

Department of State

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Origin
Info

- ACTION:**
- Ambassy OTTAWA PRIORITY** *Priority*
 - Ambassy LONDON PRIORITY** *↓*
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- INFO:**
- ALL OTHER NATO CAPITALS PRIORITY**
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 - Ambassy MOSCOW PRIORITY**
 - Ambassy VIENNA PRIORITY**

STATE 127754

LINDIS

DISTO/NATUS/IAEA/BUSEC

SUBJECT: Non-Proliferation Treaty Safeguards Article

1. Following is text of aide memoire to be used in accordance with instructions sent septel. BEGIN TEXT. The Embassy of the United States of America has been instructed to transmit the following information on the present status of negotiations of a non-proliferation treaty article which would provide for safeguards on peaceful nuclear activities.

2. In order to place the recent negotiations in perspective, it may be useful first to summarize the history

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of this safeguards article. The draft non-proliferation treaty which the United States presented to the Eighteen-Nation Disarmament Conference in Geneva on August 17, 1965, contained a safeguards article calling for cooperation in facilitating the application of safeguards. In presenting this article, the United States representative referred to the desirability of reaching agreement on a stronger and more precise formulation. Accordingly, on July 28, 1966, the United States representative in Geneva outlined the obligations which the United States considers essential to establish a system of international safeguards that would be truly effective in curbing the proliferation of nuclear weapons. He indicated that in the view of the United States such obligations would include acceptance by non-nuclear-weapon states of IAEA or equivalent international safeguards on all their peaceful nuclear activities.

3. The United States has made it clear that it considers European Atomic Energy Community safeguards to be QTE equivalent international safeguards UNQTE.

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4. During our bilateral talks with the Soviet Union on the non-proliferation treaty, we tried repeatedly to persuade the Soviets to agree to the inclusion of such an obligation in the treaty. The Soviets replied that they could accept a binding safeguards article provided it does not call for inspections of nuclear-^{states,} ~~weapon/particles,~~ and provided further that the article specifies only IAEA safeguards.

5. When the Soviets indicated that reference in the treaty to QTE equivalent international safeguards UNQTE was unacceptable to them, the United States proposed that the phrase QTE effective international safeguards UNQTE be substituted for QTE International Atomic Energy Agency or equivalent international safeguards UNQTE. The Soviets rejected this proposal also, and when pressed to reconsider it, the Soviets indicated that they would prefer no safeguards article at all rather than any language appearing to endorse Euratom safeguards. However, they did acknowledge the need for a transition period (as yet undefined) before IAEA safeguards would need to be phased into the Euratom area, and said this period could be fixed by a protocol or declaration of understanding. They

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also indicated they would not be concerned about a continuation of Euratom safeguards provided that IAEA safeguards applied to the Euratom non-nuclear-weapon countries as well.

6. The Soviets made the following arguments for their position:

a. The Soviet Union will not agree in a non-proliferation treaty to entrust inspection of facilities on the territory of Western allies to an organization consisting entirely of NATO allies. They draw an analogy with the insistence of Western countries on having their inspectors in the USSR in connection with a comprehensive test ban.

b. If the Eastern European allies of the Soviet Union are to be subject to inspection by the IAEA, there must be equality of treatment; i.e., allies of the US should be subject to the same international IAEA inspection.

c. It is unsound to endorse and perpetuate a regional approach to safeguards. For example, if some of the Arab League countries formed a Near East safeguards organization, who would judge if it was QTE equivalent to IAEA UNQTE or QTE effective UNQTE?

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7. The Soviets believe their view will be endorsed by a majority of potential signatories. In particular, they would expect to be strongly supported by such potential nuclear-weapon states as India and Sweden, which have already indicated reluctance to accept a treaty requirement for IAEA safeguards if some countries will have the privilege of being inspected by an organization consisting solely of their allies. Moreover, with no safeguards clause in the treaty, the Soviets would expect Euratom safeguards to continue to apply anyway to the Euratom area. We must, therefore, give credence to the Soviet statement that if we cannot accept the kind of article they can support, they would prefer no safeguards article at all.

8. The United States attaches importance to the inclusion of a meaningful, binding safeguards article in the non-proliferation treaty. We believe that broad safeguards coverage of peaceful nuclear facilities is a key element in the effort to curb nuclear proliferation. Such coverage would help allay suspicions regarding the disposition of the large quantities of plutonium which will be produced in nuclear power reactors throughout the world. ~~Such suspicions~~

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Safeguards on these facilities provide an effective means by which a country can assure its neighbors that its nuclear program is truly peaceful, and receive similar assurances in return. By thus removing some of the pressures for nuclear proliferation, effective safeguards would contribute to the durability of the non-proliferation treaty. In our view, the non-proliferation treaty provides the only foreseeable chance to achieve comprehensive worldwide safeguards coverage on both imported and indigenously-built nuclear facilities before large quantities of plutonium are produced in many countries.

9. Moreover, acceptance of IAEA safeguards under this treaty would be a major step in bringing the Soviet Union to recognize the need for appropriate verification of major arms control undertakings. The establishment of international safeguards in Eastern Europe could also have political significance in contributing to East-West cooperation. In certain other regions, such as the Near East, complete safeguards coverage would have an immediate beneficial effect in reducing a dangerous source of tension and instability.

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10. The United States therefore believes that advantage should be taken of the apparent Soviet willingness to support a mandatory safeguards provision in the non-proliferation treaty. We are seeking a formulation which would achieve this objective and at the same time protect the interests of our allies, including the members of Euratom. Accordingly, we are considering exploring with the Soviets, still ad referendum pending further consultation with our allies, the possibility of agreement on a compromise treaty article along the following lines, provided we can also agree on a transitional arrangement as outlined below.

11. QTE. Proposed Compromise Language for 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 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

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are subject to such safeguards. UNQTE. In addition, we would propose a paragraph in the preamble to read: QTE. Undertaking to cooperate in facilitating the application of International Atomic Energy Agency safeguards to peaceful nuclear activities. UNQTE.

12. It seems to the United States that a possible transitional arrangement, which would be specified in public declarations, might include the following elements.

A. After entry into force of the non-proliferation treaty, or sooner if the Euratom countries wished, the IAEA and Euratom would exchange technical information on their respective safeguards procedures. Meanwhile, IAEA safeguards would apply to nuclear exports from Euratom states to non-nuclear-weapon states outside the Euratom area.

B. At such time as the IAEA will have completed arrangements for applying its safeguards to other countries with advanced peaceful nuclear programs (understood to include such countries as India, Sweden, Israel, etc.), it would also apply such safeguards in the Euratom non-nuclear-weapon countries in accordance with procedures which have been agreed

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between the two organizations during the transition period. Such procedures might involve various possible arrangements, such as (a) enabling the IAEA to verify the adequacy of the Euratom safeguards system; (b) parallel, independent inspections by Euratom and the IAEA; or (c) some form of joint, cooperative inspections.

C. There may also be an agreed understanding regarding the duration of the period within which the application of IAEA safeguards to all non-nuclear-weapon parties is to be completed.

13. The United States recognizes that the members of Euratom presently enjoy a safeguards system which is comprehensive and effective, and that accordingly these states may well look upon IAEA safeguards as redundant. Our discussions with the Soviet Union have made clear, however, that a mutually acceptable formula concerning the role of the IAEA must be found if we are to achieve the application of effective international safeguards throughout the world which is so vital to the non-proliferation objectives we all share.

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14. In view of the continuing desire of the United States to support and strengthen Euratom, the United States would particularly value the views of the Euratom member governments on the above suggestions. Comments with respect to safeguards procedures which would be likely to be negotiable with the Soviets and at the same time protect the essential interests of Euratom would be especially helpful to the United States as a guide for future talks with the Soviets.

15. The United States would appreciate receiving the views of the Government of (blank) at its earliest convenience. **END TEXT.**

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