

U.S. DEPARTMENT OF STATE

DIRECTOR OF INTELLIGENCE AND RESEARCH

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To : The Acting Secretary
 Through: S/S
 From : INR - Thomas L. Hughes *TH*

Subject: Soviets Continue to Denounce American Interpretation
 of Nonproliferation Treaty

Soviet commentators continue to deplore the American interpretation of Articles I and II of the draft on nonproliferation, but they remain vague as to the nature of the American interpretation and as to its consequences for the treaty.

Reaction to Finney Story: The Soviet commentaries have been in reaction to John Finney's article in the March 30 New York Times. The first was by Sergei Zykov in Izvestiya on April 1, and took the line that any interpretation which would allow for West German participation in a European nuclear force "...is a clear violation of the meaning and aims of the contemplated treaty." His argument was echoed in further commentaries in Pravda and Izvestiya, deploring what the Soviets called the American "guarantee" to Bonn to this effect. But it remained for an April 9 Moscow broadcast to make clear that the interpretation at issue involved the question of establishing a European nuclear force in the event of European political integration. Even so, the Soviet commentator did not explain the rationale that a European federation would be the successor state to a present nuclear power.

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Soviet Intentions. The commentaries make a public record of Moscow's opposition to interpretations of Articles I and II which had been expressed in private earlier by the Soviet delegation in Geneva and by Gromyko in Moscow. In publishing these commentaries, Moscow evidently intended to warn the US that any official public statement of the Western interpretation of the articles would not go unchallenged. But beyond that, neither the public commentaries nor the private statements make clear what the consequences of contradictory Western and Soviet interpretations of the treaty may be. The Soviets doubtless regard the prospect of a European federation as extremely remote, and hence of little practical importance. Nevertheless, as the Soviets publicly dig in with charges that the US has offered to guarantee a loophole for the Germans, they may find it increasingly embarrassing to conclude and ratify an agreement.

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approach seems designed to have the net effect of focusing future negotiations more sharply on the issues affecting Germany.

The Soviets seem to intend to continue to bargain hard over the treaty. Their reiterated position on Article III (safeguards) may serve as a pretext for again refusing to table draft treaty language at Geneva. And in the end, Moscow's tough negotiating tactics may jeopardize the whole exercise.

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Soviet Position on Assurances Shifts

Moscow's willingness to move from the Kosygin proposal¹ marks a significant shift in the Soviet position on assurances to non-nuclear countries and suggests that Moscow does remain interested in having a treaty.

According to the account which Secretary to Prime Minister Gandhi, L. K. Jha, gave us during his Washington visit, the Soviet position had begun to shift in February when Gromyko indicated that when the treaty was signed the USSR might be willing to issue a declaration which might be paralleled by declarations from the West. They sent the Indians some draft formulations, and a few days ago the Indians passed us a new draft which the Soviets had just given them.

To be sure, the Soviets remain quite circumspect in implying any commitment to the defense of India. The operative passage in their draft calls upon the UN Security Council to act quickly in the event of a nuclear attack or threat of such attack upon a non-nuclear country. Moscow is careful to specify that such action is to be "under the UN Charter", i.e., subject to veto. Concerned over the delay implied by reference to the Security Council, the Indians had asked for a reference to Article 51 on the right of individual and collective self defense. The new Soviet draft does indeed include a reference to Article 51, but it is cast in terms of the right of the "victim" to defend himself rather than implying any commitment for third parties to provide collective help.

Although the Soviet declaration is likely to be understood as directed against China whenever it may be issued, Moscow had declined to have any reference to India or to China in the document. To that extent, at least, the Soviets have been careful not to undertake a formal step directed against a socialist country. Moreover, Moscow's reference to the special responsibility of the Security Council's permanent members possessing nuclear weapons" is rather tricky language. After all, Moscow still regards Communist China as entitled to a permanent seat on the Council and the USSR considers the CPR a nuclear power. An absurd, but literal reading of the Soviet language would seem to set the Communist Chinese goat on guard over the cabbage patch!

Doubtless, the Soviets understand that their draft is hardly likely to be taken by the Indian government as an ironclad assurance, but they probably calculate that parallel Soviet and Western declarations--even vague

1. In February 1966 Kosygin stated that Moscow would be prepared to meet the desires of non-nuclear powers for assurances in connection with a non-proliferation treaty by including a provision under which nuclear powers would agree not to use nuclear weapons against non-nuclear countries which did not have nuclear weapons on their soil. This concept, cribbed from Soviet nuclear-free zone proposals, was hardly meaningful as an assurance to India as long as there was no prospect of China's signing the treaty.

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ones-- may help the Indians deal with a public-relations problem and sign the treaty. Moreover, the Soviets did make an effort to cast their draft in terms which might heighten its acceptability. Thus, they agreed to meet the Indian desire for a reference to blackmail as well as actual use of nuclear weapons by mentioning threat as well as attack.

The Soviets also dropped the definition of a non-nuclear country which they used in the Kosygin proposal (a country which had neither nuclear weapons of its own nor any foreign ones on its soil). The Soviet draft refers simply to "non-nuclear" states, and presumably the Soviet declaration would apply the American allies who are not nuclear powers. If parallel Western declarations are cast in the same terms, the language would extend equally to all of the Soviet Union's Warsaw Pact allies. Some of them probably do have nuclear weapons on their soil while others most likely do not. Indeed, Moscow may have found it awkward that the proposed exchange of assurances might, for example, discriminate in favor of Romania and against East Germany.

Moscow Stiffer on Safeguards, Interpretation

While Moscow has thus made an effort to get the Indians to accept the nonproliferation treaty, the Soviets have taken a stiffer line on issues affecting West Germany. The Soviets seem disposed to bargain hard on the exact terms of the agreement, and perhaps to put the whole project in jeopardy in the process.

Moscow is increasingly committed to its stiffer position on Article III (safeguards). On March 23 Gromyko told Ambassador Thompson two things. First, that Moscow now insists on the inclusion of an article on safeguards. And, second, that the USSR is now more demanding on what the article should say-- namely that it refer only to IAEA safeguards and make no reference to Euratom. It may be that Gromyko's position was not as firm as he implied; the following week the Soviets gave the Indians a draft of the treaty which had no text for Article III and by renumbering the subsequent articles left no blank for it.

Nevertheless, as long as Article III remains a topic of discussion, the Soviets are sticking to their new position. On April 17 Deputy Foreign Minister Semenov read an oral statement to the American DCM in Moscow which reiterated Gromyko's points, stated that the American version of Article III presented to the Soviet Union in Geneva on March 24 was unacceptable, and warned that continued discussion of Article III in this vein would "complicate" preparation of the draft treaty. Semenov's statement puts Moscow in a position once more to hold out against tabling a draft treaty in Geneva because a full text is not yet agreed. Thus,

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implicit in his demarche is the threat that there may be no treaty tabled when the disarmament conference resumes on May 9 unless the US changes its position on Article III.

Meanwhile, Moscow has begun to commit itself publicly on the subject of interpretation of the treaty commitments. Earlier this month Soviet commentators did several pieces on the Finney story in the March 30 New York Times. The Soviet commentaries left somewhat hazy the question of just what the exact terms of the Western interpretation of the treaty might be, but argued that the reported Washington assurance to Bonn of a loophole for a European nuclear force violated the basic purpose of the treaty.

However clumsy the handling of details may have been, the commentaries served to put on record the general thrust of objections which the Soviets had expressed in private. And by implication at least the publication of these journalists answers to Finney signalled Moscow's threat to challenge on an official level any official statements of interpretation on the Western side.

1. Only one broadcast even mentioned that the interpretation referred to a European nuclear force only in the event of European political integration and even that one did not explain the rationale of a European federation's being the successor state to a present nuclear power.

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