

WITHDRAWAL SHEET (PRESIDENTIAL LIBRARIES)

FORM OF DOCUMENT	CORRESPONDENTS OR TITLE	DATE	RESTRICTION
#2 cable	Geneva 2744 S 2 p <i>open 10-7-94 NLJ 94-338</i>	3/11/67	A
#3 cable	Deptel 153369 to Geneva " S 3 p	3/10/67	A
#4 cable	Deptel 150895 to Geneva <i>open 1-24-95 NLJ 94-337</i> S 1 p [Duplicate of #10]	3/8/67	A
#5 cable	Geneva 2566 S 2 p <i>open 10-7-94 NLJ 94-338</i>	3/2/67	A
#6 cable	Geneva 2467 S 3 p "	2/23/67	A
#7 cable	Geneva 2443 S 3 p <i>open 1-24-95 NLJ 94-337</i>	2/22/67	A
#8 cable	Geneva 2391 " S 1 p	2/18/67	A
#9 cable	Geneva 2371 " S 3 p	2/17/67	A
#10 cable	Duplicate of #4 <i>open 1-24-95 NLJ 94-337</i>		
#11 cable	Deptel 147873 to Geneva " S 2 p	3/2/67	A
#12 cable	Deptel 146956 to Geneva " S 4 p	3/1/67	A
#14 cable	Deptel 109454 to London " S 8 p	12/28/66	A
#16 cable	Brussels 3776 " S 1 p	2/3/67	A
#18 cable	Rome 3576 " S 1 p	1/10/67	A
#19 cable	Rome 3570 " S 1 p	1/10/67	A
#21 cable	The Hague 1767 " C 2 p	2/3/67	A

FILE LOCATION

NSF, Subject File, Non-Proliferation Treaty, Vol. I

Box 26

RESTRICTION CODES

- (A) Closed by Executive Order 12356 governing access to national security information.
- (B) Closed by statute or by the agency which originated the document.
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FORM OF DOCUMENT	CORRESPONDENTS OR TITLE	DATE	RESTRICTION
#23 cable	Paris 11357 S 7 p <i>open 1-24-95 NLS 94-337</i>	1/29/67	A
#24 cable	Paris 10391 S 2 p "	1/12/67	A
#26 cable	Deptel 195851 to Bonn " S 6 p	5/16/67	A
#27 cable	Deptel 180624 to Bonn " S 3 p	4/22/67	A
#28 cable	Bonn 9761 S 1 p "	2/21/67	A
#29 cable	Bonn 9759 C 23 p "	2/21/67	A
#29a cable <i>dup. #29</i>	Bonn 9047 "	2/3/67	A
#30 cable	C 2 p "	2/3/67	A
#31 cable	Bonn 8514 S 1 p "	1/23/67	A
#32 cable	Bonn 8272 C 3 p "	1/17/67	A
#33 cable	Bonn 8039 S 1 p "	1/12/67	A
#34 cable	Bonn 8012 S 2 p "	1/11/67	A
#35 cable	Bonn 7962 C 3 p "	1/10/67	A
#36 cable	Bonn 7872 S 2 p "	1/6/67	A
#37 cable	Bonn 7871 S 3 p "	1/6/67	A
#38 cable	Bonn 7342 S 1 p [Duplicate of #41]	12/20/66	A
#39 cable	Tokyo 5029 S 1 p "	1/17/67	A

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#40 cable	Tokyo 4966 S 1 p <i>open 1-24-95 NLJ 94-337</i>	1/14/67	A
#41 cable	Duplicate of #38 "		
#42 cable	Deptel 124771 to Bonn S 2 p <i>open 10-7-94 NLJ 94-338</i>	1/24/67	A
#43 cable	Deptel 121767 to Bonn S 3 p <i>open 1-24-95 NLJ 94-337</i>	1/19/67	A
#44 cable	Deptel 121338 to Bonn " S 9 p	1/18/67	A
#45 cable	Deptel 118737 to Bonn " S 6 p	1/13/67	A
#46 cable	Deptel 118735 to Bonn S 3 p <i>open 10-7-94 NLJ 94-338</i>	1/13/67	A
#47 cable	Deptel 105379 to Bonn S 4 p <i>open 1-24-95 NLJ 94-337</i>	12/19/66	A
#48 cable	Deptel 118092 to Bonn S 2 p <i>open 10-7-94 NLJ 94-338</i>	1/13/67	A
#49 cable	Deptel 115228 to Bonn S 4 p <i>open 1-24-95 NLJ 94-337</i>	1/9/67	A
#51 cable	Deptel 147730 to Tokyo " S 5 p	3/2/67	A
#52 cable	Tokyo 4702 " S 1 p	1/3/67	A
#53 cable	Tokyo 4702-4695 " S 1 p	12/30/66	A
#54 cable	Deptel 118791 to Tokyo S 10 p <i>open 10-7-94 NLJ 94-338</i>	1/14/67	A
#55 cable	Deptel 110302 to Tokyo S 6 p <i>open 10-7-94 NLJ 94-338</i>	12/29/66	A
#56 cable	Deptel 109450 to Tokyo S 7 p <i>open 1-24-95 NLJ 94-337</i>	12/28/66	A

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FORM OF DOCUMENT	CORRESPONDENTS OR TITLE	DATE	RESTRICTION
#58 cable	Deptel 177012 Circular S 3 p <i>open 10-7-94 NLJ 94-338</i>	4/18/67	A
#60 cable	Deptel 123166 to All NATO Capitals S 8 p <i>open 1-24-95 NLJ 94-337</i>	1/21/67	A
#62a memo	Keeny to Bundy <i>Open NLJ 97-169 9-25-99</i> S 5 p <i>sanitized 4-17-95 NLJ 94-340</i> [Dupl #17a, Carter Papers, Non-Prolif. Treaty, bx 31]	6/23/67	A
#62c cable	Geneva 4116 S 6 p <i>open 1-24-95 NLJ 94-337</i>	6/7/67	A
#62e report	"Present US Version of Safeguards Article" S 3 p <i>open 4-17-95 NLJ 94-340</i>	4/17/67	A
#62g report	"Tab C--Article III" S 1 p <i>open 4-17-95 NLJ 94-340</i>	5/20/67	A
#62i report	"Tab D" S 1 p <i>open 4-17-95 NLJ 94-340</i>	2/1/67	A
#62k report	"Non-Proliferation Treaty Interpretations" S 2 p [Duplicate of #72d] <i>open 4-17-95 NLJ 94-340</i>	4/17/67	A
#64a memo	Rostow to President, 7:45 p.m. C 1 p	5/17/67	A
#64b memo	Duplicate of #64a		
#64c memo	Rusk to President C 1 p <i>open 1-24-95 NLJ 94-337</i>	5/17/67	A
#65 memo	Keeny to Rostow S 1 p <i>open 4-17-95 NLJ 94-340</i>	5/17/67	A
#65a cable	Geneva 3669 S 2 p <i>open 1-24-95 NLJ 94-337</i>	5/15/67	A
#66a memo	Rostow to President, 11:05 a.m. S 1 p <i>open 4-17-95 NLJ 94-340</i>	5/16/67	A
#66b memo	Rusk to President S 4 p <i>open 1-24-95 NLJ 94-337</i>	undated	A
#67 memo	Duplicate of #66a		
#67a memo	Duplicate of #66b <i>open 1-24-95 NLJ 94-337</i>		

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FORM OF DOCUMENT	CORRESPONDENTS OR TITLE	DATE	RESTRICTION
#69 memo	To the President, 12:00 noon <i>open 4-17-95 NLJ 94-340</i> C 1 p (<i>Dup. in WHCF, CF, FO9</i>)	5/16/67	A
#70 memo	Intelligence Memorandum S 1 p <i>open 1-10-95 NLJ 94-339</i>	5/9/67	A
#70a memo	Intelligence Memorandum S 13 p <i>open 1-10-95 NLJ 94-339</i>	5/8/67	A
#71 memo	Near duplicate of #70 <i>open 12/5/01 NLJ 94-339</i>		
#71a memo	Duplicate of #70a <i>open 1-10-95 NLJ 94-339</i>		
#72 memo	Keeny to Rostow S 2 p <i>open 4-17-95 NLJ 94-340</i>	5/9/67	A
#72b report	"Comparison of NPT Language" S 2 p <i>open 4-17-95 NLJ 94-340</i>	5/8/67	A
#72d report	Duplicate of #62k " "		
#73 memo	Duplicate of #70a <i>bpln 1-10-95 NLJ 94-339</i>		
#75 memo	Fisher to Rostow C 1 p <i>open 10-7-94 NLJ 94-338</i>	4/28/67	A
#75a report	"Did you come to any understanding..." " C 1 p	undated	A
#75b draft	"Rough translation of the revised Russian draft" " S 1 p	4/67	A
#75c report	"Annex B--Security Assurances..." " S 1 p	undated	A
#76 memo	Keeny to Rostow S 2 p <i>sanitized 4-17-95 NLJ 94-340 Open NLJ 97-169</i> <i>[Dupl. #13, Bator Files, "Non-Prolif. Treaty" bx 31] 9-25-98</i>	4/19/67	A
#77 memo	Keeny to Rostow S 4 p <i>sanitized 4-17-95 NLJ 94-340</i> <i>[Dupl. #14, Bator Files, "Non-Prolif. Treaty", bx 31] " " "</i>	4/18/67	A
#77c memo	"Additional Action that Might be taken..." S 6 p <i>open 5-12-95 NLJ 94-337</i>	4/6/67	A
#78 memo	Rostow to President, 1:20 p.m. C 1 p <i>open 4-17-95 NLJ 94-340</i>	4/8/67	A

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NSF, Subject File, Non-Proliferation Treaty, Vol. I

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FORM OF DOCUMENT	CORRESPONDENTS OR TITLE	DATE	RESTRICTION
#79 memo	Keeny to Rostow S 1 p	3/31/67	A
#79a report	"Status of Non-Proliferation Consultations" S 4 p open 10-7-94 NLJ 94-338	3/29/67	A
#81a cable	Deptel 164401 to All NATO Capitals S 3 p open 1-24-95 NLJ 94-337	3/28/67	A
#82 memo	HW to Rostow S 1 p sanitized 4-17-95 NLJ 94-340 open 1-20-00 NLJ 94-340 Appeal	3/15/67	A
#83a memo	Jenkins to Rostow S 3 p sanitized 4-17-95 NLJ 94-340 open 11-20-00 NLJ 94-340 appeal	3/15/67	A
#83b memo	Davis to Rostow S 2 p sanitized 4-17-95 NLJ 94-340 #1	3/15/67	A
#83c note	Intelligence Note 170 S 4 p open 1-24-95 NLJ 94-337	3/2/67	A
#84 note	Intelligence Note 192 S 4 p open 1-24-95 NLJ 94-337	3/9/67	A
#87 note	to Bramley Smith 1 p PCL open 1-10-95 NLJ 94-339	3/2/67	A
#87a memo	Intelligence Memorandum S 1 p	2/28/67	A
#87b memo	Intelligence Memorandum S 10 p	2/28/67	A
#88 memo	Near duplicate of #87 Not open open 12/5/01 NLJ 94-339		
#88a memo	Duplicate of #87b open 1-10-95 NLJ 94-339		
#89 memo	Keeny to Rostow S 4 p Open NLJ 97-169 9-25-98 Sanitized 4-17-95 NLJ 94-340 [Dupl # 21, Babr Papers, "Non-Prolif Treaty"; br 31	2/27/67	A
#89a memcon	"Non-Proliferation/Wilson-Kosygin Talks" S 4 p open 10-7-94 NLJ 94-338	2/15/67	A
#90 memo	Keeny to Rostow S 1 p open 4-17-95 NLJ 94-340	2/25/67	A
#90a report	"Non-Proliferation Treaty--Article IV" S 1 p open 1-24-95 NLJ 94-337	undated	A
#91a memo	Hughes to Acting Secretary S 5 p open 1-24-95 NLJ 94-337	2/20/67	A

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NSF, Subject File, Non-Proliferation Treaty, Vol. I

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FORM OF DOCUMENT	CORRESPONDENTS OR TITLE	DATE	RESTRICTION
#93a memo	Fisher to President C 1 p <i>open 10-7-94 NLJ 94-338</i>	2/18/67	A
#93b report	"Draft Presidential Message on the NPT" " C 7 p	2/18/67	A
#94 memo	Rusk to President S 4 p <i>open 1-24-95 NLJ 94-337</i>	11/28/66	A
#95 memo	Fisher to Rostow S 1 p <i>open 10-7-94 NLJ 94-338</i>	9/30/65	A
#96 memo	Foster to Rostow " S 1 p	9/15/66	A
#96a memo	Foster to President " S 2 p	9/15/66	A
#96c report	"Annex A--Proposed Revised Articles..." S 3 p	undated	A
#96e draft	"Annex B" S 7 p <i>open 4-17-95 NLJ 94-340</i>	undated	A
#96g draft	"Annex C" S 2 p "	undated	A
#97 letter	Owen to Rostow S 1 p <i>open 1-24-95 NLJ 94-337</i>	7/22/66	A
#97a report	"Achievement of a Non-Proliferation Agreement" S 3 p <i>open 10-7-94 NLJ 94-338</i>	7/20/66	A
#97b memo	McAuliffe to Stoessel <i>open 1-24-95 NLJ 94-337</i> S 2 p	7/22/66	A
#98 memo	"Recent Correspondence..." <i>PCT 2p serial 4-17-95 NLJ 94-340</i> Rostow to Bator, Keeny and Johnson C 1 p	7/13/66	A <i>open 1-20-00 NLJ 94-340 appeal</i>
#99a memo	Foster to Bundy S 3 p <i>open 10-7-94 NLJ 94-338</i>	7/21/65	A
#99b draft	To British Foreign Minister or Prime Minister " S 4 p	undated	A

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1

GENEVA

INCOMING TELEGRAM *Department of State*

~~SECRET~~

Action CONTROL: 1 1 5 2 5
RECD: MARCH 11, 1967 8:56 AM
Info FROM: GENEVA
ACTION: SECSTATE PRIORITY

6
~~1. R. Tolson~~
2. Keeney
3. Baker

DECLASSIFIED

E.O. 12356, Sec. 3.4

NEJ 94-338

By ing, NARA, Date 9-27-94

~~SECRET~~ GENEVA 2744

NODIS

LITERALLY EYES ONLY FOR THE SECRETARY FROM FOSTER

DISTO

REF: STATE'S 150895

YOU PROBABLY AWARE FROM OTHER BONN REPORTS THAT NO UNDUE PRESSURE USED IN DISCUSSIONS FRG OFFICIALS. ACTUALLY TALKS WENT BETTER THAN PUBLIC ACCOUNTS OR EVEN AS INDICATED FULL REPORT ON EXTENSIVE MEETING WITH KIESINGER. AS YOU KNOW FROM BONN'S 10520 KIESINGER PRIVATELY WENT TO SOME LENGTH TO EMPHASIZE THAT CURRENT POLITICAL PROBLEMS REQUIRED HE PUBLICLY EXHIBIT STOUT DEFENSE GERMAN SPECIAL INTERESTS CONNECTION NPT. SEEMED OBVIOUS HIS TOUGHER STATEMENTS MADE FOR BENEFIT OF OTHER MINISTERS ATTENDING CONFERENCE, PARTICULARLY, I BELIEVE, SCHROEDER WHO SAT STONEFACED DURING 2 AND ONE HALF HOUR DISCUSSION. THERE WAS ALSO EVIDENCE IN MEETINGS OTHER MINISTERS, PARTICULARLY STATE SECRETARY SCHUETZ, WHO EMPHASIZED QTE MY UNQTE MINISTER HAS DIFFERENT APPROACH QUESTIONS CONCERNING NPT. AS REPORTED MOST INFORMAL DISCUSSIONS AFTER FORMAL MEETINGS RESULTED IN PERSONAL REASSURANCES FROM KIESINGER, BRANDT, BIRRENBACH, VON HASSEL, LEMKE THAT FRG WOULD ULTIMATELY SIGN BUT NEEDED SOME EVIDENCE FRG PROBLEMS WERE BEING TAKEN ACCOUNT OF PARTICULARLY DURING NEXT TWO WEEKS IN VIEW THREAT OF INCREASED NPD RPT NPD STRENGTH IN NEXT LOCAL ELECTION. KIESINGER SPOKE OF POSSIBLE ADVERSE EFFECTS IN OTHER COUNTRIES INCLUDING USSR FROM ANY SUBSTANTIALLY INCREASED STRENGTH IN NPD RPT NPD PARTY. TODAY'S NEWSPAPER REPORTS OF SPLIT IN NPD RPT NPD ITSELF MAY PROVIDE REASSURANCE AGAINST SUCH WORRIES.

DURING DISCUSSIONS I POINTED OUT DANGERS OF ATTEMPTING TO WRITE INTO TREATY, WHICH DELIBERATELY COVERS THOSE THINGS WHICH ARE PROHIBITED, OTHER POINTS COVERING POSITIVE COMMITMENTS. SCHNIPPENKOETTER STATED HIS HOPE THAT IT THEREFORE MIGHT BE POSSIBLE TO COVER FRG CONCERNS THROUGH STRONGER PREAMBULAR LANGUAGE.

~~SECRET~~

~~SECRET~~

-2- GENEVA 2744 NODIS

IT SEEMED TO ME THAT THERE WAS SOME TENSION BETWEEN BRANDT AND SCHUETZ AND SCHNIPPENKOETTER, AN APPARENT LEADER IN CAMPAIGN TO MAKE NP TREATY MORE DIFFICULT IF NOT IMPOSSIBLE TO ACHIEVE. DE PALMA EXTREMELY VALUABLE IN CONVINCING SCHNIPPENKOETTER THAT TOO STUBBORN A POSITION ON PART FRG IN NAC AND WITH US MAY ISOLATE FRG TO THEIR OVER-ALL DISADVANTAGE AND THAT AT SOME EARLY POINT OTHER NATO ALLIES MUST BE GIVEN SOME INFORMATION REGARDING CHANGES SOUGHT BY FRG. I HOPE WE CAN DO THIS AFTER WE HAVE FURTHER CLARIFIED AND NARROWED THEM DOWN, HOWEVER.

NEXT STOP ROME. THANKS FOR YOUR GOOD WISHES.

GP-1: TUBBY
BT

~~SECRET~~

Copy to Wiggins

153369

3 S

OUTGOING TELEGRAM Department of State

INDICATE COUNTRY
 CHARACTER

~~SECRET~~

87
SS

ACTION: ~~XXXXXXXXXXXXXXXXXXXX~~
US Mission GENEVA

MAR 10 6 05 PM '67

INFO: Ambassador NEW DELHI

STATE 153369

DISTC
LIMDIS

DECLASSIFIED
E.O. 12356, Sec. 3.4
NEJ 94-338
By , NARA, Date 9-27-94

SUBJECT: NPT

1. Recent evidence suggests that GOI posture toward NPT is hardening on variety of specific points and that increasingly important element of emerging GOI policy is concern that NPT be accompanied by some meaningful assurances of Indian security. Cf. Geneva's 2654 with SARABHAI's reference to QUOTE contingent alliance UNQUOTE, whatever that may mean.

2. We believe that during present phase, Geneva should continue to be principal venue for Indc-US discussion of specific aspects of NPT such as balance of sacrifice, safeguards, and peaceful explosions. We see considerable merit, however, in maintaining concurrent dialogue with GOI in New Delhi, designed primarily to maintain atmosphere conducive to effective communication while helping us make out trends in GOI policy evolution, especially

Drafted by: ACDA/TP: ~~XXXXXXXXXXXX~~ 3/9/67
NEA/INC: GSC:con: 3/9/67
Tel. Cat. 3728
Telegraphic transmission and classification approved by: ACDA - Adrian S. Fisher

G/PM - Mr. George
NEA/INC - Mr. Heck
S/S - Mr. Walsh

~~XXXXXXXXXXXXXXXXXXXX~~
NEA - Mr. Handley

~~SECRET~~

D5-322

~~SECRET~~

on question of security assurances. We note from New Delhi's 12260 that FonSec C. S. JHA, one of our better friends in GOI, seemed quite much nettled that QTE neither USG nor Sovs had seen fit to consult it (GOI) about proposed draft of NPT UNQTE. While Jha was evidently less well informed than he should have been regarding previous Indo-US discussions, his ~~irritation~~ irritation may reflect continuing GOI sensitivity to any real or presumed reluctance on our part to discuss NPT issues with it as candidly as we do with other interested parties.

3. Accordingly, our inclination is to open up limited dialogue with Indians in Geneva, New Delhi, and Washington in following manner:

(a) Explain to Indians that basic agreement with Soviets has been to submit Co-Chairmen draft to ENDC, based on consultation with our respective allies, which would only then be opened up to non-aligned eight and other nations having strong interest in NPT.

(b) However, in view delay in tabling draft in ENDC, and for concerns expressed above, we will provide GOI on very confidential basis with present draft text (excluding Article III), in order Indians may have authoritative text to consider within government councils and hopefully, lay to rest speculations and misconceptions.

(c) We would explain reasons Article III omitted.

~~SECRET~~

~~SECRET~~

(d) We would caution Indians we could not ^{at this time} accept proposed language amendments or enter into any negotiations with them re text, since this would not only put us in difficult position with Soviets but would further complicate consultations in train with allies.

(e) We would of course be prepared clarify issues, explain points, and answer questions. We would also listen to anything Indians have to say regarding their position.

4. We would like comments on above approach, with particular attention given to evaluation risks vis a vis Soviets. Would welcome alternative suggestions, if you deem this one undesirable. We do feel, however, that events have pushed us to point where we should open up more meaningful dialogue with GOI mainly in Geneva, ^{supplemented} ~~by~~ by ~~discussions~~ discussions in Washington and New Delhi.

GP-3

END

RUSK

~~SECRET~~

Review
no distribution
MFG. 7-66
W D
4

OUTGOING TELEGRAM Department of State

150895

INDICATE: COLLECT
 CHARGE TO

~~SECRET~~

Origin ACTION: U.S. Mission
~~XXXXXXXX~~ GENEVA FLASH NODIS

5

Info: LITERALLY EYES ONLY FOR FOSTER FROM THE SECRETARY
STATE 150895
JUN 8 2 39 PM '67

I have talked with the President about mood and atmosphere in Germany and Italy about NPT. We believe that patience, explanation and friendly persuasion have the best chance to bring them along to a satisfactory result. A treaty which breaks up coalitions and causes governments to fall will have little value. We know you will avoid what can be interpreted by them as pressure or any suggestion that NPT takes priority over solidarity of NATO. If somewhat more time is needed to produce a treaty which represents genuine consensus in NATO we can afford some more time. ~~Good luck~~ Incidentally, at end of some brief comment on NPT to Jack McCloy, Kiesinger said QTE I think we should find an agreement UNQTE. Good luck.

DECLASSIFIED
E.O. 12356, Sec. 3.4
NJ 94-337
By [signature], NARA, Date 1-12-95

RUSK

Drafted by: S:DRusk:ark 3/8/67 Tel. Ext. Telegraphic transmission and classification approved by: S - The Secretary

Clearances: S/S - Mr. Walsh

~~SECRET~~

WH 5
6

INCOMING TELEGRAM *Department of State*

~~SECRET~~

Action OO RUEHC
DE RUFHGV 2566 0611245
ZNY SSSSS

Control : 1812
Recd March 2, 1967 8:28 a.m.

F
S

Info O 021213Z MAR 67
FM USMISSION GENEVA
TO SECSTATE WASHDC IMMEDIATE
STATE GRNC

BT
~~SECRET~~ GENEVA 2566

DECLASSIFIED
E.O. 12356, Sec. 3.4
NEJ 94-338
By *ing*, NARA, Date 9-27-94

N O D I S

LITERALLY EYES ONLY FOR SECRETARY FROM FOSTER

RECEIVED YOUR 146956 AND WILL BE GUIDED THEREBY. BELIEVE IN THE CIRCUMSTANCES MY PRESENT DIRECT PARTICIPATION IN NEGOTIATIONS HERE IN GENEVA WOULD HAVE SOME VALUE IN DISCUSSIONS IN CAPITALS. ALSO THINK IT UNNECESSARY FOR FISHER TO COME TO GENEVA SINCE WITH MY VISITS UNDOUBTEDLY BEING KNOWN VERY LITTLE NEW WILL TAKE PACE GENEVA ON NPT SUBJECT AND FISHER AT HOME CAN DO HIS UNUAL OUTSTANDING JOB THERE.

PAGE 2 RUFHGV 2566 ~~SECRET~~

WITH RESPECT TO TIMING SUGGESTED SCHEDULE CAN BE ARRANGED BY ME BUT WILL OF COURSE BE NECESSARY ASCERTAIN WHETHER INDIVIDUALS WHO MUST BE SEEN WILL BE AVAILABLE AT THOSE TIMES. BELIEVE THRE IS SOME QUESTION ON BRANDT FOR INSTANCE ON MARCH 8 IN BONN.

WHILE NOT LOOKING FOR SPECIAL NOTICE PERSONALLY BELIEVE THAT SHOULD BE SOME INDICATION IN MESSAGE TO CAPITALS THAT POINTS IN ORAL NOTE HAD HAD CONSIDERATION AND ACCEPTANCE AT HIGHEST LEVELS AND THAT I AM THEREFORE CARRYING MESSAGE FORM THOSE SOURCES; OTHERWISE SEEMS TO ME VISITS MIGHT SIMPLY LEAD TO NUMEROUS ADDITIONAL REQUESTS AND UNNECESSARY VARIATIONS ON SOUND SUBSTANCE OF NOTE WHICH HAS JUST BEEN DISPATCHED.

GALD TO BE ADVISED OF PARAGRAPH SIX MENTIONING DISPATCH OF FULLER TREATY TEXT INCLUDING PREAMBLE AND DEFINITION SINCE THIS SOULD HELP RESOLVE CERTAIN QUESTIONS SOME OF WHICH INDICATED IN CLEVELAND'S REPORT ON FANFANI DISCUSSION PARIS 13257. ON NEW FYI SUGGESTIONS FOR VERIFICATION ARRANGEMENTS CERTAIN AMOUNT OF CONCERN HERE THAT NEW LOOK AT THIS PLAN FOR DISCUSSION WITH SOVIETS MAY TAKE THREE OR FOUR WEEKS IN USUAL QTE ALL DELIBERATE SPEED UNQTE AT EURATOM AFTER WHICH IF SOVIETS UNWILLING ACCEPT PRINCIPLE LONG DELAY WILL ENSUE AND IN EFFECT

~~SECRET~~

~~SECRET~~

PAGE 2 GENEVA 2566 March 2, 1967

PAGE 3 RUFHGV 2566 ~~SECRET~~

MAY HAVE TO START ALL OVER AGAIN; THEREFORE SUGGEST POSSIBLE SIMULTANEOUS DISCUSSION WITH SOVIETS ON THIS POINT.

AGREE ON PLANNING MAC MEETING TOWARDS END WEEK MARCH 13 BUT WOULD BELIEVE THIS WOULD REQUIRE POSTPONEMENT MY VISIT NAC MARCH 8 AND RESCHEDULING MY VISIT TO NAC MEETING FOLLOWING WEEK. IF THEN SUCCESSFUL IN OBTAINING QTE NO OBJECTION UNQTE AGREEMENT HOPEFULLY PROCEED WITH JOINT TABLING AT ENDC INCLUDING ARTICLE 111 AFTER FURTHER DISCUSSIONS WITH CO-CHAIRMAN. AS PREVIOUSLY AGREED CONSULTATIONS AND DISCUSSIONS WOULD CONTINUE WITH OUR ALLIES AS ENDC NEGOTIATIONS PROCEED.

ONE FINAL POINT ALTHOUGH ORAL NOTE SATISFACTORY FOR PRESENTATION TO ALLIES BELIEVE FORMULATION IN DISCUSSION WITH SOVIETS SHOULD INCLUDE PREPARATORY REMARKS THAT ANSWERS FORMULATED HERE IN RESPONSE TO SERIES QUESTIONS ASKED BY ALLIES. WE SHOULD ALSO GIVE CAREFUL THOUGHT TO FORMULATION OF QUESTIONS PRECEDING ANSWERS IN WRITTEN SUMMARY OF INTERPRETATIONS TO BE DISCUSSED WITH SOVIETS. STRONGLY BELIEVE THAT CAREFUL FORMULATION OF QUESTIONS ON USUAL QUESTION AND ANSWER BASIS CAN REDUCE SOMEWHAT DEMANDING CHARACTER OF OTHERWISE FLAT UNILATERAL PRESENTATION AND REQUEST FOR STANDSTILL. I WILL SUGGEST IN LATER DISPATCH GENERAL FORMULATION I HAVE IN MIND. I AGREE ALSO WITH SIMULTANEOUS PRESENTATION OF SUCH DOCUMENT BY U.S. REPRESENTATIVE HERE AND BY YOU TO DOBRYNIN.

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SUBJECT: FEDERATED EUROPEAN STATE AND NON-PROLIFERATION TREATY (NPT)

FOR SECRETARY FROM FOSTER

1. GRINEVSKY, IN TWO INFORMAL DISCUSSIONS WITH DELOFFS, HAS RAISED PROBLEM OF SUCCESSION BY FEDERATED EUROPEAN STATE TO NUCLEAR WEAPONS (GENEVA 2371 AND 2443). HOWEVER, ROSHCIN HAS NOT DONE SO IN CO-CHAIRMAN'S MEETINGS EVEN THOUGH S EJECT WAS RARAED PROBLEM OF SUCCESSION BY FEDERATED EUROPEAN STATE TO NUCLEAR WEAPONS (GENEVA 2371 AND 2443). HOWEVER, ROSHCIN HAS NB

,BQ SO IN CO-CHAIRMAN'S MEETINGS EVEN THOUGH SUBJECT WAS RAISED BY FOSTER IN FIRST SUCH MEETING (GENEVA 2366). SOVS CLEARLY KNOW OUR POSITION NOW. (SEE REFERENCES IN GENEVA 2391. IF THEY AGREE AT HIGHEST LEVELS TO CURRENT TEXT ART 1 AND 11 WITH THIS KNOWLEDGE AND DO NOT THEMSELVES RAISE ISSUE, WE WILL BE IN FAR BETTER POSITION TO RAISE IT

~~PAGE TWO RUEHGV 2467 SECRET~~
OURSELVES THAN WE ARE NOW.

2. PUTTING QUESTION TO SOVS IS IN ANY EVENT BASED ON ASSUMPTION THAT THIS IS AN QTE INTERPRETATION UNQTE OF NPT AND THAT THEREFORE THEIR QTE AGREEMENT UNQTE TO INTERPRETATION IS RELEVANT. IN LARGE MEASURE, HOWEVER, THIS IS NOT THE CASE FOR FOLLOWING REASONS:

[1]

(A) AS A WHOLLY NEW STATE FORMED BY MERGER OF SEVERAL OTHER STATES, A NEW FEDERATED EUROPEAN STATE WOULD NOT BE BOUND BY NPT UNLESS ITS FORMERLY SEPARATE COMPONENT STATES AGREED THAT IT BE SO BOUND AT THE TIME OF THE CONSOLIDATION. THUS, NO MATTER WHAT SOVS VIEWS MAY BE ON MATTER, NPT COULD NOT BIND NEW FEDERATED STATE AS A MATTER OF INTERNATIONAL LAW. WHETHER SOVS AGREE OR DISAGREE IS NOT RELEVANT TO ACTUAL LEGAL RESULT ON THIS POINT, PARTICULARLY AS WE OURSELVES WILL MAINTAIN POSITION BASED ON INTERNATIONAL LAW.

(B) AFTER THE FORMATION OF THE NEW FEDERATED STATE, THE FORMERLY SEPARATE-COMPONENT STATES WOULD NO LONGER HAVE OBLIGATIONS UNDER NPT. AS FAR AS NPT WAS CONCERNED, THEIR IDENTITIES WOULD BE ENTIRELY SUBMERGED IN NEW STATE. AGAIN, WHETHER SOVS AGREE OR DISAGREE, THE FORMERLY SEPARATE COMPONENT STATES COULD NOT

~~PAGE THREE RUFHGV 2467 S E C R E T~~

BE SAID TO BE IN VIOLATION OF NPT AFTER CONSOLIDATION BECAUSE THEY WOULD NO LONGER HAVE ANY OBLIGATIONS.

(C) BEFORE CONSOLIDATION, THE NUCLEAR-WEAPON STATE COMPONENT (FROM WHICH NEW STATE WOULD SUCCEED TO NUCLEAR WEAPONS) WOULD NOT BE IN VIOLATION OF NPT BECAUSE TREATY SIMPLY DOES NOT DEAL WITH QUESTIONS OF CONSOLIDATION OF STATES AND BECAUSE IT DOES NOT REQUIRE ANY DESTRUCTION OF NUCLEAR WEAPONS (WHICH WOULD HAVE TO OCCUR TO PREVENT AN AUTOMATIC SUCCESSION TO THE NUCLEAR WEAPONS OWNED BY THE FORMERLY SEPARATE COMPONENT). IN THIS INSTANCE, THE QTE INTERPRETATION UNQTE OF THE TREATY AND THE QTE AGREEMENT UNQTE OF THE SOVS CAN BE SAID TO BE RELEVANT. BUT IN THIS INSTANCE, IF AND WHEN FEDERATED EUROPE IS CREATED, ANY SOV ALLEGATIONS OF QTE VIOLATION UNQTE OF NPT AND POLITICAL ONUS FOR SUCH VIOLATION WILL APPLY MORE TO NUCLEAR-WEAPON STATE FROM WHOM NUCLEAR WEAPONS ARE INHERITED, THAN TO FRG, FOR REASONS GIVEN IN (D) BELOW. AND NUCLEAR-WEAPON STATE, AFTER THE CONSOLIDATION, WOULD NO LONGER HAVE OBLIGATIONS UNDER NPT FOR REASONS GIVEN IN (B) ABOVE. WE REALIZE THIS NOT BE A COMPLETE ANSWER

~~PAGE FOUR RUFHGV 2467 S E C R E T~~

FOR FRG BUT WE BELIEVE OUR LEGAL POSITION IS STRONG NO MATTER WHAT SOVS SAY. AND, IN ANY EVENT, THE AGREEMENT OF, FOR EXAMPLE, THE UK TO THIS THEORY SHOULD BE MORE IMPORTANT TO FRG THAN THAT OF SOVS.

[2]

(D) BEFORE CREATION OF FEDERATED EUROPEAN STATE, NON-NUCLEAR-WEAPON STATES WHICH WERE TO PARTICIPATE IN CONSOLIDATION WOULD NOT BE IN VIOLATION OF ART 11 BECAUSE SUCH STATES WOULD NOT THEMSELVES BE RECEIVING TRANSFER OF NUCLEAR WEAPONS, OR CONTROL OVER THEM, OR DOING THE OTHER THINGS PROSCRIBED BY ART 11. AFTER THE CONSOLIDATION, AS INDICATED ABOVE, THEY WOULD HAVE NO NPT OBLIGATIONS.

3. IN LIGHT OF FOREGOING, MIGHT BE BETTER IDEA TO PRESENT FRG AND LATER SOVS WITH AN OPINION OF THE LEGAL ADVISER AS FIRM POSITION TO BE MAINTAINED BY US THAN AN AGREED INTERPRETATION. IN ANY EVENT, STRONGLY RECOMMEND THAT WE POSTPONE CHALLENGE TO SOVS ON ISSUE FOR TIME BEING. WE UNDERSTAND THAT OUR ALLIES WILL NEED TO MAKE (INDEED HAVE ALREADY MADE) PUBLIC STATEMENTS THAT NPT DOES NOT BAR US OF EUROPE WHICH COULD SUCCEED TO NUCLEAR WEAPONS OF COMPONENT. BUT PUBLIC ALLIED STATEMENTS TO THIS EFFECT WOULD BE LESS OF A PROBLEM FOR SOVS THAN PUBLIC US STATEMENT,

~~PAGE FIVE RUFHGV 2467 SECRET~~

AS DOBRYNIN ONCE IMWHIED. LATER OFEN PUBLIC US STATEMENT BY ADMINISTRATIO

WITNESS IN RESPONSE TO SENATOR'S QUESTION WOULD PROBABLY BE LESS CHALLENGING TO SOVS THAN, FOR EXAMPLE, SPEECH BY PRESIDENT.

4. SOVS CLEARLY KNOW OUR POSITION NOW AND WE BELIEVE NEXT MOVE IS UP TO THEM. IN LIGHT OF GRINEVSKY REMARKS ON TWO OCCASIONS HERE, BELIEVE WE RUN SUBSTANTIAL RISK OF DESTROYING PROGRESS MADE SO FAR IF WE NOW FORCE SOVS FORMALLY TO AGREE OR DISAGREE WITH OUR VIEW ON THIS MATTER. IF IT SHOULD BE DEEMED NECESSARY TO CHALLENGE THEM ON THIS ISSUE, IT WOULD SEEM TO US FAR PREFERABLE TO DO SO AFTER THEY HAD COMMITTED THEMSELVES TO TABLING AGREED DRAFT TEXT, A COMMITMENT THEY WOULD HAVE TO TAKE IN FULL KNOWLEDGE OUR POSITION. OF COURSE, WE COULD NOT DELAY IN JOINING ISSUE ON THIS MATTER WHENEVER THEY FORMALLY RAISE IT WITH US, IF THEY DO. ALSO OCCURS TO US WOULD BE USEFUL TO FIND OUT WHAT GERMANS HAVE PICKED UP IN THEIR DIRECT PROBES OF SOVS ON THIS SUBJECT BEFORE WE TAKE ANY INITIATIVE.

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~~SECRET~~ GENEVA 2443 SECTION 1 OF 2.

L I M D I S

DISTO/NATUS

DECLASSIFIED
E.O. 12356, Sec. 3.4
NEJ 94-337
By isp, NARA, Date 1-12-95

SUBJECT: NON-PROLIFERATION TREATY (NPT)

IN LENGTHY DISCUSSION WITH GRINEVSKY (USSR) LAST NIGHT RESULTING FROM BUNN'S EXPRESSION CONCERN ABOUT SOVIET-CAUSED DELAY AND PROBLEMS WITH ART III, FOLLOWING SUBJECTS COVERED:

1. SAFEGUARDS. GRINEVSKY SPEAKING PERSONALLY FELT THERE WERE THREE POSSIBLE SOLUTIONS TO SAFEGUARDS PROBLEM:

(I) DRAFT OF KIND UNDER DISCUSSION WHICH SPECIFIES IAEA SAFEGUARDS FOR NON-NUCLEAR COUNTRIES BUT PERMITS TRANSITION PERIOD. DELOFF SUGGESTED PERIOD MIGHT EXTEND AS LONG AS 4 OR 5 YEARS TO WHICH GRINEVSKY DID NOT REACT. SEEMED CLEAR FROM WHOLE DISCUSSION THAT HE NOT PARTICULARLY CONCERNED ABOUT

~~PAGE TWO RUEHGV 2443/1 SECRET~~

LENGTH THIS PERIOD SO LONG AS WARSAW PACT COUNTRIES NOT HAVE TO TAKE IAEA SAFEGUARDS BEFORE WESTERN EUROPEAN COUNTRIES DID. HE SAID THAT THEIR CONCERN WAS THAT BOTH BE TREATED ALIKE RE IAEA SAFEGUARDS.

(II) DRAFT WHICH PERMITTED EURATOM FOR NATO COUNTRIES, A QTE SOCIALIST EURATOM UNQTE FOR WARSAW PACT COUNTRIES, AND IAEA FOR NON-ALIGNED. (GRINEVSKY DID NOT REFER EXPLICITLY TO US PROPOSALS FOR IAEA QTE OR EQUIVALENT UNQTE INTERNATIONAL SAFEGUARDS, AND FOR QTE EFFECTIVE UNQTE INTERNATIONAL SAFEGUARDS.) SAID CREATION OF SOCIALIST EURATOM NOT OUT OF REALM OF POSSIBILITIES. ASKED POINTEDLY WHETHER US COULD TOLERATE A SOCIALIST EURATOM TO WHICH DELOFF REPLIED THAT IF EQUIVALENT TO IAEA, THEORETICALLY WE COULD HARDLY OBJECT IN LIGHT OF OUR PROPOSAL TO PERMIT QTE EQUIVALENT UNQTE SAFEGUARDS OTHER THAN IAEA.

AT THIS POINT, DELOFF SAID HE HAD BEEN LOOKING AT IAEA SAFEGUARDS DOCUMENT AND HAD COME ACROSS INTERESTING PROVISION IN PARA 28(D) WHICH PERMITTED CERTAIN IAEA SAFEGUARDED MATERIAL TO BE TRANSFERRED, UNDER APPROPRIATE CIRCUMSTANCES, TO QTE SAFEGUARDS OTHER THAN THOSE OF THE AGENCY BUT GENERALLY

~~PAGE THREE RUFHGV 2443/1 SECRET~~

CONSISTENT WITH SUCH SAFEGUARDS AND ACCEPTED BY THE AGENCY UNQTE. WHILE APPLICABLE IN ANOTHER CONTEXT, THIS LANGUAGE HAD BEEN AGREED BY US, SOVS, EAST AND WEST EUROPEANS AND NON-ALIGNED. WOULD PERMIT EXISTING EURATOM, SOCIALIST EURATOM OR EVEN NON-ALIGNED SAFEGUARDS AGENCY PROVIDED IAEA CHECKED SAFEGUARDS. THIS MIGHT REQUIRE IAEA INSPECTOR ON

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SOME EURATOM INSPECTIONS OR AT HQ. GRINEVSKY ASKED WHETHER THIS BEEN EXPLORED WITH EURATOM TO WHICH DELOFF REPLIED ONLY A PERSONAL IDEA HE HAD HAD UPON READING SAFEGUARDS DOCUMENT SINCE LAST CO-CHAIRMEN'S MEETING. GRINEVSKY SAID HE HAVE TO THINK ABOUT IT; PERHAPS HAVE SOME PERSONAL RESPONSE LATER; WHATEVER WE DID HAVE TO BE EQUAL ON BOTH SIDES.

(III) DRAFT WITH HORTATORY ART III CALLING FOR COOPERATION IN FACILITATING APPLICATION IAEA SAFEGUARDS ON PEACEFUL ACTIVITIES WITH UNDERSTANDING THAT WARSAW PACT COUNTRIES NOT TAKE IAEA SAFEGUARDS EARLIER THAN EURATOM COUNTRIES. DELOFF SAID WE HAVE TO GET SOMETHING STRONGER THAN THIS FOR US SENATE; SENATOR AIKEN HAD REFERRED TO LANGUAGE LIKE THIS AS QTE PANTY WAIST UNQTE CLAUSE.

2. TIMING & PROCEDURE. GRINEVSKY SAID COMBINATION OF

~~PAGE FOUR RUFHGV 2443/1 SECRET~~

PRESIDENTIAL STATEMENT 21 FEBRUARY CALLING FOR NPT PRESENTATION TO ENDC AND PUBLICATION OF NPT TEXT IN LE MONDE 21 FEBRUARY WOULD LEAD MOSCOW TO BELIEVE WASHINGTON INTENTIONALLY MAKING TEXT AVAILABLE IN ACCORDANCE WITH PRIOR SCHEDULE DESPITE SOV OBJECTIONS. DELOFF DENIED ANY SUCH INTENTION INDICATING WE WOULD HARDLY LEAK TEXT TO LE MONDE IF WE WANTED IT LEAKED WHICH WE DIDN'T.

GRINEVSKY SAID THEIR VIEWS ON PROCEDURE WERE VERY DIFFERENT FROM OURS. ORIGINALLY THEY WANTED US-USSR AGREEMENT; THEN ALLIED CONSULTATION; THEN FOREIGN MINISTERS MEETING TO RECORD AGREEMENT. MOSCOW HAD BEEN VERY NEGATIVE ABOUT ENDC PRESENTATION ALTHOUGH IT NOW CONSIDERING US IDEAS. DELOFF REPLIED WE HAD BEEN INSTRUCTED SINCE LAST CO-CHAIRMEN'S MEETING (I.E., BY PRESIDENT'S MESSAGE) TO SAY "MOSCOW TREATY" APPROACH UNACCEPTABLE TO US. DELOFF REPEATED US VIEWS ON POSSIBLE ENDC MEETING OF FON MINS.

GRINEVSKY SAID US AND USSR SHOULD SEEK AGREEMENT NOT ONLY ON COMPLETE NPT TEXT BEFORE TABLING BUT ALSO ON HOW DEAL WITH PEACEFUL EXPLOSIVES PROBLEM AND SECURITY ASSURANCES. THOSE TWO POINTS WILL IMMEDIATELY PRODUCE CONTROVERSY FROM NON-ALIGNED

~~PAGE FIVE RUFHGV 2443/1 SECRET~~

WHEN TEXT TABLED. HE THOUGHT OUR VIEWS ON EXPLOSIVES PROBABLY CORRECT BUT THEY SHOULD BE DISCUSSED FURTHER BETWEEN US AND USSR. US AND USSR HAD AGREED NOT PUT KOSYGIN PROPOSAL IN NPT, BUT HAVE TO HAVE SOME AGREEMENT ON HOW TO DEAL WITH PROBLEM FOR RESPONSE TO NON-ALIGNED. DELOFF REPEATED US OBJECTIONS DISCRIMINATORY NATURE KOSYGIN PROPOSAL AND IMPOSSIBILITY OF VERIFYING DEPLOYMENT NUCLEAR WEAPONS IN WARSAW PACT COUNTRIES. SAID WE WOULD BOTH HAVE TO CONSIDER OBLIGATION IN PROTOCOL II TO LANFZ AND WONDERED IF ANY COMMON GROUND THERE. GRINEVSKY THOUGHT THERE MIGHT BE BUT WHILE UNDERSTANDING THAT KOSYGIN PROPOSAL WAS UNACCEPTABLE TO US HE FELT SURE SOME AREA OF AGREEMENT POSSIBLE ON THIS SUBJECT. DELOFF SAID HE HOPED WE COULD PUT WHOLE MATTER OFF AS LONG AS POSSIBLE; IMPORTANT THING WAS TO GET AGREED NPT TEXT. GRINEVSKY SAID SOVS HAD BETTER POSITION ON KOSYGIN PROPOSAL AND SAFEGUARDS THAN US BUT US HAD BETTER POSITION ON CUT OFF. US AND USSR NEED AGREE HOW TO DEAL WITH NON-ALIGNED ON THESE PROBLEMS IN NPT CONTEXT BEFORE TABLING NPT TEXT.

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3. FEDERATED EUROPEAN STATE SUCCESSION. GRINEVSKY RAISED THIS PROBLEM AND SAID SOVS COULD NOT TOLERATE PUBLIC STATEMENT BY US ON THIS PROBLEM. US COULD HAVE ITS OWN OPINIONS, BUT IF THEY WERE PUT PUBLICLY SOVS HAVE TO REJECT THEM. DELOFF POINTED OUT THAT AS LAWYER, GRINEVSKY HAVE TO REALIZE THAT NPT COULD NOT BIND A STATE WHICH DID NOT NOW EXIST, AND THAT OLD STATES WHICH WERE COMPONENTS OF NEW STATE WOULD DISAPPEAR AT LEAST AS FAR AS THEIR OBLIGATIONS LIKE THOSE OF NPT WERE CONCERNED WHEN NEW STATE CREATED. GRINEVSKY SAID HE UNDERSTOOD OUR THEORY THAT NEW UNITED STATES OF EUROPE WOULD "INHERIT" NUCLEAR WEAPONS OF FORMERLY SEPARATE COMPONENT

~~PAGE TWO RUEHCV 2443/2 SECRET~~
WHICH POSSESSED THEM. BUT WE WOULD HAVE TO RECOGNIZE THAT NOT POSSIBLE FOR THEM POLITICALLY TO ACCEPT A TEXT WHICH US SAID PUBLICLY PERMITTED WHAT THEY WOULD REGARD AS GERMAN "ACCESS" TO NUCLEAR WEAPONS EVEN IF U.S. OF EUROPE NOT LIKELY TO HAPPEN. HE REPEATED SEVERAL TIMES HIS CONCERN THAT IF SOVS CHALLENGED ON THIS BY US PUBLIC STATEMENT, THIS WOULD JEOPARDIZE ALL PROGRESS ON ART I AND II WHICH SO LABORIOUSLY MADE IN LAST SIX MONTHS.

4. DEPT PLEASE REPEAT AS DESIRED. TUBBY
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E X D I S

DISTO

BUENOS AIRES: FOR SECRETARY

SUBJECT: NON-PROLIFERATION TREATY (NPT)

IN TWO-HOUR FOSTER-ROSHCHIN DISCUSSION TODAY, QUESTION OF FEDERATED EUROPEAN STATE DID NOT (RPT NOT) ARISE. FOR TIME BEING WE BELIEVE WE SHOULD WAIT FOR SOVS TO RAISE QUESTION FORMALLY WITH US AND NOT ASSUME THAT GRINEVSKY'S COMMENT (GENEVA 2371) CONSTITUTES OFFICIAL NOTICE TO US. IN VIEW OUR EARLIER REFERENCES THIS MATTER IN TALKS WITH SOVS IN WASHINGTON, (SEE BUNN MEMCON OF 17 JANUARY) SECRETARY'S COMMENT TO DOBRYNIN IN JANUARY, AND OUR REFERENCES TO IT SINCE OUR ARRIVAL GENEVA (GENEVA 2366 AND 2371), SOVS NOW HAVE CLEAR UNDERSTANDING OUR VIEW OF MATTER. THEY HAVE ALSO WILSON'S TALKING POINTS OF 11 FEBRUARY IN WRITING ON THIS POINT WHICH PURPORT TO BE DRAWN FROM WHAT US HAS TOLD BRITISH. IF SOVS FAIL TO RAISE THIS QUESTION IN COURSE FUTURE DISCUSSION, WE COULD LATER CONSIDER APPROPRIATE MEANS TO ACHIEVE FURTHER CLARIFICATION WITH THEM.

GP-3. TUBBY
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NOTE: ADVANCE COPY TO S/S-O AT 3:17 P.M., 2-18-67.

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By ig, NARA, Date 1-12-95

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SUBJ: NON-PROLIFERATION TREATY (NPT)

1. WHEN PRESSED LAST NIGHT BE DEPALMA FOR EXPLANATION SOVIET INSISTENCE ON DELAY IN TABLING NPT TREATY FORMULATIONS, GRINEVSKY (USSR) SAID THEY COULD NOT GET TOP LEVEL REVIEW OF TEXT AND COMPLETE THEIR ALLIED CONSULTATIONS UNTIL THERE WAS COMPLETE TREATY TEXT, INCLUDING SAFEGUARDS ARTICLE, IF ONE TO BE INCLUDED. SOVIETS HAD ASSUMED US AND NATO ALLIES WOULD FIRST INDICATE THEIR ACCEPTANCE OF DRAFT FORMULATIONS, AFTER WHICH SOVIETS WOULD SEEK SIMILAR APPROVAL THEIR ALLIES. DELOFF SAW NO BASIS FOR THIS ASSUMPTION SINCE US HAD UNDERSTOOD BOTH SIDES WERE CONSULTING ALLIES. GRINEVSKY SAID THEY COULD NOT CONSULT THEIR ALLIES IN DETAIL UNTIL THEY COULD PRESENT QUOTE AGREED UNQUOTE ARTICLE 888

~~PAGE TWO RUFHGV 2371 SECRET~~

(OBVIOUSLY MEANING AGREED BETWEEN US-USSR) SINCE NATURE THIS ARTICLE OF DIRECT INTEREST TO THEIR ALLIES.

2. GRINEVSKY ACKNOWLEDGED FORCE OF FOSTER'S ARGUMENTS AGAINST TABLING TREATY SIGNED BY US AND USSR AND SAID MOSCOW MAY HAVE UNDERESTIMATED NEGATIVE PSYCHOLOGICAL IMPACT ON OTHERS OF SUCH PROCEDURE, BUT WENT ON TO DEFEND SOVIET VIEW THAT BEST WAY TO CONTROL MATTERS IN ENDC WAS TO PRESENT TREATY SIGNED BY US-USSR AND OFFER TO LET ENDC MEMBERS BE FIRST TO ADD THEIR SIGNATURES. DELOFF STRESSED DIFFERENCE BETWEEN NPT AND LIMITED TEST BAN. GRINEVSKY CLAIMED SOVIETS FIRST LEARNED OF US INTENTION TABLE TREATY FORMULATIONS AS RECOMMENDED BY CO-CHAIRMAN IN ORAL STATEMENT FOSTER GAVE DOBRYNIN FEB 9, BUT LATER ADMITTED HAD RECEIVED REPORT TO THIS EFFECT FROM VORONTSOV (COUSELOR SOVIET EMBASSY WASHINGTON) EARLY IN JANUARY BUT HAD DISCOUNTED IT AS PROBABLY MISUNDERSTANDING ON VORONTSOV'S PART. DELOFF STRESSED US INTENTION THIS REGARD CONVEYED SOVIETS ON SEVERAL OCCASIONS AND SHOULD NOT HAVE SURPRISED SOVIETS. GRINEVSKY ADMITTED REPORTING ON SOVIET SIDE HAD NOT ALWAYS BEEN CLEAR (SEE ALSO BELOW).

3. ON SAFEGUARDS ARTICLE, GRINEVSKY SAID HE DID NOT THINK ROSHCIN

~~PAGE THREE RUEHGV 2371 SECRET~~

HAD MADE HIMSELF CLEAR TO FOSTER AT MORNING CO-CHAIRMEN'S MEETING. ALTERNATIVE PROCEDURE SOVIETS HAVE IN MIND IF US AND NATO CANNOT AT THIS TIME ACCEPT ARTICLE III WHICH SOVIETS EARLIER INDICATED THEY COULD SUPPORT INVOLVES: (A) INCLUSION PREAMBULAR CLAUSE EMBODYING UNDERTAKING BY NON-NUCLEAR WEAPON PARTIES (RPT NON-NUCLEAR) TO COOPERATE IN FACILITATING APPLICATION IAEA SAFEGUARDS ON THEIR PEACEFUL NUCLEAR ACTIVITIES, (B) NO REFERENCE TO ANY SAFEGUARDS ARTICLE IN TEXT ORIGINALLY TABLED AS AGREED (AND PRESUMABLY SIGNED) BY TWO SIDES, AND (C) DECLARATION IN ENDC THAT SAFEGUARDS ARTICLE (AT OTHER TIMES HE REFERRED TO PROTOCOL) IMPLEMENTING PREAMBULAR CLAUSE WOULD BE ADDED AT LATER STAGE. SAFEGUARDS ARTICLE (OR PROTOCOL) WOULD EMBODY UNDERTAKING BY NON-NUCLEARS TO ACCEPT IAEA SAFEGUARDS WITHIN CERTAIN PERIOD OF TIME. GRINEVSKY SAID IF NECESSARY SOVIETS COULD THEN ACCEPT STATUS QUO FOR INDEFINITE PERIOD SINCE UNTIL EURATOM STATES ACCEPTED IAEA SAFEGUARDS, EASTERN EUROPEANS WOULD NOT ACCEPT THEM EITHER. DELOFF POINTED OUT SOVIETS WOULD BE IN POSITION CHARGE OUR ALLIES WITH VIOLATION OF TREATY AND OUR ALLIES WILL NOT SIGN TREATY INTENDING VIOLATE ANY OF ITS PROVISIONS.

~~PAGE FOUR RUFHGV 2371 SECRET~~

4. AFTER PRESISTENT PROBING BY DELOFF FOR OTHER CONSIDERATIONS WHICH MUST HAVE LED SOVIETS TO ADOPT PRESENT POSITION, GRINEVSKY ADMITTED THERE WAS ALSO PROBLEM POSED BY US INTENTION MAKE PUBLIC STATEMENT AT SENATE NPT HEARINGS ON DOCTRINE OF SUCCESSION BY NEW FEDERATED EUROPEAN STATE TO NUCLEAR STATUS ITS COMPONENTS. (DELOFF HAD MADE NO MENTION SUCH US INTENTION.) HE SAID SOVIETS WOULD HAVE TO CHALLENGE SUCH ASSERTION. DELOFF STRESSED THIS COULD WRECK ENTIRE PROJECT AND URGED SOVIETS CONSIDER CAREFULLY HOW MUCH THEY WANT NPT. DELOFF ALSO POINTED OUT OUR VIEW ON FEDERATED STATE SUCCESSION WAS TOUCHED ON IN VARIOUS TALKS WITH SOVIETS AND COULD NOT UNDERSTAND SOVIET CONCERN SINCE WE DID NOT EXPECT THEM TO AGREE WITH IT AND WOULD BASE OUR POSITION ON FACT TREATY DOES NO DEAL WITH THIS POSSIBILITY AND HENCE ANNOT PRECLUDE IT. GRINEVSKY SAID RAGARDLESS HOW MANY LEGAL EXPERTS MIGHT AGREE ON DOCTRINE OF SUCCESSION, FOR SOVIET PEOPLE AND THEIR ALLIES IT MEANT FRG AS DOMINANT EUROPEAN FORCE WOULD ACQUIRE NUCLEAR WEAPONS.

5. IMPLICATION GRINEVSKY COMMENTS ON SUCCESSION PROBLEM WAS THAT PRIVATE US STATEMENTS WERE ON THING, BUT PUBLIC STATEMENT WOULD

~~PAGE FIVE RUFHGV 2371 S E C R E T~~

FORCE THEM REPLY. HE ALSO CLAIMED IN THIS CONNECTION THEY HAD NEVER UNDERSTOOD FROM THEIR REPORTING THAT THIS WAS US VIEW. DELOFF REPLIED THEIR REPORTING AT FAULT. GRINEVSKY AGREED MATTER SHOULD BE CONSIDERED FURTHER AND MIGHT SOMEHOW BE MANAGED SUCCESSFULLY, BUT HE DID NOT SEE HOW SOVIETS COULD REMAIN SILENT.

6. GRINEVSKY ALSO SAID THAT WHILE IT MIGHT HAVE BEEN POSSIBLE POSTPONE ENDC FOR SEVERAL WEEKS IF DECISION REACHED EARLIER, THEY COULD NOT AGREE DO SO NOW ALTHOUGH IF US INSISTED AND QTE ACCEPTED ALL THE BLAME END QTE HE SUPPOSED SOVIETS WOULD HAVE TO GO ALONG. HE STRESSED HOWEVER THAT SOVIETS SEE NO PROBLEM IN STARTING WITH GENERAL NPT DEBATE AND THEN TALING UP VARIOUS MATTERS WHICH UNGA HAD REFERRED TO ENDC. HE THOUGHT THIS COULD OCCUPY ENDC AT LEAST FOR FEW WEEKS. HE WOULD NOT PREDICT HOW LONG IT WOULD TAKE SOVIETS TO GET TOP LEVEL REVIEW AND CONSULT ALLIES ON COMPLETE TREATY TEXT, BUT STRESSED US HAD TAKEN OVER TWO MONTHS TO CONSULT ALLIES AND SHOULD NOT EXPECT SOVIETS GO THROUGH THEIR REQUIRED PROCEDURES IN FEW DAYS. TUBBY
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Report

10

OUTGOING TELEGRAM Department of State

150895

INDICATE: COLLECT
 CHARGE TO

~~SECRET~~

Origin U.S. Mission
ACTION: ~~XXXXXXXX~~ GENEVA FLASH NODIS

Info LITERALLY EYES ONLY FOR FOSTER FROM THE SECRETARY
STATE 150895 JAN 10 2 39 PM '67

I have talked with the President about mood and atmosphere in Germany and Italy about NPT. We believe that patience, explanation and friendly persuasion have the best chance to bring them along to a satisfactory result. A treaty which breaks up coalitions and causes governments to fall will have little value. We know you will avoid what can be interpreted by them as pressure or any suggestion that NPT takes priority over solidarity of NATO. If somewhat more time is needed to produce a treaty which represents genuine consensus in NATO we can afford some more time. ~~Good luck~~ Incidentally, at end of some brief comment on NPT to Jack McCloy, Kiesinger said QTE I think we should find an agreement UNQTE. Good luck.

DECLASSIFIED
E.O. 12356, Sec. 3.4
NEJ 94-337
By 8, NARA, Date 1-12-95

RUSK

Drafted by: S:DRusk:ark 3/8/67
Tel. Ext. _____ Telegraphic transmission and classification approved by: S - The Secretary

Clearances: S/S - Mr. Walsh

~~SECRET~~

147873

OUTGOING TELEGRAM Department of State

INDICATE: COLLECT
 CHARGE TO

~~SECRET~~

W/D

11

Origin ACTION: US Mission, GENEVA IMMEDIATE
Info: Deliver 8 AM

MAR 2 10 37 PM '67

LITERALLY EYES ONLY FOSTER FROM SECRETARY

NODIS

STATE 147873

DISTO

REF: Geneva 2566

DECLASSIFIED
E.O. 12356, Sec. 3.4
NEJ 94-377
By ig, NARA, Date 1-12-95

Roston

1. I appreciate very much your taking on this assignment. I regard it as a very important one. Agree with your suggestion that Fisher remain here. In view of full-time nature of your forthcoming journey I know you will want to have with you high-level second man and in this connection it would be helpful to us to have DePalma fill this role since understand he was planning to return to Washington and will therefore be coming home at completion of your trip; he would therefore be in a position to give us here full report on your consultations.

2. I believe schedule for trip should be arranged from Washington since I wish this exercise to be regarded as a governmental one. We will advise you on schedule as soon as

Drafted by: ACDA:Adrian S. Fisher

Tel. Ext. 7773

Telegraphic transmission and classification approved by:

The Secretary

Clearances: S/S - Mr. Read

EUR - Mr. Leddy

The Under Secretary

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~~SECRET~~

possible and can perhaps do this by phone. You should in any event arrange to cancel your NAC visit for March 8.

3. We are preparing guidance for ^{you}~~your~~ covering various points that have been raised by capitals you will visit. Fisher will be in touch with you later as to means of getting this material to you in time.

~~4. we are considering the concerns you expressed as to finding on consultations for any alternative Article III and your desire simultaneously to raise alternative with Soviets. We will see what we can do to resolve this problem and will send you guidance ~~SECRET~~.~~

~~xxxxxxx~~

4. With regard to Article III, we are preparing separate telegram this ~~xxxx~~ issue.

END

GP-1

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OUTGOING TELEGRAM Department of State

INDICATE: COLLECT
 CHARGE TO

~~SECRET - NODIS~~

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Copy sent Bator Keeney
MAR 1 9 51 PM '67

Origin ACTION: US MISSION GENEVA IMMEDIATE
Deliver 8 AM

Info: LITERALLY EYES ONLY - FOSTER FROM SECRETARY
NODIS
STATE 146956
DISTO
REF: GENEVA 2511 and 2545

Rattow

1. After considering very seriously the points made GENEVA 2511 we have decided that the various points which we have been discussing with our allies should be cleared up before actually tabling the text of a NPT which the Co-Chairmen would ~~jointly~~ jointly recommend for consideration by the ENDC. We wish first to have further consultation with our allies to see if the various points of interpretation which we have made in Oral Note which George McGhee handed Kiesinger February 22 are satisfactory to them.

2. As a part of this consultation we would plan to send a high-level representative to Bonn, Rome, Brussels and The Hague to discuss ~~the various points~~

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E.O. 12356, Sec. 3.4
NEJ 94-337
By *ijg*, NARA, Date 1-12-95

Drafted by:
ACDA:Adrian S. Fisher

Tel. Ext.
7773

Telegraphic transmission and
classification approved by:

The Secretary

Clearances:

The Under Secretary
S/S - Mr. Read

G - Mr. Kohler

M - Mr. Rostow

EUR-Mr. Leddy

~~White House~~

White House - Mr. Bator

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Page 2 of telegram to US MISSION GENEVA

~~SECRET - NODIS~~

various concerns and questions that have been raised by these respective governments. We believe that a frank and thorough discussion by the ~~/Mission~~ representative with key individuals in the four capitals would have an ameliorating influence on considerations of NPT now going on. Believe that the ~~/Mission~~ representative should see Kiesinger and Brandt in Bonn; Fanfani and Moro in Rome; Harmel in Brussels; and Luns in The Hague.

3. With respect to the ~~/person to head this Mission~~ representative I would agree with ~~xxxxxx~~ organized along the lines of whichever of the following two alternatives you think preferable: a) You do the job could ~~/head the Mission~~ with Fisher taking the Chair temporarily handled in Geneva, or b) it could be ~~/headed~~ by Fisher going directly from Washington.

4. With respect to the timing of ~~/such a mission~~ visits to the capitals:

a) We would hope to arrange the following schedule: ~~for the~~ and 8 ~~Mission~~ March 7/in Bonn; March 9 and 10 in Rome; March 13 in The Hague and March 14 in Brussels; b) I would propose to ask that EMBASSIES BONN, ROME, BRUSSELS and THE HAGUE immediately ~~to~~ ascertain whether ~~such a Mission~~ the representative would be welcome and if the proposed dates are acceptable.

~~SECRET - NODIS~~

Page 4 of telegram to US MISSION GENEVA

~~SECRET - NODIS~~

to discuss NPT with a view to obtaining a "no objections" agreement to the joint tabling by the Co-Chairmen in Geneva of a treaty text, including an Article III, with the understanding of course, that consultations and discussions would continue with our allies as the negotiations in Geneva proceed.

8. Prior to tabling we would approach Soviets and give them in writing Summary of Interpretations. Furthermore, we propose to deal with all of these points with Soviets at one time rather than single out the particular point of the impact of Treaty on a Federated Europe for special handling -- important though it be. With respect to point dealing with federated Europe we will state that we do not expect them to endorse the concept of a federated Europe but that they will remain silent and not make any claim that the treaty bars the unification of Europe, on the basis of the principle that the treaty deals only with what is prohibited. We will state that this is what we have told our allies, that this is what we will be ~~xxxx~~ required to state in our Congress and if they publicly contradict us, by stating that NPT prohibits Federated Europe succeeding to nuclear assets of component states, such contradiction would undoubtedly result in the collapse of the Treaty. We have in mind a simultaneous presentation by US Rep ENDC and ^{by me} ~~Secretary~~ to Dobrynin.

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LONDON

Cy A Bataw Keen

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109454
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Dec 28 6 15 PM '66

OUTGOING TELEGRAM Department of State

INDICATE: COLLECT
 CHARGE TO

~~SECRET - NODIS~~

Classification **DECLASSIFIED**

E.O. 12356, Sec. 3.4
NEJ 94-337

By is, NARA, Date 1-12-95

~~XXXXXXXXXX~~

Origin

ACTION: AmEMBASSIES LONDON
OTTAWA
ROME
BONN

Info

NODIS

EYES ONLY FOR AMBASSADORS FROM SECRETARY

STATE 109454

Request London, Ottawa, Rome seek appointment with discreet source

Foreign Minister to continue most/~~discussed~~ consultations on non-proliferation treaty text. Bonn approach to be conducted after Ambassador McGhee's return.

At the time of the recent NATO Ministerial meetings the Foreign Ministers were given following text of basic Article I which it appears Sovs ^{would}/~~might~~ agree to:

"Each nuclear-weapon State Party to this 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."

GP. 1.

Drafted by: AS4 ACDA/DD:ASFisher/lt Tel. Ext. 7771 Telegraphic transmission and classification approved by: The Secretary 12/28/66

Clearances: ACDA/D:WCFoster W/SB Mr. Read EUR Mr. Stoessel

~~SECRET - NODIS~~

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You should now show Foreign Minister following text of possible Article II which has been drafted as mirror image of Article I.

"Each non-nuclear-weapon State Party to this Treaty undertakes not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or 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." ^{Article II} Language ^{believe} not actually shown Sovs but based on discussions ~~based on~~ would be acceptable.

You should point out that provisions proposed Article II are a mirror of Article I text and that the latter is a reflection of existing U. S. Atomic Energy legislation. Thus the proposed form of Article I and II are necessary more from the standpoint of U. S. national legislation than from that of the non-proliferation negotiations.

In discussing this draft with Foreign Minister you should have in mind the following points already made in Bonn, re Article I:

1. The proposed draft would not disturb existing bilateral arrangements as these arrangements do not involve any transfer of warheads or control over them up to the point where a decision to go to war is made, at which time a treaty would no longer be controlling.

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PAGE 2 - A

2. The draft would have no bearing on the decision of the NATO allies to go to war, or on the permanent NATO committee for nuclear planning and consultation.

3. The treaty would not bar states from having a veto on the launching of nuclear weapons from their territory.

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4. It would not rule out the establishment at some future date of a multilateral Atlantic entity in which non-nuclear-weapons States participated, and to which they made financial contributions, so long as there was no transfer to this entity of an ownership interest in nuclear warheads (as opposed to delivery vehicles) and so long as the United States/^{its} retained control over ~~the~~ nuclear warheads.

5. The draft would prohibit the transfer of U.S. nuclear weapons or control over them to any recipient whatsoever, i.e., to nuclear-weapon states and non-nuclear-weapon States alike thereby removing, in this respect, discrimination against FRG.

6. It would not bar succession by a federated European state to the nuclear status of one of its former components. It would bar acquisition of nuclear weapons by a European force or other entity except by such succession but it would permit the formation of a European force with joint ownership of delivery vehicles so long as any participating nuclear-weapon State (UK or France) retained control of its nuclear weapons.

You should show Foreign Minister following possible Article IV dealing with amendments and review:

"1. Any Party to this Treaty may propose amendments to this Treaty. The text of any proposed amendment shall be submitted to the

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Depository Governments which shall circulate it to all Parties to the Treaty. Thereupon, if requested to do so by one third or more of the Parties, the Depository Governments shall convene a conference, to which they shall invite all the Parties, to consider such an amendment.

2. Any amendment to this Treaty must be approved by a majority of the votes of all the Parties to the Treaty, including the votes of all nuclear-weapon States Party to this Treaty. The amendment shall enter into force for all Parties upon the deposit of instruments of ratification by a majority of all the Parties, including the instruments of ratification of all nuclear-weapon States Party to this Treaty.

3. Five years after the entry into force of this Treaty, a conference of Parties shall be held in Geneva, Switzerland, in order to review the operation of the Treaty with a view to assuring that the purposes and provisions of the Treaty are being realized."

Treaty would also have withdrawal clause based on comparable clause in test ban which would provide: "This Treaty shall be of ~~unlimited~~ duration. shall

"Each Party/~~which~~ in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary ~~related~~ events/~~relating~~ to the subject matter of the Treaty have jeopardized the supreme interests of its country."

Above review clause differs from review clause in previous

U. S. draft in that provision for conference is automatic and review

~~SECRET - NODIS~~

Classification

Page 5 of telegram to AmEMBASSIES: LONDON, OTTAWA, ROME, BONN

~~SECRET - NO DIS~~
Classification

is for stated purpose of reviewing operation of treaty "with a view to assuring that purposes and provisions of the Treaty are being realized." Increased emphasis on review for the purpose of protecting interests of the non-nuclear-weapon powers, and entitle them to assurance that on a specific date they will have a conference at which they can call on the nuclear powers to show whether the treaty is living up to its stated purpose of leading towards easing of tensions and facilitating of disarmament rather than merely being a step to preserve nuclear monopoly.

Treaty provision for review after five years would not provide for termination at that time and any amendments proposed as result of review would require votes of majority of parties including all nuclear-weapon Parties. Withdrawal, however, would be possible at any time pursuant to withdrawal clause in event of any extraordinary events related to subject matter of treaty which, in judgment of withdrawing party, jeopardized its supreme interests.

In addition, we have not as yet resolved issue of type of safeguards clause we would have in treaty. FYI Sovs agreeable to a treaty without safeguards but if U.S. wants safeguards clause Sovs will agree to one only if applied to the peaceful activities of non-nuclear-weapon powers alone and only if IAEA safeguards specified

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Page 6 of telegram to AmEMBASSIES LONDON, OTTAWA, ROME, BONN

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although would doubtless agree to reasonable period for putting in IAEA safeguards. END FYI.

You should indicate as previously stated ENDC U.S. is considering Article III (safeguards) stronger than hortatory language in draft previously made public ENDC. This proposed safeguards clause would specify IAEA. Indicate U.S. recognizes that this would doubtless bring problem of IAEA - EURATOM relations to a head. It would do so, however, in a way which not discriminate against Fed. Rep.

Basic issue on safeguards therefore is whether we are to have a safeguards Article in Treaty based on IAEA inspection or no safeguards article at all. Failure to have safeguards Article might seriously jeopardize political acceptability of treaty in U.S. Senate.

The above suggested formulations are in terms of possibilities as they have not been accepted by the U.S. Government, since the U.S. wishes to have the most discreet and thorough consultation with its allies before deciding its position. Discussions with the Soviet Union have remained, for that reason, informal.

In your discussions you should indicate all language discussed so far has been on an ad referendum basis, subject to consultation with allies, and that what you are now engaged in is a part of this consultative process, a process carried out without pre-commitment.

~~SECRET - NODIS~~

Page 7 of telegram to AmEMBASSIES LONDON, OTTAWA, ROME, BONN

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You should point out, however, that ad referendum language is result of extensive discussions aimed at finding phrases that might be acceptable to both sides. You should further indicate the ^{vital} necessity of keeping the matter ^{most} closely held within Governments because of the undesirable effect of any premature or public disclosure. Obviously such disclosure at this crucial time would seriously jeopardize or ruin chances of obtaining agreement.

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Brussels

INCOMING TELEGRAM *Department of State*

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Action

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TO RUEHC/SECSTATE WASHDC
INFO RUDKTH/AMEMBASSY HAGUE
RUDTCR/AMEMBASSY LONDON
RUFNCR/AMEMBASSY PARIS
RUFHRO/AMEMBASSY ROME
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DECLASSIFIED
E.O. 12356, Sec. 3.4
NEJ 54-377
By ig, NARA, Date 1-12-95

~~SECRET~~ BRUSSELS 3776

LYMDIS, BUSEC

SUBJECT: NON-PROLIFERATION TREATY AND EURATOM

REFERENCE: BRUSSELS 3717

1. THE FRENCH PERMANENT REPRESENTATIVE TO THE EUROPEAN COMMUNITIES, AMBASSADOR BOEGNER, VOLUNTEERED THE FOLLOWING POSITION TO ME TODAY DURING A LONG LUNCHEON AT HIS RESIDENCE WHICH WAS LAID ON AT HIS INITIATIVE. BOEGNER CALLED ATTENTION TO THE NOTES WE HAD DELIVERED ON THE NON-PROLIFERATION TREATY BOTH TO EURATOM AND TO THE MEMBER STATES. THE UNITED STATES, HE SAID, KNEW FRENCH VIEWS ON THE TREATY AND OF COURSE, RECOGNIZED THAT FRANCE WOULD NOT BE A SIGNATORY. YET, THE POSITION INCORPORATED IN THIS AIDE MEMOIRE WAS DISTURBING. TO HIM IT SUGGESTED THAT THE UNITED STATES WAS NOW PREPARED TO ABANDON ITS SUPPORT FOR THE EURATOM SAFEGUARDS SYSTEM WHICH WE HAD PREVIOUSLY ACCEPTED IN OUR WHOLE SYSTEM OF IMPORTANT SUPPLY ARRANGEMENTS WITH THE COMMUNITY, IN FAVOR OF THE IAEA SYSTEM. HE NOTED THAT THE SAFEGUARDS SYSTEM WAS ONE OF THE ASPECTS OF EURATOM THAT THE FRENCH GOVERNMENT FIRMLY SUPPORTED AND WHICH WORKED WELL. THIS POSED A SERIOUS PROBLEM FOR THE OTHER FIVE MEMBERS OF THE COMMUNITY WHO WOULD BE ASKED TO OPT FOR IAEA SAFEGUARDS IN LIEU OF THE CURRENT EURATOM SYSTEM. THIS WAS A SERIOUS MATTER FOR EURATOM WHICH WAS IN TROUBLE ANYWAY BY VIRTUE OF THE DISAGREEMENTS OVER ITS WHOLE ROLE IN THE NUCLEAR RESEARCH FIELD. ELIMINATING THE SAFEGUARDS FUNCTION AND POSSIBLY ALSO THE FUEL SUPPLY FUNCTION, IF HE JUDGED THE SITUATION CORRECTLY, MIGHT BE A FATAL BLOW TO EURATOM. THIS WAS ESSENTIALLY WHAT THE SOVIET UNION HAD DESIRED SINCE IT CONSIDERED THE EUROPEAN SYSTEM ESSENTIALLY A PART OF THE NATO COMPLEX.

~~SECRET~~

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Rome

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INCOMING TELEGRAM *Department of State*

~~SECRET~~

Action

Info

CONTROL: 7013
 RECD: JANUARY 10, 1967, 12:52PM
 FROM: ROME
 ACTION: SECSTATE

Rostow

~~SECRET~~ ROME 3576

NODIS

1. WE HAVE TAKEN CARE TO OBSERVE YOUR INJUNCTION FOR SECRECY AND DISCRETION IN ALL CONSULTATIONS HERE CONCERNING NO-PROLIFERATION TREATY TEXT. AS REPORTED IN MY TELEGRAM 3426, WE HAVE STRESSED TO THE ITALIANS THE US VIEW THAT THE MATTER SHOULD BE MOST CLOSELY HELD WITHIN GOVERNMENTS.

2. I HAVE RECEIVED INDICATIONS, HOWEVER, THAT WORKING LEVEL OFFICERS IN BOTH BRITISH AND GERMAN EMBASSIES HERE, AS WELL AS IN THE ITALIAN FOREIGN OFFICE, APPEAR TO BE AWARE OF THIS MATTER AND TO HAVE DRAFT TEXTS AVAILABLE TO THEM.

GP-1 REINHARDT

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E.O. 12356, Sec. 3.4

NEJ 94-377

By *ig*, NARA, Date 1-12-95

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INCOMING TELEGRAM *Department of State*

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Reston

Action CONTROL: 6982
RECD: JANUARY 10, 1967 12:27 P.M.

Info FROM: ROME
ACTION: SECSTATE WASHDC PRIORITY

~~SECRET~~ ROME 3570

NODIS

FOR THE SECRETARY

RE STATE 112206.

1. I INFORMED FANFANI LAST NIGHT JAN 9 OF SUBSTANCE OF REFTTEL. HE IN TURN SAID THAT HE WAS PERSONALLY DISPOSED (ALTHOUGH SOME OF HIS COLLABORATORS WERE CONCERNED ABOUT THE APPARENT FORECLOSURE OF AN EVENTUAL EUROPEAN POSSESSION) TO AGREE TO THE TEXTS OF THE DRAFT ARTICLES, BUT THAT IT WOULD REQUIRE THE PRIMIN'S DECISION. HE HAD SCHEDULED A RESTRICTED MEETING WITH PRIMIN AND CERTAIN OTHER KEY FIGURES FOR THE END OF THE WEEK AND HOPED THAT IT WOULD SUBSEQUENTLY BE POSSIBLE FOR HIM TO COMMUNICATE TO YOU GENERAL ITALIAN AGREEMENT, ALTHOUGH THEY MIGHT WISH SOME CLARIFICATION ON CERTAIN POINTS. I REITERATED YOUR HOPE TO HAVE THEIR COMMENTS AS SOON AS POSSIBLE.

2. FANFANI SAID THAT IN HIS RECENT CONVERSATIONS WITH BRANDT, LATTER HAD RAISED THIS SUBJECT AND HAD INDICATED THAT HE WAS DISPOSED TO GO ALONG BUT HE HAD NOT MADE CLEAR WHAT MIGHT BE THE ATTITUDES OF KIESINGER AND SCHROEDER.

GP-1. REINHARDT

DECLASSIFIED
E.O. 12356, Sec. 3.4
NJ 94-377
By *ing*, NARA, Date *1-12-95*

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Hague

INCOMING TELEGRAM *Department of State*

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Action

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 RUFHOL/AMEMBASSY BONN
 RUFHBS/AMEMBASSY BRUSSELS
 RUDKPN/AMEMBASSY COPENHAGEN
 RUDTCR/AMEMBASSY LISBON
 RUDTCR/AMEMBASSY LONDON
 RUFHOL/AMEMBASSY LUXEMBOURG
 RUDKSO/AMEMBASSY OSLO
 RUFNCR/AMEMBASSY PARIS
 RUDIHS/AMEMBASSY REYKJAVIK
 RUFHRO/AMEMBASSY ROME
 RUFUAU/AMEMBASSY VIENNA
 RUFHGV/US MISSION GNEVA
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 E.O. 12356, Sec. 3.4
 NEJ 94-377
 By ig, NARA, Date 1-12-95

~~C O N F I D E N T I A L~~ HAGUE 1767

PAGE 2 RUDKTH 1767 ~~C O N F I D E N T I A L~~

L I M D I S

SUBJECT: NON- PROLIFERATION TREATY SAFEGUARDS ARTICLE

1. I CALLED ON FONMIN LUNS FEB 2 TO CONVEY COMMENTS AUTHORIZED STATE 127753 CIRC EMPHASIZING U.S. DESIRE FOR STRONG SAFEGUARDS ARTICLE, NECESSITY OF FINDING ROLE FOR IAEA ACCEPTABLE TO EURATOM, IMPORTANCE OF TIME ELEMENT AND THAT WE WOULD WELCOME POSSIBILITY HE MIGHT PLAY ACTIVE ROLE IN CONSULTATIONS WITH BENELUX, EURATOM AND COMMISSION MEMBERS.

2. LUNS SAID NETH AND U.S. POSITIONS WERE PARALLEL IN APPROACH AND SUBSTANCE, THAT HE AGREED "IN PRINCIPLE" WITH U.S. SAFEGUARDS ARTICLE AND WOULD "SEE WHAT HE COULD DO" ABOUT INFLUENCING BELGIUM AND OTHER EURATOM COUNTRIES. HE COMMENTED THAT DETAILED DISCUSSION SEEMED UNNECESSARY NOW BUT (READING FROM

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

-2- THE HAGUE 1767, FEBRUARY 3

LENGTHY MEMO) MADE FOLLOWING SPECIFIC POINTS ON WHICH HE
HAD INITIAL REACTION:

A. NETH FAVORS IAEA ROLE IN INTERNATIONAL CONTROLS BUT
ASKED WHETHER IAEA ARTICLE COULD BE MORE SPECIFIC BY ADDING
SOMETHING IN TEXT ON TIME LIMIT.

B. SUGGESTED WORD "PEACEFUL" IN PROPOSED DRAFT TEXT OF
ARTICLE 3 (STATE 127754 CIRC, PARA 11) SHOULD BE SCRAPPED AS

PAGE 3 RUDKTH 1767 ~~CONFIDENTIAL~~
SUPERFLUOUS.

C. AGREED IAEA ROLE IMPERATIVE TO INSURE USSR COOPERATION
AND THAT BECAUSE EURATOM CONTROLS NOT WORLD WIDE, THEY ARE NOT
EQUIVALENT TO IAEA CONTROLS. TYLER
BT

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INCOMING TELETYPE Department of State

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Paris

INCOMING TELEGRAM *Department of State*

Robtson

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Action

SS

Info

~~SECRET~~

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FM AMEMBASSY PARIS
TO RUEHC/SECSTATE WASHDC PRIORITY
INFO RUFHOL/AMEMBASSY BONN PRIORITY
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RUFHGV/USMISSION GENEVA
RUFHRO/AMEMBASSY ROME
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DECLASSIFIED
E.O. 12356, Sec. 3.4
NEJ 94-377
By sig, NARA, Date 1-12-95

FS

~~SECRET~~ PARIS 11357 SECTION ONE OF TWO

LIMDIS

NATUS

SUBJ: AMBASSADOR GREWE ON THE NON-PROLIFERATION TREATY

REF: BONN 8688

1. AFTER HIS RETURN FROM CONSULTATION AND SPEECHMAKING IN FRG (REFTEL) I HAD LONG TALK WITH A WORRIED AND THOUGHTFUL AMBASSADOR GREWE. ONE TRANSITORY SOURCE OF GLOOM WAS FACT THAT HIS SPEECH HAD BEEN INTERPRETED IN GERMAN PRESS (IT CREATED NO APPARENT STIR OUTSIDE GERMANY) AS ADVOCATING FRG NOT RPT NOT SIGN A NON-PROLIFERATION TREATY. HE SAYS HE

PAGE 2 RUFNCR 11357/1 ~~SECRET~~

DID NOT SAY THAT, MERELY RAISED SOME "DISTRUBING QUESTIONS". BUT HE MOSTLY WAS GLOOMY BECAUSE HE REGARDS NPT AS A SERIOUS AND IRREVOCABLE ERROR WHICH WILL HAVE BALEFUL EFFECTS BOTH ON FUTURE COURSE OF GERMAN POLITICS AND ON GERMAN-AMERICAN RELATIONS.

2. THIS OBJECTION DOES NOT RUN TO THE DRAFT NPT LANGUAGE AS SUCH. HE THINKS THERE ARE SERIOUS BUGS IN THE TREATY AS NOW DRAFTED. BUT HIS THREE MAIN OBJECTIONS ARE SO FUNDAMENTAL THAT THEY COULD NOT RPT NOT REALLY BE CURED BY EDITING:

A. THE TREATY WILL "INSTITUTIONALIZE INEQUALITY" AMONG THE MAIN EUROPEAN COUNTRIES, AND IS BOUND TO CREATE AN INDIGESTIBLE LUMP IN GERMAN POLITICS. THE 1954 AGREEMENTS WHEREBY FRG JOINED NATO WERE ESSENTIALLY BASED ON A CONCEPT OF GER-

~~SECRET~~

~~SECRET~~

-2- PARIS 11357, January 29 (SECTION 1 OF 2)

MAN EQUALITY WITH FRANCE AND THE UK. (COMMENT: THAT IS A RATHER ROSY VIEW OF THE 1954 CONSTRAINTS ON GERMAN MILITARY AND NUCLEAR DISCRETION.) TO BE SURE, IT WAS AND IS RECOGNIZED THAT FRG WILL NOT HAVE NUCLEAR WEAPONS, BUT IT IS ONE THING TO SWALLOW THAT FACT IN PRACTICE AND QUITE ANOTHER THING TO CHOKER IT DOWN AS A MATTER OF WRITTEN LAW, A UNIVERSAL TREATY AND FORMAL SIGNATURES. THE MLF WAS AIMED AT ACHIEVING

PAGE 3 RUFNCR 11357 ~~SECRET~~

LONG-TERM EQUALITY, THE NPT IS AIMED AS PRODUCING LONG-TERM INEQUALITY. THUS THE TREND OF THE PAST FEW YEARS CAN ONLY BE READ AS A SERIOUS DETERIORATION OF THE INTERNATIONAL SITUATION AND OF US ATTITUDES AND POLICY, FROM THE GERMAN POINT OF VIEW.

B. THE NPT WOULD FREEZE NUCLEAR ARRANGEMENTS IN NATO AT THEIR PRESENT LEVEL. PROSPECT OF CLOSER AND MORE INTIMATE NUCLEAR ARRANGEMENTS IN NATO HAD ENABLED FRG GOVERNMENTS TO SWALLOW EXISTING INEQUALITIES, AND EXPLAIN THEM AWAY AS BEING PROBABLY TEMPORARY. NOW IT WAS PROPOSED THAT THE INEQUALITY BE MADE FORMAL AND PERMANENT. (I REMARKED THAT A GREAT DEAL COULD BE DONE WITHIN PRESENT NPG FRAMEWORK, ESPECIALLY IF FRG WERE NOT QUITE SO RELUCTANT TO UNDERTAKE THE STAFF WORK AND ASSUME MORE OF THE INTELLECTUAL LEADERSHIP; I ALSO REMINDED GREWE THAT EXPLICIT REFERENCE IN NPG TERMS OF REFERENCE TO CONSIDERATION OF "HARDWARE-OPTIONS HAD BEEN SUGGESTED BY SECRETARY MCNAMARA AND REMOVED WHEN VON HASSEL FAILED TO SUPPORT IT INCLUSION. GREWE SAID THERE MAY HAVE BEEN SOME MISUNDERSTANDING; VON HASSEL THOUGHT HE WAS PRESERVING THE HARDWARE

PAGE 4 RUFNCR 11357/1 ~~SECRET~~

OPTION BY NOT ALLOWING IT TO BE BURIED AS A SUBHEAD OF "NUCLEAR CONSULTATION". HE CONCEDED THAT MUCH COULD BE DONE WITH A LIVELY NPG, AND COMMENTED INDEED THAT WE WOULD HAVE TO WORK HARD AT IT TO OFFSET THE BAD POLITICAL FALLOUT HE WAS PREDICTING FOR THE NON-PROLIFERATION TREATY.)

C. FOR SEVERAL YEARS, GREWE SAID, THE SOVIETS HAVE MADE CLEAR THAT THE MAIN REASON FOR A NON-PROLIFERATION TREATY WAS TO KEEP GERMANY PERMANENTLY DOWN. IN FRG, THEREFORE, IT IS NOT SURPRISING THAT NPT SHOULD BE REGARDED AS AN INSTRUMENT OF

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-3- PARIS 11357, January 29 (SECTION 1 OF 2)

SOVIET FOREIGN POLICY DIRECTED ESSENTIALLY AGAINST FRG. GERMANS ARE THEREFORE ASKING, "HOW CAN OUR ALLY, THE UNITED STATES, ADVOCATE AND WANT TO SIGN A TREATY WITH SO OVERT AN ANTI-GERMAN PURPOSE?" THE SOVIETS LOSE NOTHING, SINCE THE TREATY DESCRIBES THEIR PRESENT BEHAVIOR. BUT THEY GAIN A PERMANENTLY INFERIOR POSITION FOR GERMANY, WHICH HAS BEEN A CONSISTENT OBJECTIVE OF THEIR POSTWAR FOREIGN POLICY-AND THEY ARE ASSISTED IN THIS ACHIEVEMENT BY THE UNITED STATES OF AMERICA.

3. GREWE WAS SO PREOCCUPIED WITH HIS GENERAL OBJECTIONS TO A NPT AS SUCH THAT HE DID NOT DWELL ON SPECIFIC OBJECTIONS

PAGE 5 RUFNCR 11357/1 ~~SECRET~~
TO THE TREATY LANGUAGE. IN TICKING OFF THE SPECIFIC PROBLEMS THAT PRESENT OR PROSPECTIVE TREATY LANGUAGE RAISED FOR THE FRG, HE SURPRISINGLY DID NOT EVEN MENTION THE SAFEGUARDS ISSUE (POSSIBLY BECAUSE THE PROPOSED LANGUAGE OF ARTICLE 3 IS NOT YET AVAILABLE) AND THE EAST GERMANY TROUBLES INHERENT IN PROCEDURES FOR ACCESSION TO THE TREATY.

4. ON SPECIFICS, HE AIMED HIS MAIN OBJECTIONS AT

A. THE VIRTUAL DISAPPEARANCE OF THE "EUROPEAN OPTION", WHICH HE DOES NOT REGARD AS A VERY LIVE OPTION IN THE FORESEEABLE FUTURE, BUT SEES AS IMPORTANT TO MAINTAINING THE PROMISE OF FUTURE GERMAN EQUALITY WITH FRANCE AND BRITAIN; AND
B. THE BAN ON PEACEFUL NUCLEAR EXPLOSIONS. ON THIS POINT GREWE WAXED ESPECIALLY HEATED ON WHAT HE REGARDS AS A WIDE BAN ON THE DEVELOPMENT OF NUCLEAR TECHNOLOGY, WHICH WOULD EXCLUDE NON-NUCLEAR WEAPONS STATES FROM A WHOLE FIELD OF TECHNOLOGY WHICH WOULD DOUBTLESS BE OF GROWING IMPORTANCE FOR INDUSTRIAL PROGRESS AND ECONOMIC GROWTH. THE OFFER OF NUCLEAR STATES TO MAKE PEACEFUL EXPLOSIONS FOR NON-NUCLEAR STATES

PAGE 6 RUFNCR 11357/1 ~~SECRET~~
IS MERELY ANOTHER EVIDENCE OF THE PERMANENTLY INFERIOR POSITION TO WHICH THE NON-NUCLEAR STATES WOULD BE RELEGATED UNDER THE TREATY AS A WHOLE. ONCE THE LINE IS FORMALLY DRAWN BETWEEN THE TWO CATEGORIES OF STATES, THE TECHNOLOGY GAP REPRESENTED BY THAT LINE WOULD BE BOUND TO WIDEN MORE AND MORE.

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-4- PARIS 11357, January 29 (SECTION 1 OF 2)

5. IN SPITE OF ALL THESE PROBLEMS, GREWE CONCEDED THAT FRG COULD HARDLY STAND OUT ALONE AGAINST IT WITHOUT IMPLYING THAT THEY WERE ANXIOUS TO HAVE THEIR OWN NUCLEAR WEAPONS. THEREFORE, IS US PUSHED HARD ENOUGH, FRG MIGHT EVENTUALLY ACCEPT, AND EVEN SIGN, A NON-PROLIFERATION TREATY. BUT HE THOUGHT THAT WOULD BE THE BEGINNING, NOT THE END, OF THE TROUBLE NPT WOULD CAUSE. IT WOULD GIVE GERMAN EXTREMISTS AN UNEQUAL TREATY TO CAMPAIGN AGAINST, AND WE ALL KNOW WHERE THAT COULD LEAD. (PERHAPS IT WILL CONVEY GREWE'S MOOD OF DEEP TRAGEDY IF I REPORT THAT HE DID NOT RPT NOT CITE THE ANALOGY OF THE VERSAILLES TREATY, BUT THAT I WAS SOMEWHAT SURPRISED THAT HE AVOIDED IT.) GP-3 CLEVELAND

~~SECRET~~

(SECTION 7 OF 3)

INCOMING TELEGRAM *Department of State*

~~SECRET~~

30
Action

PP RUEHC
DE RUFNCR 11357/21700

1967 JAN 29 PM 12 24

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Info

ZNY SSSSS
P 291520Z JAN 67
FM AMEMBASSY PARIS
TO RUEHC/SECSTATE WASHDC PRIORITY
INFO RUFHOL/AMEMBASSY BONN PRIORITY
RUDTCR/AMEMBASSY LONDON
RUFHGV/USMISSION GENEVA
RUFHRO/AMEMBASSY ROME
STATE GRNC
BT

024816

~~SECRET~~ PARIS 11357 SECTION TWO OF TWO

LIMDIS

NATUS

SUBJ: AMBASSADOR GREWE ON THE NON-PROLIFERATION TREATY

REF: BONN 8688

6. I ASKED GREWE WHAT FRG WOULD DO AT THE FEBRUARY 1 NAC CONSULTATION. HE SAID HE DID NOT RPT NOT THINK BONN WOULD SEND ANY SPECIAL REPRESENTATIVE SUCH AS SCHNIPPENHOETTER, AND HE (GREWE) WOULD PROBABLY NOT KNOW UNTIL TUESDAY NIGHT JUST HOW HE WAS SUPPOSED TO PLAY THE WEDNESDAY MORNING MEETING. THE GERMAN DILEMMA, AS WE DISCUSSED IT, WAS CLEAR: THE US

PAGE 2 RUFNCR 11357/2 ~~SECRET~~

WANTED TO SIGN UP ALL ITS ALLIES BEFORE IT AGREED TO TREATY LANGUAGE WITH THE SOVIETS; WHILE THE GERMAN INTEREST LAY IN DELAYING ITW OWN COMMITMENT FOR AS LONG AS POSSIBLE, PENDING CLARIFICATION OF THE REACTIONS OF THE OTHER NON-NUCLEAR-WEAPONS STATES. GREWE'S DESCRIPTION OF THE DILEMMA CLEARLY IMPLIED THAT HE WAS HOPING THAT OTHER STATES LIKE INDIAN AND JAPAN WOULD PROVE SUFFICIENTLY TROUBLESOME TO SHELVE THE WHOLE NPT APPROACH. GREWE DID NOT THEREFORE SEE HOW FRG COULD POSSIBLY PARTICIPATE AT THIS STAGE IN A NATO CONSENSUS THAT WOULD CONSTITUTE AN IMPLIED COMMITMENT TO SIGN THE NPT IF SOMETHING LIKE THE LANGUAGE WE HAVE PROPOSED PROVES TO BE ACCEPTABLE TO THE SOVIETS.

7. GREWE THINKS THE ITALIANS ARE IN A SIMILAR POSITION TO THE GERMAN ONE, BUT WILL "OF COURSE" LET GERMANY CARRY THE ONUS OF DRAGGING ITS FEET. (A SEPARATE REPORTING TELEGRAM TODAY TENDS TO CONFIRM THIS JUDGMENT.)

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-2- PARIS 11357, January 29 (SECTION 2 OF 2)

8. AT THE END OF GREWE'S LONG AND TROUBLED MONOLOGUE, I COMMENTED THAT I THOUGHT MOST AMERICANS HAD UNDERSTOOD ALL ALONG THE IMPORTANCE OF EQUALITY IN DEALING WITH POSTWAR GERMANY, AND THAT INDEED THE WHOLE THRUST OF OUR OWN POSTWAR POLICY IN RELATION TO EUROPE HAD KEPT THIS IDEA IN THE CENTER

PAGE 3 RUFNCR 11357/2 ~~SECRET~~
OF THE PICTURE. THE MARSHALL PLAN, THE NATO DEFENSE ARRANGEMENTS, OUR ADVOCACY OF WESTERN EUROPEAN IMPLICATION, AND OUR EFFORTS TO FIND SOME WAY TO MAKE NUCLEAR PLANNING A MORE COLLECTIVE PROCESS IN NATO-EQUALITY FOR GERMANY WAS CENTRAL TO ALL THESE POLICIES. IN NPT WE WERE TRYING, FOR REASONS THAT MADE SENSE FROM THE STANDPOINT OF BUILDING A SENSIBLE WORLD ORDER, TO HALT A TREND THAT IF NOT ARRESTED WOULD ENORMOUSLY INCREASE INTERNATIONAL INSTABILITY AND THUS MENACE THE SECURITY OF THE GERMAN PEOPLE ALONG WITH THE REST OF US. THE WAY TO STOP PROLIFERATION WAS TO STOP IT, AS A WORLD-WIDE EXERCISE OF THE GOOD SENSE OF RESPONSIBLE GOVERNMENTS IN THE FACE OF THIS AWESOME NEW FORM OF DESTRUCTIVE POWER. OF COURSE THIS FROZE A DISTINCTION BETWEEN THE STATES THAT HAD ALREADY STARTED ON THE NUCLEAR WEAPONS TRAIL AND THOSE WHO HAD NOT. BUT THIS IDEA HAD BEEN DISCUSSED SO MUCH, AND GREETED WITH SUCH APPROBATION OVER THE YEARS, THAT WHATEVER SHOCK THIS PARTICULAR FORM OF INEQUALITY CAUSED, IT HAD SURELY BEEN MOSTLY ABSORBED IN THE INTERNAL POLITICS OF THE MAJOR NON-NUCLEAR STATES BY NOW.

PAGE 4 RUFNCR 11357/2 ~~SECRET~~

9. GREWE REPLIED THAT WHILE THIS STANDS TO REASONS, THE PRACTICAL PROBLEM WAS THAT HARDLY ANYBODY REGARDED A NON-PROLIFERATION TREATY AS ANYTHING BUT A SUBJECT OF ACADEMIC CONVERSATION UNTIL A FEW WEEKS AGO. IT IS EASY TO BE IN FAVOR OF SOMETHING YOU THINK IS NOT GOING TO BE ACCEPTED ANYWAY; AND SOVIET RELUCTANCE HAS HITHERTO PROTECTED POLITICIANS IN OTHER COUNTRIES FROM HAVING TO THINK SERIOUSLY WHETHER THEY WOULD REALLY WANT TO SIGN A PERMANENT SELF-DENYING ORDINANCE OF THIS KIND. BUT NOW NPT IS SUDDENLY REAL AND EARNEST, AND PEOPLE (LIKE GREWE HIMSELF) WHO HAVE ALWAYS HAD DEEP

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-3- PARIS 11357, January 29 (SECTION 2 of 2)

RESERVATIONS ABOUT THE IDEA ARE BEING JOINED BY MANY OF THOSE WHO HAVE BEEN FOR NPT IN THE ABSTRACT, BUT ARE WORRIED BY ITS IMPLICATIONS FOR GERMANY NOW THAT IT IS A CONCRETE PROPOSITION.

10. COMMENT: HOW REPRESENTATIVE GREWE'S FEELINGS ARE CANNOT BE JUDGED FROM HERE; CERTAINLY BRADT'S COMMENTS TO THE SECRETARY IN PARIS, AND THE REACTION OF HIS STATE SECRETARY SCHUETZ (BONN 8561) ARE STRAWS IN A VERY DIFFERENT WIND. BUT GREWE, WHO IS NORMALLY A CAUTIOUS AND RETICENT COLLEAGUE, IS NEITHER CAUTIOUS NOR RETICENT IN THE WAY HE EXPRESSES HIMSELF ON THIS

PAGE 5 RUFNCR 11357/2 ~~SECRET~~
ISSUE. THE REPORT IN THIS TELEGRAM CAN HARDLY CONVEY HIS SENSE OF PROFOUND WORRY, AND HIS FEELING THAT WE FIND OURSELVES SUDDENLY AT A WATERSHED OF ENORMOUS IMPORTANCE IN US-GERMAN RELATIONSHIPS. MOREOVER, HE APPARENTLY FEELS FREE AFTER CONSULTATION IN BONN TO SPEAK OUT PUBLICLY ON THE ISSUE, SOMETHING HE INFREQUENTLY DOES. SO HE REPRESENTS A SIGNIFICANT STRAND OF GERMAN THINKING; TO WHAT EXTENT IT IS CONTROLLING. WE WILL HAVE TO WAIT AND SEE. GP-3 CLEVELAND

~~SECRET~~

INCOMING TELEGRAM *Department of State*

006

~~SECRET~~

24

Action

CONTROL: 9506
RECEIVED: JANUARY 12, 1967, 4:30 P.M.

Info

FROM: PARIS
ACTION: SECSTATE WASHDC

Roblow

~~SECRET~~ PARIS 10391

NODIS

NATUS

SUBJECT: NON-PROLIFERATION

DECLASSIFIED
E.O. 12356, Sec. 3.4
NEJ 94-377
By ijg, NARA, Date 1-12-95

1. DESPITE THE DEPT'S DENIAL THE LONDON STORY ON THE STATUS OF THE NON-PROLIFERATION NEGOTIATIONS PROBABLY WILL BE ONLY THE FIRST OF ITS KIND - PARTICULARLY WHEN WE ARE DEALING WITH SUCH LEAKY CAPITALS AS BONN AND ROME.

2. THE ITALIANS WILL UNDOUBTEDLY KEEP BROSIOWELL INFORMED. THE GERMANS, IN THE INTEREST OF FRANCO-GERMAN AMITY, CAN BE EXPECTED TO DISCUSS THE PROSPECTS FOR A TREATY WITH THE FRENCH WHEN KIESINGER AND BRANDT ARRIVE IN PARIS TOMORROW. AT LEAST ONE DELEGATION IN NATO IS HANDLING ON A GENERAL DISTRIBUTION BASIS THE TRAFFIC REPORTING THE USG'S CONSULTATIONS ON THE NON-PROLIFERATION NEGOTIATIONS.

3. I RECOGNIZE THAT THE NATURE AND EXTENT OF OUR CONSULTATION MUST BE BASED TO A GREAT EXTENT ON THE STATE OF PLAY WITH FRG AND THE SOVIETS. BUT VIEWED FROM HERE IT SEEMS LIKELY TO BECOME APPARENT SOON THAT ARE ARE CONSULTING BILATERALLY WITH THE LARGER NATO POWERS, BUT NOT WITH THE REST OF OUR NATO ALLIES. THE NET RESULT WILL BE THAT THE SAME NUMBER OF PEOPLE WILL KNOW WHAT IS GOING ON BUT WE WILL DRAW UNNECESSARY BRICKBATS FOR FAILURE TO FULFILL OUR PROMISE TO CONSULT IN NATO UNTIL WE WERE PRESSURED INTO IT BY RISING TIDE OF POINTED QUESTIONS.

4. I GATHER THAT PRESENT OUTLOOK IS FOR A NAC SESSION ON NON-PROLIFERATION THE WEEK AFTER NEXT. FRANKLY, I DON'T BELIEVE WE HAVE THAT MUCH TIME. GIVEN THE ATMOSPHERE HERE, I THINK I SHOULD BE IN A POSITION BY EARLY NEXT WEEK TO TELL OUR NATO ALLIES AT LEAST A PALE VERSION OF WHAT WE HAVE ALREADY SHARED WITH THE WESTERN FOUR. TO STRESS THE SENSITIVITY OF THIS MATTER I COULD ARRANGE TO MAKE

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-2- PARIS 10391, JANUARY 12, 1967 - NODIS

SUCH A PRESENTATION AT A GATHERING ATTENDED ONLY BY PERMREPS AND BROSIO.

5. IN THE DAYS AHEAD, WE CAN ALSO EXPECT A RISING STREAM OF INQUIRIES PROMPTED BY THE PRESIDENT'S REMARKS ON ON ABM'S IN HIS STATE OF THE UNION MESSAGE. THIS ISSUE IS NOT YET ON THE FRONT BURNER BUT IT WOULD ALSO BE HELPFUL IF I COULD BE AUTHORIZED SHORTLY TO SUMMARIZE GIST OF OUR THINKING IN THIS AREA FOR THE COUNCIL.

6. THIS SUGGESTION, WHICH IS IN FRAMEWORK OF GENERAL POLITICAL CONSULTATION IN NAC, IS NOT RPT NOT OF COURSE A SUBSTITUTE FOR LATER FULLER DISCUSSION OF ABM EQUATION IN THE NUCLEAR PLANNING GROUP. THIS SUBJECT IS ALREADY ON THE AGENDA FOR FIRST NPG MEETING, WHICH WILL PRESUMABLY BE IN LATE MARCH.

GP-1.

CLEVELAND

RNL/5

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BONN

MAIL ROOM CONTACT
MAIL ROOM TO

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19585

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NPT

ACTION: Amembassy BONN IMMEDIATE

INFO. Amembassy PARIS
USMISSION GENEVA PRIORITY

Priority

MAY 16 10 13 PM '67

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DELIVER AT RANCH

DELIVER AMB. CLEVELAND AT 11:30 a.m.

EXDIS

NATU/S/DISTO

DECLASSIFIED

E.O. 12356, Sec. 3.4

NEJ 94-377

Subject: Message for Brandt on NPT

By 108, NARA, Date 1-12-95

Request you deliver following letter from Secretary for Vice-Chancellor Brandt at earliest opportunity. Copy also being given FRG Embassy here.

QTE

Dear Mr. Vice Chancellor:

As we approach the reconvening of the Eighteen Nation Disarmament Committee in Geneva on May 18, I want to share with you our present thinking about presenting a draft non-proliferation treaty for negotiation in that body and for consideration by all other governments.

We have given careful consideration to the views of your government regarding the position to be taken on Article III as

2762

Telegraphic transmission and classification approved by

The Secretary

EUR-... NOT TO BE REPRODUCED WITHOUT THE AUTHORIZATION OF THE EXECUTIVE SECRETARY

~~SECRET~~

recently by Minister von Lilienfeld on May 14.

To me we are now very close to achieving complete agreement in the tactics to pursue and I trust that the following statement of our plans will meet with your approval.

We have concluded that it would not be advisable to table the treaty text we have shown the Soviets as a separate US draft, even with the addition of the several other elements we had agreed to reserve for later discussion in the ENDC. We believe that tabling a separate US draft now would place in jeopardy the substantial degree of understanding already achieved with the Soviets on most elements of the treaty. It would leave the Soviets free to introduce, or reintroduce clauses which both our governments would find unacceptable.

We therefore think it necessary to be prepared to table as a jointly recommended draft of the US and Soviet Co-Chairmen the text which has been shown to the Soviets, leaving blank if necessary the places for a safeguards article (ARTICLE III) and an Amendments clause (ARTICLE IV, para 2). If it becomes necessary to table with such blanks because the Soviets are not yet prepared to accept our language for these clauses, we would first obtain an understanding with the Soviets that the Co-Chairmen would continue their efforts

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to negotiate these provisions privately, and that they will so inform the ENDC and seek to discourage others from discussing the safeguards issue while the private US-Soviet negotiations continue.

We also plan to inform the Soviets that, should the continued private Co-Chairmen negotiations fail to achieve agreement, the United States will propose to the ENDC our present language for Article III since we believe it deals realistically with the safeguards and as necessary in the ENDC we will continue to advocate the language for Article III which has been accepted by the FRG and other

Should it nevertheless prove impossible in the end to achieve general agreement on such a safeguards article, we would have to reassess the situation in the light of our primary objective of achieving a treaty which is widely acceptable. Any such reassessment would be made in close consultation with your Government and with all our allies in the NATO Council.

Moreover, should it turn out that we have to proceed at a later date to table in ENDC our present language for Article III, and if the Soviets or some other delegation responds by tabling an article

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OF THE EXECUTIVE SECRETARY

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calling only for IAEA safeguards, we would want to remind the Committee that it is the refusal of the Soviet Union to accept safeguards on its territory that has resulted in proposals applying safeguards only in non-nuclear weapon states. This, coupled with the US and UK offer to open their facilities to IAEA safeguards, would set the stage for obtaining an understanding in support of the position recommended by the Federal Republic that inspectors are to be drawn only from countries accepting inspections on their territories.

Needless to say, no final decision can be taken regarding the tabling of a draft until we obtain an official Soviet reaction to our proposed text. As of this moment we are still awaiting such a reaction. If it does become possible to table a jointly-recommended draft, we would, of course, make clear that the draft is not to be regarded as binding on the countries which have been consulted since all governments will have to reserve their positions until they see what emerges from further negotiations.

I also want to take this opportunity to comment on the suggestion, which Minister von Lilienfeld conveyed to Mr. Walt Rostow, that the treaty should either be limited to a period of 20

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... should be able to accede for a limited period.

I ... it would be most inadvisable to attempt to negotiate a ... clause at this time. I am sure you will agree that the question of duration is clearly linked with the ... review and withdrawal provisions that are finally agreed upon.

We therefore believe that consideration of the duration issue should be deferred until we can see that a worthwhile treaty is taking shape. At that time, and if a number of countries raise the duration issue, it can appropriately be considered in the context of the related treaty provisions.

I trust that this outline of our present thinking will ... any remaining doubts which your Government may have about proceeding with further negotiations on the non-proliferation treaty. I am pleased to note that our extensive consultations to date have achieved a substantial harmonization of views. We shall want to remain in close consultation as the situation evolves in Geneva.

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WITHOUT THE AUTHORIZATION
OF THE EXECUTIVE SECRETARY

~~SECRET~~

I strongly hope that a treaty will emerge which we can all support unreservedly because I believe that such a treaty could open up more promising prospects for progress in disarmament and in other areas of vital interest to both our Governments.

Sincerely,

Dean Rusk UNOTE.

Note: If Brandt is still in Far East suggest to Foreign Ministry that letter be forwarded to him A.S.A.P.

Gp-3

END.

RUSK

OUTGOING TELEGRAM Department of State

INDICATE: COLLECT
 CHARGE TO

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NPT
180624
Germany
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Key
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Origin

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Info:

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ACTION: AmEmbassy BONN PRIORITY
US MISSION GENEVA
STATE 180624 Amembassy BRUSSELS
BUSEC/DISTO/NATUS Amembassy PARIS
There follows text of Brandt letter to the Secretary of April 21

(Informal departmental translation):

Begin text

DECLASSIFIED
E.O. 12356, Sec. 3.4
NJ 94-377
By WJ, NARA, Date 1-12-95

Dear Mr. Secretary:

I would like to thank you for your letter of April 18 which was conveyed to me by Ambassador McGhee. I share and I support the efforts of the American Government to take all steps to secure the peace and to relax international tensions while at the same time maintaining and safeguarding the vital interests of the members of the Atlantic Alliance.

The thorough and comprehensive consultations between our two governments, I believe, have been useful for this common goal.

I warmly welcome the assurances contained in your letter that the Government of the United States is willing to supply on the long-term basis enriched uranium or plutonium for the

Drafted by: UR/GER:Thirschfeld:bml 4/22/67 Tel. Ext. 2236 Telegraphic transmission and classification approved by: GER - Alfred Puhon

Clearances:

EUR - Mr. Yost *[Signature]*

S/S - Mr. Brown *CB*

S - Mr. Steigman

ACDA - Mr. De Palma *[Signature]*

~~SECRET~~

~~SECRET~~

German reactor program, inclusive of the needs of the German reactor exports.

I have noted with satisfaction that during the recent negotiations in Washington essential progress has been made on the question of safety controls and that a solution acceptable to all^{is}/emerging.

In this context, I appreciate the willingness of the United States to submit its entire peaceful nuclear activity to the controls provided in the Non-Proliferation Treaty through an international commitment. The realization of this offer in the fields of research, industry and economy should remove our concern about a possible curtailment of the ability to compete, with other comparable countries, on the part of German nuclear research and German industrial and economic activity.

The Federal Government proceeds from the assumption that the formulations for Article 3, paragraph 5 (operational articles) and for paragraph 5 of the Preamble (instrumented control of the flow of fissionable material at strategic points), which were agreed upon during the Washington talks, will already be incorporated into the treaty draft to be submitted in Geneva.

I hope that the successful conclusion of an agreement between EURATOM and the IAEA on safety controls in the framework of the

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Non-Proliferation Treaty will be vigorously pursued by all participants. In case difficulties should arise, one should provide to have them dealt with at the implementation conference. I am happy to note that during the session of the NATO Council on April 20 the U.S. delegation approved a formulation for Article 3 which applies the three-year period exclusively to the conclusion of an agreement between the IAEA and EURATOM.

The Federal Government has always noted with gratitude that the United States has furthered the development of the European Economic Community since its inception. It is gratified to note that the American Government according to its policy statement, repeated only recently, continues to hold fast to its policy of supporting the European Economic Community.

With sincere regards,

Willy Brandt

End text

RUSK

~~SECRET~~

INCOMING TELEGRAM *Department of State*

28

45
Action
Info

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19159
February 21, 1967
9:28 a.m.

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OO RUEHC
DE RUFHOL 9761 0521422
ZNY SSSSS
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Restow

~~SECRET~~ BONN 9761

SUBJ: NON-PROLIFERATION TREATY

I HAVE BEEN ASKED BY THE CHANCELLOR TO SEE HIM TOMORROW AFTERNOON. IN VIEW OF THE PRESENT DEBATE BOTH WITHIN AND WITHOUT THE GOVERNMENT ON THE MERITS OF AN NPT, IT WOULD BE MOST OPPORTUNE IF I WERE ABLE TO GIVE THE CHANCELLOR FRESH EVIDENCE OF OUR INTENT TO TAKE FULLY GERMAN INTERESTS INTO ACCOUNT. IN PARTICULAR, I UNDERSTAND FROM AMBASSADOR FOSTER THAT THE WRITTEN INTERPRETATION OF PORTIONS OF THE TREATY, WHICH WE PROMISED BRANDT DURING THE RECENT TALKS IN WASHINGTON, IS NOW READY, OR IS IN THE FINAL STAGES OF PREPARATION. IF AT ALL POSSIBLE, I WOULD APPRECIATE RECEIVING BY IMMEDIATE TELEGRAM THE TEXT OF THE WRITTEN INTERPRETATION IN TIME TO PRESENT TO THE CHANCELLOR AT OUR MEETING.

GP-5
MCGHEE
BT

DECLASSIFIED
E.O. 12356, Sec. 3.4
NEJ 94 377
By *ij*, NARA, Date 1-12-95

NOTE: Advance copy to S/S-0 at 9:50 a.m., February 21
Passed White House, USIA at 9:50 a.m., February 21.

Handled Lindis per S/S-0,

~~SECRET~~

INCOMING TELEGRAM *Department of State*

29

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~~CONFIDENTIAL~~

Action NNNNVZCZCFHE940VV OLA794

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Info ZNY CCCCC

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RUFNCR/AMEMBASSY PARIS
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DECLASSIFIED
E.O. 12356, Sec. 3.4
NJ 94-337
By ig, NARA, Date 1-12-95

~~CONFIDENTIAL~~ BONN 9759

EA DISTO

IO SUBJ: NON-PROLIFERATION AND GERMAN POLITICS

P 1. ONE QUESTION RAISED BY THE CURRENT DEBATE IN GERMANY OVER
USIA THE PROPOSED NON-PROLIFERATION TREATY IS WHETHER IT WILL PLACE
NSC SUCH STRAINS ON THE GRAND COALITION AS SERIOUSLY TO JEOPARDIZE
INR THE KIESINGER GOVT. WE HAVE COMMENTED IN A NUMBER OF TELEGRAMS
CIA IN THE EMOTIONAL LATHER INTO WHICH MANY POLITICIANS AND PUBLICISTS
NSA HAVE ALREADY WORKED THEMSELVES. MOST OF THE INTENSITY SEEMS
DOD TO BE ON THE SIDE OF THOSE OPPOSING THE TREATY, WITH KIESINGER,
NIC BRANDT AND OTHER PARTY LEADERS TRYING TO DAMPEN DOWN PUBLIC
SCI DISCUSSION OR AT LEAST TO DIVERT IT INTO WHAT THEY BELIEVE TO
OIC BE MORE MANAGEABLE CHANNELS. THE DANGER CERTAINLY ALREADY
AEC EXISTS THAT, UNLESS SOME ADJUSTMENTS CAN BE MADE IN THE TREATY
NASA TEXT AND SATISFACTORY EXPLANATIONS PROVIDED ON A NUMBER OF
OST CONTROVERSIAL POINTS, POLITICIANS LIKE STRAUSS, ADENAUER
RSR AND THEIR FOLLWERS WILL BE FROZEN INTO A POSITION OF IRRECONCILABLE
OPPOSITION.

2. THE SITUATION AT PRESENT APPEARS TO BE AS FOLLOWS: (A)
THE TREATY, IN ITS PRESENT FORM, HAS VERY FEW OUZQIGHT
SUPPORTERS; (B) A MAJORITY WITHIN THE SPD BELIEVES THAT THE
FEDERAL REPUBLIC WILL HAVE TO SIGN IN ANY EVENT AND THAT IT
IS THEREFORE NOT ONLY USELESS BUT HARMFUL TO ENGAGE IN LENGTHY
SOULD SEARCHING; OPPOSITION IN FACE OF THE INEVITABLE WOULD MERELY
LESSEN WHATEVER GOODWILL THE GERMAN SIGNATURE MIGHT ACTUALLY
PRODUCE; (C) THE REST OF THE SPD AND A MAJORITY WITHIN THE CDU
HOPE THAT THE TREATY CAN BE MADE MORE PALATABLE BY ELIMINATING
CONCERN THAT GERMANY'S ROLE AS AN INDUSTRIAL POWER COULD BE
ADVERSELY AFFECTED; (C) A GROUP WITHIN THE CDU/CSU, ESTIMATED
BY SPD DEPUTY WIENAND TO CONSIST, AT THE MOST, OF 70 DEPUTIES

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-2- BONN 9759, FEBRUARY 21

WHO ARE INTRINSICALLY OPPOSED TO THE TREATY AND WOULD VOTE AGAINST IT EVEN IF SOME CHANGES WERE MADE BECAUSE THEY CONSIDER IT GOOD POLITICS TO DO SO AND BECAUSE THEY BELIEVE THAT IT ELIMINATES A EUROPEAN NUCLEAR FORCE FOR ALL PRACTICAL PURPOSES.

3. WHILE THE RESIGNATION OF STRAUSS AND OTHER CDU MEMBERS FROM THE CABINET UNDER SPECTACULAR CIRCUMSTANCES WOULD BE BAD ENOUGH, THE REAL DANGER TO THE COALITION WOULD COME FROM THE EFFECT THIS WOULD HAVE ON THE REMAINDER. MODERATES WITHIN THE CDU ON THIS ISSUE OBVIOUSLY HOPE TO SHORE UP SUPPORT BY OBTAINING FROM US SOME TEXTUAL CHANGES OR BINDING INTERPRETATIONS WHICH WOULD LESSEN OPPOSITION TO THE TREATY. THIS WOULD ALSO HELP WITH REGARD TO HESITANT SPD DEPUTIES ALTHOUGH BY AND LARGE SPD DEPUTIES WILL FOLLOW THE LEADERSHIP OF BRANDT AND WEHNER, WHO ARE BASICALLY WILLING TO HAVE THE FRG SIGN THE TREATY PROVIDED THAT WE ARE ABLE TO TAKE CARE OF THEIR SPECIFIC CONCERNS.

4. IF, AT THE END, THE BULK OF THE TROUBLED BUT UNDECIDED CDU MEMBERS SHOULD OPPOSE THE TREATY, THE KIESINGER GOVT WILL FACE A SERIOUS DILEMMA. THOUGH IT IS CONCEIVABLE THAT THE CHANCELLOR MIGHT, BY INVESTING ALL HIS PRESTIGE, MUSTER A MAJORITY OF THE BUNDESTAG, HE CANNOT (AS A CDU CHANCELLOR) REALLY CONTEMPLATE A VOTE IN WHICH HIS PRINCIPLE SUPPORT COMES FROM THE SPD AND HE IS SUPPORTED ONLY BY A MINORITY OF HIS OWN PARTY. FACED WITH THIS PROSPECT, KIESINGER WOULD PRESUMABLY STALL WHILE SEEKING ADDITIONAL COMMITMENTS FROM US IN THE HOPE OF SWINGING MORE CDU MEMBERS INTO SUPPORTING THE TREATY, OR SIMPLY REFUSE TO LET IT COME TO A VOTE.

5. WE ARE NOT PREDICTING THAT THIS WILL HAPPEN, BUT WE DO WISH TO FLAG THE POSSIBILITY, THAT, UNDER ONE CONCEIVABLE SET OF CIRCUMSTANCES, WHAT IS NOW STILL ESSENTIALLY A FOREIGN POLICY ISSUE MIGHT TURN INTO A MAJOR INTERNAL POLITICAL PROBLEM. NORMAL ROLES HAVE ALREADY BEEN TURNED SOMEWHAT TOPSY-TURVY BY THE NPT DEBATE. THE FACT THAT A CDU DEPUTY LIKE BIRRENBACH, CONSIDERED BY MANY IN THE PAST AS AN ALMOST AUTOMATIC SUPPORTER OF AMERICAN POLICIES, IS OUT STUMPING AGAINST THE NPT IN ITS PRESENT FORM, INDICATES BOTH THE CONSIDERABLE FURTHER EDUCATION, AS WELL AS POSSIBLE ARM-TWISTING IN THE CRUNCH, THAT MAY BE REQUIRED IF KIESINGER IS TO INSURE ANYTHING LIKE AN IMPRESSIVE BUNDESTAG MAJORITY FOR THE TREATY.

GP-4.
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INCOMING TELEGRAM *Department of State*

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DECLASSIFIED
 E.O. 12356, Sec. 3.4
 NLJ 94-337

By lig, NARA, Date 1-12-95

~~CONFIDENTIAL~~ BONN 9759

DISTO

SUBJ: NON-PROLIFERATION AND GERMAN POLITICS

USIA
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1. ONE QUESTION RAISED BY THE CURRENT DEBATE IN GERMANY OVER THE PROPOSED NON-PROLIFERATION TREATY IS WHETHER IT WILL PLACE SUCH STRAINS ON THE GRAND COALITION AS SERIOUSLY TO JEOPARDIZE THE KIESINGER GOVT. WE HAVE COMMENTED IN A NUMBER OF TELEGRAMS IN THE EMOTIONAL LATHER INTO WHICH MANY POLITICIANS AND PUBLICISTS HAVE ALREADY WORKED THEMSELVES. MOST OF THE INTENSITY SEEMS TO BE ON THE SIDE OF THOSE OPPOSING THE TREATY, WITH KIESINGER, BRANDT AND OTHER PARTY LEADERS TRYING TO DAMPEN DOWN PUBLIC DISCUSSION OR AT LEAST TO DIVERT IT INTO WHAT THEY BELIEVE TO BE MORE MANAGEABLE CHANNELS. THE DANGER CERTAINLY ALREADY EXISTS THAT, UNLESS SOME ADJUSTMENTS CAN BE MADE IN THE TREATY TEXT AND SATISFACTORY EXPLANATIONS PROVIDED ON A NUMBER OF CONTROVERSIAL POINTS, POLITICIANS LIKE STRAUSS, ADENAUER AND THEIR FOLLOWERS WILL BE FROZEN INTO A POSITION OF IRRECONCILABLE OPPOSITION.

2. THE SITUATION AT PRESENT APPEARS TO BE AS FOLLOWS: (A) THE TREATY, IN ITS PRESENT FORM, HAS VERY FEW OUSZIGHT SUPPORTERS; (B) A MAJORITY WITHIN THE SPD BELIEVES THAT THE FEDERAL REPUBLIC WILL HAVE TO SIGN IN ANY EVENT AND THAT IT IS THEREFORE NOT ONLY USELESS BUT HARMFUL TO ENGAGE IN LENGTHY SOULD SEARCHING; OPPOSITION IN FACE OF THE INEVITABLE WOULD MERELY LESSEN WHATEVER GOODWILL THE GERMAN SIGNATURE MIGHT ACTUALLY PRODUCE; (C) THE REST OF THE SPD AND A MAJORITY WITHIN THE CDU HOPE THAT THE TREATY CAN BE MADE MORE PALATABLE BY ELIMINATING CONCERN THAT GERMANY'S ROLE AS AN INDUSTRIAL POWER COULD BE ADVERSELY AFFECTED; (C) A GROUP WITHIN THE CDU/CSU, ESTIMATED BY SPD DEPUTY WIENAND TO CONSIST, AT THE MOST, OF 70 DEPUTIES

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-2- BONN 9759, FEBRUARY 21

WHO ARE INTRINSICALLY OPPOSED TO THE TREATY AND WOULD VOTE AGAINST IT EVEN IF SOME CHANGES WERE MADE BECAUSE THEY CONSIDER IT GOOD POLITICS TO DO SO AND BECAUSE THEY BELIEVE THAT IT ELIMINATES A EUROPEAN NUCLEAR FORCE FOR ALL PRACTICAL PURPOSES.

3. WHILE THE RESIGNATION OF STRAUSS AND OTHER CDU MEMBERS FROM THE CABINET UNDER SPECTACULAR CIRCUMSTANCES WOULD BE BAD ENOUGH, THE REAL DANGER TO THE COALITION WOULD COME FROM THE EFFECT THIS WOULD HAVE ON THE REMAINDER. MODERATES WITHIN THE CDU ON THIS ISSUE OBVIOUSLY HOPE TO SHORE UP SUPPORT BY OBTAINING FROM US SOME TEXTUAL CHANGES OR BINDING INTERPRETATIONS WHICH WOULD LESSEN OPPOSITION TO THE TREATY. THIS WOULD ALSO HELP WITH REGARD TO HESITANT SPD DEPUTIES ALTHOUGH BY AND LARGE SPD DEPUTIES WILL FOLLOW THE LEADERSHIP OF BRANDT AND WEHNER, WHO ARE BASICALLY WILLING TO HAVE THE FRG SIGN THE TREATY PROVIDED THAT WE ARE ABLE TO TAKE CARE OF THEIR SPECIFIC CONCERNS.

4. IF, AT THE END, THE BULK OF THE TROUBLED BUT UNDECIDED CDU MEMBERS SHOULD OPPOSE THE TREATY, THE KIESINGER GOVT WILL FACE A SERIOUS DILEMMA. THOUGH IT IS CONCEIVABLE THAT THE CHANCELLOR MIGHT, BY INVESTING ALL HIS PRESTIGE, MUSTER A MAJORITY OF THE BUNDESTAG, HE CANNOT (AS A CDU CHANCELLOR) REALLY CONTEMPLATE A VOTE IN WHICH HIS PRINCIPLE SUPPORT COMES FROM THE SPD AND HE IS SUPPORTED ONLY BY A MINORITY OF HIS OWN PARTY. FACED WITH THIS PROSPECT, KIESINGER WOULD PRESUMABLY STALL WHILE SEEKING ADDITIONAL COMMITMENTS FROM US IN THE HOPE OF SWINGING MORE CDU MEMBERS INTO SUPPORTING THE TREATY, OR SIMPLY REFUSE TO LET IT COME TO A VOTE.

5. WE ARE NOT PREDICTING THAT THIS WILL HAPPEN, BUT WE DO WISH TO FLAG THE POSSIBILITY, THAT, UNDER ONE CONCEIVABLE SET OF CIRCUMSTANCES, WHAT IS NOW STILL ESSENTIALLY A FOREIGN POLICY ISSUE MIGHT TURN INTO A MAJOR INTERNAL POLITICAL PROBLEM. NORMAL ROLES HAVE ALREADY BEEN TURNED SOMEWHAT TOPSY-TURVY BY THE NPT DEBATE. THE FACT THAT A CDU DEPUTY LIKE BIRRENBACH, CONSIDERED BY MANY IN THE PAST AS AN ALMOST AUTOMATIC SUPPORTER OF AMERICAN POLICIES, IS OUT STUMPING AGAINST THE NPT IN ITS PRESENT FORM, INDICATES BOTH THE CONSIDERABLE FURTHER EDUCATION, AS WELL AS POSSIBLE ARM-TWISTING IN THE CRUNCH, THAT MAY BE REQUIRED IF KIESINGER IS TO INSURE ANYTHING LIKE AN IMPRESSIVE BUNDESTAG MAJORITY FOR THE TREATY.

GP-4.
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INCOMING TELEGRAM *Department of State*

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1967 FEB 3 AM 9 46

NATUS/DISTO
SUBJ: NON-PROLIFERATION
REF: STATE 129869

DECLASSIFIED
E.O. 12356, Sec. 3.4
NEJ 94-337
By inf, NARA, Date 1-12-95

Restow

1. IN A BUNDESTAG QUESTION PERIOD FEBRUARY 1, CSU DEPUTY SCHULZEVORBERG ASKED BRANDT WHAT WOULD BE THE TECHNOLOGICAL CONSEQUENCES FOR GERMANY OF AN NPT.

2. BRANDT, IN HIS ANSWER, POINTED TO TWO PROBLEMS. FIRST DIFFICULTIES ARE CREATED BY THE NEED TO DRAW A LINE BETWEEN THE MILITARY AND CIVILIAN USES OF ATOMIC ENERGY. IF, FOR EXAMPLE, THE NON-NUCLEAR POWERS ARE FORBIDDEN TO USE ATOMIC EXPLOSIONS FOR PEACEFUL PURPOSES -- IN BUILDING CANALS, DAMS, ETC. -- IT IS NOT EXCLUDED THAT THEIR CIVILIAN ATOMIC INDUSTRIES WOULD BE PUT AT A CONSIDERABLE DISADVANTAGE. BRANDT ALSO INDICATED THAT THE NON-NUCLEAR POWERS MIGHT BE DENIED THE TECHNOLOGICAL "SPIN-OFF" OF MILITARY PROGRAMS AS THE RESULT OF A NPT. THE NUCLEAR STATES HAVE BEEN

PAGE 2 RUFHOL 9047 ~~CONFIDENTIAL~~
ABLE TO EXTRACT CONSIDERABLE ADVANTAGES FOR THEIR CIVILIAN ATOMIC INDUSTRIES FROM MILITARY PROGRAMS. THE TECHNOLOGICAL GAP BETWEEN THE NUCLEAR AND NON-NUCLEAR STATES, HE SAID, SHOULD NOT BE PERMITTED TO GROW.

3. BRANDT ASSERTED THAT AN NPT SHOULD SERVE ITS STATES PURPOSES ON NON-PROLIFERATION AND SHOULD WIDEN, NOT NARROW, THE PEACEFUL USES OF ATOMIC ENERGY. "FOR THE FEDERAL GOVERNMENT, A DECISIVE QUESTION IS HOW TO PREVENT AN NPT FROM HAVING NEGATIVE EFFECTS IN THE CIVILIAN DOMAIN OF ATOMIC ENERGY. WE ARE SEARCHING FOR SUITABLE SOLUTIONS TOGETHER WITH ALLIED AND OTHER FRIENDLY POWERS."

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-2- BONN 9047, FEBRUARY 3

4. ACCORDING TO THE FEBRUARY 1 SPD PRESS SERVICE, BRANDT TOLD THE SPD BUNDESTAG CAUCUS ON TUESDAY THAT THE NON-PROLIFERATION TREATY AND HE OFFSET PAYMENTS WILL BE THE TWO MAIN TOPICS HE PLANS TO BRING UP DURING HIS TALKS IN WASHINGTON. HE STRESSED THAT THERE WAS NO SPECIAL GERMAN POINT OF VIEW ON THE NON-PROLIFERATION QUESTION; GERMAN INTERESTS ARE IMBEDDED IN THE COMMON INTERESTS.

5. COMMENT: EVEN THOUGH THEY WERE IN THE FORM OF AN ANSWER TO A QUESTION, IT IS PERHAPS NOT ACCIDENTAL THAT BRANDT'S FIRST EXTENSIVE PUBLIC REMARKS AS FONMIN ON THE NPT CONCENTRATED ON ITS POTENTIAL EFFECT ON THE PEACEFUL USES OF ATOMIC ENERGY AND THE TECHNOLOGICAL "SPIN-OFF" FROM MILITARY

PAGE 3 RUFHOL 9047 ~~CONFIDENTIAL~~
PROGRAMS. THESE WERE TWO OF THE THE THREE POINTS WHICH BRANDT EMPHASIZED IN HIS JAN 27 PRESS BACKGROUNDER (BONN 8769). (HE ALLUDED TO THE THIRD POINT -- THE NEED FOR VERTICAL DISARMAMENT -- IN HIS REMARKS

TO THE BUNDESTAG.) HE HAS ALSO STRESSED HIS CONCERN REGARDING THESE ASPECTS OF A NPT IN HIS TALKS WITH THE AMBASSADOR. CONTRARY TO SOME PRESS REPORTS (REFTEL), BRANDT DID NOT SPECIFICALLY STATE THAT SATISFACTION IN THESE FIELDS WAS AN FRG CONDITION FOR SIGNING AN NPT. HOWEVER, HIS LATEST -- AND PUBLIC -- EXPRESSION OF CONCERN UNDERLINES THE IMPORTANCE OF SOME SORT OF ASSURANCE ON OUR PART, AS RECOMMENDED IN PARA 8B OF BONN 8953.

6. A TRANSLATION OF THE OFFICIAL TRANSCRIPT (RECEIVED YESTERDAY EVENING) IS BEING SENT IN A SEPARATE MESSAGE.

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INCOMING TELEGRAM *Department of State*

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Postow

EXDIS/NOFORN

SUBJ: NON-PROLIFERATION TREATY

5

REF: STATE 121338

1. ACCORDING TO A RELIABLE CAS REPORT (EGN 3178), KNAPPSTEIN IN REPORTING TO THE CHANCELLOR THE RESULTS OF HIS JANUARY 18 TALK WITH FOSTER CLAIMED THAT FOSTER HAD TOLD HIM THAT GERMAN SUGGESTIONS ON THE WORDING OF THE TREATY WOULD "DEFINITELY NOT" BE ENTERTAINED AT THIS STAGE. KNAPPSTEIN'S REPORT ANGERED KIESINGER, WHO REMARKED THAT IF THIS WAS THE AMERICAN IDEA OF CONSULTATION HE DID NOT SEE MUCH ADVANTAGE IN IT.

2. APPARENTLY KNAPPSTEIN MISUNDERSTOOD FOSTER'S STATEMENT (REFTEL) THAT CHANGES WERE THEORETICALLY POSSIBLE AS THE NPT DRAFT WAS AD REFERENDUM, BUT THAT THEY WOULD BE DIFFICULT TO EFFECT.

3. IN ORDER TO CLARIFY THE MATTER, AS WELL AS TO MOLLIFY KIESINGER'S APPARENT IRE, WE HOPE THAT, THE NEXT TIME TALKS ARE HELD WITH KNAPPSTEIN, THE DEPARTMENT AND ACDA COULD EMPHASIZE ONCE AGAIN THAT THE US REGARDS THESE AS CONSULTATIONS ON AN AD REFERENDUM TEXT, THAT CHANGES--THOUGH DIFFICULT--WERE STILL POSSIBLE. WHILE THE EMBASSY RECOGNIZES THE PROBLEMS INVOLVED, WE HOPE THAT WE CAN BE AS FORTHCOMING AS POSSIBLE ON THIS POINT WITHOUT JEOPARDIZING THE OUTCOME OF OUR NEGOTIATIONS WITH THE SOVIETS.

4. THE DCM HAS AN APPOINTMENT WITH SCHUETZ AT 1700 HOURS TOMORROW JANUARY 24 TO DELIVER THE DRAFT TEXT AND AIDE MEMOIRE TRANSMITTED IN STATE 123165 AND 123166. IF THE DEPARTMENT HAS ANYTHING TO ADD ON THE SUBJECT OF CONSULTATION AND DRAFT ALTERATIONS, THIS MEETING WOULD PROVIDE A GOOD OPPORTUNITY TO BRING THIS RAPIDLY TO THE ATTENTION OF THE GERMAN GOVERNMENT.

GP-3. MCGHEE
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E.O. 12356, Sec. 3.4

NEJ 94-337

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By *mg*, NARA, Date *1-12-95*

INCOMING TELEGRAM *Department of State*

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Action CONTROL: 013577

RECD: JANUARY 17, 1967, 4:54 PM

Info FROM: BONN

ACTION: SECSTATE

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E.O. 12356, Sec. 3.4
NIJ 94-337

By WIP, NARA, Date 1-12-95

~~CONFIDENTIAL~~ BONN 8272

N O D I S

SUBJ: GERMAN REACTIONS TO NON-PROLIFERATION TREATY

REF: STATE 118,737

1. WE WERE PLEASED TO NNOTE THAT AMB KNAPPSTEIN HAS (REFTEL) NOW CONFIRMED, AS WE HAD EXPECTED, THAT IN THE FRG CABINET MEETING OF JAN. 11 IT WAS AGREED, IN PRINCIPLE, "TO JOIN THE (NPT) ENTERPRISE." THIS DOES NOT MEAN, HOWEVER, THAT OUR PROBLEMS WITH THE GERMANS ON THE NPT ARE OVER. IN THE CABINET DEFMIN SCHRODDER AND FINANCE MINISTER STRAUSS, THROUGH THE DEVICE OF SEEKING CLARIFICATION CHANGES, CAN BE EXPECTED TO CONTINUE TO OPPOSE IT. WE HAVE EVIDENCE THAT CHANCELLOR KIESINGER EXPECTS CHANGES IN WORDING STILL TO BE POSSIBLE, WHERE NEEDED TO CLARIFY POINTS OF PARTICULAR IMPORTANCE TO THE GERMANS. HIS COMMENTS ON AN NPT IN HIS PRESS CONFERENCE OF JAN. 16 EMBTEL 8216 WERE NOT POSITIVE. HE HAS SUBSEQUENTLY TOLD ME (EMBTTEL 8224) THAT HE IS CONCERNED AT THE POSSIBLE ADVERSE EFFECT OF THE PROPOSED TREATY ON EUROPEAN POLITICAL INTEGRATION. IN EMBTEL 8149 WE RELAYED SOME OF THE APPREHENSIONS RECENTLY EXPRESSED BY REPRESENTATIVES AT THE MIDDLE TO TOP FRG BUREAUCRACY.

2. ALSO, I AM CONCERNED BY CERTAIN REACTIONS REPORTED IN GERMAN POLITICAL CIRCLES. THERE ARE MANY RUMORS--INCLUDING THOSE THAT WE HAVE ALREADY REACHED AGREEMENT WITH THE SOVIETS AND THAT THERE ARE SECRET CODICILS AND SIDE AGREEMENTS. REPORTS ARE CIRCULATING IN BONN THAT AT LAST WEEK'S CABINET MEETING FONMIN BRANDT, WHILE URGING GERMAN ADHERENCE TO AN NPT IN PRINCIPLE, LEFT AT SEVERAL POINTS THE IMPRESSION THAT HE WAS NOT SURE THE AMERICANS WERE BEING ENTIRELY FRANK WITH THE FRG.

3. IT APPEARS TO ME THAT THE BASIC WEAKNESS OF OUR POSITION IS THAT WE HAVE APPARENTLY NOT DISCUSSED WITH THE SOVIETS THE EFFECT OF THE TREATY ON A POSSIBLE EUROPEAN NUCLEAR FORCE IN THE EVENT OF EUROPEAN POLITICAL INTEGRATION. IN ANY EVENT WE HAVE NOT TOLD THE GERMANS THAT WE HAVE HELD SUCH A DISCUSSION.

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-2- BONN 8272, JANUARY 17

DESPITE EARLIER INDICATIONS TO THE CONTRARY, THE KEEPING OPEN OF THE OPTION FOR A EUROPEAN NUCLEAR FORCE HAS IN THE MEANTIME EMERGED AS ONE OF THE PRINCIPAL GERMAN PREOCCUPATIONS IN CONNECTION WITH AN NPT. IT IS PERHAPS DIFFICULT FOR THE GERMANS TO UNDERSTAND HOW WE COULD ACCEPT AND URGE ON THEM A TREATY, WITHOUT FIRST SEEKING TO CLARIFY WHAT IS TO THEM SUCH AN IMPORTANT MATTER. THEIR APPREHENSION IS INCREASED BY THE FACT THAT THE SOVIETS TELL THEM, BOTH IN MOSCOW AND BONN, THAT IN THEIR VIEW THE PROPOSED TREATY WOULD EXCLUDE A EUROPEAN FORCE. THE GERMANS BELIEVE THAT THE BASIC SOVIET OBJECTIVE IN SEEKING THE TREATY, IS TO KEEP THE GERMANS FOREVER FROM PARTICIPATION IN A NUCLEAR FORCE OF ANY KIND.

4. THIS POINT WAS PARTICULARLY EMPHASIZED TO ME BY BIRRENBACH IN A CONVERSATION ON JAN. 13 REPORTED IN EMBTEL 8150. HE BELIEVES THAT THE FIRST SENTENCE OF ARTICLE I, IN PROHIBITING "ANY TRANSFERS WHATSOEVER", PRECLUDES THE POSSIBILITY OF TRANSFER OF EXISTING NUCLEAR WEAPONS TO A SUCCESSOR EUROPEAN FORCE. I ADVISED HIM OF OUR CONTRARY VIEW; HOWEVER, HE WAS NOT CONVINCED. THE USE OF THE TERM "INDIRECT" HAS, AS KNAPPSTEIN POINTED OUT TO THE DEPT (REFTEL), ALSO RAISED APPREHENSIONS. IT IS NOT THAT THE GERMANS CONSIDER EUROPEAN POLITICAL INTEGRATION TO BE IMMINENT--OR EVEN ASSURED IN THE LONG TERM. THERE IS, HOWEVER, A STRONG DISINCLINATION TO COMMIT THEMSELVES, TO THEIR TRADITIONAL ENEMY, THAT THEIR PARTICIPATION IN A UNITED EUROPE HAVING ITS OWN NUCLEAR FORCE WOULD NEVER BE POSSIBLE IN THE FUTURE. THEY CONSIDER IT IMPORTANT THAT THIS OPTION BE KEPT OPEN.

5. EVEN ASSUMING THAT THE SOVIETS WOULD SIGN THE PROPOSED TREATY WITHOUT FORCING A CLARIFICATION OF THIS ISSUE, THE GERMANS MIGHT LOGICALLY FEAR THAT THE SOVIETS MIGHT STILL RAISE IT LATER, EVEN TO THE POINT OF THREATENING TO MAKE A CASUS BELLI OUT OF IT, IF EUROPEAN UNIFICATION SHOULD ACTUALLY COME ABOUT. THEY MIGHT CONCLUDE THAT THIS MIGHT BE TRUE EVEN THOUGH WE ARE WILLING PUBLICLY TO REAFFIRM AT AN APPROPRIATE STAGE OUR UNDERSTANDING ON THIS POINT.

6. I RECOGNIZE THE DIFFICULT PROBLEM THAT WE FACE IN OUR NEGOTIATIONS WITH THE SOVIETS ON AN NPT, AND THAT WE MUST IF WE ARE TO SUCCEED STICK TO THE PRINCIPLE THAT WHAT IS NOT PROHIBITED IN THE TREATY DRAFT IS PERMITTED. TO TRY TO GO FURTHER AND PERSUADE THE SOVIETS

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-3- BONN 8272, JANUARY 17

SPECIFICALLY TO AGREE THAT A EUROPEAN NUCLEAR FORCE WOULD BE POSSIBLE AT THE TIME OF EUROPEAN POLITICAL UNITY WOULD, I ASSUME, JEOPARDIZE THE TREATY. AS A MINIMUM IT WOULD CAUSE THE SOVIETS TO ATTEMPT TO ESTABLISH A NEGOTIATING RECORD TO THE CONTRARY. THE FACT IS, HOWEVER, THAT INSOFAR AS UNCLARITY REMAINS, WE SHALL PAY AN INCREASING PRICE IN OUR RELATIONS WITH THE FRG IN OBTAINING A GERMAN SIGNATURE. TO MINIMIZE THIS RISK I WOULD SUGGEST TWO THINGS:

A) AN EARLY LETTER FROM THE SECRETARY TO FONMIN BRANDT, EXPLICITLY STATING IN WRITING OUR INTERPRETATION OF THE TREATY ON THIS POINT. THIS WOULD BE A CONFIDENTIAL LETTER, BUT WE WOULD UNDERSTAND THAT THE FRG MIGHT WISH TO SHOW IT TO CERTAIN INFLUENTIAL AND RESPONSIBLE POLITICIANS SUCH AS BIRRENBACH. I BELIEVE THAT THIS WOULD CONSIDERABLY STRENGTHEN BRANDT'S POSITION-AND HE IS KNOWN TO FAVOR THE TREATY IN PRINCIPLE. THE LETTER SHOULD INCLUDE THE POINT THAT AT AN APPROPRIATE TIME THE US INTERPRETATION WILL BE PLACED ON THE PUBLIC RECORD.

B) WE SHOULD BE PREPARED TO MAKE A PROMPT PUBLIC STATEMENT OF OUR INTERPRETATION, IN THE EVENT THAT THE SOVIETS STATE OFFICIALLY AND PUBLICLY THAT THE TREATY WOULD, IN THEIR VIEW, PROHIBIT A EUROPEAN NUCLEAR FORCE.

GP-4. MCGHEE

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INCOMING TELEGRAM *Department of State*

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N O D I S

REF: STATE'S 116416 CIRCULAR

1. ALTHOUGH THE STATEMENT BY THE DEPARTMENT'S SPOKESMAN ON JANUARY 11 WILL BE HELPFUL IN COMBATING WIDE-SPREAD CURRENT REPORTS THAT WE AND THE SOVIETS HAVE ALREADY REACHED FINAL AGREEMENT ON A NON-PROLIFERATION TREATY, I AM CONCERNED THAT SOME OF THE LANGUAGE WE ARE USING CONTINUES TO SUPPORT THE IMPRESSION THAT THIS IS PRIMARILY A US-SOVIET PROJECT. WHILE EVERYONE IS AWARE THAT WE HAVING EXPLORATORY TALKS WITH THE SOVIETS IN AN EFFORT TO MOVE TOWARDS MUTUALLY ACCEPTABLE FORMULATIONS WHICH WILL ALSO BE ACCEPTABLE TO OUR ALLIES, WE WILL WANT, I ASSUME, TO AVOID THE IMPRESSION THAT ONCE WE AND THE SOVIETS HAVE AGREED ON LANGUAGE WE WILL SIMPLY PRESENT OTHER COUNTRIES WITH A FAIT ACCOMPLI. THIS MIGHT, FOR EXAMPLE, BE READ INTO THE OPENING TWO PARAGRAPHS OF THE REPORT OF THE PRESS SPOKESMAN'S STATEMENT CONTAINED IN THE WIRELESS BULLETIN OF JANUARY 12.

PAGE 2 RUFHOL 8039 ~~SECRET~~

2. THE DEPARTMENT WILL HAVE NOTED THAT SCHNIPPENKOETTER YESTERDAY RAISED A CLOSELY RELATED QUESTION WITH US (BONN 8012). IT HAS NOT BEEN CLEAR TO US WHETHER WE ARE THINKING IN TERMS OF A TREATY ESSENTIALLY MULTILATERAL FROM THE OUTSET, OR A TRILATERAL (U.S.-U.K.-USSR) TREATY OPEN FOR ADHERENCE BY OTHER STATES. I WOULD APPRECIATE RECEIVING SOME INDICATION OF OUR THINKING ON THIS POINT.

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E.O. 12356, Sec. 3.4
NJ 94 337
By *ig*, NARA, Date 1-12-95

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CONTINUES

HAVING EXPLORATORY

THE SOVIETS IN AN

INCOMING TELEGRAM *Department of State*

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CONTROL: 8460
RECEIVED: JANUARY 11, 1967, 4:19 P.M.

FROM: BONN

ACTION: SECSTATE WASHDC

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~~SECRET~~ BONN 8012

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SUBJECT: NON-PROLIFERATION TREATY

ALSO FOR LEEDY

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E.O. 12356, Sec. 3.4
NEJ 94-337
By *ig*, NARA, Date 1-12-95

1. GERMAN DISARMAMENT COMMISSIONER SCHNIPPENKOETTER INFORMED US TODAY THAT THE FRG HAS TAKEN STEPS IN ACCORDANCE WITH OUR SUGGESTION (BONN 7871) TO CORRECT THE IMPRESSION OF A LACK OF CONSULTATION BETWEEN THE US AND THE FRG ON THE NPT. IN AN INTERVIEW ON JAN. 7 FEDERAL PRESS SPOKESMAN VON HASE HAD STATED THAT IN THE LIGHT OF CONVERSATIONS HELD WITH AMB. KNAPPSTEIN, FOLLOWING HIS RETURN ON CONSULATION FROM WASHINGTON, THE GERMAN GOVT NOW FELT THAT IT HAD ADEQUATE INFORMATION ON THE SUBJECT. VON HASE TOOK SAME LINE AT TODAY'S PRESS CONFERENCE. SCHNIPPENKOETTER HAD GIVEN BACKGROUND BRIEFINGS TO THE SAME EFFECT TO VARIOUS RESPONSIBLE JOURNALISTS AND THE FONOFF WAS PREPARED TO ANSWER ANY QUERIES ALONG THE SAME LINES.

2. SCHNIPPENKOETTER WAS SOMEWHAT DISTURBED BY AN AP STORY OUT OF LONDON CARRIED WIDELY IN TODAY'S GERMAN PRESS, WHICH CITES AMERICAN SOURCES AS STATING THAT THE US AND USSR HAVE AGREED ON THE TERMS OF A NPT AND THAT THE US EXPECTS THAT THE TEXT WILL BE INITIALED BY THE AMERICANS AND BY THE RUSSIANS AND POSSIBLY BY THE BRITISH BEFORE FEBRUARY 21. WE TOLD SCHNIPPENKOETTER WE KNEW OF NO NEW DEVELOPMENTS ON WHICH THIS REPORT COULD BE BASED. SCHNIPPENKOETTER WAS ANXIOUS TO KNOW WHETHER THE US NOW EXPECTS TO MEET THE FEB. 21 TIMETABLE. HE SAID THE FRG NEEDS TO KNOW HOW THE US EXPECTS TO PROCEED TOWARD TREATY SIGNATURE. WOULD THE TEST BAN TREATY MODEL BE FOLLOWED OR WOULD THE DRAFT, AS AGREED BETWEEN THE US AND USSR, BE PRESENTED TO THE ENDC FOR CONSIDERATION BY THE NON-NUCLEARS PRIOR TO SIGNATURE? SCHNIPPENKOETTER THOUGHT THE LATTER PROCEDURE WOULD BE FAR MORE SUITABLE FOR THE NPT SINCE DEFINITE UNDERTAKINGS WERE

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42- BONN 8012, JANUARY 11, 1967 (NODIS)

EXPECTED FROM THE NON-NUCLEAR COUNTRIES WHO SHOULD THEREFORE HAVE AN OPPORTUNITY TO MAKE SUGGESTIONS ON THE TEXT.

3. WITH REFERENCE TO THE AMBASSADOR'S PRESENTATION TO FONMIN BRANDT YESTERDAY (BONN 7962), SCHNIPPENKOETTER SAID THAT THE ADDITIONAL INFORMATION WAS MUCH APPRECIATED. UNTIL NOW, AN EXTREMELY LIMITED NUMBER OF FONOFF OFFICIAL'S HAD HAD ACCESS TO INFORMATION ON THE NPT DRAFT. SCHNIPPENKOETTER FELT IT WAS NOW DESIRABLE TO BRING IN THE LEGAL DIVISION OF THE FONOFF AND, IN THIS CONNECTION, WOULD LIKE TO HAVE, IF POSSIBLE, A WRITTEN SUMMARY OF THE POINTS MADE BY THE AMBASSADOR (STATE 115228). THIS COULD FOLLOW THE SAME PATTERN OF THE INFORMAL NOTE GIVEN KNAPPSTEIN IN PARIS.

4. THE DEPARTMENT'S FURTHER GUIDANCE ON THE POINTS RAISED BY SCHNIPPENKOETTER IS REQUESTED. WE ASSUME THERE WILL BE NO DIFFICULTY IN EXTRACTING PERTINENT PORTIONS OF STATE 115228 FOR TRANSMITTAL TO SCHNIPPENKOETTER.

GP-3. MCGHEE

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INCOMING TELEGRAM *Department of State*

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Action

CONTROL: 7187
RECD: JAN. 10, 1967, 3:21PM

Info

FROM: BONN
ACTION: SECSTATE IMMEDIATE

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2. Brator³ Keany
4. rel BKS

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DECLASSIFIED

E.O. 12356, Sec. 3.4

NEJ 94-337

By ing, NARA, Date 1-12-95

N O D I S

REF: STATE 115228

SUBJECT: CONVERSATION WITH BRANDT ON NON-PROLIFERATION TREATY
ALSO FOR LEDDY

1. I CALLED ON FONMIN BRANDT LATE TODAY TO DISCUSS THE DRAFT US-SOVIET NON-PROLIFERATION TREATY. THE ARRIVAL OF STATE'S 115228 WAS MOST HELPFUL AND THE TIMING PROPITIOUS SINCE BRANDT WILL REPORT TO THE CABINET TOMORROW ON THIS SUBJECT.

2. SINCE I HAD ON DECEMBER 20 GIVEN BOTH TO BRANDT AND CHANCELLOR KIESINGER DRAFT ARTICLE 1 TOGETHER WITH THE INTERPRETATIVE COMMENT FURNISHED IN DEPTEL 105379, AND SINCE WE HAD ASCERTAINED ON JANUARY 6 FROM AMB SCHNIPPENKOEETTER THAT AMB KNAPPSTEIN HAD FURNISHED THE FONOFF DRAFTS OF ARTICLES 2 AND 4 TOGETHER WITH RELEVANT INTERPRETATIVE COMMENT FURNISHED HIM BY THE DEPT, I DID NOT GO OVER THIS GROUND AGAIN. I DID, HOWEVER, COVER THE POINTS GIVEN IN REFTEL EMPHASIZING THAT AMPLE MEANS WOULD BE AVAILABLE TO INDICATE BOTH THE US AND GERMAN INTERPRETATION OF THE TREATY BEFORE SIGNING, THAT THE PROPOSED OPTIONAL OR MANDATORY CONFERENCES SUBJECTED THE GERMANS TO NO GREATER RISK WITH RESPECT TO GDR PARTICIPATION THAN HAD THE LIMITED TEST BAN TREATY AND THAT THE TREATY COULD BY NO MEANS BE CONSIDERED AS FORECLOSING A EUROPEAN NUCLEAR FORCE AS A RESULT OF THE SUCCESSION OF A UNITARY EUROPEAN STATE.

39 I ADVISED BRANDT THAT I HAD BEEN CONCERNED ABOUT CERTAIN POINTS OF VIEW WHICH ARE BEING CURRENTLY DISCUSSED IN GERMAN PRESS: (A) THAT THE PROPOSED TREATY PRECLUDED THE ULTIMATE CREATION OF A EUROPEAN NUCLEAR FORCE, (B) THAT THE FEDREP HAD

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-2- BONN 7962, JANUARY 10, 1967

NOT BEEN PROPERLY CONSULTED BY US; (C) THAT THE US HAD ALREADY REACHED AGREEMENT WITH THE SOVIET UNION ON A TREATY; (D) THAT WE HAD AS A CONSIDERATION AGREED NOT TO UPSET THE STATUS QUO IN EUROPE; (E) THAT GERMANY SHOULD IN CONNECTION WITH THE TREATY SEEK TO LEAD A BLOC OF OTHER NON-NUCLEAR POWERS; AND (F) THAT GERMANY SHOULD DEMAND SOME TYPE OF ADDITIONAL ASSURANCES AS A CONSIDERATION FOR SIGNING THE TREATY. THE FIRST FOUR POINTS WERE, AS HE KNEW, ERRONEOUS. ALTHOUGH GERMANY HAD EVERY RIGHT TO CONSULT WITH WHOMEVER IT CHOSE, IT WOULD NOT BE IN THE GERMAN INTEREST TO APPEAR TO BE LEADING A BLOC OF NON-NUCLEAR COUNTRIES. GERMANY IS IN FACT IN QUITE A DIFFERENT SITUATION. I ALSO COULD NOT UNDERSTAND WHAT ADDITIONAL ASSURANCES WE COULD GIVE GERMANY OVER AND ABOVE THE NATO GUARANTEE, THE STORAGE OF 7,000 NUCLEAR WARHEADS IN GERMANY AND GERMAN MEMBERSHIP IN THE NEW NUCLEAR PLANNING GROUP.

4. IN REPLY, BRANDT QUERIED ME AS TO WHETHER THE US GOVT WOULD BE IN A POSITION TO TRANSMIT TO THE GERMAN GOVT SOME OFFICIAL STATEMENT GIVING OUR INTERPRETATION OF THE TREATY. I SAID THAT I WOULD CONSULT WITH THE DEPT, HOWEVER, I SAW NO REASON WHY WE COULD NOT TRANSMIT THE OFFICIAL STATEMENT THE DEPT WOULD MAKE TO THE SENATE FOREIGN RELATIONS COMMITTEE IN CONNECTION WITH ITS HEARINGS ON THE TREATY. BRANDT SAID THAT HE HAD BEEN RELUCTANT TO SAY PUBLICLY THAT GERMANY HAD BEEN FULLY CONSULTED IN CONNECTION WITH THE TREATY, SINCE HE DID NOT WISH TO EMBARRASS US BY REVEALING THE FACT TO OTHERS. DURING HIS RECENT VISIT TO ROME, WHEN QUERIED AS TO WHETHER HE HAD SEEN THE DRAFT TREATY, HE HAD IN TURN ONLY ASKED THE ITALIANS IF THEY HAD. THEY HAD REPLIED TO THE CONTRARY. THIS SIMILARLY COMPLICATED THE PROBLEM OF CLARIFYING THE MISCONCEPTIONS ABOUT THE TREATY WHICH WERE CURRENT IN THE GERMAN PRESS.

5. BRANDT ADVISED THAT THE TREATY WOULD BE DISCUSSED IN THE CABINET TOMORROW IN PRINCIPLE, AND LATER IN MORE DETAIL IN THE FEDERAL SECURITY COUNCIL. THERE WERE SEVERAL AREAS COVERED BY THE TREATY CONCERNING WHICH HE FELT IT NECESSARY TO CONSULT WITH OTHER COUNTRIES. HE HIMSELF HAD NEVER BELIEVED THAT A EUROPEAN FORCE COULD BE PREVENTED BY THE TREATY AND WHAT I HAD GIVEN HIM HAD BEEN HELPFUL IN THIS REGARD. THE ATLANTIC ASPECTS OF THE PROPOSED TREATY HAD, HE BELIEVED, ALSO BEEN MADE CLEAR. HE MENTIONED A STATEMENT BY LORD CHALFONT AS BEING HELPFUL IN THIS CONNECTION. GERMANY FELT IT NECESSARY, ALSO, THAT THE DESIRES AND WISHES OF THE NON-NUCLEAR POWERS GENERALLY BE CONSIDERED. WHY, FOR EXAMPLE, COULD IT NOT BE PUT IN THE TREATY

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-3- BONN 7962, JANUARY 10, 1967

THAT ONE OF ITS AIMS WAS TO CONTROL "VERTICAL" PROLIFERATION? IF OUR ANSWER TO THIS QUESTION IS THAT IT WAS TOO COMPLICATED, HE WOULD UNDERSTAND. PERHAPS A STATEMENT OF INTENT COULD BE MADE COLLATERALLY. GERMANY WOULD, HOWEVER, MAKE NO SPECIFIC PROPOSALS IN THIS REGARD. BRANDT AGREED THAT GERMANY IS IN A BETTER POSITION WITH RESPECT TO NUCLEAR GUARANTEES THAN OTHER COUNTRIES -- ALTHOUGH NOT OF COURSE IN ITS GEOGRAPHICAL POSITION.

6. THE NON-NUCLEAR POWERS, ACCORDING TO BRANDT WOULD WELCOME SOME STATEMENT TO THE EFFECT THAT THE NUCLEAR POWERS WOULD NOT USE NUCLEAR WEAPONS AS A THREAT AGAINST THEM. THERE WAS ALSO SOME FEELING THAT THE PREVENTION OF NUCLEAR EXPLOSIONS FOR PEACEFUL PURPOSES WOULD TEND TO WIDEN THE PRESENT TECHNOLOGICAL GAP BETWEEN THE NUCLEAR AND NON-NUCLEAR COUNTRIES. IT WOULD BE RIDICULOUS, ACCORDING TO BRANDT, FOR GERMANY TO TRY TO BE A LEADER OF A NON-NUCLEAR BLOC. IN PARTICULAR, HE WAS AGAINST MIXING THE NUCLEAR PROBLEM WITH THE GERMAN PROBLEM. GERMANY SHOULD NOT MAKE ANY MOVES WHICH WOULD SERVE TO ISOLATE IT -- OR ENABLE OTHERS TO DO SO.

7. BRANDT SAID THAT ALTHOUGH HE HAD IN HIS LETTER OF DEC 28 TO THE SECRETARY ENVISAGED THE POSSIBILITY OF SENDING SCHNIPFENKOETTER TO WASHINGTON TO GO INTO MORE DETAILS ON THE TREATY, HE NOW BELIEVED, IN THE LIGHT OF THE INFORMATION WHICH WE HAD FURNISHED THEM, THAT THIS WAS NOT NECESSARY. IN RESPONSE TO HIS QUERY, I TOLD HIM THAT THERE WAS A CHANCE THAT THE MOMENTUM FOR THE TREATY COULD MOVE QUICKLY, AND THAT WE HOPED THE GERMAN GOVT COULD COME TO A FAVORABLE DECISION AS SOON AS POSSIBLE. I POINTED OUT THE GREAT BOOST THIS WOULD GIVE GERMANY IN HER CURRENT STEPS TO IMPROVE RELATIONS WITH THE EASTERN EUROPEAN COUNTRIES. (MY DISCUSSION WITH BRANDT ON THIS SUBJECT IS BEING REPORTED SEPARATELY.)

COMMENT: BRANDT SEEMED, AS HE HAS IN THE PAST, RELATIVELY SATISFIED WITH THE PROPOSED TREATY WORDING FURNISHED HIM THUS FAR. HE WILL NATURALLY WISH TO SEE THE FULL TEXT, INCLUDING THE SAFEGUARDS PROVISIONS, AND AWAIT MORE DETAILED STUDIES AND CONSULTATIONS. HE DID NOT SEEM CONCERNED EITHER ABOUT THE EFFECT OF THE TREATY ON A EUROPEAN NUCLEAR FORCE OR OF GDR ATTENDANCE AT A CONFERENCE PURSUANT TO THE AGREEMENT. HE SEEMED MORE CONCERNED ABOUT ISSUES LIKELY TO BE RAISED BY OTHER NON-NUCLEAR POWERS, PARTICULARLY THE NEUTRALS. I BELIEVED THAT THERE IS A GOOD CHANCE FOR SOME POSITIVE STEP IN THE CABINET MEETING TOMORROW.

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INCOMING TELEGRAM *Department of State*

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Action

CONTROL: 4283
RECD: JANUARY 6, 1967 2:24PM

Info

FROM: BONN
ACTION: SECSTATE 2290

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DECLASSIFIED
E.O. 12356, Sec. 3.4
NJ 94-337
By ing, NARA, Date 1-12-95

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R 061806Z JAN 67
FM AMEMBASSY BONN
TO SECSTATE WASHDC 2290
BT

~~SECRET~~ BONN 7872

N O D I S

REF: STATE 109454

SUBJ: NON-PROLIFERATION TREATY

1. AN EXPLICIT PROVISION OF THE DRAFT NPT NOW BEING CONSIDERED TO WHICH THE GERMANS NO DOUBT INFORMALLY OBJECT, IS THE STIPALATION IN ARTICLE IV FOR A CONFERENCE OF ALL SIGNATORIES TO BE HELD FIVE YEARS AFTER THE TREATY'S ENTRY INTO FORCE. AT THE TIME WE TABLED OUR DRAFT TREATY OF AUGUST 31, 1965, GERMAN OFFICIALS VOICED CONCERN OVER A SIMILAR PROVISION (ARTICLE VI-2), WHICH WAS LESS MANDATORY THAN THE PRESENT ONE. JUST TODAY, SCHNIPPENKOETTER TOLD US THAT FONOFF STATE SEC SCHUETZ HAD REACTED MOST NEGATIVELY TO THE IDEA OF T REVIEW CONFERENCE WHEN INFORMED OF THIS PROPOSAL, AND RECOMMENDED THAT IT BE DROPPED FROM THE DRAFT ENTIRELY. (DETAILS REPORTED SEPARATELY.)

PAGE 2 RUFHOL 7872 ~~SECRET~~ NODIS

2. FOR THE FRG, A CONFERENLE OF ALL SIGNATORIES--WHICH THE GDR WOULD SURELY ATTEND--WOULD POSE A DIRECT CHALLENGE TO ITS CLAIM TO SOLE REPRESENTATION OF THE GERMAN PEOPLE. MORE IMPORTANT, THE MERE PROVISION FOR SUCH A CONFERENCE WOULD SET A PRECEDENT FOR OTHER CONFERENCES, LENDING SUPPORT TO THE "TWO-GERMANIES" THESIS EVEN BEFORE A CONFERENCE WERE HELD.

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-2- 7872 FROM BONN DTG 061806Z

3. AS WE ALREADY FACE A POSSIBLE DISPUTE WITH THE FRG GOVERNMENT OVER ARTICLES I AND II, WHICH CONSTITUTE THE SUBSTANTIVE HEART OF THE TREATY, IT WOULD SEEM TO ME MOST DESIRABLE TO REMOVE POSSIBLE SOURCES OF DISPUTE OVER PROCEDURAL PROVISIONS OF THE DRAFT TREATY, SUCH AS THE CASE IN POINT. I SEE THREE POSSIBLE SOLUTIONS IN DESCENDING ORDER OF PREFERENCE:

(A) REMOVAL ALTOGETHER OF THE PROVISION FOR A REVIEW CONFERENCE. THIS WOULD BE THE OPTIMUM SOLUTION, IN MY OPINION, AND I RECOMMEND THAT IT BE GIVEN SERIOUS CONSIDERATION. IT WOULD ELIMINATE THE PROBLEM INsofar AS IT AFFECTS THE LIKLIHOOD OF GERMAN ACCESSION, BUT WOULD NOT PRECLUDE THE CONVENING OF A REVIEW CONFERENCE AT A LATER DATE. IF NECESSARY, WE COULD AGREE INFORMALLY WITH THE SOVIETS ON THE PROBABLY DESIRABILITY OF A REVIEW CONFERENCE WITHOUT COMMITTING OURSELVES TO THIS ON PAPER.

PAGE 3 RUFMOL 7872 ~~SECRET~~ NODIS

(B) AN ARRANGEMENT TO HOLD SEPARATE CONFERENCES IN THE CAPITALS OF THE DEPOSITARY STATES, TO BE ATTENDED ONLY BY THOSE COUNTRIES WHO DEPOSITED THEIR INSTRUMENTS OF RATIFICATION IN THE GIVEN CAPITALS.

(C) REVERSION TO THE LANGUAGE OF THE AUGUST 31, 1965 US DRAFT. THIS DOES NOT COMMIT US TO HOLD A CONFERENCE (IT SAYS A CONFERENCE "MAY" -- NOT "SHALL" -- BE HELD AND CALLS FOR THE AGREEMENT OF TWO-THIRDS OF THE PARTIES) AND WOULD THUS BE LESS OBJECTIONABLE TO THE GERMANS THAN THE PRESENT DRAFT.

GP-3. MCGHEE
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INCOMING TELEGRAM *Department of State*

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Action

CONTROL : 4378
RECEIVED : JANUARY 6, 1967, 4:09 P.M.

Info

DE RUFHOL 7871 0061920
ZNY SSSSS
R 061805Z JAN 67
FM AMEMBASSY BONN
TO SECSTATE WASHDC
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~~SECRET~~ BONN 7871

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DECLASSIFIED
E.O. 12356, Sec. 3.4
NJ 94-337
By ig, NARA, Date 1-12-95

NODIS

REFERENCE : STATE 109454

SUBJECT : NON-PROLIFERATION TREATY

1. IN DISCUSSING THE PROPOSED NON-PROLIFERATION TREATY, THE GERMAN DISARMAMENT COMMISSIONER, AMBASSADOR SCHNIPPENKOETTER, INDICATED TODAY THAT THE INFORMAL NOTE GIVEN AMBASSADOR KNAPPSTEIN ON THE SUBJECT BY THE DEPARTMENT WAS NOW UNDER STUDY AMONG A VERY LIMITED GROUP OF OFFICERS IN THE FONOFF. HE SAID THAT GIVEN THE INFORMATION PROVIDED IN THIS NOTE IT HAD BEEN DECIDED THAT THERE WAS NO LONGER AN IMMEDIATE NEED TO SEND A SPECIAL HIGH-LEVEL REPRESENTATIVE TO WASHINGTON FOR DISCUSSIONS ON THE SUBJECT. THE FRG NOW HAD SUFFICIENT BASIS TO CONSIDER THE PROPOSED TEXT AND TO REACH PRELIMINARY CONCLUSIONS, FOLLOWING WHICH FURTHER DISCUSSIONS IN WASHINGTON WOULD BE MORE USEFUL.

2. SPEAKING PERSONALLY, SCHNIPPENKOETTER SAID THAT ON THE BASIS OF HIS STUDY OF THE PROPOSED TEXT, HE THOUGHT A GREAT DEAL OF CLARIFICATION WOULD BE REQUIRED BEFORE THE FRG COULD CONCUR IN IT. A BASIC PROBLEM WAS THE VAGUENESS OF THE PHRASEOLOGY. THE SOVIETS WOULD ALMOST CERTAINLY INTERPRET IT DIFFERENTLY FROM THE UNITED STATES. INDEED, THEY WERE ALREADY TAKING STEPS TO LET THEIR VERSION BE KNOWN OF WHAT THE NON-PROLIFERATION TREATY WOULD MEAN. WE SAID THAT WE THOUGHT THERE WOULD BE ADEQUATE MEANS TO PLACE OUR INTERPRETATION OF THE LANGUAGE ON PUBLIC RECORD BEFORE SIGNATURE OF THE TREATY SO THAT THE SOVIETS COULD NOT CLAIM THAT IN SIGNING THE TREATY THEY WERE UNAWARE OF THE US MEANING. WE THOUGHT THAT THIS WAS AN ASPECT WHICH COULD BE USEFULLY COVERED IN FURTHER CONVERSATIONS WITH GERMAN REPRESENTATIVES IN WASHINGTON.

3. SCHNIPPENKOETTER SAID THE PROVISION FOR A CONFERENCE OF

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-2- BONN 7871, JANUARY 6, 1967 (NODIS)

SIGNATORY STATES ALSO POSED A SERIOUS PROBLEM FOR THE FRG. HE PRESUMED THAT THIS WOULD BE ACCOMPANIED BY AN ALL-STATES ACCESSION CLAUSE WHICH WOULD MEAN GDR PARTICIPATION IN THE CONFERENCE. HE HAD DISCUSSED THIS ASPECT WITH STATE SECRETARY SCHUETZ LAST NIGHT AND HAD FOUND SCHUETZ EVEN FIRMER THAN HE HAD EXPECTED IN REJECTING THE CONCEPT. SCHUETZ FELT THAT ALL REFERENCES TO A SUBSEQUENT CONFERENCE OF SIGNATORY STATES SHOULD BE ELIMINATED FROM THE DRAFT. SCHNIPPENKOETTER COMMENTED THAT HE PERSONALLY FELT THAT SUCH A CONFERENCE COULD NOT BE OF INTEREST TO THE NON-NUCLEAR STATES IF ITS ONLY PURPOSE WOULD BE TO CONFIRM THAT THE TREATY WAS BEING "REALIZED". WE POINTED OUT THAT THE PURPOSE OF THE CONFERENCE WOULD BE BROADER THAN THIS BUT SCHNIPPENKOETTER COMMENTED THAT THIS WAS NOT CLEAR FROM THE TEXT AND THE TEXT IN THE END WOULD BE CONTROLLING.

4. WE ASKED WHETHER THE FRG WAS PLANNING ANY EFFORT TO COORDINATE THE POSITIONS OF NON-NUCLEAR COUNTRIES TOWARD THE TREATY. SCHNIPPENKOETTER SAID THAT THE FRG HAS NO INTENTION OF SEEKING TO CREATE A "NON-NUCLEAR BLOCK" AS A MEANS OF UNDERMINING THE TREATY. THE FRG HAS MADE A PRACTICE OF KEEPING IN TOUCH WITH CERTAIN OTHER NON-NUCLEAR STATES SUCH AS JAPAN AND ETHIOPIA ON THE SUBJECT AND WOULD CONTINUE TO DO SO. IN THE GERMAN VIEW THE EAST-WEST PROBLEMS INVOLVED IN THE TREATY WOULD BE SOLVED ONCE US/SOVIET AGREEMENT - REACHED ON TEXT. AFTER THAT THERE WOULD BE A SECOND PHASE DURING WHICH THE ATTITUDE OF THE NON-NUCLEAR POWERS WOULD BE ESTABLISHED. THE FRG FORESAW EXTENSIVE CONSULTATION AMONG THE NON-NUCLEARS AT THAT TIME BUT THE FRG DID NOT WISH TO PLAY AN ORGANIZING ROLE.

5. WE EXPRESSED CONCERN AT THE IMPRESSION CONVEYED BY THE GERMAN PRESS AND, TO A CERTAIN EXTENT, BY THE FRG PRESS SPOKESMAN THAT THE FRG HAD NOT BEEN ADEQUATELY INFORMED BY THE US ON DEVELOPMENTS CONCERNING THE NPT. SCHNIPPENKOETTER RECOGNIZED THE PROBLEM AND ACKNOWLEDGED THAT WHEREAS THE FRG INITIALLY HAD ACCESS ONLY TO ONE DRAFT ARTICLE IT NOW HAD RECEIVED MUCH MORE INFORMATION AND HAD NO REASON FOR COMPLAINT. IN DEALING WITH THE PRESS, HOWEVER, THEY FACED A SERIOUS PROBLEM SINCE, IF THEY STATED THAT THEY NOW HAD A FULL DRAFT THEY WOULD BE UNDER ENORMOUS PRESSURE TO STATE WHAT WAS IN THE DRAFT. IN VIEW OF THE US DESIRE FOR STRICT SECRECY, THE GERMAN GOVERNMENT PREFERRED TO AVOID THIS SITUATION. MOREOVER, THE FRG WAS RECEIVING NUMEROUS QUERIES FROM OTHER NATO COUNTRIES WHICH HAD NOT BEEN GIVEN THE TEXT AND EXPLANATIONS AVAILABLE TO BONN.

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-3- BONN 7871, JANUARY 6, 1967, (NODIS)

IT WOULD BE EMBARRASSING IF THE FRG STATED PUBLICLY THAT IT HAD BEEN FULLY INFORMED BY THE US BUT THEN COULD NOT INDICATE TO THE OTHER NATO COUNTRIES THE NATURE OF THE TEXTS IN QUESTION. IN ORDER TO ENCOURAGE MORE ACCURATE PRESS REPORTING, SCHNIPPENKOETTER AGREED TO OUR SUGGESTION THAT ON A BACKGROUND BASIS A NUMBER OF RELIABLE GERMAN PRESS REPRESENTATIVES SHOULD BE BRIEFED BY THE FONOFF TO THE EFFECT THAT THE CONSULTATIONS WHICH HAVE TAKEN PLACE BETWEEN THE US AND THE FRG ON THE SUBJECT ARE CONSIDERED ADEQUATE AND SATISFACTORY BY THE FRG.

6. I HAVE ASKED FOR AN APPOINTMENT WITH FONMIN BRANDT ON MONDAY OR TUESDAY IN ORDER TO DISCUSS THE NPT WITH HIM PRIOR TO THE CABINET MEETING ON JANUARY 11. BRANDT IS CURRENTLY ILL AND IT IS NOT CLEAR WHETHER HE WILL BE ABLE TO SEE ME. WE NOW KNOW FROM SCHNIPPENKOETTER, HOWEVER, THAT THE CONTENTS OF THE REFTEL ARE ALREADY KNOWN TO THE FRG FROM AMBASSADOR KNAPPSTEIN.

GP-3. MCGHEE

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INCOMING TELEGRAM *Department of State*

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Action

Info

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FM AMEMBASSY BONN
TO SECSTATE WASHDC IMMEDIATE
STATE GRNC
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1966 DEC 20 PM 3 47

~~SECRET~~ BONN 7342

SUBJ: NON-PROLIFERATION DRAFT TREATY

REF: STATE 105379

N O D I S

New Prolif.

FOR THE SECRETARY FROM AMBASSADOR MCGHEE

1. IN A MEETING THIS AFTERNOON, I GAVE BRANDT THE LANGUAGE UNDER DISCUSSION AND MADE THE TALKING POINTS CONTAINED IN THE REFTEL. I ALSO POINTED OUT THE GREAT DAMAGE THAT WOULD BE DONE TO GERMANY'S REPUTATION IF IT TURNED OUT TO BE THE ONLY "HOLDOUT" TO THE SIGNING OF A NON-PROLIFERATION TREATY. ITS RELATIONS WITH THE EASTERN EUROPEAN STATES WOULD BE EXACERBATED, WHEREAS, IF IT SIGNED, IT WOULD CREATE A FAVORABLE IMPRESSION THERE AND ESTABLISH AN ASSET IN THE ACHIEVEMENT OF ITS EASTERN POLICY. GERMAN ADHERENCE TO A TREATY WOULD ALSO HELP ASSURE A FAVORABLE REACTION ON THE PART OF NEUTRALS SUCH AS INDIA AND ISRAEL WHO, WITH THEIR NUCLEAR CAPABILITIES, WERE THE REAL TARGETS.

2. BRANDT REPLIED THAT THE MATTER HAD BEEN DISCUSSED AT A CABINET MEETING EARLIER THIS MORNING. THOSE PRESENT, WITH THE EXCEPTION OF THE CHANCELLOR, HAD NOT SEEN THE PROPOSED DRAFT. (I KNEW FROM MY CONVERSATION EARLIER IN THE DAY WITH STATE SEC KNIEPER -- REPORTED SEPARATELY -- THAT THE CHANCELLOR HAD MADE THE POINT THAT GERMANY COULD NOT AFFORD TO BE THE HOLDOUT.) WHEN I PRESSED BRANDT AS TO HOW THE CABINET MIGHT REACT, HE PAUSED A BIT AND SAID THAT HE THOUGHT FAVORABLY. HE FEARED THAT WE MAY HAVE PROBLEMS WITH THE NEUTRALS, WHO MAY NEED SPECIAL ASSURANCES. GERMANY ITSELF MAY NEED ASSURANCES.

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E.O. 12356, Sec. 3.4
NJ 94-337
By *inj*, NARA, Date 1-12-95

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FM AMEMBASSY TOKYO
TO SECSTATE WASHDC PRIORITY
STATE GRNC

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EXDIS

REF: STATE 118791

NON-PROLIFERATION TREATY

1. FOL GENERAL MEETING INDIAN-FOOD PROBLEM THIS AFTERNOON, ROSTOW AND I STAYED BEHIND FOR A PRIVATE TALK WITH MIKI AT WHICH ONLY TOGO (YASUKAWA'S SUCCESSOR) WAS PRESENT.
2. I GAVE MIKI TALING PAPER BASED ON REFTEL AND TOLD HIM I WOULD BE PREPARED TO DISCUSS MATTER IN DETAIL AFTER HE HAD OPPORQNTY TO STUDY PAPER.
3. ROSTOW THEN SPOKE ON FRENCH ATTITUDE TOWARDS NPT, REFERRING TO HIS TALKS WITH ALPHAND AT LAST NATO MEETING. HE TOLD MIKI OF ALPHAND'S REMARK THAT KOSYGIN HAD PRESSED FRENCH ON NPT, AND OF ALPHAND'S STATEMENT THAT FRENCH GOVT HAD NOT REACHED ANY

PAGE 2 RUALOT 5029D ~~SECRET~~
CONCLUSION ON SUBJECT. ROSTOW SAID THAT WE WERE CONFIDENT THAT FRENCH HAD NO INTENTION OF SHARING NUCLEAR WEAPONS OR TECHNOLOGY WITH ANYONE AND THAT, TAKING INTO CONSIDERATION FRENCH RELATIONS WITH GERMANY AND SOVIET UNION, THERE WOULD BE STRONG PRESSURE ON FRENCH TO ADHERE TO NPT ALTHOUGH THEY WOULD PROBABLY FIND IT VERY DIFFICOLT TO DO SO. GP-1. JOHNSON

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DECLASSIFIED
E.O. 12356, Sec. 3.4
NJ 94-337
By *ig*, NARA, Date 1-12-95

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INCOMING TELEGRAM *Department of State*

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SUBJ: NON-PROLIFERATION TREATY

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REF: . STATE 118791

1. GREATLY APPRECIATE EXCELLENT MATERIAL IN STATE 118791 WHICH I WILL INCORPORATE INTO AN INFORMAL NOTE. HOWEVER, IN VIEW OF INTENSE JAPANESE INTEREST IN COMMUNIST CHINESE PROBLEM AND THEIR RELATING THIS TO POSSIBILITY OF FRENCH ADHERENCE TO NPT, ANY INFO I COULD PASS ON ORALLY ON EVEN OUR ESTIMATE OF PROBABLY FRENCH ATTITUDE WOULD BE VERY HELPFUL. I THINK THAT WITH PROPER HANDLING WE COULD EXPECT GOJ TO PUSH FRENCH ON SUBJECT.

2. ALSO IF DEPT HAS ANY THOUGHTS WITH RESPECT TO EFFORTS TO OBTAIN CHICOM ADHERENCE BEYOND THOSE

PAGE 2 RUALOT 4966D ~~SECRET~~
I MADE TO MIKI, THIS WOULD BE USEFUL. IN ANY EVENT, I WILL QUERY FONOFF ON WHETHER THEY HAVE ANY FURTHER THOUGHTS ON SUBJECT.

GP-1 JOHNSON

DECLASSIFIED
E.O. 12356, Sec. 3.4
NJ 94-337
By *ijg*, NARA, Date 1-12-95

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INCOMING TELEGRAM *Department of State*

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Action

Info

1 - Butler
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FM AMEMBASSY BONN
TO SECSTATE WASHDC IMMEDIATE
STATE GRNC
BT
~~SECRET~~ BONN 7342

1966 DEC 20 PM 3 47

SUBJ: NON-PROLIFERATION DRAFT TREATY
REF: STATE 105379

DECLASSIFIED
E.O. 12356, Sec. 3.4
NIJ 94-337
By 48, NARA, Date 1-12-95

N O D I S

FOR THE SECRETARY FROM AMBASSADOR MCGHEE

1. IN A MEETING THIS AFTERNOON, I GAVE BRANDT THE LANGUAGE UNDER DISCUSSION AND MADE THE TALKING POINTS CONTAINED IN THE REFTEL. I ALSO POINTED OUT THE GREAT DAMAGE THAT WOULD BE DONE TO GERMANY'S REPUTATION IF IT TURNED OUT TO BE THE ONLY "HOLDOUT" TO THE SIGNING OF A NON-PROLIFERATION TREATY. ITS RELATIONS WITH THE EASTERN EUROPEAN STATES WOULD BE EXACERBATED, WHEREAS, IF IT SIGNED, IT WOULD CREATE A FAVORABLE IMPRESSION THERE AND ESTABLISH AN ASSET IN THE ACHIEVEMENT OF ITS EASTERN POLICY. GERMAN ADHERENCE TO A TREATY WOULD ALSO HELP ASSURE A FAVORABLE REACTION ON THE PART OF NEUTRALS SUCH AS INDIA AND ISRAEL WHO, WITH THEIR NUCLEAR CAPABILITIES, WERE THE REAL TARGETS.

2. BRANDT REPLIED THAT THE MATTER HAD BEEN DISCUSSED AT A ABINET MEETING EARLIER THIS MORNING. THOSE PRESENT, WITH THE EXCEPTION OF THE CHANCELLOR, HAD NOT SEEN THE PROPOSED DRAFT. (I KNEW FROM MY CONVERSATION EARLIER IN THE DAY WITH STATE SEC KNIEPER -- REPORTED SEPARATELY -- THAT THE CHANCELLOR HAD MADE THE POINT THAT GERMANY COULD NOT AFFORD TO BE THE HOLDOUT.) WHEN I PRESEED BRANDT AS TO HOW THE CABINET MIGHT REACT, HE PAUSED A BIT AND SAID THAT HE THOUGHT FAVORABLY. HE FEARED THAT WE MAY HAVE PROBLEMS WITH THE NEUTRALS, WHO MAY NEED SPECIAL ASSURANCES. GERMANY ITSELF MAY NEED ASSURANCES.

GP-3
MCGHEE

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OUTGOING TELEGRAM Department of State

INDICATE: COLLECT
 CHARGE TO

124771

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Origin
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Info

ACTION: Amembassy BONN PRIORITY

EXDIS

JAN 24 9 14 PM '67

STATE

124771

SUBJECT: Non-Proliferation Treaty

Ref: BONN 8514 (EXDIS)

DECLASSIFIED

E.O. 12356, Sec. 3.4

NEJ 94-338

By ing, NARA, Date 5-27-94

1. Confirming Hillenbrand-DePalma telecon, there is absolutely no basis in record Foster-Knappstein talks for statement attributed to Foster that German suggestions on wording of NPT would QTE definitely not END QTE be entertained at this stage.
2. Substance Foster-Knappstein exchanges on question possible language changes accurately reported last para STATE 118737 and penultimate question and answer reported STATE 121338.
3. Moreover, as set out first para explanation of text sent STATE 123166 we are informing all NATO allies that we have made clear to Soviets that we were unable to agree on any language which emerged from US-Soviet talks prior full consultation with our allies.
4. Situation is therefore as described by Reftels,

Drafted by: ACDA/GC-GBunn ACDA/IR: SDePalma:aow	Tel. Ext. 2762	Telegraphic transmission and classification approved by: ACDA - William C. Foster
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Clearances:

EUR-Mr. Leddy

S/S Mr. O'Donohue

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namely, that US has not agreed on treaty formulations that emerged from US-Soviet talks and, accordingly, it would be possible to suggest changes. However, in view arduous nature US-Soviet negotiations, it must be anticipated that it would be very difficult to obtain Soviet agreement on substantive changes, though of course this would depend on nature suggested changes.

GP-1

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OUTGOING TELEGRAM Department of State

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INDICATE: COLLECT
 CHARGE TO

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JAN 19 5 29 PM '67

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Origin ACTION: Amembassy BONN
Info: STATE: 121767
NODIS
SUBJECT: German Reactions to NPT
REF: BONN 8272

DECLASSIFIED
E.O. 12356, Sec. 3.4
NEJ 94-337
By ijg, NARA, Date 1-12-95

Text of Oral Note given Knapstein 13 Jan is as follows:

The draft non-proliferation treaty would not bar succession by a federated European state to the nuclear status of one of its former components. The draft does not prohibit non-nuclear-weapon states from joining with nuclear-weapon states to form a new state that would have its own nuclear weapons. The new state would "succeed" to the nuclear weapons of its former nuclear-weapon state component or components without a "transfer" of such weapons (which is prohibited by the treaty) being involved. Succession by a new federated European state to nuclear weapons of a component state would be automatic; hence no act of "transfer" could be involved. Without such

Drafted by: L:LMeaker
ACDA/GC:GEB:arg
Tel. Ext. 6866
Telegraphic transmission and classification approved by: EUR - Mr. Springsteen

Clearances:
ACDA/IR - Mr. DePalma
ACDA/DD - Mr. Fisher (subst)
S/S - Mr. Walsh
EUR/RPM - Mr. Baker (subst.)
EUR/GER - APuhan
EUR - Mr. Jaggay

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succession, it could not properly be said that a new federated "state" had come into existence. Moreover, the Soviets understand as fundamental to the treaty that what it does not prohibit is permitted. Since the treaty does not prohibit a consolidation of states and does not require the destruction of any nuclear weapons, it must permit the creation of a federated European state with its own nuclear weapons.

By the same token non-nuclear-weapon states would not receive a transfer of nuclear weapons by participating in the formation of the new state. Nor would they violate the other prohibitions of Article II through such participation because the new state rather than they would be the only entity acquiring nuclear weapons.

As the FRG knows, President Johnson in 1964 indicated that, so far as the United States is concerned, the criterion for a new European entity having its own nuclear weapons was full political unity with a central political authority capable of making a decision to use nuclear weapons. This would probably not be practical without a consolidation of state sovereignties into a new federated state.

In our view, under the draft treaty a new federated European state would not have to be so centralized as to assume all governmental

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functions. It would have to control all of its external security functions including defense and all foreign policy matters relating to external security. Other functions of an internal nature would not have to be centralized.

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OUTGOING TELEGRAM Department of State

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Info:

ACTION: Amembassy BONN

STATE: 121338

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SUBJECT: Non-Proliferation Treaty

DECLASSIFIED
E.O. 12356, Sec. 3.4
NJ 94-337
By WIP, NARA, Date 1-12-95

JAN 18 8 29 PM '67

Roston

1. At his request, Amb. Knappstein came in with von Staden to discuss questions raised re NPT which had been received from Bonn. He said Brandt wanted as much information as possible for the meeting of Federal Defense Council on 20 January.

2. After welcoming Knappstein, Foster said we could not expect Sovs to be enthusiastic about some of our interpretations of the treaty but they had agreed that those things which were not prohibited were permitted. As long as their noses were not rubbed in these matters, they might not react adversely, but if these interpretations were written in large neon lights, there would be no treaty. Knappstein replied that the FRG wanted to be sure that they would not run into charges of treaty violation after treaty entered into force.

3. The following FRG questions and US answers were

Drafted by: ACDA/GC:GBupa:amc	1/18/67	Tel. Ext. 6866	Telegraphic transmission and classification approved by: EUR - Mr. Springsteen
Clearances: ACDA/D - Mr. Foster ACDA/IR - Mr. De Palma L - Mr. Meeker			EUR/RPM - Mr. V. Baker EUR/GER - Mr. Johnson S/S - Mr. Walker

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covered:

(Q.) Had Sovs agreed that consultations were permitted by NPT?

(A.) Foster said Secretary Rusk had made clear that NPT could not govern how we talked to our allies. Gromyko had said first that he was not raising question of consultation in NPT and later that Sovs did not suggest NPT include provision banning consultation. Foster said Sovs clearly did not wish/endorse McNamara committee, and that we might continue to expect criticism of NATO consultations. A charge that such consultations violated NPT, however, would be another matter.

(Q.) Was our definition of "control" accepted by Sovs; were all measures short of final stage of transfer permitted?

(A.) Foster replied that Sovs had objected that earlier US definition of control explicitly authorized FRG firing nuclear weapons after consent of US given. Sovs could not expressly approve such language. We told Sovs we not insist upon US definition of control in NPT. We have not said we disagreed with definition. They have not given us any definition of their own. In our view, control clearly transferred if independent power to fire nuclear weapons given. On other hand, control not transferred if a veto

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given to fire nuclear weapons deployed on FRG territory. Quick reaction alert procedures permit various actions with respect to warheads without violation of prohibition on "transfer" in US national legislation. Sovs aware of existing arrangements, and that we interpret treaty as not requiring changes in existing arrangements. They understand clearly that what is not prohibited is permitted.

(Q.) Whether in US view NPT would permit exchanging new weapons for old in existing arrangements or permit other changes resulting from technical developments?

(A.) Foster said nothing in treaty bears on deployment of nuclear weapons; nothing deals with exchanges of new weapons for old within existing arrangements.

(Q.) Whether Sovs agree with US view that NPT would permit acquisition of nuclear weapons by a European union with a central political authority and a common foreign and defense policy; did they agree with points made in January 13 oral note?

(A.) Foster said we had told Sovs that a new United States of Europe would succeed to nuclear assets of UK or France. They have not complained about this interpretation but the less said about it publicly, the better. Knappstein replied it was unavoidable

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that this question would be discussed every day in Europe.

(Q.) Could an EDC as an intermediate/^{step}~~stage~~ to political union possess all kinds of delivery vehicles, including those in which nuclear warheads and carriers could not be separated?

(A.) Foster replied NPT did not deal with delivery vehicles of any kind and Sovs had agreed to this in private. However, any discussion of an EDC or multilateral force involving nuclear delivery vehicles should be kept in as low a key as possible. If we made statement saying this O.K. might jeopardize treaty. We do not propose to discuss this fully with anyone else.

Warheads of US missiles, including Polaris, are physically separable from their carriers. FRG was aware that existing quick ~~see~~ reaction alert procedures resulted in mounting US warheads on FRG aircraft under certain circumstances. However, custodial arrangements worked out between two countries permitted transfer of carriers without transfer of warheads within meaning of US atomic energy legislation. NPT did not, in our view, prohibit similar custodial arrangement for other carriers. Knappstein said it was then theoretically possible to have a fleet of Polaris submarines with warheads locked up and safeguarded separable from delivery vehicles.

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Meeker said we take position and Sovs accept that arrangements today are consistent with obligation in US national legislation not to transfer. Sovs understand that we are not undertaking by NPT to change existing arrangements but we could not ask Sovs to approve extension of this concept for the future in another context. It is our view, of course, that NPT deals with warheads, not with delivery vehicles. An arrangement concerning delivery vehicles which did not result in a transfer of warheads or control over them would not, in our view, be prohibited.

(Q.) Was the US understanding that nuclear weapon includes only warheads acceptable to the Sovs?

(A.) Foster said the Sovs agree that NPT did not deal with delivery vehicles.

(Q.) ~~Whether~~ Whether ADMs are purely defensive weapons?

(A.) Foster said NPT text did not differentiate between offensive and defensive weapons. It would apply to ADMs which were nuclear.

(Q.) Had Sovs agreed to possible FRG right of veto over foreign-owned nuclear weapons on German soil?

(A.) Foster said this had not been raised, but that we did not see how treaty intended to inhibit triggering nuclear war in

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future could be interpreted as prohibiting an additional veto.

Knappstein said they understood that the question of veto would be between the President and the Chancellor. However, if a mechanism or control organization were necessary to effectuate the veto, did that violate the treaty?

Foster replied that the President might want a military adviser to help him but he would not require an organization in this sense. Knappstein said this seemed to mean that an organization would not prove to be necessary.

(Q.) Had Sovs in talks tried to limit peaceful nuclear cooperation other than re nuclear explosive devices; would full and untrammled cooperation be permitted? FRG understanding was only inhibition was upon peaceful explosives.

(A.) Foster said there was no other inhibition; US policy favored peaceful nuclear exchanges. Sov Geneva draft treaty contained ~~peaceful nuclear exchanges~~ broad language which might have prohibited some peaceful cooperation but we got them to take this out.

Knappstein asked whether the treaty left open all possibilities for cooperation which were left open by the McMahon Act. Fisher said there was a somewhat greater restriction with

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respect to transfers of nuclear weapons to nuclear-weapon states, but not with respect to non-nuclear-weapon states.

Knappstein asked what concessions Sovs had made to bring treaty into consistency with US atomic energy legislation.

Foster said primarily the prohibition on "transfer" which appeared in US legislation. Fisher added that other concessions included elimination from Sov Geneva draft of prohibition on transfer of control over the "emplacement" of nuclear weapons which raised question about existing deployment arrangements. Also eliminated were references to "use" of nuclear weapons such as prohibition on transmittal of information which can be employed for purposes of "use" of such weapons. This would have prevented training of allied troops for possible use of nuclear weapons in event of war.

(Q.) Whether word "purpose" in Art. IV referred to preamble and if so, what was wording of preamble?

(A.) Foster said we did not have an agreed or final draft of preamble. We hope to see it state objectives such as general and complete disarmament, turning down of the nuclear arms race, and reductions in nuclear arsenals.

Knappstein said that if preamble stated nuclear-weapon states ~~had~~ had to reduce nuclear arsenals and this was not accomplished

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States of Europe would be a party to NPT; if it did not join, other parties might have to reconsider their position on treaty.

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OUTGOING TELEGRAM Department of State

INDICATE: COLLECT
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Info

0012

ACTION: AmEmbassy BONN

JAN 13 9 57 PM '67

STATE: 118737

EXDIS

SUBJECT: Non-proliferation Treaty

DECLASSIFIED

E.O. 12356, Sec. 3.4

NEJ 94-337

By 48, NARA, Date 1-12-95

1. At his request, Amb. Knappstein came in with Von Staden to discuss FRG questions on NPT. Knappstein reported FRG cabinet had concluded, in principle, FRG was ready to join NPT enterprise. This consultation was not on the question of acceptance or desirability but on specific questions he had been asked to raise.

2. Knappstein said that, despite the language of treaty, US explanations left quite a ~~number~~ number of options open. The purpose of his inquiries was to find out which words in the text were the basis for the US interpretation that these options were kept open. The following points were ~~also~~ covered:

(1) Consultation. Knappstein pointed out that treaty prohibits transfer directly "or indirectly". Asked whether "indirectly" might not rule out McNamara committee, and if not,

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Clearances: ACDA/D - Mr. Foster WCF by JB		ACDA/IR - Mr. De Palma	
L - Mr. Baker		S/S - Mrs. Davis	
EUR/RPM/GER - Mr. Baker			

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why it appeared in treaty text. Foster said treaty had been designed so that what was not prohibited, was permitted. Sovs understood this. Sovs had been told we would not allow NPT to prevent or govern consultations with allies. Gromyko understood this was not a subject NPT dealt with. While Sovs would probably not say they approved McNamara committee, they were under no illusions that NPT prohibited it. Laddy added that this had been specifically clarified at Rusk dinner in Washington with Gromyko. Meeker said that the word "indirectly" covered such things as a transfer which was not directly to a recipient but through a conduit. "Indirectly" did not enlarge the meaning of "transfer".

Knappstein asked whether consultation permitted by the treaty could include contingency planning with respect to targeting, and discussions of nuclear strategy. Meeker replied that these would be permitted by the treaty since no "transfer" was involved.

(2) Existing arrangements. Knappstein asked whether two-key system would have to be revised, and why we interpreted NPT as being inapplicable in event of war. Foster said we had made clear to Sovs that no agreement was possible if they were seeking by NPT to prohibit existing arrangements. Our existing arrangements were designed to comply with Atomic Energy Act prohibition against "transfer" of atomic weapons. Any existing arrangement should therefore comply with

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treaty prohibition against "transfer" of nuclear weapons. Knappstein then asked at what stage in a war would the treaty not be applicable, (alert) and whether the NATO alarm/procedure would be prohibited. Meeker replied that treaty designed to prevent nuclear spread to help reduce likelihood of use of nuclear weapons. If, ~~despite treaty~~ however, decision was made to use nuclear weapons, treaty would have no application. Foster pointed out that Sov draft treaty had included the word "use" but that US had refused to accept that language. Custodial arrangements had been worked out between two countries covering quick reaction alert, and permitting certain actions with respect to FRG delivery vehicles and US weapons. These arrangements were developed to comply with existing US atomic energy legislation which prohibited "transfer" of US warheads. Arrangements of this kind which complied with US legislation would also comply with NPT prohibition on "transfer".

(3) European force and unification. Knappstein asked whether prohibition on transfer to any recipient whatsoever would not preclude European force with nuclear warheads even in event of new federated European state. Foster read statement substantially identical to paras. 5, 6 and 7 of STATE 115228 to BONN. At Knappstein's request he agreed to provide this in form of informal oral statement.

Knappstein then asked whether a nuclear European defense community

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involving less than a federated European state would be possible. Meeker replied such an EDC could not receive a transfer of warheads. However, NPT would not prohibit other kinds of EDC arrangements. There were a number of possibilities for an EDC involving, for example, joint financing, joint ownership and joint control of nuclear delivery vehicles so long as the warheads themselves were subject to a separate arrangement. NPT would not apply unless warheads or control over them were transferred.

Von Staden asked whether "nuclear weapons" did not include delivery vehicles as well as warheads particularly where there was linkage. Meeker and Bunn said that difference between two had always been clear in negotiating history. Sovs understood NPT did not deal with delivery vehicles. This was indeed clear by addition of expression "other nuclear explosive devices" after phrase "nuclear weapons". Foster concluded discussion of EDC by pointing out that the review, amendments and withdrawal clauses each provided opportunities to take cognizance of various possibilities that might develop in the distant future. If NPT did not itself provide sufficient flexibility, if treaty review and amendment efforts proved fruitless, there remained the withdrawal clause.

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(5) ABM. Knappstein asked whether NPT would prohibit transfer of purely defensive ABM system. Foster replied that unfortunately there was no such thing as an ABM which could only be used for defense. NPT did preclude transfer of nuclear ABM warheads.

(6) FRG Veto on US nuclear weapons on FRG soil.

Knappstein said Sov embassy in Bonn had indicated that veto by a non-nuclear country would presuppose an organization in ~~the~~ which this veto could be exercised; such a "control" organization would be prohibited by NPT. Foster repeated basic idea of treaty was that what is not prohibited, is permitted. No control mechanism for exercising FRG veto would be necessary. This could involve just a communication ^{two} between/heads of state. Sovs could hardly contend that a treaty designed to make it more difficult to start a nuclear war prohibited additional vetoes on firing nuclear weapons. Meeker added that there would clearly be no transfer of control and Bunn pointed out that one of the concessions the Sovs had made was to drop from their draft a prohibition on nuclear-weapon states acquiring right to "participate" in control of nuclear weapons.

(7) Peaceful nuclear explosive devices. Knappstein said he would be getting further instructions on this but that Chancellor

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was concerned NPT might bar FRG from building canals with nuclear devices or from cooperating with French in such an effort. Foster referred him to Fisher ENDC statement of August 9 and Foster UNGA statement of November 9. Fisher made clear that there was no limit in treaty on peaceful nuclear cooperation except with respect to nuclear explosions which was very small segment of total possibilities for peaceful nuclear activities.

as well as at

3. At conclusion/~~and~~ beginning of meeting Foster emphasized there was no agreed US-USSR text and the discussions had been ad referendum. Knappstein asked whether changes might be possible under certain circumstances. Foster replied that negotiations had been very arduous; Sovs had made number of concessions; and final product was dictated more by US legislation than Sov desires.

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OUTGOING TELEGRAM Department of State

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INDICATE: COLLECT
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JAN 13 9 53 PM '67

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Origin

ACTION: AmEmbassy BONN

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Info:

STATE: 118735

EXDIS

SUBJECT: Non-proliferation treaty

DECLASSIFIED
E.O. 12356, Sec. 3.4
NEJ 94-338
By ing, NARA, Date 9-27-94

Following is text of NPT articles given by Foster to Amb. Knappstein in meeting reported septel and not contained in their entirety in STATE 109454:

Art. V - 1. This Treaty shall be open to all States for signature. Any State which does not sign the Treaty before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.

2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of _____, which are hereby designated the Depositary Governments.

3. This Treaty shall enter into force after its ratification by all nuclear-weapon States signatory to this

Drafted by: ACDA/GC:GBunn:ame	1/13/67	Tel. Ext. 6866	Telegraphic transmission and classification approved by: ACDA/GC: Mr. Bunn
Clearances: EUR/RPM - Mr. V. Baker L - Mr. Meeker		S/S - Mrs. Davis	

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Treaty, and _____ other signatories to this Treaty and the deposit of their instruments of ratification.

4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or of accession, the date of the entry into force of this Treaty, and the date of receipt of any requests for convening a conference or other notices.

6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

Art. VI - This Treaty shall be of unlimited duration.

Each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having

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jeopardized its supreme interests.

Art. VII - This Treaty, the English, Russian, ~~the~~ French, Spanish and Chinese texts of which are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

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END

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OUTGOING TELEGRAM Department of State

INDICATE: COLLECT
 CHARGE TO

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Origin
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ACTION: AmEmbassy BONN PRIORITY
~~XXXXX~~ STATE 105379

NODIS
McGHEE FROM SECRETARY

DEC 19 7 37 PM '66

DECLASSIFIED

E.O. 12356, Sec. 3.4

NEJ 94-337

By *ig*, NARA, Date 1-12-95

Request you pursue with Brandt a follow-up on my

discussions with him on basic non-proliferation text. You should indicate we believe it would be possible to obtain agreement of Sovs to basic Article I containing following language:

"Each nuclear-weapon State Party to this 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."

Treaty would have Article II stating obligation of non-nuclear-weapon States as converse of Article I, and an Article III

Drafted by: ACDA/DD:ASFisher/lt

Tel. Ext. 7771

Telegraphic transmission and classification approved by:

gr
The Secretary

Clearances:

ACDA - W. C. Foster

L - Mr. Leonard C. Meeker *LCM*

S/C - Robert R. Bowie

U - Mr. Katzenbach *NR/BKR*

S/S - Mr. Read

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dealing with safeguards.

Treaty would also have a review clause providing for a conference to be held five years after its entry into force "in order to review the operation of the treaty with a view to assuring that the purposes and provisions of the treaty are being realized." It will also have a withdrawal clause providing: "Each Party shall in exercising its national sovereignty have the right to withdraw from the treaty if it decides that extraordinary events related to the subject matter of the treaty have jeopardized the supreme interests of its country." In discussing this draft with the Federal Republic you should ~~make the following points:~~ make the following points:

~~XXXX~~ text:

1. The proposed draft would not disturb existing bilateral arrangements as these arrangements do not involve any transfer of warheads or control over them up to the point where a decision to go to war is made, at which time a treaty would no longer be controlling.
2. The draft would have no bearing on the decision of the NATO allies to go to war, or on the permanent NATO committee for nuclear planning and consultation.
3. The treaty would not bar states from having a veto on the launching of nuclear weapons from their territory.

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4. It would not rule out the establishment at some future date of a multilateral Atlantic entity in which non-nuclear-weapons states participated, and to which they made financial contributions, so long as there was no transfer to this entity of an ownership interest in nuclear warheads (as opposed to delivery vehicles) and so long as the United States retained control over the nuclear warheads.

5. The draft would prohibit the transfer of U. S. nuclear weapons or control over them to any recipient whatsoever, i.e., to nuclear-weapon states and non-nuclear-weapon states alike thereby removing, in this respect, discrimination against FRG.

6. It would not bar succession by a federated European state to the nuclear status of one of its former components. It would bar acquisition of nuclear weapons by a European force or other entity except by such succession but it would permit the formation of a European force with joint ownership of delivery vehicles so long as any participating nuclear-weapon state (UK or France) retained control of its nuclear weapons.

7. While treaty provision for review after five years would not provide ^{for} termination at that time, would enable participants to raise for discussion or propose amendments re any situation affecting purposes or provisions of treaty. Amendments would require votes of

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OUTGOING TELEGRAM Department of State

INDICATE: COLLECT
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JAN 13 5 26 PM '67

Origin ACTION: Amembassy BONN

Info STATE 118092

N O D I S

Ref: BONN's 8012 and 8039

Subject: Non-Proliferation Treaty

Restow.
DECLASSIFIED
E.O. 12356, Sec. 3.4
NEJ 94-338
By ing, NARA, Date 9-27-94

Regarding Schnippenkoetter's question on modalities opening NPT for signature and whether we expect meet deadline of Feb. 21 when ENDC scheduled resume, we told Amb. Knappstein following in course discussion here January 13:

We fully share Schnippenkoetter's view of essentially multi-lateral nature this treaty. We therefore do not envisage following procedure used in limited test ban treaty of US-UK-USSR initial signature followed by others' signature.

Although we are not yet fully aware Soviet thinking this matter, our view is that, following our current bilateral consultations and further consultations to be held in NAC, we should resume discussions with Soviets with a view to achieving an agreed US-Soviet draft text. That text will then be tabled as a

Drafted by: *DP*
ACDA/IR: SLePalma:aow
1/13/67

Tel. Ext. 2762

Telegraphic transmission and classification approved by:

ACDA - W. C. Foster *VF*

Clearances:

S/S-Mr. Walsh The Secretary *(approved in draft)*
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Page 2 of telegram to Amembassy BONN

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recommendation of US and USSR Co-Chairmen, and further discussed at forthcoming ENDC session, scheduled to open February 21. FYI. We strongly hope have agreed US-Soviet text by that deadline END FYI.

During ENDC session we would, of course, keep in close touch with FRG and other governments having a special interest in this treaty. It is our hope that agreement will be reached during ENDC session on final text which would then be opened for signature in depositary capitals. Thus there will be an adequate opportunity for FRG and other governments, whether or not members ENDC, to be consulted at every stage of further discussion of treaty.

. FYI. We shall have to take Soviet views into account and cannot now give more precise indication signature modalities, but we fully appreciate need adopt procedure in keeping essentially multilateral nature .this treaty. However, we do not wish create impression text which emerges from ENDC discussion, which we strongly hope will be final text, would be subject to further round of discussion before it is opened for signature. END FYI.

GP-3

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OUTGOING TELEGRAM Department of State

INDICATE: COLLECT
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FOR OC/T USE ONLY

JAN 9 7 06 PM '67

R. K. Low

Origin ACTION: AmEmbassy BONN

Info: STATE 115228

NODIS

REFTELS: (a) STATE 109454; (b) BONN 7871.

SUBJECT: Non-proliferation treaty.

DECLASSIFIED
E.O. 12356, Sec. 3.4
NEJ 94-337
By *mg*, NARA, Date 1-12-95

In your discretion, believe it might be useful to see
Schuetz
Brandt or/~~XXXXXX~~ before 11 January to make following points:

1. UK and Canada have indicated favorable reaction to developments regarding formulation Article I in reftel (a) subject to ~~XXXXXXXXXXXX~~ full treaty text. Italy still has matter under consideration.
2. Our views on meaning of treaty as set forth reftel (a) have in many instances already been made known to Sovs. In other instances they may be made clear in later discussions or will be put before US Senate before its vote on treaty. If test ban procedure followed, USSR will not ratify treaty until after US Senate action and can therefore be assumed to have knowledge of public statements made by U.S. Administration to Senate as basis for Senate action. With this kind of record,

Drafted by: ACDA/GC; GBunn:amc	1/9/67	Tel. Ext. 6866	Telegraphic transmission and classification approved by: <i>7</i> The Secretary
Clearances: L - Mr. Meeker (in draft) ACDA - Mr. Foster (in draft) WCF - Mr. Fisher (in draft)			S/S - Mr. Read

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[we believe US position can be maintained without great difficulty after treaty enters into force. We do not in any event expect treaty will be submitted to any international court.

Our present thinking with

3. ~~XXXXX~~ respect to conference problems raised by Schnippenkoetter paras. 1 and 2 in reftel (b), the language of Article IV/quoted in reftel (a) providing for possibility of a conference on amendments is derived from limited test ban treaty. Secretary Rusk testified in 1963 that QTE we reserve our right to object UNQTE should GDR subsequently seek assert privileges under test ban treaty such as endeavoring to attend amendments conference. We advised FRG then that it was our intention to oppose participation and we could not foresee ~~any~~ situation in which we would fail interpose objection. (Deptel 200 to PARIS, repeated as 489 to BONN) Unless FRG has other views, our present thinking with respect to NPT amendments clause is along same lines. The same position would of course apply para. 3 of Article IV calling for a review conference.

4. You may advise FRG that treaty would contain an accessions clause similar to that of limited test ban treaty. As in the case of that treaty, we would reject a GDR signature in Washington and presume UK would do so in London. If France should indicate interest in adhering and becoming depositary government, we assume she would reject

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GDR signature in Paris also. FRG signature would be accepted in three or four capitals; GDR in only one. We would of course make a general disclaimer statement as with test ban treaty and space treaty. Basis for our right to object to GDR participation in conference would be general lack of recognition of GDR as state -- a fact reflected in rejection of GDR's signature or accession by all depositary governments but one.

5. With respect to the succession of a new European state to the nuclear status of one of its component states (UK or France), the draft does not prohibit non-nuclear-weapon states from joining with nuclear-weapon states to form a new state that would have its own nuclear weapons. The new state would QTE succeed UNQTE to the nuclear weapons of its former nuclear-weapon state component or components without a QTE transfer UNQTE of such weapons (which is prohibited by the treaty) being involved. Succession by a new federated European state to nuclear weapons of a component state would be automatic; hence no act of QTE transfer UNQTE could be involved. Without such succession, it could not properly be said that a new federated QTE state UNQTE had come into existence. Moreover, the Soviets understand as fundamental to the treaty that what it does not prohibit is permitted. Since the treaty does not prohibit a consolidation of states and does not require

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the destruction of any nuclear weapons, it must permit the creation of a federated European state with its own nuclear weapons.

6. By the same token non-nuclear-weapon states would not REPEAT not receive a transfer of nuclear weapons by participating in the formation of the new state. Nor would they violate the other prohibitions of Article II through such participation because the new state rather than they would be the only entity acquiring nuclear weapons.

7. In our view, new federated European state to be a single state would not REPEAT not have to be so centralized as to assume all governmental functions. It would only have to control all of its external security functions, including defense and all foreign policy matters relating to external security. Other functions of an internal nature would not REPEAT not have to be centralized.

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TOKYO

OUTGOING TELEGRAM Department of State

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INDICATE: COLLECT
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Origin ACTION: Amembassy TOKYO PRIORITY

MAR 2 10 16 PM '67

ACDA Info: INFO: USMission GENEVA

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GPM
SP STATE 147730

DECLASSIFIED
E.O. 12356, Sec. 3.4
NEJ 94-337
By lip, NARA, Date 1-12-95

SC
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L
H SUBJECT: Non-Proliferation Treaty (NPT)

AF
ARA 1. Request that at earliest opportunity you give Prime
EA
EUR Minister or Foreign Minister copy of following text of secret oral
NEA note containing draft summary of interpretations relating to NPT.
IO
P You should point out that note sets forth responses to questions
USIA and concerns about NPT which various governments have recently
NSC raised with USG.

INR
CIA
NSA
DOD 2. (Title:) Interpretations Regarding Draft Non-Proliferation
SCI Treaty Formulations.

OIC
AEC
NASA
OST a) USG is presenting ^{herewith} ~~herewith~~ draft summary of inter-
pretations relating to non-proliferation treaty. This summary
cannot be made final, of course, until agreement has been reached
on text of treaty provisions for ENDC Co-Chairmen to introduce
into ENDC. Final written summary of interpretations will be

Drafted by: ems:3/2/67 Tel. Ext. 6734 Telegraphic transmission and
classification approved by: ACDA/DD - Adrian S. Fisher
ACDA/IR:RDrexler:RHKranich:

Clearances:
EA/J - Mr. Petree

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transmitted later. We would plan to give these final interpretations in writing to the Soviet Union as soon thereafter as possible.

b) It would not be desirable to request comments from Soviet Union but we would inform the Soviets that we are providing them with summary in order inform them of explanations we have given our NATO allies in response their questions.

c) (Sub-Title:) Draft Summary of Interpretations.

1) Treaty deals only with what is prohibited, not with what is permitted.

2) It prohibits transfer to any recipient whatsoever of "nuclear weapons" or control over them, meaning bombs and warheads. It also prohibits transfer of other nuclear explosive devices.

3) 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.

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

5) It does not deal with existing arrangements for

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deployment of nuclear weapons within allied territory as these do not ~~involve~~ involve any transfer of nuclear weapons or control over them unless and until decision were made to go to war, at which time treaty would no longer be controlling.

6) It does not deal with problem of European unity, and would not bar succession by new federated European state to nuclear status of one of its former components. New federated European state would have to control all 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. It would bar, however, transfer (including ownership) of nuclear weapons or control over them to new multilateral or other entity lacking attributes of federated state essential to bring into play legal doctrine of succession.

d) (Sub-Title:) End of Summary of Interpretations.

e) In addition to foregoing points, certain interpretations regarding preambular language will be provided once preamble is agreed upon. We are seeking Soviet concurrence to formulations in preamble which should lead themselves to following interpretations:

1) It is intent of Parties, including nuclear-weapon-states,

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to achieve at earliest possible date cessation of nuclear arms race. Article IV provides means for treaty signatories to assess progress toward this objective;

2) It is intent of Parties, including nuclear-weapon-states that nuclear weapons and delivery vehicles should be eliminated from national arsenals pursuant to treaty on general and complete disarmament.

3) Apart from nuclear explosive devices, treaty in no way inhibits peaceful applications of atomic energy. It would not prohibit any non-nuclear-weapon-state from proceeding with development of fast breeder reactor;

4) Apart from nuclear explosive devices, treaty in no way hinders cooperation between states regarding peaceful applications of atomic energy;

5) It is intention of all Parties, including nuclear-weapon-states that, when peaceful nuclear explosives become feasible, nuclear explosive services should be made available to non-nuclear-weapon parties in non-discriminatory manner under appropriate international arrangements, with devices remaining under control and custody of states which provide them.

f) USG has also provided its allies with draft formulation of

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Article III concerning application of international safeguards over peaceful nuclear activities. If this formulation proves acceptable to our allies and Soviet Union it would lend itself to following interpretation.

1) It would not impinge upon essential interests of EURATOM or any other non-nuclear weapon Party members/in developing peaceful nuclear technology;

2) It would provide reasonable period of time for application of IAEA safeguards to become effective;

3) It would not prevent United States or any other supplier from selling plutonium to EURATOM or/individual/^{any} ~~European countries~~ ^{country;}

4) It would not establish inspection arrangements which could be exploited for industrial espionage;

5) It would not affect right of any state to decline to receive individual IAEA inspectors.

GP-1

END

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INCOMING TELEGRAM *Department of State*

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Info

CONTROL: 277
RECD: JANUARY 3, 1967, 2:16 AM
FROM: TOKYO
ACTION: SECSTATE

R. Stow

~~SECRET~~ TOKYO 4702

NODIS

REF: TOKYO'S 4695

SHIMODA CALLED ME TODAY AND SAID THAT HE HAD BEEN IN TOUCH WITH FONMIN MIKI AND PRIMIN SATO ON NON-PROLIFERATION MATTER. THEY BOTH WANTED TO EXPRESS THEIR DEEP APPRECIATION FOR OUR CONSULTATION WITH THEM ON THIS SUBJECT. SELECTED MEMBERS OF FONOFF STAFF ARE NOW WORKING ON THE MATTER AND FONMIN HOPED TO MEET WITH THEM IN NEXT FEW DAYS AFTER WHICH HE WANTED TO MEET WITH ME. THIS MIGHT COME BY END OF WEEK BUT MORE LIKELY BEGINNING OF NEXT WEEK. IN MEANTIME SHIMODA WANTED ME TO KNOW THAT PRELIMINARY AND PERSONAL OPINION OF BOTH HIMSELF AND FONMIN WAS THAT OUR DRAFT PRESENTS QUOTE NO MAJOR DIFFICULTY UNQUOTE FOR GOJ. JOHNSON
BT

DECLASSIFIED
E.O. 12356, Sec. 3.4
NJ 94-337
By *lip*, NARA, Date *1-12-95*

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INCOMING TELEGRAM *Department of State*

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Action CONTROL: 24540
RECEIVED: DECEMBER 30, 1966 6:02AM

Info FROM: TOKYO
ACTION: SECSTATE WASHDC

~~SECRET~~ TOKYO 4695

NODIS

REF A: TOKYO 4669 B: STATE 110302

DECLASSIFIED
E.O. 12356, Sec. 3.4
NEJ 94-337
By *ij*, NARA, Date 1-12-95

1. YASUKAWA CALLED IN EMB POL COUNSELOR DEC 30 AND READ HIM GIST OF PAPER GIVEN FOSTER BY TAKEUCHI DEC 28. YASUKAWA EXPLAINED PAPER HAD BEEN SENT TO WASH IN JAPANESE FOR TRANSLATION THERE AND FONOFF DOES NOT YET HAVE BACK ENGLISH VERSION, COPY OF WHICH HE PROMISED EMBASSY WHEN AVAILABLE.
2. YASUKAWA THEN REFERRED TO POINTS WHICH I HAD MADE TO SHIMODA DEC 29 (REF A) AND COMMENTED THAT THESE APPEARED TO BE DEPARTMENT'S RESPONSE TO PAPER PRESENTED BY TAKEUCHI. ON PERSONAL BASIS, TASUKAWA SAID HE SAW NO BASIC DISCREPANCY BETWEEN WHAT ROJ HAD ASKED AND WHAT USG THOUGHT. STILL, GOJ MIGHT HAVE DIFFICULTY ON PROHIBITION OF PEACEFUL-USES EXPLOSIONS BY NON-NUCLEAR-WEAPON STATES. GOJ REALIZED THAT LACK OF DIFFERENTIATION BETWEEN MILITARY AND PEACEFUL-USES DIVICES WOULD PROVIDE LOPHOLE FOR VIOLATION, BUT ON OTHER HAD FELT IT NOT QUITE FAIR TO ALLOW NUCLEAR-SEAPON STATES NOT ONLY PEACEFUL-USES EXPLOSIONS BUT ALSO MILITARY EXPLOSIONS WHILE ASKING NON-NUCLEAR-WEAPON STATES TO REFRAIN FROM EVEN PEACEFUL-USES EXPLOSIONS. GOJ REALIZES SOME CONTROL NEEDED OVER PEACEFUL-USES EXPLOSIONS BUT BELIEVES THIS SHOULD AND CAN BE FOUND BY INTERNATIONAL CONTROL OUTSIDE OF NON-PROLIFERATION TREATY.
3. YASUKAWA SAID USG ALREADY HAD, THROUGH TAKEUCHI'S PAPER, BASIC POSITIONS OF GOJ, BUT THAT GOJ WOULD COMMENT FURTHER ON SPECIFIC DRAFTS GIVEN SHIMODA. THIS WILL TAKE A LITTLE TIME, HOWEVER, IN VIEW OF ABSENCE OF OFFICIALS AT NEW YEAR, AND NOT LIKELY BEFORE END OF NEXT WEEK. IN VIEW PARA 7, REF B, EMBASSY OFF DID NOT INDICATE THAT GREATER HASTE REQUIRED FROM U.S. POINT OF VIEW.
4. YASUKAWA SAID MATTER WAS BEING HELD ON ABSOLUTE NEED-TO-KNOW BASIS WITHIN FONOFF.

GP-1. JOHNSON

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OUTGOING TELEGRAM Department of State

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ACTION: AmEmbassy TOKYO

JAN 14 12 40 PM '67

STATE: 118791

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REF: TOKYO 4794, 4795, 4796

DECLASSIFIED
E.O. 12356, Sec. 3.4
NEJ 94-338
By ij, NARA, Date 9-27-94

SUBJ: Non-proliferation treaty (NPT)

1. You are authorized to tell Japanese orally that except for Western Four ENDC allies (Canada, Italy and UK) and ^{FRG} ~~FRG~~, Japan is only US ally which has received NPT texts and explanation.

2. In addition to excellent points you have already made to Miki and Yasukawa, suggest the following be conveyed orally or in an informal note at your discretion:

(1) Security of non-nuclear-weapon states. We are pleased that Japanese Government agrees with us that non-proliferation treaty would not in any way detract from the mutual protection afforded our two countries by the Treaty of Mutual Cooperation and Security between us. The guaranties which are made to allies will in the nature of things be more

Drafted by: 1-14-67
ACDA/GC:GB:amc
Tel. Ext. 6866
Telegraphic transmission and classification approved by: ~~SECRET~~ ACDA - Mr. Fisher

Clearances:
ACDA/DD - Mr. Fisher
L - Mr. Meeker (indraft)
ACDA/IR - Mr. De Palma
S/S - Mr. Read

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comprehensive than any assurance which may be available to other states. For this reason, we ~~had~~ hope our allies will not urge non-aligned countries to seek same guaranties already given to allies.

President Johnson has made clear to all that "nations that do not seek the nuclear path can be sure that they will have our strong support against threats of nuclear blackmail". We have discussed with Soviet Union the possibility of incorporating positive assurance of this general nature in a UN resolution. It is particularly appropriate for UN, which was founded for purpose of maintaining international peace and security, to deal with problem of security of non-nuclear-weapon states. Soviet Union has in past been reluctant to deal with this security problem except through negative assurance such as Kosygin proposal for nuclear-weapon states not to use nuclear weapons against states not possessing nuclear weapons and having no foreign nuclear weapons on their territories. Kosygin proposal would do little for Asian nations if we assume that Mainland China would not sign NPT. Moreover, as Japanese Government aware, US and its NATO allies have had other objections to it as well as this one.

UNGA referred problem of security for non-nuclear-weapon states under NPT to ENDC by Res 2153. Based on discussions with Sovs during UNGA, we believe they will be prepared to discuss dealing with

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problem by means of UNGA resolution which might be considered by next UNGA. They have clearly stated they would not insist upon inserting Kosygin proposal into NPT. We have said we believed security problem far too complicated to deal with in text of NPT, but we recognized need felt by many non-nuclear-weapon countries for assurance from nuclear-weapon states. US will be discussing this problem further with Sovs and others when ENDC resumes. As in past, our delegation will be instructed to consult with Japanese permanent representative to European Office of UN in Geneva.

(2) Nuclear explosive devices for non-military purposes.

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US position was first spelled out in Geneva by Fisher August 8, 1966. Technical facts are that making nuclear explosive devices for peaceful purposes would be essentially indistinguishable from making nuclear weapons. Any nuclear explosive ~~item~~ intended for peaceful application could be used as weapon or readily adapted to such use. If any state has facility for manufacturing nuclear explosives, it could manufacture nuclear weapons and this possibility would be understood throughout world with all of its consequent political implications.

Although US has been carrying out extensive studies to develop peaceful application nuclear explosive, we still have several

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difficult technical problems to solve before we will be able demonstrate applications which are technically and economically feasible. Only highly ~~sophisticated~~ sophisticated thermonuclear devices ~~feasible~~ ^{feasible} for nuclear excavation projects. Fission-type explosives not rpt not practical for excavation because radioactivity release would be unacceptably high and because fissionable material too costly to make such project economical. On basis US experience, development nuclear excavation explosives exclusively for peaceful purposes by non-nuclear-weapon state could not ^{be} justified on economic ground since such development extremely costly in terms of scientific manpower, materials consumed and capital investment required.

Inescapable technological facts require prohibition development any explosive nuclear device by non-nuclear-weapon countries. If such prohibition not contained in NPT it would mean that non-nuclear-weapon state, though undertaking not to acquire nuclear weapons, would be entitled to embark upon and carry through nuclear program ~~of~~ developing highly sophisticated thermonuclear explosive devices available for use as weapons. This would leave loophole in treaty almost as large as treaty itself. Indeed, absence of NPT provision prohibiting peaceful nuclear explosives could be regarded as international approval for development of such by non-nuclear-weapon states.

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Purpose of new ideas is to make clear that once participating nuclear powers are prepared to undertake practical applications of peaceful nuclear devices in their own countries, they will not withhold granting of services to others (i.e., making available nuclear devices, technicians, etc.) because of extraneous considerations. We hope to be communicating new ideas to GOJ in near future.

The suggestion that NPT should not deal with problem of explosion of nuclear devices by non-nuclear-weapon states for five years or more is not acceptable even though peaceful applications of nuclear explosives which are permissible under ~~xxxx~~ ^{test} ban limitations

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are not yet technically and economically feasible. A state which had developed a first crude, dirty nuclear device would probably ~~be~~ have the ability to explode it underground without violating the Limited Test Ban Treaty's restrictions upon debris crossing borders. It could then announce that the explosion was its first test in a program to develop peaceful nuclear explosions. No one could prove the opposite. And that state's neighbors and rivals would certainly not rest easier because device exploded had been described as a peaceful. As result continued existence NPT would be jeopardized.

(3) Nuclear disarmament. Japanese paper handed Ambassador Johnson asks how intention of the nuclear-weapon states that ^{an} NPT would be a step toward nuclear disarmament would be expressed in NPT or otherwise. We have in mind preambular language which would declare intention achieve (1) halt in nuclear arms race at earliest possible date, and (2) elimination from national ~~arms~~ arsenals of nuclear weapons and means of their delivery under effective international control pursuant to a treaty on GCD. We do not propose to link any other arms control measure to NPT because that would make NPT much too complicated for prompt agreement. But we do propose to work for early agreement to various measures for halting and turning back nuclear arms race.

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(4) Amendment and review of treaty. Japanese paper asks for US views on whether NPT should provide for ~~some~~ amendments by a two-thirds vote of parties without any veto by nuclear-weapon states. US did not propose present amendments article; it was urged by USSR with argument that US and others had agreed to almost identical language in Limited Test Ban Treaty. We believe it highly unlikely Sovs would accept an amendments article without Sov veto. We are convinced US Senate would not accept one without a US veto.

We had not before considered the idea of review every five years during life of NPT. We believe this would have certain ~~some~~ attractions to non-nuclear-weapon states. However, extended negotiations were required to secure Sov agreement to the present review clause. We are doubtful that Sovs would now agree to periodic review. Consideration ~~also~~ should be given to possibility that first review conference could agree to convening of second such conference after specified period.

(5) Other matters.

(1) The Japanese paper asks what measures might be provided to verify the prohibition on transfers, and whether the absence of inspection provision for this prohibition represents a change in US arms control policy against agreements which cannot

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be inspected.

We believe that in most instances of concern, a state desiring to acquire its own nuclear weapons would wish to publicize the fact that it had acquired them. In addition, modern vehicles designed for effective delivery of nuclear weapons are large, visible and ~~xxxx~~ readily identifiable. For these reasons, we do not regard the transfer prohibition as ~~xxxx~~ entirely unverifiable. Finally, the primary threat to the US and its allies against which NPT would be aimed is not the transfer of nuclear weapons. We believe it against the interest of the USSR, or China for that matter, to transfer nuclear weapons to their allies. The primary threat is the manufacture of nuclear weapons by non-nuclear-weapon states. We are strongly of the view that the prohibition on such manufacture should be verified by IAEA or equivalent international safeguards.

There has been no change in US policy with respect to the need for verification of arms control agreements the undetected ^{violation} ~~xxxxxx~~ of which would threaten the security of the US or its allies.

(ii) The Japanese paper asks on what basis the US understands that NPT would not be applicable in time of war.

The purpose of NPT is to reduce risk of nuclear war by preventing further spread of nuclear weapons. If, nonetheless, nuclear

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war results, NPT would no longer be regarded as applicable. Moreover, Sov ~~representatives~~ representatives have been told repeatedly by Secretary Rusk and Mr. Foster that all bets would be off in the event of general war, i.e., that the ~~xxxxx~~ treaty would no longer apply in that event. This has been made clear to Gromyko, Roshchin and Tsarapkin, and there has been no effort on their part to establish a contrary understanding. Finally, Sov representatives are aware that, in the event of general war, nuclear weapons in the custody of US forces could be transferred to allied forces by direction of the President. US atomic energy legislation would not preclude such a transfer in these circumstances.

Understandings of this kind are not, of course, something which the USSR would like to see made public. We do not intend, therefore, to be any more explicit about them than is absolutely necessary.

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RUSK

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Kenny*

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DEC 29 9 04 PM '66

Origin ACTION: Amembassy TOKYO

Info: FOR AMBASSADOR EYES ONLY

STATE 110302

NODIS

REF: TOKYO 4669

DECLASSIFIED
E.O. 12356, Sec. 3.4
NEJ 94-338
By *ig*, NARA, Date *9-27-94* *Rostow*

Subject ; Non-Proliferation Treaty

1. At his request Ambassador Takeuchi saw Foster December 28 and gave him paper making following points:

A. In view Secy.Rusk's assurance US would consult important allies including Japan before negotiations come to final agreement, Japan desires detailed explanations present situation and future prospects US-Soviet negotiations, including ~~from~~ points of agreement and disagreement on matters to be included in NP treaty.

B. Japan shares US belief urgency and importance concluding NP treaty, in course of which views non-nuclear states should be fully respected since their basic national interests affected. Thus Japan believes that (1) In order assure that treaty

[Signature]
S/S - Mr. Brown

Drafted by: *[Signature]* ACDA/IR: SDePalma; aow
Tel. Ext. 2762
Telegraphic transmission and classification approved by: ~~THE SECRETARY~~ C. Arthur Borg

Clearances: 12/29/66
ACDA-Mr. Foster (draft) *(100)* ACDA/DD-Mr. Fisher *a37*

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Page 2 of telegram to Amembassy TOKYO~~SECRET~~
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effectively achieves its objectives, of utmost importance secure participation all nuclear weapon states, including those currently developing such weapons, as well as vast majority non-nuclear weapon states, and particularly those with nuclear development capabilities whose views should be sought and incorporated in treaty if their participation to be secured; (2) full consideration should be given to security problems of non-nuclear weapon states; important that treaty should not result in making it difficult for existing collective security systems to attain their objectives; (3) treaty should constitute step toward GCD, stimulate progress in field nuclear disarmament and not result in weakening voice of non-nuclear weapon states ^{on} ~~in~~ world politics generally through nuclear monopoly of nuclear weapon states; (4) treaty should not obstruct development peaceful uses nuclear energy and, in particular, ~~not~~ damage rights and interests non-nuclear weapon states in this field.

(6) Accordingly, GOJ strongly desires following points

QTE be taken into consideration UNQTE:

(1) That nuclear weapon states express in treaty, or in form ^{of} ~~of~~ declaration, their intention bend all efforts toward disarmament, in particular nuclear disarmament; (2) that treaty does not include any provision which may obstruct any function of present US-Japanese Treaty

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[of Mutual Cooperation and Security; (3) that parties be enabled hold]
conferences periodically as well as when occasion arises in order review
all problems pertaining to enforcement NP treaty, including disarmament
efforts of nuclear states; (4) that opportunity be created enabling each
party re-examine its position, including withdrawal, after fixed period
of time (e.g. 5 years) from entry into force of treaty; (5) that an
international guarantee system be perfected to secure peaceful uses
atomic energy; and (6) that treaty not include provisions prohibiting
solely non-nuclear states from conducting nuclear explosions for peace-
ful purposes.

2. Alluding to rumors from Germany and France that US had already
made deal with Soviets on NP treaty, Takeuchi expressed concern Japan
was QTE outsider UNQTE despite Secretary's assurance it would be fully
consulted. He said Japan had heard specific treaty formulations had been
shown to others. Foster said this true only of Article I which shown
our ENDC allies and FRG and now being shown Japan. Foster said US
shortly intended present additional comments on other basic treaty
formulation to these same countries through its Ambassadors.

3. Takeuchi said paper he had given Foster emphasizes some
GOJ concerns but not to be taken as formal presentation since was
[prepared essentially as aid to discussion. Emphasizing confidential]

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nature his inquiries, Takeuchi solicited Foster's informal comments on six points in Japanese paper. Takeuchi also said major question arises for GOJ because in 1970 US-Japanese Security Treaty becomes subject abrogation on one year's notice: If this were to happen, although not expected, GOJ wanted to be sure NP treaty would not in any way make it difficult for it to carry on. He alluded to need avoiding anything in treaty precluding possibility future arrangement involving stationing weapons in Japan, noting that this point covered cryptically in his paper because of domestic sensitivity (point C.2 above).

4. Takeuchi also expressed GOJ concern over nuclear monopoly of QTE have UNQTE nations since Japan possesses capability and in time may need weapons if China continues advance in this field. Should Japan accept treaty inhibitions, she would be junior partner. Japan therefore needs treaty assurance from US against attack and above 1970 possibility might raise domestic political questions.

5. In going over six points of Japanese paper, Foster said US could not accept statement NP treaty should not include prohibition on peaceful uses explosions by non-nuclear states. Foster recalled various US explanations this matter, stressing that any peaceful nuclear explosive device has most of characteristics of nuclear weapon and that, accordingly, US believes nuclear states should be prepared

Page 5 of telegram to Amembassy TOKYO

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Classification

make such devices available to non-nuclears under international auspices when and if technically and economically feasible. Foster said US and Japan appeared agree on importance safeguards on peaceful uses, but no understanding yet achieved with Soviets on this matter. However, something more than hortatory article III now appearing in published US draft needed to satisfy interested parties US Senate as shown by Senate hearings on Pastore resolution which Foster undertook send to Takeuchi.

6. Regarding points 3 and 4 of Japanese paper, Foster said we believe fixed period treaty not negotiable with Soviets, but we also believe amendments, review and withdrawal provisions (see STATE 109450) meet Japanese concerns. Foster also pointed out US agrees with Japanese philosophy regarding prospects for nuclear disarmament as shown by various proposals it has introduced at Geneva (e.g. SNDV freeze, fissionable materials cut-off, comprehensive test ban), but clear they could not be included in treaty.

7. Takeuchi expressed opinion suggested draft Article I appeared be great improvement over same Article in existing published US and Soviet drafts. While unable speak for his Govt, he personally saw no difficulty for GOJ in its formulation. In response further questions Foster said we are awaiting responses our other allies.

FRG reaction likely be delayed because of new Govt and schedule

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Page 6 of telegram to Amembassy TOKYO

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Classification

calling for next Cabinet meeting toward middle January. Takeuchi noted similar difficulty for Japan since PM and FONMIN would be campaigning for next thirty days or so. Foster also stressed that language proposed article had been discussed ad referendum with Soviets, pending consultation our allies, and that it is important maintain utmost secrecy these consultations.

GP-1

END

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3

109460

OUTGOING TELEGRAM Department of State

INDICATE: COLLECT
 CHARGE TO

~~SECRET - NODIS~~

Classification

W D
Rostow

DEC 21 8 14 PM '66

FOR OFFICE USE ONLY

Origin
Info

ACTION: AMEMBASSY TOKYO
NODIS

EYES ONLY FOR AMBASSADOR FROM SECRETARY

STATE *109450*

Request you seek appointment with Foreign Minister to initiate most discreet consultations on non-proliferation treaty text.

as Ambassador here was informed Dec. 28, You should indicate that/ appears Sovs ~~would~~ agree to would

basic Article I containing following language:

"Each nuclear-weapon State Party to this Treaty will not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or ~~explosive~~ 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."

At the same time you should show/draft possible Article II following text of which drafted as mirror image of Article I/. Language Art. II not actually shown Sovs but based on discussions believe would be acceptable.

DECLASSIFIED

E.O. 12356, Sec. 3.4

NIJ 94-337

By *ig*, NARA, Date *1-12-95*

Drafted by: *287*
ACDA/DD:ASFisher

7771

Telegraphic transmission and classification approved by:

The Secretary

Clearances:

ACDA/D-William C. Foster

S/S *Mr. Read*

EA *Mr. Bundy*

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"Each non-nuclear-weapon State Party to this Treaty undertakes not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or 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."

You should point out that provisions proposed Article II are a mirror of Article I text and that the latter is a reflection of existing US Atomic Energy ~~law~~ legislation. Thus the proposed form of Article I and II are necessary/^{more}~~now~~ from the standpoint of US national legislation than from that of the non-proliferation negotiations.

In discussing this text with the Foreign Minister you should make the following points:

1. Proposed draft would not be applicable in time of war.
2. Draft would have no bearing on a decision to go to war or on nuclear planning or consultation with allies on nuclear matters.
3. The draft would not bar states from having a veto on the launching of nuclear weapons from their territory.
4. The draft applies only to nuclear warheads, and not to

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Classification

delivery vehicles.

5. The draft would prohibit a transfer of US nuclear warheads to any recipient whatsoever, even though no individual state obtains national control over such warheads. In this regard you should point out this aspect draft applies to nuclear-weapon-states and non-nuclear-weapon states alike, thereby removing in this regard discrimination against non-nuclear-weapon states.

6. ~~XXX~~ If asked how draft affects MLF, ANF, etc. you should ~~not~~ would not rule out the establishment at some future date of a multilateral Atlantic entity in which non-nuclear-weapons states participated, and to which they made financial contributions, so long as there was no transfer to this entity of an ownership interest in nuclear warheads (as opposed to delivery vehicles) and so long as the ~~or other participating nuclear-weapon~~ ^{state} United States ^{its} retained control over ~~the~~ nuclear warheads. ~~XXXXXXXXXX~~.

In addition you should show Foreign Minister following Article IV dealing with amendments and review:

"1. Any Party to this Treaty may propose amendments to this Treaty. The text of any proposed amendment shall be submitted to the Depositary Governments which shall circulate it to all Parties to the Treaty. Thereupon, if requested to do so by one third or more

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Classification

of the Parties, the Depositary Governments shall convene a conference, to which they shall invite all the Parties, to consider such an amendment."

"2. Any amendment to this Treaty must be approved by a majority of the votes of all the Parties to the Treaty, including the votes of all nuclear-weapon States Party to this Treaty. The amendment shall enter into force for all Parties upon the deposit of instruments of ratification by a majority of all the Parties, including the instruments of ratification of all nuclear-weapon States Party to this Treaty.

"3. Five years after the entry into force of this Treaty, a conference of Parties shall be held in Geneva, Switzerland, in order to review the operation of the Treaty with a view to assuring that the purposes and provisions of the Treaty are being realized."

Treaty would also have withdrawal clause based on comparable clause in test ban which would provide: "This Treaty shall be of unlimited duration.

*Each Party shall in exercising its national sovereignty have the right to withdraw from the treaty if it decides that extraordinary events related to the subject matter of the treaty have jeopardized the supreme interests of its country."

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Above review clause differs from the previous review clause tabled in Geneva at the ENDC in that provision for conference is automatic and review is for stated purpose of reviewing operation of treaty "with a view to assuring that purposes and provisions of the treaty are being realized." Increased emphasis on review for the purpose of protecting interests of the non-nuclear-weapons powers, and entitle them to assurance that on a specific date they will have a conference at which they can call on the nuclear powers to show whether the treaty is living up to its stated purpose of leading towards easing of tensions and facilitating of disarmament rather than merely being a step to preserve nuclear monopoly.

While treaty provision for review after five years would not provide for termination at that time, would enable participants to raise for discussion or propose amendments re any situation affecting purposes or provisions of treaty. Amendments would require votes of majority of parties including all nuclear-weapon parties. Withdrawal would be possible at any time in event of any extraordinary events related to subject matter of treaty which, in judgment of withdrawing party, jeopardized its supreme interests.

You should also indicate that we have not as yet resolved issue

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as what type of safeguards clause we would have in the treaty. FYI
Sovs agreeable to a treaty without safeguards but if US wants safe-
guards clause Sovs will agree to ~~see~~^{one} only if applied to the peaceful
activities of non-nuclear-weapon powers alone and only if IAEA safe-
guards specified although would doubtless agree to reasonable period
for putting in IAEA safeguards. END FYI

You should indicate as previously stated ENDC US is considering
Article III (safeguards) stronger than hortatory language in draft
previously made public ENDC. This proposed safeguards clause would
specify IAEA.

The above suggested formulations are in terms of possibilities
as they have not been accepted by the US Government, since the US
wishes to have the most discreet and thorough consultation with its
allies before deciding its position. Discussions with the Soviet
Union have remained, for that reason, informal.

In your discussions you should indicate all language discussed
so far has been on an ad referendum basis, subject to consultation with
allies, and that what you are now engaged in is a part of this
consultative process, a process carried out without pre-commitment.
You should point out, however, that ad referendum language is result

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Classification

of extensive informal discussions aimed at finding phrases that might be acceptable to both sides. You should further indicate the ^{vital} necessity of keeping the matter ^{most} closely held within the Government of Japan because of the undesirable effect of any premature or public disclosure.

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Obviously such disclosure at this crucial time would seriously jeopardize or ruin chances of obtaining agreement.

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END

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57

Circulars

OUTGOING TELEGRAM Department of State

177012

INDICATE: COLLECT
 CHARGE TO

~~SECRET~~

58

44
Origin
55
Info:

ACTION: ALL NATO CAPITALS ~~SECRET~~ IMMEDIATE

INFO: US Mission GENEVA
Amembassy VIENNA

APR 18 10 59 AM '67

DECLASSIFIED

E.O. 12356, Sec. 3.4

NEJ 94-338

By ing, NARA, Date 9-27-94

STATE 177012 CIRCULAR

L I M D I S

F
S

DISTO/NATUS/BUSEC/IAEA

SUBJECT: Non-Proliferation Treaty (NPT)

1. FOR BONN AND ROME: This message conveyed for your information only. Septels ~~fastex~~ containing special instructions.

2. FOR ALL OTHER NATO CAPITALS EXCEPT LONDON: ~~As soon as possible~~ As soon as possible, ~~you should convey to appropriate host Govt official~~ you should convey to appropriate host Govt official information contained in paras 3 through 7 below, and leave Aide-Memoire with following text:

3. BEGIN TEXT: To assist the Govt of _____ in considering the safeguards article of the proposed non-proliferation treaty, the Govt of the US wishes to inform the

Drafted by: ACDA/DD:LWeller:ACDA/IR:
AFNeidle:jai:4/17/67

Telegraphic transmission and classification approved by: ACDA - William C. Foster

Clearances:

ACDA/IR - Mr. De Palma
EUR - Mr. Springsteen

AEC-Mr. Labowitz
ACDA/DD-Mr. Fisher

S/S - Mr. Walsh

~~SECRET~~

~~SECRET~~

Govt of _____ that the United States is prepared to take which it anticipates discussing in NAC later in the week. the following action/ If it will help achieve inclusion of an effective safeguards article in the non-proliferation treaty, the United States is prepared to offer to the International Atomic Energy Agency the opportunity to apply its safeguards to all nuclear activities in the United States, both governmental and private, with the only exclusion being those for military and national security reasons. Subject only to these exclusions, this offer would, for example, apply to the following broad range of activities: all nuclear reactors owned by ~~xxxxxx~~ utilities and operating for the production of electricity, mechanical power or process heat; all experimental nuclear reactors which are designed and operated to test the technical feasibility of reactor concepts for use in commercial nuclear power stations; all fuel fabrication for nuclear reactors included ~~among~~ ^{among} the foregoing; and all chemical processing of irradiated fuel from those reactors.

4. This offer would apply at ~~xxx~~ such time as safeguards are applied in non-nuclear-weapon states under an effective safeguards provision in the non-proliferation treaty.

5. Such an offer would demonstrate our conviction that these safeguards would in no way put any nation's nuclear industry at a

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commercial disadvantage. It would also put United States nuclear industry on an equal footing in this respect with nuclear industries of non-nuclear-weapon states which are parties to the non-proliferation treaty.

6. We are prepared to make a public announcement of this proposal in Geneva after the ENDC co-chairmen have tabled a draft non-proliferation treaty containing an effective provision for safeguards. We intend, of course, to inform our NATO allies of this offer.

7. We believe it is important that a draft treaty be tabled by the ENDC co-Chairmen when the ENDC reconvenes early in May, so that negotiations on it can begin in Geneva. We would hope, therefore, ~~that~~ that an understanding can be reached at the next NAC meeting to the tabling ~~of~~ of a draft treaty text at the ENDC following discussion with the Soviets, without committing any of our NATO allies to that text. We would also expect that our consultations on the proposed treaty would continue in the course of the ENDC negotiations.

END TEXT.

8. FOR BUSEC: You should inform EURATOM Council of above April 19.

9. FOR LONDON: UK Embassy informed today of our plan to convey

this offer to NATO countries prior to NAC meeting April 20.

10. FOR PARIS FOR CLEVELAND: You should inform Perm Reps ^{April 19} /that _{April 20.}
repeat

US intends ~~make~~ offer described in paras 3 through 7 at NAC meeting/
GP-1

END

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ORIGIN: ROT-148

EUR-6

25

DEPARTMENT OF STATE

AIRGRAM

DEF 18-4
XR-DEF 18 GERW
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RM/R 1 REP 5 AF 5

ARA 10 EUR EA 4

NEA 7 CU INR 5

P 2 IO 5

L 3 FBO AID

AGR 1 COM FRB 1

INT LAB TAR

TR XMB AIR 5

ARMY 3 CIA 10 NAVY 5

OSD 33 USIA 10 NSA 3

ACDA NSC 14 6

CA-8018 NO.

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AIR PRIORITY 59
HANDLING INDICATOR

TO : ALL NATO COUNTRIES, Addis Ababa, Bern, Bucharest, Cairo Geneva, Lagos, Mexico, Moscow, New Delhi, Prague, Rangoon, Rio de Janeiro, Sofia, Stockholm, Tokyo, Warsaw, USUN New York

NPT

APR 17 7 07 PM '67

FROM : Department of State

DATE:

SUBJECT : German Memorandum on Nonproliferation and Disarmament

REF :

On April 9, the German Ambassador provided to the Department a document entitled German Memorandum on the Present Disarmament Negotiations. The Federal Republic indicated that it has delivered the memorandum to ENDC members over the past several weeks and to all other NATO capitals, Japan, and Switzerland on April 11.

The memorandum pronounces Germany's support in principle for the Nonproliferation Treaty, but enumerates in moderate fashion a series of familiar reservations. According to German Foreign Office sources, the decision to circulate it was prompted by the Federal Republic's concern that the German position on the Nonproliferation Treaty is being exploited to an increasing degree by Soviet and East European propaganda. The Federal Republic, therefore, wanted to go on record to rebut any misunderstandings as to German reasons for treating the Nonproliferation Treaty negotiations carefully.

The text of the memorandum follows, for the information of addressee posts:

German Memorandum on the Present Disarmament Negotiations

A.

The German people share the wish of all nations for a lasting peace. They fear the suicidal effects of modern mass

FORM DS-205 4-62

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 In Out

Drafted by: EUR/GER:HSM:alm:hmo

Contents and Classification Approved by: EUR - George S. Springsteen

Clearances: RPM - Mr. Baker (substance) ACDA - Mr. Kranich (substance) GER - Mr. Johnpoll

Ed

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1961 APR 11

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-2-

destruction weapons and abhor any policy of force.

The Federal Republic of Germany has not only solemnly repudiated the use of force as a means of achieving its policy, but as early as 3 October 1954 it renounced once and for all the production of nuclear, bacteriological, and chemical weapons and subjected itself to the appropriate controls. It has thus contributed substantively to the non-proliferation of nuclear weapons and to armaments restriction. No other nations have so far followed this example by taking similar steps. The Federal Republic of Germany would welcome a reduction of the hazards arising out of nuclear weapons by means of a universally acceptable agreement.

In the past two decades, the world has had to live through periods of tension during which nuclear weapons while, on the one hand acting as a deterrent, on the other hand, nevertheless dangerously influenced the causes and the course of the various crises.

The devastating effect of nuclear weapons obliges the governments of the world not merely to end the nuclear arms race; the interests of mankind demand the beginning of nuclear disarmaments. That is the only way to establish a peaceful international order guaranteeing all nations, large and small alike, prosperous development in freedom, independence, and human dignity. Germany will continue in her resolve to strive jointly with other countries to achieve this aim.

The disarmament negotiations of the big nuclear-weapon powers have been partially successful in the sphere of armament control, but have not by any means put an end to the nuclear arms race. The necessity for genuine disarmament remains all the more urgent. An international arrangement for the non-proliferation of nuclear weapons could prove to be the preliminary step towards the effective safeguarding of peace, if disarmament measures were to follow.

Nuclear weapons give power; but the possession of them is not - at least not for the Federal Republic of Germany - a privilege worth striving for. Nuclear weapons place a grave responsibility on the powers which have them; but their possession must not

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-3-

become the criterion for still greater inequality between the members of the community of nations. This applies especially to the sphere of the peaceful use of nuclear energy.

B.

Regarding the problems, at present the centre of interest, which are inherent in an international arrangement for the non-proliferation of nuclear weapons, the government of the Federal Republic of Germany is guided by the following considerations.

I. Essential Disarmament Measures

The aim of all peace-loving nations is the renunciation by all countries of the development, production, transfer and reception of nuclear weapons.

At present a treaty is under discussion whereby the non-nuclear-weapon powers alone would be accepting substantial self-restrictions and obligations, i.e., initially just a partial solution of the actual problem. This constructive contribution by the non-nuclear-weapon powers towards consolidating peace would be made easier and more effective if it were the preliminary step towards a comprehensive arrangement. The world cannot stop at a limited non-proliferation treaty. It needs more comprehensive solutions. It is incumbent in the non-nuclear-weapon powers to stop the development of increasingly more dangerous weapons, not to increase further existing stocks, including the means of their delivery, to begin reducing them, to stop the production of fissionable material for military purposes, and to aim at a comprehensive test ban.

If the nuclear-weapon powers would explicitly announce their willingness to take their own steps to restrict and reduce armaments, a limited non-proliferation treaty would be the beginning of international co-operation for a genuine guarantee of peace in the nuclear age. Clarity should be achieved as regards ways and means of ensuring that co-operation in the further phases of development. It is only in this way that a fair balance can be established of the rights and obligations of the nuclear-weapon and non-nuclear-weapon powers in accordance

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- 4 -

with resolution No. 2028 of the XXth general assembly of the United Nations. The execution of the promised disarmament measures could be checked by an international authority at each further stage of the disarmament process in the light of the joint aims.

II. Detente in Relations between the Participating States.

The arrangement for the non-proliferation of nuclear weapons ought to reduce existing international tensions and create one of the prerequisites for an improvement in relations between all states parties to the treaty. In the sphere of application of the treaty the participating states should consider their relations with each other to be cleared and should refrain from mutual accusations in the sphere and seek to attain the common aim of comprehensive, general, and controlled disarmament.

No nuclear-weapon power should use its potential for purposes of political threats, political pressure or political blackmail against non-nuclear-weapon powers. This promise would have to be incorporated in a non-proliferation arrangement. In renouncing the nuclear option, the non-nuclear powers make a positive contribution to easing tension. They justifiably expect that the nuclear-weapon powers will undertake to act towards them with constructive courtesy. The keeping of this promise of the part of the nuclear-weapon powers could be supervised by an international authority.

III. Security Problems of Non-Nuclear-Weapon Powers.

The renunciation by non-nuclear-weapon powers of the nuclear option within a non-proliferation arrangement raises numerous security problems for them, although in various ways. The aim of these countries to safeguard themselves as far as possible against existing or potential security risks, deserves understanding and sympathy. The renunciation of nuclear weapons should be so arranged that it does not become a source of particular danger but an advance on the way to a more stable, peaceful order. Those who are the first to contribute have the right

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- 5 -

to expect the community of nations to rectify any resultant one-sidedness.

IV. Peaceful Use of Nuclear Energy.

A proper solution of the problem of non-proliferation could contribute towards developing existing scientific, technical, industrial, and economic capacities of nuclear energy for peaceful purposes and securing them once and for all for the civil sphere. Regulations, on the other hand, which do not clearly define the limits of the military and civil spheres, would impede the peaceful use of nuclear energy, and obstruct progress. The free use of nuclear energy for peaceful purposes must therefore be guaranteed without restriction to all participating states. This point should be explicitly stipulated.

Bilateral and international co-operation in the fields of scientific research and development and of the industrial and commercial use of nuclear energy should be promoted. This applies particularly to the developing countries, who must not be denied the advantages of the use of nuclear energy.

Nuclear charges for peaceful purposes should be made available to the non-nuclear-weapon states on the basis of an international arrangement and under control, as soon as technical developments allow and as long as a distinction between explosions for military and civilian purposes is not possible on technical grounds.

The nuclear-weapon powers should undertake to let the non-nuclear-weapon powers participate in the discoveries and results achieved by them from military activities in the nuclear field, in as far as they are of importance for the peaceful use of nuclear energy. This obligation on the part of the nuclear-weapon states is important in order to ensure that the technological gap between nuclear-weapon states and non-nuclear-weapon states does not widen but can gradually be bridged.

V. Controls.

The Federal Republic of Germany advocates a general control system

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- 6 -

to prevent the diversion of nuclear energy for weapon purposes. The controls should fulfill their purpose as effective checks on the non-proliferation arrangements, but should not have an obstructive or discriminatory influence. The efficiency of reliable control systems already existing should not be impaired. Universal acceptability is a criterion which must also govern the methods of the control system. Equal treatment for all parties to the treaty would considerably facilitate its world-wide negotiation.

VI. Equality in the Co-Operation of all Participating States in the Realization of all the Aims of Non-Proliferation.

On account of the disparities in the armaments of the nuclear and non-nuclear-weapon powers, a forward-looking arrangement regarding the non-proliferation of nuclear weapons is only feasible on the basis of equality in principle of the members of the community of nations and of close co-operation among all participating states to achieve the agreed aims.

In a limited non-proliferation treaty the non-nuclear-weapon powers, in contrast to the nuclear-weapon powers, would be giving up something specific, and agreeing to restrictions in the cause of the universal aim of disarmament. Initially, the nuclear-weapon powers would not balance the preliminary contributions by the non-nuclear-weapon powers with far-reaching restrictions/ weapons would continue to threaten humanity. ^{of their own. Existing mass destruction by}

A non-proliferation treaty must not institutionalize and thereby possibly perpetuate these actual inequalities to the detriment of the non-nuclear-weapon powers. Thus, the provisions regarding procedure should clearly define from the start that the realization of the aims of non-proliferation is binding on all the participating states.

The non-nuclear countries are not states with lesser rights, but pioneers of a progressive policy of peace. Their renunciation is made in the hope that it will lead to a balance between contribution and counter-contribution within the entire sphere of nuclear disarmament. The nuclear-weapon powers are called upon

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- 7 -

to take the next steps. The aim is, and will remain, the liberation of mankind from the fear for its very existence.

C.

The Federal Republic of Germany hopes that with this memorandum it is making a positive contribution to the forthcoming negotiations for a universally acceptable non-proliferation treaty.

Bonn, 7th April, 1967

RUSK

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OUTGOING TELEGRAM Department of State

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60

INDICATE: COLLECT
 CHARGE TO

~~SECRET LIMDIS~~

44
Origin
55
Info:

ACTION: ALL NATO CAPITALS
INFO: Amembassy MOSCOW
US Mission GENEVA
Ref: State's
STATE: 123166
SUBJECT: Non-Proliferation Treaty (NPT)

JAN 21 2 13 PM '67

DECLASSIFIED
E.O. 12356, Sec. 3.4
NEJ 94-337
By ijf, NARA, Date 1-12-95

NATUS/DISTO
LIMDIS

Reftel contains draft articles of NPT which you should transmit together with following explanation of text as Aide Memoire to Foreign Minister or other appropriate high level in Foreign Ministry. At FRG request we have agreed to defer NAC consultation on NPT until February 1 when we hope all members will be prepared exchange views. FYI: We would like to avoid extensive bilateral consultations in capitals before February 1 NAC exercise END FYI. Draft text being circulated at this time to allow opportunity for prior consideration by Governments and to expedite NAC discussion. In transmitting text and explanation, you should stress importance of avoiding press leaks.

Drafted by: ACDA/GC:GBunn
ACDA/IR:SDePalma/CGleysteen
Telegraphic transmission and classification approved by: The Secretary

Clearances:
ACDA - William C. Foster
S/S - Mr. Bruce
EUR - John M. Leddy

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~~SECRET~~

not with what is permitted. Accordingly these articles (a) would not prohibit NATO nuclear consultation and planning or the Permanent Committee established for this purpose; (b) would not disturb existing bilateral arrangements for deployment of nuclear weapons within allied territory as these arrangements do not involve any transfer of warheads or control over them up to the point where a decision to go to war is made, at which time NPT would no longer be controlling; (c) would have no bearing on the decision of NATO allies to go to war; (d) do not deal with the transfer of nuclear delivery vehicles, provided there was no transfer of nuclear weapons or control over them; (e) would not bar succession by a new federated European state to the nuclear status of one of its former components. Such succession would be automatic and no act of "transfer" would be involved. Since treaty does not prohibit consolidation of states and does not require destruction of any nuclear weapons, it must permit creation of federated European state with its own nuclear weapons. Short of such succession, the draft would bar transfer (including ownership) of nuclear weapons or control over them to a new multilateral or other entity.

(NOTE: it should be noted that the language of Articles I and II is derived from and consistent with US atomic energy ~~ingizlakizaxxx~~)

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legislation, a point we have stressed to Soviets and which reinforces our interpretations. The above interpretations were covered in varying degree in discussions with Soviets as these / ~~were covered in varying degrees~~ as questions arose ~~during our bilateral talks.~~ ~~and~~ ~~we~~ ~~expect~~ ~~to~~ ~~be~~ ~~able~~ ~~to~~ ~~deal~~ ~~with~~ ~~them~~ ~~again~~ ~~in~~ ~~future~~ ~~talks~~ We also expect that they will emerge in the course of Senate Committee Hearings when NPT is submitted to US Senate. They will thus form part of both negotiating history and legislative record, but we do not expect Soviets to endorse all of them explicitly ~~them~~ and certainly not publicly. Indeed, we should anticipate that various arrangements permitted according to above interpretations may continue to come under attack in Soviet propaganda. However, we believe Soviets will have no legitimate grounds for alleging that they would constitute violations of NPT.)

~~2x/~~^{2.} These articles prohibit "other nuclear explosive devices" as well as nuclear weapons because of the inescapable technical fact that the technology for making such devices would be essentially indistinguishable from that of nuclear weapons and because such devices could be adapted for use

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hortatory language in the draft previously made public at the ENDC. It would specify IAEA safeguards. Although this would not involve any discrimination among non-nuclear-weapon states, we recognize this approach presents a problem for EURATOM. However, the only alternative would probably be to have no effective safeguards clause at all because we have clear indications that Soviets are not prepared to accept any clause which directly or indirectly endorses EURATOM safeguards or which applies safeguards to nuclear powers. The choice which must be made involves an opportunity to achieve safeguards throughout the world, not just in EURATOM countries and the few other non-Communist countries which have accepted IAEA safeguards. We hope to suggest a concrete formulation in the near future.

ARTICLE IV

The provisions for amendments in paragraphs 1 and 2 are derived from the limited test ban treaty. The review clause in paragraph 3 is derived from a clause in the US draft NPT tabled at the ENDC. It differs in that the provision for a conference is automatic and for the stated purpose of reviewing the operation of the treaty "with a view

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to assuring that the purposes and provisions of the Treaty are being realized". This/~~xxxx~~ ^{increased} emphasis on review is for the purpose of protecting the interests of the non-nuclear-weapon powers. It will provide an opportunity to assess whether the treaty is accomplishing its purpose of facilitating nuclear disarmament and easing international tensions.

The treaty provision for review after five years would not provide for termination at that time and any amendments proposed as result of review would require the votes of a majority of parties including all nuclear-weapon Parties. Withdrawal, however, would be possible at any time pursuant to the withdrawal clause (Article VI).

ARTICLE V

Article V deals with signatures and entry into force. It is derived from comparable language contained in the limited test ban treaty and in the non-proliferation treaty drafts tabled at Geneva. The Depositary Governments (para. 2) would be nuclear-weapon-states as in the case of the limited test ban treaty. We have not expressed a view on the precise number of states which should ratify before the treaty goes into force/~~xxxxxx~~ ^(para.3) but we believe it should

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be a fairly large number.

ARTICLE VI

The withdrawal clause is also derived from the limited test ban treaty, but it contains the important modifications our allies and urged by ~~the~~ earlier embodied in the US draft non-proliferation treaty tabled at Geneva.

FOR BONN: Although we have already gone over draft extensively with Amb. Knappstein, you should nevertheless transmit text and explanation, pointing out that same material being furnished all NATO governments.

FOR USRO: You should give text and explanation to Brosio and PermReps stressing need to hold them in strictest confidence and avoid any press leaks.

LONDON, OTTAWA
FOR ~~KENNEDY~~ AND ROME: Although this partly duplicates material already made available host countries, you should transmit text and explanation so that they will be aware of what has been supplied others.

GP-1.

END

RUSK

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19

Memos & Misc.

NATIONAL SECURITY COUNCIL

June 23, 1967

5
62

NOTE FOR MR. ROSTOW

Walt--

Attached for your information is a copy of a memo on the status of the NPT safeguards problem that I prepared for Mr. Bundy at his request. Although it doesn't contain anything really new, I think you might find it useful.

Spurgeon
Spurgeon Keeny

Att.

MEMORANDUM

THE WHITE HOUSE

WASHINGTON.

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June 23, 1967

MEMORANDUM FOR MR. BUNDY

62a
DECLASSIFIED
E.O. 12958, Sec. 3.6
NLJ 97-169
By is, NARA Date 9.25.98

Subject: NPT -- Safeguards (Article III) and Interpretations

Following up our discussion of the NPT, I think that it might be helpful to outline the status of the safeguards article in more detail.

The US and Soviet co-chairmen (Foster and Roshchin) have agreed upon and recommended to their governments the attached draft treaty (Tab A) which is complete in all respects except for the safeguards article (Article III) which has been left blank. The proposal is that the US and Soviet co-chairmen should jointly recommend this draft to the Geneva ENDC Conference with a statement that they would continue their efforts to work out a satisfactory safeguards article. Having consulted our NATO allies who did not interpose any objection to our proceeding on this basis, we notified the Soviets formally on June 17 that we accepted the draft and procedure. We are now waiting for the Soviet reply.

Safeguards
The unresolved issue between ourselves and the Soviets on the safeguards article is the method of dealing with EURATOM under international inspection procedures. We have taken the position that the safeguards article must in some way recognize EURATOM as a regional institution which has its own inspection procedures, while the Soviets have made it clear that they will not accept inspection by EURATOM since they consider this to be self-inspection. Our most recent effort at a compromise safeguards article (Tab B) has been rejected by the Soviets. We in turn have rejected the Soviet safeguards article (Tab C) presented on May 20.

I think a brief historical review is the best way to understand how we have arrived at this impasse and the prospects for a successful resolution. The first version of our draft NPT tabled in 1965 did not contain a mandatory safeguards article but rather a hortatory statement calling on all parties "to cooperate in facilitating the application

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-2-

of IAEA or equivalent international safeguards." Subsequently, the Committee of Principals established the policy position that in negotiating the NPT we would make a major effort to obtain mandatory international safeguards but that, if this proved impossible as many expected, we would be prepared to accept an NPT that made only a hortatory gesture toward the principle of international safeguards since an NPT would still be very desirable even without safeguards. It was also agreed that we would not insist on Soviet acceptance of safeguards on their peaceful activities since this would almost certainly be non-negotiable and was also not really necessary as long as the nuclear powers were permitted to continue the production of nuclear weapons anyway. Our long and strenuous campaign to obtain mandatory safeguards has tended to lock us into this position; however, it is presumably still our policy to accept an NPT without safeguards if we are ultimately unable to obtain an acceptable mandatory safeguards article.

The Soviet position initially was that they would accept either a hortatory statement on international safeguards or a mandatory safeguards provision requiring non-nuclear states to accept IAEA safeguards but they would not accept a mandatory statement that accepted the possibility of EURATOM safeguards. In the course of the discussions, the Soviets have become increasingly interested in the importance in inspection provisions in the treaty and now state that the treaty must contain a mandatory IAEA safeguards provision.

When we worked out the basic text of the present NPT draft in January of this year, a safeguards article (Tab D) was agreed to ad referendum which called for IAEA safeguards but with the phrase, "as soon as practicable." This was intended to provide a loose transition period for the EURATOM countries to work out means of accepting IAEA safeguards. In the course of consultations with our NATO allies, EURATOM, Germany, and Italy took the position that this formula was unacceptable. It was argued that such arrangements were incompatible with the EURATOM treaty and would be used by France as a device to destroy EURATOM. (It should be noted that France throughout the consultations took the position that, while she would not sign the treaty, she would interpose no obstacles to other countries' participation.)

In an effort to find a compromise solution that admitted the special position of EURATOM, we proposed to our NATO allies a safeguards

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-3-

article essentially the same as our present position except that it included the provision that, if organizations such as EURATOM had not worked out satisfactory arrangements with IAEA within three years, IAEA safeguards would automatically apply. This provision which was branded the "guillotine clause" by EURATOM was dropped from our position.

In rejecting our present proposal (Tab B) the Soviets have emphasized that it provides no answer or mechanism for determining what happens after three years if EURATOM fails to arrive at an agreement with IAEA. The present Soviet draft for Article III (Tab C), included in their counterproposals presented on May 20, is essentially the same as the article we agreed to ad referendum in January except that the phrase, "as soon as practicable," has been dropped.

Concurrently with these developments, the US and UK decided to offer to open all of our peaceful atomic energy activities for IAEA inspection at a time when this would be most helpful to the NPT negotiations. This offer was intended primarily to reassure the Germans and Italians that the inspection procedures associated with the NPT would not be used for the purposes of industrial espionage which had become one of the principal stated objections to the NPT. Although the offer has not yet been made officially, our NATO allies were made aware of our intention which contributed substantially to resolving satisfactorily this phase of our consultations. We have not used this offer as pressure on the Soviets to accept similar IAEA safeguards on their peaceful activities; however, it clearly has some value in weakening their otherwise very strong case against any privileged recognition of EURATOM.

With regard to the merits of the case, I believe the Soviets have a very strong position since international inspection of the EURATOM countries by EURATOM is clearly self-inspection. Moreover, self-inspection by EURATOM would be against our own self interest since it would invite the establishment of similar procedures for SOVATOM, ARABATOM, etc.

At the same time, it is true that EURATOM is an operating regional institution with its own treaty obligations. We have also told our allies, in order to get their support for NPT, that we would make an effort to get some sort of recognition for EURATOM in the safeguards article.

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-4-

I am quite optimistic that a compromise solution to the present impasse will be found once the treaty is presented as a public document agreed to by the US and the USSR. Although we and the Soviets will both have to argue for our present positions, compromise proposals will be forthcoming from third parties which we can weigh on their own merits. The process has already begun behind the scenes with the Dutch and Belgians (EURATOM members) discussing possible compromise proposals. It will be much more difficult for the EURATOM countries to take an adamant position in public against reasonable compromises presented by third parties than it has been for them to do so in private negotiations.

One obvious approach that a compromise might take would be along the lines of the safeguards article in the Latin America Nuclear Free Zone Treaty which states in part: "each contracting party shall negotiate multilateral or bilateral agreements with the IAEA for the application of its safeguards to its nuclear activities. . ." Even though the EURATOM organization would not like this, I believe that the EURATOM countries will find it very difficult to oppose openly some such formulation which would recognize the EURATOM as a multilateral regional organization but require it to negotiate inspection arrangements with the IAEA.

Once we have the NPT on the table, we may have a different problem on the safeguards article with non-aligned states since they may argue that the entire inspection procedure, which applies only to non-nuclear-weapons states, is discriminatory in nature. However, this will put the problem in the Soviet's court, insofar as we and the UK are prepared to accept IAEA safeguards on our peaceful atomic energy activities.

I am also attaching for your information a copy of our treaty "interpretations" (Tab E) which we discussed. These interpretations have been given to our NATO allies and to Japan. We have also given the text to the Soviets in the form of answers that we proposed to give to questions that we anticipated would probably be asked during the process of treaty ratification. The Soviets have been informed that, while we do not expect them to agree to these interpretations, a serious problem might be created if they challenged them formally. The Soviets in turn have stated that, while they would not formally

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-5-

accept the interpretations, they understood the situation and would not challenge our right to make these statements. For the moment this part of the problem appears to be in hand, but we will undoubtedly hear more about it if we actually get a treaty.

Spurgeon
Spurgeon Keeny

Attachments:
TABS A-B-C-D-E

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62-6

A

INCOMING TELEGRAM *Department of State*

62-c

42

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Action

CONTROL: 7232
RECD: JUNE 7, 1967, 7:01 PM

ACDA

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DECLASSIFIED
E.O. 12356, Sec. 3.4
NJ 94-337
By ijg, NARA, Date 1-12-95

SUBJECT: NPT - FOSTER-ROSHCHIN TALKS - RECOMMENDED TEXT

THE FOLLOWING DRAFT NPT TEXT EMERGED FROM THE FOSTER-ROSHCHIN WORKING GROUP DISCUSSIONS REPORTED SEPTEL:

"DRAFT NON-PROLIFERATION TREATY

THE STATES CONCLUDING THIS TREATY, HEREINAFTER REFERRED TO AS THE PARTIES TO THE TREATY;

CONSIDERING THE DEVASTATION THAT WOULD BE VISITED UPON ALL MANKIND BY A NUCLEAR WAR AND THE CONSEQUENT NEED TO MAKE EVERY EFFORT TO AVERT THE DANGER OF SUCH A WAR AND TO TAKE MEASURES TO SAFEGUARD THE SECURITY OF PEOPLES;

PAGE TWO RUFHGV 4116 ~~SECRET~~
BELIEVING THAT THE PROLIFERATION OF NUCLEAR WEAPONS WOULD SERIOUSLY ENHANCE THE DANGER OF NUCLEAR WAR;

IN CONFORMITY WITH RESOLUTIONS OF THE UNITED NATIONS GENERAL ASSEMBLY CALLING FOR THE CONCLUSION OF AN AGREEMENT ON THE PREVENTION OF WIDER DISSEMINATION OF NUCLEAR WEAPONS;

UNDERTAKING TO COOPERATE IN FACILITATING THE APPLICATION OF INTERNATIONAL ATOMIC ENERGY AGENCY SAFEGUARDS ON PEACEFUL NUCLEAR ACTIVITIES;

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~~SECRET~~

-2-GENEVA 4116, 6/7/67

EXPRESSING THEIR SUPPORT FOR RESEARCH, DEVELOPMENT AND OTHER EFFORTS TO FURTHER THE APPLICATION, WITHIN THE FRAMEWORK OF THE INTERNATIONAL ATOMIC ENERGY AGENCY SAFEGUARDS SYSTEM, OF THE PRINCIPLE OF SAFEGUARDING EFFECTIVELY THE FLOW OF SOURCE AND SPECIAL FISSIONABLE MATERIALS BY USE OF INSTRUMENTS AND OTHER TECHNIQUES AT CERTAIN STRATEGIC POINTS;

AFFIRMING THE PRINCIPLE THAT THE BENEFITS OF PEACEFUL APPLICATIONS OF NUCLEAR TECHNOLOGY, INCLUDING ANY TECHNOLOGICAL BY-PRODUCTS WHICH MAY BE DERIVED BY NUCLEAR-WEAPON STATES FROM THE DEVELOPMENT OF NUCLEAR EXPLOSIVE DEVICES, SHOULD BE AVAILABLE FOR PEACEFUL PURPOSES TO ALL PARTIES, WHETHER NUCLEAR-WEAPON OR NON-NUCLEAR-WEAPON STATES;

CONVINCED THAT IN FURTHERANCE OF THIS PRINCIPLE, ALL PARTIES ARE ENTITLED TO PARTICIPATE IN THE FULLEST POSSIBLE EXCHANGE

PAGE THREE RUFHGV 4116 ~~SECRET~~
OF SCIENTIFIC INFORMATION FOR, AND TO CONTRIBUTE, ALONE OR IN COOPERATION WITH OTHER STATES, TO THE FURTHER DEVELOPMENT OF THE APPLICATIONS OF ATOMIC ENERGY FOR PEACEFUL PURPOSES;

DECLARING THEIR INTENTION THAT POTENTIAL BENEFITS FROM ANY PEACEFUL APPLICATIONS OF NUCLEAR EXPLOSIONS SHOULD BE AVAILABLE THROUGH APPROPRIATE INTERNATIONAL PROCEDURES TO NON-NUCLEAR-WEAPON PARTIES ON A NON-DISCRIMINATORY BASIS AND THAT THE CHARGE TO SUCH PARTIES FOR THE EXPLOSIVE DEVICES USED SHOULD BE AS LOW AS POSSIBLE AND EXCLUDE ANY CHARGE FOR RESEARCH AND DEVELOPMENT;

DECLARING THEIR INTENTION TO ACHIEVE AT THE EARLIEST POSSIBLE DATE THE CESSATION OF THE NUCLEAR ARMS RACE;

URGING THE COOPERATION OF ALL STATES IN THE ATTAINMENT OF THIS OBJECTIVE;

DESIRING TO FURTHER THE EASING OF INTERNATIONAL TENSION AND THE STRENGTHENING OF TRUST BETWEEN STATES, THUS FACILITATING THE ELIMINATION FROM NATIONAL ARSENALS OF NUCLEAR WEAPONS AND THE MEANS OF THEIR DELIVERY PURSUANT TO A TREATY ON GENERAL AND COMPLETE DISARMAMENT UNDER STRICT AND EFFECTIVE INTERNATIONAL CONTROL;

~~SECRET~~

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-3-GENEVA 4116, 6/7/67

NOTING THAT NOTHING IN THIS TREATY AFFECTS THE RIGHT OF ANY GROUP OF STATES TO CONCLUDE REGIONAL TREATIES IN ORDER TO ASSURE THE TOTAL ABSENCE OF NUCLEAR WEAPONS IN THEIR RESPECTIVE TERRITORIES.

HAVE AGREED AS FOLLOWS:

PAGE FOUR RUFHGV 4116 ~~SECRET~~
ARTICLE I

EACH NUCLEAR-WEAPON STATE PARTY TO THIS 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 THIS 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.

ARTICLE III
(INTERNATIONAL CONTROL)

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 COOPERATION WITH OTHER STATES, TO THE FURTHER DEVELOPMENT OF THE APPLICATIONS OF NUCLEAR ENERGY FOR PEACEFUL PURPOSES.

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-4-GENEVA 4116, 6/7/67

ARTICLE V

1. ANY PARTY TO THIS TREATY MAY PROPOSE AMENDMENTS TO THIS TREATY. THE TEXT OF ANY PROPOSED AMENDMENT SHALL BE SUBMITTED TO THE DEPOSITARY GOVERNMENTS WHICH SHALL CIRCULATE IT TO ALL PARTIES TO THE TREATY. THEREUPON, IF REQUESTED TO DO SO BY ONE THIRD OR MORE OF THE PARTIES, THE DEPOSITARY GOVERNMENTS SHALL CONVENE A CONFERENCE, TO WHICH THEY SHALL INVITE ALL THE PARTIES, TO CONSIDER SUCH AN AMENDMENT.

(ALTERNATIVE 1):2. ANY AMENDMENT TO THIS TREATY MUST BE APPROVED BY A MAJORITY OF THE VOTES OF ALL THE PARTIES TO THE TREATY, INCLUDING THE VOTES OF ALL NUCLEAR-WEAPON STATES PARTY TO THIS TREATY. THE AMENDMENT SHALL ENTER INTO FORCE UPON THE DEPOSIT OF INSTRUMENTS OF RATIFICATION BY A MAJORITY OF ALL THE PARTIES, INCLUDING THE INSTRUMENTS OF RATIFICATION OF ALL NUCLEAR-WEAPON STATES PARTY TO THIS TREATY. FOR PARTIES TO THIS TREATY WHOSE INSTRUMENTS OF RATIFICATION OF THE AMENDMENT ARE DEPOSITED SUBSEQUENT TO THE ENTRY INTO FORCE OF THE AMENDMENT, IT SHALL ENTER INTO FORCE ON THE DATE OF THE DEPOSIT OF THEIR INSTRUMENTS OF RATIFICATION.

(ALTERNATIVE 2):2. ANY AMENDMENT TO THIS TREATY MUST BE

PAGE SIX RUFHGV 4116 ~~SECRET~~

APPROVED BY A MAJORITY OF THE VOTES OF ALL THE PARTIES TO THE TREATY, INCLUDING THE VOTES OF ALL NUCLEAR-WEAPON STATES PARTY TO THIS TREATY AND ALL OTHER PARTIES, WHICH ON THE DATE THE AMENDMENT IS CIRCULATED, ARE MEMBERS OF THE BOARD OF GOVERNORS OF THE INTERNATIONAL ATOMIC ENERGY AGENCY. THE AMENDMENT SHALL ENTER INTO FORCE FOR ALL PARTIES UPON THE DEPOSIT OF INSTRUMENTS OF RATIFICATION BY A MAJORITY OF ALL THE PARTIES, INCLUDING THE INSTRUMENTS OF RATIFICATION OF ALL NUCLEAR-WEAPON STATES PARTY TO THIS TREATY AND ALL OTHER PARTIES, WHICH ON THE DATE THE AMENDMENT IS CIRCULATED, ARE MEMBERS OF THE BOARD OF GOVERNORS OF THE INTERNATIONAL ATOMIC ENERGY AGENCY.

3. FIVE YEARS AFTER THE ENTRY INTO FORCE OF THIS TREATY, A CONFERENCE OF PARTIES SHALL BE HELD IN GENEVA, SWITZERLAND, IN ORDER TO REVIEW THE OPERATION OF THE TREATY WITH A VIEW TO ASSURING THAT THE PURPOSES AND PROVISIONS OF THE TREATY ARE BEING REALIZED.

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-5-GENEVA 4116, 6/7/67

ARTICLE VI

1. THIS TREATY SHALL BE OPEN TO ALL STATES FOR SIGNATURE. ANY STATE WHICH DOES NOT SIGN THE TREATY BEFORE ITS ENTRY INTO FORCE IN ACCORDANCE WITH PARAGRAPH 3 OF THIS ARTICLE MAY ACCEDE TO IT AT ANY TIME.

2. THIS TREATY SHALL BE SKBJECT TO RATIFICATION BY SIGNATORY

PAGE SEVEN RUFHGV 4116 ~~SECRET~~
STATES. INSTRUMENTS OF RATIFICATION AND INSTRUMENTS OF ACCESSION SHALL BE DEPOSITED WITH GOVERNMENTS OF, WHICH ARE HEREBY DESIGNATED THE DEPOSITARY GOVERNMENTS.

3. THIS TREATY SHALL ENTER INTO FORCE AFTER ITS RATIFICATION BY ALL NUCLEAR-WEAPON STATES SIGNATORY TO THIS TREATY, AND OTHER SIGNATORIES TO THIS TREATY AND THE DEPOSIT OF THEIR INSTRUMENTS OF RATIFICATION.

FOR THE PURPOSES OF THIS TREATY, A NUCLEAR-WEAPON STATE IS ONE WHICH HAS MANUFACTURED AND EXPLODED A NUCLEAR WEAPON OR OTHER NUCLEAR EXPLOSIVE DEVICE PRIOR TO JANUARY 1, 1967.

4. FOR STATES WHOSE INSTRUMENTS OF RATIFICATION OR ACCESSION ARE DEPOSITED SUBSEQUENT TO THE ENTRY INTO FORCE OF THIS TREATY, IT SHALL ENTER INTO FORCE ON THE DATE OF THE DEPOSIT OF THEIR INSTRUMENTS OF RATIFICATION OR ACCESSION.

5. THE DEPOSITARY GOVERNMENTS SHALL PROMPTLY INFORM ALL SIGNATORY AND ACCEDING STATES OF THE DATE OF EACH SIGNATURE, THE DATE OF DEPOSIT OF EACH INSTRUMENT OF RATIFICATION OR OF ACCESSION, THE DATE OF THE ENTRY INTO FORCE OF THIS TREATY, AND THE DATE OF RECEIPT OF ANY REQUESTS FOR CONVENING A CONFERENCE OR OTHER NOTICES.

6. THIS TREATY SHALL BE REGISTERED BY THE DEPOSITARY GOVERNMENTS PURSUANT TO ARTICLE 102 OF THE CHARTER OF THE UNITED NATIONS.

ARTICLE VII

THIS TREATY SHALL BE OF UNLIMITED DURATION.

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-6-GENEVA 4116, 6/7/67

EACH PARTY SHALL IN EXERCISING ITS NATIONAL SOVEREIGNTY HAVE THE RIGHT TO WITHDRAW FROM THE TREATY IF IT DECIDES THAT EXTRAORDINARY EVENTS, RELATED TO THE SUBJECT MATTER OF THIS TREATY, HAVE JEOPARDIZED THE SUPREME INTERESTS OF ITS COUNTRY. IT SHALL GIVE NOTICE OF SUCH WITHDRAWAL TO ALL OTHER PARTIES TO THE TREATY AND TO THE UNITED NATIONS SECURITY COUNCIL THREE MONTHS IN ADVANCE. SUCH NOTICE SHALL INCLUDE A STATEMENT OF THE EXTRAORDINARY EVENTS IT REGARDS AS HAVING JEOPARDIZED ITS SUPREME INTERESTS.

ARTICLE VIII

THIS TREATY, THE ENGLISH, RUSSIAN, FRENCH, SPANISH AND CHINESE TEXTS OF WHICH ARE EQUALLY AUTHENTIC, SHALL BE DEPOSITED IN THE ARCHIVES OF THE DEPOSITARY GOVERNMENTS. DULY CERTIFIED COPIES OF THIS TREATY SHALL BE TRANSMITTED BY THE DEPOSITARY GOVERNMENTS TO THE GOVERNMENTS OF THE SIGNATORY AND ACCEDING STATES."

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62-d

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62-2

Present U. S. Version of Safeguards Article:

DECLASSIFIED
E.O. 12356, Sec. 3.4
NJ 94-340
By cb, NARA, Date 3-29-95

ARTICLE III

For the purpose of providing assurance that source or special fissionable material covered by this Article is not diverted to nuclear weapons or other nuclear explosive devices:

1. Each non-nuclear-weapon State Party to this Treaty undertakes to have international safeguards meeting the requirements of this Article on all source or special fissionable materials for peaceful purposes within its territory or under its jurisdiction. In cooperating with any non-nuclear-weapon State with respect to peaceful nuclear activities within the territory or under the jurisdiction of such State, each Party to this Treaty undertakes not to provide

- (a) source or special fissionable material unless the material shall be subject to such safeguards; or
- (b) equipment or material especially designed or prepared for the processing, use or production of special fissionable material unless the special fissionable material shall be subject to such safeguards:

2. After the original entry into force of this Treaty, each non-nuclear-weapon State Party to this Treaty which has source or special

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-2-

fissionable material subject to any international safeguards system other than that of the International Atomic Energy Agency, and each other Party to the Treaty which is a member of that Agency, undertakes to facilitate agreement, as provided for in this Article, on verification by that Agency of the effectiveness of the international safeguards system applied to such material;

3. To meet the requirements of this Article, international safeguards (a) shall be either those of the IAEA or such other international safeguards generally consistent therewith as are accepted by the IAEA under verification procedures mutually agreed by the authorities of the IAEA and the authorities of the other international safeguards system concerned, and (b) shall be applied as soon as practicable but no later than three years from the date of the original entry into force of this Treaty;

4. Agreement on the implementation of IAEA verification of another international safeguards system, as provided for in this Article, shall be reached as soon as practicable but no later than three years from the date of the original entry into force of this Treaty; and

5. The international safeguards required by this Article shall be implemented in a manner designed to avoid hampering the economic

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-3-

or technological development of the Parties having them. Nothing in this Treaty shall prejudice the rights of the Parties, in conformity with this Treaty, (i) to use nuclear energy for peaceful purposes, in particular for their economic development and social progress, (ii) to participate in the safeguarded international exchange of nuclear material and equipment for the processing, use of production of nuclear material for peaceful purposes, and (iii) to participate in the fullest possible exchange of scientific information for, and to contribute alone or in cooperation with other states or international organizations to, the further development of the applications of atomic energy for peaceful purposes.

From Redraft of NPT Formulations dtd April 17, 1967

~~SECRET~~

62-8

c

~~SECRET~~

62-9

TAB C*

May 20, 1967

ARTICLE III

Each non-nuclear-weapon State Party to this Treaty undertakes to accept the safeguards of the International Atomic Energy Agency on all its peaceful nuclear activities. Each State Party to this Treaty further undertakes not to provide source or fissionable material, or specialized equipment or non-nuclear material for the processing or use of source or fissionable material or for the production of fissionable material for peaceful purposes to any non-nuclear-weapon State, unless such material and equipment are subject to such safeguards.

DECLASSIFIED
E.O. 12356, Sec. 3.4
NJ 94-340
By clg, NARA, Date 3-29-95

62-h

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~~SECRET~~

TAB D *

62-2

February 1, 1967

Each non-nuclear-weapon State Party to this Treaty undertakes to accept the safeguards of the International Atomic Energy Agency on all its peaceful nuclear activities as soon as practicable. Each State Party to this Treaty undertakes not to provide source or fissionable material, or specialized equipment or non-nuclear material for the processing or use of source or fissionable material or for the production of fissionable material for peaceful purposes to any non-nuclear-weapon State unless such material and equipment are subject to such safeguards.

*February 1, 1967 Text. (Given to NAC, based upon concepts which negotiations with the Soviets indicate might be acceptable.)

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DECLASSIFIED
E.O. 12356, Sec. 3.4
NIJ 94-340
By cb, NARA, Date 3-29-95

62-j
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E

~~SECRET~~
~~SECRET~~

This Document Consists of 2 Pages
No. 7 of 30

APR 17 1967

62-K

NON-PROLIFERATION TREATY INTERPRETATIONS

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

2. 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.

3. 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.

4. 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.

5. 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.

DECLASSIFIED

E.O. 12356, Sec. 3.4

NIJ 94-340

By cb, NARA, Date 3-29-95

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GROUP 3

Downgraded at 12 year intervals; not

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-2-

6. 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 over them to any recipient, including a multilateral entity.

Notes on Changes made Since April 4 NAC Meeting

1. Former title was "DRAFT SUMMARY OF INTERPRETATIONS". Word "summary" dropped; since might be mistaken to imply that a fuller set of interpretations existed.
2. Remainder of this sentence, beginning with "because" added.
3. Former version read "consultations (including planning)" rather than "consultations and planning"

~~SECRET~~

Francis:

63

At this stage in the NPT
negotiation, I would vote "no."
I worry about what State/Defense
would want the boss to say
about NATO. The latter problem
would probably be manageable,
but why run the risk? I'd
hold it to the chest on
grounds of schedule pressure.

EA

3 Apr 70

FMB -

63a

Since Mr. Eagleburger is not here,
Mr. Rostow's office would like your views...
today.

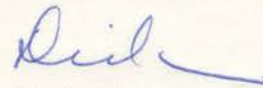
5/23/67 3:45 pm dlb

63-b
THE WHITE HOUSE
WASHINGTON

May 23, 1967

Larry:

Do you have any views on
this?



Dick Moose

May 23, 1967

63-c

MEMO FOR MR. ROSTOW

Do you want to pursue this idea? If so, we will need to make contact with the squadron commander in the course of the day.

We could, without making any commitment or publicity, work out a contingency plan which could be followed if the President wishes to fly over the squadron. About all we need to do is to 1) find out where the squadron will be and tell Jim Cross; 2) draft an appropriate greeting; 3) prepare some material for press background; and 4) prepare a memorandum for the President asking whether he wants to do this.

The countries in the exercise are: US, UK, Italy, Holland, and either Canada or Norway.

Drop the idea _____

Go ahead on steps 1-4,
keeping the option open _____

Dick Moose

cc: Charles Johnson

NA 70

S
63-d

May 22, 1967

MEMORANDUM FOR MR. ROSTOW

Walt -

Bill Behrens wanted you to know that the NATO MATCHMAKER SQUADRON consisting of five destroyers of five different NATO Navies will have completed a NATO exercise and will be coming up the channel to Norfolk Wednesday morning.

Bill said this would be a good opportunity for the President to fly over the squadron and exchange greetings. The President will presumably be attending the christening of the JFK carrier at Norfolk later in the day.

Charles E. Johnson

cc: Dick Moose
Bromley Smith
Col. Ginsburgh

George Christian:

Act on this. See what you think.

LBJ: mary s
5-17-67
9:00p

Walt - ^{file 64} this
strike me doesn't
don't think it
I should be done
f.c.

THE WHITE HOUSE
WASHINGTON

12

64a

~~CONFIDENTIAL~~

Wednesday, May 17, 1967
7:45 p. m.

Mr. President:

Herewith Sec. Rusk puts to you the question of whether you should have a statement read in your name on the occasion of the tabling of the NPT draft in Geneva.

Sec. Rusk and I -- and, even, Butch Fisher -- feel doubtful about whether you should in fact make a statement on this somewhat uncertain and ambiguous occasion.

Nevertheless, we wish to make sure you had the option, if you so desired.

W. Wald
W. W. Rostow

Presidential statement approved _____

No Presidential statement _____

See me _____

DECLASSIFIED
E.O. 12356, Sec. 3.4
NIJ 94-340
By CB, NARA, Date 3-29-95

~~CONFIDENTIAL~~

64-b

~~CONFIDENTIAL~~

Wednesday, May 17, 1967
7:45 p. m.

Mr. President:

Herewith Sec. Rusk puts to you the question of whether you should have a statement read in your name on the occasion of the tabling of the NPT draft in Geneva.

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Nevertheless, we wish to make sure you had the option, if you so desired.

W. W. Rostow

Presidential statement approved _____

No Presidential statement _____

See me _____

DECLASSIFIED
E.O. 12356, Sec. 3.4
NJ ~~95-78~~ 94-340
By cb, NARA, Date 3-31-95

~~CONFIDENTIAL~~

Dictated by Mr. Rostow over telephone to rln



THE SECRETARY OF STATE
WASHINGTON

1874

64-c

May 17, 1967

~~CONFIDENTIAL~~

DECLASSIFIED
E.O. 12356, Sec. 3.4
NEJ 94-337
By ing, NARA, Date 1-12-95

MEMORANDUM FOR THE PRESIDENT
THE WHITE HOUSE

We still do not know whether the Soviets will agree to a joint tabling of a draft non-proliferation treaty (with two paragraphs in blank) at the reopening of the Geneva Conference tomorrow. If they do not agree, there will at least be a delay in the tabling of a draft.

If they do agree, this would be a moment of some consequence, and the question arises as to whether you would wish to make a statement on that occasion. Attached is a draft prepared in ACDA of a possible statement.

Quite frankly I am not at all clear in my own mind that this is the occasion for you to be associated personally with a particular draft. We still do not have agreement with the Soviet Union on important elements. A good many other governments, such as Germany, Italy, India, Japan, view the tabling of the draft as the beginnings of a process of negotiation. There will be many proposed revisions from different directions and there is still a good deal of lively and difficult discussion ahead. A statement by you might lead to the impression that you are more sanguine about an early treaty than the prospects would sustain. There is also the matter of your personal relations with Kiesinger and Moro who may feel that a personal statement by you on this particular draft would tend to bring pressure on the further consultations on which you gave them assurances.

On the other hand, I know of your deep concern about a non-proliferation treaty, and I feel you ought to have a chance to consider this matter yourself from the point of view both of national and international political considerations. I suspect that you will find the attached draft is too long -- if so, it can be shortened.

DR
Dean Rusk

Attachment

~~CONFIDENTIAL~~

64-d

DRAFT PRESIDENTIAL STATEMENT TO ACCOMPANY JOINT US - USSR
PRESENTATION TO ENDC OF A DRAFT TREATY TO PREVENT THE SPREAD
OF NUCLEAR WEAPONS

Today, the United States and the Soviet Union are jointly recommending a draft treaty to prevent the spread of nuclear weapons. This draft treaty is being submitted in Geneva for negotiation by the Eighteen-Nation Committee on Disarmament and for the consideration of all governments. The members of this Conference now have a unique opportunity and a solemn obligation to advance this Treaty which will have such far-reaching importance to the entire world.

We are all agreed that the spread of nuclear weapons is one of the most critical problems facing the world today. If we fail to act now, even during the next decade, nation after nation will be drawn into costly development of nuclear weapons. We are faced with the ominous fact that proliferation begets proliferation. This in itself would greatly enlarge the risk of nuclear war. It would increase the chances of nuclear war by accident, by miscalculation, or by irresponsible acts. It would also increase the danger that nuclear powers would become involved in local conflicts. Beyond this, it would represent a tragic waste of vital resources and talents at a time when they are critically needed to improve the lot of mankind.

Five nations today have, in widely varying degrees, a nuclear weapon capability -- that is five too many. The issue is not that one nation has the right to have nuclear weapons while another does not. It is not that nations with a nuclear weapon capability have a different status than those not choosing to acquire the capability. What we are concerned with at this moment in history is preventing a bad situation from becoming worse and reducing the chances for progress on nuclear disarmament.

Failure to prevent nuclear proliferation would certainly increase the tensions among nations to the point where progress toward effective arms control and disarmament now begun would be reversed.

Under the treaty which is being presented today, the nuclear weapon states ^{would} /~~will~~ agree not to transfer nuclear weapons or other nuclear explosive devices or control over them and not to assist or encourage or induce non-nuclear weapons states to manufacture or acquire nuclear weapons or other nuclear explosive devices or control over them. The non-nuclear weapon states in turn ^{would} /~~will~~ agree not to receive the transfer of nuclear weapons or other nuclear explosive devices or control

over them and not to manufacture or acquire nuclear weapons or other nuclear explosive devices, and not to seek or receive assistance in the manufacture of them.

This Treaty -- which ^{would} ~~will~~ be truly worldwide in scope -- is the critical next step in a series of important measures which have been taken to bring nuclear weapons under control. It builds on such important earlier achievements as the Treaty to keep the Antarctica free of nuclear weapons, the Limited Test Ban Treaty, the Treaty of Tlatelolco creating a nuclear free zone in Latin America, and the recent treaty barring weapons of mass destruction in outer space and on celestial bodies. In its turn, this Treaty will open up new horizons for international agreements in the continuing efforts of nations to control the arms race and to work together for peace.

The draft treaty represents the successful results of lengthy and serious ~~discussions~~ between the Soviet Union and United States as co-chairmen of the Conference. In this process, ^{the US has} ~~we have~~ also consulted many nations and sought to reflect their views. Because of the world-wide significance of this treaty, I believe

that it is now important that nations ~~throughout the~~
~~world~~ enter into active consultation and participation
in the formulation of a complete treaty which will mean
so much for the future of mankind.

This Treaty provides a unique opportunity to
achieve a broad international system of safeguards
satisfactory to all concerned to assure that the peaceful
atom remain peaceful. The United States and the Soviet
Union have not yet ^{suggested a specific} ~~agreed on such a~~ formulation. However,
the area of agreement on the Treaty as a whole is so great
that we have jointly decided to offer the present draft
for the consideration of the Conference while the co-
chairmen continue their efforts to find an acceptable
formulation on safeguards.

The draft treaty presented today ^{would} ~~will~~ not inhibit
any nation in the use of nuclear energy for peaceful
purposes. Indeed, I am convinced that conclusion of
this treaty will so improve the international climate
with respect to nuclear matters that the international
community will be able to advance together, in mutual
cooperation, more rapidly to achieve the fullest possible
benefits of the peaceful atom. In this connection I
believe that satisfactory formulation on safeguards will

facilitate the future expansion of international commerce and cooperation in the peaceful uses of nuclear energy by removing concerns about uses to which nuclear fuels might be put.

The hopes of mankind on this problem are clear. In 1961 the United Nations General Assembly unanimously approved a resolution urging all states to cooperate in the efforts to achieve a non-proliferation treaty. In the United States a resolution was passed by the United States Senate without a dissenting vote supporting efforts to prevent the further spread of nuclear weapons. The United States stands ready to join with the nations of the world to accomplish this great objective. We have now embarked on what I hope will be the final stage of this long journey.

This Treaty will be a testament of faith by all of us in the future of mankind. In this spirit, I commend this draft treaty for the earnest and favorable consideration by all nations.