

UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

3

Memorandum of Conversation

DATE: October 29, 1969  
TIME: 10:30 a.m.  
PLACE: Conference Room  
ACDA

SUBJECT: US-German NPT Discussions

PARTICIPANTS: Officials of German Foreign office and German Embassy and US Officials  
(See Attached List)

COPIES TO:

ACDA (17)	IO/UNP	Amembassy BONN	NSC Secretariat - Mrs. Davis
EUR/GER	INR (10)	US Mission GENEVA	DOD/ISA - Capt. Heg, USN
PM		DISDEL (3)	CIA - Mr. Evans
RPM		USUN New York (2)	AEC - Mr. Labowitz (2)

COPY-FO-PBR

DEF 18-6

10 NOV 1969

Mr. Smith began the discussions by welcoming the German visitors and by expressing pleasure over the positive attitude adopted by the new German Government towards the NPT. He confirmed that worldwide implementation of the NPT remained a central plank in U.S. arms control policy. He said that the U.S. would try to resolve any remaining unclear aspects of the Treaty over the next few days. He explained that owing to the preparations for SALT he would not be able to be present throughout the discussions, although he would keep abreast of progress made. Mr. Farley would serve in his stead.

Ambassador Roth, in his introductory remarks, referred to a decision of the Federal Cabinet on August 13, whereby the Foreign Ministry was asked to seek clarifications on the NPT and to conduct discussions with other countries in this regard, particularly with the U.S. When the FRG informed the U.S. of this intention on August 29, the U.S. had agreed to such discussions, but the U.S. asked that they take place in one round in Washington following the German federal elections. Ambassador Roth said that he and his colleagues had come to finalize these discussions, and that the talking points provided to the United States the previous day would comprise all the points with which the German delegation proposed to deal. He indicated

ACDA-1 Group 1 Excluded from automatic downgrading and declassification. 2-62

Authority: NPT/ACDA  
By: PHNARA  
Date: 08/04/04

~~SECRET~~

-2-

that the outcome of the present discussions would be of interest to the German public which was aware of the August 13 Cabinet decision as a result of a recent parliamentary interpellation by the CDU. Ambassador Roth explained that between signing and ratifying the NPT, further attention would be given to questions involving the peaceful uses of nuclear energy and assurances of nondiscriminatory safeguards treatment. He proposed that the FRG talking points (Bonn 14146) form the basis of the discussions and that these talking points be gone through one by one with a view to disposing quickly of those points on which there was basic agreement and no further discussion was necessary, and to determining priorities for subsequent sessions for discussing those points which were not yet agreed.

On points 1 and 2, Mr. Farley had no particular comment other than to ask for an opportunity, if possible, to see the statement the German Government proposed to make at the time of NPT signature and the related note to be delivered to Foreign Governments at that time. Ambassador Roth pointed out that the portion of the note dealing with peaceful uses of nuclear energy was already in U.S. hands. He also offered to make the draft statement available, but cautioned that the text was subject to change as the result of the outcome of the present discussions and of further consideration in Bonn. (At the conclusion of the meeting, Ambassador Roth handed the text of the draft statement to Mr. Farley.)

On point 3, Mr. Farley said that he did not see any particular difficulty in meeting the German request for public release of the U.S. statement, rejecting Soviet claim to a right of intervention. He said he would give the German delegation definitive word on this before conclusion of the discussions. In reply to Mr. Farley's question, Ambassador Roth confirmed that the FRG was completely satisfied with the text of the U.S. statement proposed to then Foreign Minister Brandt by Secretary Rogers in his letter of May 10, 1969.

On point 4, concerning the definition of the word "control," Mr. Farley again foresaw no difficulty in agreeing that the definition provided to NATO in April 1967 be used by the FRG in closed sessions of the Bundestag Committees. He indicated, however, that making the definition available to the Soviet Union

~~SECRET~~

Authority: 080404  
By: PH NARA Date: 08/04/07

~~SECRET~~

-3-

at this late date would create difficulties for the U.S. Since the definition had not been made part of the U.S. legislative history, there was a good possibility that presenting this definition to the Soviets now might create unnecessary discord. In any event, the U.S. and its allies had a common understanding of their obligations under the Treaty in terms of the definition of "control," and the U.S. believed this was all that was necessary. Ambassador Roth said that the FRG understood U.S. concerns on this point but he raised the question in order to have U.S. views on the subject placed on the official record. He felt that if the final minutes of the discussions showed the U.S. position, then this would suffice for his government's need to satisfy the Opposition in closed committee hearings.

With regard to point 5, Mr. Farley summarized briefly the substance of Secretary Rogers' talk with Soviet Foreign Minister Gromyko in New York, in September 1969, concerning the desirability of joint US and Soviet deposit of instruments of NPT ratification. He said the U.S. believed on the basis of Gromyko's reaction to the Secretary's presentation that the prospect for early joint deposit were good, and that the positive FRG approach to the NPT could only improve those prospects. Mr. Gescher indicated that the FRG apprehension over a possible Soviet contradiction of the U.S. interpretations of Articles I and II could be met completely through joint deposit of instruments of ratification so long as the Soviets did not take that occasion to raise objections. Mr. Farley agreed that this was part of the U.S. purpose in wishing to act jointly with the Soviets and that he believed that it was primarily a matter of orchestration to resolve this problem satisfactorily.

On point 6, concerning the FRG request for a confirmatory U.S. statement as to the importance of NATO's continued existence for German adherence to the NPT, Mr. Farley quoted the statement of Secretary Rusk during Senate hearings on the NPT on July 10, 1968 as an indication of the U.S. position. Ambassador Roth replied that Secretary Rusk's remarks during a United Nations General Assembly speech on October 2, 1968 were of even greater significance to the FRG in that Mr. Rusk had related U.S. commitment to the defense of Europe directly to a successful resolution of the German question and to Berlin. He said, however, that the new statement could be based on either of the earlier ones. The

~~SECRET~~

Authority: 080000  
By: RHN/ARA Date: 08/04/07

~~SECRET~~  
-4-

important question at the moment was one of timing, and he expressed a desire to discuss further the question of when and where such a statement should now be made. Mr. Farley indicated that he would hope to have an answer to this request by the conclusion of discussions on October 31.

Mr. Farley took note of the German intention, as expressed in point 7, to make a statement regarding the importance of the existence of NATO to German NPT adherence. He asked what the FRG had in mind when it referred in point 7 to the contingency that if NATO were to dissolve, the FRG would "remain free to get other European States to take the necessary security measures," Mr. Gescher read aloud the paragraph from the proposed FRG statement at time of signing the NPT, as follows:

"The FRG signs the Treaty convinced that it shall not hinder European unification and that the Federal Republic of Germany, in a situation in which it considers its supreme interests in jeopardy, will remain free together with other European States to take the necessary security measures."

Mr. Farley said the sentence on unification was a judgment which the U.S. shared and had tried to protect in negotiating the NPT. He said the U.S. would want to have a closer look at the second part of the sentence before commenting further.

Summarizing the first seven points on the political aspects of the Treaty, Mr. Farley said that the U.S. would attempt this week to confirm its readiness to publish the agreed statement on intervention rights. He saw no need for further discussions on the meaning of the word "control." He took note of the German view that joint U.S. and Soviet deposit of instruments of ratification would meet the German need, so long as the Soviets raise no objections to the interpretations. He noted that the FRG had requested a new U.S. statement, relating the NPT to the continued existence of NATO, similar to that made by Secretary Rusk in July 1968. Finally, he said the U.S. would study the two sentences referred to in point 7 and would comment on them. Mr. Gescher pointed out that the first of these two sentences had been borrowed almost literally from the

~~SECRET~~

Authority 0804000  
By PA/NARA Date 08/04/07

~~SECRET~~

-5-

Italian declaration at the time of NPT signature.

Mr. Farley asked whether the FRG had discussed with the French the question of a new French statement on intervention rights. Ambassador Roth replied that the FRG would approach the French, after the delegation returned from Washington, on the basis of the U.S. statement. Mr. Hillenbrand assured him that the US had no objection, if the FRG chose to make the US text available to the French.

ooOoo

~~SECRET~~

Authority: 0000000000  
By: RHNARA Date: 08-04-06

~~SECRET~~

MEMORANDUM OF CONVERSATION

ANNEX

Subject: US-German NPT Discussions  
October 29, 1969, 10:30 a.m.

Participants:

U.S. Government

Mr. Gerard Smith, Director, ACDA  
Mr. Philip J. Farley, Deputy Director, ACDA  
Mr. Culver Gleysteen, Acting Assistant Director, ACDA/IR  
Mr. James E. Goodby, EUR/RPM  
Mr. William W. Hancock, General Counsel, ACDA  
Mr. Martin J. Hillenbrand, Assistant Secretary, EUR  
Mr. Benjamin Huberman, ACDA/ST  
Mr. M. B. Kratzer, Asst. General Manager for International  
Activities, GM-AEC  
Mr. A. M. Labowitz, Special Assistant for Disarmament, GM-AEC  
Mr. Herbert S. Malin, ACDA/IR  
Col. Burr J. Randall, Jr., OSD/ISA  
Mr. J. S. Sutterlin, EUR/GER  
Mr. Charles N. Van Doren, Deputy General Counsel, ACDA/GC  
Dr. Y. L. Wu, Deputy Asst. Secretary, OSD/ISA (for Policy  
Planning and Arms Control)

Federal Republic of Germany

Col. Helmut Roth, Chief, Disarmament Section, German Foreign Office  
Mr. Dirk Oncken, Charge d'Affaires, ad interim, German Embassy  
Mr. Wolf Ramisch, Disarmament Section, German Foreign Office  
Dr. Dieter Gescher, Disarmament Section, German Foreign Office  
Dr. Wolf Haefele, Director of the Applied Physics Institute,  
Karlsruhe, Germany  
Mr. Adolf von Wagner, Second Secretary, German Embassy  
Mr. Heinz Weber, Interpreter

~~SECRET~~

Authority: 00000000  
By: RH/NARA Date: 08/04/07