

INCOMING TELEGRAM Department of State

DEF 18-6

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SS FM AMEMBASSY BONN
GPM TC SECSTATE WASHDC PRIORITY
INFO RIIDTCR/AMEMBASSY LONDON

SP RIIFNCR/AMEMBASSY PARIS
SC RIIFHBS/AMEMBASSY BRUSSELS

SAH RIIFHRO/AMEMBASSY ROME
L RIIDKTH/AMZMBASSY THE HAGUE

H RIIFHGV/MISSION GENEVA
IO STATE GRNC

P BT
S E C R E T BONN 12582

USIA SUBJ: NPT--DURATION

NSC
INR REF: BONN 12462

1. THOUGH THE EMBASSY DOES NOT AT THIS MOMENT KNOW THE OUTCOME OF TODAY'S NAC DISCUSSION OF THE NPT, WE BELIEVE THAT WE SHOULD DRAW ATTENTION TO THE POTENTIAL SERIOUSNESS OF THE OBJECTIONS EXPRESSED SCHNIPPENKOETTER YESTERDAY (REFTEL) TO THE UNLIMITED DURATION OF OUR DRAFT TREATY. MORE IMPORTANTLY, WE KNOW THAT THESE OBJECTIONS REPRESENT CHANCELLOR KIESINGER'S STRONG PERSONAL VIEWS THOUGH PROPVREIS TO LIBYN* DURATION OF THE TREATY

WERE MADE BY THE GERMANS IN MARCH AND AGAIN BY SCHNIPPENKOETTER IN WASHINGTON LAST WEEK, AS A DIRECT RESULT OF KIESINGER'S PERSONAL INSTRUCTION JT THEY WEREHBKER PURSHED WITH GREAT TENACITY BY THE GERMAN NEGOTIATORS. THE FONOFF, TO KIESINGER'S SUBSEQUENT STRONG DISPLEASURE, APPARENTLY HAD NOT CONSIDERED THE CHANCES OF SUCCESS SUFFICIENTLY GREAT TO MAKE A TERMINAL DATE A MAJOR ISSUE. THOUGH LACKING A DEFINITIVE CONFIRMATION,

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THE EMBASSY ASSUMES THAT THE CABINET

ENDORSED KIESINGER'S POSITION

AT ITS YESTERDAY'S SESSION.

2. KIESINGER'S OBJECTION TO A TREATY OF UNLIMITED DURATION REFLECTS DEEP-SEATED MISGIVINGS ABOUT THE POSSIBLE EFFECTS OF SUCH A TREATY ON GERMANY'S LONG-RANGE SECURITY INTERESTS. AS HE HAS POINTED OUT TO SEVERAL AMERICAN INTERLOCUTORS, NATO --

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IN THEORY AT LEAST -- COULD BE OF LIMITED DURATION. ON THE OTHER HAND, THE NPT, AS PRESENTLY DRAFTED, WOULD DEPRIVE GERMANY FOREVER OF THE ULTIMATE MEANS OF SELF-DEFENSE. WHILE NATO'S PROTECTIVE UMBRELLA IS PRESENTLY SUFFICIENT FOR THE FRG'S NEEDS, IT COULD AT SOME POINT IN TIME DISSOLVE AS AN EFFECTIVE DEFENSE FORCE, LEAVING GERMANY IN THE POSITION OF BEING EXPOSED TO THE EAST AND DEPRIVED OF THE WHEREWITHAL OF A GREAT POWER. THEREFORE, GERMANY-- AS THE CHANCELLOR'S THINKING SEEMS TO RUN -- SHOULD AVOID LICKING ITSELF IN TO A POSITION OF PERMANENT INFERIORITY, PARTICULARLY VIS-A-VIS ITS TRADITIONAL ENEMY, THROUGH AN UNLIMITED NPT. THIS WOULD NOT BE FAIR TO ENSUING GERMAN GENERATIONS. GERMANY DOES NOT NOW WANT OR NEED NUCLEAR WEAPONS, BUT THE SHAPE OF THE LONG-TERM FUTURE CANNOT BE FORESEEN.

3. NOW THAT WE SEEM TO BE WILLING TO MEET THE EURATOM NATIONS ON THE SO-CALLED GUILLOTINE CLAUSE OF ARTICLE/III(STATE 17830), THE EMBASSY FORESEES THAT OUR FUTURE CONSULTATIONS WITH THE GERMANS WILL CENTER ON THE ISSUE OF DURATION. IN THE EFFORT TO OVERCOME THE GERMAN OBJECTIONS, THE EMBASSY BELIEVES THAT WE SHOULD CENTER OUR ARGUMENTS ON THE FOLLOWING POINTS:

(A) A PROVISION LIMITING THE DURATION OF THE TREATY, SUBJECT TO RENEGOTIATION, WOULD BUILD IN A SIGNIFICANT ELEMENT OF INSTABILITY IN THE WORLD NUCLEAR ARMS SITUATION. POTENTIAL NUCLEAR-WEAPONS STATES, FEARING THAT THEIR NEIGHBORS OR RIVALS WOULD GET THE JUMP ON THEM, MIGHT FEEL IMPELLED TO DEVELOP THE NUCLEUS OF WEAPONS PROGRAM. EVEN IF THIS DID NOT EVENTUATE, A LIMITED NPT COULD GIVE RISE TO SUSPICIONS AND TENSIONS BETWEEN RIVAL STATES.

(B) A TIME-LIMIT CLAUSE WOULD ALSO UNDERCUT THE TREATY'S VALUE IN PROMOTING COOPERATION BETWEEN STATES IN THE PEACEFUL USES OF NUCLEAR POWER. UNCERTAIN OF THE FUTURE USES OF NUCLEAR ASSISTANCE, SOME STATES MIGHT BE INCLINED TO REDUCE THE LEVEL OF THEIR COOPERATION.

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(C) NATO PROVIDES A FULLY ADEQUATE ASSURANCE OF SECURITY FOR ITS EUROPEAN MEMBERS. THERE IS NO REASON TO FORESEE ANY FUNDAMENTAL CHANGE. EVEN IF NATO'S EFFECTIVENESS AS A MILITARY SHIELD SHOULD WANE, THE US IS FULLY COMMITTED -- AND WILL REMAIN SO -- TO THE DEFENSE OF GERMANY. OUR SECURITY INTEREST ARE MUTUALLY SERVED BY A CONTINUING ALLIANCE. ALSO, THE NPT WOULD NOT STAND

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IN THE WAY OF THE CREATION OF A FEDERATED EUROPEAN MILITARY FORCE.

(D) IF, CONTRARY TO ALL EXPECTATIONS, PRESENT DAY SECURITY ARRANGEMENTS SHOULD BE ALTERED TO GERMAN'S DISADVANTAGE, IT WOULD HAVE EVERY RIGHT TO INVOKE ITS WITHDRAWAL RIGHT UNDER ARTICLE VI, AS ITS "SUPREME NATIONAL INTERESTS" WOULD OBVIOUSLY BE INVOLVED. THIS RIGHT COULD ALSO BE INVOXED IN THE EVENT OF EUROPEAN UNION, IF THE RIGHT OF A NEW EUROPEAN GROUPING -- WITH SUFFICIENT POWERS TO CONTROL NUCLEAR WEAPONS -- TO HAVE SUCH WEAPONS CAME IN QUESTION AS A RESULT OF THE TREATY.

4. IT IS PERHAPS TOO EARLY TO CONSIDER A FALL-BACK POSITION. HOWEVER, SHOULD THE GERMANS PROVE TO BE OBDURATE ON THIS POINT,

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AND SHOULD IT THREATEN TO BECOME A MAJOR ISSUE IN OUR RELATIONS -- AS WELL AS AN OBSTACLE TO SUCCESSFUL NEGOTIATIONS IN GENEVA, THE EMBASSY BELIEVES THAT WE MIGHT FIRST OFFER TO WATER-DOWN SOMEWHAT THE SPECIFICATIONS OF THE WITHDRAWAL CLAUSE, AS THE GERMANS THEMSELVES HAVE SUGGESTED. THIS WOULD BE A LESS PAINFUL WAY OF MEETING THE GERMAN OBJECTIONS. ALTERNATIVELY, WE COULD OFFER TO INTRODUCE A TIME-LIMIT CLAUSE OF SUCH DURATION--SAY 30 OR 40 YEARS -- THAT IT WOULD BE DEVOID OF PRACTICAL SIGNIFICANCE. OF COURSE, IN DETERMINING OUR FUTURE TACTICS, MUCH WILL DEPEND ON THE POSITION TO BE TAKEN BY OTHER NON-NUCLEAR POWERS.

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MCGHEE
BT

NOTE: PASSED WHITE HOUSE 4/20/67

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