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By **SW** NARA Date **10/12/08**

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TELEGRAM

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1393

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INFO IO 13, EA 10, ACDA 16, SCI 05, SS 20, GPM 03, SP 02, SC 01, SAH 03, L 03,

H 02, P 04, USIA 12, NSC 10, INR 07, CIAE 00, NSAE 00, AEC 11, OST 01,

RSR 01, DODE 00, RSC 01, MM 01, ARA 08, NEA 13, /167 W

P R 181904Z JAN 68
FM USMISSION NATO
TO SECSTATE WASHDC PRIORITY 1043
SECDEF WASHDC
INFO AMEMBASSY BONN 0314
AMEMBASSY BRUSSELS 0268
USMISSION GENEVA 071
AMEMBASSY THE HAGUE 0233
AMEMBASSY LONDON 0331
AMEMBASSY LUXEMBOURG 0165
AMEMBASSY MOSCOW 065
AMEMBASSY OTTAWA 0222
AMEMBASSY PARIS 0301
AMEMBASSY ROME 0261
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SUBJECT: NAC JANUARY 18 - DRAFT NPT

REF: USNATO 1378

1. AT SPECIAL NAC JANUARY 18, CLEVELAND BRIEFED ALLIES ON BASIS STATE 100558 AND DISTRIBUTED TEXT GENEVA 2290. PRIOR TO MEETING, CLEVELAND BRIEFED GREWE (FRG) AND DE FERRARIIS (ITALY) AND USNATO STAFF LOBBIED WITH BROGIO AS WELL AS UK, CANADIAN, BELGIAN, AND DUTCH DELGATIONS.

2. CLEVELAND REPORTED THAT SOVIETS HAVE JUST AGREED IN GENEVA TO TABLE AFTERNOON JANUARY 18 COMPLETE DRAFT NPT, INCLUDING ARTICLE III. HIS UNDERSTANDING OF STATUS WAS THAT DRAFT TEXT WAS BEING SUBMITTED FOR INTERNATIONAL NEGOTIATIONS BY TWO CO-CHAIRMEN. WE HAD MADE ABUNDANTLY CLEAR TO SOVIETS TEXT INCLUDED MANY POINTS TO PROTECT OUR ALLIES WHICH THEY HAD MADE TO US DURING OUR CONSULTATIONS. IT WAS EQUALLY CLEAR

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OUR ALLIES WERE NOT COMMITTED TO PRESENT TEXT AS RESULT OF SUCH CONSULTATIONS.

3. IF THIS WERE FINAL TEXT, US COULD SIGN IT. HOWEVER, WE WERE ALSO FREE TO JOIN OTHERS IN IMPROVING TEXT IN LIGHT OF NEGOTIATIONS IN ENDC. IN TYUS SENSE, TEXT WAS NOT FINAL.

4. IN OUR VIEW, THIS WAS MAJOR STEP SINCE IT NOW PERMITTED ALL GOVERNMENTS TO CONSIDER COMPLETE TEXT. WE BELIEVED NEGOTIATORS HAD DONE WELL ON BEHALF OF POSITIONS ALLIES HAD TAKEN.

5. CLEVELAND THEN WENT TROUGH TEXT ARTICLE BY ARTICLE. IN PREAMBLE, HE NOTED PARA 6 SUPPORTED AUTOMATED SAFEGUARDS WHICH HAD BEEN URGED BY FRG. PARAS 7 AND 8 AFFIRMED THAT ALL SHOULD HAVE EASY ACCESS TO PEACEFUL NUCLEAR TECHNOLOGY. PARAS 9-11 CONCERN STEPS TO HALT NUCLEAR ARMS RACE, WHICH WERE OF SPECIAL INTEREST TO NON-NUCLEAR-WEAPON STATES.

6. ON OPERATIVE ARTICLES, CLEVELAND CONCENTRATED ON ARTICLE

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III. HE POINTED OUT THIS WAS NOVEMBER 2 FORMULA WHICH SOME IN NAC HAD VIGOROUSLY CHAMPIONED AND OTHERS HAD FOUND LEAST OBJECTIONABLE WAY OF SAYING WHAT HAD TO BE SAID. DRAWING ON STATE 100558 AND GENEVA 2273, HE GAVE NEGOTIATING HISTORY (OMITTING REFERENCE TO NOVEMBER 2 TALKING POINTS). CLEVELAND READ NEW SENTENCE TO BE ADDED TO FIRST OF THREE US INTERPRETIVE PRINCIPLES IN NOVEMBER 13 AIDE MEMOIRE. PURPOSE WAS TO ASSURE SOVIETS AND IS ALLIES THAT US UNDERSTOOD NATURE OF SAFEGUARDS WOULD BE EVEN-HANDED AND NON-DISCRIMINATORY. CLEVELAND ALSO NOTED PARA 4 OF ARTICLE III QUALIFIED EURATOM AS IAEA'S PARTNER IN SAFEGUARDS, AND REAFFIRMED US WOULD MAKE INTERPRETIVE STATEMENT TO THIS EFFECT.

7. ARTICLE IV, A MEXICAN SUGGESTION WHICH RECEIVED BROAD NAC SUPPORT, HE NOTED, REITERATED IDEA IN PREAMBLE CONCERNING FREEDOM OF ACCESS TO PEACEFUL NUCLEAR TECHNOLOGY. ARTICLES V, VI AND VII, HE RECALLED, WERE ALSO MEXICAN SUGGESTIONS WHICH HAD NOT BEEN CONTROVERSIAL IN NAC. ARTICLE VI, HE POINTED OUT, REITERATED PREAMBULAR IDEA OF ENDING NUCLEAR ARMS RACE AND WORKING TOWARDS DISARMAMENT.

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8. ARTICLE VIII RETAINED ROLE FOR IAEA BOARD OF GOVERNORS RATHER THAN APPLYING QUALITATIVE STANDARD AS ITALY SUGGESTED (USNATO 1337). ONE FEATURE OF THIS ARTICLE WAS THAT NO AMENDMENT WOULD APPLY TO A COUNTRY WHICH DID NOT ACCEPT IT. CLEVELAND NOTED SOVIETS HAD ADDED "OF THE AMENDMENT" TO SECOND SENTENCE OF PARA 2 OF ARTICLE VIII AND WE HAD ACCEPTED AS PART OF PACKAGE. IN ANY EVENT, THIS WAS NO RPT NO SUBSTANTIVE CHANGE. RE PARA 3 OF ARTICLE VIII, A REVIEW CONFERENCE WOULD BE HELD AFTER FIVE YEARS. CLEVELAND SAID US WOULD HAVE PREFERRED PERIODIC REVIEW CONFERENCE, AND WOULD CONTINUE PRESS THIS WITH SOVIETS.

9. ARTICLE IX CONTAINED 40 AS NUMBER OF RATIFYING STATES NECESSARY TO HAVE TREATY ENTER INTO FORCE RATHER THAN HIGH

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NUMBER SUGGESTED BY ITALY. HE RECALLED REASONS FOR THIS WHICH HE OUTLINE YESTERDAY. (USNATO 1377)

10. ARTICLE X, PARA 2, CLEVELAND POINTED OUT, CONTAINED MAJOR CHANGE OF LIMITING DURATION TO 25 YEARS. WHILE US, FOR ITS PART, FAVORED UNLIMITED DURATION, WE HAD BEEN INDUCED, AS RESULT OF WIDE-SPREAD SUPPORT AMONG ALLIES FOR LIMITED

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DURATION, TO PRESS SOVIETS ON THIS POINT AS WELL. CLEVELAND RECALLED THAT AT ONE STAGE THIS ARTICLE HAD A PROVISION FOR EASY WITHDRAWAL AFTER 25 YEARS. SOVIETS ARGUED TREATY DID NOT NEED TWO WITHDRAWAL CLAUSES AND, AS PART OF PACKAGE, WE AGREED.

11. CAMPBELL (CANADA) CHARACTERIZED TABLING OF COMPLETE NPT DRAFT AS MAJOR NEGOTIATION ACHIEVEMENT BY US. HE SAID IT IS "REMARKABLE DEMONSTRATION OF CONSTRUCTIVE USE OF NAC IN PREPARING FOR NEGOTIATIONS WITH USSR". HE SAID NEW DRAFT REPRESENTED COMPROMISE BY THE CO-CHAIRMEN AS WELL AS SIGNIFICANT COMPROMISE BETWEEN NUCLEARS AND NON-NUCLEARS.

12. CAMPBELL NOTED THERE ALMOST TWO MONTHS BEFORE ENDC HAD TO REPORT TO UNGA ON MARCH 15, WHICH WOULD ALLOW TIME FOR FULL CONSIDERATION AND REVIEW OF NEW TEXT IN GENEVA WHICH NOW NECESSARY. CANADA WOULD BE GUIDED BY TWO PRINCIPLES DURING ENDC REVIEW: A) PROPOSALS WITH WIDE SUPPORT IN ENDC OR SUBMITTED FROM OUTSIDE SHOULD RECIEVE

GP-3. CLEVELAND

#APPARENT OMISSION. CORRECTION TO FOLLOW.

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ACTION EUR 20

INFO IO 13, EA 10, ACDA 16, SCI 05, SS 20, GPM 03, SP 02, SC 01, SAH 03, L 03,
H 02, P 04, USIA 12, NSC 10, INR 07, CIAE 00, NSAE 00, DODE 00, AEC 11,
OST 01, RSR 01, RSC 01, MM 01, ARA 08, NEA 13, /167 W

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FM USMISSION NATO
TO SECSTATE WASHDC PRIORITY 1044
SECDEF WASHDC
INFO AMEMBASSY BONN 0315
AMEMBASSY BRUSSELS 0269
USMISSION GENEVA 072
AMEMBASSY THE HAGUE 0234
AMEMBASSY LONDON 0332
AMEMBASSY LUXEMBOURG 0166
AMEMBASSY MOSCOW 066
AMEMBASSY OTTAWA 0223
AMEMBASSY PARIS 0302
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FULL CONSIDERATION; AND B) CONVERSELY, PROPOSALS FAVORED BY
FEW SHOULD BE TREATED ACCORDINGLY, OTHERWISE THEY WOULD

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DIMINISH EFFORT TO ACHIEVE AGREED NPT. IN CONCLUSION CAMPBELL SAID THAT STATES SHOULD NOT NOW REITERATE KNOWN POSITIONS BUT ENGAGE IN A CONSTRUCTIVE EFFORT TOWARD RECONCILING NARROWING SMALL NUMBER REMAINING DIFFERENCES.

13. KRISTIANSSEN (NORWAY) ASSOCIATED HIMSELF WITH CAMPBELL'S COMMENTS, AND WARMLY WELCOMED "THIS NEW AND IMPORTANT STEP TOWARD MAKING THE NPT A REALITY".

14. GREWE (FRG) APPRECIATED US BRIEFING ON THIS IMPORTANT NEXT STEP IN ENDC NEGOTIATIONS. NOTED, HOWEVER, THAT THERE NO TIME FOR NAC CONSULTATION ON THIS TEXT. GREWE WAS CERTAIN FRG WOULD "NOTE WITH SATISFACTION" THAT SOVIETS ACCEPTED NOVEMBER 2 FORMULA. SAID NEW NPT TEXT WOULD HAVE TO BE EXAMINED CLOSELY, WITH SPECIAL ATTENTION

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PAID TO NEW INTERPRETIVE SENTENCE TO BE ADDED TO FIRST OF US INTERPRETIVE PRINCIPLES TO DETERMINE ITS MEANING WITH RESPECT TO SOVIET ACCEPTANCE NOVEMBER 2 FORMULA.

15. GREWE SAID FRG POSITION IS WELL-KNOWN AND IT "DOES NOT COINCIDE WITH ALL PARTS OF TEXT". HE NOTED, HOWEVER, THAT TABLING WOULD BE ON BASIS OF NO COMMITMENT. IN ANY EVENT, HE KNEW FRG WOULD WELCOME CHANCE FOR NON-ALIGNED TO COMMENT ON FULL TEXT, BUT HOPE SUCH COMMENTS "WOULD BE WEIGHTED AND NOT COUNTED".

16. QUADE (DENMARK) ASSOCIATED HIMSELF WITH CONGRATULATORY STATEMENTS.

17. BURROWS (UK) EXTENDED CONGRATULATIONS AND HOPED FULL TEXT WOULD LEAD TO PROGRESS IN ENDC. HE SAID UK CONSIDERS NOVEMBER 2 FORMULA AS WHOLE PROVIDES POSSIBILITY FOR NEGOTIATION AND AGREEMENT THAT WOULD LEAVE TO IAEA TASK OF VERIFICATION OF EURATOM SAFEGUARDS AND THEREFORE, IN UK VIEW, NOVEMBER 2 LANGUAGE MEETS ALLIED CONCERNS.

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18. ON DURATION, BURROWS NOTED THERE TWO COMPROMISES:
A) LIMITING DURATION TO 25 YEARS; AND B) DELETING SECOND
WITHDRAWAL PROPOSAL. UK VIEWED THIS AS REASONABLE COMPROMISE,
WITH SACRIFICE OF LATTER AS SMALL PAYMENT FOR SOV
AGREEMENT TO TREATY LIMITED TO 25 YEARS. THEREFORE, UK
COULD SUPPORT DURATION ARTICLE.

19. DEFERRARIIS (ITALY) WAS NOT IN POSITION TO ENGAGE IN
DETAILED DISCUSSION OF TEXT BUT JOINED IN APPRECIATION OF
US EFFORTS ALONG ROAD LEADING TO AGREEMENT ON NPT. HE
BELIEVED THIS TEXT "ENABLES US TO CONTINUE OUR TASK,
LEADING TO SUCCESS". HE NOTED THAT POINTS HE MADE IN NAC
YESTERDAY (USNATO 1477) NOT MADE IN THIS TEXT BUT HE WOULD
NOT DISCUSS DETAILS TODAY. HE ONLY WISHED EXPRESS APPRE-
CIATION FOR US EFFORTS AND HOPE THIS TEXT WOULD CARRY
NPT PROJECT FORWARD.

20. DESTAERCKE (BELGIUM) THOUGHT TEXT CONSIDERABLE IMPROVE-
MENT IN TERMS OF WHAT GOB SEEKING. NOTED CLEVELAND COMMENT
THAT TABLING ON NO COMMITMENT BASIS. FELT THIS GOOD

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APPROACH IN DIFFICULT NEGOTIATION. THOUGHT "ALL RIGHTS
RESPECTED IN TEXT, INCLUDING EURATOM", THEREFORE CONGRAT-
ULATED US.

21. SCHAUS (LUXEMBOURG) JOINED IN CONGRATULATIONS AND
EXPRESSED GOL SATISFACTION THAT NOVEMBER 2 FORMULA ACCEPTED.

22. SEYDOUX (FRANCE) ASSOCIATED HIMSELF WITH THANKS EXTENDED
FOR "INTERESTING AND COMPLETE" CLEVELAND STATEMENT. GOF
POSITION ON NPT WELL-KNOWN AND
NOT NECESSARY TO REPEAT.

"AS A PERSONAL OPINION I WOULD LIKE TO STATE THAT I HAVE
FOLLOWED WITH GREAT ATTENTION THE WAY NAC HAS BEEN INFORMED
AND CONSULTED BY OUR US COLLEAGUE, AS WELL AS THE EFFORTS
OF THE CO-CHAIRMEN, TO ACHIEVE A COMMON POSITION."

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23. BROSIO SUMMED UP AS PER USNATO 1378.

24. CLEVELAND EXPRESSED THANKS ON BEHALF USG FOR APPRECIATIVE COMMENTS MADE ABOUT US EFFORTS TO FULLY CONSULT IN NAC DURING COURSE NEGOTIATION OF NPT. HE

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ALSO REQUESTED THAT TEXT BE TREATED CONFIDENTIALLY UNTIL MADE PUBLIC.

25. COMMENT; ADVANCE NOTICE (DESCRIBED PARA ONE ABOVE) HAD ENABLED GREWE AND DE FERRARIIS TO GIVE THEIR CAPTIALS ONE HOUR NOTICE ON WHAT WOULD HAPPEN AT SPECIAL NAC MEETING. GREWE USED THIS TO GET COMPARATIVELY FORTHCOMING REACTION REPORTED ABOVE. DE FERRARIIS GOT NO REACTION PRIOR TO MEETING, AND HIS COMPARITVELY UPBEAT REMARKS WERE SOLO FLIGHT. LATER IN DAY, DE FERRARIIS REPORTED THAT ITALIAN FONOFF IN STATE OF SHOCK AT SUDDEN TABLING, AND THAT HE HAD HAD "STRONG REACTION." HE REQUESTED, AND I SUPPLIED, DETAILED NEGOTIATING HISTORY, INCLUDING REMAINDERS OF BROSIO SUMMATIONS IN PREVIOUS BENCHMARK NAC MEETINGS ON NPT, AND FACT (VHICH HE DID NOT KNOW) THE (ACCORDING TO GENEVA 2280) FISHER AND TOZZOLI HAD DISCUSSED TABLING QUESTION LAST TUESDAY DURING WESTERN FOUR MEETING, EVEN BEFORE US KNEW JUST WHAT SOVS WOULD BE WILLING TO DO. END. COMMENT.

GP-3 CLEVELAND

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