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C O N F I D E N T I A L GENEVA 1001

DISTO/NATUS

SUBJECT: PROPOSED MEXICAN CHANGES TO NPT -PART I OF V

REFERENCE: GENEVA 870

1. MEXICAN PROPOSALS, REPORTED REFTEL, POSE PROBLEMS BUT MAY ALSO CREATE OPPORTUNITIES. WHILE US DEL HAS EMPHASIZED TO OTHERS THAT ARTS I AND II CANNOT BE TAMPERED WITH, WE HAVE ALSO INDICATED THAT REST OF TREATY IS NOT NECESSARILY CAST IN CONCRETE. TO EXTENT WE CAN MAKE SOME CHANGES AT BEHEST OF IMPORTANT NON-ALIGNED COUNTRIES, WE WILL STRENGTHEN

PAGE TWO RUFHGV 1001 C O N F I D E N T I A L
CASE THAT TREATY DOES MEET REASONABLE AND RESPONSIBLE REQUESTS OF NON-ALIGNED. US, AS WELL AS SOVIET, RESPONSE TO MEXICAN PROPOSALS WILL PROBABLY BE REGARDED BY MANY AS TEST OF WHETHER CO-CHAIRMEN REGARD NPT AS IMMUTABLE TO BE FORCED ON NON-

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ALIGNED.

2. IT IS FORTUNATE THAT FIRST SIGNIFICANT SUGGESTIONS FOR AMENDMENTS CAME FROM MEXICO WHICH IS ANXIOUS CONTRIBUTE TO SUCCESSFUL NEGOTIATION OF NPT. AMB. CASTANEDA WILL THEREFORE PROBABLY BE WILLING WORK WITH US IN ACCEPTING REASONABLE MODIFICATIONS HIS PROPOSALS AND THEN IN PUSHING REVISED NPT AT NEW YORK.

3. ON OTHER HAND ONCE WE BEGIN ACCEPTING CHANGES ALONG LINES OF MEXICAN SUGGESTIONS, DOOR WILL BE OPEN TO OTHERS MUCH LESS TOLERABLE. WE THEREFORE HOPE THAT, WITH SOVIET COOPERATION, WE CAN TURN THESE ATTEMPTS ASIDE OR CONFINE OUR REACTION TO STRENGTHENING PREAMBULAR LANGUAGE WHERE WE CAN.

4. IN THIS CONNECTION, WE BELIEVE TIME HAS COME TO BRING

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ABOUT INTRODUCTION (HOPEFULLY THROUGH JAPANESE) OF OUR NATO-AGREED DOUBLE-ASTERISK LANGUAGE TO STRENGTHEN REVIEW CONFERENCE PROVISIONS. WHETHER THESE WILL SUFFICE TO HEAD OFF MEXICAN AND OTHER SUGGESTIONS IS NOT CLEAR, BUT DOUBLE-ASTERISK LANGUAGE WILL LOSE NEGOTIATING UTILITY IF SURFACED AFTER MORE FAR-REACHING SUGGESTIONS GAIN WIDESPREAD SUPPORT.

5. UNTIL WE HAVE HEARD COMMENTS AND SUGGESTIONS OTHER NON-ALIGNED MAY MAKE, IT WILL NOT BE POSSIBLE TO SPELL OUT PRECISE TACTICS FOR HANDLING MEXICAN SUGGESTIONS. BUT IN GENERAL WE WOULD PLAN INITIATE DISCUSSIONS WITH SOVS BEFORE TALKING WITH MEXICANS AND FRIENDLY NON-ALIGNED. MOREOVER, BEFORE REACTING TO MEXICAN SUGGESTIONS IN PLENARY WE WOULD HOPE HAVE REACTION OF OTHER NON-ALIGNED.

6. IN FOLLOWING PARTS OF THIS MESSAGE WE DESCRIBE ALTERNATIVES OR SUBSTITUTES TO MEXICAN SUGGESTIONS THAT MIGHT BE ACCEPTABLE TO US, ASSUMING WE CANNOT TURN THEM ASIDE.

7. WE DO NOT BELIEVE INITIATION OF DISCUSSIONS WITH SOVS SHOULD

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PAGE FOUR RUFHGV 1001 C O N F I D E N T I A L
REQUIRE PRIOR FORMAL NATO COORDINATION. TO WHATEVER EXTENT
MEXICAN PROPOSALS ACCEPTABLE TO US, US ALLIES LIKELY BE
PLEASED. HOWEVER, WHEN WE RECEIVE SIGNIFICANT COMMENTS
FROM SOVIETS WE WOULD CONSULT NAC AND ALLIED REPS AT
GENEVA AS TO OUR PLAN OF ACTION.

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C O N F I D E N T I A L GENEVA 1002

DISTO/NATUS

SUBJECT: PROPOSED MEXICAN CHANGES TO NPT - PART II OF V

REFERENCE: GENEVA 870

8. ANALYSIS. FIRST MEXICAN PROPOSAL REFTEL DIVIDES PRESENT ART IV INTO TWO PARTS, PROVIDING MORE POSITIVE FORMULATION OF RIGHT TO PARTICIPATE IN EXCHANGES, AND ADDING A "DUTY" FOR THOSE PARTIES IN A POSITION TO DO SO TO CONTRIBUTE TO DEVELOPMENT OF PEACEFUL APPLICATIONS OF NUCLEAR ENERGY, ESPECIALLY IN TERRITORIES NON-NUCLEAR-WEAPON PARTIES. ITS

PAGE TWO RUFHGV 1002 C O N F I D E N T I A L
LANGUAGE MIGHT BE INTERPRETED BY MANY DEVELOPING COUNTRIES AS REQUIRING CONSIDERABLE ASSISTANCE FROM MORE DEVELOPED COUNTRIES, NON-NUCLEAR AS WELL AS NUCLEAR-WEAPON STATES. SINCE MEXICAN DRAFT WOULD APPEAR COMMIT US TO AN OPEN-ENDED

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OBLIGATION TO CONTRIBUTE TO DEVELOPMENT OF NUCLEAR ENERGY IN NON-NUCLEARS. WE DO NOT BELIEVE IT COULD BE ACCEPTED BY US IN THIS FORM. HOWEVER, PROPOSAL IS LIKELY BE WELL RECEIVED BY EIGHT AT ENDC AND AT UNGA AS PROVIDING FURTHER OBLIGATION FOR NUCLEARS. SOVS ARE LIKELY OPPOSE PROPOSAL, AT LEAST IN PRESENT FORM. OUR ALLIES PROBABLY WOULD LIKE TO ACCEPT SOME VERSION OF MEXICAN PROPOSAL.

9. ELEMENTS OF MEXICAN PROPOSAL WHICH SHOULD BE ACCEPTABLE TO US. BELIEVE WE SHOULD BE WILLING BREAK PRESENT ART IV INTO TWO PARAGRAPHS AND THAT WE SHOULD BE ABLE FORMULATE RIGHT TO PARTICIPATE IN EXCHANGES IN MORE POSITIVE TERMS. HOWEVER, IDEA OF MOST IMPORTANCE TO MEXICO AND PROBABLY OTHER NON-ALIGNED NON-NUCLEARS IS INCLUSION OF SOME FORMULATION REGARDING ASSISTANCE TO NON-NUCLEARS BY NUCLEARS. ALTHOUGH WE CANNOT AND SHOULD NOT ACCEPT ANY LANGUAGE EXPRESSING

PAGE THREE RUFHGV 1002 C O N F I D E N T I A L
"DUTY" TO ASSIST, BELIEVE WE COULD INCLUDE LANGUAGE REFLECTING REALITY THAT US DOES COOPERATE IN ASSISTING GREAT MANY STATES, AND WILL, OF COURSE, CONTINUE DO SO. LANGUAGE WE SUGGEST FOR SECOND SENTENCE PARA 2 BELOW, ALTHOUGH ESSENTIALLY HORTATORY, WOULD PROBABLY BE WELL RECEIVED AND MAKE TREATY SIGNIFICANTLY MORE ATTRACTIVE FOR MANY NON-NUCLEARS.

10. FOLLOWING IS REVISED DRAFT OF MEXICAN PROPOSAL BASED ON ABOVE CONSIDERATIONS:

"1. NOTHING IN THIS TREATY SHALL BE INTERPRETED AS AFFECTING THE INALIENABLE RIGHT OF ALL THE PARTIES TO THE TREATY TO DEVELOP RESEARCH, PRODUCTION AND USE OF NUCLEAR ENERGY FOR PEACEFUL PURPOSES WITHOUT DISCRIMINATION AND IN CONFORMITY WITH ARTICLES I AND II OF THIS TREATY.

"2. ALL THE PARTIES TO THE TREATY HAVE THE RIGHT TO PARTICIPATE IN THE FULLEST POSSIBLE EXCHANGE OF SCIENTIFIC AND TECHNOLOGICAL INFORMATION FOR THE PEACEFUL USES OF NUCLEAR

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PAGE FOUR RUFHGV 1002 C O N F I D E N T I A L
ENERGY. PARTIES TO THE TREATY IN A POSITION TO DO SO SHALL ALSO COOPERATE IN CONTRIBUTING ALONE OR TOGETHER WITH OTHER STATES OR INTERNATIONAL ORGANIZATIONS TO THE FURTHER DEVELOPMENT OF THE APPLICATIONS OF NUCLEAR ENERGY FOR PEACEFUL PURPOSES, ESPECIALLY IN THE TERRITORIES OF NON-NUCLEAR-WEAPON STATES PARTY TO THE TREATY."

11. WE MIGHT, OF COURSE, ENCOUNTER VERY CONSIDERABLE RELUCTANCE FROM SOVS ABOUT ANY POSITIVE EXPRESSION REGARDING ASSISTANCE. IN THIS EVENT, BELIEVE WE SHOULD BE AUTHORIZED ACCEPT FOLLOWING FALL-BACK REVISION OF MEXICAN SUGGESTION:

"1. (SAME AS IN PARA 10 ABOVE).

"2. ALL THE PARTIES TO THIS TREATY HAVE THE RIGHT TO PARTICIPATE IN THE FULLEST POSSIBLE EXCHANGE OF SCIENTIFIC AND TECHNOLOGICAL INFORMATION FOR, AND TO CONTRIBUTE ALONE OR IN COOPERATION WITH OTHER STATES OR INTERNATIONAL ORGANIZATIONS TO, THE FURTHER DEVELOPMENT OF THE APPLICATIONS OF NUCLEAR ENERGY FOR PEACEFUL PURPOSES, ESPECIALLY IN THE

PAGE FIVE RUFHGV 1002 C O N F I D E N T I A L
TERRITORIES OF NON-NUCLEAR-WEAPON STATES PARTY TO THE TREATY."

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C O N F I D E N T I A L GENEVA 1003

DISTO/NATUS

SUBJECT: PROPOSED MEXICAN CHANGES TO NPT - PART III OF V

REFERENCE: GENEVA 870

12. ANALYSIS. PURPOSE SECOND MEXICAN PROPOSAL IS TO OBLIGATE NUCLEAR-WEAPON PARTIES EXPLICITLY TO PROVIDE PNED SERVICES INSTEAD OF SIMPLE DECLARATION OF INTENTION DO SO, AS IN PRESENT PREAMBLE. GIVEN CURRENT LEVEL OUR TECHNOLOGY, HOWEVER, WE THINK IT INADVISABLE TRANSLATE PRESENT GENERAL US COMMITMENT INTO PRECISE TREATY OBLIGATION. MOREOVER,

PAGE TWO RUFHGV 1003 C O N F I D E N T I A L
FORMULA PROPOSED BY MEXICANS WOULD NOT APPEAR PERMIT BILATERAL AGREEMENTS FOR PNED SERVICES. BY REQUIRING PROVISION OF "ADEQUATE MEANS AND FACILITIES", MEXICAN PROPOSAL MIGHT BE READ AS INCLUDING OBLIGATION PROVIDE EXCAVATION AND RELATED

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ENGINEERING SERVICES, IN ADDITION TO MAKING AVAILABLE AND DETONATING EXPLOSIVE DEVICES. WE BELIEVE NON-ALIGNED AT ENDC AND UNGA MEMBERS ARE GENERALLY LIKELY TO WELCOME PROPOSAL. FOR THIS REASON, IF SOME FORM OF MEXICAN PROPOSAL COULD BE INCLUDED, IT WOULD BE MEANS OF FURTHER ISOLATING BRAZILIANS AND INDIANS WHO HAVE THUS FAR OPPOSED BASIC PRINCIPLE OF OUR POSITION. SOVS, HOWEVER, ARE LIKELY OPPOSE MEXICAN PROPOSAL ON GROUNDS IT PREMATURE AND UNNECESSARY.

13. WE BELIEVE IT WILL NEITHER BE POSSIBLE NOR DESIRABLE FOR US AND SOVIETS TO ATTEMPT AVOID NEGOTIATIONS ABOUT PROVISION OF PNED SERVICES FOLLOWING ENTRY INTO FORCE OF TREATY. ACCORDINGLY, IT SHOULD NOT BE CONTRARY TO US INTERESTS TO INCLUDE IN TREATY APPROPRIATELY WORDED PROVISION BASED ON THIS FACT. WE THEREFORE SUGGEST FOR CONSIDERATION RETENTION OF PRESENT PREAMBULAR PROVISION ON PNED'S, WITHOUT CHANGE,

PAGE THREE RUFHGV 1003 C O N F I D E N T I A L
BUT ADDITION IN OPERATIVE PART OF TREATY OF FOLLOWING FORMULATION WHICH GETS AT HEART OF MEXICAN IDEA:
"THE PARTIES TO THIS TREATY UNDERTAKE TO COOPERATE IN NEGOTIATING A SEPARATE AGREEMENT AS SOON AS PRACTICABLE TO MAKE NUCLEAR EXPLOSIVE DEVICES AVAILABLE TO NON-NUCLEAR-WEAPON STATES PARTY TO THIS TREATY ON A NON-DISCRIMINATORY BASIS."

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C O N F I D E N T I A L GENEVA 1004

DISTO/NATUS

SUBJECT: PROPOSED MEXICAN CHANGES TO NPT - PART IV OF V

REFERENCE: GENEVA 870

14. ANALYSIS. THIRD MEXICAN PROPOSAL (TEXT GIVEN BELOW) SHIFTS PRESENT NFZ PREAMBULAR PARA TO OPERATIVE SECTION OF NPT. MEXICANS AND OTHERS WILL BE ABLE ARGUE THAT THIS FORMULATION IS SIMILAR TO US-SOV ART IV IN STATING WHAT IS NOT PROHIBITED BY TREATY AND IS THUS NO LESS APPROPRIATE FOR INCLUSION AS OPERATIVE ARTICLE. WHILE SOVS AND SOME

PAGE TWO RUFHGV 1004 C O N F I D E N T I A L
OTHER ENDC EMBERS ARE NOT LIKELY BE ENTHUSIASTIC ABOUT PROPOSAL, WE DOUBT ANY WILL OPPOSE IT. FROM STANDPOINT US INTERESTS, WE SEE NO OBJECTION TO MEXICAN PROPOSAL AND BELIEVE WE SHOULD BE PREPARED ACCEPT IT AT APPROPRIATE TIME.

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15. TEXT OF MEXICAN PROPOSED ARTICLE FOLLOWS: "NOTHING IN THIS TREATY AFFECTS THE RIGHT OF ANY GROUP OF STATES TO CONCLUDE REGIONAL TREATIES IN ORDER TO ASSURE THE TOTAL ABSENCE OF NUCLEAR WEAPONS IN THEIR RESPECTIVE TERRITORIES."

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C O N F I D E N T I A L GENEVA 1005

DISTO/NATUS

SUBJECT: PROPOSED MEXICAN CHANGES TO NPT - PART V OF V

REFERENCE: GENEVA 870

16. ANALYSIS. FOURTH MEXICAN PROPOSAL WOULD COMMIT NUCLEAR PARTIES TO PURSUE NEGOTIATIONS FOR AGREEMENT ON VARIOUS MEASURES, ALL OF WHICH EXCEPT FOR CTB ARE REFERRED TO IN PRESENT PREAMBULAR PARA, BUT WITH QUALIFICATION THAT THEY ARE TO BE OBTAINED PURSUANT TO GCD TREATY. BECAUSE MEXICAN PROPOSAL SAYS NEGOTIATIONS ARE TO BE PURSUED "WITH ALL

PAGE TWO RUFHGV 1005 C O N F I D E N T I A L
SPEED", IT MIGHT MAKE IT POSSIBLE AT REVIEW CONFERENCE TO CHARGE NUCLEAR POWERS WITH FAILURE FULFILL THEIR OBLIGATIONS EVEN THOUGH IN OUR JUDGMENT SUBSTANTIAL PROGRESS BEING MADE. AMONG THE EIGHT, THERE IS VERY STRONG SUPPORT FOR INCLUDING

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IN NPT AN ARTICLE COMMITTING NUCLEAR POWERS TO NEGOTIATE FURTHER DISARMAMENT MEASURES. SOVIET DELOFFS ALSO APPEAR TO BE TOYING WITH IDEA OF INCLUDING OPERATIVE ARTICLE AND US ALLIES WILL FAVOR IT. MEXICANS AND OTHERS ARE NOT LIKELY TO REGARD PROPOSALS OF ITALY AS SATISFACTORY EVEN THOUGH THEY MIGHT BE RECOGNIZED AS STEP IN RIGHT DIRECTION. (ITALIAN PROPOSALS COMBINE TWO PREAMBULARS ON DISARMAMENT AND ADD WORDS "OF THE PREAMBLE" TO ARTICLE V PARA 3 TO ENSURE THAT PROGRESS TOWARD DISARMAMENT IS CONSIDERED AT REVIEW CONFERENCE.)

17. ONE PROBLEM RAISED BY MEXICAN PROPOSAL IS WHETHER TO INCLUDE SPECIFIC REFERENCE TO CTB. WE BELIEVE BEST POSITION ON THIS WOULD BE FOR US TO OPPOSE LISTING OF ANY SPECIFIC MEASURES ON GROUNDS THAT THIS WOULD REQUIRE USSR AS WELL AS US TO LIST SPECIFIC MEASURES EACH HAS PUBLICLY ADVOCATED

PAGE THREE RUFHGV 1005 C O N F I D E N T I A L
(E.G. ELIMINATION FOREIGN BASES AND CUT-OFF) AND NO AGREEMENT WHATSOEVER WOULD BE REACHED. WE BELIEVE SOVIETS WILL TAKE ESSENTIALLY SAME POSITION.

18. MAIN THRUST OBJECTIVES OF MEXICAN AMENDMENT AND CHANGES WIDELY DESIRED BY OTHERS HOWEVER ARE: (A) SHIFT OF PREAMBULAR PROVISION TO OPERATIVE ARTICLE; AND (B) LISTING OF DISARMAMENT MEASURES IN SAME WAY SO THAT ALL PROGRESS IS NOT TIED TO "EASING OF INTERNATIONAL TENSIONS" ON ONE END AND GCD AT THE OTHER. IN NAC ON APRIL 20, FOSTER STATED US WAS CONSIDERING PROVISION TO MEET REQUESTS FOR STRONGER LANGUAGE ON NUCLEAR DISARMAMENT AND THAT SOME SUCH LANGUAGE SHOULD BE CONSIDERED AFTER TABLING NPT. THIS WAS STATED IN CONTEXT OF PREAMBULAR LANGUAGE. OUR PREFERENCE WOULD BE TO STRENGTHEN PRESENT PREAMBULAR PARA ALONG LINES FORMULATIONS INCLUDED IN FOLLOWING SUGGESTED OPERATIVE PARA. HOWEVER, WE ANTICIPATE THAT THERE WILL BE STRONG PRESSURE FROM VIRTUALLY ALL NON-ALIGNED AND OUR ALLIES TO STRENGTHEN AND MOVE THIS LANGUAGE TO OPERATIVE ARTICLE.

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PAGE FOUR RUFHGV 1005 C O N F I D E N T I A L

15. POSSIBLE LANGUAGE FOR OPERATIVE ARTICLE WHICH INCLUDES LANGUAGE FROM FOSTER SUGGESTION OF APRIL 20, AS WELL AS PHRASES FROM PRESENT PREAMBLE COULD READ:

"EACH NUCLEARWEAPON STATE PARTY TO THIS TREATY UNDERTAKES TO PURSUE NEGOTIATIONS IN GOOD FAITH TO ACHIEVE ADDITIONAL TANGIBLE STEPS TO HALT THE NUCLEAR ARMS RACE, INCLUDING THE LIMITATION AND REDUCTION OF STOCKS OF NUCLEAR WEAPONS AND THEIR MEANS OF DELIVERY, AND TO REACH AGREEMENT ON THE CESSATION OF THE MANUFACTURE OF NUCLEAR WEAPONS, THE LIQUIDATION OF ALL THEIR EXISTING STOCKPILES, AND THE ELIMINATION FROM NATIONAL ARSENALS OF NUCLEAR WEAPONS AND THE MEANS OF THEIR DELIVERY PURSUANT TO A TREATY ON GENERAL AND COMPLETE DISARMAMENT UNDER STRICT AND EFFECTIVE INTERNATIONAL CONTROL."

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