

# THE NPT AND THE ORIGINS OF NATO'S NUCLEAR SHARING ARRANGEMENTS

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This paper reflects the views of the author, in his individual capacity. It does not represent the views of NATO, the U.S. Department of State or of the U.S. Department of Defense.



# Abstract

Russia has recently accused the United States and NATO Allies of violating the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) by arguing that NATO's nuclear sharing arrangements are not permitted under the Treaty. On the contrary, the historical record shows that the text of the NPT was crafted by the US and the USSR, in close cooperation, precisely so that NATO's arrangements would be compatible with Treaty obligations – while also constraining the ability of non-nuclear states to acquire nuclear weapons. This paper shows how the US and USSR negotiated Articles I and II – the critical parts of the NPT pertaining to nuclear weapons proliferation. The US explored multiple options and sought to balance several (sometimes conflicting) objectives during these negotiations, from managing its key bilateral relationships (particularly with the USSR and West Germany), to strengthening NATO's defensive capacity and credibility, and, finally, to preventing the further spread of nuclear weapons. Ultimately, the NPT proved successful because the final text proved satisfactory to alleviate the concerns of all parties involved – the superpowers, NATO, the Warsaw Pact and the neutral non-aligned countries.



# Résumé

La Russie a récemment accusé les Etats-Unis et leurs alliés au sein de l'OTAN de violer le Traité de non-prolifération (TNP), invoquant que ce dernier n'autoriserait pas les arrangements pour le partage du nucléaire actuellement en vigueur dans l'Alliance. Au contraire, un examen des documents historiques démontre que les éléments clés du texte du TNP ont été rédigés en étroite coopération par les Etats-Unis et l'URSS, de sorte que les arrangements de l'OTAN actuels soient compatibles avec les obligations des Etats parties, tout en contraignant la capacité des Etats non dotés à acquérir un arsenal nucléaire. Cet article montre comment les Etats-Unis et l'Union soviétique ont négocié les articles I et II du traité – ses articles centraux concernant la prolifération des armes nucléaires. Pendant les négociations, les Etats-Unis ont envisagé de nombreuses options en tentant de concilier des objectifs divers, parfois incompatibles, tels que la gestion de leurs relations bilatérales (particulièrement avec l'URSS et la RFA), le renforcement de la crédibilité et des capacités défensives de l'OTAN et, bien sûr, la prévention d'une diffusion accrue des armes nucléaires. Au final, le succès du TNP depuis son entrée en vigueur est intrinsèquement lié aux formulations retenues pour le texte final, qui sont parvenues à répondre de manière satisfaisante aux préoccupations de toutes les parties – les superpuissances, l'OTAN, le Pacte de Varsovie et les pays neutres et non-alignés.



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# Introduction

On 27 April 2015, Russia accused the United States and NATO Allies of being in violation of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), stating that:

Article I of the Treaty stipulates that nuclear-weapon States undertook not to transfer to any recipient whatsoever nuclear weapons or control over such weapons directly, or indirectly. Non-nuclear weapon States in their turn under Article II of the NPT undertook not to receive the transfer from any transfer or whatsoever of nuclear weapons or of control over such weapons directly or indirectly. Both articles are violated during so called “nuclear sharing” when servicemen from NATO non-nuclear weapon States are trained to apply nuclear weapons and participate in the nuclear planning process.<sup>1</sup>

Russia’s accusation – specifically at an NPT RevCon – represents a break in a policy that held since the mid-1960s, when the US and USSR agreed to work together to negotiate an NPT that was compatible with NATO’s nuclear sharing arrangements.<sup>2</sup> Russia’s statement at the NPT came in the context of worsening US-Russian relations over the past decade, culminating with US accusations of Russia’s violation of the Budapest Memorandum and the Intermediate-Range Nuclear Forces Treaty in 2014, and threatens to undo one of the greatest achievements in US-USSR diplomacy.

Over the course of one week in September 1966, US and Soviet negotiators met in the Waldorf Astoria Hotel in New York to agree upon language for the NPT. Both sides sought an historic agreement to stop the spread of nuclear weapons and to accommodate each other’s core interests. These negotiations were successful, and the accommodation reached between the US and the USSR in New York led directly to the conclusion of the most successful arms control, disarmament, and non-proliferation treaty of all time. Without direct US-Soviet cooperation and agreement on

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1. Statement by M. Uliyanov, Acting Head of the Delegation of the Russian Federation, at the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (General Debate), Permanent Mission of the Russian Federation to the United Nations in New York, NY, 27 April, 2015.

2. Uliyanov’s statement at the 2014 Preparatory Conference was the first such Russian accusation within the NPT framework.

the wording and meaning of the NPT, no treaty could have been concluded – and the global security situation today likely would look quite different.

Assertions that NATO is in violation of Articles I and II of the NPT are based on a misreading of the historical record and ignore the joint US-USSR efforts to draft an NPT acceptable to all. This paper seeks to tell the story of the negotiations between the US and the USSR on Articles I and II in the context of the US pursuit of three often competing foreign policy goals:

- 1) To build the defense capacity of NATO's European Allies;
- 2) To manage its key bilateral relationships, particularly with the Soviet Union; and
- 3) To stop the spread of nuclear weapons.

For the United States, balancing these three goals required robust diplomacy, taking into account European aspirations for deeper political integration, while pursuing a universal treaty to prevent the proliferation of nuclear weapons. This paper describes the interplay within the US Government, its negotiations with the USSR, its interactions with key Allies, and the dynamics within various international forums on the NPT, such as the United Nations and NATO.<sup>3</sup> The paper also provides some insight on the impact of the German question on Soviet and Warsaw Pact decision-making related to the NPT negotiations. It concludes that, against the odds, the United States succeeded in balancing its three goals by achieving a viable NPT through direct cooperation with the Soviets, while solidifying NATO's nuclear sharing arrangements and without impeding European integration. The Soviet Union traded its maximalist goal of weakening NATO in exchange for guarantees against West Germany gaining peacetime control of nuclear weapons.<sup>4</sup>

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3. During the period addressed in this article (1960-1970), NATO consisted of fifteen member states: Belgium, Canada, Denmark, France, West Germany, Greece, Iceland, Italy, Luxembourg, Netherlands, Norway, Portugal, Turkey, the United Kingdom, and the United States.

4. G. Bunn, *Arms Control by Committee: Managing Negotiations with the Russians*, Stanford, CA, Stanford University Press, 1992.

# Nuclear Weapons and NATO

NATO nuclear arrangements date to the founding of the Alliance. The first NATO Ministerial-level strategy document (DC 6/1) in 1949 included a reference to the requirement to “ensure the ability to carry out strategic bombing promptly by all means possible with all types of weapons without exception.”<sup>5</sup> By 1951, the US had determined that the Soviet Union and its allies were capable of overwhelming Western Europe with their conventional forces and, by 1954, would “pose a constant and serious threat to the security of the NATO powers...”<sup>6</sup> Nuclear weapons were seen as the only means to defend the Alliance against the conventional superiority of the conventional forces under Moscow’s command. The US therefore committed theater nuclear weapons to NATO as a key part of forward defense in July 1953,<sup>7</sup> with the first atomic weapons arriving in Europe in September 1954.<sup>8</sup> An early question facing US nuclear planners regarded the storage, custody, and authority to launch nuclear weapons. These questions were decided through a combination of political decisions, legislation, and military planning over the next several years, but the question of nuclear sharing was not settled.

NATO defense planning was then modified to include the early and rapid use of nuclear weapons in a potential war with the Soviets.<sup>9</sup> However, the US and NATO sought to build a sustainable custodial arrangement for nuclear weapons storage and employment in Europe. The Soviet launch of *Sputnik* in October 1957 and deployment of large numbers of medium-range ballistic missiles (MRBM) aimed at Western Europe brought further heightened concerns in Europe and in Washington, pushing Paris and Bonn to discuss nuclear sharing, which in turn pressed the US to propose

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5. “Note by the Secretary to the North Atlantic Defense Committee on the Strategic Concept for the Defense of the North Atlantic Area,” DC 6/1, 1 December 1949.

6. “The Strength and Capabilities of Soviet Bloc Forces to Conduct Military Operations against NATO,” October 1951 in G. Haines and R. Leggett (eds.), *CIA’s Analysis of the Soviet Union, 1947-1991*, Washington, DC, CIA Monograph, 2007.

7. G. Pedlow, *NATO Strategy Documents, 1949-1969*, Brussels, NATO Printing, 1999.

8. *History of the Custody and Development of Nuclear Weapons July 1945 through September 1977*, Prepared by the Office of the Assistant to the Secretary of Defense (Atomic Energy), February 1978, Annex B, p. B-4.

9. “A Report by the Military Committee on the Most Effective Pattern of NATO Military Strength for the Next Few Years,” *North Atlantic Military Committee Decision on MC 48*, Brussels, 22 November 1954.

new arrangements for Allied consideration.<sup>10</sup> To this end, in November 1957, the US Joint Chiefs of Staff (JCS) recommended to the US Secretary of Defense that:

Custodial arrangements would be such as to assure availability of the weapons for timely and effective use in the defense of NATO in accordance with SACEUR's plans for the defense of Allied Command Europe.<sup>11</sup>

The JCS proposal was agreed, and formed the basis of the US draft NATO Stockpile proposal to the NATO Heads of Government at the first NATO Summit in Paris in December 1957. At the Summit, the North Atlantic Council (NAC) agreed to NATO's first formal nuclear arrangement:

NATO has decided to establish stocks of nuclear warheads, which will be readily available for the defense of the Alliance in case of need. In view of the present Soviet policies in the field of new weapons, the Council has also decided that intermediate range ballistic missiles will have to be put at the disposal of the Supreme Allied Commander Europe.<sup>12</sup>

The weapons were deployed under positive US control and custody, with the agreement of the host nation, and releasable by the President of the United States to the NATO Supreme Allied Commander (who is always an American citizen to maintain US chain-of-authority) for employment in the case of war. The artillery, aircraft, bombs, and missiles designed to deliver US nuclear warheads could only be mated and armed after release by the US for launch, at which point they came under the control of NATO. These arrangements were well-known at the time, and discussed in the UN,<sup>13</sup> the press,<sup>14</sup> and scholarly literature<sup>15</sup> throughout this period. This policy – of total US control of nuclear weapons until released by the

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10. G. Gerzhoy, "Alliance Coercion and Nuclear Restraint: How the United States Thwarted West Germany's Nuclear Ambitions," *International Security*, Vol. 39, No. 4, 2015, p. 91-129.

11. *History of the Custody and Development of Nuclear Weapons July 1945 through September 1977*, *op. cit.*, p. 60.

12. "NATO Ministerial Communiqué, 19 December 1957," Paris, *Texts of Final Communiqués, 1949-1974*, Brussels, NATO Information Service, 1975.

13. For example, see "Statement by the United States Representative (Assistant Secretary of State Francis Wilcox) to the First Committee of the General Assembly," US Delegation to the General Assembly Press Release 3626, 19 December 1960.

14. For example, see the work of J. Finney in the *New York Times* in articles such as "We Are Already Sharing the Bomb," *New York Times*, 28 November 1965, or the "Nuclear Debate Proliferates," *New York Times*, 30 January 1966, which points to the disagreement over the future of NATO nuclear sharing as key to the prospects for a future NPT.

15. For example, see J. Kotch, "NATO Nuclear Arrangements in the Aftermath of MLF: Perspectives on a Continuing Dilemma," *Air University Review*, March-April 1967.

President of the United States for launch in the case of a war – is a matter of US law and has remained unchanged since 1946.<sup>16</sup> The question of how NATO would share nuclear responsibilities remained undefined, so the Communiqué pledged that Allies would further decide on coordination and other issues related to burden-sharing.<sup>17</sup>

At the time, coordination and defense discussions related to nuclear weapons were either bilateral (between the US and the host state), or a matter for the NAC and the Military Committee, but the formalized nuclear consultation and planning was not an easy matter to settle, and would take another decade to resolve<sup>18</sup>. The US nuclear stockpile in Europe continued to grow throughout this period, numbering in the thousands by 1960.<sup>19</sup> That same year, France detonated its first nuclear weapon, with indications that a number of nations, including several Allies, were not far behind.<sup>20</sup> In particular, concerns were growing in the US, USSR, and other capitals that West Germany might seek an independent nuclear weapons capability as well. Statements by West German politicians throughout the early 1960s unnerved many on both sides of the Cold War divide.<sup>21</sup> In addition, Cold War tensions were increasing apace, with the Berlin Crisis of 1961 and the Cuban Missile Crisis of 1962 both bringing the world to the brink of disaster. These tensions led to some successful US-USSR efforts to reduce the risk of nuclear war, including negotiations on temporary nuclear testing moratoria and the successful conclusion of the Partial Test Ban Treaty. However, both sides understood the need to address a potential global arms race.

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16. Dating from the *Atomic Energy Act of 1946 (PL 585)*, replaced by the *US Atomic Energy Act of 1954*, as amended, Section 92, 42 USC 2122, Washington, DC, 1954. Marc Trachtenberg addresses the Eisenhower Administration's exploration of pre-delegation to SACEUR in *A Constructed Peace: The Making of the European Settlement, 1945-1963*, Princeton, NY, Princeton University Press, 1999, p. 166-176.

17. Final Communiqué of the NATO Summit, Chairman, Mr. P.H. Spaak, Paris, Secretary General of NATO, 19 December 1957.

18. The Athens Guidelines of 1962 (C-M(62)48), as summarized in C-M(62)66) set out the general terms for the use of nuclear weapons in defense of NATO, with the principle of consultation in the Council and creation of a Nuclear Committee to handle information related to nuclear weapons and defense.

19. *History of the Custody and Development of Nuclear Weapons July 1945 through September 1977*, *op. cit.*

20. R. McNamara, "The Diffusion of Nuclear Weapons with and without a Test Ban Agreement," *Memorandum for the President*, Washington, DC, Department of Defense, 12 February 1963.

21. J. Solomon, *The Multi-Lateral Force: America's Nuclear Solution for NATO (1960-1965)*, Annapolis, MD, A Trident Scholar Project, US Naval Academy, Report No. 269, May 1999.



# Stopping the Spread of Nuclear Weapons: The Multi-Lateral Force

Following the conclusion of the Cuban Missile Crisis in October 1962, President John F. Kennedy began a concerted effort to take care of two of the three above-described policy goals at once – to stop the spread of nuclear weapons and to strengthen the Alliance. Concerns about the spread of nuclear weapons were large and increasing. In February 1963, US Secretary of Defense Robert McNamara told President Kennedy that eight additional nations would join the US, UK, the Soviet Union, and France as nuclear weapon states within ten years, with China joining the club by the end of the year.<sup>22</sup> President Kennedy gave voice to these concerns in March 1963, stating that without international controls, by the 1970s, one of his successors would face as many as 25 nations with nuclear weapons.<sup>23</sup> For these reasons, the US embarked on a two-pronged strategy to stop the spread of nuclear weapons – joining the Irish-led effort in the United Nations towards a non-proliferation agreement, and using positive security assurances to persuade Allies not to seek nuclear weapons capabilities.

It is worth understanding the origins and development of the NATO Multi-Lateral Nuclear Force (MLF) proposals as an effort to improve and formalize nuclear burden-sharing, to dis-incentivize any Allies inclined to seek nuclear weapons, and as a way to encourage, or at least not interfere with, European integration.<sup>24</sup> The MLF also was intended to satisfy West German's desire for a greater voice in nuclear employment decisions, while foreclosing the option of an independent nuclear deterrent. It would tie West Germany to NATO under US leadership and prevent the emergence

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22. "The Diffusion of Nuclear Weapons," Table One. It misses developments in Switzerland (see J. Stuessi-Lauterburg Silverster, "A Historical Summary on the Question of a Swiss Nuclear Armament," Report by the Swiss Federal Council, Bern, 31 December 1995) and Sweden, (see *Had There Been a War...Preparations for the Reception of Military Assistance 1949-1969*, Report of the Commission on Neutrality Policy, Stockholm, SOU, p. 11).

23. J. Kennedy, "News Conference 52," Washington, DC, US State Department, 21 March 1963.

24. *The Future of the Nuclear Defense of the Atlantic Alliance*, National Security Action Memorandum No. 318, Washington, DC, The White House, 14 November 1964.

of a non-NATO nuclear bloc in Europe.<sup>25</sup> It failed due to a host of political, military, and technical issues, and was replaced by a simpler solution: creation of a permanent NATO body to conduct nuclear planning and consultation.

The United States announced to the NAC on 16 December 1960 the intention to create a NATO Multi-Lateral Force, with details to be decided later.<sup>26</sup> The MLF proposal was announced publicly after a summit meeting between President Kennedy and UK Prime Minister Harold MacMillan in Nassau on 21 December 1962. The communiqué suggested that the MLF could consist of bombers, submarines, and tactical nuclear weapons.<sup>27</sup> The weapon systems would be manned by mixed-nationality crews, with participation open to all NATO states, under SACEUR's command. The MLF proposal and later nuclear planning proposals all included echoes of French President Charles De Gaulle's 17 September 1958 proposal to President Dwight Eisenhower and Prime Minister MacMillan to create a tripartite directorate within NATO to lead and guide nuclear strategy.<sup>28</sup>

Based on discussions in the NAC, Kennedy changed the MLF proposal in February 1963, to rely on naval surface vessels.<sup>29</sup> The shift in emphasis caught the UK off-guard – they preferred an arrangement which included bombers and submarines – and raised suspicions of West German involvement.<sup>30</sup> The subsequent US diplomatic push for the MLF divided Allies and instilled real fear in Soviet leaders, who saw mixed manning as a step towards an independent West German nuclear capability.<sup>31</sup> In formulating the US proposal, some of Kennedy's advisors speculated that the Soviets would not oppose this arrangement since it might create a similar arrangement within the Warsaw Pact. Indeed, calls for a Warsaw Pact multi-lateral nuclear force from within would embarrass the Soviets, since the USSR likely would oppose giving its "allies" a voice in nuclear

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25. H. Brands, "Non-Proliferation and the Dynamics of the Middle Cold War: The Superpowers, the MLF, and the NPT," *Cold War History*, Vol. 7, No. 3, 2007, p. 389-423.

26. See J. Solomon, *The Multi-Lateral Force*, *op. cit.*, for an excellent historical exploration of the MLF, its role, and its demise.

27. "Statement on Nuclear Defense Systems", Joint Communiqué, White House Press Release (Nassau), *Department of State Bulletin*, Volume XLVIII, No. 1229, 14 January 1963.

28. E. Deschamps, "France and NATO," CVCE, *European Navigator*, 8 July 2016.

29. "Memorandum From President Kennedy to the Members of the MLF Negotiating Delegation," Washington, DC, The White House, 21 February 1963, *Foreign Relations of the United States (FRUS), 1961-1963, Volume XIII, Western Europe and Canada*, Washington, DC, U.S. Government Printing Office, 1994, Document 176.

30. J. Solomon, *The Multi-Lateral Force*, *op. cit.*

31. "Note of the Soviet Government to the Government of the United States," dated 8 April 1963, in ENDC/84, 17 April 1963, and, "Note of the Soviet Government to the Government of the United States," dated 11 July 1964, in ENDC/137, 15 July 1964.

matters.<sup>32</sup> Moreover, there was no interest in such a pursuit among the Soviet allies. As Polish Communist Party Leader Wladyslaw Gomulka put it, “in contrast to the NATO states, multilateral nuclear forces would not bring any advantages to the Warsaw Pact.”<sup>33</sup>

## The MLF and the Warsaw Pact

Before continuing with the story of the negotiations of an MLF within NATO, it is worth further illustrating some of the internal dynamics of the Warsaw Pact during these discussions and their impact on the NPT. The Soviet Union faced its own pressures within the Warsaw Pact from its smaller allies to prevent West Germany from acquiring control of nuclear weapons.<sup>34</sup> Soviet leader Nikita Khrushchev informed the other members of the Warsaw Pact on 2 October 1963 that it would not oppose NATO's nuclear sharing arrangements, “as long as the West German revanchists' hands would be bound with regard to nuclear weapons by an agreement on non-proliferation.”<sup>35</sup>

The USSR would agree to US calls for an NPT, so long as West Germany was not given control over nuclear weapons in peacetime. Gomulka reacted with vehemence to the Soviet decision and sought to organize resistance in the Warsaw Pact.<sup>36</sup> Gomulka insisted that an NPT should contain language specifically banning multilateral nuclear forces. He did not, however, oppose the spread of nuclear weapons to China and other communist states to weaken US hegemony – a view that Khrushchev did not share. The East German Government echoed the Polish concerns, asking the Soviets to maintain at least a public posture against the MLF for propaganda purposes.<sup>37</sup>

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32. “Memorandum of Conversation, US/MC/16,” New York, NY, 24 September 1966, *FRUS, 1964-1968, Volume XI, Arms Control and Disarmament*, Washington, DC, U.S. Government Printing Office, 1997, Document 153. Albania made just such a public call in February 1965.

33. “Letter from Gomulka to Khrushchev,” 8 October 1963, History and Public Policy Program Digital Archive, Archiwum Akt Nowych, Central Committee of the Polish United Workers' Party, sygn. 2637; obtained and translated by D. Selvage. See the work of Vojtech Mastny, Director of the Parallel History Project on Cooperative Security ([www.php.isn.ethz.ch/](http://www.php.isn.ethz.ch/)) for more extensive details on nuclear arrangements within the Warsaw Pact.

34. H. Brands, “Non-Proliferation and the Dynamics of the Middle Cold War,” *op. cit.*

35. “Memorandum from the Soviet Government to Poland,” 2 October 1963, History and Public Policy Program Digital Archive, AAN, KC PZPR, sygn. 2639; obtained and translated by Selvage.

36. “Letter from Gomulka to Khrushchev,” 8 October 1963, History and Public Policy Program Digital Archive, AAN, KC PZPR, sygn. 2637; obtained and translated by D. Selvage.

37. Excerpts from discussion between Soviet Deputy Foreign Minister Vasili Kuznetsov and the SED Politburo, 14 October 1963, “Attachment to Protocol 35a (of the SED Politburo) from 11 October 1963,” Stiftung Archiv der Parteien und Massenorganisationen der ehemaligen DDR im Bundesarchiv, J IV 2/2-900, p. 2-21; obtained and translated by D. Selvage.

The East German and Polish interventions had some effect. A few weeks later, Soviet Foreign Minister Andrei Gromyko told President Kennedy and Secretary of State Dean Rusk that there would be “dire consequences” if the United States granted “West German revanchists de facto access to nuclear weapons.” However, he also said that the Soviets would sign a non-proliferation treaty if the US dropped the MLF proposal.<sup>38</sup> Poland and East Germany continued to diverge from the Soviet line, putting forward in the UN competing proposals on nuclear weapon free zones in Central Europe.

Khrushchev, however, would soon be gone. On 14 October 1964, he was removed from power and replaced with Alexi Kosygin (as Premier and head of government) and Leonid Brezhnev (as First Secretary) sharing the “Collective Leadership” of the Soviet Union until the mid-1970s. Khrushchev was facing growing accusations of erratic behavior, as well as being blamed for the split with China, antagonizing other communist states, acquiescing to the US on seeking an NPT, and a rumored attempt at reconciliation with West Germany over East German objections.<sup>39</sup> The Warsaw Pact countries pressed the new Soviet leadership to take a harder line on the NPT and threatened to undo the progress made by Khrushchev with President Kennedy.<sup>40</sup> It remained to be seen how President Lyndon Johnson and Premier Kosygin would approach negotiations, and how they would regard the MLF. The matter was made even more complicated by the first successful Chinese nuclear test on 16 October 1964.

## Developing the MLF in Washington and Paris

With a lack of clear leadership in the Soviet Union, and splits in the Warsaw Pact, the US returned to developing its MLF proposals. NATO established the eight-nation Paris Working Group (PWG) in October 1963 to elaborate the MLF in NATO,<sup>41</sup> while the US created a State Department

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38. “The Question of a German Peace Settlement and a Normalisation of the Situation in West Berlin,” *Memorandum of the Soviet Government*, 31 October 1963, History and Public Policy Program Digital Archive, Archiwum Akt Nowych, Central Committee of the Polish United Workers’ Party; obtained and translated by D. Selvage.

39. D. Selvage, *op cit*. See also the story of Aleksii Adzhubei’s (Khrushchev’s son-in-law) ill-fated visit to West Germany in July 1964 in D. Selvage, “Poland and the Sino-Soviet Rift, 1963-1965,” Cold War History Project, Washington, DC, Woodrow Wilson International Center for Scholars, 7 July 2011.

40. H. Brands, “Non-Proliferation and the Dynamics of the Middle Cold War,” *op. cit*.

41. The PWG consisted of US, UK, West Germany, Italy, the Netherlands, Belgium, Greece, and Turkey and worked from October 1963 to May 1965.

Task Force on the MLF in April 1964.<sup>42</sup> The State Department MLF Task Force was set up to take advantage of the momentum from President Johnson's qualified support. Johnson directed that the State Department expand its work, consult with the Europeans, and reach agreement by the end of the year – all without “trying to shove the project down the throats of the potential participants” while keeping West Germany “on a leash.”<sup>43</sup> However, both the NATO PWG and the State Department Task Force stalled over a wide range of legal, political, and technical issues.

West German Chancellor Ludwig Erhard inadvertently focused the political case against the MLF by stating privately,<sup>44</sup> and then publicly, that Bonn and Washington would share nuclear weapons bilaterally if NATO MLF arrangements could not be agreed,<sup>45</sup> a path that Johnson warned him not to pursue.<sup>46</sup> The Allies' reactions to the MLF and Chancellor Erhard's pursuit of West German access to nuclear weapons ranged from private misgivings to open hostility. The UK had initially supported the MLF (at the US-UK Summit in Nassau in 1962) as a means to tie the US to the Alliance more closely and counteract French influence. France opposed the MLF because of the implied strengthening of US leadership in NATO at a time when France was withdrawing from the Alliance's integrated military command structure, and because Paris perceived that West Germany was aligning with the US and away from France<sup>47</sup>.

The Soviets continued to press the case against the MLF directly with Johnson and Rusk. On 15 November 1964, the Soviets condemned the MLF in TASS,<sup>48</sup> followed by a strong demarche from Foreign Minister Gromyko to Secretary Rusk on the sidelines of the UN General Assembly in New York on 5 December. He said that “the Soviet Union would regard the

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42. J. Solomon, *The Multi-Lateral Force*, op. cit.

43. “Memorandum of Discussion of the MLF at the White House,” Washington, 10 April 1964, *FRUS, 1964-1968, Volume XIII, Western European Region*, Washington, DC, U.S. Government Printing Office, 1995, Document 16.

44. “Letter from Chancellor to President Johnson,” Bonn, 30 September 1964, *FRUS, 1964-1968, Volume XIII, op. cit.*, Document 36.

45. C. Hoppe, *Zwischen Teilhabe und Mitsprache, 1959-1966*, Baden-Baden, 1993.

46. “Letter from President Johnson to Chancellor Erhard,” Washington, DC, 7 October 1964, *FRUS, 1964-1968, Volume XIII, op. cit.*, Document 38.

47. De Gaulle had proposed in September 1958 to reform NATO, including the establishment of a tripartite directorate of the US, UK, and France to direct NATO nuclear strategy and to formalize a French zone of “specific interests” in the world off limits to the others. The US rejected the proposal, resulting in De Gaulle's refocused efforts on consolidating his power in Europe. He did this by withdrawing gradually from NATO's military structures, starting in 1959, culminating in the demand for the removal of NATO Headquarters and all foreign troops from French soil in March 1966. Deschamps, “France and NATO,” op. cit.

48. “Soviet Comments on the MLF Project,” *Soviet News Agency TASS*, Moscow, 15 November 1964.

creation of an MLF, in whatever form, and provision of access to nuclear weapons to the FRG, as a hostile act towards the Soviet Union,”<sup>49</sup> a statement that he repeated at UNGA. The same sentiment was echoed by the Warsaw Pact in a ministerial communiqué a few weeks later.<sup>50</sup> Soviet Chairman Kosygin repeated the point directly to President Johnson on 1 February 1965, stating that “giving West Germany access to nuclear weapons, in whatever form it might be planned, we cannot regard as other than a step directed against the interests of the security of the Soviet Union and the countries in the Warsaw Pact organization...”.<sup>51</sup> Following these conversations, Johnson issued clear guidance that restricted US officials from speaking without White House-cleared guidance on MLF,<sup>52</sup> and would no longer put any type of pressure on Allies to come to agreement.<sup>53</sup> Johnson ensured that the Soviets (who were following the negotiations among Allies on this topic closely) and the MLF enthusiasts in the State Department got the message by leaking his own classified guidance memorandum to the *International Herald Tribune*.<sup>54</sup> However, MLF enthusiasts at the State Department, such as Undersecretary George Ball, joined by National Security Advisor McGeorge Bundy, continued to carry the idea forward. It was only later that President Johnson was informed that a group was continuing to pressure Allies to support MLF regardless of the consequences.<sup>55</sup> He resented the time he had to spend on the issue while faced with other crises, such as the rapidly-developing war in Indochina and China’s ever-expanding nuclear weapons program, and he wanted the matter resolved.<sup>56</sup>

The UK, with its Labour Government under pressure to eliminate its independent nuclear deterrent, took President Johnson’s public action against the MLF as a signal to put forward a new proposal to the NAC in January 1965, called the Atlantic Nuclear Force (ANF). The UK was

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49. “Memorandum of Conversation,” New York, NY, 5 December 1964, *FRUS, 1964-1968, Volume XI, op. cit.*, Document 53.

50. “Kommuniqué über die Tagung des Politischen Beratenden Ausschusses der Teilnehmerstaaten des Warschauer Vertrages,” 20 January 1965, *Dokumente zur Deutschlandpolitik*, Series IV, Volume 11, Frankfurt, 1978.

51. “Message from Chairman Kosygin to President Johnson,” Moscow, 1 February 1965, *FRUS, 1964-1968, Volume XI, op. cit.*, Document 68.

52. *The Future of the Nuclear Defense of the Atlantic Alliance, op. cit.*

53. *Guidelines for Discussions on the Nuclear Defense of the Atlantic Alliance*, National Security Action Memorandum No. 322, Washington, DC, The White House, 17 December 1964.

54. J. Solomon, *op. cit.* See also, “US Drops Nuclear Pact Plan,” *International Herald Tribune*, New York, NY, 13 December 1964.

55. For example, see “Letter from Henry Kissinger to McGeorge Bundy,” 20 July 1965, Personal Papers, Papers of Francis Bator, Box 26, LBJ Library.

56. J. Solomon, *op. cit.*, and M. Shaker, *The Nuclear Non-Proliferation Treaty: Origin and Implementation (1959-1979)*, Vol. 3, London, Oceana Publications, Inc., 1980.

uncomfortable with the MLF in part because of the potential for West Germany's access to nuclear weapons in peacetime, and instead sought to craft an alternative proposal to replace the MLF and to divest itself of its nuclear submarine and bomber fleet by subsuming it into a NATO nuclear force (whose costs would be supported by the other Allies).<sup>57</sup> The UK ANF proposal consisted of five components: the majority of the British V-Bomber force, the British Polaris submarines, an equal or greater number of US Polaris submarines, a mixed-manned and jointly-owned surface warship element for non-nuclear Allies to take part in, and any forces France might decide to contribute.<sup>58</sup> President Johnson realized that this idea was completely unworkable, and further that whatever was acceptable to West Germany would be anathema to the British, and vice versa.<sup>59</sup> Thus Johnson could confidently turn the US focus to enhancing NATO's nuclear planning and consultation mechanisms.<sup>60</sup>

## The McNamara "Special Committee" and the Nuclear Planning Working Group

Secretary of Defense McNamara proposed to create a select "Special Committee" to decide on the modalities of nuclear consultation within NATO at the 31 May-1 June 1965 Defense Ministerial in Paris.<sup>61</sup> This proposal was immediately adopted and effectively pre-empted the work of the PWG,<sup>62</sup> with Ministers agreeing "that further consideration should be given to a proposal for ways in which consultation might be improved and participation by interested allied countries extended in the planning of nuclear forces, including strategic forces."<sup>63</sup> The Soviets immediately protested this announcement in the Eighteen-Nation Disarmament

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57. See multiple instances of correspondence from Prime Minister Harold Wilson to President Johnson in the *Foreign Affairs of the United States 1964-1968*.

58. "Statement by Prime Minister Wilson to the Parliamentary Committee on Foreign Affairs," 16 December 1964, *Commons and Lords Hansard: Official Report of Debates in Parliament*, Vol. 704, London, 2005.

59. S. Maddock, *Nuclear Apartheid: the Quest for American Atomic Supremacy from WWII to the Present*, Chapel Hill, NC, The University of North Carolina Press, 2014.

60. As Franz-Josef Strauss, leader of the West German Christian Social Union said, "the ANF is the only fleet that had not been created that torpedoed another fleet that had not sailed" quoted in P. Ziegler, *Wilson: The Authorized Life*, London, 1993.

61. *Department of State Bulletin*, 21 June 1965, p. 883.

62. The PWG already had lost considerable momentum with the withdrawal from Belgium and Turkey from the group and focus shifting to nuclear consultation at NATO. See "Memorandum: Atlantic Nuclear Defense," OCI No. 3941/65, White House National Security Council, Washington, DC, 8 November 1965, Personal Papers, Francis Bator, Box 29, LBJ Library.

63. "Final Communiqué of the NATO Defense Ministers," *NATO Communiqué*, Paris, 1 June 1965.

Committee (ENDC)<sup>64</sup>, claiming it would allow “West Germany to have a hand in working out the strategy of their use and to participate in their control.”<sup>65</sup> US policy makers could not tell whether the Soviet objections were genuine, or simply aimed at sowing disunity at NATO.<sup>66</sup> However, NATO embraced McNamara’s “Special Committee,”<sup>67</sup> and began meeting on 27 November 1965<sup>68</sup> in three working groups: one on intelligence and data exchange, another on communications, and a third on nuclear planning. The first two working groups met in Paris 7-10 February 1966. The third working group was called the Nuclear Planning Working Group of the NATO Special Committee of Defense Ministers, made up of the US, UK, Germany, Italy, and Turkey.

The Nuclear Planning Working Group (NPWG) began considering NATO nuclear planning in Washington 17-18 February 1966, discussing the strategic nuclear threat, the forces available, planning, and potential outcomes of nuclear war.<sup>69</sup> NPWG was crucial for the United States in its efforts to answer West Germany’s desire to be involved in nuclear planning as a replacement for the MLF and a pre-requisite for any non-proliferation agreement,<sup>70</sup> a position that some in the US State Department and the West German Government continued to resist.<sup>71</sup> The US decided to continue working in the group “without prejudice to the hardware solution to make the Special Committee as meaningful as possible and to keep it going so long as it was being productive.”<sup>72</sup> It met again in April 1966, and developed a work plan that included targeting, tasks, and objectives of NATO nuclear strike forces before the three working groups were merged

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64. Predecessor of the Conference on Disarmament based in Geneva, Switzerland. Established in December 1961 by Resolution 1722 (XVI), expanding the original Ten-Nation Committee, with Brazil, Bulgaria, Burma, Canada, Czechoslovakia, Ethiopia, France, India, Italy, Mexico, Nigeria, Poland, Romania, Sweden, USSR, United Arab Republic, UK, and US. France was invited, but did not attend.

65. M. Shaker, *The Nuclear Non-Proliferation Treaty*, *op. cit.*

66. This was a commonly-expressed concern. See “Record of Meeting of the Committee of Principals,” 22 July 1965, *FRUS, 1964-1968, Volume XI, op. cit.*, Document 87.

67. Special Committee of Defense Ministers of Belgium, Canada, Denmark, Greece, Italy, the Netherlands, Turkey, the UK, the US, and West Germany.

68. *Department of State Bulletin*, 13 December 1965, p. 939.

69. *Department of State Bulletin*, 7 March 1966, p. 368.

70. “Memorandum of Conversation,” Washington, DC, 20 December 1965, *FRUS, 1964-1968, Volume XIII, op. cit.*, Document 119.

71. “The Growing Shadow of a European Nuclear Force,” Memorandum for the President, Department of State Policy Planning Council, Washington, DC, 6 December 1965, WHCF, Confidential File, Box 44, LBJ Library.

72. “Memorandum from the Deputy Under Secretary of State for Political Affairs (Johnson) to the Assistant Secretary of Defense for International Security Affairs (McNaughton),” Washington, DC, 17 February 1966, *FRUS, 1964-1968, Volume X, National Security Policy*, Washington, D.C., U.S. Government Printing Office, 2001, Document 115.

in December 1966, although without France, which had completed its withdrawal from the military structures of the Alliance nine months before.<sup>73</sup>

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73. "Telegram from the Mission to the North Atlantic Treaty Organization and European Regional Organizations to the Department of State," Paris, 10 December 1966, *FRUS, 1964-1968, Volume XIII, op. cit.*, Document 225.



# Toward A Non-Proliferation Treaty

Throughout the diplomacy over the MLF and ANF, the US consulted with Allies bilaterally and in the NAC, and directly with the Soviets, on a potential treaty to address the non-proliferation of nuclear weapons.

## The First Exchange of Drafts

As early as April 1963, the US realized that any treaty would have to be approved first by the United States and the USSR.<sup>74</sup> To this end, the US shared a simple, three-article draft NPT with the Soviets to gauge their reaction. The US included a document to help explain the meaning of the draft treaty, including preserving the right for NATO or the Warsaw Pact to create a multi-lateral nuclear force or to establish multi-national consultative procedures. Replying to the proposal, Soviet Ambassador to the United States Anatoly Dobrynin rejected any notion of a shared Warsaw Pact deterrent force, and stated that any multi-lateral nuclear force would be the first step towards proliferation.<sup>75</sup> He did not object to the then-current NATO nuclear arrangements, but was afraid that multinational consultation, in the context of developing multilateral forces, was a step towards the proliferation of ownership of nuclear weapons to West Germany: “The first step [by West Germany] would be to change the rule of unanimity to decision by majority and thus eliminate the US veto.”<sup>76</sup>

With bilateral consultations with the USSR deadlocked, the US sought to press ahead for a draft NPT in multilateral forums. The US started with a visit to NATO in July 1965 to collect and consolidate Allied views on a US draft NPT.<sup>77</sup> Allies needed some convincing of the wisdom of the US

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74. “Memorandum of Conversation: Nuclear Non-Proliferation,” Washington, DC, Department of State, 12 April 1963, *FRUS, 1961-1963, Volume VII, Arms Control*, Microfiche Supplement, Washington, DC, U.S. Government Printing Office, 1997, Document 178. This document contains the draft treaty, the interpretive statement, and the subsequent conversation between Secretary Rusk and Ambassador Dobrynin.

75. *Ibid.*, p. 3.

76. *Ibid.*, p. 4.

77. “Telegram from the Department of State to the Embassy in the United Kingdom,” Washington, DC, 22 July 1965, *FRUS, 1964-1968, Volume XI, op. cit.*, Document 88.

position, with competing proposals from the UK and Canada<sup>78</sup> on how to move forward. They agreed, though, to continue intensive discussions on the NPT. By mid-August 1965, the US had overcome UK reservations,<sup>79</sup> secured Allied support,<sup>80</sup> and submitted its first draft NPT to the ENDC on 17 August 1965.<sup>81</sup> The draft included the obligations in Article I of the Treaty for nuclear weapon states “not to transfer any nuclear weapons into the national control of any non-nuclear state, either directly, or indirectly through a military alliance, and each undertakes not to take any other action which would cause an increase in the total number of States and other organizations having independent power to use nuclear weapons,” with a concomitant obligation on non-nuclear states not to seek transfer in Article II.<sup>82</sup> The US hoped that Allied consensus, in combination with direct diplomacy with the USSR to assuage its concerns over the meaning of the text, would help to build agreement.

The US was encouraged by the initial Soviet reaction; however, the USSR made it clear that it would not accept any treaty that “permitted an ANF or MLF.”<sup>83</sup> The Soviets replied with their own draft NPT in September 1965, with text precluding non-nuclear-weapon states from “the right to participate in the ownership, control or use of nuclear weapons,” with a concomitant obligation on non-nuclear-weapon states not to seek participation, control, or use.<sup>84</sup> The Soviet interpretive statement submitted with the draft mentioned the MLF and ANF, and made no mention of NATO’s then-current arrangements, or any potential nuclear planning or consultation. Instead, the Soviet statement focused specifically on the idea of a NATO multilateral nuclear force.<sup>85</sup> The United States, however, focused on the phrase in the Soviet draft NPT, “participate in,” and concluded that the Soviets objected to NATO’s then-current

78. “Draft Treaty on Non-Dissemination of Nuclear Weapons,” *Memorandum from Acting Secretary General James A. Roberts to Permanent Representatives of NATO*, PO/65/437, Paris, NATO, 13 August 1965.

79. “Restricted Annex to a Summary Record of a Meeting of the Council Held on Wednesday, 8<sup>th</sup> September 1965, at 10.15 a.m.,” *Annex to NATO Summary Record*, C-R(65)37, 17 September 1965.

80. “Editorial Note,” *FRUS, 1964-1968, Volume XI, op. cit.* Document 92.

81. “US Proposal Submitted to the Eighteen Nation Disarmament Committee: Draft Treaty to Prevent the Spread of Nuclear Weapons, August 17, 1965,” ENDC/152, Geneva, 17 August 1965, submitted at the 224<sup>th</sup> Meeting of the ENDC.

82. *Ibid.* The US draft was the subject of extensive debate in the NAC, and in the press.

83. Summary Record of a Meeting of the Council, Held at the Permanent Headquarters, Paris, XVIe., Friday, 17<sup>th</sup> September, 1965 at 10.15 a.m. and 3.30 p.m.,” *NATO Summary Record*, C-R(65)39, Paris, 1 October 1965.

84. “Soviet Draft Treaty to Prevent the Spread of Nuclear Weapons,” *Official Records of the General Assembly*, Twentieth Session, Annexes, A/5976, 24 September 1965.

85. “Explanatory Memorandum,” *Official Records of the General Assembly*, Twentieth Session, Annexes, A/5976, 24 September 1965.

arrangements and potential planning and consultation. Spurgeon Keeny of the US National Security Council explained to McGeorge Bundy in October 1965, “unless there were a clear understanding to the contrary, I would interpret this language to prohibit our existing NATO arrangements. This has always been the point that has worried me lying behind our debate with the Soviets on the MLF and a non-proliferation Treaty.”<sup>86</sup> However, Keeny quite rightly concluded that the Soviet draft provided an opportunity for engagement: “they might eventually propose to give up the language outlawing our NATO arrangements if we were prepared to give up the MLF.”<sup>87</sup> The US sensitivity to the Soviet interpretation of the text had a deep and lasting impact on the US approach to the treaty text. Thereafter, the US sought to work with the USSR to discuss and negotiate over every word and phrase in the draft to eliminate all ambiguities and disagreements.

The Soviets, in the meantime, followed the deliberations in the McNamara Committee closely through the press and various leaks. Ambassador Dobrynin told Secretary Rusk in late October 1965 that at NATO “there have been reactivated efforts...towards drafting plans for the creation of a NATO nuclear force.” He said that the US must take care, as West Germany certainly was continuing to pursue MLF. Dobrynin stated that “a multilateral nuclear force or other similar plans to bring nuclear weapons within the reach of West Germany constitute a problem which directly concerns the interests of security of the USSR and states friendly to us.” He said that if the US was willing to foreclose the possibility of West German access to control over nuclear weapons, then an NPT could be agreed quickly. Secretary Rusk, mindful of the September draft, asked if the Soviet NPT proposal was aimed at existing NATO nuclear arrangements. Dobrynin replied that it was aimed at stopping nuclear proliferation only.<sup>88</sup> Despite this answer, the US remained unsure as to whether the Soviets would see the proposed NATO nuclear planning and consultation ideas as compatible with the NPT.

A related challenge would be verification. Rusk and Dobrynin discussed the possibility of including verification in a draft NPT, but the Soviet diplomat protested that the respective intelligence agencies of the US and USSR should be able to do the job of verification without any

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86. “Memorandum from Spurgeon Keeny of the NSC Staff to the President’s Special Assistant for National Security Affairs,” Washington, DC, 4 October 1965, *FRUS, 1964-1968, Volume XI, op. cit.*, Document 98.

87. *Ibid.*

88. “Memorandum of Conversation,” Washington, DC, 29 October 1965, *FRUS, 1964-1968, Volume XI, op. cit.*, Document 100.

related treaty mechanisms. Rusk's answer was remarkable not least because it laid the groundwork for the decades of arms control verification that were to come:

We realize that when we ask the Soviet Union for verification and control, we are asking the USSR to make a unilateral concession; this is due to the nature of our open society. Verification, control and information needs of the Soviet Union are answered by the very fact that our society is open to the extent of 97 percent of these needs. An additional 2 percent are contributed by the fact that people in our government cannot keep their mouths shut. The final 1 percent is accounted for by Soviet espionage, so that there is nothing unknown about us to the USSR. It is quite a different matter in the opposite direction. The General Staff of the USSR considers secrecy to be a strategic weapon, and people in the Soviet government do know how to keep their mouths shut. As a result, it is exceedingly difficult to gather intelligence about the USSR. The Secretary suggested that the Foreign Minister appoint someone in the Soviet Ministry of Foreign Affairs to study ways of how the USSR could provide us with the necessary assurances on verification, etc. The Minister should not ask us to accept this on good faith. It was too soon to expect us to rely on good faith alone--we did need verification, inspection and other assurance.<sup>89</sup>

By the autumn of 1965, the path to the NPT remained unclear. US negotiators remained uncertain of Soviet intentions on concluding a treaty, while the Soviets remained mistrustful of the US regarding the MLF. Further diplomacy would be required to break the impasse.

## UN Resolution 2028 (XX) and "loop-holes"

The UN General Assembly First Committee in November 1965 provided another opportunity for clarifying the issues and raising the profile of NPT negotiations. The US and the USSR submitted competing resolutions on the NPT talks, with the US draft calling for quick agreement in the ENDC,<sup>90</sup> while the USSR text sought to build support to ban any nuclear sharing arrangements:

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89. "Memorandum of Conversation," New York, NY, 1 October 1965, *FRUS, 1964-1968, Volume XI, op. cit.*, Document 97.

90. "United States: draft resolution," *Official Records of the General Assembly, Twentieth Session, Annexes, A/C.1/L.337*, 26 October 1965.

States possessing nuclear weapons should undertake not to transfer to States not possessing nuclear weapons, in any manner - directly or indirectly, through third States or groups of States, or through military alliances - nuclear weapons or the right to participate in the ownership of such weapons or in the possession, control, emplacement or use of nuclear weapons.<sup>91</sup>

However, the First Committee set both the US and USSR proposals aside, and instead adopted one circulated by the eight non-aligned ENDC members, which laid down the principles that should be upheld in the treaty. The resolution called on the ENDC to avoid “any loop-holes which might permit nuclear or non-nuclear Powers to proliferate, directly or indirectly, nuclear weapons in any form.”<sup>92</sup> The US voted for the proposal, since it was consistent with NATO nuclear arrangements, the discussions in the McNamara Committee, and President Johnson’s long walk away from the MLF.<sup>93</sup> Still, Gromyko pressed for greater assurances, stating on 8 December 1965 that attempts to “camouflage the FRG’s accession to nuclear weapons through the establishment of some sort of committee” would contradict the Potsdam Agreement and other allied commitments to prohibit German militarism. The Soviet position appeared to harden.

That same day, Secretary Rusk met with Ambassador Dobrynin in Washington and quoted Resolution 2028(XX) on the need to close any and all proliferation loop-holes, reasoning that the US and the USSR should agree on an NPT text as soon as possible.<sup>94</sup> Rusk pointed out, however, that “if the Soviet objection was based on the fact that they did not like NATO, we could not help them.” In other words, if the Soviets wanted to prevent the spread of nuclear weapons, then a treaty was possible, but if the Soviets wanted to disrupt NATO, these efforts would fail. Rusk assured Dobrynin that NATO would continue to do all that it needed to defend itself, and that the US would do nothing to “preclude our allies from participating in their own defense, so long as such participation does not involve proliferation.” Dobrynin remained unpersuaded, and said West Germany was seeking control of US medium-range missiles. Rusk replied that nuclear

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91. “Union of Soviet Socialist Republics: draft resolution,” *Official Records of the General Assembly*, Twentieth Session, Annexes, A/C.1/L.338, 27 October 1965.

92. Resolution 2028 (XX), *Non-Proliferation of Nuclear Weapons*, UN First Committee, 1382<sup>nd</sup> Plenary Meeting, 19 November 1965, published as A/RES/2028(XX) on 23 November 1965.

93. 93 for, 0 against, 5 abstained (Cuba, France, Guinea, Pakistan, and Romania abstained; Albania did not take part in the vote). General Assembly Official Roll, 20<sup>th</sup> Session, 1382<sup>nd</sup> Plenary Meeting, 19 November 1965.

94. “Memorandum of Conversation,” Washington, DC, 8 December 1965, *FRUS, 1964-1968, Volume XI, op. cit.*, Document 104.

arrangements at NATO started because “the Soviets created this enormous nuclear force, targeted on [West] Germany.”<sup>95</sup>

## President Johnson gets involved

On 11 January 1966, Ambassador Dobrynin handed over a letter from Soviet Chairman Kosygin to President Johnson, again quoting the “loop-hole” phrase from A.2028 (XX), and asking for clarity from the US on the substance of NATO’s nuclear arrangements. The letter described press reports about MLF and ANF, declaring that “the final goal pursued by the West German Government is obvious...the possession of nuclear weapons.”<sup>96</sup> Kosygin quoted West German leaders as stating their opposition to any NPT that would block creation of a NATO nuclear force. He said that “if the FRG got access to nuclear weapons either through a multilateral or an Atlantic nuclear force, on the basis of creating some ‘atomic committee’ or in any other form, the Soviet Union would be forced to take all measures...necessary for security and peace in Europe.”<sup>97</sup>

President Johnson’s reply sought to reassure the Soviets on their common interest to prevent the spread of nuclear weapons without losing West German support in NATO. It included a definition of proliferation, “when a non-nuclear nation acquires its own national capability or the right or ability to fire nuclear weapons without the explicit concurrent decision of an existing nuclear nation,” making it clear that this would apply to West Germany. Johnson also made clear that the US is “not prepared to enter into any agreement that would deny our allies the possibility of participating in their own defense through arrangements that would not constitute proliferation.” He reminded Kosygin of the massive Soviet nuclear threat and the fact that without NATO nuclear guarantees, nuclear weapon proliferation would be more likely. He stated unequivocally that the US would not proliferate nuclear weapons, or give national control to any nation, including West Germany.<sup>98</sup> The exchange of letters increased pressure on Johnson to advance NATO’s nuclear “software” proposals (e.g., consultation, planning, and training) and move further away from “hardware” (e.g., MLF or ANF) to satisfy simultaneously

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95. *Ibid.*

96. The press reports evidently did not include the New York Times’ mock obituary of the MLF. Frankel, Max, “MLF: An Obituary,” *New York Times*, 23 December 1965.

97. “Message from Chairman Kosygin to President Johnson,” Moscow, undated, *FRUS, 1964-1968, Volume XI, op. cit.*, Document 108. (Author’s note: likely dates from 11 January 1966 according to subsequent markings).

98. “Message from President Johnson to Chairman Kosygin,” Washington, DC, undated (likely 23 January 1966), *FRUS, 1964-1968, Volume X, op. cit.*, Document 116.

Bonn and Moscow. In March 1966, the US submitted amended language on Article I of the draft NPT to the ENDC, seeking to take Soviet concerns into account by expanding language banning any manufacture, testing, or acquisition of nuclear weapons, even as part of a military alliance.<sup>99</sup> This language went some way towards allaying Soviet concerns, but the Soviets were still not satisfied.

Back in Washington, Deputy National Security Advisor Francis Bator wrote an extensive memo to President Johnson seeking to refute all remaining arguments regarding a hardware solution, attacking the idea that the West German government itself had a coherent position on the matter, and arguing instead for fully supporting the nuclear “software” proposal. Johnson was convinced and directed the State and Defense Departments to develop recommendations “for participation in and understanding of nuclear planning” by NATO Allies, with specific direction to preclude MLF-type mixed-manning and sharing arrangements.<sup>100</sup> Allies became convinced that the Soviets had little objection to the current set of NATO nuclear arrangements and consultations, and would be more likely to move on from this topic if Allies agreed to the nuclear arrangements then being discussed in the NPWG.<sup>101</sup>

During a meeting between Ambassador Dobrynin and Arms Control and Disarmament Agency Director William Foster in June 1966, both sides agreed that an NPT would be in reach if the Soviets could be assured that NATO nuclear planning arrangements did not and would not include an independent West German ability to launch nuclear weapons. Dobrynin told Foster that the Soviets were not concerned with present NATO arrangements or more substantive consultation at NATO on nuclear weapons use.<sup>102</sup> Soviet questions on what would be allowed under the US draft focused on the definition of control – specifically whether a country could take possession of a US nuclear weapon and decide to use it over US objections. The Soviets also objected to a potential nuclear weapon status for a future European Federation.<sup>103</sup>

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99. “US Amendments to the Draft Treaty of 17 August 1965 Submitted on 21 March 1966,” ENDC/152, Addendum 1, 21 March 1966, as discussed in the 250<sup>th</sup> Meeting of the ENDC on 22 March 1966.

100. Nuclear Planning, *National Security Action Memorandum No. 345*, Washington, DC, The White House, 22 April 1966.

101. “Restricted Annex to a Summary Record of a Meeting of the Council Held on Wednesday, 11 May 1966, at 10.15 a.m.,” *Annex to NATO Summary Record*, C-R(66)17, 24 May 1966.

102. “Memorandum from Spurgeon M. Keeny, Jr. of the National Security Council Staff to the President’s Special Assistant (Rostow),” Washington, DC, 9 June 1966, *FRUS, 1964-1968, Volume XI, op. cit.*, Document 137.

103. “Final Verbatim Record of the 313<sup>th</sup> Meeting of the EDNC,” ENDC/PV.267, 23 June 1966.

Discussions continued between the US and USSR delegations in Geneva until the end of the ENDC session on 25 August 1966. Five days later, Foster proposed a way forward to Secretary Rusk, advising that the President tell Chancellor Erhard that a hardware solution was off the table. The only way the Europeans would have a nuclear force was in the context of European unity: “a true political federation involving one of the existing nuclear powers.” Once West Germany was convinced of the death of the MLF, the Soviets should be told as much. If they agreed to negotiate on the basis of accepting the present arrangements at NATO and recognizing “the legitimate right to consultation within an Alliance,” then the US could be sure that the Soviets were serious about concluding a non-proliferation agreement.<sup>104</sup>

Foster’s memo touched on a critical question that had emerged through 1966. De Gaulle had pressed a public anti-NATO, anti-US line in his election campaign. Withdrawal from NATO’s integrated military command structures was well underway, and France had offered the vision of a united European super-state with the French “force de dissuasion” at its core.<sup>105</sup> This point was of special importance to European integrationists, such as Jean Monnet, who saw a unified Europe as inevitable and believed that British and French nuclear weapons would be subsumed under the control of a unified European super-state.<sup>106</sup> Would the NPT ban the creation of a unified European state that included a nuclear weapons state, thus establishing a new nuclear power? Would such a state, if it remained in NATO, have independent nuclear launch control? Would it have control of US nuclear weapons assigned to the defense of the Alliance? These questions seem far-fetched from today’s perspective, but the State Department had been seized with this question – indeed, the MLF proposal was intended, in part, to accommodate these concerns.<sup>107</sup>

On the question of Washington giving up control over its nuclear weapons, the US would have to assure the Soviets that this remained inconceivable, while at the same time assuring the NATO Allies that the NPT would not preclude further European political integration. Inevitably, the Soviets raised the question directly with the US in September 1966. Ambassador Dobrynin asked Foster if NATO’s nuclear arrangements would allow a potential European state to gain independent launch authority over

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104. W. Foster, “Possible Steps in Negotiating a Non-Proliferation Treaty,” Memorandum for the Secretary of State, Arms Control and Disarmament Agency, 30 August 1966.

105. “Atlantic Nuclear Defense,” *op. cit.*

106. G. Bunn, *Arms Control by Committee*, *op. cit.*

107. “The Growing Shadow of a European Nuclear Force,” *op. cit.*

US nuclear weapons.<sup>108</sup> As National Security Advisor Walt Rostow put it, “no American President is going to place in the hands of the Europeans – or anyone else – the right to determine when we are engaged in a nuclear war.”<sup>109</sup> Foster told Dobrynin that the US would never relinquish its veto over the use of its own nuclear weapons. With that question settled, President Johnson directed Secretary Rusk to meet with Foreign Minister Gromyko on the sidelines of the UN General Assembly at the end of September and ask him directly: “would the Russians (sic) sign a treaty if we were to guarantee that we would not surrender under any future circumstances, and whatever the form of nuclear organization in the West, our veto over firing of nuclear weapons?”<sup>110</sup> The fate of the NPT rested with the Soviet answer.

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108. *FRUS, 1964-1968, Volume XI, op. cit.*, Document 137.

109. “Memorandum from President’s Special Assistant (Rostow) to President Johnson,” Washington, DC, 2 September 1966, *FRUS, 1964-1968, Volume XI, op. cit.*, Document 146.

110. *Ibid.*



# The Final Push for an Agreement

In preparation for the US-USSR bilateral meeting in New York, the US sought to craft a formula that would rule out any “hardware” arrangement, but still protect all existing nuclear arrangements, and the emerging structure of NATO nuclear consultations, while not standing in the way of the creation of a European state which might inherit the nuclear arsenal of France or the UK. This delicately-balanced approach would require West German acquiescence and Soviet acceptance. To this end, Foster advised that the President use a visit by Chancellor Erhard that would happen at the same time as the meetings in New York in September 1966 to put the matter of the MLF to rest once and for all.<sup>111</sup> At that meeting, Erhard told President Johnson that “nobody was expecting a hardware solution any longer,” so long as the German people knew “which voice they would have in nuclear strategy.”<sup>112</sup> The communiqué of the meeting between Johnson and Erhard recommended creating “a permanent nuclear planning committee in the Alliance...which would broaden and deepen the areas of nuclear consultation and would bring the Allies more intimately into planning for nuclear defense.”<sup>113</sup>

Meanwhile, in New York, in a meeting on 22 September 1966, Rusk proposed to Gromyko the idea of drafting joint text on Articles I and II, saying that “if the US and the USSR could reach agreement on a treaty, while they would still be unable to force other countries to sign it, they would be in a much better position to influence them to do so.” Gromyko replied that if the MLF and ANF proposals were truly dead, “the Soviet Union would be fully satisfied and by these provisions (...) all loopholes would have been closed.” Rusk wrote that the US was willing to provide the assurance needed, and invited USSR to jointly draw up a mutually

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111. “Memorandum from the Director of ACDA (Foster) to President Johnson,” Washington, DC, 15 September 1966, *FRUS, 1964-1968, Volume XIII, op. cit.*, Document 148.

112. “Memorandum of Conversation,” Washington, DC, White House, 26 September 1966, *FRUS, 1964-1968, Volume XIII, op. cit.*, Document 207.

113. L. Johnson, “Joint Statement Following Discussions With Chancellor Erhard of Germany,” 27 September 1966. G. Peters and J. Woolley, the American Presidency Project.

acceptable text for Article I and II of the NPT.<sup>114</sup> Gromyko agreed, stating that it was important that the US and the USSR share completely the interpretation of what is allowed under the NPT – there could be no differences in interpretation if they were to succeed in getting other countries to sign up.<sup>115</sup> The two sides formed a joint working group and began drafting text over the next week to resolve their differences. The group comprised of Foster, Samuel De Palma, and George Bunn for the United States, and Roschchin, Roland Timerbaev, and Vladimir Shustov for the Russians.<sup>116</sup>

While it seemed that an agreement had finally been reached, , on the day following the Rusk-Gromyko agreement, the Soviet delegation submitted to the UN General Assembly a declaration that “the Western Powers, and in the first instance the United States of America, are attempting, in spite of the clearly worded recommendations of the General Assembly, to leave loop-holes in the treaty on non-proliferation which open the way for non-nuclear States belonging to the North Atlantic Treaty Organization, particularly West Germany, to gain access to nuclear weapons for the implementation of other projects for the so-called division of nuclear responsibility in that alliance.”<sup>117</sup> Unsurprisingly, the US felt betrayed by such a public effort to humiliate West Germany in light of the US assurances on this matter.

Following the Soviet declaration, on 24 September 1966, Secretary Rusk reacted sharply in his meeting with Foreign Minister Gromyko, spelling out the US position in the bluntest of terms. Gromyko proposed specific language on Articles I and II to address the issue and, in an important concession, added that the NPT should focus on what is prohibited, not what is allowed, and would deal only with the warheads and not delivery systems – signaling that the Soviets could agree to a treaty without objecting to training, planning, and consultation arrangements at NATO. Gromyko “pointed out that the Soviets do not suggest that a treaty should include a provision banning consultation,” while reserving the right

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114. “Memorandum of Conversation US/MC/11,” New York, NY, 22 September 1966, *FRUS, 1964-1968, Volume XI, op. cit.*, Document 152.

115. “Memorandum of Conversation US/MC/11,” *ibid.*

116. See G. Bunn, *Arms Control by Committee, op. cit.*, for a detailed account of negotiations, and “Interview with Ambassador Roland Timerbaev, Soviet Deputy Delegate to the Eighteen-Nation Disarmament Committee (ENDC),” by R. Hooper and J. Rissanen (eds.), PNNL-SA-56315, Vienna, 14 June 2007 for a brief treatment.

117. Document A/6398, UN General Assembly, 21<sup>st</sup> Session, First Committee, 1431<sup>nd</sup> Plenary Meeting, 23 September 1966.

to return to the matter separately.<sup>118</sup> Of equal importance, both sides agreed that the NPT would not deal with control over nuclear weapons during a state of general war, when “all bets are off.”<sup>119</sup> The sides continued meeting, with Rusk and Gromyko leaving the work to Soviet ENDC representative Ambassador Alexei Roshchin and ACDA Director Foster and the joint working group.

The US and USSR joint working group managed, over the next several days, to narrow the disagreements, with debates on the meaning of “transfer” predominant.<sup>120</sup> The delegations carefully parsed the meaning of each word in drafting Articles I and II during intensive, round-the-clock talks. Finally, the Soviets dropped their language prohibiting “participation in” nuclear arrangements, along with proposals prohibiting “access” to nuclear weapons, language that prohibited training (e.g., “information or documentation...” on the use of nuclear weapons) and “emplacement” on Allied territory. The US stressed that the treaty would not hold in the case of nuclear war, and agreed the Treaty would prohibit anything resembling the MLF and ANF proposals.<sup>121</sup> As US negotiator George Bunn summarized, “We won removal of Soviet language...that threatened to embarrass both NATO nuclear consultations and two-key arrangements. The Soviets won language banning transfers through a group of states.<sup>122</sup> The two sides completed their negotiations and submitted the draft text for Articles I and II to their respective principals for decision on 30 September 1966.<sup>123</sup>

The US Administration met at Camp David to discuss the draft on 1 October 1966, unsure as to whether the draft text was sufficient to cover all US equities.<sup>124</sup> Secretary Rusk was dispatched to meet with Gromyko on 10 October to seek reassurance that the Soviets had no objections to nuclear planning and consultation at NATO. Gromyko reaffirmed that the draft Article I and II text should not ban consultation – but that the Soviets reserved the right to return to the issue bilaterally. Rusk assured Gromyko

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118. “Memorandum of Conversation,” Washington, DC, 10 October 1966, *FRUS, 1964-1968, Volume XI, op. cit.*, Document 158.

119. *FRUS, 1964-1968, Volume XI, op. cit.*, Document 153.

120. Memorandum of Conversation, US Mission to the UN, “Non-Proliferation,” 27 September 1966, National Security File, NSC Histories, Box 56, LBJ Library.

121. A. Fisher, “Soviet adjustments in working group draft to meet US objections,” Annex A to “Memorandum for Bill Moyers: Working Group Language for the Non-Proliferation Treaty: Relationship to Existing and Possible Allied Nuclear Arrangements,” New York, NY, 30 September 1966, National Security File, NSC Histories, Box 56, LBJ Library.

122. G. Bunn, *Arms Control by Committee, op. cit.*, p. 77.

123. “Memorandum for Bill Moyers,” main body of the memorandum, *ibid.*

124. S. Keeney, “The Non-Proliferation Treaty,” 24 December 1968, National Security File, NSC Histories, Box 55, LBJ Library.

that West Germany would never be able to fire a nuclear weapon without US consent. Gromyko “assured the Secretary that the Soviet Union is prepared to accept that this is the intention of the United States Government,” while reserving judgement about the intentions of “others.” Both sides directed their negotiators to make any final changes to the draft treaty text with the intention of submitting a joint draft NPT to the ENDC as soon as possible.<sup>125</sup>

Five days later, on 15 October 1966, Secretary Rusk provided the joint draft NPT Article I text to the President for approval, with five assurances on its effects. It:

1. Would not disturb existing arrangements.
2. Would not affect NATO's decision to go to war, or the establishment of any NATO nuclear planning committee.
3. Would not prevent assignment of additional Polaris or other US weapons to NATO.
4. Would not rule out the establishment of a multilateral entity in which non-nuclear weapon states participated and contributed so long as this entity did not obtain ownership of the warheads.
5. Would not bar succession by a federated European state to the nuclear status of one of its former components.<sup>126</sup>

The President was skeptical,<sup>127</sup> but approved the treaty text, and Foster and Dobrynin resumed work on 9 November 1966 to close the remaining differences. US Ambassador to NATO Harlan Cleveland brought the Allies up to date on the progress with the Soviets on 19 October 1966, assuring them that “no agreement would be reached without Allied consultation,” while the US would continue to “work closely with the USSR, on both the substance of the problem and on Treaty language,” seeking precise and mutually acceptable language. He told the Allies of Gromyko’s assurances that the Soviets did not object to nuclear planning and consultation at NATO, and that the Soviets also took into account the views of their allies in nuclear defense planning.<sup>128</sup> He said that Gromyko had assured Rusk that “nuclear arrangements within an alliance were a question for allies

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125. *FRUS, 1964-1968, Volume XI, op. cit.*, Document 158.

126. “Memorandum from the Assistant Secretary of Defense for International Security Affairs (McNaughton) to Secretary of Defense McNamara, I-27134/66,” Washington, DC, 15 October 1966, *FRUS, 1964-1968, Volume XI, op. cit.*, Document 162.

127. Johnson reportedly states that there was “not one chance in a hundred that the Soviets will buy it.” *Ibid.*

128. Warsaw Pact nuclear consultations were not equivalent to those at NATO, according to all available sources.

themselves to decide, without outside interference.” Allies (except France) believed the McNamara Committee solved this dilemma once and for all.<sup>129</sup>

By December, the US and USSR agreed upon a final draft text NPT (except the safeguards provisions) and the US shared the language with several Allies on the sidelines of the 12-14 December 1966 NATO Foreign Ministerial.<sup>130</sup> The Ministerial Communiqué announced the creation of the Nuclear Defense Affairs Committee (NDAC), open to all NATO countries, and a Nuclear Planning Group (NPG) of restricted membership (including a permanent US, UK, and West German seats) to handle detailed work.<sup>131</sup> The parallel advances in the bilateral US-Soviet negotiations, combined with the efforts at NATO to decide upon its sharing arrangements, had cleared all the identified impediments in Articles I and II to a viable NPT. The sides agreed to submit a joint draft treaty to the ENDC in February 1967.<sup>132</sup>

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129. Restricted Annex to a Summary Record of a Meeting of the Council Held on Wednesday, 19<sup>th</sup> October 1966, at 10.15 a.m.,” *Annex to NATO Summary Record*, C-R(66)55, 2 November 1966.

130. Secretary Rusk shared the draft NPT text with the Foreign Ministers of the UK, Canada, France, West Germany, and Italy. S. Keeney, p. 5, *op. cit.*

131. “Final Communiqué,” North Atlantic Council Ministerial Meeting, Paris, 15-16 December 1966. The NPG’s first meeting was conducted 6-7 April 1967, in Washington, DC.

132. “The US Arms Control and Disarmament Agency During the Johnson Administration,” *op. cit.*



## Locking Down the Interpretations

West Germany remained skeptical of US assurances that the draft NPT would receive Soviet support. Bonn requested clarification on precisely what the USSR had understood about the draft NPT text. Foster went to Bonn on 18 January 1967 to answer the West German questions as comprehensively as possible, armed with details from the negotiations he led in the US-USSR working group in New York on the compatibility of Article I and II and NATO's nuclear sharing arrangements. He said that while we could next expect the Soviets not to be "enthusiastic about some of our interpretations," they had agreed that "those things that were not prohibited were permitted." In the meeting, West German Ambassador Heinrich Knappstein and Counselor Berndt von Staden asked 12 detailed questions. Foster reiterated that the Soviets agreed that the NPT would not hold during general war, but that it would allow nuclear consultations and other current NATO arrangements, US modernization of its nuclear forces in Europe, forward basing of nuclear weapons, and the ownership, handling of, and training on delivery vehicles, so long as they did not have real warheads. Other questions and answers focused on safeguards and the compatibility of the NPT with a unified European state. The West Germans expressed their satisfaction with these explanations, and the US recognized the value of sharing a clear set of answers to the most common questions related to NATO's nuclear sharing arrangements in building support for the draft treaty.<sup>133</sup>

The NAC met intensively in this period on the NPT, from first receipt of the US-USSR draft Article I text on 15 October 1966 through completion of the Treaty. The updated December US-USSR Article I draft was circulated in the NAC on 16 December and discussed with Ambassador Cleveland through January and February 1967. Cleveland told the NAC that the US would seek to reach agreement with the Soviet Union in private and that the Soviets had told the US that they would postpone ratification of a final NPT pending the outcomes of the US Congressional hearings on

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133. "Non-Proliferation Treaty," *Department of State Telegram 121338*, Washington, DC, US Department of State, 18 January 1967.

ratification.<sup>134</sup> The Soviets wanted to ensure that the explanations given by the Administration to Congress were consistent with the agreement reached by the two sides.

The US, mindful of Gromyko's point that there could be no daylight between the US and USSR interpretations of the treaty, moved to lock down an understanding of the draft as it stood and sought to "achieve Soviet silence, or non-contradiction" to US public statements on the draft, especially during ratification hearings. In addition, the fragile consensus and myriad compromises on other issues in the treaty, such as its compatibility with a potential, future, nuclear-armed European state would unravel if there was any hint of daylight between the US and the USSR on the joint draft treaty.<sup>135</sup> Secretary Rusk explained this approach to his colleagues, stating that it would be:

[...] hard to see how we could pretend there was a treaty if the public interpretation given to it by the USSR and the US is directly contradictory on a crucial point. If the Soviets were to permit our public statement of interpretation to stand unchallenged, we would be in a strong position...we would have a different problem if the Russians were publicly to oppose it. This would give all those in Germany and Italy who might be looking for a pretext – a major point on which to oppose the NPT.<sup>136</sup>

Thus, the US worked as a proxy between NATO Allies, for whom the European unification and safeguards questions were most critical, and the USSR. The US redrafted and focused the 12 questions shared with West Germany down to four essential, focused questions, covering the permissibility of sharing delivery vehicles and systems as long as it does not include warheads; of consultations and planning on nuclear defense at NATO; of deployment of US nuclear weapons on Allied territory; and of European unity and nuclear weapons. These questions and answers, now titled "Revised Summary of Interpretations of NPT," were shared with Allies on 4 April 1967 and discussed in the NAC.<sup>137</sup> The US said its intention was to share the document with the Soviets in Geneva prior to

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134. "Letter from Under Secretary of State (Katzenbach) to Secretary of Defense Clifford," Washington, DC, 10 April 1968, *FRUS, 1964-1968, Volume XI, op. cit.*, Document 232.

135. "Memorandum from the Acting Director of ACDA (Fisher) to Secretary of State Rusk," Washington, DC, 25 February 1967, *FRUS, 1964-1968, Volume XI, op. cit.*, Document 183.

136. "Telegram from the Department of State to the Mission in Geneva," Washington, DC, 26 February 1967, *FRUS, 1964-1968, Volume XI, op. cit.*, Document 184.

137. "Memorandum for the Director, International Military Staff: Disarmament – Non-Proliferation Treaty," North Atlantic Council Meeting, LOM 81/67, Office of the Military Representative to NATO, 4 April 1967.

resumption of the ENDC in May to illustrate the questions that Allies had asked the US at NATO and how the US had answered them.<sup>138</sup> The US made it clear to Allies that the document highlighted that “Allied consultations include planning,” and existing arrangements. Allies approved the document with extensive debate on the European question and the applicability of EURATOM versus IAEA safeguards.<sup>139</sup>

With the ENDC delegations returning to Geneva, the US and the USSR exchanged the latest draft NPT in Geneva, with identical Articles I and II (differences remained on Article III and the procedure for amending the treaty).<sup>140</sup> On 28 April 1967, Foster, in his capacity of co-chair of the ENDC, shared the US summary of questions asked by Allies along with the US interpretive answers<sup>141</sup> with Soviet co-chair Roshchin.<sup>142</sup> The Soviets received the text without comments and refrained from mentioning NATO or alliances (or the interpretive statement) at the next Soviet intervention in the ENDC (18 May). The intervention instead repeated language from the earlier A.2028 (XX) resolution. Indeed, neither the interpretive statements nor the subject of NATO or other alliances appeared in any subsequent USSR interventions during the NPT negotiations.<sup>143</sup> The spirit within the ENDC had turned so positive that the subsequent USSR intervention on 13 July 1967, praised the spirit of cooperation in the ENDC (while seeking to defeat India’s proposal to allow “peaceful” nuclear explosives).<sup>144</sup>

Allies continued to debate the best way forward on safeguards, with intensive consultations in the NAC from April 1967 onward. The US acted as interlocutor for Allies, bringing the latest Soviet proposals to the NAC

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138. The US and USSR co-chairs adjourned the ENDC on 23 March because the US declared it needed “further allied consultation on draft language for a non-proliferation treaty, primarily concerning the article dealing with international safeguards on the peaceful nuclear activities of civil nuclear powers” (see “Final Verbatim Record of the 296<sup>th</sup> Meeting of the EDNC,” ENDC/PV.296, 23 March 1967).

139. “Memorandum for the Director of the International Military Staff: Disarmament,” North Atlantic Council Meeting, LOM 82/67, Office of the Military Representative to NATO, 6 April 1967.

140. “Memorandum for the Director of the International Military Staff: Non-Proliferation Treaty,” US PermRep letter, LOM 103/67, Office of the Military Representative to NATO, 5 May 1967.

141. “Questions on the Draft Non-Proliferation Treaty Asked by US Allies together with Answers Given by the United States,” at Annex 2.

142. *FRUS, 1964-1968, Volume XI, op. cit.*, Document 232. See Annex 2 for the full text.

143. “Memorandum of Conversation: Non-Proliferation Treaty, 23 August 1967” US Arms Control and Disarmament Agency, Washington, DC, 1 September 1967; “US ACDA Memorandum of Conversation, Non-Proliferation Treaty,” Washington, 23 August 1967, and “Department of State Airgram: Aide-Memoire on the Draft Non-Proliferation Treaty (NPT),” US Department of State, Washington, 24 August 1967. ENDC/192 and 193.

144. “Final Verbatim Record of the 313<sup>th</sup> Meeting of the EDNC,” ENDC/PV.313, 13 July 1967.

for debate<sup>145</sup> and forwarding subsequent decisions to Geneva for negotiation. The US and the USSR sought to resolve the issue in time to submit an agreed draft Treaty before the autumn. However, the differences among Allies on safeguards could not be resolved quickly. The US and the USSR thus agreed to circulate a treaty text on 23 August 1967, leaving Article III blank. The US would circulate the draft treaty in Geneva and the USSR would circulate the draft in New York.<sup>146</sup> The strong signal of US-USSR agreement on the text to Articles I and II was warmly received by the other members of the ENDC and gave new life to the race for a treaty. The draft eliminated several additional loop-holes, such as peaceful nuclear explosions, but the safeguards issue would rumble along for a further year. The US and the USSR led efforts to negotiate the Treaty, with the US bridging concerns between NATO Allies and the USSR on safeguards, and the US and the USSR working together in Geneva to bring the rest of the ENDC along.

The US and the USSR submitted a joint revised Treaty to the ENDC on 18 January 1968, including Article III safeguards provisions, as well as further efforts to close off peaceful nuclear explosion exceptions, security assurances, general and complete disarmament, and nuclear weapons-free zones. The US and the USSR submitted another revision on 11 March 1968, which then was forwarded to the UN General Assembly at the close of the ENDC session on 14 March 1968. The US and the USSR submitted the treaty with assurances that the draft NPT closed all loopholes and would prevent any transfer of weapons.<sup>147</sup> The US and the USSR pressed the General Assembly to close debate and open the Treaty for signature through a resolution, finally passed on 12 June 1968, with a US-, USSR-, and UK-drafted UN Security Council Resolution commending the Treaty and providing security assurances adopted on 19 June.<sup>148</sup> The Treaty was opened for signature on 1 July 1968, with the USSR, UK, and US heads of state issuing a joint statement welcoming this achievement from Moscow, London, and Washington, DC.<sup>149</sup> The *Questions* subsequently were entered

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145. The C-Rs (Summary Records of the NAC) and the LOMs (Military Committee summaries of the NAC) from May 1967 onward debate the intricacies of Article III (safeguards). See, for example, "Memorandum for the Director of the International Military Staff: Non-Proliferation Treaty – NAC Meeting, 24 May 1967," LOM 113/67, Office of the Military Committee Representative to NATO, 24 May 1967.

146. "Final Verbatim Record of the 325<sup>th</sup> Meeting of the EDNC," ENDC/PV.325, 24 August 1967.

147. "Report of the Eighteen-Nation Committee on Disarmament," Documents DC/230 and Add.1, 17 January and 14 March 1968.

148. "Question Relating to Measures to Safeguard Non-Nuclear Weapon States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons," Resolution 255 (1969), 19 June 1968.

149. "Heads of States Welcome NPT," Joint Press Release, Moscow, London, Washington, 1 July 1968.

into the Congressional record on 9 July 1968 during hearings on ratification and the Treaty's military implications. The NPT entered into force on 5 March 1970.<sup>150</sup>

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150. The US and USSR deposited their instruments of ratification, pushing the number of ratifications over 40, with more than 100 signatories. "Treaty on the Non-Proliferation of Nuclear Weapons," IAEA Information Circular INFCIRC/140, Vienna, 22 April 1970.



# Conclusion

The US path to the final NPT was not solely a bilateral US-USSR matter, but rather required a multi-faceted, multi-vector approach, weighing its interests and goals, as well as those of NATO, individual Allies, the Soviet Union, and neutral, non-aligned states (Ireland in particular, as the initiator of the process in the UN). Both NATO and the Warsaw Pact played unexpected and hitherto unheralded roles in the negotiations. The Warsaw Pact played a significant role in hardening the Soviet line against the MLF and ANF early in the negotiating process. The Soviets, in turn, responded by pushing the US publicly to end its support for any “hardware” solution (MLF or ANF), and work within NATO to complete its (still-current) nuclear sharing arrangements in the course of 1966. NATO played an even larger role in the process – both as a complicating factor with the MLF and ANF proposals and in internal fighting over Article III safeguards and the potential of a future European state’s nuclear weapon status. NATO also played a supportive role in reaching agreed Article I and II text, and in facilitating eventual West German accession to the Treaty. West Germany’s role was more ambivalent, with its public statements on seeking nuclear capabilities playing a strong role in the Soviet decision to downgrade its ambitions from an outcome that eliminated NATO to its minimum requirement of preventing West Germany from gaining access to nuclear weapons in peacetime or independent launch authority.

In the end, the United States engagement in the diplomacy towards drafting a viable NPT was a major achievement in international security and non-proliferation, and a triumph for President Johnson’s Administration. The US succeeded in reaching several of its key goals, including strengthening the defense of NATO, preventing the uncontrolled spread of nuclear weapons, and managing its relations with the Soviets – all with additional bonuses such as facilitating further European political integration and building support for global and universal nuclear safeguards. This success came in spite of unprecedented tension and conflict between the US and USSR, including the invasion of Czechoslovakia and the escalating conflict in Vietnam.

The NPT regime has not been completely successful in preventing the proliferation of nuclear weapons. However, the NPT must be judged as a success from the point of view of an observer in March 1963, when President Kennedy voiced the fears of many that the future would see 25 or

more nations building nuclear weapons by the 1970s. NATO remains the most successful military alliance in history, and the Soviet Union and the Warsaw Pact are long gone. European integration continues, although under a constant drumbeat of threats, and most states recognize that nuclear safeguards must continue to be strengthened. These successes all were achieved with great difficulty, and entailed sacrifices and trade-offs – but the gains to global security provided by the NPT are beyond dispute.

## Annex 1: A Partial NPT Timeline, 1960-1970

Date	Event	Action	Type
13 February 1960	France detonates its first nuclear device	France	Event
November 1960	US devises MLF concept	US	MLF
December 1960	US introduces MLF concept at NATO Ministerial	US	MLF
16-17 May 1961	US publicly-announces MLF concept at Ottawa	US	MLF
4 June-9 November 1961	Berlin Crisis	US-USSR	Event
14 March 1962	Meeting 1 of the ENDC in Geneva	ENDC	NPT
15 March 1962	Meeting 2 (USSR submits comprehensive disarmament treaty)	ENDC	NPT
18 April 1962	Meeting 23 (US submits comprehensive disarmament treaty)	ENDC	NPT
30 May 1962	NATO agrees to Athens Principles on Nuclear Planning	NATO	NPG
16 July 1962	Meeting 57 (USSR amended comprehensive treaty)	ENDC	NPT
6 August 1962	Meeting 66 (US amended comprehensive treaty)	ENDC	NPT
8 August 1962	Meeting 67 (US amended comprehensive treaty)	ENDC	NPT
14 August 1962	Meeting 69 (US amended comprehensive treaty)	ENDC	NPT
October 1962	US briefs details of MLF concept to NAC and Allied capitals	US	MLF
16-28 October 1962	Cuban Missile Crisis	US-USSR	Event
26 November 1962	Meeting 83 (USSR submits amended comprehensive treaty)	ENDC	NPT
21 December 1962	US and UK to develop MLF concept further, inform West Germany	US	MLF
October 1963	NATO MLF Paris Working Group (PWG) begins meeting	NATO	MLF
22 November 1963	President Kennedy assassinated	US	Event
14 October 1964	Premier Khrushchev removed from office	USSR	Event
16 October 1964	China detonates its first nuclear device	China	Event
8 December 1964	UK proposes ANF to US; agree to submit to MLF WG	UK	MLF/ ANF
17 December 1964	US stops active diplomacy on MLF	US	MLF
5 July 1965	UK and Canadian NPT drafts shared at NAC	NATO	NPT
17 August 1965	Meeting 224 (US submits first NPT draft)	ENDC	NPT
24 September 1965	USSR submits competing NPT draft to UNGA	UN	NPT
19 November 1965	UN First Committee Resolution 2028 (XX)	UN	NPT
20 December 1965	West Germany gives proposal on MLF to US	FRG	MLF
21 December 1965	US tells UK to work out MLF/ANF with West Germany	US	MLF/ ANF
5 January 1966	UK tells US that nuclear “software” will satisfy West Germany	UK	MLF/ ANF

Date	Event	Action	Type
27 January – 25 Aug 1966	Meetings 235-286 (discussing NPT drafts)	ENDC	NPT
17 February 1966	NATO convenes the first Nuclear Planning Working Group Meeting	NATO	NPG
21 March 1966	US submits second draft NPT to ENDC	ENDC	NPT
22 March 1966	Meeting 250 (US second NPT draft discussed)	ENDC	NPT
29 March 1966	UK tells US that “software” solution is sufficient, ends support for ANF	UK	MLF/ ANF
29 March 1966	Meeting 252 (USSR responds to US NPT amendments)	ENDC	NPT
4 April 1966	US decides that nuclear “hardware” solutions (MLF/ANF) will not work	US	MLF
May 1966	NATO forms the McNamara Committee on nuclear sharing	NATO	MLF
30 August 1966	USSR agrees to work with the US on the NPT	USSR	NPT
30 August 1966	Report of the ENDC on progress towards an NPT	ENDC	NPT
22-24 September 1966	US and USSR begin drafting text for NPT Articles I and II	US- USSR	NPT
23 September 1966	USSR Document A/6398 blasting US and NATO	UN	NPT
26 September 1966	West Germany ends support for MLF at Johnson-Erhard Summit	FRG	MLF
27-30 September 1966	US-USSR complete drafting NPT Article I and II text	US- USSR	NPT
15 October 1966	US sends draft NPT Article I text to NAC	US	NPT
16 December 1966	NATO announces the Nuclear Defense Affairs Committee and Nuclear Planning Group in Communiqué and discusses NPT Article I text in a working group	NATO	NPG
18 January 1967	US and West Germany discuss list of 12 questions on NPT Article I draft	FRG	NPT
23 January 1967	US sends an updated draft NPT with answers to questions from working group to the NAC	NATO	NPT
1 February 1967	NAC discusses draft NPT and questions and answers	NATO	NPT
7 March 1967	Meeting 291 (USSR reads out critical statement on FRG from DDR)	ENDC	NPT
9 March 1967	Meeting 292 (USSR statement on procedure for negotiations)	ENDC	NPT
14 March 1967	Meeting 293 (positive USSR statement on NPT prospects)	ENDC	NPT
23 March 1967	Meeting 296 (positive statement on prospects for NPT, but with criticism of FRG)	ENDC	NPT
23 March-18 May 1967	US and USSR announce ENDC pause for US consultations with Allies on Article III	ENDC	NPT
4 April 1967	US sends revised Qs and As to NAC	US	NPT
6-7 April 1967	US discusses Qs and As in the NATO NPG and NAC	US	NPT/ NPG
28 April 1967	US shares Qs and As with USSR in Geneva	US	NPT
3 May 1967	US shares final Qs and As with NAC	US	NPT
18 May 1967	ENDC resumes	ENDC	NPT

Date	Event	Action	Type
18 May 1967	Meeting 297 (positive USSR statement on possibilities for concluding NPT)	ENDC	NPT
13 July 1967	Meeting 313 (positive USSR statement, clear agreement, attacks peaceful nuclear explosion concept of India)	ENDC	NPT
23 August 1967	US and USSR agree to submit joint draft at next EDNC	US- USSR	NPT
24 August 1967	Meeting 325 (US-USSR joint NPT draft 1)	ENDC	NPT
18 January 1968	Meeting 357 (US-USSR joint NPT draft 2)	ENDC	NPT
11 March 1968	Meeting 379 (US-USSR joint NPT draft 3)	ENDC	NPT
14 March 1968	Meeting 380 (Agreement to forward US-USSR draft NPT text to UNGA)	ENDC	NPT
19 March 1968	ENDC Report to UNGA with draft Treaty for consideration	ENDC /UN	NPT
12 June 1968	UNGA Resolution 2373 to consider Treaty	UN	NPT
1 July 1968	NPT opened for signature	UN	NPT
9 July 1968	Congressional Hearings on NPT ratification/publication of the Qs and As	US	NPT
16 July to 30 October 1969	Meetings 381-448	ENDC	NPT
5 March 1970	US and USSR deposit instruments of ratification, ratifications pass 40, signatures pass 100, entry-into-force	US- USSR	NPT

*Compiled by the author*

## **Annex 2: Questions on the Draft Non-Proliferation Treaty Asked by US Allies together with Answers Given by the United States, 28 April 1967**

1. Q. What may and what may not be transferred under the draft treaty?

A. The treaty deals only with what is prohibited, not with what is permitted. It prohibits transfer to any recipient whatsoever of “nuclear weapons” or control over them, meaning bombs and warheads. It also prohibits the transfer of other nuclear explosive devices because a nuclear explosive device intended for peaceful purposes can be used as a weapon or can be easily adapted for such use. It does not deal with, and therefore does not prohibit, transfer of delivery vehicles or delivery systems, or control over them to any recipient, so long as such transfer does not involve bombs and warheads.

2. Q. Does the draft treaty prohibit consultations and planning on nuclear defense among NATO members?

A. It does not deal with allied consultations and planning on nuclear defense so long as no transfer of nuclear weapons or control over them results.

3. Q. Does the draft treaty prohibit arrangements for the deployment of nuclear weapons owned and controlled by the United States within the territory of non-nuclear NATO members?

A. It does not deal with arrangements for deployment of nuclear weapons within allied territory as these do not involve any transfer of nuclear weapons or control over them unless and until a decision were made to go to war, at which time the treaty would no longer be controlling.

4. Q. Would the draft prohibit the unification of Europe if a nuclear-weapon state was one of the constituent states?

A. It does not deal with the problem of European unity, and would not bar succession by a new federated European state to the nuclear status of one of its former components. A new federated European state would have to control all of its external security functions including defense and all foreign policy matters relating to external security, but would not have to be so centralized as to assume all governmental functions. While not dealing with succession by such a federated state, the treaty would bar transfer of nuclear weapons (including ownership) or control over them to any recipient, including a multilateral entity.

## Annex 3: Principal Actors

George Ball, US Undersecretary of State (1961-1966)

Francis Bator, US Deputy National Security Advisor (1965-1967)

Leonid Brezhnev, Soviet First Secretary (1964-1982)

McGeorge Bundy, US National Security Advisor (1961-1966)

Harlan Cleveland, US Ambassador to NATO (1965-1969)

Charles De Gaulle, French President (1959-1969)

Anatoly Dobrynin, Soviet Ambassador to the US (1962-1986)

Dwight D. Eisenhower, US President (1953-1961)

Ludwig Erhard, West German Chancellor (1963-1966)

William Foster, US Arms Control and Disarmament Agency Director (1961-1969)

Wladyslaw Gomulka, Polish Communist Party Leader (1956-1970)

Andrei Gromyko, Soviet Foreign Minister (1957-1985)

Lyndon Johnson, US President (1963-1969)

Spurgeon Keeny, US National Security Council Staff (1963-1969)

John F. Kennedy, US President (1961-1963)

Nikita Khrushchev, Soviet Chairman (1953-1964)

Heinrich Knappstein, West German Ambassador to the United States (1962-1968)

Alexi Kosygin, Soviet Chairman (1964-1980)

Harold MacMillan, UK Prime Minister (1957-1963)

Robert McNamara, US Secretary of Defense (1961-1968)

Alexei Roshchin, Soviet ENDC representative (1966-1976)

Walt Rostow, US National Security Advisor (1966-1969)

Dean Rusk, US Secretary of State (1961-1969)

Berndt von Staden, West German Counselor (1963-1968)

Walter Ulbricht, East German Chairman of the State Council (1960-1973)



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