

INCOMING TELEGRAM Department of State

DEF 18-6

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SEPTEMBER 11, 1967  
8:14 AM

Action

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Cat. A - Caption removed:	transferred to O/PADRC
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Cat. C - Caption and custody retained by S/S	
Reviewed by: Ambassador W. Wilman, II	
Date: 9/11/67	197

Geneva 782  
9/11/67

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LITERALLY EYES ONLY FOR SECRETARY FROM FOSTER

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REF: STATE 35043

1. I DO NOT KNOW IN WHAT WAY ROSCHIN REPORTED ON THE COMPROMISE ART III DRAFT. AT THE FINAL MEETING ON SEPT 1, HE PRESENTED ME WITH THE DRAFT HE SAID HE WAS GOING TO REPORT BACK BUT I PRESENTED NO TEXT TO HIM (GENEVA 703). HE HAD EARLIER SUGGESTED INFORMALLY THAT EACH OF US REPORT, AS THE PROPOSAL OF THE OTHER DELEGATION, A COMPROMISE WHICH THE TWO

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DELEGATION MIGHT PRODUCE. HOWEVER, AT THE SEPT 1 MEETING, HE SAID HE WOULD REPORT THE DRAFT AS HAVING BEEN DEVELOPED FROM DISCUSSION BETWEEN THE CO-CHAIRMEN, AND URGED ME TO DO LIKEWISE. I SAID I WOULD REPORT IT AS A SOVIET DELEGATION DRAFT.

2. THE COMPROMISE DRAFT DEVELOPED AS FOLLOWS: PURSUANT TO INSTRUCTIONS (STATE 224), WE STARTED IN EARLY JULY STATING THE THREE BASIC PRINCIPLES ON WHICH US ART III WAS BASED (GENEVA 46). THESE ARE: FIRST, THERE SHOULD BE PROVIDED, FOR ALL NON-NUCLEAR-WEAPON PARTIES, MANDATORY SAFEGUARDS OF SUCH NATURE THAT ALL PARTIES CAN HAVE FULL CONFIDENCE IN THEIR EFFECTIVENESS. SECOND, IN DISCHARGING OBLIGATIONS UNDER ART III, NON-NUCLEAR-WEAPON PARTIES SHOULD BE ABLE TO NEGOTIATE SAFEGUARDS AGREEMENTS WITH THE IAEA BILATERALLY OR MULTILATERALLY. THIRD, THE IAEA SHOULD BE CALLED UPON TO SEEK ASSISTANCE FROM EXISTING SAFEGUARDS SYSTEMS, PROVIDED THAT, UNDER SUCH MUTUALLY AGREED ARRANGEMENTS, THE IAEA

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FULLY SATISFIED ITSELF THAT NUCLEAR MATERIAL WAS NOT DIVERTED TO NUCLEAR WEAPONS OR OTHER NUCLEAR EXPLOSIVE DEVICES.

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3. IN SUBSEQUENT CO-CHAIRMEN MEETINGS, WE URGED AGREEMENT TO THESE PRINCIPLES AND PROBED FOR FLEXIBILITY IN THE SOVIET POSITION, BUT IN EVERY CASE SAYING WE STOOD BY THE WESTERN ART III (GENEVA 433 AND 629). THE SOVIETS GRADUALLY ACCEPTED THESE PRINCIPLES.

4. ALL THESE MEETINGS, BEGINNING WITH THE FIRST IN WHICH THE PRINCIPLES WERE DESCRIBED, WERE REPORTED TO OUR NATO ALLIES BY HARLAN OR HIS STAFF, AND TO THE WESTERN FOUR PLUS BELGIUM, DENMARK, GERMANY, JAPAN, THE NETHERLANDS, AND NORWAY BY ME OR MY STAFF. I UNDERSTAND THAT SCHNIPPENKOEETTER, IN WASHINGTON TALKS, APPEARED TO THINK THE PROCESS APPROPRIATE AT THE TIME.

5. WHEN THE SOVIETS SUGGESTED THEY HAD SOME LANGUAGE TO MEET THE THREE PRINCIPLES, I APPROVED OF TWO OF MY STAFF MEETING WITH TWO OF THEIR STAFF. THE SOVIETS "FIRST TRY" WAS COMPLETELY UNACCEPTABLE (GENEVA 703) AND MY TWO STAFF MEMBERS TOLD THEM WHY IN DETAIL. SUGGESTIONS WERE MADE ON BOTH SIDES. ON THE BASIC TROUBLESOME POINT FOR EURATOM, A BELGIAN EXPERT HERE IN GENEVA SAYS HE WAS DIRECTLY IN TOUCH

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WITH THE SOVIETS IN HIS DESIRE TO HELP THINGS ALONG. THE RESULTING LANGUAGE PERMITTING A EURATOM-IAEA AGREEMENT IS VERY CLOSE TO THE BELGIAN COMPROMISE LANGUAGE GIVEN TO THE NETHERLANDS (GENEVA 328).

6. EXCEPT FOR THIS AND THE LANGUAGE DRAWN LARGELY FROM THE WESTERN ART III (I.E. PARAGRAPHS 2 AND 3 AND SOME OF PARAGRAPH 1), THE DRAFT IS SOVIET. IT IS DRAWN FROM SOVIET DELEGATION ORAL AND WRITTEN SUGGESTIONS, FROM AN ENDC STATEMENT/ROSHCHIN, AND FROM THREE EXISTING INTERNATIONAL AGREEMENTS WHICH THE SOVIETS WISHED TO DRAW UPON: THE IAEA STATUTE, THE IAEA SAFEGUARDS DOCUMENT, AND THE LANFZ TREATY.

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7. THE COMPROMISE DRAFT, HOWEVER, REPRESENTS NO COMPROMISE IN PRINCIPLE FROM THE WESTERN DRAFT IN MY OPINION, IN FACT, IT MEETS THE THREE BASIC PRINCIPLES I SET FORTH ON INSTRUCTIONS AT THE BEGINNING OF THE DISCUSSIONS. IT IS NOT INCONSISTENT WITH OUR COMMITMENT TO THE GERMANS SINCE WE CONTINUED TO ADVOCATE THE WESTERN DRAFT AND HAVE NOT AGREED TO THIS ONE. IT SEEMS LOGICAL, IN THE COURSE OF CONSULTATIONS, TO SUBMIT

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SOVIET SUGGESTIONS TO OUR ALLIES, AND NOTHING IN YOUR LETTER OF MAY 17 TO BRANDT IS TO THE CONTRARY.

3. THE COMPROMISE ALSO IS CONSISTENT WITH THE STATEMENTS WE MADE ON TABLING THE TREATY WITH A BLANK ART III -- I.E., THAT THE CO-CHAIRMEN WOULD ATTEMPT TO WORK OUT AN AGREED SAFEGUARDS ARTICLE.

9. I THINK THE COMPROMISE IS A SOVIET DELEGATION DRAFT BUT OBVIOUSLY WE HELPED. CONFIDENTIALITY REMAINS EXTREMELY IMPORTANT.

GP-1 MACE  
BT

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DEPARTMENT OF STATE  
EXECUTIVE SECRETARIAT

September 11, 1967

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THE SECRETARY

I have shown the attached  
reply from Bill Foster to your  
able of yesterday only to Butch  
Fisher and made no other distribution.  
Butch believes it is a satisfactory  
answer and does not plan to submit  
anything further to you on it  
unless you wish.

OK  
SR

QAL

Benjamin H. Read

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