power on a

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non-nuclear state would create a "qualitatively new situation" requiring action by the Security Council, particularly by the permanent members which had nuclear weapons. Two months later, they gave them a longer draft including a reference to the right of self-defense under article 51 of the Charter. L. K. Jha, Secretary to the Indian Prime Minister, gave us both drafts during a visit to Washington in April, together with alternative Indian drafts. The latter did not find favor with the Soviets, and Secretary of State Rusk decided at the end of May to defer a decision. Meanwhile, various reports indicated that the Indians were "delinking" security assurances and the non-proliferation treaty.

In June, Secretary Rusk told Gromyko that we had constitutional problems with the Soviet proposal and would prefer a Security Council resolution. He pointed out that it would be a very serious problem for us to make a commitment which might involve conflict with the USSR, e.g., if the Soviets supported China in a Sino-Indian conflict. He did not care to have a nuclear war with the USSR just to have the Indians sign the non-proliferation treaty. Mr. Gromyko replied that such doubts should not arise, since the Soviet proposal did not go beyond the existing obligations of the Charter.

There were no new developments during this period on "negative" security assurances, i.e., pledges that nuclear weapons would not be used against non-nuclear countries. In the bilateral talks with the Soviets, we continued to reject the Kosygin proposal. Our own restricted non-use formula¹ remained under wraps, and we still postponed action on additional protocol II to the Tlatelolco treaty.²

As was to be expected, most of the pressure for security assurances came from nonaligned non-nuclear nations. Although it was protected by the North Atlantic Treaty, the FRG advocated a treaty provision against nuclear blackmail. We opposed this proposal because we felt that security assurances should be handled in the U.N. context and that putting it in the treaty would open the door to the Kosygin proposal. We did not definitively reject the idea, however, and the FRG later returned to it.³

¹See above, pp. 46-47.

²See above, pp. 45-46.

³See below, pp. 92, 104.

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Peaceful Uses of Nuclear Energy

The non-nuclear-weapon nations strongly insisted that the treaty must not prevent peaceful nuclear development or interfere with international cooperation in the peaceful uses of nuclear energy. The Germans were concerned that the treaty might deprive them of the peaceful benefits of "spinoff" from military nuclear research, but we were able to show them that "spinoff" had been of little benefit in our own experience. We assured all that the treaty would not hinder peaceful nuclear development. We told the Italians that it would not prevent building a European uranium-separation plant, and we gave them a memorandum stating that it would not keep us from providing nuclear fuel for an Italian warship. While we refused to enter into a written secret understanding, as the Germans proposed, we promised that we would provide nuclear fuel for peaceful undertakings under adequate safeguards. While we originally preferred to leave the question of specific treaty language to nonaligned initiative during later negotiations, we agreed in May to a brief Soviet draft article:

Article IV

Nothing in this Treaty shall be interpreted as affecting the inalienable right of all the Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with Articles I and II of this Treaty, as well as the right of the Parties to participate in the fullest possible exchange of information for, and to contribute alone or in co-operation with other States to, the further development of the applications of nuclear energy for peaceful purposes.¹

On August 1, Italian Foreign Minister Fanfani proposed that the nuclear powers agree to sell fissionable materials to non-nuclear nations for peaceful purposes at prices below the world market and to allocate part of the payments to a U.N. fund for developing countries. We thought this too high a price to pay for non-nuclear adherence to the non-proliferation treaty and told the Italians privately that we had serious problems with it. The Soviets also disliked the proposal.

¹*Documents on Disarmament, 1967, p. 340.*

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Peaceful Nuclear Explosion Devices

There were no real differences between the United States and the USSR on the question of peaceful nuclear explosion devices. As we have seen, articles I and II of the draft treaty banned the transfer or acquisition of such devices.¹ Both the United States and the USSR agreed that the nuclear powers should provide peaceful nuclear explosion services for non-nuclear powers, if and when they became economically and technologically feasible. They also shared the view that the Tlatelolco treaty did not permit the parties to carry out peaceful nuclear explosions. For the time being, the draft non-proliferation treaty contained only a preambular paragraph pledging the nuclear powers to provide services to the non-nuclear states. The American-Soviet approach to the problem was disputed by countries like Brazil, which insisted on retaining the right to develop their own devices. It was also questioned by nations interested in linking the treaty to such concrete disarmament measures as a comprehensive test ban or a fissionable materials cutoff.

Disarmament

Although both the United States and the Soviet Union had expressed the hope that the non-proliferation treaty would lead to disarmament, they refused to link it to specific measures. In the bilateral talks, the Soviets proposed a preambular paragraph mentioning a ban on the use of nuclear weapons and other Soviet proposals. Mr. Foster refused to accept this language, and it was replaced by a declaration by the parties of their intention to halt the nuclear arms race and to facilitate nuclear disarmament pursuant to a treaty on general and complete disarmament.

The non-nuclear countries generally still wished to link the treaty in some way with disarmament measures. At the minimum, they wanted some commitment in the treaty to further progress on disarmament. The Swedes publicly proposed parallel negotiations on non-proliferation, a comprehensive test ban, a halt to chemical and bacteriological weapons production, and a fissionable materials cutoff, but they privately informed us that this did not mean that the other measures had to be adopted in connection with the non-proliferation treaty. On the other hand, the Indians told us that a cutoff was crucial and that the

¹See above, p. 50.

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nuclear powers should accept it if the non-nuclear countries were to be denied peaceful nuclear explosive devices. There was a strong feeling on the part of the Germans, Japanese, Italians, and others that the non-nuclear nations should not be required to subscribe to a treaty of unlimited duration unless future progress was made in the nuclear disarmament field.

Duration

Both the U.S. and the Soviet proposals of 1965 provided for a treaty of unlimited duration, subject to the right of withdrawal if a state should find that its supreme interests were jeopardized. During the allied consultations, both the Italians and the Japanese questioned unlimited duration and suggested instead that a party should have the right to withdraw if no progress was made toward nuclear disarmament within five years. Secretary of State Rusk and Mr. Foster told the Italian Ambassador in February 1967 that this would not be negotiable with the USSR, and the Secretary remarked that Italy seemed to be rejecting the idea of non-proliferation. We attempted to deal with the problem by providing for a review conference after five years, but this did not entirely satisfy the non-nuclear countries.

Review Conferences

The 1965 U.S. draft treaty provided for a conference to be held an unspecified number of years after the treaty came into force to review the operation of the treaty. There was no analogous provision in the Soviet draft treaty, and the Soviets initially maintained in the bilateral talks that none was needed. Later, however, they met us on this point in exchange for a concession from us on amendments and agreed to include a provision for a review conference five years after the treaty entered into force.

Amendments

The original U.S. draft treaty did not contain an amendments provision. The Soviet draft treaty of 1965 provided that amendments could come into force for all parties when approved by a majority, including all nuclear parties.

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In the early phases of the bilateral talks of 1966, Mr. Foster reluctantly accepted the Soviet provision in return for Soviet acceptance of our proposal for a review conference. The Soviet amendments procedure was not popular with the non-nuclear countries, which objected to the veto power of the nuclear parties and to the possibility that amendments might become binding on parties which had not approved them. The Germans wished to give countries with nuclear reactors a special status by providing that all of them, as well as all nuclear parties, should approve amendments before they entered into force. We rejected this proposal but offered to substitute the amending procedure of the outer-space treaty, i.e., amendments would enter into force when ratified by a majority, including the nuclear parties, but bind only those which ratified them. In June, Mr. Foster asked Roshchin to choose between this formula and an alternative under which amendments would enter into force when ratified by a majority, including all nuclear parties and all parties that belonged to the IAEA Board of Governors.

Entry Into Force

The United States originally proposed that the treaty enter into force when ratifications had been deposited by the United States, the Soviet Union, the United Kingdom, and an unspecified number of other states. On the other hand, the Soviets would have the treaty become effective when ratifications had been deposited by the nuclear parties. During the bilateral talks, the Soviets accepted our provision.

Mr. Foster privately suggested to Roshchin an informal understanding that neither the United States nor the Soviet Union would deposit its instrument of ratification until they had consulted about the accession of key non-nuclear states.

There were some objections from our allies. The Italians expressed concern that none of their neighbors might sign the treaty, and we informed them that they might postpone ratification until the states that most concerned them had also ratified. The Germans wanted to require ratification by a majority of the 50 nations with nuclear reactors, but we rejected this demand.

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Tabling the Partial Draft Treaty

In view of the unresolved differences on safeguards and security assurances, we decided to press for tabling a partial draft treaty. On May 17 the North Atlantic Council gave us the "green light" to take this course. The Italians and Germans acquiesced reluctantly, and the French followed their normal practice of not participating in NAC discussion of the treaty. At Geneva, Mr. Foster found Roshchin very reluctant to agree. He took a firm line, however, and the Soviet representative finally agreed to advise Moscow to agree to table a partial draft.

During this phase of the talks, the Soviets dropped their "ban-the-bomb" clause and agreed to defer action on security assurances and safeguards. They accepted our pre-ambular paragraph on automation of safeguards, which was of great interest to the Germans, and we agreed to a modified version of their peaceful-uses article. They reported our alternative amendments provisions to Moscow.

Mr. Foster informed Roshchin on June 17 that we were willing to table the draft as a joint recommendation of the Co-Chairmen, on the understanding that no government was yet committed. Apparently because of tensions resulting from the Arab-Israeli war, Moscow did not act for nearly two months.

In the meantime, Mr. Foster urged Roshchin to reconsider our safeguards article and pointed out that it was based on three principles: (1) mandatory safeguards for all non-nuclear parties, (2) bilateral or multilateral safeguards agreements between non-nuclear parties and IAEA, and (3) assistance to IAEA from existing multilateral safeguards systems. Ambassador Roshchin replied that the Soviets accepted the first principle and would study the second. But they would not accept the third principle if it meant parallel systems.

Since the Soviets declined to table the partial draft treaty as a joint document, it was submitted to the ENDC on August 24 in the form of separate but identical American and Soviet texts. The Co-Chairman announced that they would continue their discussion on safeguards and security assurances. They then hoped to complete ENDC discussion in

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time to obtain action by the General Assembly at its fall session and then to open the treaty for signature. There proved to be much slippage in this time-table.¹

The ABM Problem and the Effort for Strategic Arms
Limitation Talks With the Soviet Union, 1966-1967

The non-proliferation treaty now monopolized the stage at Geneva. Through other channels, the United States was trying to engage the Soviet Union in strategic arms limitation talks (SALT). This effort was closely related to a domestic debate on the deployment of antiballistic missiles (ABM).

At his news conference of November 10, 1966, Secretary of Defense McNamara stated that the Soviet Union was beginning to deploy ABMs. The United States was considering deploying them, either against the Soviet Union or against Communist China.² ACDA believed that an effort should be made to reach agreement with the Soviet Union on limitation of ABM deployment if an expensive and undesirable escalation of the strategic arms race was to be avoided. In December, Ambassador Dobrynin indicated to Thompson that the Soviet Union was interested in reaching an understanding on mutually agreed limitations on offensive and defensive nuclear weapons.

In his State of the Union message (January 10, 1967), the President said that it would not be necessary to deploy ballistic missile defenses if agreement could be reached to curtail the strategic arms race. At the same time, he requested funds for a limited defense system that could be deployed if it proved impossible to reach a satisfactory agreement.

¹For further developments, see below, p. 70 ff.

²See Robert W. Lambert, *Background Information on the Strategic Nuclear Delivery Vehicles Freeze, 1964-1967*, Disarmament Document Series, Ref 511, p. 9.

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On January 18, 1967, Ambassador Dobrynin gave Rusk a message from Moscow stating that "a mutual understanding with respect to antimissile systems could be considered simultaneously with a solution of the problem of offensive means of delivery of nuclear weapons and in close association with the problem of general and complete disarmament."¹

As ACDA had recommended, the President sent a personal message to Kosygin. He warned that Soviet deployment of an ABM system would put the United States under pressure to deploy similar systems and to increase its offensive capabilities and that this would probably induce the Soviets to undertake a further build-up in their turn, without substantially improving the security of either side. Talks should be held in Geneva or elsewhere with the object of achieving "a mutually acceptable and stable balance of forces, verifiable to the maximum extent possible by our national means." Ambassador Thompson delivered this message to Gromyko at Moscow on January 27.² He also gave Gromyko a formal U.S. statement accepting the Soviet position that the talks should cover both offensive and defensive strategic systems.

But it did not appear that Premier Kosygin understood the possible destabilizing effect of ABM deployment. The Soviets at Geneva had never shown any such understanding, and on February 9 he told a London news conference that a defensive system "is not a cause of the arms race but represents a factor preventing the death of people."³

Replying to the President on February 28, Premier Kosygin said that the Soviet Union was prepared to exchange views on the understanding that we would discuss both offensive and defensive systems. He did not rule out the possibility of special meetings in the future. On the next day, Foreign Minister Gromyko handed Thompson an oral statement criticizing

¹Memcon Rusk-Dobrynin, Jan. 18, 1967, Top Secret/Nodis.

²U.S. Statement to Kosygin on the Strategic Arms Race, Jan. 27, 1967, Top Secret/Nodis; from Moscow, tel. 3224, Jan. 27, 1967, Secret/Nodis.

³*Documents on Disarmament, 1967, p. 60.*

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the United States for using the "stability" argument as an excuse for preserving the present strategic situation. The Soviets saw the situation differently:

...Such "stability" creates in practice a situation where one party in providing for its security is compelled, in response to accelerated production and accumulation of offensive strategic rocket-nuclear means by the other party, to take steps for strengthening its defense capabilities, while the other party in turn sees in this reason for moving to a new and higher level in the armaments race spiral.

In Gromyko's view, the way out of the vicious circle was "equally to ensure the security of each side" by reducing offensive nuclear vehicles to strictly limited numbers on both sides.¹ This could be read as an attempt to revive the Gromyko proposals of 1962-1963, which had been advanced in the context of general and complete disarmament.²

President Johnson publicly announced on March 2 that Kosygin had replied to his letter and expressed willingness to discuss limitations on offensive and defensive nuclear missiles. The date and place of the talks remained undetermined.

The substantive U.S. position was still undecided after two months of work by the Deputies of the Committee of Principals. ACDA wished to try to curtail deployment of (1) ABMs and SAMs with a significant ABM capability; (2) ICBMs, IRBMs, and MRBMs whether fixed or mobile; and (3) missile-launching submarines. Compliance would be verified by unilateral intelligence. If occasion arose, we would also be prepared to discuss mutual restrictions on multiple independently retargetable vehicles (MIRVs) and such new missiles as Poseidon.

The ACDA position was opposed by the JCS, who objected to foreclosing the ABM option, opposed any limitations on missile improvements (Poseidon, Minuteman III, MIRV), and

¹From Moscow, tel. 3675, Feb. 28, 1967, Secret/Nodis.

²See above, p. 11 ff.

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disagreed with reliance on unilateral intelligence, at least unless the agreement was limited to fixed land-based systems.

When the problem was discussed by the Principals on March 14, Mr. Fisher declared that unilateral intelligence was adequate for verification purposes and that it was in the U.S. interest to halt the strategic arms race. A freeze at that time would leave the United States with a clear lead in ICBMs, while the Soviets would have the advantage in MR/IRBMs and ABMs. He thought that the arms race should first be stopped and that reductions should be considered later.

There was no consensus among the Principals at this meeting. General Wheeler advocated maintenance of U.S. strategic superiority, but Secretary of Defense McNamara doubted that this concept could be meaningfully defined and thought that Soviet intentions should first be explored. CIA shared the JCS reservations on unilateral intelligence.

Although the Principals could not agree on the terms of a strategic arms limitation agreement, it was nevertheless decided to ask the Soviets to begin the talks. Secretary Rusk instructed Thompson to inform them that we were ready to start in Moscow on April 12. He was to acknowledge Soviet desire not only to prevent disruption of the strategic balance but to move toward reductions. We agreed that measures should "ensure the security of each side rather than attempting to solidify the precise current correlation of forces or to freeze an advantage to one or the other side." Relying on unilateral verification, we proposed to discuss limitations on launchers for all offensive strategic weapons systems and on launchers and radars for all defensive systems having a "significant" ABM capability. While we would not offer a detailed proposal, Secretary of State Rusk informed Thompson, even a short dialogue with the Soviets on the Tallinn system could make it unnecessary to proceed with our own program.¹ The dialogue did not take place. Ambassador Thompson presented the message to Gromyko on March 23, and there was no Soviet reply.

¹To Moscow, tel. 158191, Mar. 18, 1967, Top Secret/Nodis.

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After the Arab-Israeli war, President Johnson and Secretary of Defense McNamara discussed the question with Kosygin at Glassboro. Secretary McNamara made a detailed presentation in terms of the "action-reaction" process, and President Johnson said that McNamara was ready to meet the Soviets at Moscow, Paris, or Geneva at any time. Premier Kosygin was unprepared to discuss the question and said that he would have to consult Moscow. He was also shocked at McNamara's statement that offensive weapons were more cost-effective than defensive weapons, and he apparently failed to understand the explanations offered by the Secretary of Defense. He insisted that both offensive and defensive weapons should be discussed. The episode made a bad impression on the Soviets.¹

The United States now moved quickly to a decision on ABM deployment. A crucial factor was on the accelerated pace of the Chinese nuclear program. On June 17, the Chinese tested a thermonuclear device. The Joint Committee on Atomic Energy estimated that the Chinese could develop a thermonuclear warhead in the megaton range by about 1970 and that they could have ICBMs by the early 70s. It found that the Chinese could launch a small-scale attack against the United States by that time and noted that we did not have an effective ABM system to repel it.²

Within the U.S. Government, ACDA took the position that four adverse effects would follow from a decision to deploy ABMs: (1) efforts to stop nuclear proliferation would be set back, (2) control over the arms race could become even more complicated, (3) continued adherence to the limited test-ban treaty might be jeopardized, and (4) the U.S. position on the fissionable materials cutoff and the comprehensive test ban would come into question. In order to minimize these effects, ACDA recommended that we explain the decision to

¹Robert W. Lambert, *Arms Control at Previous American-Soviet Summit Meetings*, Secret, pp. 136-137.

²Robert W. Lambert, *Background Information on the Strategic Nuclear Delivery Vehicles Freeze, 1964-1967* (Disarmament Document Series, Ref 511), p. 13.

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NATO, Japan, and India. We would privately tell the Soviets that the decision was motivated by the Chinese threat and that our deployment would be kept limited. They would also be told that private strategic arms limitation talks were now even more urgently needed.

Over JCS objections, advance information of the decision was given to the countries mentioned by ACDA. When he gave Gromyko an advance copy of the forthcoming McNamara speech, Ambassador Thompson expressed hope that the Soviet Union would agree to set a time and place for bilateral talks and indicated that we would be prepared to submit concrete proposals.

The proposals we then had in mind, a watered-down version of the March paper, were prepared by Deputy Under Secretary of State Kohler with the concurrence of Mr. Fisher. There would be no increase in the number of strategic offensive missile launchers - ICBMs, MRBMs, IRBMs SLBMs - beyond those now operational or under construction. Each side would agree to deploy no more than 1,000 anti-missile launchers, counting all systems with a significant anti-missile capability. If the Soviets would agree to reduce their combined total of MRBM, IRBM, and SLBM launchers to the lower U.S. figure of 656 launchers, we would be prepared to reduce the number of our ICBM launchers to 1,054 to a number equal to the total number of Soviet ICBM launchers, including those under construction. We would rely on unilateral means of verification. No formal action was taken on the Kohler paper.

ACDA unsuccessfully tried to get references to U.S. nuclear "superiority" dropped from the McNamara speech and to have nuclear forces compared in terms of launchers rather than missiles. When he delivered the address on September 18, Secretary of Defense McNamara still maintained that the United States had "superiority," as measured by deliverable megatonnage, but added that it did not have a first-strike capability and that the Soviets would be able to inflict unacceptable damage on the United States. He made it clear that we much preferred a realistic agreement to a continuing arms race.

In his view, the Soviet ABM system did not threaten our "assured destruction capability," since we had taken steps

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to give our missiles and bombers penetration aids to counter it. Even if the Soviets should make a heavy ABM deployment, we could respond by expanding our offensive forces. It was necessary, however, to meet a conceivable Chinese attack in the mid-70s by deploying a light ABM system. This system would also serve to defend Minuteman sites against Soviet attack and help to protect the population against accidental attack by an ICBM of any nuclear power.¹

Military Expenditures (1967)

At Glassboro there was also an exchange of recriminations between President Johnson and Premier Khrushchev on the collapse of the "mutual example" arrangements on military expenditures.² The President blamed the collapse on North Vietnamese "aggression," and the Soviet Premier observed that the United States was being carried away by the military situation, as if driven by some force. Noting that he was under pressure to spend some \$40,000,000,000 for ABM systems, the President related the reduction of military expenditures to SALT. Premier Kosygin, however, did not see how the United States could reduce military expenditures when it was spending up to \$20,000,000,000 a year on the war in Vietnam. He turned a deaf ear to Johnson's proposals to reduce or eliminate arms shipments to North Vietnam and to have bilateral discussions on military budgets. He saw no chance for disarmament while the conflicts continued in Vietnam and the Middle East.³

Regional Problems (1967)

Latin America

President Johnson was able to register a modest success in his efforts to restrain regional arms competition. At the

¹*Ibid.*, pp. 14-15.

²See above, pp. 7-8, 13-14.

³See Lambert, *Arms Controls at Previous American-Soviet Summit Meetings*, pp. 139-141.

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Punta del Este conference (April 12-14, 1967), the American Chiefs of State adopted a declaration expressing their intention to limit military expenditures, subject to the requirements of national security, constitutional provisions, and international commitments. Although this was less than we had hoped for, we regarded it as a useful step.¹

Middle East

The President was unable, however, to persuade the Soviets to agree to limit arms shipments to the Middle East after the Arab-Israeli War of 1967. In a public address of June 19, he proposed U.N. registration of arms shipments to the area. At the Glassboro meeting (June 23-25), he tried to get Kosygin to accept this proposal and to agree to reduce or halt arms shipments to the area. The Soviet Premier, however, did not think this would be realistic at the current stage. When the President observed that the Middle Eastern countries could only fight with their hands if the great powers refrained from furnishing arms, Premier Kosygin rejoined that they would find someone to sell them arms no matter what the great powers did.²

In the General Assembly, the United States introduced a resolution that included the President's proposals. Mr. Fisher privately explained to the White House that this was consistent with our cool attitude toward the Maltese resolution³ because it envisaged an agreement among suppliers and was a regional arrangement.

The American draft resolution encountered strong opposition in the General Assembly, and we did not press it to a vote. Instead, the General Assembly adopted a Latin American resolution that was silent on arms shipments. Ambassador Goldberg publicly expressed regret that it did not touch on this major issue.

¹John Syphax, *Proposals Involving the Registration and Public Reporting of International Arms Transfers, 1965-1970*, Secret, pp. 12-13.

²Lambert, *Arms Controls at Previous American-Soviet Meetings*, p. 135.

³See above, p. 31.

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Our attempts to promote the Johnson proposals in the Security Council were also unsuccessful. They were incorporated in an American draft resolution that was never voted on. A nonaligned draft resolution contained no provisions on regional arms limitations. In line with Kosygin's Glassboro position, a Soviet draft resolution envisaged arms limitations after Israeli withdrawal. We finally decided to support a draft resolution submitted by the British, who were privately skeptical about the President's proposals. Although this resolution said nothing about arms shipments, our representative publicly stated that it was consistent with the Johnson proposals and that arms limitations could be explored within the mandate of the Special Representative who would be appointed under the terms of the resolution. The British resolution was unanimously adopted on November 22.

While the Middle East debate was in progress, the Danes came up with a draft General Assembly resolution that would request the Secretary-General to circularize U.N. members regarding possible U.N. publication of information on arms transfers. Although we had no substantive objections to this proposal, we asked the Danes to defer action because we wished to give priority to the Middle East. By the time the Security Council had acted, it was too late for them to introduce their resolution in the General Assembly.¹

Europe

In Europe there had been some recent relaxation of tensions, while the demands of the Vietnam war and the balance of payments problem stimulated American interest in reducing the expense of the military commitment to Western Europe. The Johnson Administration opposed the Mansfield Senate resolution favoring a substantial reduction of American forces in Europe. It took the position that strong American forces were still required to balance Soviet military preponderance in Europe, and it doubted that the Soviets would be interested in negotiating reciprocal withdrawals, which would free additional American forces for use in Vietnam. It also pointed out that such negotiations would involve broader political questions.²

¹See Syphax, *op. cit.*, pp. 14-29. For later developments, see below, p. 141.

²See Robert W. Lambert, *Review of Negotiations on European Security* (fourth draft), pp. 83-86.

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At the same time, both the United States and the United Kingdom carried out limited redeployments of troops assigned to NATO. The redeployed units, however, remained available for quick return if needed on the Continent. The British wished to take advantage of these redeployments and to induce the Soviets to reciprocate with "mutual example" reductions. Although ACDA was sympathetic to the approach, the United States argued against it in NATO. Public statements by McNamara and Rusk, however, did not exclude all hope that the Soviets might reciprocate. When Foreign Secretary Brown brought up the question with Gromyko in May, the latter responded that the Soviet Union had not given much thought to the question and suggested that it could be appropriately discussed at a European security conference.¹ The Soviet Union did not in fact show any serious interest in mutual force reductions in this period.

On the other hand, the North Atlantic Council declared in June that balanced mutual reductions "could be a significant step toward security in Europe."² After further NATO studies, the NATO Ministers declared a year later that it was desirable to initiate "a process leading to mutual force reductions" and that they had decided to prepare to discuss the subject with the Soviet Union and its allies.³ There was no response from the Soviet Union, which was soon to occupy Czechoslovakia. In spite of this action, however, the NATO Ministers stated in December 1968 that they were "continuing their studies and preparations for a time when the atmosphere for fruitful discussions is more favorable."⁴

Non-proliferation Developments, August-December 1967

After the partial draft treaty was tabled on August 24, 1967, the Co-Chairmen were confronted with an avalanche of amendments

¹See Ruth Ihara, *The "Mutual Example" Concept and the 1967 Plans for Redeployment of American and British Forces From Europe*, Secret.

²Department of State Bulletin, July 3, 1967, pp. 14-51.

³*Ibid.*, July 15, 1968, pp. 75-77.

⁴*Ibid.*, Dec, 9, 1968, pp. 595-597.

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and suggestions, both by ENDC members and by other interested nations. Although some of the suggested changes were unacceptable, they were able to accept others and to agree *ad referendum* on new treaty language involving peaceful uses of nuclear energy, peaceful nuclear explosion services, disarmament, and regional denuclearization. But the Soviets would not agree to table these changes until the safeguards article was agreed on, and the tortuous and complex safeguards negotiations between the United States and its allies and between the United States and the Soviet Union were not completed. The groundwork was laid, however, and a start was also made on security assurances.

Amendments

After the long and difficult negotiations on articles I and II, neither the United States nor the Soviet Union wished to reopen discussions of these basic provisions, and few asked them to do so. The Co-Chairman rejected a Brazilian proposal to remove the ban on the development and use of peaceful nuclear explosive devices by non-nuclear states and to oblige the nuclear powers to channel savings from nuclear disarmament to developing countries through a special U.N. fund. Although the Soviets would have been willing to accept UAR proposals changing the first article to insure that no person or organization promoted proliferation and amending the second article to ban aid by one non-nuclear state to another, they did not insist on these changes in the face of U.S. opposition.

The Co-Chairmen agreed to revise the peaceful-uses article along lines suggested by Mexico. A new Mexican treaty article on peaceful nuclear explosion services was revised to leave open the possibility of providing such services on a bilateral basis. Neither the United States nor the USSR could accept proposals by Burma, India, and Romania to incorporate tangible disarmament measures in the treaty, and even the more moderate Mexican amendment was not quite satisfactory since it mentioned the comprehensive test ban. After some discussion, the Co-Chairmen agreed on a new treaty article stating that the parties would undertake "to pursue negotiations in good faith on effective measures regarding cessation of the nuclear arms race and disarmament, and on a treaty on general and complete

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disarmament under strict and effective international control."¹ They accepted a Mexican treaty article on regional denuclearization and agreed that the United States, the United Kingdom, and the USSR would be the depositary governments, as with the limited test-ban and outer-space treaties. In order to appease widespread discontent with the amendments article, Mr. Foster proposed that amendments come into force for parties that ratified them after ratification by a majority of the parties, including all nuclear parties and all members of the Board of Governors of the IAEA. Although Ambassador Roshchin reported this proposal to Moscow, no decision was made in 1967.

Also unresolved were several issues involving the duration of the treaty. The Italians wanted to introduce a time limit of 15 or 20 years and formally offered an amendment providing that the treaty should run for X years. The Germans and Japanese also had strong objections to unlimited duration. With our support, the Japanese sought periodic review conferences in addition to the one provided for in the August 24 draft treaty. In the Co-Chairmen's discussions, we suggested that a special conference be held 25 years after the treaty came into force to decide whether it should be extended. We offered a modified version of the Japanese proposal, under which special review conferences could be held at the request of the majority of the parties. And we supported a British proposal to specify that the review conference would consider the fulfilment of the preamble as well as the operative part of the treaty. The Soviets did not give a firm reply to any of these proposals. Referring to their earlier discussion,² Ambassador Roshchin privately told Foster that it would be essential for the FRG to adhere to the treaty before the nuclear powers deposited their instruments of ratification.

Safeguards

The Co-Chairmen quietly shelved a Swedish amendment which would have applied IAEA safeguards to all international nuclear transfers and obliged the nuclear powers to gradually apply them to their peaceful activities. An Indian demand to apply international controls to all parties was also unacceptable.

¹Documents on Disarmament, 1968, p. 4.

²See above, p. 59.

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On September 1, Ambassador Roshchin gave Foster a compromise draft safeguards article incorporating a number of U.S. suggestions. Although it did not explicitly mention Euratom, the Soviet draft provided that non-nuclear parties could conclude agreements with IAEA "either individually or together with other states," and both Co-Chairmen understood that this would enable Euratom to negotiate with IAEA. A two-year period was allowed for negotiations. On the other hand, the draft specifically mentioned IAEA safeguards and stated that safeguards procedures would apply to facilities as well as nuclear materials.¹

On Foster's recommendation, we decided to try out the Soviet proposal on the allies, both in the North Atlantic Council and at Geneva. The Commission of the European Economic Community (EEC) was also asked to present its views. The immediate allied reactions were mixed. The British and Canadians were generally favorable,² the Belgians and Dutch suggested interpretations, and the Germans and Italians reacted negatively. The Germans thought that we should continue to strive for the U.S. draft, although they no longer held us to the exact language of that document. President Saragat showed no enthusiasm for the treaty, and the Italians at Geneva suggested that the safeguards article might be dropped. Both the Germans and the Italians professed fear that the treaty would wreck Euratom and that France might escape from Euratom safeguards and thus obtain commercial advantage. The Japanese felt that the existing IAEA safeguards system was too intrusive and would jeopardize their nuclear industrial development.

There also seemed to be a danger that the French might block Euratom-IAEA negotiations and thereby wreck the treaty. Foreign Minister Couve de Murville told Bohlen that Euratom would not be able to act without French participation and that France would not participate since she would not sign the treaty. Although our delegation at Geneva wanted this question settled at once, the American Ambassadors at Brussels and Bonn considered it undesirable to press the issue, and Washington concluded that it was better not to provoke a "premature hardening of [the] French position."³

¹To Paris, tel. 31865, Sept. 4, 1967, Secret/Limdis.

²The Canadians now dropped their objections to the "discriminatory" nature of the safeguards article in view of the impending Anglo-American offer (see below, p. 78).

³To Bonn, tel. 42407, Sept. 23, 1967, Secret.

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After discussing the preliminary allied reactions with Roshchin, Mr. Fisher advised Washington that an agreement might be possible if the first three sentences of the Soviet draft were altered and suitable interpretations were placed on the record. But the position of the Euratom countries was not yet determined when Secretary of State Rusk discussed the question with Gromyko (September 25-27), and only a few minor points were cleared up in their talks.

At the end of September, Mr. Fisher advised Foster and Rusk that the United States must now take a definite position. In his view, the central issue was whether we were so committed to a special Euratom-IAEA arrangement that we had to insist on this even if it meant wrecking the treaty. He saw no chance that the Soviets would accept treaty language explicitly providing for IAEA "verification" of Euratom safeguards. Mr. Foster advised Rusk to take the question to the President and urged immediate action.

The U.S. position, based on Fisher's recommendation, was laid down in a aide-memoire of October 4 to the NATO allies. We would accept the Soviet draft as it stood, since it would permit the non-nuclear members of Euratom to negotiate collectively with IAEA and allow a verification arrangement along the lines of the three principles.¹ We would, however, seek Soviet agreement to certain changes and understandings: (1) revision of the first three sentences of the Soviet draft as Mr. Fisher had suggested, in order to meet the "facilities" problem; (2) state publicly that a treaty amendment would not be necessary to change existing IAEA safeguards; (3) delete or clarify the treaty provisions covering activities outside national territory; (4) declare that IAEA could enter into an agreement with another organization; and (5) publicly state the principles that should govern Euratom-IAEA negotiations.

Although some members of the FRG Government apparently wished to use the safeguards issue to sink the treaty, Foreign Minister Brandt tried to steer a more moderate course. Even so, the treaty nearly foundered on German objections. On October 12, Ambassador Knappstein told Rusk and Foster that

¹Mr. Foster had previously mentioned the three principles to Roshchin (see above, p. 60). For the final version, see below, p. 86.

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Euratom interests were not being sufficiently taken into account. He also recalled the assurances Rusk had given Brandt in May.¹ In a personal letter to Rusk, Mr. Brandt complained that the verification solution was being relegated to the background. While the FRG would accept an arrangement in which the United States and the United Kingdom would voluntarily accept controls and France would remain bound by Euratom controls, it would not accept "double controls."

In his reply, Secretary Rusk stated that a non-proliferation treaty would be in the interest of the alliance as a whole. We considered the Soviet draft, with the amendments we had suggested, to be compatible with the verification concept, and we believed that the Soviets would not object to our interpretations. On ACDA's recommendation, Ambassador McGhee was instructed to inform the Germans that we had no intention of reverting to bilateral safeguards with France.

Euratom consideration of safeguards moved very slowly, and the State Department declined to apply the kind of pressure that ACDA desired. On October 27, Euratom experts produced the following five principles:

1. Safeguards under the NPT must be applied to source and special fissionable material and not to facilities.
2. There should be no misunderstanding that as far as EA member States are concerned, safeguards under the NPT will be applied on the basis of an agreement to be concluded between EA and IAEA.
3. This agreement should be based on the principle of verification of Euratom safeguards by IAEA; the implementation of this principle shall be negotiated between the two organizations.
4. Pending the conclusion of the agreement between Euratom and IAEA, EA member States concerned wish to stress that there should be no misunderstanding, that the obligations with regard to Euratom (or to its member States) entered into by any Party to a NPT shall not be affected by provisions of Article III dealing with supply.

¹See above, p. 54.

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5. ~~The~~ Euratom member States concerned, determined to act in common, have to be sure that the position of Euratom when negotiating to arrive at a satisfactory agreement with IAEA will not be prejudiced by an eventual provision of Article III, as for example on a time period.¹

The five principles were not inconsistent with the American position, but it remained to be seen how they would be implemented. The Germans were trying to win Euratom endorsement of an amendment that would have made the treaty non-negotiable in ACDA's view. At the last minute, however, the Italians declined to join them and the German effort collapsed; the five principles thus constituted the agreed position of the Euratom countries. On October 31, we were finally able to get a green light from the NAC.

Two days later, Mr. Fisher gave Roshchin our revisions of the Soviet draft. The first sentence of the first paragraph of the U.S. draft was based on a suggestion by Fisher, modified by a British amendment that he considered non-negotiable.² He explained to Roshchin that the IAEA always entered into an agreement with a country before applying safeguards and that the agreement was "the controlling document," and the safeguards established by agreement with the IAEA in accordance with its Statute and safeguards system could not "conceivably be anything other than IAEA safeguards."³

The only major change in the other paragraphs was the addition at German request of a reference to the preambular paragraph on safeguards. Mr. Fisher also gave Roshchin a talking paper containing the five points and stated that we considered them consistent with a satisfactory safeguards article. The U.S. position, however, would be reflected in the text of the article and in accompanying statements that we would make.

¹From Brussels, tel. 2529, Oct. 27, 1967, Confidential. The five principles were based on guidance previously provided by the Foreign Ministers of the Euratom Five.

²See below, p. 78.

³"Talking points for Co'Chairmen's Meeting, Article III," Nov. 2, 1967, Secret; from Geneva, tel. 1507, Nov. 3, 1967, Secret/Exdis.

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The Geneva discussion soon boiled down to a debate over the first sentence, which the Soviets were reluctant to accept. Alternative formulations, suggested on a personal basis by Shustov (USSR) and De Palma (U.S.), as well as by Roshchin himself,¹ either did not find favor in Washington or Moscow or were rejected by U.S. allies. Mr. Foster kept urging Roshchin. to accept the November 2 language but privately advised Washington to accept a compromise. Secretary Rusk sent a message to Gromyko urging the USSR to accept the November 2 draft as the most that could be hoped for if key non-nuclear states were to support the treaty. Mr. Gromyko, however, took the attitude that it was up to us to bring Euratom into line and said that the USSR would not be satisfied with a verification arrangement that only involved IAEA checking of Euratom papers.

In fact, we contemplated a much stronger role for IAEA, short of duplication of Euratom safeguards, but a German aide-mémoire of November 21 discussed IAEA activity in terms of paper verification. In a memorandum to Rusk, Mr. Fisher pointed out the dangers in the German approach, which raised a "fundamental question of U.S. national interest" apart from the treaty itself. He did not believe that the United States should be put in the position of excluding the Euratom countries from inspection, since this would undercut efforts for a fissionable materials production cutoff and other arms control measures. Advising Rusk to write to Brandt, he said that we should promptly go ahead with Roshchin's compromise or a British amendment. Otherwise, the loss of momentum might cause the treaty to become unraveled at the non-nuclear conference in 1969.²

Secretary Rusk did not write to Brandt but instructed Cleveland to ask for definitive allied views on all three alternatives:

A. November 2 Draft

1. Each non-nuclear-weapon State Party to the Treaty undertakes to accept safeguards, as set forth in an agreement to be negotiated and concluded with the IAEA in accordance with the

¹See below, p. 78.

²Fisher to Rusk, memorandum, Nov. 21, 1967, Secret.

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Statute of the IAEA and the Agency's safeguards system, for the exclusive purpose of verification of the fulfillment of its obligations assumed under this Treaty with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices...¹

B. Roshchin Compromise (November 9)

1. Each non-nuclear-weapon State Party to the Treaty undertakes to accept safeguards, in accordance with the Statute of the IAEA and the Agency's safeguards system, as set forth in an agreement to be concluded with the IAEA for the exclusive purpose of verification of the fulfillment of its obligations assumed under this Treaty with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices...²

C. British Amendment

1. Each non-nuclear-weapon State Party to this Treaty undertakes to accept IAEA safeguards as set forth in an agreement to be negotiated for this purpose with IAEA...³

Before all the answers were in, President Johnson publicly announced that the United States would accept IAEA safeguards on all its nuclear activities except "those with direct national security significance," when safeguards were applied under the treaty.⁴ The British made a similar announcement.

¹From Geneva, tel. 1503, Nov. 3, 1967, Secret/Exdis.

²From Geneva, tel. 1620, Nov. 9, 1967, Secret/Exdis.

³From Geneva, tel. 1120, Oct. 7, 1967, Secret.

⁴*Documents on Disarmament, 1967*, pp. 613-615.

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Although these announcements were welcomed by the allies, they did not produce an agreed position. On December 5, Mr. Fisher reported to the President that Japan and all the non-Euratom members of NATO would accept any of the three alternatives but that the FRG position was not clear. The NAC meeting of the next day showed that the FRG would accept only the November 2 draft, subject to political assurances, and that Italy would not support any of the alternatives. All the Benelux countries accepted the November 2 draft, although the Dutch would have preferred the British amendment.

By process of elimination, then, the November 2 draft was the only version to win general allied support, but there was still no sign that the Soviets would accept it. Meanwhile, there were moves for multilateralization that, as ACDA saw it, might have wrecked the negotiations. The Dutch proposed preparation of a joint U.S.-Euratom draft, but Secretary Rusk rejected this move on the advice of our delegation at Geneva. From Bonn, Ambassador McGhee proposed preparatory Euratom-IAEA negotiations at a technical level, and Ambassador Schaetzel at Brussels supported him. The Secretary decided that such talks would not be useful until article III was agreed on.

Within the State Department, influential officials suggested a retreat from mandatory safeguards. Deputy Assistant Secretary of State Farley regarded them as desirable but not essential and not worth the political cost in terms of impaired relations with Germany and Italy. Instead, he recommended a hortatory provision recognizing the desirability of safeguards and calling on the signatories to work toward establishing a safeguards system. Henry Owen, Chairman of the Policy Planning Council, thought that we should retreat to hortatory safeguards unless the Soviets accepted the November 2 draft by January 15, 1968.

ACDA still considered that mandatory safeguards were essential to remove suspicions between non-nuclear countries, e.g., the UAR and Israel. Moreover, safeguards would be applied behind the Iron Curtain. In its view, the primary difficulties with the allies stemmed from the first two articles rather than from article III. It pointed out that

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the Joint Committee on Atomic Energy strongly supported safeguards and we had assured the Committee that we would support them. "If the U.S. gave up on safeguards after all this investment," ACDA concluded, "our defeat might well overshadow the achievement of agreement on the treaty..."¹

Security Assurances

It was not until October 28 that Mr. Fisher was sent a draft Security Council resolution and a draft declaration on security assurances. Both documents were largely modeled on the earlier Soviet drafts.² We deleted a Soviet reference to "punishment" of a nuclear aggressor and indicated that the declaration would be made as an explanation of our vote, for constitutional reasons. We made it clear to the Soviets and to the British, who joined in trilateral parallel discussions at Geneva, that there would be no additional commitments beyond Charter obligations.

On Soviet urging, we amended the drafts to include a non-use provision based on our abortive 1966 proposal.³ Thus, our declaration would read:

...The United States affirms its intention to refrain from the threat or use of nuclear weapons against any non-nuclear-weapon State that has undertaken not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or devices, and that is not engaged in an armed attack assisted by a nuclear-weapon State.⁴

Mr. Foster told Roshchin that it would be presumed that any attack by a NATO or Warsaw Pact country had the assistance of a nuclear ally. This would leave each nuclear power free to exercise its own judgment. The Soviet Union did not reply until the next ENDC session.⁵

¹Alexander to Farley, memorandum, Dec. 14, 1967, Confidential.

²See above, pp. 54-55.

³See above, p. 47.

⁴To USNATO, tel. 74017, Nov. 23, 1967, Secret.

⁵See below, p. 89.

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ENDC Recess and Report

Since the Co-Chairmen could not agree on the safeguards article and Ambassador Roshchin was unwilling to table a partial revised draft treaty, the ENDC was unable to take any further action at this session. Many delegations experienced great frustration and became resentful at being kept in Geneva without being able to engage in fruitful negotiations. They also suffered a further indignity; normally, the ENDC report included as documentary annexes the papers submitted by the various delegations, but this time the Co-Chairmen decided to leave out the documents in order to prevent a premature General Assembly debate. The ENDC accordingly reported on December 7 that it had made substantial progress toward a non-proliferation treaty but was unable to provide a full report at this time. It would, however, submit a full report, including documents, as soon as possible.

22d General Assembly, Part I (1967)

Non-proliferation

The United States and the Soviet Union now agreed that non-proliferation should not be discussed by the General Assembly until the ENDC session had taken place. On December 14, supported by 14 other countries, they submitted a draft resolution calling on the ENDC to continue its work and to submit a full report on the non-proliferation treaty by March 15, 1968. The 22d session of the General Assembly would be resumed after that time.

But this resolution conflicted with a 21-nation proposal to hold a non-nuclear conference from March 11 to April 10, 1968, to consider security assurances, peaceful uses of nuclear energy, and other non-proliferation measures. In spite of combined American and Soviet opposition, it was impossible to halt the movement for a non-nuclear conference, and Deputy Foreign Minister Kuznetsov and Ambassador Goldberg found it necessary to appease the sponsors in order to prevent the conference from taking place before the General Assembly could hold its resumed session. They therefore agreed to support the 21-nation resolution, and the sponsors postponed the conference to August. The General Assembly approved both resolutions by large majorities.

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Sea-Bed and Ocean Floor

On the initiative of Malta, the General Assembly took up the question of the sea-bed and the ocean floor for the first time. The arms-control aspects of this program had been under discussion within the U.S. Government for more than a year. In 1966, Defense opposed a State Department proposal to demilitarize the sea-bed, because of the need to maintain anti-submarine surveillance devices. Later, ACDA prepared a proposal to prohibit the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed. Difficult legal, verification, and military problems developed during inter-agency examination of this proposal, and our substantive arms-control position remained undecided at this session of the General Assembly. We were able, however, to support a General Assembly resolution establishing an *Ad Hoc* Committee To Study the Peaceful Uses of the Sea-Bed and the Ocean Floor Beyond the Limits of National Jurisdiction. This resolution was approved by a vote of 99 to 0, with no abstentions.

Latin American Nuclear-free Zone

Accepting an ACDA recommendation, President Johnson told Mexican President Diaz Ordaz on October 26 that the United States intended to sign Additional Protocol II to the Tlatelolco treaty with an appropriate statement after Congress had been consulted. At the General Assembly, U.S. Ambassador Garcia told the First Committee that we were giving "very careful and sympathetic consideration" to signing additional Protocol II.¹

On December 5, the General Assembly approved a resolution welcoming the treaty, recommending the "widest possible application" of Additional Protocol I, and inviting the nuclear powers to sign and ratify Additional Protocol II as soon as possible.² This resolution was approved by a vote of 82 to 0, with 28 abstentions. The Soviet Union, Cuba, and a number of other Communist countries joined Guyana and several African states in abstaining. Guyana felt that the provisions of article 25 barring signature by a political

¹Documents on Disarmament, 1967, p. 537.

²Ibid., pp. 620-621.

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entity involved in a territorial dispute between an extra-continental country and a Latin American state would prevent her from signing the treaty, and she won some African support on this basis. The United States remained neutral on this question.

Chemical and Bacteriological Weapons

For the Communist group, Hungary introduced a draft resolution demanding strict compliance with the Geneva protocol, declaring that the use of chemical and bacteriological weapons for destroying "human beings and the means of their existence" was a crime against humanity, and appealing to states which had not yet done so to accede to the protocol.¹ Although we had previously announced that we would observe the protocol,² we could not accept the Hungarian resolution because it would implicitly condemn the use of chemical defoliants, which we did not consider to be covered by the protocol.

A Maltese draft resolution recommended that the ENDC consider the problem with a view to updating, revising, or replacing the Geneva protocol and requested a report by the Secretary-General on the nature and effects of chemical and bacteriological weapons. We would have supported this resolution which fitted in with the current ACDA view that the protocol should be revised or replaced, but the Communist states were dead set against any changes in the protocol. Efforts to arrive at agreed language failed, and both draft resolutions were withdrawn.

Non-use of Nuclear Weapons

While the common interest of the United States and the Soviet Union in concluding the non-proliferation treaty led both countries to mute their differences on controversial questions, Foreign Minister Gromyko submitted a draft convention on the prohibition of the use of nuclear weapons. During the First Committee debate, ACDA Deputy Director Fisher attacked the unconditional character of the draft

¹*Ibid.*, pp. 633-634.

²See above, pp. 47-48.

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convention and argued that it would undermine mutual deterrence. Reaffirming the basic U.S. position, he said that reduction and elimination of the dangers of nuclear war would require the reduction and elimination of national nuclear arsenals in the context of general and complete disarmament. On December 8 the General Assembly approved a Soviet resolution urging the ENDC to examine non-use and the Soviet draft convention and "such other proposals as may be made on this question."¹ The United States and its allies abstained.

Conclusion of the Non-proliferation Treaty

13th Session of the ENDC, January 18-March 14, 1968

At long last, the Co-Chairmen were able to table a complete draft treaty. When they met at Geneva on January 15, Ambassador Roshchin ascertained that our November 2 safeguards proposal was the best we could offer and then offered to accept it if Mr. Fisher would publicly repeat his November 2 remark that the safeguards established by an agreement with the IAEA could not conceivably be anything other than IAEA safeguards.² We agreed to include a modified form of the statement in the three principles, and the safeguards question was finally settled.

The Co-Chairmen had previously agreed on revised versions of the Mexican amendments on peaceful uses of nuclear energy, peaceful nuclear explosive devices, disarmament, and regional denuclearization. The Soviets now agreed that amendments should become effective only for those parties that ratified them after approval by a qualified majority. They also accepted our proposal to provide for a special review conference after the treaty had been in force for 25 years to decide whether it should be continued but deleted a provision which would give each party the explicit right to denounce the treaty after the 25-year conference was held. Although this was not entirely satisfactory to us, we agreed to table the Soviet language in return for their acceptance of the safeguards article, with the understanding that it would still be possible to discuss alternative provisions after the draft treaty was tabled.

¹ *Documents on Disarmament, 1967*, p. 626-627.

² See above, p. 76.

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The new draft treaty was tabled on January 18, again in the form of separate but identical American and Soviet drafts. Both Co-Chairmen stated their interpretations of article III. Ambassador Roshchin said:

...this article provides for the establishment of international control by the International Atomic Energy Agency (IAEA). This control will be carried out with respect to source or special fissionable material whether it is being produced, processed or used in any principal nuclear facility or is outside any such facility. Thus IAEA control will be applied on all source or fissionable material in the peaceful nuclear activities of non-nuclear weapon States within their territories or carried out under their control anywhere.

Of course, control should not entail interference in the domestic affairs of States or hamper their economic development. A special provision in the article on control provides for the unhampered utilization by all parties to the treaty of nuclear energy for peaceful purposes, for their economic and technical development, including international co-operation in the field of peaceful nuclear activities. The article on control provides for the establishment of conditions for the effective verification of the fulfilment of the obligation to prevent diversion of nuclear energy from peaceful uses to nuclear weapons; and at the same time it maintains the broadest possibilities for the peaceful development of nuclear energy in non-nuclear weapon countries.¹

Mr. Fisher pointed out that treaty safeguards would be applied to "all source or special fissionable material employed in peaceful nuclear activities of non-nuclear weapons and added that the safeguards were intended "solely to verify the fulfilment" of treaty obligations, in accordance with an agreement to be negotiated with IAEA in accordance with its Statute and the IAEA safeguards system. The IAEA system was not, however, incorporated in the treaty in the sense that a treaty amendment would be required to change it.

¹Documents on Disarmament, 1968, p. 7.

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He expounded the three principles in the following form:

1. There should be safeguards for all non-nuclear-weapon parties of such a nature that all parties can have confidence in their effectiveness. Therefore safeguards established by an agreement negotiated and concluded with the IAEA in accordance with the Statute of the IAEA and the Agency's safeguards system must enable the IAEA to carry out its responsibility of providing assurance that no diversion is taking place.

2. In discharging their obligations under article III, non-nuclear-weapon parties may negotiate safeguards agreements with the IAEA individually or together with other parties; and, specifically, an agreement covering such obligations may be entered into between the IAEA and another international organization the work of which is related to the IAEA and the membership of which includes the parties concerned.

3. In order to avoid unnecessary duplication, the IAEA should make appropriate use of existing records and safeguards, provided that under such mutually-agreed arrangements IAEA can satisfy itself that nuclear material is not diverted to nuclear weapons or other nuclear explosive devices.¹

President Johnson was "most heartened" to learn that the Soviet Union would join us in submitting a complete draft treaty. He believed that it represented a "major accomplishment" in meeting the legitimate interests of other nations and expressed the "fervent hope" that he could submit it to the Senate in 1968.² The new draft was favorably received in the North Atlantic Council, where the Italians, with German support, supplied the only dissenting note. They wished to stiffen the requirements for entry into force by doubling the number of necessary ratifications and by stipulating that these must include advanced civil nuclear nations. The draft also obtained a general welcome among other nations, with the significant exception of Communist

¹*Ibid.*, pp. 12-14.

²*Ibid.*, p. 1.

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China, which denounced it as a landmark in anti-Chinese collusion between the United States and the Soviet Union.

After their long and laborious negotiations on the first two articles, neither of the Co-Chairmen was prepared to reopen them for further negotiation. They therefore rejected Brazilian amendments to articles I and II that would have permitted non-nuclear countries to develop peaceful nuclear explosive devices. Although the Soviets had initially been willing to accept the UAR amendments to these articles,¹ they now joined us in publicly rejecting them. Romanian amendments to article III providing for control of foreign military bases were obviously unacceptable.

Although other treaty provisions were subject to amendment and improvement, the number of constructive and negotiable proposals turned out to be rather limited. The Co-Chairmen accepted the following Swedish amendments: (1) a new preambular paragraph recalling the determination expressed in the limited test-ban treaty to achieve a comprehensive test ban, (2) a revised disarmament article that explicitly mentioned nuclear disarmament, and (3) a provision permitting review conferences every five years at the request of a majority of the parties. They also accepted a previous British proposal authorizing the review conferences to consider implementation of the preamble as well as the provisions of the treaty.

Italian and Nigerian proposals to revise the peaceful-uses article were rejected. The Italians wished to guarantee the "inalienable right" of all parties to obtain fissionable materials, and the Nigerians thought that the draft should be clarified to cover information on peaceful nuclear explosive devices. Mr. Foster explained that the essential purpose of the Italian amendment had already been achieved, since the existing language covered the supply of materials. He told the Nigerians that the treaty obligation must be general but that we considered that the article covered the exchange of information on peaceful applications of nuclear explosions.²

¹See above, pp. 71-72.

²*International Negotiations on the Treaty on the Non-proliferation of Nuclear Weapons*, p. 103.

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Brazilian and Indian efforts to remove the ban on the development and use of peaceful nuclear explosive devices by non-nuclear nations met firm resistance from both Co-Chairmen. The Ethiopian representative was concerned that the price of explosion services by the nuclear powers might reflect their monopolistic position. Ambassador De Palma assured him that we would keep the cost of devices as low as possible and charge the same price for foreign and domestic users. He could not envisage a more practical formula than that laid down in article V, which explicitly excluded the cost of research and development.

There was also a question about bilateral arrangements for peaceful nuclear explosion services. The Swedes, Canadians, and others insisted that bilateral arrangements must be subject to international supervision, both to avert any suspicion of collusion between the two states involved and to keep the non-proliferation treaty compatible with an eventual comprehensive test-ban agreement. We opposed a Swedish amendment that would have deleted any express reference to bilateral arrangements, because we considered that international procedures would apply to both bilateral and multilateral projects, whether or not there was a comprehensive test ban. The Soviets took a similar position.

The Swedish amendment was the only change that the Co-Chairmen would accept in the disarmament article. A number of countries wished to go farther. Brazil proposed a new article obligating the nuclear parties to negotiate a nuclear disarmament treaty at the earliest possible date and to channel resources freed by nuclear disarmament to a special U.N. fund for developing countries. Romania also wanted an undertaking by the nuclear parties to bring about nuclear disarmament as soon as possible. The FRG wished to make the disarmament article more concrete and to list specific measures in the preamble. Spain proposed obligations to destroy nuclear weapons and vehicles. India wished to include the fissionable materials cutoff. The Co-Chairmen maintained their previous objections to such proposals and refused to list any specific measures or to include any stronger disarmament commitments.

There were demands from the FRG, Romania, and Spain for automatic review conferences every five years. The Co-Chairmen were not willing to go so far, but they accepted a Swedish amendment permitting review conferences every five years at the request of a majority of the parties.

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The provision that the treaty should enter into force when ratified by the depositary governments and 40 other signatories was criticized by the Germans, Italians, Spaniards, and others who proposed qualitative criteria. All these proposals would have delayed bringing the treaty into operation and were rejected by the Co-Chairmen. They also turned down Brazilian and Romanian proposals to simplify the withdrawal provisions; Ambassador De Palma saw nothing unreasonable in requiring a withdrawing state to provide a public explanation or in permitting the Security Council to discuss the situation.

The ENDC debate on the January 18 draft treaty was completed by the third week in February, but it was not until March 10 that the Soviet delegation received instructions to table the revised draft incorporating the Swedish and British amendments. Apparently the Soviets had made a last-minute unsuccessful attempt to persuade the Romanians to accept the treaty at the Bucharest meeting of the Warsaw Pact countries. The new version was tabled as a joint American-Soviet draft treaty on March 11.

The Co-Chairmen and the British representative also agreed on a draft Security Council resolution on security assurances and accompanying declarations by the nuclear parties to the treaty. Since the Soviets refused to accept our non-use formula because it would equate countries with nuclear weapons on their territory and nations that had none, and we still rejected the Kosygin formula, there were no "negative" security assurances. The draft Security Council resolution and the declarations added nothing to existing obligations under the U.N. Charter and aroused little enthusiasm among non-nuclear nations.

The Co-Chairmen could not get others to agree to include the draft treaty and the draft Security Council resolution in the ENDC report, and these documents were therefore attached to it as annexes, in accordance with previous practice. The ENDC had met the deadline set by the December resolution of the General Assembly, and there was now good grounds for expecting the treaty to be concluded before the Conference of Non-Nuclear-Weapon States convened.

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Problem Countries

Many countries still had serious misgivings about the treaty, and some of them were nations whose support was highly desirable if not essential. A vigorous effort was made to obtain their support. Although we were not entirely successful, we were at least able to prevent an organized and determined opposition campaign in the General Assembly and to avert fatal delay at this late stage.

Australia

Australia was reluctant to give up her nuclear option, and Prime Minister Gorton expressed concern about the treaty during Rusk's April visit to Canberra. A group of ACDA and AEC officials was sent out, and they found the Australians very interested in just how far they could go under the treaty toward developing a nuclear-weapons capability so that they would not be behind India and Japan if either of those countries suddenly withdrew from the treaty. The Americans explained that uranium enrichment and the stockpiling of fissionable materials would not violate article II if they were safeguarded and that laboratory research on plutonium metallurgy would be permitted. But the production of initiators would be suspect, and a prototype explosive device would be clearly forbidden.

At the General Assembly, the Australian delegation pressed for a definition of "manufacture." Although we were not then prepared to provide a comprehensive definition, we made some general comments.¹ The Australians were also told that article 20 of the IAEA Statute did not apply to ores. They were dissuaded from pushing a request for a model IAEA-Euratom agreement. Without committing themselves on the treaty, they supported our resolution at the General Assembly.

In a press statement, Prime Minister Gorton mentioned the need for satisfactory security guarantees. In reply, we pointed out that Australia was an especially close ally and that the non-proliferation treaty would not affect U.S. obligations under existing mutual security treaties. The External Affairs Ministry explained that Gorton's statement

¹More detailed U.S. interpretations were later put in the record of the Senate hearings on treaty.

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had not been cleared and that security guarantees were not an issue for Australia.

Brazil

In Brazil, the opposition was led by Foreign Minister Magalhães Pinto, who charged at the U.N. Conference for Trade and Development in February that the super-powers were trying to deny developing countries the right to acquire and perfect an autonomous technology. President Costa e Silva also expressed opposition in his March 1 message to Congress.

Shortly before the General Assembly reconvened, Brazil circulated an aide-mémoire to other U.N. members noting the amendments and reservations expressed in the ENDC and stating that those showed "a real need for wide negotiations towards the general perfecting of the draft."¹ The Brazilian démarche made some impression among Latin Americans and raised the danger that the General Assembly might either try to rewrite the draft treaty or to postpone action until the Conference of Non-Nuclear-Weapon States had been held. A public statement by Magalhães Pinto that he would try to impede the treaty, and his initial speech to the General Assembly did not improve prospects.

Privately, however, he told Rusk that he would not proselytize or present amendments. Although efforts by ACDA Director Foster and AEC Chairman Seaborg did not convince the Brazilians that the treaty afforded adequate protection for their peaceful nuclear interests, the threat subsided. Moreover, the Mexicans succeeded in gaining Latin American support for more acceptable initiatives.

Federal Republic of Germany

German opinion remained undecided. Within the governing Christian Democratic-Social Democratic coalition, the Social Democrats were generally pro-treaty, and the Christian Democrats were divided. Opposition from such strong critics as Finance Minister Strauss became less dangerous, however, in face of our success in negotiating an acceptable safeguards article. Moreover, the March 11 joint draft treaty contained various changes that responded in some degree to German suggestions.

¹From New York, agm. A-1475, Apr. 9, 1968, Unclassified.

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We persuaded the Germans not to press the Soviets on our interpretations of articles I and II of the treaty.¹ At Bonn's urging, we agreed to make a statement that signature by the GDR would not entitle it to membership in the IAEA or to participation in review conferences under the treaty. We did not immediately commit ourselves on an FRG request for a Presidential declaration on the maintenance of NATO. The Germans felt that such a declaration was necessary because the treaty did not contain the provision against "nuclear blackmail" that they had requested.

India

Although India's general attitude was negative, there still seemed to be some chance of winning her over at the beginning of 1968. After Premier Kosygin persuaded Prime Minister Gandhi to include a favorable reference to non-proliferation in their January 31 joint communique, Washington decided to try a "hard-sell" approach. On February 12, Ambassador Bowles gave Foreign Secretary Dayal a long oral statement arguing that a decision by India to sign the treaty would be in her overall interest. Mr. Dayal commented that public opinion was anti-treaty and that pressing Indian demands would only cause more bickering, which would embarrass both the United States and the Soviet Union.

Ambassador Bowles then suggested trilateral talks among the United States, the Soviet Union, and India. Mr. Dayal was non-committal on this idea, but Washington rejected it on ACDA's advice. It was not discouraged by the Indian attitude and anticipated that India would eventually sign the treaty if she realized that she was being placed in an isolated position.

Although the pro-treaty arguments of Bowles and Wiesner apparently carried some weight with AEC Chairman Sarabhai and there was some support for the treaty in the Foreign Ministry, a Cabinet Committee decided on April 18 that India should not sign the treaty in its present form. The decision was apparently based on internal political considerations.

¹The Soviets neither endorsed nor rejected our interpretations (see above, pp. 50-52); Soviet rejection would have wrecked the treaty.

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Israel

Although Prime Minister Eshkol had declared in 1966 that Israel would not be the first to introduce nuclear weapons into the Middle East, the Israelis remained non-committal. Foreign Minister Eban made a vaguely pro-treaty statement in February 1968, but in our Embassy's view he thought there was a long way to go before the treaty would be concluded.

On April 28, Secretary of State Rusk sent a message to Eban urging Israel to support the treaty in the General Assembly. He stated that we were "keenly aware" of Israel's security problems and assured him that we would continue to work for an agreement with the Soviet Union limiting conventional arms shipments to the Middle East. In that context, the treaty would be "crucial to the ultimate security of Israel"; the Arab countries were not expected to acquire a nuclear capability in the foreseeable future, and the treaty would prohibit the transfer of nuclear weapons to them.¹

In the General Assembly, the Israelis voted for the resolution commending the treaty. But the American arguments did not persuade them to sign the treaty. In his reply to Rusk, Mr. Eban said that Israel's national security must be her first concern and that she could not undertake 25-year commitments as long as she was surrounded by hostile neighbors who enjoyed Soviet support.

Italy

We were able to persuade the Italians not to press their proposal for qualitative criteria, i.e., requiring that countries with advanced nuclear industries must ratify the treaty in order for it to come into force. Other Italian suggestions were met to some extent in the March 11 joint draft treaty.

The Italians also proposed an amendment to assure the supply of fissionable materials for peaceful purposes. We did not consider this necessary, and Mr. Foster publicly

¹To Tel Aviv, tel. 154625, Apr. 28, 1968, Secret.

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stated in the ENDC that existing treaty provisions covered the supply of nuclear materials for peaceful purposes. As the Italians were also contemplating a nuclear warship to be propelled by U.S. fuel, a minor crisis arose when Mr. Foster was inaccurately quoted by the press as calling a nuclear-powered submarine a "weapon." The State Department at once publicly declared that the treaty did not cover nuclear propulsion of warships, and we privately confirmed our previous assurances to the Italians on this point.¹ These steps dampened but did not extinguish the Italian desire for treaty revision.

Japan

Like the Germans and the Australians, the Japanese disavowed any intention of developing nuclear weapons but expressed great concern over the treaty's effect on their peaceful nuclear activities. In November 1967 an ACDA-AEC team headed by ACDA Assistant Director Scoville tried to reassure them on the impact of IAEA safeguards. They also told the Japanese that high-speed breeder reactors would not be considered "nuclear explosive devices" and that the treaty would not ban research and development on uranium enrichment. We would not, however, disclose information on gaseous diffusion plants, because they were directly linked with nuclear-weapon development. In March the Japanese requested and obtained an official U.S. definition of "nuclear explosive devices." At the General Assembly, they supported the treaty in principle but came up with a draft resolution that gave us some trouble.²

Romania

Romania was the only Communist member of the ENDC to raise serious objections to the draft treaty. She was dissatisfied with the provisions on disarmament, peaceful uses, and safeguards, and she also wanted more effective security guarantees. In March, on Romanian initiative, Deputy Foreign Minister Macovescu visited Washington, where ACDA and State

¹See above, p. 56.

²See below, p. 97.

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Department officials attempted to persuade him to support the draft treaty. The U.S. attempt, and a Soviet effort at the Sofia meeting of the Warsaw Pact countries, were equally unsuccessful, and the Romanians publicly tabled their amendments at Geneva. They did, however, appreciate the Washington discussions and decided on the eve of the General Assembly not to try to delay the conclusion of the treaty.

Yugoslavia

Somewhat similar objections were raised by Yugoslavia in an aide-mémoire of April 10, 1968. Mr. Foster told the Yugoslav Ambassador that some Yugoslav suggestions would create more support for the treaty in some quarters but lose it in others. The only feasible approach was that of consensus, and he warned that time was vital. Ambassador Crnobrnja replied that Yugoslavia realized that she would have to accept a more modest treaty than she would like and that she would not create difficulties.

Euratom Developments

While it was clear under article III and the U.S. interpretations that some kind of IAEA-Euratom safeguards agreement was contemplated, a number of thorny questions remained to be settled. During a February visit to Washington, President Rey of the European Commission told Fisher that the Euratom safeguards system was working well and should be retained. He also agreed with Fisher's view that actual drafting of an agreement would not begin until the treaty was opened for signature.

It appeared, however, that the Commission would not make a final judgment on the compatibility of the non-proliferation and Euratom treaties until the negotiations with IAEA were completed, which might take years. Moreover, the Council of Ministers of the European Community refused to approve the Commission's request for a study of Euratom-IAEA arrangements and for informal contacts with IAEA; the French objected that the treaty should be handled by the countries that were interested in it, and the Dutch wanted to postpone action until the General Assembly session was over, in order to forestall adoption of a hard position by the Commission.

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The Belgians also pressed the United Kingdom and the United States for assurances that they would continue to provide the Euratom countries with nuclear fuel if the treaty entered into force and the IAEA negotiations failed. The British replied that existing arrangements would be continued during the period allowed by the treaty and thereafter if the receiving state was still negotiating with IAEA in good faith. The Belgians were not initially satisfied, but the British considered it "extremely unlikely" that the treaty would enter into force before the Euratom states ratified it.¹

This possibility then appeared even more remote in the light of Roshchin's private statement to Foster that the Soviets would postpone final ratification until the FRG ratified the treaty.² We told the Belgians that failure of the IAEA-Euratom negotiations was a "largely theoretical possibility" and questioned whether it was wise to "attempt to reach legal conclusions with respect to conjectural situations." We also said that we would be glad to participate in a joint study of IAEA-Euratom arrangements. This reply apparently satisfied the Belgians.

We also sent a letter to Euratom outlining the conditions under which we would supply plutonium and enriched uranium to that organization. This letter was so written as to avoid making an unconditional commitment. At the insistence of AEC, supported by Ambassador Bohlen, a passage was deleted implying that future fuel supply might be conditional on an IAEA-Euratom agreement. ACDA favored the deleted passage, but AEC argued that it might jeopardize chances for agreement between IAEA and Euratom.

The European Commission had advised Euratom members to make reservations to the non-proliferation treaty, since it could not be determined in advance that it would be compatible with the Euratom treaty. We opposed reservations because they could lead to similar action by other nations that would weaken the treaty and because the Soviet Union would probably not accept them. In the end, the Euratom countries decided to make public statements of their position at the time of treaty signature. The Benelux countries outlined their common position at the General Assembly.

¹From London, tel. 7011, Mar. 6, 1968, Secret.

²See above, pp. 59, 72. Under the Nixon Administration, the Soviets finally agreed to ratify the treaty on November 24, 1969, four days before the FRG signed it.

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The 22d General Assembly (Part II)

There was still a very tight time-table for the treaty. We wished to get it through the General Assembly so that it could be signed in early summer, before the Conference of Non-nuclear-weapon States could meet in August and make unacceptable demands on the United States and the Soviet Union. Furthermore, the Johnson Administration hoped to have the Senate approve the treaty before the national election campaign began, and the party conventions were also scheduled for August.

Both the United States and the Soviet Union energetically canvassed the U.N. membership in an effort to win wide support for the treaty. Most nations had not, however, committed themselves when the General Assembly convened on April 24. The United States and the Soviet Union on May 1 tabled a draft resolution endorsing the treaty and asking the three depository governments (the United States, the United Kingdom, and the Soviet Union) to open it for signature. They obtained 18 co-sponsors for this resolution and 9 more for a slightly revised version submitted two days later. But the co-sponsors included only two black African states and no Latin American countries.

The Japanese initially caused some difficulties with an abortive draft resolution calling on the nuclear-weapon states to "control" nuclear weapons. After Ambassador De Palma pointed out the difficulties with this rather obscure language, they produced a revised version calling on the nuclear-weapon states to assure that their nuclear weapons were not used in any fashion inconsistent with the principles of international peace and security. In this form (based on a personal suggestion by Buffum), the resolution was consistent with the position Rusk had taken in 1962 in reply to the Ethiopian proposal, and we could have supported it if it had been surfaced. But the Japanese draft did not suit the Soviets, who preferred a formula whereby the nuclear powers would undertake not to use nuclear weapons against non-nuclear parties to the treaty which were not members of alliances with nuclear powers. We reacted negatively to the revision of the Kosygin proposal, and the Soviets did not press the issue.

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Though still critical of some provisions, Nigeria now concluded that the treaty was the best obtainable and that the African states should sign it in order to guarantee a nuclear-free Africa. Ethiopia, the other African member of the ENDC, remained skeptical but refrained from organizing opposition. Ghana, Kenya, and many other African states were dissatisfied with the security assurances and incensed that the United States was putting pressure on them to endorse a treaty that South Africa, a near-nuclear nation, was not prepared to sign. We tried to convince them that it was in their interest to support the treaty and thereby make it more difficult for South Africa to oppose it.

We also made an effort to win South African support. After Ambassador Botha publicly criticized the draft treaty in the First Committee of the General Assembly, a team of American experts, led by Dr. Scoville, was sent to South Africa. As a result of their visit, the South Africans prepared a "memorandum of discussion" which was corrected by us; it was thus a South African document rather than a formally agreed bilateral interpretation. The memorandum covered some of the same ground as the interpretations we had given the Japanese and some questions of special interest to South Africa as a uranium supplier.

The South Africans remained concerned about several aspects of the treaty. They were uncertain about the nature of a model safeguards agreement with IAEA and were not sure that IAEA and other authorities would be able to exclude all extraneous considerations in carrying out their tasks. Nevertheless, they agreed to support the resolution, without committing themselves to sign the treaty.

We were disturbed when the Mexicans gave other Latin American delegates a working paper proposing a new preambular paragraph on the non-force principles of the U.N. Charter and amendments to the treaty articles on peaceful uses, peaceful nuclear explosive devices, and disarmament. Our Ambassador in Mexico City told the Foreign Secretary that the working paper might have divisive effects and impair the prospects of the joint resolution. Washington was concerned about the delay that the Mexican amendments would cause. It also feared that consideration of any amendments "could open

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(the) floodgates" and encourage initiatives by others, as was stated in a circular instruction of May 10 to Latin American posts.¹ When Mr. Fisher took a similar line in New York, the Chilean representative accused him of making "arguments of authority."² Although the Mexicans refused to back down, we got them to agree to refrain from formally submitting their amendments³ and to accept instead an informal discussion with the Co-Chairmen.

Maltese Ambassador Pardo wished to amend the joint resolution rather than the treaty. Besides making a number of changes in the preamble of the resolution, he wished to introduce a paragraph in which the General Assembly would commend the treaty on the understanding that the nuclear powers intended to conclude nuclear disarmament agreements at an early date and that the "inalienable right" of all parties to the supply of fissionable materials and equipment and to free technical assistance would not be questioned. The supply paragraph was inspired by the Italians, who had previously stressed this question in the ENDC. Ambassador Pardo later made a number of changes in his proposals and suggested adding a clause on not using or threatening to use nuclear weapons "in any manner inconsistent with the principles and purposes of the Charter of the United Nations."⁴ Mr. Fisher urged him not to press his proposals, which would not be acceptable to the United States or the Soviet Union.

The Romanians privately proposed a new treaty article on security assurances and significant changes in the articles on disarmament, peaceful uses, and safeguards. As they had previously intimated that they would only propose small changes, Ambassador De Palma was amazed at the scope of their proposals and told Ecobescu that there was no prospect of agreement on amendments of this kind. He also discouraged Yugoslav proposals to change the preambular paragraph on disarmament and the peaceful nuclear explosive article and to incorporate the Kosygin proposal.

¹Circ. tel. 161473, May 10, 1968, Secret.

²From New York, tel. 5048, Confidential.

³The Mexican representative did, however, describe the amendments in a statement in Committee I.

⁴From New York, tel. 5140, May 15, 1968, Confidential.

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On May 13 the American and Soviet delegations examined the voting situation in the General Assembly and found that only 60-80 delegations would support the joint draft resolution as it stood. Two days later, they decided to privately work out "cosmetic changes" in the resolution and the draft treaty in order to gain wider support without affecting the substance.

At a May 17 meeting with the members of a Latin American working group (Mexico, Chile, Colombia), the American and Soviet representatives took a hard line against amendments and pointed out the danger in opening the treaty negotiations to 124 states. The Latin Americans denied any intention of postponing the treaty or of linking it to Additional Protocol II to the Tlatelolco treaty, which they urged the Soviets to sign.

In subsequent bilateral talks, the Americans and Soviets agreed on a number of changes in the draft resolution. The language on peaceful uses and nuclear disarmament was revised, and a new preambular paragraph emphasizing the principles of the Charter on the non-use of force was added. In the operative part, the General Assembly would commend the treaty rather than endorse it, and the ENDC and the nuclear powers would be requested to pursue disarmament negotiations.

On May 23, Ambassador Goldberg and First Deputy Foreign Minister Kuznetsov agreed on the following treaty changes:

- (1) The Yugoslav suggestion on nuclear disarmament would be incorporated in the ninth preambular paragraph.
- (2) The addition of a revised version of the Mexican preambular paragraph on Charter obligations.
- (3) A change in the second paragraph of the peaceful-uses article.
- (4) Revision of the peaceful nuclear explosions article as proposed by Mexico, in modified form. A Yugoslav suggestion was also incorporated in the revised article. We rejected a Soviet proposal to include in the disarmament article the obligation to negotiate for the complete prohibition of nuclear weapons, as the Romanians had proposed, and informed the

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Soviets that we could not treat these measures apart from general and complete disarmament or even accept complete prohibition within that context. The Soviets in turn rejected our proposal to include the limitation and reduction of strategic missiles in the disarmament article, although they had favorably mentioned it during the First Committee debate.

The revised draft resolution, tabled May 28, won 20 additional co-sponsors, including Italy, 13 Latin American nations, and two black African states. Even at this late stage, the Yugoslavs brought up the idea of a separate resolution inviting the nuclear powers to make declarations on the non-use of nuclear weapons. Both the United States and the Soviet Union opposed this move, and the Yugoslavs decided to postpone it until the non-nuclear conference.

During the debate on the revised resolution, the UAR representative (one of the co-sponsors) spoke in favor of the treaty. The Israeli representative supported the resolution but asked for certain changes in the treaty. Both the Indian and the French representatives announced that their countries would not sign the treaty, but the latter added that France would behave like the parties to the treaty. Complying with a German request, Ambassador Goldberg told the General Assembly that accession to the treaty would not affect "the recognition or status of an unrecognized regime of entity" and that we reserved the right to object if an unrecognized entity should seek to participate in the review conferences.¹

The resolution was approved on June 12 by a vote of 95 to 4, with 21 abstentions. The opponents - Albania, Cuba, Tanzania, and Zambia - were influenced by Communist China. Such important countries as Brazil, Burma, France, India, and Spain abstained.

¹ *Documents on Disarmament, 1968, pp. 435-436.*

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After the voting, President Johnson addressed the General Assembly and called the treaty the most important disarmament agreement since the beginning of the nuclear age. The United States would move quickly to open the treaty for signature and to seek quick ratification. When the treaty had entered into force, we would "fully and scrupulously discharge" our non-proliferation obligations, cooperate in bringing treaty safeguards into operation, facilitate the development of peaceful uses of nuclear energy, and continue research and development on nuclear explosions for peaceful purposes. We would vigorously pursue negotiations on nuclear disarmament. In that connection, we urgently desired early discussions on strategic arms limitations.¹

Security Council Action on Security Assurances

Since many non-nuclear nations remained skeptical about the tripartite proposal and the United States and the USSR were unable to agree on a non-use formula, the General Assembly resolution was silent on security assurances. We nevertheless decided to seek early Security Council approval of the tripartite proposal.

A circular instruction of June 8 explained that the momentum of the General Assembly resolution should provide impetus to favorable Security Council action. We considered it desirable to act in June rather than to take the risk of possible postponement until after the non-nuclear conference. It would be helpful for the Security Council to act before the Senate took up the treaty, and prompt action would probably encourage some states to sign the treaty when it was opened for signature. We explained that the resolution would help assure that the Security Council would be able to function with the cooperation of the nuclear powers, as the Charter intended. We could not, however, commit ourselves to provide "blanket protection . . . against nuclear attack or threat" or assume any "new legal obligations."²

¹*Ibid.*, pp. 125-126.

²Circ. tel. 179447, June 8, 1968, Confidential.

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During the debate, the American, British, and Soviet representatives made the parallel declarations they had previously agreed on. The tripartite resolution was approved June 19 by a vote of 10 to 0, with 5 abstentions (Algeria, Brazil, France, India, Pakistan).

Treaty Opened for Signature

At the request of the Soviets, a number of editorial changes were made in the draft treaty. The Germans now objected to the new preambular paragraph on the Charter; since the latter contained two articles on ex-enemy states, they urged us to change the wording to "the principles of the Charter." The Soviets at New York demurred, and we did not press the issue in order to avoid further delay or disclosure of the German interest in this question.

Since the Administration hoped to obtain Senate approval before the August adjournment, it was necessary to get the treaty signed by July 1. It was evident, however, that many important countries would not be prepared to sign the treaty on such short notice. State and ACDA therefore recommended that the treaty be initially signed in the three capitals by the depositary governments only and then opened for signature by other nations at a later date. On the initiative of Ambassador Goldberg, however, it was decided to open it for signature on July 1.

The Ambassador's optimistic forecast was more than justified. No less than 62 countries signed on July 1, including the GDR, which affixed its signature at Moscow. Nine ENDC members - Bulgaria, Czechoslovakia, Nigeria, Poland, Romania, the UAR, the United Kingdom, the United States, and the USSR - signed on the opening day. A number of key countries were missing from the list. Brazil and India were opposed to the treaty, and Pakistan would not sign unless India did. The Euratom countries had not received the green light from the European Commission. Canada, Sweden, and others that favored the treaty were unable to act on the short notice they had received. Many others had not yet made up their minds.

At the Washington ceremony, President Johnson expressed the hope that virtually all nations would accept the treaty.

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It had three simple purposes - stopping proliferation, assuring the peaceful benefits of nuclear energy to non-nuclear nations, and committing the nuclear powers to move toward effective arms-control and disarmament measures. As we had promised the Germans, he declared that the United States would honor its obligations under existing security treaties. He announced that the United States and the Soviet Union had agreed to hold early strategic arms limitations talks.

Renewed Effort for Strategic Arms Limitation Talks With the Soviet Union (1968)

The President's announcement was the outcome of a renewed American effort. After our September 1967 démarche,¹ the Soviets showed little interest in beginning strategic arms limitation talks (SALT). Relations between the United States and the Soviet Union gradually improved, however, as Middle East tensions lessened to some extent and progress was made on the non-proliferation treaty. On January 22, 1968, President Johnson sent Kosygin a message in which he stressed the urgent need to limit the strategic arms race and to restrain arms shipments to the Middle East. He emphasized that we were not seeking military advantage in proposing SALT. There was no immediate response from Moscow.

As the non-proliferation negotiations entered their last stage, SALT again became a high-priority item on the U.S. agenda. In April, Ambassador Bohlen recommended to Rusk that we propose to the USSR an agreement banning the construction of any additional fixed land-based missile launchers (including MR/IRBMs). The number of anti-missile launchers and associated radars would also be limited. We would rely on national means to verify these limitations. While it would be difficult to verify limitations on sea-based or mobile strategic missile launchers by national means, we could also discuss these systems.

Mr. Foster did not concur with the Bohlen proposal because he felt that the Soviet would regard it as heavily weighted in favor of the United States. He recommended instead that the President send Kosygin a letter setting forth basic objectives and principles without outlining a specific proposal.

¹See above, pp. 65-66.

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The JCS dissented on different grounds. They objected that it did not meet their basic criteria for arms-control measures: (1) maintain overall U.S. quantitative superiority in strategic forces, (2) provide freedom to modernize our forces and develop future capabilities, and (3) provide for verification by other means than unilateral intelligence.

Later, Mr. Foster and Ambassador Bohlen agreed on a compromise. We would give the Soviets an oral statement outlining an initial U.S. proposal and discussing certain principles underlying a strategic arms agreement. President Johnson would send Kosygin a letter proposing a joint announcement at the General Assembly of a decision to begin SALT within a specific time period. Secretary of State Rusk and Secretary of Defense Clifford concurred, and the proposal was sent to the White House.

Mr. Foster still differed from Bohlen in being willing to send the letter without outlining the proposal, and this was what the President decided to do on April 30. The letter was given to Dobrynin on May 3. The Soviet Union was slow to reply. On May 20, Deputy Foreign Minister Kuznetsov told the First Committee of the General Assembly that the Soviet Union was prepared to agree on concrete steps aimed at limiting and subsequently reducing strategic means of nuclear delivery and would be prepared to exchange views with the states concerned. Foreign Minister Gromyko publicly announced to the Supreme Soviet on June 27 that the Soviet Union was ready for an exchange of opinion on the limitation and reduction of strategic delivery systems.

After clearing it with the Soviets, President Johnson made the following statement on July 1, the day when the non-proliferation treaty was opened for signature:

Agreement has been reached between the Governments of the Union of Soviet Socialist Republics and the United States to enter in the nearest future into discussions on the limitation and the reduction of both offensive strategic nuclear delivery systems and systems of defense against ballistic missiles.¹

¹*Documents on Disarmament, 1968, p. 460.*

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Premier Kosygin did not make a similar announcement. Instead, the Soviet Union on July 1 released a nine-point memorandum on disarmament measures. The third item described SALT in very general terms:

9. The Soviet Government proposes negotiations concerning specific measures for limiting and subsequently reducing the strategic vehicles for the delivery of nuclear weapons. Its reason for doing so is the fact that the elimination of the whole arsenal of strategic delivery vehicles, or in any case its reduction to the absolute minimum, leaving - and then only temporarily - a strictly limited quantity of such vehicles, would help to remove the threat of nuclear war.

10. The Soviet Government declares itself ready to discuss with interested States the reciprocal limitation and subsequent reduction of strategic vehicles for the delivery of nuclear weapons.

The Soviet Union also renewed its old proposal to ban bomber flights beyond national frontiers, which it now coupled with restrictions on the operational zones of missile-carrying submarines.¹

Although the time and place of the talks had not yet been determined, the United States assumed that they would be held in the near future and started to work out an American position. The most recent draft was an ACDA staff study circulated to other agencies on April 11. This study recommended four basic principles:

(1) Any strategic arms limitation agreement must provide balanced strategic postures acceptable to both sides and should affect both offensive and defensive forces.

(2) Under any agreement, both sides should be confident of a reasonable second-strike deterrent force.

¹*Ibid.*, pp. 467-468. The Soviets provided us with advance notice of the memorandum.

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(3) National means of verification would be adequate for a number of important strategic arms control constraints; for other more comprehensive measures, supplementary inspection arrangements would probably be necessary.

(4) The first step in achieving strategic arms control was to level off with current force commitments.

The study examined a missile launcher freeze as it would affect four major weapons systems: (1) antiballistic missiles (ABMs), (2) multiple independently-targeted reentry vehicles (MIRVs), (3) fixed intercontinental ballistic missiles (ICBMs) and (4) submarine-launched ballistic missiles (SLBMs) and mobile ICBMs.

It envisaged a three-step negotiating approach: (1) agreement on basic objectives and principles, (2) development of a common appreciation of critical elements to be controlled, and (3) agreement on specific measures.

After further study in a working group chaired by Fisher, a revised position paper was submitted to the Executive Committee of the Committee of Principals on July 31. This deleted a previous provision for withdrawing from the treaty if the Soviets developed mobile ABMs and added a provision banning replacement of ballistic- or cruise-missile submarines during the first five years of the agreement. It also added provisions for review and withdrawal.

The Department of Defense thought that an agreement along these lines would not significantly affect the damage-limiting capability of either side and that we would maintain our assured destruction capability even if the Soviets abrogated it. While conversion of the Tallinn system to an effective long-range ABM system was unlikely, it could pose a serious threat to the U.S. deterrent. Moreover, improvements in missile accuracy might make our ICBMs vulnerable in their silos. Otherwise, we could have confidence in our limited force even in the face of Soviet cheating. Defense thought that the Soviets might consider our proposal as a threat to their assured-destruction capability and wish to limit ABMs or ban MIRVs.

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At the August 7 meeting of the Executive Committee, Secretary of State Rusk stressed that the President wanted to move ahead with SALT. In Rusk's view, it was not the Executive Committee's job to find arguments why an agreement could not be attained, but to determine how it could be done consistent with U.S. security. He also suggested that a joint U.S.-USSR commission might be set up to continuously review the situation in order to clarify any issues that might arise. This might serve to avoid locking the United States into a position where treaty abrogation would be a major political act. The Executive Committee now agreed that MIRV flight testing should proceed as scheduled.

On August 14 the Executive Committee approved a proposal to freeze strategic offensive land-based missile launchers (both ICBMs and MR/IRBMs) and strategic offensive missile submarines. Mobile land-based offensive and defensive strategic missile systems and sea-based defensive strategic missile systems would be banned. Surface ships could not be fitted out with means for firing strategic offensive ballistic missiles. Fixed, land-based ABM launchers and associated missiles would be limited to a set and equivalent number on both sides. Aircraft, anti-aircraft, and MIRVs would not be covered. We could agree to rely on national means to verify these measures but would first make a concerted attempt to gain Soviet acceptance of additional means of providing reassurance for certain measures.

Secretary Rusk and Mr. Foster advised the President that an agreement of this kind would profoundly alter the complexion of East-West relations and provide a climate of cooperation facilitating further arms-control measures and the solution of other critical world problems. Militarily, such an agreement would enhance strategic stability for each side and maintain a secure deterrent unthreatened by a spiraling arms race which could only lead to larger and more destructive arsenals on both sides. U.S. strategic forces would be adequate to cope with the Soviet threat under an agreement, and our national means of verification would insure the detection of serious violations in time to take corrective measures. The President approved the proposal for planning purposes.

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Not all issues were settled. In the working group, the JCS opposed restrictions on ABM-associated radars because similar radars might be erroneously classified as integral BMD elements. The State, ACDA, and White House members provisionally agreed to delete the restrictions, and it was decided to study the problem further, especially in relation to the Tallinn system. It was also agreed that the question should be discussed with the Soviets. On August 22, after the Presidential action, Defense asked for further changes on supplementary inspection and proposed to specify that any agreement must be a treaty.

The Executive Committee agreed on August 22 that the concept of supplementary inspection should be pursued, but not to the extent of prejudicing the negotiations. Our main aim in seeking information on the Tallinn system was to assure us that it was not an ABM system and could not be upgraded into one without our knowledge. If we could not be assured on this point, the Tallinn launchers would have to be limited and included in the agreed Soviet ABM level. We would not exclude forms of agreement other than a treaty at this time.

The radar issue remained unsettled in spite of further studies by ACDA and the JCS. On supplementary inspection, now called "selective direct observation," ACDA suggested that it could be useful in reducing uncertainties in three areas: (1) the Tallinn systems, (2) Soviet submarine and surface ship construction facilities, and (3) IR/MRBM sites.

Except for these questions and a few other minor points, the U.S. Government had now developed a position for SALT, approved by the President on August 27. But the Soviet invasion of Czechoslovakia (August 20) made it increasingly doubtful that the talks would take place.

The Johnson Administration did not immediately renounce the project. The Soviets had proposed that the talks should begin at Geneva on September 30. On September 6, the Department of State proposed to begin allied consultations but did not proceed in the face of JCS opposition stemming from the Soviet action in Czechoslovakia. ACDA still thought that the talks should be held. On October 17, Mr. Fisher advised Rusk to recommend immediate talks to the President. He argued that they would be delayed for months after the next Administration

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came into office and that the testing of MIRVs or mobile missile deployment by either side might prevent them from succeeding. Secretary Rusk declined to forward these recommendations.

In the meantime, however, the White House had made a move in the direction of a summit meeting with Kosygin. On September 16, W. W. Rostow gave Dobrynin a statement proposing agreement on the following general principles:

- To achieve and maintain a stable U.S.-Soviet strategic deterrence by agreed limitations on the deployment of offensive and defensive strategic missiles.

- To enhance the credibility of our efforts to prevent the destabilizing actions of other nations by demonstrating U.S. and Soviet willingness to limit their strategic missile forces.

- To provide assurance to each of us that our security will be maintained, while at the same time avoiding the tensions, uncertainties, and costs of an unrestrained continuation of the strategic arms race.

- To improve U.S.-Soviet understanding by establishing a continuing process of discussion of issues arising from the strategic situation.¹

The Soviets accepted these principles² and suggested the following additions:

(1) The limitation and reduction in strategic armaments should be carried out with due regard for the integral interconnection of the two principal components of such armaments, i.e., offensive and defensive weapons systems.

¹Rostow to Walsh (State), ltr., Feb. 11, 1969, Secret, with attached memorandum, Sept. 16, 1968, Secret.

²The only change was the addition of the word "mutual" in the third principle.

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(2) The limitation and reduction in strategic armaments should be carried out as a complex including both offensive strategic nuclear weapons delivery systems and anti-ballistic missile systems.

(3) The limitation and reduction in strategic armaments should be so balanced that neither side could obtain any military advantages and that equal security should be assured for both sides.

They also suggested study of "steps to rule out the accidental appearance of conflict-fraught situations involving the use of strategic armaments." They envisaged an agreed communique or a joint statement. And they added that progress toward a Vietnam settlement was highly desirable.¹

Although the Soviet statement was not basically inconsistent with the U.S. position, Defense proposed some changes. It felt that *achieve* in the first paragraph might imply that it was necessary to bring about "numerical equality in some respects" and that we should take the position that effective deterrence already existed. Other parts of the Soviet statement could be read as including bombers but not bomber defenses. Our proposal did not cover either, and this question should be left open. Since the reference to *equal security* might be intended to provide for "numerical equality in one or more areas," the word *equal* should be dropped.²

Most of the Defense changes were accepted inside the U.S. Government. In view of the language of the Joint Statement of Agreed Principles (1961), however, the concept of equality could not be deleted, and it was decided to rephrase the Soviet draft to read, "and security should be assured equally for both sides." The revised draft was sent to the NATO countries and Japan in the closing days of the Johnson Administration.³

¹Soviet statement, n.d., Top Secret/Eyes Only.

²Clifford to Rusk, memorandum, n.d., Top Secret.

³To USNATO, tels. 5684 and 5685, Jan. 13, 1969, Top Secret/Exdis; from USNATO, tel. 170, Jan. 15, 1969, Top Secret/Exdis.

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According to his memoirs, President Johnson invited Nixon, after the election, to accompany him to a summit meeting. The President-Elect decided against this and tentatively selected Robert D. Murphy as his representative at the meeting. The outgoing Administration proposed a summit meeting to the Soviets, but they preferred to deal with the Nixon people and quickly lost interest in the project.¹

U.S. Signature of Latin American Protocol

In the meantime, there had been some important developments in U.S. policy toward the Latin American nuclear-free zone. As we have seen, President Johnson told Mexican President Diaz Ordaz in October 1967 that the United States intended to sign Additional Protocol II to the Tlatelolco treaty, and the United States later supported a General Assembly resolution endorsing the treaty and both protocols.²

At the end of 1967, ACDA Director Foster recommended that we sign Protocol II but not Protocol I. He suggested that signature of Protocol II be accompanied by an interpretive statement. Submission to the Senate would be delayed until a substantial number of Latin American states had signed the treaty, "unless other circumstances arise, such as the necessity of obtaining support for the NPT."³

Defense, however, endorsed the JCS view that there should be a "settled understanding" of the treaty before we ratified the protocol. They also did not agree that ratification should be related to the non-proliferation negotiations, and they wished to "reconsider the security implication" of adherence before the protocol was submitted to the Senate.⁴ In reply, Acting ACDA Director Fisher agreed to the Defense request to reconsider the protocol before it was submitted to the Senate.

¹Lyndon B. Johnson, *The Vantage Point: Perspectives of the Presidency, 1963-1969*, (New York, 1971), pp. 489-491.

²See above, pp. 82-83.

³Foster to McNamara and Seaborg, memorandum, Dec. 21, 1967, Secret.

⁴JCSM-32-68, "Protocol II to the Treaty for the Prohibition of Nuclear Weapons in Latin America (U)," Jan. 16, 1968, Secret; Nitze to Foster, ltr., Jan. 19, 1968, Secret.

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AEC approved the draft U.S. interpretive statement on the understanding that it implied that the development of a nuclear explosive device by any party would be a violation of the treaty and would give all parties to the treaty and the protocol the right to be relieved of their obligations, at least with respect to the violating state. AEC also understood that adherence to the protocol would permit the United States to assist parties to the protocol in using peaceful nuclear explosive devices without giving them information on the design or manufacture of the devices.

With these qualifications, ACDA's position was approved, and the President was able to announce on the first anniversary of the Tlatelolco treaty that we would sign additional Protocol II. On April 1, 1968, Vice President Humphrey signed it at Mexico City and gave our interpretive statement to the Mexican Foreign Minister.

The interpretive statement made the following points:

(1) Neither the treaty nor the protocols had any effect on territorial claims.

(2) Each party retained the sole power to grant or deny "transit and transport privileges."

(3) In connection with the non-use obligation of the protocol, an armed attack by a party, assisted by a nuclear power, would be incompatible with the treaty.

(4) Since peaceful nuclear explosive devices were indistinguishable from nuclear weapons, we understood that article 5 of the treaty covered all nuclear explosive devices. Accordingly, articles 1 and 5 restricted activities under article 18. We noted that article 18 of the treaty permitted U.S. collaboration with the parties in carrying out peaceful nuclear explosions, and we reaffirmed our willingness to make our services for such purposes available under "appropriate international arrangements."

(5) Although Protocol II did not require us to do so, we would act as though it applied to the territories covered by Protocol I.¹

¹*Documents on Disarmament, 1968, pp. 204-205.*

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Problems With the Comprehensive Test Ban and the Fissionable Materials Production Cutoff and Transfer

The signing of the non-proliferation treaty put the ENDC in a position to turn to other problems. Paradoxically, it was at this moment that serious opposition developed in Washington to major American nuclear measures - the comprehensive test ban and the fissionable materials production cutoff and transfer. The basic reason for this was the new weapons program for developing ABM and MIRV warheads that the United States was then engaged in.

During the winter ENDC session, AEC Chairman Seaborg had only reluctantly agreed to include in the non-proliferation treaty a preambular paragraph pledging continued efforts for a comprehensive test ban. He informed Fisher that AEC agreement on this point should not be considered as prejudging a review by the Principals of the test-ban question, and he hoped that we would not engage in any discussions prejudicing our position on continued underground testing.

When ACDA proposed that the President send a message to the ENDC summer session reaffirming our position on the comprehensive test ban and the cutoff/transfer, there was immediate opposition from the AEC and the JCS. Dr. Seaborg felt that it would be unrealistic to reaffirm our support for a comprehensive test ban when it was absolutely necessary to continue underground testing to develop Minuteman III and Poseidon and to carry out the Sentinel ABM program. The JCS also took the position that continued underground testing was necessary and favored halting efforts for a comprehensive test ban lest the Soviets accept it at a disadvantageous time. The cutoff and transfer encountered similar objections. AEC suggested that we simply take credit for the substantial unilateral cutbacks we had made, and both AEC and the JCS wished to delay a decision until studies were completed.

In spite of these objections, Mr. Fisher asked Rusk to send a memorandum to the President recommending reaffirmation of the disputed measures. Admitting that it was not clear whether a comprehensive test ban would be in our interest in the absence of an American-Soviet agreement on the limitation of strategic armaments, he argued that a retreat from our previous position could well have a disastrous effect on the

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non-proliferation treaty, since most non-nuclear countries hoped to follow up this measure with a comprehensive test ban and a cutoff. Moreover, ACDA held that a cutoff would work to our advantage because the Soviet stockpile was only 50 percent as large as ours. It also pointed out that the Soviets would probably not accept either measure. The ACDA recommendations were not approved and, for the first time in years, the United States did not advocate these measures in the ENDC.

Sea-Bed and Ocean Floor

As we have seen, the General Assembly set up a U.N. *Ad Hoc* Committee To Study the Peaceful Uses of the Sea-Bed and the Ocean Floor Beyond the Limits of National Jurisdiction.¹ American policy was still undetermined, and the Soviet Union took the initiative in raising the arms-control aspects of the sea-bed problem. On March 20, the Soviet representative proposed a ban on the use of the sea-bed for military purposes, and he later submitted a draft resolution calling on all states to use the sea-bed and ocean floor for peaceful purposes only and requesting the ENDC to urgently consider "the question of prohibiting the use for military purposes" of the sea-bed and ocean floor.²

Meanwhile, ACDA proposed in the Committee of Principals on April 12 that the United States try to negotiate in the ENDC a treaty banning the emplacement of nuclear weapons or other weapons of mass destruction on the sea-bed more than 12 miles from the coast of each state. Later, most of the Principals agreed that an effort should be made to negotiate a sea-bed treaty, with the width of the coastal band to be determined during the negotiations. Defense and the JCS, however, dissented and argued that the United States should retain the option to place nuclear weapons on the sea-bed for possible future use. They also felt that it would be difficult to detect violations.

¹See above, p. 82.

²*Documents on Disarmament, 1968, p. 445.*

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In spite of these objections, ACDA and State were able to obtain Presidential approval for a U.S. draft resolution in the *Ad Hoc* Committee proposing that the ENDC take up the arms-control aspects of the problem "with a view to defining those factors which would prevent the use of this new environment for the emplacement of weapons of mass destruction." This resolution was tabled June 28.¹

On the same date the Deputies to the Principals decided to request a Special National Intelligence Estimate (SNIE) on Soviet capabilities to deploy weapons of mass destruction and delivery systems on the sea-bed and U.S. capabilities to detect and identify such deployment. Although the SNIE noted some limitations on our verification capabilities, its conclusions did not suggest that verification would pose a significant national security problem.²

14th Session of the ENDC, July 16-August 28, 1968

The United States undertook no important new initiatives at the 14th session of the ENDC. Since strategic arms limitations were to be discussed bilaterally by the United States and the Soviet Union and the comprehensive test ban and fissionable materials cutoff were being sharply questioned in Washington,³ we could say little at Geneva on nuclear disarmament.

In his opening message, President Johnson noted that the United States and the Soviet Union had agreed to bilateral negotiations on strategic arms limitations and stated that progress in this field would facilitate "the achievement of various related measures of nuclear arms control and disarmament." He suggested that the ENDC begin to define factors relevant to an agreement to prevent the emplacement of weapons of mass destruction on the sea-bed. Referring to the implementation of the non-proliferation treaty, he said that we regarded IAEA as the appropriate forum for working out procedures on peaceful nuclear explosion services. Finally, he again stressed the need for regional cooperation to limit

¹*Ibid.*, p, 452.

²SNIE, 11-12-68, Aug. 15, 1968, Top Secret.

³See above, p. 114.

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armaments and said that the United States would respect arrangements by the nations involved and support "any reasonable measure affecting the activities of the major weapons-producers that would make a regional agreement more effective, including a requirement that suppliers publicize or register their arms shipments to a particular region."¹

On July 1, 1968, the Soviet Union circulated a public memorandum on nine measures. Not all of them were intended for discussion at Geneva. The Soviets stated that they were ready to discuss the restriction and subsequent reduction of SNDVs with other interested states, i.e., bilaterally with the United States. They resurrected their old proposal to ban flights of nuclear bombers beyond national boundaries and linked it with a new proposal to limit the operational zones of missile-carrying submarines; these proposals also turned out to be SALT items. Soviet endorsement of nuclear-free zones in general meant little in view of Moscow's failure to sign Additional Protocol II to the Tlatelolco treaty, and a related statement on regional disarmament was qualified by refusal to limit the arms race in the Middle East until Israeli troops were completely withdrawn from occupied Arab territory.

Except for submarine restraint, the only new item on the Soviet list was a call for ENDC discussion of their proposal to ban military use of the sea-bed. They called attention to their 1967 draft convention on the non-use of nuclear weapons,² revived the 1966 Kosygin proposal for nuclear disarmament,³ reaffirmed their position on an underground test ban, wanted the ENDC to examine ways of insuring that all states complied with the Geneva protocol, and again advocated elimination of foreign bases.⁴

¹ *Documents on Disarmament, 1968*, pp. 531-532.

² See above, pp. 83-84.

³ See above, p. 35.

⁴ *Documents on Disarmament, 1968*, pp. 466-470.

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Although there was as yet no substantive rapprochement between the United States and the Soviet Union on the seabed, both countries agreed that the arms-control aspects should be transferred from the *Ad Hoc* Committee to Geneva, where it would be easier for them, through the ENDC Co-Chairmen, to control the development of any agreement that might emerge.

The other new topic with some future promise was chemical and biological warfare. Both the United Kingdom and Poland revived the Maltese proposal for a U.N. experts' study of chemical and biological weapons,¹ and this was favorably received. The ENDC decided to recommend to the General Assembly that the Secretary-General appoint a group of experts to make such a study.² In a new approach to biological weapons, the British suggested banning their production and possession.³ American policy was still to be formulated, but the United States commented that the British suggestion was worth study.⁴

Although the United States was silent and the Soviet Union remained immobile on the comprehensive test ban, this measure was still of great interest to other ENDC members. The nonaligned Eight issued a joint memorandum urging "renewed and urgent efforts...to include a comprehensive test ban treaty" and reaffirmed their view that the nuclear powers should take immediate steps to halt tests pending the conclusion of a treaty.⁵ The British submitted a working paper suggesting a seven-member committee to consider any complaints that might arise under a comprehensive test-ban treaty. On-site inspections would be permitted if five members agreed that a *prima facie* case existed. They also suggested an annual quota of underground tests, which would be progressively reduced over a period of four or five years.⁶

¹*Ibid.*, pp. 537-538; ENDC/PV.385, p. 23.

²*Documents on Disarmament, 1968*, p. 594. For General Assembly action, see below, p. 142.

³*Documents on Disarmament, 1968*, pp. 537, 569-571.

⁴*Ibid.*, p. 582.

⁵*Ibid.*, pp. 598-591.

⁶ENDC/232.

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The inspection provision was too weak to suit us, as we privately told the British,¹ and too strong for the Soviets, as they publicly declared.² Swedish Ambassador Myrdal, who had not ceased to press for a comprehensive test ban, thought the time had come to start drafting a treaty based on her "verification by challenge" approach,³ which was also unacceptable to the superpowers.

Many non-nuclear states still favored the fissionable materials production cutoff. This measure was endorsed by Burma, Canada, India, Mexico, and Sweden. Both Canada and India suggested that IAEA safeguards should be used to verify a cutoff.⁴

The United States did not respond to the Soviet non-use proposal. Both the British and the Canadians questioned whether a ban on the use of nuclear weapons would be effective, and the Canadians added that the Security Council resolution and Additional Protocol II to the Tlatelolco treaty provided more security for non-nuclear states. Although some non-nuclear states still supported a non-use agreement, the Indians doubted that it would be effective unless all states, particularly the nuclear powers, adhered.⁵

For the first time, the ENDC adopted a comprehensive agenda. Approved on August 15, 1968, the agenda comprised four categories: nuclear disarmament measures, non-nuclear measures, other collateral measures, and general and complete disarmament. As previously, each representative was still free to speak at any time on any subject.⁶

¹From Geneva, tel. 4053, July 15, 1968, Confidential.

²*Documents on Disarmament, 1968*, pp. 556-557.

³*Ibid.*, pp. 544-551.

⁴John W. Syphax, *Summary of Developments at the 14th Session of the Eighteen Nation Disarmament Committee, July 16-August 28, 1968* (Disarmament Document Series, Ref 522), p. 11.

⁵*Ibid.*, pp. 10-11.

⁶*Documents on Disarmament, 1968*, pp. 583-584.

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Conference of Non-Nuclear-Weapon States (August 29-
October 2, 1968)

After the non-proliferation treaty was signed on July 1, there were favorable actions by various states until the Soviet invasion of Czechoslovakia (August 20). The European Commission ruled in late June that Euratom members should make a reservation at the time of signature that the entry into force of the treaty should be conditioned on the conclusion of a satisfactory IAEA-Euratom safeguards agreement. Such a reservation could take the form either of a "juridical reservation" or of an informal declaration along the lines of the Dutch statement in the General Assembly.¹

We favored the latter course, and this was the procedure chosen by the Benelux countries when they signed the treaty in August. After receiving our assurance that the treaty would not prevent us from providing them with nuclear fuel for aircraft propulsion, the Italians decided to sign the treaty, but reversed themselves after the Soviet invasion of Czechoslovakia. There was more hesitation in the FRG, where opposition was strengthened by a Soviet note reaffirming the "ex-enemy states" provisions of the U.N. Charter, which was cited in the treaty, and Finance Minister Strauss threatened to resign if the treaty was signed. Even so, the FRG would probably have signed the treaty if the Soviets had not invaded Czechoslovakia.

Many countries were also awaiting the outcome of the Conference of Non-Nuclear-Weapon States (NNC). Although the United States and the Soviet Union had agreed to the NNC in the General Assembly,² they were still concerned that it might impede the treaty. Both agreed that it should not develop into a permanent organization. It was with some hesitation that they decided to participate, and their representatives did not speak in the public proceedings or submit papers to the conference. But their private influence, through sympathetic allies, was very effective, and their work was also facilitated by the NNC's adoption of the two-thirds rule.

¹From Brussels, tels. 7940, July 10, 1968, and 8003, July 12, 1968, Confidential.

²See above, p. 81.

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U.S. Positions

The NNC agenda included security assurances, nuclear-free zones, nuclear disarmament, safeguards, peaceful uses of nuclear energy, and peaceful nuclear explosion services. Our delegation was instructed to explain that we could not go beyond the Security Council resolution on security assurances¹ or make a generalized commitment on non-use of nuclear weapons along the lines of Additional Protocol II to the Tlatelolco treaty.²

We felt that the IAEA was the competent international organization to work out the modalities of safeguards and to receive any reports on peaceful nuclear assistance. We saw no need for a new international body when IAEA existed. Nuclear disarmament was a problem for the nuclear powers in the first instance, and it would be a mistake for the conference to try to set up priorities. Because of the Soviet position on verification, it would not be realistic to propose an inventory of fissionable materials for weapons and non-weapons purposes, as some had suggested. We strongly opposed any new international organization for peaceful nuclear explosion services.

In our view, the conference was a "one-shot affair"; the Disarmament Commission, the First Committee of the General Assembly, and the ENDC, as well as the review conference under the non-proliferation treaty, were forums where non-nuclear nations would be able to express their views on disarmament.³

Security Assurances

Although NNC participants showed much interest both in stronger "positive" security assurances by the nuclear powers and in various proposals to prohibit the use of nuclear weapons against non-nuclear nations, few resolutions were surfaced. Among the stillborn proposals were resolutions by Yugoslavia, India, Pakistan, and several African states.

¹See above, pp. 89, 102-103.

²See above, pp. 45-46, 112-113.

³To Geneva, tel. 228661, Aug. 27, 1968, Confidential.

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Neither the United States nor the Soviet Union favored stronger "positive" security assurances. We were opposed to any new non-use undertakings, and the Soviets refrained from pushing the Kosygin formula - both because they did not wish to extend it to non-nuclear states that did not adhere to the non-proliferation treaty and because they wished to prevent the adoption of any resolutions that were unacceptable to either superpower.

One proposal that failed by the narrowest of margins was a Latin American resolution recommending that the General Assembly convene a conference for concluding an agreement whereby the nuclear powers would undertake to adopt the appropriate measures to assure the security of all non-nuclear states. With the addition of a Pakistani amendment referring to the popular principle of "an acceptable balance of mutual responsibilities," this resolution was approved by the First Committee on September 26. But additional opposition was mustered in the plenary conference on the next day, when the resolution failed by one vote to obtain the necessary two-thirds majority, because the Dahomeyan representative, who had supported it in the First Committee, did not arrive in time for the voting.

The Belgians and Germans suggested commitments not to use nuclear weapons for aggressive purposes. Opposing these proposals in the NAC, Ambassador Cleveland said that we did not consider it possible for the NNC to develop a broadly acceptable formula because of its heterogenous political composition. The British representative also pointed out that the search for a compromise would produce security problems for NATO. The Belgians withdrew their proposal, and the German representative said that the FRG would not push its formula over substantive objections. The Germans nevertheless went ahead with a general resolution on the non-use of force, which was approved September 27 against the opposition of Soviet allies.

Safeguards

Although the Japanese did not press the issue in the NNC, they privately informed us that they considered the existing IAEA system unsuitable and wished to replace it by a new system controlling the flow of nuclear material at certain strategic points. They maintained that all nuclear

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parties, including members of regional organizations, should receive equal treatment. They were also interested in knowing what American facilities would be placed under IAEA safeguards.

We replied that there was no need for a fundamental revision of the IAEA system at this stage. Inspection would be necessary to verify the accuracy of reports and records. The IAEA system already emphasized plutonium and highly enriched uranium, and it could concentrate on strategic points. As for equality of treatment, all safeguards agreements would conform to the three principles.¹ The IAEA would probably apply its safeguards to a representative number of our facilities and were concerned that the Euratom countries should not obtain a favored status.

The Germans shared the Japanese desire to simplify safeguards but took a different view of Euratom. And they were not content to work behind the scenes. At Geneva, they tabled a working paper in which they advocated a simplified safeguards system, and Ambassador Schnippenkoetter told the First Committee that only some parts of the IAEA system were relevant to the agreements to be concluded under article III of the non-proliferation treaty. He also referred to the "discriminatory" aspect of safeguards, welcomed the American and British offers, and maintained that Euratom provided equal treatment.

We were somewhat concerned about a Swiss resolution recommending that safeguards under article III be drawn up "with due regard for the principle of the sovereign equality of States, so as to impose equivalent political or economic responsibilities upon all." It also recommended a simplified safeguards system along the lines favored by the Japanese and Germans. This was later merged with a Spanish proposal to set up a special safeguards committee within IAEA.²

At our urging, the Chileans tried to float an anodyne substitute but withdrew it after encountering opposition within the Latin American caucus. An amended version of the Swiss-Spanish resolution, minus the "sovereign equality" clause, was approved by a vote of 34 to 5, with 45 abstentions. The NNC also adopted a Pakistani resolution recommending acceptance of the IAEA safeguards by all non-nuclear nations. The vote on the Pakistani resolution was 34 to 8, with 41 abstentions.

¹See above, p. 86.

²A/CONF.35/C.1/L.5/Rev. 1.

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Nuclear-free Zones

A Latin American resolution recommended that non-nuclear nations outside their area study the possibility and desirability of setting up other denuclearized zones "provided that political and security conditions permit." It also regretted that all nuclear powers had not signed Additional Protocol II to the Tlatelolco treaty and urged them to do so.¹ With Soviet support, the Ghanaians proposed to delete the words "provided that political and security conditions permit," but this amendment failed by a large majority. The resolution was adopted 74 to 0, with 10 abstentions (Soviet allies, Ghana, Kenya, Kuwait, Morocco, Nigeria, Thailand, Tunisia).

Disarmament

A group of Latin American nations, joined by Afghanistan, Ghana, India, Pakistan, and Yugoslavia, sponsored a resolution urging negotiations on the comprehensive test ban, the fissionable materials production cutoff, and other nuclear disarmament measures. Pakistan introduced a resolution urging the USSR and the United States to enter into bilateral discussions on strategic nuclear limitations at an early date.

There was little controversy about either resolution, since the measures mentioned in the Latin American resolution were already on the ENDC agenda and the USSR and the United States had publicly declared their intention to have bilateral strategic arms limitation talks. The Latin American resolution was approved by a vote of 76 to 0, with 8 abstentions. The Pakistani resolution was adopted 79 to 0, with 5 abstentions (Kenya, Tanzania, Thailand, Uganda, Zambia).

Peaceful Uses of Nuclear Energy

The Italians introduced a working paper in which they again advocated the Fanfani proposal for fissionable materials transfer, which we still opposed.² Ambassador Schrippekoetter advanced a broader interpretation of article IV of the non-proliferation treaty than we were willing to accept, but our delegation did not wish to "open up Pandora's box" by publicly disputing it.³

¹A/CONF.35/C.1/L.5/Rev. 1.

²See above, p. 56.

³From Geneva, tel. 4772, Sept. 12, 1968, Confidential.

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But the same question was posed more sharply by a Swiss resolution demanding precise undertakings from the nuclear powers on access to technology and fissionable materials and non-discrimination in the grant of facilities. Our delegation was instructed to say that this resolution would not be a useful contribution, since the treaty itself answered the general purpose of the resolution "in the best manner realistically possible"; the relevant articles had been revised to meet the desires of the non-nuclear nations and the balance of obligations in these articles was heavily weighted in their favor. We had already concluded more than 30 international agreements on peaceful uses and would expect to conclude more as a result of the treaty. The treaty did not prohibit uranium enrichment plants or any other type of isotope separation facilities but required safeguards under article III.

The conclusion of the treaty would facilitate the exchange of information on peaceful uses, and we would make information "widely available except for areas closely related to the risk of nuclear weapons proliferation or to military applications of nuclear energy." The technique of uranium enrichment was one of those areas. As we had told the Senate Foreign Relations Committee, the treaty did not override the provisions of the U.S. Atomic Energy Act, existing export policy, and private patent or proprietary rights. There was no shortage of enriched uranium or plutonium for peaceful purposes, and we planned to enlarge our enrichment capacity.¹

Our delegation was able to get the Swiss resolution watered down by planting a more acceptable draft with the Scandinavian countries and encouraging the Japanese to submit a moderate resolution. The result was a seven-power resolution recommending that the IAEA study ways of facilitating the exchange of information, its functions in the field of peaceful nuclear explosions, and its procedures and arrangements and the composition of the Board of Governors. It was also to get the nuclear powers to facilitate providing fissionable materials to non-nuclear nations "accepting the application of safeguards as envisaged in Article III of the treaty."² In spite of attempts to demand a stronger commitment from the nuclear powers to declassify information, strengthen the IAEA reform clause, and weaken the safeguards language, the resolution was approved 51 to 15, with 16 abstentions.

¹To Geneva, tel. 241841, Sept, 19, 1968, Limited Official Use.

²A/CONF.35/C.2/L.4/Rev. 2.

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The safeguards question again emerged in connection with a Pakistani resolution. Here the majority deleted provisions that (1) urged the nuclear powers not to provide nuclear material or equipment to a non-nuclear state unless it accepted safeguards in agreement with IAEA and (2) urged that multilateral safeguards continue to apply until negotiations with IAEA were considered "conducive to an agreement."¹ This left only a request to provide access to scientific training on a non-discriminatory basis. The truncated resolution was adopted on September 26 by a vote of 37 to 0, with 43 abstentions. There was no controversy about a second Pakistani resolution recommending that IAEA examine arrangements to finance nuclear projects in non-nuclear nations, especially the developing countries. This was approved by a vote of 70 to 0, with 4 abstentions.

On September 18 a group of Latin American nations submitted a resolution requesting the U.N. Secretary-General to appoint a group of experts to prepare a report on the possible contributions of nuclear technology to developing countries. The report would be completed in time for consideration at the 24th General Assembly. Washington took a dim view of this proposal, since it considered that IAEA was the appropriate agency to deal with the problem and that the proposed committee would overlap the small scientific advisory committee that the Secretary-General already had.

Matters were not helped by an unguarded statement by IAEA Director-General Eklund at the 12th IAEA General Conference at Vienna. He expressed surprise at the Latin American proposal and took the occasion to criticize the ignorance of some NNØ members and the lack of coordination between political and scientific organizations in some countries. His remarks were not well received in Geneva, where a number of delegates agreed with the Ecuadorean view that they were not only unwise but intolerable. They did not make it any easier for us to promote IAEA.

While our delegation was unable to block this resolution, its arguments apparently persuaded the sponsors to add a paragraph recommending that the Secretary-General advise the experts to take advantage of IAEA. The resolution was adopted on September 26 by a vote of 69 to 0, with 1 abstention.

¹A/CONF.35/C.2/L.3/Rev. 3.

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Nor were we able to stop a more radical resolution initiated by Brazil. In this resolution, the NNC requested the General Assembly to (1) consider setting up in the U.N. Development Program a "Program for Research and Development of Nuclear Technology" with IAEA cooperation for the benefit of the developing countries, (2) request the International Bank for Reconstruction and Development to consider setting up a program for using nuclear energy in economic development projects for the benefit of the developing countries, and (3) ask the nuclear powers to undertake primary responsibility for financing the programs. It also requested the IAEA to consider establishing a "Special Fissionable Material Fund" for non-nuclear states, especially the developing countries, and asked the nuclear powers to provide materials to the fund "in adequate quantities and at reasonable prices."¹

This resolution was approved by a vote of 57 to 0, with 22 abstentions. We opposed it because it would reverse the IBRD policy of dealing with each project on its own merits. While we already bore a major burden in financing development projects, we would not assume "primary responsibility" simply because we were a nuclear power. And it was not clear how the fissionable-materials provision would differ from existing arrangements.

Peaceful Nuclear Explosions

Although we believed that the IAEA should be the "appropriate international body" for peaceful nuclear explosions under article V of the non-proliferation treaty, Mexico took a different view in a working paper submitted to the NNC. It proposed a special conference to set up an International Program of Nuclear Explosions for Peaceful Purposes comprising the nuclear powers and "States which have renounced nuclear weapons," i.e., parties to the non-proliferation treaty, the Tlatelolco treaty, and similar agreements.² The Mexicans argued that the IAEA was not flexible enough to handle the problem and questioned whether it might discriminate among its members by withholding services from those who did not sign the non-proliferation treaty.

¹See Res. J. (*Documents on Disarmament, 1968*, pp. 681-682).

²A/CONF.35/DOC.15.

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We replied that there was nothing in the IAEA Statute to prevent it from assuming obligations under article V. Since it had adequate statutory authority, we saw no point in establishing a new organization. It would be difficult for us to broaden our treaty assurances to include adherents of other agreements - e.g., the Argentines and the Brazilians, contrary to our interpretation, claimed that the Tlatelolco treaty would permit them to manufacture peaceful nuclear explosive devices. Any American services to countries that did not adhere to the treaty "would have to be considered case-by-case." Moreover, we did not think that the conference should get into a detailed discussion of the question.¹

After considering and rejecting a Dutch proposal to seek NNC endorsement of our position, we decided instead on a resolution by the IAEA General Conference requesting the Director-General of IAEA to initiate studies of procedures for carrying out its role as the appropriate international body. This resolution was approved at Vienna on September 30.² At Geneva, the Mexicans obtained Latin American support for a resolution incorporating the basic principles of their working paper, but the resolution failed to get a two-thirds majority. On the other hand, a Swedish-Nigerian resolution linking a comprehensive test ban with the question of peaceful nuclear explosions was adopted 70 to 0, with 8 abstentions.

Composition of the IAEA Board of Governors

Although we would have preferred for the NNC not to pass any resolutions on the composition of the IAEA Board of Governors, we were unable to keep the conference away from this question because of strong sentiment among the developing countries, which felt that they were not adequately represented on the Board. As noted above, the Swiss-Scandinavian-Japanese resolution requested IAEA to study the question.³ An African question recommending broadened representation "so as to reflect equitable geographical distribution and the views of a broad spectrum of the developing countries" was adopted on September 26 by a vote of 47 to 0, with 29 abstentions.⁴

¹From Geneva, tel. 4692, Sept. 5, 1968, Confidential; to Geneva, tel. 234483, Sept. 7, 1968, Confidential.

²*Documents on Disarmament, 1968*, pp. 667-668.

³See above, p. 125.

⁴Res. K (*Documents on Disarmament, 1968*, pp. 682-683).

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Opposing an Italian move to revise the IAEA Statute to change the composition of the Board, Under Secretary of State Rostow told Ambassador Ortona that this would be a mistake but that Italy might become a permanent member of the standing committee in IAEA we planned to propose. At Vienna, the Italians put through a resolution urging the Board to study the question of composition.

Perpetuation of the NNC

The thorniest issue of all was the question of perpetuating the NNC. The Italians proposed General Assembly action looking toward future NNCs and setting up a special committee to study ways of implementing NNC decisions. Our line was to argue that the ENDC, the General Assembly, and IAEA would consider the questions that interested the NNC regardless of what that organization did. It would therefore be meaningless for the NNC to carry over unfinished business to a later session, since the questions would be dealt with elsewhere. Moreover, the fact that the nuclear powers were not voting participants in the NNC was a strong argument for keeping discussions in existing forums.

Although we sent out a circular instruction setting forth our position and took the question to the NAC, we were unable to turn the tide. At Geneva, Italy joined the Latin Americans in cosponsoring a resolution recommending that the General Assembly convene the NNC periodically and establish a Special Committee of non-nuclear states. On September 27 the NNC adopted (70 to 0) a watered-down version of this resolution which deleted the provisions for the Special Committee. As events were to show, however, we had not heard the last of the Special Committee.

Conference Declaration

In its final declaration, the NNC stressed the need for further action on security assurances, appealed to all countries to observe the U.N. Charter and international law, and endorsed disarmament. In watered-down form, the declaration addressed the questions of peaceful uses of nuclear energy and peaceful nuclear explosion services. It also recommended that the General Assembly consider the best ways of implementing NNC

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decision, "including the consideration of the question of convening another Conference at an appropriate time." The declaration was approved 71 to 0, with 1 abstention.¹

The Senate and the Non-proliferation Treaty

In the meantime, the non-proliferation treaty was being considered by the Senate. The Johnson Administration hoped to get it approved before the national political campaign began, and it took quick action to bring it before the Senate shortly after it was opened for signature. On July 2, Secretary of State Rusk submitted a report to the President in which he noted that article I paralleled U.S. atomic energy legislation, which had always prohibited the transfer of nuclear weapons to other countries. The interpretations of articles I and II that we had given the Soviets in April 1967 were enclosed with the report.² He also noted that the three principles on the interpretation of article III were an "integral part of the negotiating history."³ He stated that the article on peaceful nuclear explosion services preserved the option of obtaining them through bilateral agreements.

While the provisions for signature and accession were designed "to permit the widest possible application of the treaty," adherence to the treaty would "in no way imply recognition or change in status of regimes" that we did not recognize. Finally, he said that the treaty was an "event of unique significance":

...Wide adherence to it will greatly reduce the threat of an increasing number of states with nuclear weapons at their disposal, and will thus enhance the security of the United States, its allies, and the rest of the world. At the same time, it will give new impetus to international cooperation in the peaceful uses of nuclear energy and to further efforts toward disarmament.⁴

¹*Documents on Disarmament, 1968*, pp. 685 ff. For G.A. discussion of the results of the NNC, see below, pp. 136 ff.

²See above, pp. 51-52.

³See above, p. 86.

⁴*International Negotiations on the Treaty on the Non-proliferation of Nuclear Weapons*, pp. 173-180.

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President Johnson submitted the treaty to the Senate on July 9. In his message of transmittal, he said that it not only banned the spread of nuclear weapons but also promoted the peaceful development of nuclear energy under safeguards - the goal of IAEA, which had been established as a result of Eisenhower's "atoms for peace" plan of 1953. He predicted that by 1985 the world's peaceful power stations would be producing enough by-product plutonium for the production of "tens of nuclear bombs every day." Increased production for power must not be allowed to result in the further proliferation of nuclear weapons. More importantly, the treaty was "another step on the journey toward world peace" and enhanced the prospects for disarmament. He urgently recommended that the Senate "move swiftly to enhance our security and that of the entire world by giving its consent to the ratification of the treaty."¹

In his testimony before the Senate Foreign Relations Committee, Secretary of State Rusk made it clear that the treaty did not affect the deployment of U.S. nuclear weapons on allied territory or NATO consultation on nuclear defense. It did not apply to a war situation, and it would not prevent the succession of a European federation to the nuclear status of one or more of its former components. Deputy Secretary of Defense Nitze testified that the treaty would prevent the transfer of nuclear weapons to a U.N. peacekeeping force or to another nuclear power. The interpretations of "manufacture" we had given the Australians were read into the record.²

In response to questions, both State and Defense defended the Sentinel ABM decision and denied that it would hamper disarmament efforts. Secretary Rusk said that the treaty did not affect the emplacement of nuclear weapons on the ocean floor by the nuclear powers. Deputy Secretary Nitze and General Wheeler agreed that general and complete disarmament would be imprudent without full verification and that we should not agree to complete nuclear disarmament unless we were absolutely sure that our security interests would be protected. The Committee was told that any further disarmament agreement would be subject to Senate approval.

¹*Ibid.*, pp. 181-183.

²See above, pp. 90-91.

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State, Defense, and AEC stated that IAEA would be the suitable international body and the forum for developing procedures on peaceful nuclear explosion services and that these could also be handled by bilateral arrangements with international observation. AEC Chairman Seaborg added that we intended to be one of the principal suppliers of explosion services and it would be several years before these reached the commercial level. The information that we would give others would not include information on the design or manufacture of explosive devices.

In Seaborg's view, certain projects could not be carried out without modifying the limited test-ban treaty. Even if that agreement was suitably interpreted, however, it would be five or ten years before a transisthmian canal could be excavated by nuclear explosives. AEC made it clear that international observers would not have access to sensitive information regarding the explosive devices and that it would not be possible for an international organization to account for the fissionable materials involved, since these would remain in the custody and control of the supplying state.

Deputy Secretary Nitze said that military nuclear activities not directly related to the production of warheads were exempt from safeguards, e.g., a non-nuclear party could develop a nuclear submarine, since that was not a weapon. Dr. Seaborg believed that the treaty should enhance progress in peaceful uses and facilitate the continuation and expansion of American assistance programs.

The Department of State held that the treaty would not prevent the transfer of nuclear material or equipment to non-parties if the material was subject to the safeguards required by article III. Mr. Foster told the Committee that there were no provisions for checking on clandestine activities. The JCS considered that the safeguards would provide adequate verification. Dr. Seaborg was confident that the safeguards provisions could be implemented and that IAEA could cope with the task. He also believed that IAEA and Euratom would be able to reach agreement. ACDA informed the Committee that IAEA safeguards did not apply to uranium mines and ore-processing plants and addressed the problem of ores along the lines that we had discussed with the South Africans.

¹See above, p. 98.

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Secretary Rusk stated that there were no sanctions and that the treaty would collapse if there were any serious violations. The Security Council resolution and the U.S. declaration on security assurances did not impose any additional responsibilities beyond existing U.N. Charter obligations. It was politically important, however, that three of the five permanent members recognized that a nuclear aggression or threat fell within the responsibility of the Security Council, and this might have a deterrent effect on those who contemplated such aggression. There was no unilateral U.S. commitment to provide a guarantee against nuclear blackmail, and any U.S. action would be taken through the Security Council. Deputy Secretary Nitze believed that the Security Council resolution increased the security of the non-nuclear parties. Both Rusk and Nitze denied that there were any special obligations toward the FRG.

The treaty was warmly supported by Senator Pastore (Dem., R.I.) and Congressman Holifield (Dem., Calif.), the Chairman and Vice Chairman of the Joint Committee on Atomic Energy. On the other hand, it was opposed by Congressmen Hosmer (Rep., Calif.) and Findley (Rep. Ill.).

The opposition Congressmen, supported by such prominent figures as Dr. Strausz-Hupé and Dr. Teller, argued that it did not provide for effective safeguards and would adversely affect national security and alienate our allies. Congressman Findley thought that it might destroy NATO, and Dr. Teller wished to preserve the option of providing the allies with defensive nuclear systems. Dr. Strausz-Hupé objected that the treaty would prevent intermediate steps leading to a full European federation. Noting that there were no safeguards to prevent the transfer of nuclear weapons, Congressman Hosmer declared that the IAEA system was completely inadequate even for declared facilities and pointed out that IAEA inspections would have no right to look for clandestine activities. He also noted the danger of clandestine production using the centrifuge or nozzle processes.

ACDA believed that the hearings had gone well and that there was a good chance that the Senate would approve the treaty before it adjourned. But the Soviet invasion of Czechoslovakia (August 20-21) dimmed hopes for early Senate action, as it also checked the treaty's progress in the international arena.

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Nevertheless, the Johnson Administration still pressed for early approval of the treaty. The President told his news conference on September 6 that the treaty was "very much in the interest of the United States, despite any recent developments."¹ Three days later, Secretary Rusk urged Senate approval in an executive session of the Foreign Relations Committee. In a statement to the press, he acknowledged that the Soviet invasion had complicated the international situation. He stressed, however, that the treaty was not a bilateral American-Soviet agreement but a world-wide treaty which would be good even if there were no Soviet Union. On the other hand, Mr. Nixon expressed support for the treaty but favored a delay in Senate action until the "posture and intentions of the Soviet Union toward Czechoslovakia and other nations of Central and Western Europe can be reassessed."²

On September 17, the Foreign Relations Committee approved the treaty by a vote of 13 to 3, with 3 abstentions. In its report (September 26), the majority recommended approval of the treaty without reservation. It saw in the treaty a recognition by the United States, the United Kingdom, and the Soviet Union of a common interest in halting proliferation. The nuclear parties by making further efforts for disarmament, as well as pledging themselves to act through the Security Council to protect the security of non-nuclear states that signed the treaty.

The report noted that the treaty would have the effect of freezing American policy by prohibiting the United States from undertaking actions that it would otherwise be free to undertake by changing domestic legislation. On the supply of nuclear materials to non-nuclear nations, it was not clear from Administration testimony how the United States would react if, in spite of our expectations to the contrary, non-nuclear nations refused to conclude safeguard agreements under article III.

The Committee declared that there were no new commitments under the Security Council resolution or the U.S. declaration and that any action to implement security assurances could

¹*Weekly Compilation of Presidential Documents*, Sept. 9, 1968, p. 1211.

²*Documents on Disarmament*, 1968, p. 625.

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"only be taken with due regard to proper Constitutional processes." The treaty closed the option that we had formerly had of not referring nuclear aggression or threats to the Security Council, and we also gave up the theoretical possibility of transferring nuclear weapons to our allies. The Committee thought that the "possible future costs" were overshadowed by the advantages of controlling proliferation.

Since it was concerned that few near-nuclear states had yet signed the treaty, it urged the President to delay depositing the U.S. instrument of ratification until he had received "positive assurances" that the majority of them would adhere to the treaty. Otherwise, the treaty would become "little more than a pious declaration of intent."

The only "commitment" it saw in the treaty was the obligation of the nuclear parties to move toward nuclear disarmament. It was concerned, however, about the possibility that we would be called upon to provide nuclear explosive services to any non-nuclear party "regardless of its relationship to the United States." It was also concerned that article V might be construed as a commitment to provide services for foreign project without regard to their "relationship and importance" to...the U.S. public interest. It rejected any interpretation of article V as an "open ended commitment" and stated that research and development projects should be undertaken only after consultation with the appropriate Congressional committees.

In spite of the Soviet invasion of Czechoslovakia, the majority felt that the treaty was multilateral and that any delay was inadvisable. It concluded that the treaty was in the best interest of the United States and that its eventual success would depend on wide acceptance by near-nuclear countries, the effectiveness of the safeguards, and progress toward cessation of the nuclear arms race.

In a minority report, five Senators urged delay. They found it questionable whether IAEA could prevent cheating and feared that the treaty could injure our relations with Euratom by requiring us to cut off nuclear assistance to its members. They also questioned the costs of peaceful nuclear explosion services and the expanded IAEA safeguards system that the treaty would require. Since the Soviet Union had violated its treaty commitments by invading Czechoslovakia, they questioned whether this was an appropriate time to "take Soviet promises on faith." If the choice was now or never, they admitted that it might be wiser "to sacrifice our scruples and dismiss our doubts." But the real choice was Senate action

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now or "some time next year," and they saw no need for early action in view of the failure of many key countries to sign the treaty.¹

The treaty had not been voted on when Congress adjourned on October 14. Although President Johnson later talked about calling a special session of the Senate after the November election, he did not do so. When he left office on January 20, the treaty was still pending.²

23rd General Assembly

NNC Problem

The biggest arms-control problem that we faced in the General Assembly was the movement for the Conference of Non-Nuclear-Weapon states (NNC). Although the NNC had not fulfilled the hopes of its sponsors, the movement was far from dead and it was evident that its partisans would continue to press their views in the General Assembly. In that forum, the nuclear powers would be able to vote and publicly declare their positions.

¹*Ibid.*, pp. 642 ff. The minority report was signed by Senators Mundt, Hickenlooper, Williams, Dodd, and Lausche. In an individual statement, Senator Dodd criticized the "incomplete nature" of the safeguards article. Senator Aiken wanted a definite understanding on the U.S. economic responsibilities before the treaty was voted on.

²For further developments, see below, p. 144. One effect of the delay was the postponement of the release of the ACDA white paper, *International Negotiations on the Treaty on the Nonproliferation of Nuclear Weapons*. Although this publication had been ready for the press a few weeks after the treaty was opened for signature, it was not released until January 1969 because of concern that it might provide ammunition for Senate opponents of the treaty.

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On the other hand, it was doubtful that they would be able to get a majority to decide that NNC resolutions were "important questions" and thus subject to the two-thirds rule.

Before the General Assembly took up the problem, we made an unsuccessful attempt to wean Italy away from the NNC movement. The Italian attempt to assert leadership was partly due to a desire for a permanent seat on the IAEA Board of Governors. In October 1968, Mr. Foster told Foreign Minister Medici that we were prepared to seriously consider a permanent seat for Italy. Later, he sent him a letter stressing the importance of not derogating the IAEA by establishing overlapping machinery that might stimulate unrealistic and excessive demands for assistance. This would create new obstacles to the non-proliferation treaty and exclude the FRG and Switzerland because those countries were not U.N. members. Nor could we go any further with security assurances.

Foreign Minister Medici replied that Italian policy would help the treaty and denied that a standing committee would overlap with IAEA or other existing bodies. He maintained that IAEA was a technical organization inadequate to deal with the political aspects of the peaceful uses of atomic energy. At the same time, Italy would not assign security questions to the proposed committee.

The Italian Mission in New York became the center of pro-NNC activity. This group produced a draft resolution calling for an *ad hoc* committee which would consider both peaceful uses and security assurances. On November 19, Italian Minister Terruzzi gave Fisher a memorandum urging the United States to support this proposal. The Italians argued that most nonaligned countries favored the reference to security assurances and that this was justified because the door should be left open for the French and Chinese to adhere to the Security Council resolution. Moreover, the committee was necessary to coordinate organizations concerned with nuclear energy. Mr. Terruzzi implied that the proposal might be dropped if Italy obtained a permanent seat in the IAEA Board of Governors. Mr. Fisher pointed out that the committee would only complicate IAEA-EURATOM safeguards negotiations. If Italy had a grievance with IAEA, he observed, she was proposing a cure that was worse than the disease.

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Meanwhile, the Japanese prepared a draft resolution which would have the committee study the security assurances problem and report to the General Assembly. The question of a second NNC would be placed on the agenda of a future General Assembly session. From our point of view, the Japanese proposal at least had the merit of leaving IAEA alone.

Although the situation was anything but promising, Washington believed that we could marshal substantial opposition if an acceptable alternative to the Italian proposal could be found. Since the Japanese draft appeared to be the best alternative available, we would support it if the section on the committee was replaced with a provision permitting the question of a second NNC or a meeting of the Disarmament Commission to be placed on the agenda of a future General Assembly. We remained firmly opposed to any special committee, which we regarded as a "device to extract further concessions from the nuclear powers for greater assistance to non-nuclears in peaceful uses, for greater security assurances, and...for greater progress in nuclear disarmament." While we were aware of our responsibilities under the treaty, this was a long-term program and we did not wish to be confronted with "premature and excessive demands which, if not satisfied, could be used to excuse delay in signing or ratifying the NPT."¹

With American and Soviet encouragement, the Japanese, Dutch, and others now set up a second non-nuclear caucus at the Finnish Mission. The new group started with the Japanese resolution and a Soviet proposal that omitted all reference to a committee or the Disarmament Commission. The Soviets would refer the NNC resolutions and declaration to the international organizations concerned and ask the Secretary-General to appoint a group of experts to report on possible nuclear contributions to the advancement of developing countries. However, the initial draft of the Finnish Mission group endorsed the NNC declaration and dropped the reference to the Disarmament Commission we had suggested. Both the Americans and the Soviets objected to endorsing the NNC declaration.

The Italian Mission group then picked up the Disarmament Commission idea and attempted to exploit it for its own purposes.

¹To New York, tel. 269016, Nov. 8, 1968, Confidential.

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Its draft resolution was revised to provide for a Disarmament Commission session not later than May 1969 to consider NNC conclusions, disarmament, security assurances, and international cooperation in the peaceful uses of nuclear energy.

We decided to oppose a May 1969 meeting of the Disarmament Commission but to ~~take~~ the position that the 24th General Assembly should consider whether a Disarmament Commission session would be useful. The Soviets were even more negative on the Disarmament Commission than we were, but ACDA Assistant Director De Palma persuaded them to show restraint in their comments. Although the morale of the Finnish Mission group wavered for a time, it produced a revised resolution which endorsed the NNC declaration and requested the Secretary-General to put the question of a Disarmament Commission session on the agenda of the 24th General Assembly. This resolution was tabled on December 3 by Australia, Austria, Canada, Finland, Japan, and the Netherlands.

This initiative gave the Finnish Mission group an important tactical advantage, as the Italian Mission group was soon to realize. On December 5, Argentina, Brazil, Chile, Italy, Pakistan, and Yugoslavia submitted a resolution in which they asked the Secretary-General to canvass U.N. members on convening the Disarmament Commission "either not later than July 1969 or after the twenty-fourth session of the General Assembly and before March 1970." The Disarmament Commission would consider disarmament, security assurances, and peaceful uses of nuclear energy.¹

Negotiations between the two groups produced a revised resolution which followed the main lines of the Finnish Mission draft. The General Assembly would endorse the NNC declaration, take note of NNC resolutions, and request the Secretary-General to circulate them to members of the United Nations, specialized agencies, and the IAEA. International organizations and the IAEA would be invited to report to the Secretary-General on action regarding NNC recommendations.

¹*Documents on Disarmament, 1968, pp. 761-762.*

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The International Bank, the U.N. Development Program, and IAEA would continue to study the recommendations of the NNC peaceful-uses resolution. The Secretary-General would report on the information he received from those concerned. The 24th General Assembly would consider the question of convening the Disarmament Commission early in 1970 to consider disarmament, security, and peaceful uses. The Secretary-General would appoint a group of experts to report on nuclear contributions to the advancement of developing countries. In a separate First Committee vote, the paragraph endorsing the NNC was approved 84 to 8, with 10 abstentions, the Soviet Union voting against and the United States abstaining. The resolution as a whole was approved by the plenary General Assembly on December 20 by a vote of 103 to 7, with 5 abstentions. It was opposed only by the Soviet Union and six of its allies.

The General Assembly approved two Mexican resolutions on nuclear-free zones and the establishment within the IAEA framework of an international service for peaceful nuclear explosions. The nuclear-free zones resolution was adopted 98 to 0, with 16 abstentions, the United States and the United Kingdom voting in favor and the Soviet Union and France abstaining. The peaceful nuclear explosions resolution was approved 75 to 9, with 30 abstentions, the Soviet Union and the United Kingdom voting against and the United States and France abstaining.

By a vote of 108 to 0, with 7 abstentions, the General Assembly also adopted a Pakistani resolution urging the United States and the Soviet Union to begin SALT at an early date. France was the only important country to abstain.

IAEA

Although dissatisfaction with the IAEA was one of the motives behind the NNC movement, there was little dispute about a resolution expressing the desire of the General Assembly to insure the smooth functioning of IAEA when it should assume new responsibilities under the non-proliferation treaty. In this resolution, sponsored by Canada, Iran, and Poland, the General Assembly noted the resolutions of the IAEA General Conference on the composition of the Board of Governors and peaceful nuclear explosions and requested a report by the

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IAEA Director. This resolution was adopted by a vote of 93 to 0, with 4 abstentions (Brazil, Gabon, Guinea, Tanzania).¹

Arms Transfers

As we have seen, the Danes consented in 1967, at our request, to postpone their draft resolution on publication of conventional arms transfers.² After the 22nd General Assembly, they informed their NATO allies that they were planning to introduce their proposal at the next session of the General Assembly. During the NAC discussion the U.S. representative welcomed the Danish proposal and expressed the view that its prospects were better than the Maltese proposal of 1965.³ He considered it compatible with the President's Middle Eastern proposal of 1967.⁴ Although the British and some others were inclined to question the feasibility and desirability of publishing information on arms transfers, the Danes decided to go ahead with their proposal.

On October 8 the Danish Foreign Minister informed the General Assembly that they would introduce a resolution requesting the Secretary-General to ascertain the position of U.N. members on the registration and publication of conventional arms transfers. During the plenary debate, the Byelorussian representative attacked the Danish proposal as a "clumsy attempt" to divert the United Nations from serious business. The proposal also aroused opposition in other quarters.

Nevertheless, the Danes obtained three cosponsors - Iceland, Malta, and Norway - and formally submitted the resolution on November 21. In the First Committee, they argued that publication would tend to limit arms transfers and inhibit clandestine shipments. They pointed out that the resolution did not imply anything odious about legitimate purchases, and they denied that it would discriminate against small states.

¹*Documents on Disarmament, 1966*, pp. 801-802.

²See above, p. 69.

³See above, p. 31.

⁴See above, pp. 68-69.

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Mr. Foster made a brief and generally favorable comment. After the Turks and Pakistanis privately informed us of their negative reactions, however, our delegation decided that it should neither encourage nor discourage the Danish proposal. Subsequently, it was strongly attacked by many nonaligned nations. The Saudi Arabian representative labeled it impractical and charged that it would promote great-power interests at the expense of colonial peoples struggling for liberation. Indian Ambassador Husain argued that it would exacerbate the imbalance created by the non-proliferation treaty and jeopardize the security of developing countries, especially those which could not manufacture the weapons they needed. Privately, the Indians threatened to offer an amendment requiring reporting on weapons production and deployment, even if no transfers were involved. When he learned of this, Mr. De Palma suggested that the Danes consider withdrawing the resolution. They withdrew it on December 5.¹

Chemical and Bacteriological Weapons

The General Assembly adopted a ten-nation resolution reaffirming its previous endorsement of the Geneva protocol and inviting all states that had not yet done so to accede it. This resolution also called for a U.N. experts study of the problem of chemical and bacteriological weapons, as the ENDC had recommended.² During the debate, Mr. Foster supported the proposal for a study and reaffirmed the American position on the protocol, without committing the United States to ratify it.³ The resolution was approved by a vote of 107 to 0, with Guinea and Malawi abstaining.⁴

Comprehensive Test Ban

At this session of the General Assembly, the United States reaffirmed its support for a comprehensive test ban, which had been temporarily and tacitly removed from the American program at the last ENDC session.⁵ At the same time, Mr. Foster maintained that explosions of military significance were still

¹See John W. Syphax, *Proposals Involving the Registration and Public Reporting of International Arms Transfers, 1965-1970*, Secret.

²See above, p. 118.

³*Documents on Disarmament, 1968*, pp. 770-772.

⁴*Ibid.*, pp. 793-795.

⁵See above, pp. 114-115.

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seismically unidentifiable. He favored the international exchange of seismic information and proposed that underground nuclear explosions be carried out to improve seismic detection methods.¹ By a vote of 109 to 0, with 4 abstentions (Cuba, France, Guinea, Malawi), the General Assembly approved a resolution urging all states that had not done so to adhere to the limited test-ban treaty, calling for suspension of all tests, endorsing international cooperation in the exchange of seismic data, and requesting the ENDC to take up the comprehensive test ban as an urgent matter.²

Sea-Bed and Ocean Floor

By a vote of 112 to 0, with 7 abstentions (including the USSR), the General Assembly established a 42-nation Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor Beyond the Limits of National Jurisdiction.³ During the **First Committee** debate, however, both the U.S. and the Soviet representatives stated that the arms-control aspects of the sea-bed question should be handled by the ENDC, as the United States had previously proposed.⁴

Economic and Social Studies

For several years, the Secretary-General had been asking U.N. members to submit studies on the economic and social aspects of disarmament. A General Assembly resolution of November 19, 1968, requested him to suggest that member states might wish to include studies on the effects of partial disarmament measures. This resolution was approved by a vote of 94 to 0, with 15 abstentions.⁵

General and Complete Disarmament

The General Assembly also passed a resolution requesting the ENDC to make renewed efforts toward achieving substantial progress in reaching agreement on general and complete disarmament, with emphasis on nuclear disarmament, and to continue

¹*Documents on Disarmament, 1968*, pp. 767-770.

²*Ibid.*, pp. 796-797. The resolution was sponsored by the nonaligned Eight and Finland, Denmark, Libya, New Zealand, and Chile.

³*Ibid.*, pp. 302-304.

⁴*Ibid.*, pp. 700-702. See also above, pp. 116, 117.

⁵*Documents on Disarmament, 1968*, p. 727.

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efforts to negotiate collateral measures. This resolution was adopted by a vote of 109 to 0, with 4 abstentions (Cuba, France, Guinea, Malawi).¹

Unfinished Business

The principal achievement of the Administration in the arms-control field was the non-proliferation treaty, but this agreement had not yet been approved by the Senate when President Johnson left office. There was little serious domestic opposition to the treaty, however, and Senate approval was quickly obtained by his successor. More serious was the loss of momentum on the international front, where very few signatures were obtained after the Soviet invasion of Czechoslovakia. In January 1969, Italy was expected to sign at an early date, but FRG signature remained uncertain, and Bonn would not act until after the Bundestag elections. The attitude of such key countries as Japan and Australia was also uncertain, and it was doubtful if Israel, India, South Africa, and Brazil would ever sign. The treaty could not be brought into force until all three nuclear parties had deposited their instruments of ratification, and it was not clear that the Soviet Union would take this step before the FRG at least signed the treaty. Even after these obstacles were overcome, there would remain the formidable task of negotiating safeguards agreements with the IAEA. All these problems were left to be dealt with by the incoming administration.

Also pending was Additional Protocol II to the Tlatelolco treaty. The United States had signed the treaty, with an interpretive statement, but the President had not yet submitted it to the Senate. It was understood within the Executive Branch that Defense would have an opportunity to reconsider the security implications before it was sent to the Senate.

In spite of President Johnson's repeated efforts, there had not yet been any strategic arms limitation talks with the Soviet Union. Nevertheless, the Soviet Union had finally agreed to hold the talks, and the United States had made extensive studies and policy preparations that were to prove useful to the Nixon Administration, which continued this effort.

¹*Ibid.*, pp. 795-796.

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The prospects for success could not be assessed when President Johnson left office. There was some informal agreement on general principles between the United States and the Soviet Union, but there had not yet been any concrete proposals from either side.

A start had been made on the sea-bed question, which was to occupy the Geneva negotiators during the next two years. Here there was a good chance to exclude nuclear weapons from an area where they had not yet been deployed, on the principle of the Antarctic and outer-space treaties.¹

In the field of chemical and biological weapons, the Johnson Administration had taken important steps in affirming U.S. support for the principles of the Geneva protocol and in supporting the forthcoming U.N. study of the CBW problem. This was also to be one of the main questions at Geneva during the next administration, which would make new policy decisions in this field.²

Although the comprehensive test ban was reinstated in the American arms-control program at the 23rd General Assembly, it faced an uncertain future because of the verification impasse. The fissionable-materials cutoff remained in limbo, but traditional Soviet opposition to this measure made its prospects rather dim. Except for Additional Protocol II to the Tlatelolco treaty, the United States remained opposed to any restrictions on the use of nuclear weapons. We had shelved the qualified non-first-use undertakings we had offered during the non-proliferation negotiations.³

Aside from proposals to regulate arms transfers, the Johnson Administration had done little in the conventional arms field. The regional arrangements we had tried to promote at Geneva and Punta del Este had not been realized, and the Soviet Union had rejected the President's proposal on Middle East arms shipments. The Maltese and Danish proposals on publicity for arms transfers had aroused strong Soviet and nonaligned opposition. On the other hand, NATO had begun to study possible mutual and balanced force reductions in Europe.

¹See Robert W. Lambert and John W. Syphax, *International Negotiations on the Seabed Arms Control Treaty* (ACDA pub. 68, 1973).

²See Robert W. Lambert and Jean E. Mayer, *International Negotiations on the Biological-Weapons and Toxin Convention* (ACDA pub. 78, 1975).

³See above, pp. 46-47, 55, 80.

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