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The United States and the Soviet Union agreed on a draft resolution endorsing the treaty and asking the three depositary governments (the United States, the United Kingdom, and the Soviet Union) to open it for signature. They were able to find 18 co-sponsors for this resolution, which was tabled in the First Committee on May 1, and 9 more for a slightly revised version submitted two days later. No Latin American co-sponsors could be found at this stage, and only two black African states, Somalia and Sudan, agreed to co-sponsor. Although most countries favored the treaty, such influential nations as Mexico, Sweden, and Japan favored treaty amendments.<sup>1</sup>

Japanese proposal

As previously noted, the Japanese had told us that they could not co-sponsor the draft resolution for domestic political reasons.<sup>2</sup> Before the General Assembly met, we learned that they were thinking of introducing a draft resolution in which the Assembly would declare that the nuclear states were "entrusted with control over their nuclear weapons" until they were placed under "effective international control" and call on the nuclear powers to exercise control over their nuclear weapons "in the interest of the maintenance of international peace and security."<sup>3</sup> On a preliminary basis, we thought that something like this might be useful but doubted that India and other "threshold" countries would welcome the implied blessing of the existing nuclear club.<sup>4</sup>

A revised version of this resolution (April 11) added an initial operative paragraph on the responsibility of states to refrain from the use of force in international relations and to settle international disputes by peaceful means. The other operative paragraphs read as follows:

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<sup>1</sup>See Sisco (State/IO) to Rusk, memorandum, May 10, 1968, Limited Official Use. The opening phase of the First Committee debate is reviewed in International Negotiations on the Treaty on the Nonproliferation of Nuclear Weapons, pp. 117 ff.

<sup>2</sup>See above, p. 348.

<sup>3</sup>From Tokyo, tel. 6155, Mar. 4, 1968, Confidential.

<sup>4</sup>To Tokyo, tel. 141037, Apr. 3, 1968, Confidential.

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2. Calls upon all nuclear-weapon States to control their nuclear arms in conformity with the above responsibility.

3. Calls upon all nuclear-weapon States to make the utmost efforts, in conformity with the above responsibility, towards an international system for the effective control of nuclear arms.<sup>1</sup>

In New York, Japanese Ambassador Abe told Buffum that the linkage of nuclear weapons with general and complete disarmament in the treaty did not mean much to Tokyo, which doubted that general and complete disarmament would ever be achieved. Ambassador Buffum then asked whether it would help if we added the following non-use paragraph to the joint draft resolution:

The General Assembly requests all States possessing nuclear weapons, in the interest of international peace and security, to assure they will not use such weapons in any manner inconsistent with the purpose, principles, and provisions of the UN Charter.<sup>2</sup>

Washington agreed that Buffum's suggestion would be a useful addition to the joint resolution but wondered whether potential nuclear powers would support it. It warned that the new language would remind other countries of the "sensitive fact" that the United States and the Soviet Union had been unable to agree to a more comprehensive non-use declaration and of the Ethiopian resolution adopted by the General Assembly in 1961.<sup>3</sup>

Later, a Japanese delegate explained to De Palma that their draft resolution was based on three principles: (1) the distinction between nuclear and non-nuclear states should be

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<sup>1</sup>From Tokyo, tel. 7387, Apr. 12, 1968, Secret.

<sup>2</sup>From New York, tel. 4612, Apr. 17, 1968, Confidential.

<sup>3</sup>To New York, tel. 148735, Apr. 18, 1968, Confidential.

For the non-use declaration, see above, pp. 279-281, 311-313. The Ethiopian and other non-use proposals are discussed below, chapter K6.

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temporary and transitional; (2) during this transitional period none of the nuclear powers should violate the principles of the Charter; and (3) the distinction between nuclear and non-nuclear nations should be progressively eliminated, possibly through international control of nuclear weapons by some supranational body. It was important to try to get France and Communist China to accept some obligations.

Ambassador De Palma observed that the Japanese approach was not related to the question of non-use of nuclear weapons. He thought that the treaty took care of the Japanese problem by recognizing that it was only a step in the disarmament process. But the Japanese proposal would not be acceptable to the Soviets, who had always opposed control of existing weapons. Moreover, the "control" of nuclear weapons which the Japanese sought seemed to differ from general and complete disarmament.<sup>1</sup>

In the light of this discussion, the Japanese Foreign Ministry decided to eliminate the "control" terminology and to replace the second and third paragraphs with the following language:

2. Calls upon all nuclear-weapon States to act in conformity with the above responsibility and to assure that the nuclear weapons in their possession shall not be used in any fashion inconsistent with the above-mentioned principles.<sup>2</sup>

When Ambassador Tsuruoka presented the new version to Buffum and Fisher to New York, he noted that it took Buffum's suggestion into account. Ambassador Buffum pointed out that his suggestion was informal and personal and that Washington would be concerned about opening up the non-use question, since this might lead to proposals which we could not accept.<sup>3</sup> The Japanese were primarily motivated by domestic political concerns.<sup>4</sup>

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<sup>1</sup>From New York, tel. 4762, Apr. 25, 1968, Confidential.

<sup>2</sup>From Tokyo, tel. 7840, Apr. 27, 1968, Secret.

<sup>3</sup>From New York, tel. 4799, Apr. 27, 1968, Confidential.

<sup>4</sup>From New York, tel. 4839, Apr. 29, 1968, Confidential.

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On May 1, First Deputy Foreign Minister Kuznetsov told Goldberg that the Japanese resolution was unacceptable and asked for our help in stopping it. On the next day, Ambassadors Buffum and Fisher discussed the question with Mendelevich. Before reaching a decision on the Kuznetsov request, they wished to be sure that we could get Soviet support in stifling resolutions, e.g., on non-use, that we found objectionable. Ambassador Mendelevich replied that the Soviet delegation supported full bilateral coordination of all proposals related to the treaty and would jointly resist any divisive initiatives at this session. He added that the Soviet Union did not yet have a firm position on the resolution and asked us to persuade the Japanese to postpone introducing it. After this discussion, Ambassador Goldberg asked Tsuruoka not to submit it until there had been a further opportunity for consultation.<sup>1</sup>

Washington agreed that we should try to get the Japanese to postpone introduction. While it was concerned about the dangers Buffum had mentioned to Tsuruoka, it noted that the Japanese formula was consistent with the position Rusk had taken on the Ethiopian proposal in 1962 and decided that we could support the resolution if its relationship to Charter principles was made explicit.<sup>2</sup>

The Soviets were reluctant to abandon the possibility of some non-use formula. Soviet delegates Grinevsky and Shevchenko later suggested an agreement that the nuclear powers undertake not to use nuclear weapons against non-nuclear parties to the treaty which were not members of alliances with nuclear powers. We reacted negatively.<sup>3</sup>

#### Mexican amendments

Although the Soviets publicly joined us in opposing any amendments to the draft treaty or the joint resolution, some Soviet delegates apparently intimated to the Mexicans that minor amendments might be acceptable. On May 9 the Mexicans

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<sup>1</sup>From New York, tel. 4911, May 3, 1968, Secret.

<sup>2</sup>To New York, tel. 157923, May 3, 1968, Confidential.

<sup>3</sup>From New York, tel. 5025, May 9, 1968, Secret/Limdis.

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gave other Latin American delegates a working paper proposing several amendments to the draft treaty. The following new preambular paragraph would be added:

Recalling that, in accordance with ~~the~~ U.N. Charter, States should refrain in their international relations from the threat or use of force and should advance the maintenance of international peace and security with the least possible diversion of the world's human and economic resources towards armaments.

The second paragraph of article IV would be changed to read:

All parties to the Treaty have ~~the~~ right to have access to scientific and technological information on peaceful uses of nuclear energy and to participate in the widest possible exchange of such information. Parties to the Treaty in a position to do so shall also contribute and cooperate in contributing alone or with other States...

Article V would be revised as follows:

Each Party to this Treaty undertakes to take appropriate measures to insure that, in accordance with the Treaty, under adequate international observation and through appropriate international procedures, the potential benefits of all peaceful applications of nuclear explosions will be available to non-nuclear weapon States Party to this Treaty on a non-discriminatory basis and that the charge to such Parties for the explosive devices used will be as low as possible and exclude any charge for research and development. It is understood that non-nuclear-weapon States Party to this Treaty will be in a position to obtain such benefits pursuant to a special agreement which should be approved by the UNGA as soon as possible, through an appropriate international body with adequate representation of non-nuclear-weapon States. Parties so desiring will likewise be able to obtain those benefits pursuant to special bilateral agreements.

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The phrase "including the cessation of the manufacture and perfection of such arms" would be added after the reference to measures to stop the nuclear arms race in article VI.<sup>1</sup>

In Mexico City, Foreign Secretary Carrillo Flores told U.S. Ambassador Freeman that the Mexican delegates were sincerely convinced that their effort to obtain agreement on "minor and harmless amendments" was more helpful to the treaty than the "take it or leave it" tactics of the United States and the Soviet Union. Ambassador Freeman warned the Mexicans that we did not consider their amendments "minor" or "harmless" and that they might open up Pandora's box. The United States and the Soviet Union had gone half-way in accepting the suggestions of the non-nuclear powers, including Mexico. While we appreciated their intentions, we feared that the working paper would have divisive results and impair the prospects of the joint resolution.<sup>2</sup>

Washington was very concerned about the Mexican move. It feared that "indication of our willingness ~~to~~ consider acceptance of any amendments at this stage, even if innocuous, could open ~~the~~ floodgates," since other countries would be tempted to take the same course. The Mexican amendments raised a "host of serious and complex substantive problems," and their consideration could only delay the conclusion of the treaty. Our Embassies in Latin America were immediately instructed to warn that the U.S. Government, Congress, and American public opinion would find it difficult to understand why Latin Americans should take an initiative to frustrate a treaty to which we attached so much importance.<sup>3</sup>

At New York, Mr. Fisher told Chilean Ambassador Pizera that the Mexican move would seriously set back the treaty's chances. Although we were not putting the treaty forward on a "take it or leave it" basis, a few amendments could start an avalanche which would cause us great trouble. We had objections to all the amendments, e.g., to the change in

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<sup>1</sup>From New York, tels. 5024, May 9, 1968, Limited Official Use, and 5025, May 9, 1968, Secret/Limdis.

<sup>2</sup>From Mexico, tel. 4812, May 9, 1968, Confidential.

<sup>3</sup>Circ. tel. 161473, May 10, 1968, Secret.

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article VI. This would affect the manufacture and maintenance of nuclear weapons and could not be verified. Ambassador Piñera retorted that we were making "arguments of authority," which Mr. Fisher denied.<sup>1</sup>

On initial analysis, we found the Mexican amendments undesirable or unnecessary. The preambular change was unnecessary and possibly harmful because it might encourage attempts to deal with security assurances in the treaty itself. The Mexican changes in the peaceful-uses article were undesirable because they would run counter to the principle of exchanges of information rather than unilateral access, leave us with the obligation of giving the same degree of access to Communist countries as to friendly nations, and ignore legal rights on patents and the protection of industrial property.

It would be premature and unnecessary to try to spell out all the procedures for peaceful nuclear explosion services in article V. While we had proposed the strategic nuclear delivery vehicles freeze and the fissionable materials production cutoff and the treaty would obligate parties to negotiate for nuclear disarmament, the Mexican amendment to article VI was not desirable:

...But short of GCD, it is not practical to halt ~~the~~ manufacture of nuclear weapons or their improvement. Such measures would require ~~the~~ most extensive verification. As long as nuclear weapons exist, there is no way to verify that they are not being taken apart, remanufactured and improved without standing guard over every weapon - which would be wholly unacceptable. ~~The~~ result of ~~the~~ Mexican amendment would therefore be to focus negotiating efforts more on GCD than on measures such as ~~the~~ cut off and freeze which ~~are~~ more achievable in today's world.<sup>2</sup>

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<sup>1</sup>From New York, tel. 5048, May 10, 1968, Confidential. The U.S. fissionable materials cutoff proposal would not actually stop the manufacture of new nuclear weapons by cannibalizing undestroyed weapons in the stockpile or by using previously produced fissionable materials that were not transferred to peaceful uses.

<sup>2</sup>Circ. tel. 162526, May 11, 1968, Confidential.

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In discussions with Goldberg and Fisher, Ambassador Garcia Robles agreed not to formally submit the Mexican amendments in the First Committee but to make an informal approach to the Co-Chairmen, perhaps through a small Latin American working group. Mr. Kuznetsov agreed to joint American-Soviet talks with the Mexicans.<sup>1</sup> Without formally tabling the amendments, Ambassador Garcia Robles publicly advocated them in the First Committee on May 16. The Chilean representative also advocated changes in the peaceful-uses and review provisions of the treaty.<sup>2</sup>

#### African attitudes

The African states had not yet made up their minds when the session began. Nigerian Ambassador Sule Kolo, who had previously shown some vexation at the Co-Chairmen's negotiating tactics,<sup>3</sup> told Fisher on May 2 that he now felt that the treaty was the best obtainable and that the Africans should sign it in order to guarantee a nuclear-free Africa. Many were upset at U.S. pressure, and it would help if we could say that South Africa would sign.<sup>4</sup> In a statement to the First Committee, he repeated some of his previous criticisms of the treaty but said that it should be concluded "as urgently as possible."<sup>5</sup>

Ethiopia, the other African member of the ENDC, stated her position in reply to our aide-mémoire.<sup>6</sup> The Ethiopians supported non-proliferation in principle but objected to the "discriminatory" nature of safeguards and the vagueness of the disarmament provisions. They wondered whether enough nuclear and near-nuclear nations would ratify the treaty to make it meaningful. And they considered the tripartite security assurances proposal unworkable and unrealistic.<sup>7</sup>

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<sup>1</sup>From New York, tel. 5085, May 11, 1968, Confidential. For American-Soviet talks with the Latin Americans, see below, pp. 375-376.

<sup>2</sup>International Negotiations on the Treaty on the Non-proliferation of Nuclear Weapons, p. 120.

<sup>3</sup>See above, p. 288.

<sup>4</sup>From New York, tel. 4890, May 2, 1968, Confidential.

<sup>5</sup>International Negotiations on the Treaty on the Non-proliferation of Nuclear Weapons, pp. 117-118.

<sup>6</sup>See above, p. 358.

<sup>7</sup>From Addis Ababa, agm. A-603, May 4, 1968, Limited Official Use.

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Other African states made more radical criticisms. In the First Committee, the Kenyan representative attacked the treaty for failing to halt "vertical proliferation" and urged that France and Communist China be brought into the negotiations. He considered the security assurances to be inadequate: The three nuclear powers--the United States, the United Kingdom, and the Soviet Union--should agree by a treaty to defend any non-nuclear state that was threatened or attacked by nuclear weapons. Moreover, nothing required South Africa, a near-nuclear nation and a threat to its African neighbors, to sign the treaty. South Africa, he declared, probably already had "a good stock of nuclear weapons" in its possession.<sup>1</sup>

The Ghanaian representative took a similar position and suggested to Fisher that General Assembly action be postponed until after the non-nuclear conference. Mr. Fisher replied that this would delay the treaty for a full year and might cause it to fall apart.<sup>2</sup> Later, the Ghanaians took the line that the black African nations should refuse to sign the treaty unless the United States, the United Kingdom, and the Soviet Union guaranteed their security against South Africa through a special Security Council resolution.<sup>3</sup>

The South African attitude made it more difficult to win the support of the black Africans. South Africa was not ready to sign the treaty and was initially reluctant to even vote for the endorsement resolution. Ambassador Botha was concerned about the expansion of safeguards to cover ore production and the treaty's impact on domestic uses of nuclear energy.<sup>4</sup>

Some black Africans were also dissatisfied with the position of the great powers on the issue of Southwest Africa, which the General Assembly was also considering. While we did not want this issue linked with the non-proliferation treaty and we wished to avoid provoking the black Africans into bargaining for South African adherence

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<sup>1</sup>A/C.1/PV.1562, pp. 16-25.

<sup>2</sup>From New York, tel. 4942, May 3, 1968, Confidential.

The Ghanaian delegation later tried to work up formal amendments (from New York, tel. 5047, May 10, 1968, Confidential).

<sup>3</sup>From New York, tel. 5294, May 23, 1968, Confidential.

<sup>4</sup>From New York, tel. 4894, May 2, 1968, Confidential.

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to the treaty, we sent the following instruction to our Embassies in Africa:

...Embassies at their discretion may wish to explain to host govts in course of normal contacts and in ~~the~~ general context of ~~the~~ NPT that ~~the~~ NPT ~~is~~ in their interest precisely because it could help prevent ~~South Africa~~ from acquiring nuclear weapons. You may say that we have been discussing ~~the~~ NPT bilaterally with ~~the~~ South African Government and are hopeful that ~~the~~ latter will adhere to ~~the~~ treaty even though it had not yet indicated its attitude on the draft before the current ~~General Assembly~~. Widespread support including ~~the~~ black African countries of ~~the~~ NPT draft would make it much more difficult for ~~South Africa~~ not to support ~~the~~ NPT at ~~the General Assembly~~.

We have tried to make it clear in New York that disarmament subjects like ~~the~~ NPT should be considered on their own merits and that progress cannot be made on disarmament if political stumbling blocks arising from other issues are raised. Of all disarmament discussions currently under discussion or in view, ~~the~~ NPT would appear to be of ~~the~~ greatest value to black African countries given their fear that South Africa may develop nuclear weapons.<sup>1</sup>

#### The South African position

If the parliamentary situation in the General Assembly made it desirable to obtain South African support for the joint resolution, South Africa's position as a near-nuclear nation and a uranium supplier made it important to persuade her to adhere to the treaty. Ambassador Botha publicly expressed his country's concerns in a statement of May 20 to the First Committee.<sup>2</sup> A team of American experts, headed

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<sup>1</sup>Circ. tel. 165731, May 16, 1968, Limited Official Use.

<sup>2</sup>International Negotiations on the Treaty on the Non-proliferation of Nuclear Weapons, pp. 121-122.

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by ACDA Assistant Director Scoville, was now sent to South Africa. After their visit, the South Africans decided to support the resolution without as yet committing themselves to sign the treaty.

During the visit of the Scoville group (May 27-28), the Americans clarified the interpretation of various treaty provisions. These clarifications were later formulated in a "memorandum of discussion" prepared by the South Africans and corrected by us. This memorandum was a South African document rather than a formally agreed bilateral interpretation of the treaty. In response to South African inquiries, we acknowledged that there was no control under article I. Owing to intelligence activities, however, there would be considerable risk of a violation becoming known, and there was little incentive for a nuclear power to transfer nuclear weapons.

We explained that the term "manufacture" was not defined in article II because all scientific developments could not be anticipated. The treaty did not, however, preclude "basic research and development, e.g., on plutonium metallurgy, which would have a clear value for the peaceful application of nuclear energy, even though such research might at the same time be of some value in manufacturing a weapon." On the other hand, it precluded the manufacture of "an actual device which could be used for carrying out a nuclear explosion."

Asked about the undertaking in article II "not to seek or receive any assistance," we said that nothing in the treaty prohibited the production of fissionable materials under safeguards. We believed that assistance in peaceful nuclear programs to treaty parties would be facilitated. But a non-nuclear party would not receive assistance in the technology of nuclear explosive devices. We further explained:

...On the other hand, there was nothing in the Treaty to prevent a non-nuclear weapon country from itself undertaking, or receiving assistance in respect of, all technological aspects involved in

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the application of nuclear explosions to peaceful purposes. The only preclusion was the technology of the device itself. Other facets of any particular project, such as the engineering involved, would not be affected by the terms of the Treaty. Furthermore, all the relevant technological information would be freely available, including data as to the total yield of the device, the effects in particular circumstances, etc. The only information not available would be the internal design of the nuclear explosive device itself.

Discussing article III, we said that uranium used for non-nuclear purposes would not be subject to safeguards unless the total quantities were above the minimum provided by the IAEA safeguards system. A party to an agreement with IAEA would not be bound by subsequent changes in the IAEA safeguards document. We thought, however, that it would be desirable to amend the agreement by negotiations with IAEA. The South Africans did not share our belief that future changes would more likely make safeguards less intrusive.

We told them that no fissionable materials, special equipment, or material could be provided to non-nuclear nations which did not adhere to the treaty, except under safeguards. The South Africans did not agree with our view that special equipment or material for a nuclear power reactor to generate electricity would be banned. We agreed that the treaty did not forbid the provision of fissionable materials to a nuclear power or require safeguards in such a case, even if the nuclear power did not adhere to the treaty.<sup>1</sup> The supply of materials to non-nuclear nations that were not parties to the treaty would be permitted provided that safeguards were applied, but these would have to be IAEA safeguards, not bilateral arrangements.

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<sup>1</sup>This was a question of some importance to South Africa, which exported nuclear materials to France.

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On the definition of "source material," we took the view that uranium ore of low concentration would not be considered source material and that slime dumps "containing a very low uranium concentrate residue" would not be regarded as source material unless and until the IAEA Board of Governors made a determination. We could not say whether uranium diuranate extracted at the mines would be regarded as source material, and suggested that the South Africans consult the IAEA. Uranium concentrate ( $U_3O_8$  or yellow-cake) was regarded as source material. Experiments on fast reactor critical assemblies would be permitted under article IV, "even though they might provide information that could be used to develop nuclear explosive devices."

We thought that the IAEA would be responsible for the "appropriate international procedures" mentioned in article V, even though this was yet to be arranged. Bilateral arrangements were permitted but there was no obligation to provide services bilaterally. The IAEA role would be "limited to assessing and satisfying itself on the safety hazards involved and the elimination of any risk that a nuclear explosive device was used for any other purpose than the project for which it had been requested." The South Africans suggested that we put this understanding on record, but we indicated that the clarification of procedures should be taken up with IAEA if it became the responsible agency.

As for article VII, we saw no incompatibility between the non-proliferation treaty and the Tlatelolco treaty.

The South Africans remained concerned about several aspects of the treaty. They were uncertain about the nature of a model safeguards agreement with IAEA and they were not sure that IAEA and other authorities would be able to exclude all extraneous considerations in carrying out their tasks.<sup>1</sup>

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<sup>1</sup>Circ. agm. CA-9036 (to Capetown), June 28, 1968, Confidential, with attachment, "Memorandum of Discussion," Confidential.

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Maltese proposals

On May 11, Maltese Ambassador Pardo informally circulated draft amendments to the joint resolution. In the preamble, a reference to the General Assembly's "deeply appreciative" feeling about the work of the ENDC would be deleted from the paragraph on the ENDC report. The fourth and fifth preambular paragraphs would be replaced by new language on the need for support by all nuclear powers, nuclear disarmament, and the "balance of responsibilities" of nuclear and non-nuclear states. The first operative paragraph would be replaced by a new paragraph in which the General Assembly would commend the treaty on the understanding that the nuclear powers intended to conclude nuclear disarmament agreements at an early date and that the "inalienable right" of all parties to the supply of fissionable materials and equipment and to free technical assistance would not be questioned. The General Assembly would note the intention of the depositary governments to open the treaty for signature, rather than request them to do so. It would also urge the nuclear signatories to do all in their power to obtain the adherence of all nuclear states.<sup>1</sup>

An American delegate immediately questioned the paragraph on supply and learned that it was inspired by the Italians. Ambassador Pardo was willing to drop the equipment aspect of this paragraph. He explained that the free assistance provision referred to scholarships, not pilot projects. The American delegate pointed out that the paragraph on the adherence of all nuclear states could provoke a reaction by France or the French-speaking African states.<sup>2</sup>

Later, Ambassador Pardo proposed adding a clause on not using or threatening to use nuclear weapons "in any manner inconsistent with the principles and purposes of the Charter of the United Nations." He changed the peaceful-uses paragraph. Another change was a revised paragraph urging the nuclear signatories "to seek to obtain the adherence to the Treaty of all nuclear weapon States and to assist them with further negotiations for the conclusion of agreements relating to the cessation of the nuclear arms race and nuclear disarmament."

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<sup>1</sup>From New York, tel. 5086, May 11, 1968, Confidential.

<sup>2</sup>From New York, tel. 5089, May 11, 1968, Confidential.

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Mr. Fisher urged him not to press his changes, which would not be acceptable to the United States or the Soviet Union.<sup>1</sup>

#### Romanian amendments

On May 22, Ambassador Ecobescu gave De Palma four amendments to the draft treaty. In article VI, the Romanians wished to specify that the parties would negotiate on "the cessation of the manufacture and perfection of nuclear weapons, the liquidation of all their existing stockpiles and the elimination from national arsenals of nuclear weapons..." In a new article, the parties would agree to act through the Security Council to assure non-nuclear parties that "they would not be subjected to a nuclear attack and would not be threatened with such an attack." The first paragraph of the peaceful-uses article would be revised to assure the "inalienable right" of all parties to develop nuclear energy for peaceful purposes, to acquire fissionable material and equipment, and to have access to information. A new paragraph would be added to article III restricting control to peaceful nuclear activities which might lead to the proliferation of nuclear weapons. The Romanians had previously intimated that they would only propose small changes, and Ambassador De Palma was frankly amazed at the scope of their proposals. He told Ecobescu that there was no prospect of agreement on amendments of this kind.<sup>2</sup>

#### Yugoslav amendments

On the same date, the Yugoslav representative gave De Palma three amendments. A reference to "effective measures in the direction of nuclear disarmament" would be added to the ninth preambular paragraph. There would be a new article incorporating the Kosygin non-use formula.<sup>3</sup> In article V, a new clause would be added providing that negotiations for an international body and a draft treaty to regulate peaceful explosions would begin immediately after signature of the non-proliferation treaty.

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<sup>1</sup>From New York, tel. 5140, May 15, 1968, Confidential. For American-Soviet discussions of the Maltese proposals, see below.

<sup>2</sup>From New York, tel. 5278, May 22, 1968, Secret.

<sup>3</sup>See above, p. 51.

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Ambassador De Palma noted the danger of opening up the treaty even to innocuous amendments because of the risk of pressure for further changes. The first change would add nothing to the 11th preambular paragraph or to article VI. We were opposed to the Kosygin formula and it was impracticable to include any assurance language in the treaty. And it would be undesirable to refer to some new international body in article V, since most people were thinking of the IAEA in this connection.<sup>1</sup>

"Cosmetic" changes in the treaty and resolution

On May 13 the American and Soviet delegations examined the voting situation in the General Assembly. We then estimated that the joint resolution would get about 80 votes if some changes were made. Mr. Kuznetsov found this estimate too optimistic. He thought that there would be only 60 supporting votes for an unrevised resolution, not counting the Latin Americans. Both delegations agreed to determine whether non-substantive changes would improve the situation and should be recommended to their governments.<sup>2</sup>

Two days later, they agreed to maintain a hard public line against any changes in the draft resolution or the treaty while privately working out amendments to both. These amendments, intended to gain wider co-sponsorship, would be in the nature of "cosmetic" changes and would not affect the substance of the treaty. While some elements of the Maltese amendments<sup>3</sup> to the resolution might be accommodated, the Soviets agreed with our rejection of the assertion that the treaty would be valueless unless all nuclear powers supported it. They preferred to leave security assurances out of the resolution. Both delegations agreed to oppose any non-use language, since this would inevitably be divisive. The Soviets rejected the "free of charge" clause in the Maltese resolution. They were willing, however, to accept the first operative paragraph of the Japanese resolution.<sup>4</sup>

<sup>1</sup>From New York, tel. 5277, May 22, 1968, Confidential.

<sup>2</sup>From New York, tel. 5127, May 14, 1968, Secret.

<sup>3</sup>See above, p. 372.

<sup>4</sup>From New York, tel. 5190, May 17, 1968, Secret/Limdis.  
For the Japanese resolution, see above, pp. 359-360.

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In Washington, Secretary of State Rusk and First Deputy Foreign Minister Kuznetsov agreed to continue close collaboration between the two delegations and not to accept any changes that affected the basic substance of the treaty. Mr. Kuznetsov said that the Mexican proposal to include a reference to the Tlatelolco treaty in the resolution or the treaty caused serious difficulties for the USSR, which had reservations on the peaceful-explosions provisions of the Tlatelolco treaty and the wide areas it covered.

Secretary Rusk stressed that we would not enter into any additional alliance commitments in order to give security assurance. We had enough allies as it was and the Senate would not approve any others. Nor would we entertain the prospect of a possible war with the USSR in order to get a treaty. The Security Council approach was the only way possible for us. He added that perhaps only 25 or 30 people in the United States understood the real meaning of nuclear war. Mr. Kuznetsov commented that the Soviet Union understood it very well.

Secretary Rusk said that he thought the FRG would sign the treaty. On the place of signature, he said that we would have no objections to signing the treaty in Geneva. We were concerned about the questions of non-recognized states if all states were invited, however, and there was also a question of how many members would sign if signature was restricted to ENDC members. It might therefore be easier to use the procedure of the outer-space treaty and sign in the capitals of all three depositary powers. Mr. Kuznetsov said that the USSR preferred signature in Geneva. He thought that the question of non-recognized states could be taken care of.<sup>1</sup>

On May 17 a Latin American working group comprising Garcia Robles (Mexico), Piñero (Chile), and Turbay (Colombia) met with Goldberg, Fisher, Kuznetsov, Roshchin, and their advisers. Ambassador Goldberg said that the basic problem was the difficulty and impracticability of opening the treaty negotiations to 124 states. This could precipitate additional

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<sup>1</sup>Memcon Rusk, Kuznetsov, et al., May 17, 1968, Secret/Exdis.

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amendments, widen disagreement, and result in referring the treaty to the ENDC again. Mr. Kuznetsov took a similar position.

Ambassador Garcia Robles stressed that Mexico did not wish to postpone the treaty and wanted it approved at the present session of the General Assembly. The Mexican proposals were suggestions, not amendments to be voted on. In his view, the Co-Chairmen could issue a revised draft treaty incorporating useful changes, as they had done in Geneva. The other Latin Americans also disclaimed any intention of postponing the treaty.

When the Colombian representative urged the USSR to sign protocol II to the Tlatelolco treaty, Mr. Kuznetsov expressed surprise at a suggestion that looked like a deal. He urged the Latin Americans not to tie the protocol to the non-proliferation treaty or make Soviet signature of the protocol a condition for supporting the treaty. The Latin Americans denied that they were linking the non-proliferation treaty to the protocol but hoped that the USSR would sign the latter.<sup>1</sup>

In Mexico City, Foreign Secretary Carrillo Flores told Freeman that the Mexican Government did not advocate a "deal" on the protocol. He planned to make another effort to persuade Gromyko to sign it. If he did not succeed, he would accept the Soviet proposal for an exchange of notes whereby the USSR would accept the obligations of the protocol without actually signing it.<sup>2</sup>

On May 18 the American and Soviet delegations agreed ad referendum on a number of changes in the draft resolution. The language on peaceful uses and nuclear disarmament was revised, and a new preambular paragraph emphasizing the principles of the Charter on the non-use of force was added.

<sup>1</sup>From New York, tel. 5199, May 17, 1968, Confidential.

<sup>2</sup>From Mexico, tel. 4982, May 18, 1968, Confidential.  
For the Soviet proposal, see Mexico tel. 4568, Apr. 25, 1968, Confidential.

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