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UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

WASHINGTON

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M. n. Conger
SEP 22 1967

OFFICE OF
THE DIRECTOR

MEMORANDUM FOR THE SECRETARY OF STATE

SUBJECT: Current NPT Issues - ACTION Memorandum

In your meetings with Gromyko on September 25 and 27, he is likely to press you for US views on the safeguards article and on security assurances. He will also want to know what kind of a timetable we envisage. I believe you might also wish to probe Gromyko further on the duration issue in connection with the related issues of amendments and review conferences.

A. Timetable. We are pressing our allies for early views on the compromise safeguards clause presented by Roshchin to Foster. As the issues are complex, we may be unable to have these views before October. (There is little chance of EURATOM decision before October 2 Council of Ministers meeting even if all goes smoothly). We agree that it would be preferable to have the UNGA focus on an NPT with Article III and will tailor our strategy in the GA and ENDC to this end. We would like to keep open the option of extending the ENDC further into October, if this would serve a useful purpose and not provoke an adverse reaction in the GA.

B. ENDC Report. Resolution 2153 of the 21st GA calls for an ENDC report to the 22nd GA "at an early date" on the progress of NPT negotiations. In view of the critical stage of negotiations, and variety of issues evoking disparate views at this point, we and the Soviets in Geneva have agreed it is undesirable to provide an interim or progress report to the UN at least for the time being. Our delegations at the UN

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re discussing the circulation of identical draft texts of the NPT. We hope this will head off pressure for an interim report from the ENDC.

C. Safeguards. The Soviets have proposed ad referendum a compromise Article III, which Mr. Foster recommended to the US Government to try out on our allies. We feel the draft is a significant move forward but we have not yet decided what position to take on it. We are consulting with our allies in NAC with a view to reaching agreement as soon as possible. The matter is now under active consideration in Brussels. When we have obtained allied views, we plan to discuss them with the Soviet ENDC delegation in Geneva.

On the basis of preliminary reactions from our NATO allies, the Soviet draft raises two major areas of concern on which they may require textual amendments or joint understandings:

1) It is not clear from the Soviet draft whether EURATOM Commission will be able to negotiate on behalf of the Five with the IAEA; and

2) the EURATOM nations desire a clear understanding before giving us clearance to table a draft Article III that the subject of the EURATOM-IAEA agreement would be IAEA verification of EURATOM safeguards as opposed to the substitution or duplication of EURATOM safeguards.

The first problem is complicated by the possibility that the French will object to the EURATOM Commission negotiating an agreement with the IAEA on behalf of the five non-nuclear weapon members of EURATOM. Soviet flexibility will be essential if we are to resolve these delicate issues regarding Article III.

Moreover, the EURATOM nations are concerned with three other aspects of the Soviet draft: (1) It provides for a two-year transition period (in contrast to three years in the Western draft presented to the Soviets on April 25); (2) it provides for application of safeguards to facilities as well as materials for certain limited purposes; and (3) safeguards are to be applied to peaceful nuclear activities of a non-nuclear weapon state "carried out by it anywhere". (e.g. they are concerned

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about such facilities as those at Grenoble and Chooz).

D. Security Assurances. This question is particularly pertinent to India but has been raised by other non-aligned states, as well as Italy and Japan. We wish to relate it directly to the provisions of the UN Charter and, as indicated before, treat it outside the framework of the NPT. Last June Gromyko indicated general agreement with this approach and also said the Soviets are receptive to idea of making joint Soviet-US statements, which would generally confine our obligations to those existing under the UN Charter. The Indians have indicated a declaration of this type provided them by the USSR does not meet fully their requirements. They recently have indicated that security assurances are not a pre-requisite for adherence to the NPT. However, we question whether India will adhere without some form of security assurances. Gromyko will probably press you for an early US-Soviet agreement on how this problem should be handled. You might say we currently are trying to draft such a declaration.

E. Duration. Non-nuclear sentiment, voiced chiefly by the Italians, Germans and Japanese, is for a time limit. The Italians have suggested 15 years which we consider too short. We have told the Germans and Italians it is unlikely the Soviets would accept a treaty duration of less than 20-25 years. You might probe the Soviets further about a time limit, pointing out that several key countries whose adherence is important for NPT favor it. We also should reiterate US national preference for unlimited duration, saying that we would prefer to liberalize amendments procedures and periodic review conferences, the latter along lines suggested by the Japanese to head off pressures for limited duration.

F. Amendments. The Italians and Germans object to the amendments clause since they are not permanent members of the IAEA Board of Governors, even though the chance of an amendment passing over their objection is almost nil. They also object to the provision that amendments would apply to a minority of non-nuclear parties without their consent. In order to gain wider support for the treaty, we should probe Soviet willingness

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to reconsider the first alternative of two recommended by the Co-Chairmen on June 7, providing for vetoes for nuclear weapon states but not making amendments binding on non-consenting parties. You could point out that while we agreed to table the amendments variant favored by the Soviets, we consider the first June 7 alternative intrinsically better, particularly if the treaty is of long or unlimited duration. Under present amendments procedure, a small country like Portugal might prevent amendments which we and the Soviets might deem essential because of technical and scientific progress.

G. Balance of Obligations. The non-nuclear powers (most vocal are India, Sweden, Japan, and Italy) generally feel the NPT should contain some obligation on the part of the nuclear powers to limit or reduce their nuclear arsenals and to accept safeguards on their peaceful nuclear facilities. We continue to prefer to treat nuclear disarmament in the preamble, and in this connection you might wish to sound out Gromyko on the idea of having the fulfillment of the purposes of the preamble subject to the same consideration in the review conference as the obligations under the operative section. Drafting an operative section to deal with the problem, which would inevitably involve the verification issue, is too complicated and would be non-negotiable.

Arguments about "imbalance" of the NPT are another reason for considering the Japanese proposal for periodic review conferences, after the first obligatory review conference, if desired by a majority of the parties to the NPT. Although the present formulation does not preclude such conferences, specific provision for them might alleviate some concern about imbalance.

We have attached a summary of most recent international reactions to the NPT as TAB A.

signed]

Archibald Alexander
Acting Director

Attachment:
TAB A - World Reaction

Clearances:
M - Mr. Rostow
EUR - Mr. Leddy
IO/UNP - Miss Brown

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WORLD REACTION TOWARD
THE NPT

I. US Allies

Germany

FRG is in agreement in principle with NPT but has certain reservations on NPT draft text. "Decisive" consideration in FRG's decision to sign will be its judgment on effect treaty will have in bringing about a detente and in securing peace. Emphasis is placed on guarantees for uninhibited development research and industry and on assurance NPT would lead to broader disarmament measures. The Chancellor says he is extremely reluctant to sign a treaty which would cement Germany's position forever. He thinks solution is an initial period of 10 to 20 years at end of which country could withdraw for reasons other than jeopardy to its supreme interests. Also has reservations on the amendments clause; Germany does not like provision binding states to amendments they do not accept. On Soviet Article III Germans unable to go along with proposal as it now stands, (Sept. 19) subject to EURATOM position. It claims the Soviet proposal would jeopardize EURATOM position too much at moment when European Community institutions catching up again, and nothing should be done to disturb British candidacy therein. They also object to the Soviet refusal to accept safeguards on its peaceful nuclear activities. It most desirable main essence of US Article III be preserved.

Italy

GOI emphasis in criticism to NPT varies somewhat depending on speaker, audience and occasion. However, the

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real and underlying issues seem to be the questions of Italian security for the long-term if it adheres to treaty depriving it in perpetuity of nuclear weapons and dissatisfaction over formal acceptance of inferior nuclear status to other European powers, notably France. GOI has expressed concern about non-adherence of other potential nuclears, especially in Mediterranean. It fears NPT might become UNGA political football with "70 meaningless votes" in favor draft NPT (including Soviet draft Article III) and unhappy US allies unable to do more than abstain, if that. GOI prefers defer settlement of terms Article III until after UNGA to permit more thorough consideration and additional Soviet movement. Italian ENDC Representative summarized to Western Four essential points of GOI reactions to Soviet Article III: 1) Italy recognizes draft marks beginning of interesting stage in evaluation this topic and indicates Soviet desire for movement toward solution. 2) Both US and Soviet Article III discriminatory between nuclear and non-nuclears re safeguards. 3) Soviet Article III differs from US Article III in not envisaging possibility of equivalence between IAEA and EURATOM. Present ambiguous wording could be interpreted as allowing agreement between IAEA and other systems and could also leave possibility open for IAEA verification of efficiency of EURATOM system. This should be made more specific. 4) Field of application Soviet Article broader than US Article especially because of its words "carried out by it anywhere". Italian Parliament would have difficulty accepting any treaty of unlimited duration.

Italian insistence that safeguards apply to Soviet peaceful nuclear activities and other sweeping criticisms of NPT draft probably are tactical aimed at satisfying Italy's desire for other changes in NPT.

Great Britain

Foreign Office admitted being increasingly pressured by Italians and Germans support changes in amendment and

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duration Article of NPT. UK does not wish encourage intransigence but wishes be as forthcoming as possible to these two key members of European Community it eager join. On Soviet Article III the British have told us that, subject to certain specific points, they "are not unsympathetic to the draft which appears to be a genuine attempt by the USSR to reach a compromise". The points which bother the British mostly have to do with what they consider ambiguities, interpretations, and technicalities which we do not believe will make the draft unacceptable to the EURATOM Five. Consequently, they have explored these points at length with us in order to see where further possible compromise may be necessary. In so doing they have expressed some concern that we are taking alleged Soviet interpretations too much at face value.

Canada

Generally supports NPT, is flexible on safeguards article, and has suggested convention outside NPT on peaceful nuclear explosions. It has urged the Co-Chairmen to address the question of security assurances which might be handled by similar unilateral declarations by nuclear powers or UN resolution (which might include provisions re assistance in case nuclear attack or threat, and undertaking not to use nuclear weapons against non-nuclear NPT parties not allied with nuclear.) Endorses treaty of unlimited duration, amendment, review, and withdrawal procedures. On Soviet Article III, the Canadian Government has the Soviet Article III under active consideration and has not yet made any official pronouncements, aside from informal observations that the draft represents a step forward by the Soviets. It apparently will take its cue from the reaction of the five EURATOM countries in arriving at its own final position, although probably it could, for its part, accept this Soviet Article. The Canadians have felt all along that safeguards should apply equally to nuclear weapon states, although they won't make an issue of it.

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France

France opposed to dissemination nuclear arms, but will not sign NPT because it is not possible to dis-associate non-dissemination, which affects non-nuclear powers - from disarmament, which affects nuclear powers. France had no objection to five other EEC members going ahead with discussions on NPT but France would not participate. Unclear whether France will, in practice, obstruct agreement on compromise Article III.

Japan

Although Japan is a strong advocate of the NPT it has expressed concern in three general areas: (1) shunning of any "unequal" Treaty prejudicial to national prestige; expressed specifically in sensitivity toward equity of obligations; (2) preserving a nuclear option in the context of future defense concerns; expressed specifically in security limited treaty duration and periodic review conferences tied to withdrawal provision; and (3) fear of technological restrictions prejudicing future competitiveness in world markets, in turn possibly inflicting far-reaching economic disadvantages; expressed specifically in concern about peaceful nuclear uses, including explosives.

GOJ has asked us to provide them with our views on following points (in order arrive at own position to allow time educate Diet and popular opinion): 1) How does USG purpose deal with question of increased security for non-nuclear weapon states when this raised at UNGA? 2) US views on SYG report on political and economic effect nuclear weapons? 3) Wishes cooperate with US to insure spring Geneva Conference non-nuclear-weapon states does not impede progress toward final NPT."

Netherlands

One of the strongest supporters in Europe of NPT, subject to EURATOM considerations, they have suggested approaching Article III problem by assessing Soviet

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proposal in light of three basic principles: All parties should have confidence in controls which are put into effect; application of safeguards should not interfere with basic principles of EURATOM cooperation, NPT safeguards should avoid duplication.

Norway

Favors NPT and believes no firm basis for argument that effects of NPT will be loss technological benefits. Favors mandatory IAEA safeguards in NPT, and development worldwide safeguards system. Approach by stages could lead to incorporation EURATOM controls in wider system. NPT without safeguards article would be most regrettable, for verification essential in all arms control measures. Soviet Article III indication Soviet willingness compromise. Norway recognizes EURATOM difficulties and hopes Soviet Article helps ameliorate them.

Portugal

Early expressed some reservations to NPT even to extent calling proposal "basically against human nature in its objective denying a new weapon to independent nations". Called NPT door to industrial espionage with respect peaceful uses. In NAC expressed desire for concerted action by Allies but had no view as to its nature.

Belgium

Belgium very much favors NPT with an effective safeguards clause and hopes to bring other EURATOM members along. Belgian juridical problem is to find formula permitting GOB to sign NPT without prejudice to its obligations under EURATOM treaty. It would have to defend before Parliament thesis that NPT not in violation of obligations under same treaty. Basic GOB position

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of support for NPT remains despite existence of number unresolved problems.

Denmark

Attaches overriding importance to NPT and urges countries harboring doubts to support despite imperfections that may exist in present NPT draft text. Problem discrimination "affects all non-nuclear countries." Denmark's position on Article III is cautious, owing to its candidacy for the European community institutions.

Turkey

Attaches great importance to effective safeguards and will have no trouble agreeing to Article III generally acceptable to Allies. Reaction of EURATOM members to new Soviet Article III of importance to Turkey and will be considered carefully. Looks forward to final US-USSR agreement on this issue.

Greece

Favors non-proliferation and supports any action which would bring it about. Concerned with problem of universality, security assurances, and vertical disarmament.

Spain

Spain has expressed concern re security guarantee in NPT. Said Spain could not pursue non-aligned solution in view existing US-Spanish arrangements, but apprehensive about their extension. Understand problem getting Congressional agreement new commitment but would be desirable have guarantee which covered Soviets and also Algeria and Morocco.

Australia

Embassy officials have assured us that although the

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government has not taken an official position, it generally favors and will support NPT. They have, however, indicated concern about satisfying India with security assurances and the problem Australia would have if the Indians and/or the Japanese would not become adherents to the Treaty. They feel they must have a Southeast Asian orientation to the problem in view of the Chicom threat.

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II. Soviet Allies

Poland - Bulgaria - Czechoslovakia - Hungary

These countries have been consistent advocates of NPT, have been effective and active supporters of the project in the ENDC. They have followed Soviet cue closely.

Yugoslavia

Yugoslavia will support NPT. In doing so, it hopes that "minimum requirements of the non-nuclear states would be taken into account in final version of treaty. Other Yugoslav concerns center around questions involving 1) transfer of nuclear technology for peaceful purposes; 2) security guarantees for non-nuclear powers; and financial and technical assistance to developing countries as peaceful nuclear activities. Yugoslav Foreign Office expressed hope nuclear powers would soon be in position to express some concrete ideas on subject security guarantees, perhaps at present session of UNGA.

Romania

Romania favors NPT despite some reports to contrary. Two principal Romanian reservations relate to 1) fear Romania will be denied adequate technology in terms of peaceful uses; and 2) question of security guarantees if non-nuclear states are attacked by nuclear power. At ENDC, Romanian Representative said NPT 1) must be part of system of measures leading to elimination nuclear weapons; 2) must offer equal guarantees security all parties; 3) should not hinder peaceful uses; and 4) must establish system of controls equally applicable all states. The Romanians have attempted to identify themselves with non-aligned interests regarding the NPT in order to support their posture of independence in foreign relations. However, this would not be interpreted as meaning the Romanians have serious reservations about the treaty.

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III. Non-Aligned

India

Indian Representative at ENDC stated non-proliferation was not just a question of asking the non-nuclears alone to do something; action also was required of the nuclears. He insisted that there must be no impediment whatsoever to the peaceful uses of atomic energy by the non-nuclears. While GOI recognized that true security lies in disarmament, the fact is that nuclear weapon states have always linked nuclear weapons with security, objecting to various measures such as cut-off, NFZ's, and assurances. The question of security guarantees is paramount for an NPT; whether guarantees will be outside or in an NPT is another matter. It is unclear whether Indian objections to the NPT are basic or tactical. The Indian Government has not yet expressed any official views on the draft text.

Brazil

Recent Brazilian statement in the ENDC on the NPT was a frontal attack across-the-board on major aspects of the NPT text, with no allowance whatsoever for any positive aspects of the draft even where these are of importance to Brazil. Previously the Brazilians had focused their criticism almost exclusively on the Treaty's prohibition of peaceful nuclear explosives. It is obvious that the NPT has now become a domestic political football in Brazil. The seeming rejection of the basic principles of the NPT by Brazil on the grounds that the Treaty is inequitable is hard to square with Brazilian signature of the Treaty of Tlatelolco (LANFZ).

Nigeria

Although Nigeria favors NPT project with obligatory safeguards, it has expressed some concern about nuclear disarmament. It also has suggested that the nuclear states should give peaceful nuclear explosive device (PNED) services

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and train scientists of non-nuclear states in PNED technology. The Nigerian Representative asked for security assurances, reaffirmed support for President Johnson's 1966 proposal for regional control of conventional arms, and said effective safeguards are indispensable to the treaty.

Ethiopia

Ethiopia attaches great importance to achieving NPT but has expressed concern about two aspects of draft text: (1) lack of clear obligation of nuclear powers to move toward nuclear disarmament; and (2) prohibition of PNED's. They have raised the question whether nuclear powers can be relied on to provide PLOWSHARE services and hope some other way can be found to solve problem.

Sweden

The Swedes have no major problems with present draft NPT. They do not seek positive security assurances, but would favor negative (non-use) assurances. They have no problem with the prohibition of peaceful nuclear explosive services. They would prefer to have a clearer statement of obligations by nuclear powers for collateral disarmament measures but will not press this issue.

Sweden introduced its own proposed Article III in effort to stimulate compromise between Soviet and Western positions. While preferring IAEA inspection for all parties, it is unlikely Sweden would object to role for EURATOM. Sweden also prefers non-discriminatory safeguards on peaceful nuclear facilities but is unlikely to maintain this position if other countries willing to accept a version which applies only to non-nuclear countries.

Finland

Finland will support any text agreed upon by great powers.

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Mexico

The Mexican ENDC representative has stated that an element of discrimination in the NPT is unavoidable. Disarmament measures should not be incorporated in the NPT although there should be a general operative provision in which nuclear powers acknowledge responsibility and accept a "duty" to adopt a program of nuclear disarmament. A party should have the right to withdraw if it feels at a review conference that insufficient progress has been made on disarmament. Peaceful nuclear explosive devices could be used as weapons and should be prohibited under the NPT. Possibilities of international cooperation in development and use of these devices should be explored. IAEA or UN political organs could be utilized. The NPT should deal with peaceful international technological exchanges in terms of "rights and duties". There should be a "duty" to share technology and information and a "right" to receive this information. Mexico is sympathetic to India's need for assurances and favors a "non-use" provision.

Pakistan

Favors NPT provided it signed by all "non-nuclear" countries and without any increase in present five-member nuclear club. Remains interested in proposed conference non-nuclear powers. Committee has recommended conference by July 1968 and prepared proposed agenda. (There is agitation to move this conference up to April, which may gain momentum at the UNGA if complete NPT does not emerge before the end of the UNGA.)

Lebanon

Interested in successful conclusion NPT. Re Article III, Lebanon would like assure as much as possible that there are adequate safeguards for non-nuclear powers so that any non-nuclear state that signed treaty would not be exposed to deception. Question adequate safeguards would be key consideration for adhesion of non-nuclear states to NPT. Lebanon would welcome conference non-nuclear states to discuss possibilities formulating common approach on NPT.

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Uruguay

Enthusiastically supports concept of NPT.

Saudi Arabia

Agreement in government Council of Ministers that SAG favors non-proliferation nuclear weapons. However, had no meaningful views contribute on subject and would wait and see how ENDC talks progress before determining any formal Saudi position.

Nepal

Has no difficulty US position. Proposed NPT good thing and supports it. Needs be followed by further nuclear arms control.

Burma

Burmese views as follows: 1) "Not at all satisfied" with draft NPT as now stands, will need substantial modification be acceptable. 2) Primary objection is absence any form security guarantee for non-nuclear states. Concedes this complex and difficult subject, but oppose suggestion it be worked out separately. Present NPT draft entirely too one-sided with non-nuclear-weapon states being asked give up right develop nuclear weapons while nuclear states, in effect, give up nothing. At very least, Burma feels latter should be called upon to reciprocate with security guarantee. If impracticable include in body treaty, want specific reference in Preamble.

On Article III, Burmese incline favor Swedish proposal. Safeguards must be universal with single exception of nuclear weapons facilities in nuclear states. Recognize EURATOM problem and willing go along with transition period phasing EURATOM safeguards into IAEA safeguards. Re Article IV, does not have strong view since Burma so far behind in nuclear technology.

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Favors review conference every 5 years. Wonders whether definition non-nuclear state means state which explodes weapon between now and time treaty ready for signature would be considered non-nuclear state.

Israel

Israel has been reserved about NPT draft but has indicated that Mid-East crisis has not led to revision in Israel's strategy or any movement to change policy of being non-nuclear state. Until there is agreed draft NPT, Israel would have to reserve position. Wants to hear what other near-nuclear nations have to say. Israel's position remains one of not being first to introduce nuclear weapons this part of world, but attitude would change if it saw "any nuclear developments in Arab world" or any Soviet move provide nuclear weapons. Welcomed US-Soviet agreement on draft NPT as positive step in light Viet-Nam, and inclusion of clause regarding peaceful nuclear development, but noted lack control provisions and fact China, France and probably India would not be signers. Significance of draft is political, not nuclear - that US-USSR moving together rather than apart.

UAR

Supports NPT but has to take into account Israel's public silence on NPT. Expresses concern over both Israeli nuclear capability and possibility it might receive nuclear weapon or assistance from France. While not of direct interest to UAR, security assurances were psychological and political necessity for many non-nuclear countries and would be important at UNGA how assurances could be provided. UAR has affirmed support for meaningful safeguards article. ENDC representative has privately urged shifting preambular declaration intention to halt nuclear arms race and reduce nuclear armaments to operative article in form promise negotiate.

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Ecuador

Ecuador has not yet formed opinion regarding NPT which still under study. GOE supports arms control, but emphasizes that this does not affect non-nuclear powers' right to use nuclear energy for peaceful purposes. It also does not support "monopoly" of nuclear weapons by great powers. Favors UN action extending LANFZ concept other areas.

Chile

Chile strongly favors NPT and supports US efforts. It believes Italy, Japan, Brazil and India are not in a mood accept easily. It hopes safeguards provisions and assurances and other problems can be worked out. Expressed gratitude for NPT material we presented (Aide-Memoire, NPT text) and planned use in preparing for UNGA.

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