

DECLASSIFIED

Authority NNO 969021

By AN NARA Date 8-25-06

DECLASSIFIED
PA/HO Department of State
E.O. 12958, as amended
August 6, 2007

THE SECRETARY OF STATE
WASHINGTON

~~7/27/70~~
~~S/S Pending~~

See memorandum from Mrs. Davis to Mr. Eliot
dated June 26, 1970

S/S 9258

June 24, 1970

*s/s-s Martin informed 7/24/70, H/O
cc: s/s-o Editor*

Copies To:

J **RS/R FILES**

C
S/PC Attention Mrs. Mullett

IO Keep this study together.

PM

SCI

L

ARA/MEX

ARA/LA

ACDA/GC

ACDA/IR

H

S/S:RF

MEMORANDUM FOR THE PRESIDENT

*ARR INFO/IR
7/30/70*

HO. Subject: Proposal to Submit Protocol II to
the Treaty for the Prohibition of
Nuclear Weapons in Latin America
to the Senate for Advice and Con-
sent to Ratification

Recommendations:

1. That you agree to submit to the United
States Senate for its advice and consent to rati-
fication Protocol II to the Treaty for the
Prohibition of Nuclear Weapons in Latin America.

Approve _____ Disapprove _____

2. That you authorize me to announce, during
my speech before the OAS General Assembly on June 26,
that you intend to submit the Protocol to the Senate
for advice and consent to ratification during the
current session of Congress.

Approve _____ Disapprove _____

Discussion:

Sixteen of our Latin American allies have
brought into force a regional Treaty for the Pro-
hibition of Nuclear Weapons in Latin America, which

GROUP 3

Downgraded at 12-year intervals;
not automatically declassified.

DEF 18-6

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ACDA/IR:HS MALLIN:ENS

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in many ways complements the Nuclear Non-Proliferation Treaty. On April 1, 1968, Vice President Humphrey signed Additional Protocol II to that Treaty for the United States. This is a Protocol designed for adherence by nuclear weapon states, which are not eligible to sign the Treaty itself. Adherents to the Protocol undertake to respect the aims and provisions of the Treaty, not to contribute to its violation in the territories to which it applies, and not to use or threaten to use nuclear weapons against parties to the Treaty. Protocol II has been signed and ratified by the United Kingdom.

Prior to the U.S. signature, the issues involved in U.S. adherence to the Protocol were carefully reviewed by the Departments of State and Defense, the Atomic Energy Commission, and the Arms Control and Disarmament Agency. These departments and agencies concurred in the decision that the U.S. should sign the Protocol with a statement designed to clarify our understanding of several points under the Treaty, which our review indicated needed clarification. Such a statement was made at the time of signing. The Department of Defense requested, however, an opportunity to review the matter again prior to the submission of the Protocol to the Senate, to assure that any relevant experience under the Treaty following our signature would be taken into account. This review has now been completed, and the Department of Defense, the Arms Control and Disarmament Agency, and the Atomic Energy Commission are agreed with me that it would be advantageous for the Administration to proceed with ratification. I understand that the staff of the Senate Committee on Foreign Relations has periodically inquired when this Protocol will be submitted to the Senate, and has indicated the expectation that it would be favorably received.



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To facilitate consideration, I enclose a brief summary of the significant U.S. interests that would be served by ratification of Additional Protocol II in the near future with a statement similar to that made on signature; and a more detailed paper describing and containing the text of the Protocol and the underlying Treaty, including their status, the issues that were considered by the Executive Branch in connection with the decision to sign the Protocol, and relevant developments since such signature.

As you know, I am scheduled to address the General Assembly of the OAS on June 26. I believe it would make a favorable impression on that body and on Latin American opinion in general if I could announce on your behalf in that speech that the United States Executive Branch has completed its review of Protocol II of the Latin America Nuclear Free Zone Treaty, and that you intend to submit the Protocol to the Senate for its advice and consent to ratification this summer.

While I am aware that this allows little time for a decision of this nature, the obvious advantage of making such an announcement at an important gathering of representatives of our Latin American allies prompts me to recommend your expeditious consideration of an issue on which I would shortly have sent you a recommendation in any event. If you agree to the procedure I have outlined, we shall complete the preparation of the necessary documents to accompany the formal submission of the Protocol to the Senate.


William P. Rogers

Enclosure:
Summary.

[REDACTED]

ACDA/IR:HSMalin:ENS 6/24/70