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3
OUTGOING TELEGRAM
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ORIGIN ACDA-17

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THE DEPOSITARIES AS HAVING A SPECIAL RESPONSIBILITY TO SUPPORT THE CONFERENCE.

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UNVIE HOLD FOR ROSENTHAL/BURK, GENEVA FOR CD DEL

E.O. 12356; DECL: OADR
TAGS: PARM, KAMP, NPT
SUBJECT: NPT DEPOSITARIES MEETING, FEBRUARY 23, 1993

REFS: (A) 92 STATE 306677; (B) 92 STATE 409333

1. CONFIDENTIAL - ENTIRE TEXT.

2. THE UK WILL HOST THE NEXT MEETING OF THE NPT DEPOSITARIES ON FEBRUARY 25 ON THE MARGINS OF THE IAEA BOARD OF GOVERNORS MEETING. THE DEPOSITARIES HAVE MADE A PRACTICE OF USING THE IAEA BOARD MEETINGS AS AN OPPORTUNITY TO CONSULT ABOUT THE 1995 NPT CONFERENCE. THIS IS THE FIFTH SUCH DEPOSITARIES MEETING SINCE THE SAME TIME LAST YEAR. US DEL WILL BE HEADED BY DR. MICHAEL ROSENTHAL, CHIEF, INTERNATIONAL NUCLEAR AFFAIRS DIVISION, BUREAU OF NONPROLIFERATION POLICY, ACDA. THE UK HAS PROVIDED A TENTATIVE AGENDA FOR THIS MEETING; THE FOLLOWING INSTRUCTIONS, KEYED TO THIS AGENDA, ARE PROVIDED FOR THE U.S. DELEGATION TO THIS MEETING.

FIRST PREPCOM

3. FINANCES. DEL SHOULD CONTINUE TO BE GUIDED BY POSITION OUTLINED IN PARA. 4 C' REF A, WHICH CONTAINED INSTRUCTIONS FOR THE DEPOSITARIES MEETING IN SEPTEMBER 1992. WE RECOGNIZE RUSSIA'S INTEREST IN REVISING THE TRADITIONAL SCALE OF ASSESSMENTS TO REFLECT ITS CHANGED

STATUS, AND THE SIGNIFICANT GROWTH IN THE NUMBER OF NPT PARTIES, INCLUDING FRANCE AND CHINA, AT THE SAME TIME. THE U.S. DOES NOT WISH TO SEE THIS BECOME A DIVISIVE ISSUE FOR THE PREPCOM. WE ARE PREPARED TO CONSIDER ALTERNATIVE FINANCING FORMULAS PROVIDED THEY DO NOT ENTAIL ANY INCREASE IN THE U.S. SHARE OF 32.82 PERCENT. WE BELIEVE IT WOULD BE POLITICALLY UNWISE TO PURSUE A FORMULA THAT TREATED THE FIVE NUCLEAR WEAPON STATES VICE

4. CHAIRMANSHIP. THE U.S. BELIEVES THAT IT CONTINUES TO MAKE SENSE TO DRAW THE PREPCOM CHAIRMEN FROM TRADITIONAL POLITICAL GROUPINGS -- WEST, EAST AND NONALIGNED. AT PAST NPT REVCONS, THE WEST HAS PROVIDED THE CHAIRMAN FOR THE FIRST PREPCOM, THE EAST FOR THE SECOND PREPCOM AND THE NONALIGNED FOR THE THIRD PREPCOM. ON THE ASSUMPTION THAT THIS PRACTICE WILL BE FOLLOWED FOR THE UPCOMING PREPCOM SESSIONS, THE NETHERLANDS HAS PUT FORWARD JAN HOEKEMA, DIRECTOR OF UN DISARMAMENT AFFAIRS, AS ITS CANDIDATE FOR WESTERN CHAIRMAN OF THE FIRST PREPCOM. NO OTHER CANDIDATES HAVE EMERGED AND HOEKEMA APPEARS TO HAVE WESTERN GROUP SUPPORT. U.S. DEL SHOULD ASCERTAIN WHETHER THE EASTERN GROUP HAS BEGUN TO ADDRESS THE QUESTION OF AN EASTERN CANDIDATE FOR THE SECOND PREPCOM. U.S. DEL SHOULD INFORM OTHER DEPOSITARIES OF RECENT FORMAL APPROACH BY POLAND INDICATING GOP INTENTION TO PUT FORWARD A CANDIDATE FOR THE PRESIDENCY OF THE 1995 NPT CONFERENCE. GOP HAS NOT YET NAMED A SPECIFIC INDIVIDUAL AS ITS CANDIDATE AND IS AWAITING SOME FURTHER INDICATION

OF THE CONFERENCE LEVEL OF REPRESENTATION. U.S. DEL SHOULD INDICATE THAT USC WILL INFORM POLAND THAT IT WELCOMES POLAND'S INITIATIVE AND WILL ENCOURAGE THE GOP TO (1) IDENTIFY AN INDIVIDUAL AT AS SENIOR LEVEL AS POSSIBLE, (2) ENSURE THAT HE HAS EASTERN EUROPEAN SUPPORT, AND (3) URGE POLAND TO APPROACH KEY LEADERS OF THE NONALIGNED GROUP INCLUDING MEXICO, EGYPT, INDONESIA, PERU, AND NIGERIA.

5. OBSERVERS. U.S. DOES NOT BELIEVE THAT THE INTERESTS OF THE TREATY PARTIES IN A SUCCESSFUL CONFERENCE OR A STRONG NPT WILL BE WELL-SERVED BY PERMITTING STATES NON-PARTIES TO ATTEND THE PREPCOMS AS OBSERVERS. WE

HAVE RAISED OUR CONCERNS WITH A NUMBER OF WESTERN AND EASTERN EUROPEAN NPT PARTIES, INCLUDING THE OTHER DEPOSITARIES, AND HAVE PROMOTED A NEAR-SENSUS IN THIS GROUP AGAINST THE PRESENCE OF OBSERVERS AT PREPCOM SESSIONS. REF B CONTAINS DETAILED U.S. POINTS EXPLAINING U.S. VIEWS ON THIS QUESTION. U.S. BELIEVES THAT IT IS IMPORTANT THAT NPT PARTIES OPPOSED TO THE IDEA OF OBSERVERS AT THE PREPCOM SHARE THEIR CONCERNS WITH OTHER PARTIES, IN PARTICULAR THOSE INFLUENTIAL MEMBERS OF THE NONALIGNED GROUP, E.G., MEXICO, NIGERIA, INDONESIA, EGYPT, PERU. AUSTRALIA ALREADY HAS RAISED THE ISSUE IN A MEETING OF THE VIENNA-BASED FRIENDS OF THE NPT LAST DECEMBER. U.S. DEL SHOULD ENCOURAGE DEPOSITARIES DISCUSSION ON USEFUL NEXT STEPS TO RESOLVE THIS QUESTION IN A WAY THAT SUPPORTS OUR SHARED OBJECTIVES OF A SUCCESSFUL 1995 NPT CONFERENCE.

6. RULES OF PROCEDURE. U.S. HAS ONLY RECENTLY RECEIVED UK COMMENTS ON A U.S. PROPOSAL FOR RULES OF PROCEDURE FOR THE 1995 NPT CONFERENCE PASSED TO THE UK LAST OCTOBER. WHILE WE HOPE TO HAVE A RESPONSE FOR THE UK BEFORE THE DEPOSITARIES MEETING, U.S. DEL WILL LIKELY NOT BE IN A POSITION TO PASS OVER A CONCRETE PROPOSAL, IN THE FORM OF A MARK-UP OF THE NPT REVCON RULES, TO THE RUSSIANS. U.S. DEL SHOULD INDICATE IN THE DEPOSITARIES MEETING THAT IT EXPECTS TO BE IN A POSITION TO PROVIDE TO THEM IN THE NEAR FUTURE PROPOSED CHANGES TO THE REVCON RULES OF PROCEDURE TO ACCOMMODATE THE NEED FOR THE 1995 CONFERENCE TO TAKE AN EXTENSION DECISION. U.S. DEL SHOULD SEEK THEIR VIEWS ON THE DESIRABILITY OF ENGAGING THE THE UN SECRETARIAT ON THE SUBJECT OF

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REVISING THE RULES OF PROCEDURE, OR COORDINATING AN
APPROACH THROUGH ESTABLISHED CONSULTATIVE MECHANISMS.
E.G., MEOG GROUP, EASTERN GROUP.

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7. FUTURE PREPCOMS. THE DEPOSITARIES HAVE DISCUSSED THIS ISSUE AT SOME LENGTH AT PAST MEETINGS. THE U.S. CONTINUES TO BELIEVE THAT THREE PREPCOM SESSIONS SHOULD PROVIDE ADEQUATE TIME TO PREPARE FOR THE 1995 CONFERENCE. WE ARE PREPARED, HOWEVER, TO AGREE TO THE HOLDING OF FOUR PREPCOM SESSIONS PROVIDED THAT THE TOTAL NUMBER OF WEEKS ALLOTTED FOR PREPCOMS DOES NOT EXCEED FIVE AND THAT THE COSTS ARE ACCEPTABLE. WITH RESPECT TO SCHEDULING, WE SUPPORT THE SCHEDULING OF TWO ADDITIONAL PREPCOMS IN THE SPRING AND FALL OF 1994, RESPECTIVELY. IF THE PARTIES AGREE ON THE NEED TO HOLD FOUR PREPCOMS SESSIONS, WE ARE PREPARED TO SEE AN ADDITIONAL PREPCOM SCHEDULED FOR THE FALL OF 1993. THE U.S. CAN SUPPORT

EITHER NEW YORK OR GENEVA AS A VENUE FOR FURTHER PREPCOM

SESSIONS BUT BELIEVES THAT ADDING VIENNA AS A PREPCOM SITE WILL COMPLICATE PREPARATIONS BY LEADING TO UNHELPFUL CHANGES IN THE COMPOSITION OF MANY PARTIES' DELEGATIONS. IN THE PAST, MOREOVER, VIENNA HAS BEEN DETERMINED TO ENTAIL GREATER COSTS THAN OTHER VENUES. THE U.S. CONTINUES TO BELIEVE THAT THE PREPCOMS, IN PARTICULAR THE FIRST PREPCOM, SHOULD ADDRESS THE MANY PROCEDURAL AND ORGANIZATIONAL QUESTIONS THAT WILL BE PARTICULARLY IMPORTANT FOR THE 1995 CONFERENCE. WHETHER, OR TO WHAT EXTENT AND WHEN, THE PREPCOMS SHOULD ENGAGE IN SUBSTANTIVE WORK RELATED TO THE 1995 CONFERENCE IS AN ISSUE TO BE DISCUSSED FURTHER AMONG THE PARTIES. THE U.S. WILL BE PREPARED TO CONSIDER THIS QUESTION CAREFULLY.

1995PT REVIEW AND EXTENSION CONFERENCE

8. PROSPECTS FOR INDEFINITE EXTENSION. WHILE PUBLIC SUPPORT FOR INDEFINITE EXTENSION CONTINUES TO GROW AMONG THE WESTERN AND EASTERN EUROPEAN NPT PARTIES MOST NONALIGNED STATES ARE UNWILLING AT THIS POINT TO COMMIT THEMSELVES TO A SPECIFIC OUTCOME FOR THE 1995 CONFERENCE. AT THE SAME TIME, WITH THE EXCEPTION OF MEXICO WHICH IS PROMOTING A TEN TO FIFTEEN YEAR EXTENSION, WE DO NOT BELIEVE THAT ANY PARTY HAS COMPLETELY REJECTED INDEFINITE EXTENSION AS AN OUTCOME. THE U.S. BELIEVES THAT PARTIES SUPPORTING INDEFINITE EXTENSION SHOULD BE PREPARED TO MAKE EVERY EFFORT TO PROMOTE THE WIDEST POSSIBLE SUPPORT FOR INDEFINITE

EXTENSION. TO THIS END, THE U.S. BELIEVES IT WILL BE IMPORTANT TO EMPHASIZE BOTH THE SECURITY BENEFITS AND COMMERCIAL OPPORTUNITIES THAT HAVE BEEN PROVIDED BY THE NPT. WHILE WE BELIEVE IT IS PREMATURE TO ENGAGE IN OPEN SPECULATION OR NEGOTIATION ON SPECIFIC ALTERNATIVE EXTENSION OUTCOMES, OTHER THAN INDEFINITE EXTENSION, U.S. SHOULD CONTINUE TO EXPLORE WITH THE OTHER DEPOSITARIES THE RANGE OF OTHER LEGALLY AND POLITICALLY ACCEPTABLE OUTCOMES THAT COULD SERVE OUR SHARED OBJECTIVE IN SUSTAINING A STRONG NPT. U.S. DEL SHOULD DRAW ON REF A AS NECESSARY FOR ADDITIONAL POINTS ON EXTENSION OPTIONS.

9. ORGANIZATION ISSUES. PREVIOUS DEPOSITARIES MEETINGS HAVE REVEALED A WILLINGNESS BY THE THREE STATES TO AGREE TO RECREATE THE THREE MAIN COMMITTEE STRUCTURE OF PAST NPT REVIEW CONFERENCES IN 1995. SUCH A STRUCTURE WOULD FACILITATE THE REVIEW PORTION OF THE 1995 CONFERENCE AND WOULD BE IN KEEPING WITH OUR OVERALL DESIRE TO STAY WITH PRACTICES THAT ARE FAMILIAR TO THE PARTIES. CANADA HAS

PROPOSED A NEW ORGANIZATIONAL STRUCTURE FOR THE 1995 CONFERENCE. THE GOC PROPOSAL ENVISIONS TWO MAIN COMMITTEES -- ONE FOR THE TREATY REVIEW AND THE OTHER TO DEAL WITH THE QUESTION OF NPT EXTENSION. THE REVIEW COMMITTEE WOULD HAVE THREE SUB-COMMITTEES TO CARRY OUT THE REVIEW THAT WOULD BE IDENTICAL TO THE THREE MAIN COMMITTEES ESTABLISHED IN PAST REVIEW CONFERENCES. WHILE THE CANADIAN PROPOSAL HAS THE VIRTUE OF SEPARATING THE EXTENSION DECISION FROM THE REVIEW PORTION OF THE CONFERENCE, IT MAY RESULT IN A PROLONGED AND INTENSIFIED

DEBATE AND/OR NEGOTIATION ON THE TREATY'S EXTENSION. DEL SHOULD SET FORTH THE PLUSES AND MINUSES AND SEEK VIEWS OF OTHER DEPOSITARIES. WE DO NOT BELIEVE THIS WOULD BE HELPFUL. THE U.S. HAS SUPPORTED THE IDEA OF ESTABLISHING SOME KIND OF SCREENING MECHANISM TO ENSURE THAT PROPOSALS FOR NPT EXTENSION ARE CONSISTENT WITH THE LEGAL REQUIREMENTS SET OUT IN THE TREATY. U.S. DEL SHOULD CONTINUE TO EMPHASIZE THE IMPORTANCE THE U.S. ATTACHES TO ENSURING THAT THE EXTENSION DECISION DOES NOT BECOME CONTINGENT ON THE RESULTS OF THE TREATY REVIEW OR ANY OTHER ACTION THE CONFERENCE MIGHT SEEK TO UNDERTAKE.

10. ISSUES LIKELY TO ARISE UNDER ARTICLES I, II, III. IN VIEW OF THE IMPORTANCE AND VISIBILITY OF THE 1995 NPT CONFERENCE, THE U.S. IS ANTICIPATING THAT ALL ISSUES THAT HAVE ARISEN AT PAST NPT REVCONS AND THEN SOME WILL BE FAIR GAME IN 1995. AMONG THE ISSUES THE U.S. EXPECTS MAY ARISE IN 1995 ARE THE NUCLEAR WEAPON STATE/NON-NUCLEAR WEAPON STATE DISTINCTION; OBLIGATIONS AND COMPLIANCE UNDER ARTICLES I AND II; EFFECTIVENESS OF IAEA SAFEGUARDS; SPECIAL IAEA INSPECTIONS; INTERNATIONAL RESPONSES TO NPT VIOLATIONS, INCLUDING SANCTIONS; REGIONAL CONCERNS, INCLUDING MIDDLE EAST, FORMER SOVIET UNION, SOUTH ASIA, KOREAN PENINSULA; AND STORAGE AND CUSTODY OF FISSIONABLE MATERIAL FROM DISMANTLED NUCLEAR WEAPONS. U.S. DEL SHOULD IDENTIFY FOR THE OTHER DEPOSITARIES THOSE ISSUES THAT IT EXPECTS TO ARISE IN CONNECTION WITH THE 1995 CONFERENCE AND FOR WHICH IT WILL BE PREPARED. U.S. DEL SHOULD ASCERTAIN OTHER DEPOSITARIES' VIEWS ON THIS QUESTION.

11. ISSUES LIKELY TO ARISE UNDER ARTICLES IV AND V. U.S. BELIEVES IT WILL BE IMPORTANT TO BE PREPARED TO ADDRESS THE FOLLOWING ISSUES IN 1995: EXPORT CONTROLS, INCLUDING THE RECENTLY CONCLUDED DUAL-USE EXPORT CONTROLS; PROTECTION OF SAFEGUARDED NUCLEAR FACILITIES FROM MILITARY ATTACK IN WARTIME; DISPOSITION OF FISSIONABLE MATERIAL FROM DISMANTLED NUCLEAR WEAPONS; INTERNATIONAL

PLUTONIUM STORAGE SCHEMES; AND NUCLEAR ENVIRONMENTAL AND SAFETY ISSUES. AT PRESENT, OTHER THAN THE PUBLICITY LAST YEAR ABOUT THE INTEREST OF THE CHEXET CORPORATION IN PROMOTING USE OF PEACEFUL NUCLEAR EXPLOSIONS (PNE'S) TO DISPOSE OF NUCLEAR AND CHEMICAL MUNITIONS, WE HAVE SEEN NO EVIDENCE OF RENEWED INTEREST IN PNE'S AMONG NPT PARTIES OR OTHERS. CONSEQUENTLY, WE WOULD NOT EXPECT THIS TO BE A CONTENTIOUS ITEM IN 1995. U.S. DEL SHOULD ASCERTAIN DEPOSITARIES VIEWS ON THIS QUESTION.

12. ISSUES LIKELY TO ARISE UNDER ARTICLES VI AND VII. ALTHOUGH THE U.S. WILL SEEK, THROUGHOUT THE PREPARATORY PROCESS, TO BROADEN THE PARTIES' APPRECIATION FOR THE TREATY AS A WHOLE, THE U.S. EXPECTS COMPLIANCE WITH ARTICLE VI AGAIN TO BE A MAJOR PREOCCUPATION OF MANY STATES. IN THIS CONNECTION, WE ANTICIPATE THE NUCLEAR WEAPON STATES WILL BE UNDER SUBSTANTIAL PRESSURE TO

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DEMONSTRATE PROGRESS TOWARD A COMPREHENSIVE TEST BAN;
BINDING POSITIVE AND NEGATIVE SECURITY ASSURANCES; A
CUT-OFF OF FISSILE MATERIAL FOR WEAPONS PURPOSES; AND
FURTHER REDUCTIONS IN THEIR NUCLEAR ARSENALS. THE U.S.
WILL BE REVIEWING ALL OF THESE QUESTIONS AS PART OF THE

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NEW ADMINISTRATION'S OVERALL POLICY REVIEW. WE MIGHT
EXPECT INCREASED INTEREST IN 1995 IN ESTABLISHING
NUCLEAR WEAPON FREE ZONES IN AREAS WHERE THEY DO NOT
CURRENTLY EXIST. THE US HAS LONG SUPPORTED THE
ESTABLISHMENT OF NUCLEAR WEAPON FREE ZONES IN THE MIDDLE
EAST, AFRICA, AND SOUTH ASIA PROVIDED THEY MEET A NUMBER
OF LONG-ESTABLISHED U.S. CRITERIA. IT IS POSSIBLE THAT
THE 1995 CONFERENCE MIGHT GIVE SOME ADDITIONAL IMPETUS
TO REGIONAL EFFORTS TO ESTABLISH SUCH ZONES.

13. OTHER ISSUES: DEPOSITARIES NOTIFICATION OF FIRST
PREPCOM. EARLIER THIS MONTH, THE U.S. APPROACHED THE
OTHER DEPOSITARIES TO PROPOSE THAT THE DEPOSITARIES
FORMALLY NOTIFY THE TREATY PARTIES OF THE FIRST MEETING
OF THE PREPARATORY COMMITTEE AS THEY HAD DONE FOR THE
1985 AND 1990 NPT REVCONS. AT THIS TIME, THE U.S.
PROVIDED A DRAFT TEXT OF A DIPLOMATIC NOTE FOR THIS
PURPOSE WITH A VIEW TO COORDINATING PARALLEL DRAFTS BY
ALL DEPOSITARIES. UK HAS AGREED TO OUR PROPOSED
APPROACH AND WITH THE SUBSTANCE OF THE TEXT OF OUR DRAFT
NOTE. RUSSIAN REP KISLYAK ALSO HAS AGREED BUT HAS
SUGGESTED THAT THE DEPOSITARIES JOINTLY NOTIFY THE
PARTIES OF THE FIRST PREPCOM. -BEGIN FYI: U.S. RECORDS
SHOW THAT IN 1984 THE FORMER SOVIET UNION ENCOURAGED THE
PRACTICE OF EACH DEPOSITARY NOTIFYING THOSE STATES THAT
HAD DEPOSITED INSTRUMENTS OF ADHERENCE TO THE NPT IN
THEIR OWN CAPITAL OUT OF CONCERN THAT A GENERAL

NOTIFICATION BY THE UN TO DEMOCRATIC KAMPUCHEA, WHICH
THE USSR DID NOT THEN RECOGNIZE, MIGHT APPEAR TO TACITLY
CONFER SOME OFFICIAL STATUS ON THAT COUNTRY. PRIOR TO

1985, THE UN SECRETARIAT HAD BEEN RESPONSIBLE FOR
NOTIFYING THE PARTIES OF THE FIRST PREPCOM SESSION. END
-- FYI.) AT THIS TIME, THE U.S. IS NOT INCLINED TO SUPPORT
SUCH A JOINT NOTIFICATION. IN ADDITION TO THE
COORDINATION DIFFICULTIES INVOLVED IN SUCH AN EXERCISE,
WE HAVE SOUGHT TO AVOID THE APPEARANCE OF OVERT
DEPOSITARY COOPERATION (COLLUSION) IN CONNECTION WITH
PREPARATIONS FOR PAST NPT REVCONS. WE BELIEVE THAT
DISCRETE DEPOSITARY COOPERATION AND COORDINATION
CONTINUES TO BEST SERVE OUR NPT INTERESTS.
CONSEQUENTLY, U.S. DEL SHOULD ENCOURAGE RUSSIAN REP TO
AGREE TO CONTINUE THE PRACTICE OF SEPARATE DEPOSITARY
NOTIFICATIONS WITH PARALLEL DIPLOMATIC NOTES. WHARTON

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