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DEPARTMENT OF STATE

Memorandum of Conversation

App'd in S
5/9/68

Approved in ACDA/D

DATE: May 6, 1968

SUBJECT: Brazil's Attitude on NPT (U)

PARTICIPANTS:

See Attached List

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While the Secretary and Foreign Minister Pinto met privately with Ambassadors da Cunha and Tuthill, the rest of the group carried on an independent discussion on the Brazilian position on the NPT.

Mr. Foster opened by saying that it was clear that the intent of the NPT was not to inhibit peaceful uses of nuclear energy. Under the treaty peaceful uses actually would be expanded. Mr. Foster observed that Article IV contained a provision requiring parties in a position to do so to cooperate in developing peaceful activities of other parties.

Mr. Foster said there was a serious difference between the United States and Brazil over peaceful nuclear explosion devices (PNEDs). The technology for manufacturing peaceful devices would permit manufacturing weapons as much as for the other way around. It was as simple as exchanging one overcoat for another; the person wearing it was the same. To insist on holding open an option for manufacturing PNEDs would create a loophole. This would violate UNGA Resolution 2028 which calls for no loopholes in the NPT.

Dr. Seaborg then reviewed current US-Brazilian cooperation in the nuclear field. He observed that last year he visited the main

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Brazilian nuclear institutions and that we are continuing to support the advance of a flourishing program. We do not see how our efforts, or those of Brazil, would be diminished by the NPT, particularly with respect to the application of PNEDs. He said that on the contrary the NPT would permit greater cooperation in this field. Dr. Seaborg noted our efforts to be of assistance in enlarging Brazilian knowledge of extraction technology, recalling Brazilian observation of the Gasbuggy project. He said that Brazil's enormous oil shale deposits made recovery techniques from this resource a matter of particular importance for Brazil. We have offered to cooperate on this. We also have cooperated in prospecting for uranium ores and particularly in developing thorium reactor technology, given Brazil's rich resources of thorium. Our leading expert in this field, Dr. James Lane, was recently in Brazil specifically for this purpose. None of the above activities would be diminished, but only enhanced, by Brazilian adherence to the NPT.

Mr. Foster observed that such activities on behalf of the US would become a treaty obligation under the NPT. They would continue without the treaty, but would be required under it. As for PNEDs, the US had spent hundreds of millions of dollars developing them. Dr. Seaborg interjected that it had cost billions of dollars. Our progress on PNEDs derived from the technology that went into weapons development. Even so we have not developed satisfactory PNEDs. It will cost a great deal more to develop a device which will be completely safe.

Ambassador Araujo said that Pinto's speech at the UN on May 3 did not place so much emphasis on PNEDs. He recognized there is no room for concessions on PNEDs and that Articles I and II, representing the core of US-Soviet agreement on the NPT, could not be changed. This was recognized in particular by the Brazilian Foreign Ministry. But the question involved Brazilian national security. Amb. Araujo said the Brazilian National Security Council did not want to be put under a technological freeze for 25 years. The Brazilian analysis of the UN recognized the situation there and international views on this subject. Personally he thought Brazil might have to enter a reservation for national reasons. But it was clear what US views were and this was supported by international opinion. It is appreciated that an international treaty is more important than anything else. This was an additional reason for

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looking at the treaty draft carefully. Mr. Araujo said the NPT would enlarge the responsibilities of the UN Charter, especially its political implications. For example, the two countries which would gain most from the treaty were China and France, although they did not intend to sign. China would gain vs Japan and India and France would gain vs Germany.

Mr. Araujo observed that realistically nothing could be done at the current GA to change the above situation. Any concession the US might make would have to be renegotiated with the USSR. Hence, no basic amendments seemed in order. He had no doubt that the present draft would be carried by a wide majority of the GA. At the same time there was no enthusiasm for the project at the GA. But there was no organized resistance to it. It was generally recognized that we have no room for significant concessions.

Mr. Foster said we had been trying to reach agreement with the USSR on an NPT since 1961 and negotiations had been really serious for the past three-and-a-half years. The resulting agreement represented in the latest draft reflected appreciation of the needs of non-nuclear parties for flexibility on amendments and review. With respect to Brazil's national security interests, he pointed out that the withdrawal clause was incorporated precisely to meet justified concerns of this kind.

Mr. Foster then observed that Brazil had great influence with other Latin American countries. He noted there were no LA co-sponsors of the resolution pushed mainly by Finland and other Scandinavian delegations.

Ambassador Sette Camara responded that the Resolution was consistent with the views of Mexico. However, Garcia Robles was trying to blackmail the USSR into signing Protocol II of the LANFZT. Most of the LA countries - like Brazil - go along with the NPT. Only Argentina and Chile have some points in common with Brazil's position. In Mr. Camara's view there was no doubt that the Resolution would be carried. He said there was no Brazilian maneuvering against it and that the Brazilian delegation had been very discreet. But, he asked, why was there no "non-use" provision in the draft security assurances resolution?

Mr. Foster replied that there is a big difference between a

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nuclear-free area to which our signature of Protocol II applied and areas where there were lots of nuclear weapons lying about. He said we do not enjoy the privilege of possessing nuclear weapons, but we were saddled with this whether we liked it or not and it affected our alliance commitments.

Mr. Camara said this was recognized and noted the British were now embarrassed about what to do with their nuclear weapons. Mr. Araujo added that some balance was needed in the NPT about commitments of nuclear and non-nuclear weapon states.

Mr. Foster responded that the treaty cannot be perfect. The US has had to make compromises to bring it about. He doubted that any significant changes could be made. The question now simply is: Is there or not to be an NPT? We missed the first chance to regulate nuclear weapons when the Baruch Plan was rejected. Now is the second chance. Perhaps this is the last chance.

Mr. Camara assented to this general proposition and said Brazil originally proposed a LANFZT at the 17th UNGA. He wanted to make things clear. The current NPT draft was vague about the boundaries to which countries could go. For example, could a country produce a gaseous diffusion plant to ensure its own supply of nuclear fuel?

Mr. Foster replied that the NPT would not prohibit isotope separations plants, chemical separation plants, or nuclear propulsion. Dr. Seaborg interjected that the NPT would only prohibit nuclear explosives.

Mr. Camara said large quantities of plutonium would be at hand. Would the NPT prevent stockpiling of such materials?

Mr. Foster replied that the treaty would not prevent stockpiling, provided there is no diversion to weapons and that the materials were under safeguards specified by the treaty.

Mr. Araujo inquired whether we would oppose further amendments. He said the Mexicans were operating on the assumption that amendments were still possible.

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Mr. Foster answered that when we presented the August 24 draft we requested views of all countries. The ENDC role in AC & D was encouraged by the UN when it was created. Its purpose was to negotiate measures such as the NPT and it has done this. But most of the suggestions we had invited on the August 24 draft came from our NATO allies and Japan. Few other countries offered suggestions. Mexico did so during the autumn ENDC session. We carefully considered these and all other suggestions.

Mr. Foster said no one, of course, can say that the process of considering the NPT has ended. But any government having an opinion has already been given ample opportunity to make its views known, inter alia to the ENDC. Further delay at this point would simply enlarge the danger of proliferation, but would not be justified on the grounds that there has been inadequate international consultation.

Mr. Foster noted that it was difficult to foresee what the consequences would be of failure of the current UNGA to register agreement on the NPT. He referred to the claim in Mr. Pinto's speech that 27 amendments had been proposed at the ENDC and only four adopted. Mr. Foster said that in reality many of these amendments covered the same ground, and dealt with the same problem.

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Mr. Foster said the President had announced his hopes to be able to submit the NPT for advice and consent to the Senate before its adjournment this summer.

Mr. Camara said the UNGA draft resolution was too strong, and went further than that of the OST, since it "endorsed" the NPT. He said this went beyond the powers of the UNGA.

Mr. Sisco responded that the draft resolution was identical to that on the Outer Space Treaty. The word "endorse" of both resolutions perhaps goes a bit further than "commend", but neither formulation adds or subtracts from the function of the UNGA or of its component sovereign states. The UNGA would merely make a recommendation which was of course not binding.

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Messrs. Camara and Araujo agreed and said this was not a vital point. Mr. Araujo observed that the Italian delegation made a subtle-Florentine-gesture in asking that the reference to the NPT draft be footnoted.

Mr. Sisco replied that the UNGA would have to know what it was being asked to endorse.

Mr. Camara repeated that the resolution would pass the GA and the only danger for the NPT would be a move to postpone it until after the Non-Nuclear Conference, which he doubted would happen.

(At this point the Secretary and Foreign Minister Pinto joined the larger group).

The Secretary said he had had a good discussion with Mr. Pinto. The latter had expressed understanding of the US wish to limit proliferation and expressed particular Brazilian problems with the present draft along lines of his May 3 speech in New York. The Secretary expressed appreciation for Brazil's attitude on the question of nuclear weapons. He observed no one was completely satisfied with the draft NPT. Negotiations had been hard and long. The two Co-Chairmen had tried to satisfy objections. Had it been a question of bilateral agreement among them, it would have been reached several years ago. He said he recognized Brazil's concerns about technology and science. He had assured Minister Pinto that the purpose of the treaty was not to inhibit these activities. Brazil and the US, as the two great powers in the Western Hemisphere, would continue their constructive exchanges.

Minister Pinto said it was a pleasure to present Brazilian views on the NPT personally and especially what Brazil expects to gain from nuclear activities for economic development. He said this essentially was Brazil's position at the ENDC and now at the UNGA. He hoped certain aspects of the NPT could be removed which would cause difficulties in the future between nuclear and non-nuclear powers. But all agree on the objective of non-proliferation and beyond that peace. Many countries are not satisfied by the NPT draft. But Brazil's position is constructive. It is not proselytizing against or obstructing the treaty. Regarding greater cooperation with the US,

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he was prepared to consider any understandings.

The Secretary asked Dr. Seaborg to review our bilateral cooperation with Brazil on peaceful nuclear activities.

Dr. Seaborg reviewed the measures described above. He added that no particular steps need to be taken in continuing liaison. Our cooperation already is considerable. We already are implementing proposals for power development, desalting, and exploration for minerals. He had personally visited Brazil and explored these prospects with Mr. Riviera, head of the Brazilian AEC. As for oil shale, we stood ready to cooperate. The NPT could only enhance and enlarge these perspectives.

The Secretary concluded the meeting with the statement that the two governments would continue to remain in touch regarding the further development of cooperation on peaceful nuclear activities. Mr. Pinto said he wished to emphasize that Brazil would not proselytize against the NPT or seek amendments to it.

Attachment:

List of Participants

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PARTICIPANTS

United States

The Secretary
Mr. Foster, Director, ACDA
Dr. Seaborg, Chairman, AEC
Mr. Sisco, Assistant Secretary, IO
Ambassador Tuthill
Mr. Gleysteen, Acting Asst. Director, ACDA/IR
Mr. Kubisch, Country Director, ARA/BR
Mr. Jose de Seabra, Interpreter, LS

Brazil

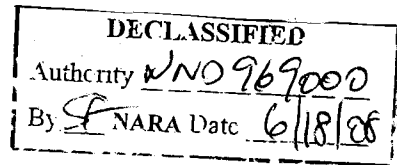
Mr. Magalhaes Pinto, Foreign Minister
Ambassador Leitao da Cunha
Ambassador Sette Camara
Ambassador Araujo Castro
Mr. Henrique Mesquita, First Secretary, Brazilian Embassy

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Washington, D.C. 20520

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May 9, 1968

S - Mr. Steigman

Attached is a Memorandum of Conversation between the Secretary and the Foreign Minister of Brazil, Mr. Magalhaes Pinto.

For approval prior to distribution.

The Secretary's remarks are sidelined in red.

This memorandum was drafted in ACDA/IR by Mr. Gleysteen, and approved by Mr. Foster.


Benjamin H. Read
Executive Secretary

Approve for distribution DM
Approve for distribution as amended (m)

Attachment:

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