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OUTGOING TELEGRAM Department of State

INDICATE: COLLECT
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Origin
Info

ACTION: AmEmbassy BONN PRIORITY

INFO: AmEmbassy PARIS " "
AmEmbassy BRUSSELS " "
AmEmbassy LONDON " "
AmEmbassy THE HAGUE " "
AmEmbassy ROME " "
AmEmbassy MOSCOW " "
U.S. Mission GENEVA " "
USUN " "

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SUBJECT: NPT

1. German Minister von Lilienfeld called on Under Secretary Rostow October 5 to express FRG concern that some of the ~~XXXX~~ provisions considered by FRG to be essential for inclusion in NPT would fall under table, the way negotiations in Geneva were progressing. He referred especially to certain changes of language suggested by German side last spring which U.S. had been unwilling to raise with Soviets at the time but had indicated willingness to consider if brought up at ENDC once treaty text tabled. Von Lilienfeld's instructions, of which

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Drafted by: *[Signature]*
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Telegraphic transmission and classification approved by:

THE UNDER SECRETARY ROSTOW

EUR - Mr. Beaudry *[Signature]*
EUR - Mr. Stoessel *[Signature]*

ACDA - Mr. Gleysteen (draft) *[Signature]*
S/S Mr. Meehan *[Signature]*

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He provided copy, expressed German view that there remained no hope for these German points to be considered in Geneva through initiatives taken by Third States as had been planned originally. He instructed, therefore, to ask American Government to engage itself more actively for accomplishment of FRG requests considered essential if NPT to be acceptable to Germany.

2. Von Lilienfeld's instruction listed eight problems as follows:

- (a) Protection of non-nuclear weapon states against nuclear blackmail;
- (b) limitation of duration of treaty; (c) more balanced rights and obligations of NPT signatories; (d) the language of safeguards article;
- (e) protection of Germany against Soviet defamation; (f) treatment of Soviet Zone of Germany; (g) ^{binding} ~~XXXXXX~~ nature of interpretation given FRG by U.S.; and (h) defense and unification of Europe. (Copy FRG instructions follows by septel.)

3. Under Secretary Rostow responded by restating two principles governing U.S. approach to NPT. First, U.S. concern for integrity of Alliance and development of European movement. U.S. pursuing policy of full and intensive advance consultations bilaterally with FRG and in NAC in order to protect those basic common interests. Second, ^{and Allied} U.S./interest in reaching sound agreements with USSR. Rostow explained

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that U.S. approach to Soviet amended Article III was conceived in light of above principles. He stressed importance of moving promptly in response to shift in Soviet position. Time table was short also because of pressure of UNGA schedule. U.S. concerned that if General Assembly did not receive complete NPT draft before it closed, there would be outcry against Germany in that body. If draft treaty forwarded without Article III, it would be difficult to prevent adoption of original Soviet text.

4. Under Secretary Rostow provided von Lilienfeld with a copy of U.S. Aide Memoire delivered same day in NATO capitals. He stressed U.S. views expressed therein were tentative and designed as contribution to consultative process. He then responded to von Lilienfeld's eight points as follows:

(a) Duration. U.S. has told FRG repeatedly we are not inflexible on this issue. In U.S. discussions with Soviets, Soviets seemed negative to suggestion of limited duration, but perhaps not finally so. Roshchin repeated several times to Foster last summer that duration should be 1,000 years, and Dobrynin took this line again with Foster on October 4. But if other countries raised question in Geneva, U.S. would not object. Rostow said U.S. ~~XXXXXXXX~~ preferred not rpt not to sponsor

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[such an amendment in Geneva and suggested FRG approach other dels there.]

We could keep in touch about developments. He mentioned NATO-type duration ~~XXXXXXXXXX~~ formula as one of several possible formulations and thought outcome would depend on extent of ENDC support.

(b) Nuclear Blackmail. In U.S. view Germany had no problem since it protected by NATO. Von Lilienfeld rejoined that while this perhaps true from lawyer's standpoint, Germans nevertheless felt most exposed among European nations. He referred to three conditions often cited by USSR as prerequisites to better relations with FRG -- FRG acknowledgment of existing European boundaries, FRG recognition of East Germany, and FRG renunciation of nuclear weapons. He said FRG would like to obtain acknowledgment from Soviets that FRG signature of NPT would satisfy third condition.

Gleysteen mentioned informal conversation with Sov Dels in Geneva last summer, during which latter clearly indicated that USSR would accept FRG signature NPT as satisfying third condition. We doubted, however, whether USSR willing to make public statement to that effect before NPT signed. Under Secretary Rostow said that inclusion in NPT of good safeguards provision would also serve to protect FRG against nuclear blackmail.

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(c) Balanced Rights and Obligations. Under Secretary Rostow referred to treaty amendments proposed by Mexico. While U.S. could not accept specific language proposed, we now willing to include in operative part of treaty some language obligating nuclear weapon states to consider further disarmament measures.

(d) Treatment of Soviet Zone. Two sides agreed to consider handling of this question jointly at early date and assumed it would be along lines LTBT and OST.

(e) U.S. Interpretations. Under Secretary Rostow reaffirmed binding nature of interpretations on Articles I and II provided NATO last spring, as well as other interpretations we might make at ENDC or elsewhere. Senate testimony would become part of legislative history of treaty. He observed matter followed closely by Adrian Fisher, who is a leading American authority on international law.

5. Von Lilienfeld closed conversation by stressing again that solution of duration question represented key point in determining German attitude toward treaty as whole. Tone of conversation was friendly and von Lilienfeld several times stressed that other issues raised were secondary and could be easily disposed of.

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END.

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