

November 27, 1962

Secretary of State to the President, 'Agreement on Non-Diffusion of Nuclear Weapons,' with Enclosures and Cover Memorandum from McGeorge Bundy

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Summary:

In this proposed agreement, Secretary of State Rusk asked the White House for authorization to approach the Soviets. Rusk had two central goals in mind: to determine if the Soviets would state whether its allies, such as China, would agree to a nonproliferation agreement and to give Moscow a "somewhat more precise indication of what we have in mind concerning the obligation not to transfer nuclear weapons."

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THE WHITE HOUSE
WASHINGTON

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November 28, 1962

MEMORANDUM FOR

THE SECRETARY OF STATE

The President has approved your memorandum of November 27th on the subject of Non-Diffusion of Nuclear Weapons and authorizes the necessary discussions with the Soviet Government in the terms set forth in that memorandum with its attachments.

McGeorge Bundy
McGeorge Bundy

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~~SECRET~~ MEMORANDUM FOR THE PRESIDENT

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Subject: Agreement on Non-Diffusion of Nuclear Weapons

You are aware of the conversations which I have been having with the Soviet Foreign Minister and with the Soviet Ambassador in Washington on the question of restricting the spread of independent national nuclear weapons capabilities.

At the last meeting, August 23, a potentially important shift occurred in the Soviet position. The Soviet Union now appears willing to consider reaching an agreement on non-diffusion couched in more general terms than its previous position which had specified that a prior agreement had to be reached separately concerning the specific problem of the Federal Republic of Germany and of the East German regime. In addition, although the language is ambiguous, the Soviets have not apparently precluded considering an understanding which would not rule out international nuclear weapons arrangements of a truly multilateral nature of the type which might be developed within the NATO framework.

In view of these potential shifts in the Soviet position, I have, as you know, consulted with the Foreign Ministers of Great Britain, France, and Federal Republic of Germany. The response of the British Foreign Minister was entirely favorable. The French Foreign Minister stated that France would accept if the terms of the agreement were acceptable to the Federal Republic of Germany. The German Foreign Minister has only recently advised me that the Federal Republic could accept a non-proliferation agreement of the kind we have in mind, provided that Communist China adhered to the terms of the arrangement. I made it clear in all of my consultations that we did not propose to give up our right to work out a truly multinational NATO nuclear force, with appropriate safeguards to assure that nuclear weapons assigned to that force could not be used on

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sgn Dean Rusk

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the basis of a national decision alone.

I believe we are now in a position again to approach the Soviet Union. I propose that we do so promptly in order to accomplish two objectives. The first is to determine whether the Soviet Union is in a position to state that its allies, including Communist China, will adhere to the terms of a non-proliferation agreement. I believe we are now in a position to inform the Soviet Union that our allies can be expected to adhere to such an agreement if the allies of the Soviet Union adhere. The second objective is to give the Soviet Union a somewhat more precise indication of what we have in mind concerning the obligation not to transfer nuclear weapons. We should, of course, make it clear that we reserve the right to cooperate in the establishment of a multinational nuclear weapons force within the NATO alliance.

I am attaching a talking paper which would form the basis for the exploration of whether the allies of the Soviet Union can be expected to sign a non-proliferation agreement. There is also attached an oral statement containing the relevant portions of a draft declaration. Both of these papers would be used in our next approach to the Soviet Government. Finally, there is attached the actual text of a Draft Declaration and Minute. I would recommend they not be used at the forthcoming meeting with the Soviet Union but am transmitting them so you can see what we have in mind.

I am advised that the Joint Chiefs of Staff oppose the measure on the grounds that it contains no provisions for inspection; that it may have a very bad effect on our defensive alliance within NATO; and that the measure prohibits transfers which the U.S. itself may wish to make. I am advised that the Department of Defense does not oppose the measure but rather thinks it might be in our long-term interest.

Accordingly, I request your approval for carrying out the

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necessary discussions with the Soviet Government in order to pursue the objectives discussed in this memorandum.

/s/ Dean Rusk

Dean Rusk

S/S-RO

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[Signature]
3 true copies of signed original

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cc TO ACDA-2, S, SIG

DECLASSIFIED
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with USSR on Non-Proliferation

1. Having consulted its NATO allies, the United States has reason to believe that members of the NATO alliance would join in a non-proliferation agreement provided that the Soviet Union's allies, including Communist China, also joined in the agreement.

2. However, should the Soviet Union's allies, including Communist China, not join such an undertaking, the U.S. would not wish to press NATO members to accept a commitment which might put them at a disadvantage vis-a-vis the allies of the Soviet Union.

3. Accordingly, the U.S. would like to know whether the Soviet Government is in a position to state that its allies, including Communist China, will accept an undertaking not to manufacture nuclear weapons, to refrain from acquiring directly, or indirectly through military alliances, national control of any nuclear weapons, and not to seek or receive assistance from other states in the manufacture of any such weapons.

4. The United States considers that a single declaration could be negotiated to which both the powers that now possess as well as those that do not now possess nuclear weapons could adhere.

5. If the adherence of essential parties can be assured, the United States would be prepared, subject to ratification in accordance with its constitutional processes, to join with the USSR in a declaration on the non-transfer of nuclear weapons. The central provision affecting actions by the powers possessing nuclear weapons would be a declaration that they will not transfer any nuclear weapons directly or indirectly through a military alliance, into the national control of individual states not now possessing such weapons, and that they will not assist such other states in the manufacture of such weapons.

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Subject to the adherence of essential parties, the United States would be prepared to declare that it would not transfer any nuclear weapons directly, or indirectly through a military alliance, into the national control of individual states not now possessing such weapons, and that it would not assist such other states in the manufacture of such weapons.

In the same declaration, the powers that do not now possess nuclear weapons would declare that they would not manufacture nuclear weapons and that they would refrain from acquiring directly, or indirectly through military alliances, national control of any nuclear weapons, and that they would not seek or receive assistance from other states in the manufacture of any such weapons.

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Desiring to promote international peace and security,

Desiring, in particular, to refrain from taking steps which will extend and intensify the arms race,

Believing that the creation of additional national nuclear weapons forces will jeopardize these ends,

Recalling that General Assembly Resolution 1665 (XVI) urges all states to cooperate for these purposes,

Reaffirming their determination to achieve agreement on general and complete disarmament under effective international control,

1. The Governments of France, the United Kingdom of Great Britain and Northern Ireland, the United States of America, and the Union of Soviet Socialist Republics solemnly declare that they will not transfer any nuclear weapons directly, or indirectly through a military alliance, into the national control of individual states not now possessing such weapons, and that they will not assist such other states in the manufacture of such weapons;

2. The other signatory Governments solemnly declare that they will not manufacture nuclear weapons and that they will refrain from acquiring directly, or indirectly through military alliances, national control of any nuclear weapons, and that they will not seek or receive assistance from other states in the manufacture of any such weapons;

3. This declaration, which shall be deposited with the Government of _____, shall be open to signature by all Governments. It shall remain in effect indefinitely, subject to the right of any signatory to

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be relieved of its terms if another signatory fails to observe them or if any other Government takes action which signatories have declared they will not take;

IN WITNESS WHEREOF THE undersigned, duly authorized, have signed this declaration.

DONE AT _____, this _____ day of _____, one thousand nine hundred and sixty-two.

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DISCUSSION WITH DRAFT NON-
TRANSFER DECLARATION

The United States is proposing for consideration a declaration dealing with the non-diffusion of nuclear weapons. The principal operative sentence of this declaration, insofar as the nuclear powers are concerned, reads as follows:

"The Governments of France, the United Kingdom of Great Britain and Northern Ireland, the United States of America, and the Union of Soviet Socialist Republics solemnly declare that they will not transfer any nuclear weapons directly, or indirectly through a military alliance, into the national control of individual states not now possessing such weapons, and that they will not assist such other states in the manufacture of such weapons."

This language is meant to make more precise the third point in the message from the Foreign Minister of the USSR which states that: "There should also be excluded the transfer of nuclear weapons through military alliances to those states which do not possess them, i.e., the transfer of such weapons in an indirect manner, irrespective of whether or not the national armed forces of these states are component parts of the armed forces of any military alliance."

The US draft declaration applies the following test to actions respecting the disposition of a nuclear weapon in connection with a regional arrangement: Such actions are prohibited if they would give to any state which is a member of the regional arrangement and which does not possess nuclear weapons the ability to make a determination to use these weapons on the basis of its national decision alone. A few illustrations may suffice:

1. The declaration proposed by the U.S. would prohibit the U.S. or the Soviet Union from placing nuclear weapons under the control of units of national forces of nations in the NATO or Warsaw Pact which do not now possess nuclear weapons even

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though those units are assigned to the NATO or Warsaw Pact command structure.

2. The declaration proposed by the United States would not prevent the United States or the Soviet Union from deploying nuclear weapons in support of the forces of member nations which are assigned to the forces of the NATO and Warsaw Pact, respectively, even though these members do not themselves have such weapons. The arrangements would be such that the U.S. and USSR, respectively, retain control over the weapons so that they could not be deployed or used solely on the basis of the national decision of any government not now possessing them.

3. The declaration proposed by the United States would not prevent the U.S. or the USSR from placing nuclear weapons in the custody of units of a multinational defense force within the framework of NATO, or Warsaw Pact defense forces, respectively, if weapons could not be deployed or used on the basis of the national decision of any government not now possessing them.

4. The declaration proposed by the U.S. would not prevent the U.S. or the Soviet Union from entering into multinational consultative procedures with respect to the deployment and use of nuclear weapons with countries not now possessing such weapons.

5. The declaration proposed by the U.S. assumes adherence to the declaration by all potential nuclear states or authorities. It would not become operative until both the United States and the USSR were satisfied that such adherences had been obtained, and until both had ratified it pursuant to their constitutional processes.

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