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UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY
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November 4, 1964

MEMORANDUM FOR THE SECRETARY OF STATE

I am enclosing a copy of an outline of a program to prevent the spread of nuclear weapons which might afford a basis for a study by Ros Gilpatric in conjunction with the Committee of Principals.

William C. Foster

Encl: Program to Limit the Spread of Nuclear Weapons paper.

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PROGRAM TO LIMIT THE SPREAD OF NUCLEAR WEAPONS

There are today at least three or four states in addition to the nuclear powers which could make a decision to develop nuclear weapons with assurance they have the capability to support this decision.

The detonation of a nuclear device by the Chinese Communists will place increasing domestic pressure on additional countries to make a national decision to develop nuclear weapons. In some cases this pressure will be based on reasons of security, in other cases it will be based on reasons of prestige.

The number of states that could develop nuclear weapons will increase as nuclear technology continues to develop throughout the world. Because of regional rivalries, a national decision by any additional countries may force other countries perhaps technically less qualified to engage in an all-out effort to acquire nuclear weapons either by development or by other means.

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The present period is a critical one, for if effective barriers are not achieved now we will probably be unable to achieve them later.

Annex A of this paper sets forth an over-all program for the purpose of limiting the spread of nuclear weapons. It is drafted for consideration by the panel appointed by the President under the Chairmanship of Mr. Gilpatric, in conjunction with the Committee of Principals. It is suggested that it form the basis for development of a detailed action program. It encompasses a wide range of action including the following:

1. Actions stimulating adverse reaction to Chinese Communist testing.
2. Bilateral actions to prevent individual states from embarking on nuclear weapons programs.
3. Actions to impede the spread of technical capabilities required to develop and produce nuclear weapons.
4. Actions in the General Assembly to develop a political consensus favorable to a non-proliferation agreement and to stimulate non-acquisition policy statements pending achievement of such an agreement.

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5. negotiation with the Soviet Union of a non-proliferation agreement open to accession by all states and development of a position on MLF which will facilitate such an agreement.

6. Action to prevent the proliferation of strategic nuclear delivery vehicles.

7. Negotiation of a comprehensive test ban.

This is an over-all program for action. In considering this program, however, two basic considerations must be recognized.

First, the above areas of action are not of equal importance. While action in all areas should be undertaken, we must keep in mind that the two most important areas -- the two where successful action is most likely to assure success in preventing nuclear spread -- are the comprehensive test ban and a formal political agreement on non-proliferation.

Second, the relation between the MLF and a formal political agreement on non-proliferation is within the government the most controversial, and also possibly the most important, of the

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recommendations of the suggested action program. This recommendation proposes that the non-proliferation agreement prohibit the creation of additional independent entities controlling the use of nuclear weapons.

The discussion within this government concerning the relationship of the MLF to non-proliferation has been directed to the question of whether actions taken to prevent the further spread of nuclear weapons might somehow slow the development of the MLF. The extent to which the prospects for an MLF are dependent on the success of a non-proliferation program has been largely overlooked.

The prospects for an MLF are dependent upon the success of a non-proliferation program in two respects. In the first place, a general acceptance of the fact that the MLF is a step against proliferation of nuclear weapons is necessary for agreement on the MLF by some countries whose participation is necessary. In the second place, a successful non-proliferation program is essential for a stable relationship between the Federal Republic of Germany and the MLF. If the political and psychological barrier which now restrains proliferation is broken down, the MLF might cease to be a workable entity. Should India, Israel, Japan or

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Sweden acquire an independent nuclear capability, the Federal Republic of Germany would doubtless come to feel that it had accepted second-class status in limiting its nuclear power to that provided by the MLF. In this case one of the principal objectives of the MLF, that of providing a political framework in which the nuclear aspirations of the FRG could be satisfied, would no longer be attainable.

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Annex A

RECOMMENDATIONS FOR A PROGRAM TO LIMIT
THE SPREAD OF NUCLEAR WEAPONS

The following are recommendations for a program to limit the spread of nuclear weapons. It is proposed that the outline of recommendations in this paper serve as the basis for development of a detailed action program.

1. Stimulating adverse reactions to the
Chinese Communist test

A continued and aggressive program to encourage the strongest and most universal adverse reaction to the Chinese Communist nuclear test is an essential part of any program for limiting the spread of nuclear weapons. Circular instructions have already been issued to underscore points calculated to produce the above reaction in foreign governments. These instructions have also asked the appropriate

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posts to protest to certain states which have been less than forthcoming in expressions of condemnation of the Chinese Communist test. We have also urged those states which have not yet signed, or having signed have not yet ratified, the limited test ban treaty to do so.

In our continuing effort in this regard, the following points should be stressed:

The limited test ban treaty was significant in preventing further poisoning of the atmosphere and opened the door towards additional steps towards peace. Subsequent progress has been made and the groundwork has been laid for still further progress in such vital matters as stopping the spread of nuclear weapons to additional nations and halting and turning down the arms race. All countries have a stake in continued progress. The Chinese Communist test was a grave blow to worldwide hopes for disarmament progress. It is the responsibility of all to condemn the Chinese Communists for flagrantly obstructing this course.

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The U.S. should make it clear that it believes the same attitude should prevail with regard to any French atmospheric test.

USIA, in consultation with ACDA and the Department of State, should give priority attention to a public affairs program to support the above position.

In the forthcoming General Assembly, the United States should support efforts which will inevitably develop to condemn atmospheric testing and urging adherence to the limited test ban.

2. Bilateral actions to prevent individual states from embarking on nuclear weapons programs

India. The approved memorandum to the Committee of Principals, dated October 14, 1964 on "The Indian Nuclear Problem: Proposed Courses of Action" outlines a program "to reinforce India's stated policy of confining its nuclear development to peaceful purposes." Its principal elements are:

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(a) To open high-level dialogue with the Indians in order to inform ourselves of India's intentions and nuclear capabilities, and to establish a continuing relationship regarding such matters.

(b) To consider possible cooperation with India in developing projects in peaceful uses that will dramatize to the Indians and Afro-Asians the former's advanced scientific progress.

(c) To consider giving confidential security assurances to the Indian Government, reinforcing the general assurance to nations of the Asian area given publicly by the President.

(d) To intensify efforts to build a restraining international climate by working through individual governments which might influence the Indians privately, as well as by promoting appropriate UN resolutions on non-proliferation.

Ambassador Bowles has already opened the dialogue with Prime Minister Shastri. Further action should be developed following the Ambassador's return from New Delhi in mid-November.

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Israel and the UAR. Measures we have been taking with respect to Israel and the UAR should be allowed to continue on their present course. Meanwhile, we should explore the possibility of having the OAU Declaration on non-acquisition take on a binding character, possibly through a formal agreement by the OAU Members. If satisfactory progress towards this objective is not forthcoming, we should consult with the British, Canadians, French, West Germans, and possibly the Soviets, in an effort to restrict the supply of technological information, missiles, and components to the UAR and Israel.

Sweden. Sweden has been postponing a decision on whether or not to manufacture nuclear weapons, an accomplishment of which it is fully capable. This is an internal political problem for the Swedish Government. Since the ChiCom detonation, there have been no signs that the Swedish Government is changing its postponement policy and, in the absence of such signs, we should take no action to stir up the issue. If we receive evidence that a change in policy

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is under consideration, a subject on which Embassy Stockholm should be instructed to report fully, we should adapt to Sweden the approach being used with India, but work to the extent possible through other Nordic governments. Owing to Sweden's domestic capabilities in the nuclear field, it is questionable whether application of IAEA or other international safeguards would be possible or effective.

Japan. The initial reactions in Japan to the Chinese Communist detonation include demands from the Conservatives for a Japanese nuclear weapons program. We should not, however, leap to any conclusion that such demands will make headway, inasmuch as World War II left the vast majority of the Japanese people with a deeply emotional abhorrence of having anything to do with the military uses of nuclear power. Furthermore a change in the Constitution would be required. Nevertheless, we should keep a close watch on the trend of Japanese thinking. If the trend of Japanese developments require it, we might engage in something of the same course of action we are using in India. In any

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case, we should enforce to the maximum our policy of applying IAEA safeguards to peaceful uses facilities in Japan. We should also cooperate quietly with the Japanese in any appropriate display of their scientific capabilities they might undertake.

Federal Republic of Germany. We should seek to write into the MLF Charter the maximum of politically acceptable restraints and indications of readiness to make the MLF subject to future arms control and disarmament agreements.

3. Actions to impede the spread of technical capabilities required to develop and produce nuclear weapons

This portion of the program should involve four main courses of action.

Action should be taken to seek agreement among suppliers of nuclear materials and certain specialized equipment and non-nuclear materials to subject all exports of such materials and equipment to IAEA or similar safeguards. All countries not having nuclear weapons should be encouraged to submit their peaceful nuclear activities to international safeguards. These

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were made in general terms in the President's message of January 21, 1964 to the Disarmament Conference and they have been reviewed in recent interagency discussions. Draft "suppliers" and "recipients" agreements have been circulated to interested agencies.

Arrangements should be strengthened to prevent the dissemination of nuclear weapons technology, including such developments as the gas-centrifuge process.

The efforts to strengthen the capabilities of the IAEA to assure the use of fissionable material for peaceful purposes only should be continued as well as the efforts to win acceptance of IAEA safeguards.

Consultations should be held with EURATOM with a view to assumption by IAEA of safeguards responsibilities for certain of its activities.

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4. Action in the forthcoming General Assembly

At the forthcoming General Assembly, the U.S. should seek to develop the widest possible consensus favorable to an international agreement on non-proliferation thereby making an agreement more likely and making more difficult any national decision by non-nuclear powers (prior to such an agreement) to acquire a nuclear capability. At the General Assembly the U.S. must also be concerned with heading off GA recommendations that such an agreement include prohibitions on our freedom of transit for nuclear weapons (as called for at the Cairo Non-Aligned Conference) or unacceptable language regarding the MLF as desired by the USSR. Our best chance to avoid such recommendations lies in adopting a positive program which enhances the prospect of achieving an agreement.

Inter-agency agreement has been reached at the working level on tactics for promoting a draft resolution which would:

- (a) Stress the need for an international agreement as called for in the "Irish Resolution" of 1961;

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(b) Note the declarations of the governments participating in the recent Cairo conferences of the Organization of African Unity and of the Non-Aligned states, which expressed their readiness to undertake, through an international agreement, not to manufacture or acquire control of nuclear weapons;

(c) Record the readiness of all UN members who do not possess nuclear weapons to enter such an agreement and their intention meanwhile not to manufacture or otherwise acquire control of nuclear weapons;

(d) Call upon all non-nuclear states to undertake the same obligation;

(e) Record the readiness of the nuclear powers to respect such undertakings and urge all states to pursue policies leading to the achievement of the objectives of this resolution;

(f) Request the ENDC to draft the international agreement, which would be open to all states, and to report to the UN Disarmament Commission not later than 30 July 1965; and

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(g) Request the UN Commission to meet promptly to consider the agreement and make arrangements to bring it into force.

It has been thought advisable not to have the U.S. sponsor such a resolution but to entrust sponsorship to a friendly, non-NATO government (possibly Ireland) even at the risk of our having less control.

This draft resolution needs to avoid a GA call for a world conference to draft the agreement (as favored by the OAU and Non-Aligned Conferences) by assigning this task to the ENDC. We would hope to avoid a world conference altogether by proposing that the ENDC draft an agreement which would be considered and opened for signature by the Disarmament Commission, which includes all UN members and can be convened at any time.

To prepare the ground for the desired GA action, the urgency of an agreement should continue to be stressed in high-level U.S. statements. Other world leaders should be encouraged to make similar statements.

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5. Negotiation of a non-proliferation agreement and development of a position on the MLF facilitating such an agreement

The most important portion of the over-all program is obtaining a formal non-proliferation agreement under which the nuclear powers agree not to transfer nuclear weapons into the national control of individual states or assist such states to manufacture or acquire control of such weapons and the non-nuclear powers agree that they will neither manufacture nor acquire national control of nuclear weapons. An agreement along those lines has been discussed with the Soviet Union for over two years.

Agreement between the U.S. and the USSR on such a draft is essential not primarily because we want a Soviet commitment not to proliferate nuclear weapons (it is unlikely that they would do so even without an agreement) but because U.S. and USSR cooperation is necessary to obtain the adherence to such an agreement of countries -- such as India, Sweden -- that we are most anxious to have

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adhere. The principal obstacles to an agreement with the USSR have been (1) the MLF and (2) the question of Chinese participation.

The Soviets have argued that the MLF will result in giving the Germans control over nuclear weapons and that so long as the U.S. proposes it any joint action on non-proliferation is barred. Soviet opposition to the MLF (wholly apart from the German acquisition of nuclear weapons) may be so deep seated that they will not take any constructive action concerning the spread of nuclear weapons until there has been a decision on MLF one way or another. However, when the new regime in the USSR is evaluating its position in the field of armaments, the U.S. should be prepared to give the Soviets assurances which cover their concern about the MLF being a step toward the acquisition of an independent nuclear capability by the FRG.

The first step should be a follow through on the presently planned discussion by the Secretary of State

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with Gromyko in New York explaining the MLF safeguards to prevent unauthorized use of nuclear weapons or disclosure of nuclear weapons information.

Even more important is an assurance that the MLF will not be just one in a series of steps which end up with the Germans having an independent or dominant control over a nuclear weapons force. The U.S. has previously attempted to solve this problem by assurances that MLF forces could not be used by national decision of any country not now possessing nuclear weapons. This still held open the possibility of a European force which could be controlled by a group not consisting of the present nuclear powers and which would, in effect, be an additional independent decision-making entity controlling the use of nuclear weapons, in which the Federal Republic of Germany could be the dominant member.

We have indicated to the Soviets, through Prime Minister Luns, that while we do not exclude different control arrangements from one involving a U.S. veto in the context of movement

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toward European unity, such charges would require U.S. concurrence and "would undoubtedly imply" political evolution in Europe which would involve the melding of the present national nuclear forces into an MLF context. So far, however, we have not been prepared to incorporate into a non-proliferation agreement a commitment that would in effect prevent the U.S. from relinquishing its veto unless either the UK or France melded their nuclear forces into the MLF. This position has been based on a belief that to do so would place the UK in a position where they could in effect veto future MLF evolution without joining, whereas since they may be concerned about such possible evolution they might join the MLF to gain a veto right. Given the present political situation with respect to the MLF, this reason now seems clearly more theoretical than real. We should, therefore, be prepared to include in a proposed non-proliferation agreement an assurance that the MLF would not be used to increase the number of independent decision-making entities controlling the use of

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nuclear weapons. We should also support and encourage appropriate efforts which may develop among participants in the MLF to register a commitment on non-acquisition in connection with adherence to the MLF.

With respect to Chinese Communist participation, our position has been that participation by the Chinese Communists is a precondition to any such agreement. Chinese Communist participation is of course important but if we continue to insist on Chinese participation as a precondition we will foreclose all opportunities for achieving such an agreement. The Soviets are aware of this and it would not be in our interest to indicate that we are not really interested in such an agreement at the present time.

The U.S. should therefore refrain at the present time from raising the question of whether Communist China must be a party to a non-proliferation agreement. If the USSR asks for our views on this matter, we should state that Communist China in our view should be a participant in any

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such agreement both because of the problem of India and because of the desirability of having the agreement world-wide in scope. We should not indicate that we consider Soviet acceptance of this view a precondition to further discussions of the subject. We should indicate that we are prepared to defer consideration of this problem until we have completed the discussion of other aspects of the agreement.

6. Action to prevent proliferation of strategic nuclear delivery vehicles

In order to reinforce our efforts to prevent the spread of nuclear weapons, we should consider an agreement or alternatively a tacit understanding, banning transfer of strategic nuclear delivery vehicles or assistance in their manufacture. It could include those categories of strategic delivery vehicles now included in the freeze proposal.

At the present time, it would have to exclude the MLF and the Nassau agreement. Any formal agreement would probably be rejected by the Soviets for the reason that

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the nuclear non-transfer declaration has been rejected -- at least until an MLF agreement became a reality. However, if our policy is to prevent the spread of nuclear weapons into national control, there is no reason this policy should not be extended to strategic missiles and aircraft which are primarily designed to deliver nuclear weapons. To transfer these is to invite requests for the nuclear weapons which are normally associated with them, and even after such a request is turned down to reduce the national effort required by a decision to develop a nuclear force.

7. Negotiation of a comprehensive test ban treaty

We should make renewed efforts to achieve a comprehensive test ban treaty, for such a ban might well force political decisions in India, Israel, Sweden and other countries not to produce nuclear weapons. The new Soviet leaders have stated their intention to seek such a ban, although they have given no indication as yet that they would be prepared to permit any on-site inspection.

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(a) We should initiate a priority review of the present U.S. position with respect to on-site inspections, unmanned seismic stations, and other verification processes. Research by DOD, AEC and ACDA indicates that our requirements can probably be adjusted without jeopardy to our security as the result of improvements in intelligence collection techniques, prospective developments in seismic detection, and reappraisal of the impact on the military balance of possible undetected treaty violations.

(b) We should also consider whether we would be prepared to adhere to a comprehensive treaty without Communist China if the Soviets would be prepared to do so without France. At a time when a Chinese test was anticipated but had not yet occurred, our position was that a comprehensive ban would be in our interest without the Chinese.

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(c) We should also consider whether our position can be simplified in other respects, such as the procedure for inspections on the territory of non-nuclear powers. Preliminary analysis indicates that considerable simplification may be possible without compromise of our basic security interests.

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