

January 13, 1967

**Memorandum of Conversation between ACDA
Director William C. Foster and West German
Ambassador Heinrich Knappstein, 'Draft Articles of
Non-Proliferation Treaty,' with draft treaty attached**

Citation:

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Summary:

In this conversation, ACDA director Foster met with Ambassador Knappstein for an extended discussion of the NPT. Topics included the treaty's compatibility with a future European federation, consultations by the NATO Nuclear Planning Group, the definition of a nuclear weapon, and the prohibition of national control over "peaceful nuclear explosives."

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SUBJECT: Draft Articles of Non-Proliferation Treaty (U)

Memorandum of Conversation

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DATE: January 13, 1967

PARTICIPANTS: His Excellency Heinrich Knappstein, FRG Ambassador
Berndt von Staden, Counselor, FRG Embassy
Miss Renate Baerensprung, First Secretary, FRG Embassy
William C. Foster, Director, ACDA
Adrian S. Fisher, Deputy Director, ACDA
~~XXXXXXXX~~ Leonard C. Meeker, Legal Advisor, Department of State
John M. Leddy, Assistant Secretary, EUR
George Bunn, General Counsel, ACDA
Vincent Baker, OIC - Nuclear Affairs, EUR/RPM

COPIES TO: See attached list

Ambassador Knappstein expressed thanks for this opportunity to raise various questions relating to the articles of the non-proliferation draft which had been given to the German Government. He had just returned from discussions with the Chancellor at Tuebingen and with the Foreign Minister on this subject. In principle the Federal Republic, as we already knew, is prepared to join in such an enterprise as the non-proliferation treaty, but of course the German Government wants to know a lot more about it.

He did not consider the present discussions as consultation on the question of desirability or of acceptability of the various articles, but merely as a chance to get clarifications of the drafts. What the FRG had available thus far on the subject were (1) the various statements the Secretary had made to them on the subject, (2) the informal note which the Secretary had given them on December 29, a document which they had found to be very very useful, and (3) the statements Ambassador McGhee had made to their Foreign Minister in Bonn.

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These various statements gave them the impression that a number of options or possibilities would be kept open. Basically the question on which they wanted clarification was: On the basis of what wording or construction of the treaty text would these options be kept open?

Mr. Foster said he was happy that the German cabinet appears to have accepted the general philosophy or principle of non-proliferation. He thought it was a tremendously important objective that we were apparently about to join in. We were eager to have the fullest consultation on this important subject.

In the course of the dinners and meetings with Gromyko in October, and during the negotiations in general, the emphasis has been that the treaty will state what is prohibited, and that things which were not prohibited by the treaty, including matters of political relationships, would be kept open. In the course of negotiations, the USSR had shown that it was prepared to give concessions on certain points, and to accept the general principles upon which our domestic legislation in the atomic energy field is based. It is perfectly clear to the Soviets that the draft is ad referendum and that it has not been accepted by us. The draft is, however, considered to be worthy of extended consideration by our allies, and is now the subject of discreet and extensive consultation.

Ambassador Knappstein noted that no word of the proposed texts had leaked to the public since mid-December when the consultations had begun, and he considered this to be quite an achievement.

Mr. Foster said the Soviets too had treated the text with discretion.

Ambassador Knappstein said he was grateful for the statement that what was not prohibited is accepted.

Mr. Foster said as a convenience in these discussions he had prepared a compilation of the various treaty articles, which he distributed. (Copy attached)

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Ambassador Knappstein noted that Article V of this compilation was a new one they had not seen before. He was grateful to have these texts.

Beginning with Article I, he said that, read superficially at least, the text seemed to forbid all options of any kind, noting the phrases "to any recipient whatsoever", "in any way", and "directly or indirectly".

Mr. Foster said that our existing legislation followed these principles.

Ambassador Knappstein, beginning with an examination of the consultation option, referred to the Nuclear Defense Affairs Committee and the Nuclear Planning Group which had now succeeded the McNamara Committee as part of the NATO structure. His question was whether the activities of the Nuclear Planning Group would still be permitted. Secretary Rusk had said that probably the Soviet Union would have no objection to consultation in the McNamara Committee, but the FRG had difficulties in seeing how this was to be proved in the text itself. Two questions arose:

(1) The text says that transfer to any recipient is foreclosed, including states, associations of states, and alliances. There follows then the additional provision that control will not be transferred "directly or indirectly". The word "indirectly" could, by a Soviet interpretation, be aimed at consultation in the NPG since this word would not be needed to prohibit transfer of nuclear weapons to states in an alliance; that is excluded already.

(2) The second related question was, if this function is permitted, where is the border line - how far can consultation go without coming into conflict with the treaty.

Mr. Foster said the consultation problem had been discussed with the Soviets. He and Secretary Rusk had said consultation is a matter of relations between allies, and that the Soviets would not be allowed to decide what we consult about. We also have said that we assume the Soviets consult their own allies on such matters.

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Gromyko has said that consultation is not the subject of the treaty. He can be under no illusions that the treaty can be used to forbid it. The Russians of course do not like it, but consultation is understood to be beyond the limitations of the treaty so long as it does not lead to decisions or control over the weapon.

Mr. Leddy confirmed that this did come up at the dinner with Gromyko in October and that this was absolutely the conclusion resulting from that discussion.

Mr. Foster noted that consultation is not prohibited, and that the Russians understand that what is not prohibited is permitted. This will be clarified on the record in Senate debate. The Soviets cannot be expected to say they like consultation or publicly to approve it, but after these discussions and clarifications in the process of ratification the treaty cannot be used by the Soviets to prevent consultation.

Ambassador Knappstein asked what about the word "indirectly". What does it mean?

Mr. Foster said it was a word of art, a word designed to give the Soviets more psychological reassurance. A great deal of psychology was involved one way or another in the long course of the negotiations. The word "indirectly" refers back to the transfer of control.

Mr. Bunn said various imaginative stratagems of evasion having no relation to reality had been suggested at one time or another in Geneva. For example, someone had said you might leave a weapon in an unguarded house, and that eventually someone might take it. Under a literal interpretation of the word transfer, it might be argued that no violation of the treaty was involved. The word "indirectly" helped psychologically provide assurance against absurd situations like this.

Mr. Meeker said the presence of the words "directly or indirectly" denotes also the thought of no transfer through a

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conduit, no transfer by any special means. Its effect is comparable to the effect of the phrase "to any recipient whatsoever". The parallel idea is that not only shall there be no transfer to any recipient whatsoever, but also that there shall be no transfer in any form whatsoever. The two phrases in combination serve to make clear that the essential action the treaty is talking about is transfer. The phrase does not enlarge the scope of the term transfer. It does not impinge on consultation. This is understood by the Russians and we will make it clear in the Senate.

Ambassador Knappstein asked whether we would discuss the question of limits to which the activities of the Nuclear Planning Group could be carried. For example, what about the development of contingency plans for use of nuclear weapons, what about advance planning of targeting by the Committee, and what about discussions of nuclear strategy? Would these things be permitted?

Mr. Meeker said definitely so. No transfer was involved in any of these activities.

Ambassador Knappstein asked about existing arrangements. Would they need to be changed or revised? Under existing NATO arrangements, at a certain point in a crisis the American President would give a release to the NATO commander and the NATO commander might thereupon give an order for the use of nuclear weapons. Would this be affected?

Mr. Foster said we had discussed this question openly with the Russians. We had made it clear to them that if they sought to prohibit existing arrangements, there was no deal. We made clear that existing arrangements are a matter between allies brought about by the threat of aggression. The Russians of course do not like these arrangements and would like to see them go away. They understand, however, that the draft treaty would not affect them.

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Ambassador Knappstein said the Secretary had said at one point that the whole treaty was not applicable in a state of war. But what about a situation such as Vietnam where there is no formal state of war. Can there be situations in the future which similarly are not declared or recognized as a state of war in which the treaty might inhibit planned procedures? For example, what about the various stages of the NATO alert situation?

Mr. Foster said he would ask the legal advisers to address this question, but as a layman it seemed to him that the disposition of nuclear weapons lay in the hands of the President without reference to the question of a state of war.

Mr. Meeker said the treaty does not deal with any question of use of nuclear weapons. Its purpose is to deal with their spread. If that effort is successful it would serve to limit occasions in which they might be used. In our view the treaty would not apply to use. Some history supports this view. The Soviets had in earlier stages of the negotiation wanted to prohibit use of nuclear weapons, and they had the word "use" in their draft. We refused to accept it. It is clear to the Soviets that the treaty has nothing to do with decisions to use.

Ambassador Knappstein asked what about a state of crisis. In such a situation the President might wish to permit linking warheads with delivery vehicles. Would this be prohibited?

Mr. Foster said such a mating or linking of weapons with delivery vehicles which was consistent with our existing legislation would be consistent with the principles upon which the treaty is based. At the point of linkage control and safety devices would still exist and would effectively prevent use of the weapon until authorized.

Ambassador Knappstein said he came now to the question which in the minds of the Chancellor and the Foreign Minister was the most important. It concerned the relation of the treaty to the integration of Europe. Specifically there was the question of the

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European option. Europeans are eager to keep open the possibility of a united Europe. The FRG understood that under the treaty the nuclear option would be possible for a new European state which would be the legal successor to a group of states which included one or two nuclear states. A United States of Europe would be able to inherit from Britain or France nuclear weapons as the legal successor to either one or both of them. The question is whether this expectation is founded in the text. What construction of the ideas in the text makes this possible? It is clear that unification of states is not forbidden by the treaty. But the Soviets consider a new entity, according to Secretary Rusk, as something different from the previous states from which it was formed. The United States of Europe, then, would be something different. If it received British or French weapons, then would it be possible for the Soviets to say this constitutes transfer to a recipient? Is this line of argument excluded by the treaty?

Mr. Foster said Ambassador Knappstein's understanding was correct as to the possibility of inheritance of weapons by a successor state. Because of the legal nature of the question he would read a legal response which had been prepared. He read a statement; Ambassador Knappstein asked for a copy; and the following "oral note" was provided:

"The draft non-proliferation treaty would not bar succession by a federated European state to the nuclear status of one of its former components. The draft does not prohibit non-nuclear-weapon states from joining with nuclear-weapon states to form a new state that would have its own nuclear weapons. The new state would "succeed" to the nuclear weapons of its former nuclear-weapon state component or components without a "transfer" of such weapons (which is prohibited by the treaty) being involved. Succession by a new federated European state to nuclear weapons of a component state would be automatic; hence no act of "transfer" could be involved. Without such succession, it could not properly be said that a new federated "state" had come into existence. Moreover, the Soviets understand as fundamental to the treaty that what it does not prohibit is permitted. Since the treaty does not prohibit a consolidation of

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states and does not require the destruction of any nuclear weapons, it must permit the creation of a federated European state with its own nuclear weapons.

"By the same token non-nuclear-weapon states would not receive a transfer of nuclear weapons by participating in the formation of the new state. Nor would they violate the other prohibitions of Article II through such participation because the new state rather than they would be the only entity acquiring nuclear weapons.

"As the FRG knows, President Johnson in 1964 indicated that, so far as the United States is concerned, the criterion for a new European entity having its own nuclear weapons was full political unity with a central political authority capable of making a decision to use nuclear weapons. This would probably not be practical without a consolidation of state sovereignties into a new federated state.

"In our view, under the draft treaty a new federated European state would not have to be so centralized as to assume all governmental functions. It would have to control all of its external security functions including defense and all foreign policy matters relating to external security. Other functions of an internal nature would not have to be centralized."

Ambassador Kanppstein said the answer impressed him. This answered more fully a question that had been raised before and on which the FRG had received comments from Ambassador McGhee and the Secretary. From the European standpoint, however, it does not appear likely that Europe will go in one step on one day from a situation of separate states to a United States of Europe. It will rather be a process extending over many years and many stages. The European community will grow in two directions, (1) in the intensity of its prerogatives, and (2) horizontally by adding new

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members. It was accordingly important to know at what stage succession to nuclear weapons would be possible. The statement which had been read answers this question at least partially in saying the point of succession would be when the community assumes responsibility for security and foreign policy. In light of this criterion, would Mr. Foster say that a nuclear defense community would no longer be possible under the treaty?

Mr. Meeker said that an EDC could not under the treaty receive a transfer of warheads. The treaty does not, however, prohibit other kinds of arrangements. In that period between the present and the achievement of a United States of Europe, a number of possibilities exist which are compatible with the treaty. The community could create, manage and own a force having nuclear delivery vehicles jointly controlled, jointly paid for, and jointly owned so long as warheads were kept in a separate relationship just as they are now kept in Europe. There are a number of forms such a force could take. There are a number of differences as to who could contribute warheads and provide control. The dividing line would be the transfer of warheads to the community. The treaty would not prohibit common forces with commonly owned delivery vehicles so long as the warheads were under arrangements comparable to those which exist today.

Mr. von Staden said there was a problem of terminology in the treaty which he would like to raise. The treaty says "nuclear weapons". It would seem this might be taken to mean both warheads and delivery vehicles, especially in a case where warheads and certain missiles are linked.

Ambassador Knappstein said it boils down to the question of why does the treaty not say "warhead"? Only by combining a warhead with a carrier do you have a weapon. One cannot throw a nuclear warhead or otherwise use it as a weapon by itself, with such limited exceptions as perhaps the ADM. But do you not by use of the term "nuclear weapons" in the treaty prohibit transfer of carriers?

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Mr. Fisher said that in nuclear terminology when a device is weaponized it does not mean mated to a carrier, but rather designed to be usable on a carrier. To illustrate the point, he recalled the debate over whether the Soviets in the 1940's had exploded a weapon or a device. Nobody has said for example that an F-104 is a nuclear weapon, nor has Moscow made such a claim for its nuclear delivery vehicles which appear in parades.

Mr. Meeker said that at no point in history has the term "nuclear weapon" been considered to include the delivery vehicle. It means the warhead. This interpretation finds some support in the wording of Article I which refers to nuclear weapons "or other nuclear explosives".

Ambassador Knappstein said we would probably be repeating that interpretation before the Senate.

Mr. Foster commented that nuclear delivery vehicle was also a Russian term which carried the same meaning.

Mr. Bunn mentioned that two proposals made in Geneva use the terms in the sense described - the cutoff of production of fissionable materials for weapons and the separate proposal for a freeze on nuclear delivery vehicles.

Ambassador Knappstein repeated that the European integration question is the most important one. He had on one occasion mentioned to the Secretary the idea that such a community would not be achieved overnight but would gradually grow in two directions as he had described. The Secretary had said that in the event of such a development it would be possible to use the review and withdrawal clauses together to solve the problems which could arise out of progressive stages in European unification. The Ambassador's question was what is the connection between these clauses or how would the Secretary envisage their use.

Mr. Foster said he did not know exactly what the Secretary may have had in mind but would be glad to comment on the problem

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generally. We hope, expect and believe that the treaty will be of unlimited duration. The two articles to which the Ambassador referred, however, take into account the inherent uncertainty in any such situation. Withdrawal and amendment are possible under certain appropriate conditions. Thirdly, there is a provision for an opportunity to discuss the operation of the treaty after a fixed period. The Secretary may have meant that these clauses are related in the sense that these are all possibilities which take into account uncertainties and variations in future developments.

Ambassador Knappstein thanked Mr. Foster for this explanation and said he wanted to raise another question to which he did not necessarily expect an answer now. He nevertheless wanted to raise it to call attention to a situation in which we may be thinking somewhat differently. The question was whether the analysis we had just given would apply to nuclear defense weapons like the ABM. Prior to the emergence of a United States of Europe, we might have an expanded common market type of community organization. Would nuclear defense weapons be prohibited to it? Could ABM be owned by a community short of the transfer of sovereignty and defense responsibilities to that community in a succession of states?

Mr. Foster said he could answer that question now. Unfortunately there was no such thing as purely defensive weapons under this treaty. The ABM would be subject to the same restrictions as the others. Any weapons that had been devised thus far for ABM could also be used for other purposes.

Mr. Bunn called attention to studies in process on possibilities for non-nuclear warheads for the ABM based on high explosive or on laser. These would not be subject to the limitations of the treaty.

Ambassador Knappstein commented that even a hammer could be used as a weapon, and that conventional anti-aircraft artillery had proved useful against tanks. But he thought we should realize that a restriction on such defensive systems as ABM involved

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certain special psychological problems.

Ambassador Knappstein said the question of a German veto on shooting weapons from German soil also arises. Ambassador McGhee and the Secretary had both said such a veto was not prohibited by the treaty. But the Soviet Embassy in Bonn, when asked this question, had said the veto right of a country would presuppose an organization in which control over nuclear weapons was exercised. Such an organization would be a control mechanism and accordingly prohibited since it would involve transfer of control. Ambassador Knappstein said this was not an absolutely authoritative source, but they would perhaps need to have an answer to this line of reasoning.

Mr. Foster referred again to the understanding that what is prohibited is in the treaty, and that what is not in the treaty is not prohibited. No control mechanism would be necessary in connection with a German veto over weapons used from its soils. The only control machinery needed would be the Chancellor and the President.

Mr. Bunn commented that one of the concessions which the Soviets had made was dropping the prohibition contained in their earlier draft on the right to "participate in control".

Mr. Meeker said one could not make an argument that a veto was equivalent to transfer. Just the opposite is true.

Ambassador Knappstein commented that the Soviets might say that if a veto is possible, the opposite is possible, at least in the sense of exercising influence on using nuclear weapons. He conceded, however, that this might be a somewhat Hegelian dialectic.

Ambassador Knappstein said there remained a large field in which he had no instructions at this time - that of other explosive nuclear devices. One fear the Chancellor had expressed, though just as a thought, was whether the FRG could set up with the French a device for building such a project as the Moselle - Rhine canal, or some similar purely peaceful endeavor. When you

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add to the restriction on assistance to manufacture the phrase "in any way", the restriction might be interpreted to spread, for example, to the computers necessary to use nuclear devices for peaceful uses. A number of questions are in preparation in Bonn, and quite possibly some objections can be expected. The question of EURATOM as well as that of possibilities for bilateral co-operation with the UK and France might arise. Though without instructions, he would like by way of clarification to ask why this restriction on other nuclear explosive devices was included in the new draft when it had not been in the version tabled at the Geneva conference.

Mr. Foster said the answer could be found in Mr. Fisher's speech in the ENDC in August and in his own statement in Committee I at the UN General Assembly in the fall. In briefest terms it was because any nuclear explosive device has a capability of weapon development. The US has spent tens of millions on the development of a suitable Plowshare peaceful uses device, and we are advised that it will be at least five more years before this can be accomplished. But inherent in any such device is a potential weapon use. Restrictions on the development of such explosive devices by non-nuclear powers serve to place an obligation on nuclear powers to make possibilities available for the use of such devices. The United States has said that some kind of international organization might be required for this purpose. He suggested that the Ambassador might wish to read the statements to which he had referred.

Ambassador Knappstein commented that while it was not a point on which he had any official views, he had during his visit in Bonn heard one comment to the effect that the treaty provision might tend to create a commercial monopoly for nuclear states.

Mr. Foster said he thought that instead of creating a monopoly, an international organization in this field would make possible significant economies for non-nuclear powers.

Mr. von Staden noted that the obligation not to assist manufacture of nuclear weapons seemed in the treaty to be stated

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in terms of intention, employing as it does such words as assist, encourage and induce. He wondered, however, whether it might limit transfer of fissionable materials or computers, which regardless of intentions of the transferer might arguably have the objective effect of facilitating the manufacture of weapons.

Mr. Fisher said one should not equate explosives, which are the subject of the treaty, with peaceful uses of atomic energy. The explosive is a small segment of the peaceful uses field, and thus far an uneconomic one.

Ambassador Knappstein repeated that he expected to receive from Bonn further questions on the whole problem of peaceful uses. Turning to the question of procedures to be followed in arriving at a treaty, Ambassador Knappstein asked (1) whether we intended that the US and USSR should table a joint draft at the ENDC as a basis for further negotiations with the non-nuclear states, and (2) who would be the original parties to the treaty, the nuclear powers or the members of the Geneva ENDC.

Mr. Foster said he shared the FRG concept of a broadly multilateral treaty and we did not envisage the procedure followed in the test ban treaty where three nuclear powers as original parties presented a treaty to the non-nuclear powers for signature. The procedural plans we have in mind have not, however, been discussed with the USSR. After current bilateral and further NAC consultations, we propose to resume discussions with the Soviets with a view to achieving an agreed draft. This text would then be submitted as a recommendation of the US and USSR co-chairmen, and further discussed at forthcoming ENDC scheduled to open February 21. During this session, we would of course keep in close touch with the FRG. It is our hope that agreement can be reached during this session on a final text which would then be opened for signature in depositary capitals.

Ambassador Knappstein noted the "front" in Geneva at the ENDC would not be between East and West in the coming session

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but rather between the nuclear and non-nuclear powers. If at such a time the nuclear powers were opening a new spiral in the arms race by deployment of ABM's, the new escalation would be fatal to our efforts to secure agreement by the non-nuclear powers to the non-proliferation treaty.

Ambassador Knappstein said he would like to clear up a question arising from his conversation of December 29 with the Secretary. In explaining the Russian position, the Secretary had said they were opposed to transfer to a state, transfer to an association, and then referred to a "third case".

Mr. Foster and Mr. Meeker explained that in the discussions with Gromyko in October three cases had been considered: (1) direct transfer to another state; (2) indirect transfer through a conduit such as a state or alliance; and (3) transfer to an association. Mr. Meeker believed that the text now provides reasonable clarity on the third case. He noted that a federated state such as a United States of Europe was not part of the third case.

Ambassador Knappstein said the discussion had been very fruitful. The Foreign Office might have more questions. We had not yet discussed withdrawal or review.

Mr. Foster stressed again that there was no agreed text, that everything is ad referendum and subject to consultation.

Ambassador Knappstein asked if changes were even possible.

Mr. Foster said these texts had been arrived at by an arduous process. The Soviets had made concessions and real ones. The product which had emerged was dictated more by the principles of our domestic atomic energy legislation than by Soviet desires. The text which has emerged represents a great deal of progress and is something we believe to be worthy of extended consideration by our allies.

Attachment:

Compilation of various treaty articles.

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Attachment

Non-Proliferation Treaty Draft ArticlesARTICLE I

Each nuclear-weapon State Party to this Treaty undertakes not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly; and not in any way to assist, encourage, or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.

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ARTICLE II

Each non-nuclear-weapon State Party to this Treaty undertakes not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.

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ARTICLE IV

1. Any Party to this Treaty may propose amendments to this Treaty. The text of any proposed amendment shall be submitted to the Depositary Governments which shall circulate it to all Parties to the Treaty. Thereupon, if requested to do so by one third or more of the Parties, the Depositary Governments shall convene a conference, to which they shall invite all the Parties, to consider such an amendment.

2. Any amendment to this Treaty must be approved by a majority of the votes of all the Parties to the Treaty, including the votes of all nuclear-weapon States Party to this Treaty. The amendment shall enter into force for all Parties upon the deposit of instruments of ratification by a majority of all the Parties, including the instruments of ratification of all nuclear-weapon States Party to this Treaty.

3. Five years after the entry into force of this Treaty, a conference of Parties shall be held in Geneva, Switzerland, in order to review the operation of the Treaty with a view to assuring that the purposes and provisions of the Treaty are being realized.

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ARTICLE V

1. This Treaty shall be open to all States for signature. Any State which does not sign the Treaty before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.

2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of _____, which are hereby designated the Depositary Governments.

3. This Treaty shall enter into force after its ratification by all nuclear-weapon States signatory to this Treaty, and _____ other signatories to this Treaty and the deposit of their instruments of ratification.

4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each

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signature, the date of deposit of each instrument of ratification or of accession, the date of the entry into force of this Treaty, and the date of receipt of any requests for convening a conference or other notices.

6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

ARTICLE VI

This Treaty shall be of unlimited duration.

Each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

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ARTICLE VII

This Treaty, the English, Russian, French, Spanish and Chinese texts of which are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

Copies to:

The Secretary
Mr. Katzenbach
Mr. Leddy
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Sheet for
EXDIS MEMORANDA1. Original - CMS
2. Info - Ex.Secretary
Deputy
Deputy
7224 File

F750909-1358

I. CONTROL

Classification SECRET Control No. 1040 Date 1/13/67Description Memcon between William C. Foster Director ACDA and Heinrich
Knapstein, FRG Ambassador dated 1/13/67 re Draft Articles of
Non-Proliferation TreatyDistribution Approved By: JPW Date 1/18/67Distribution Made By: HB:sb Date 1/18/67

II. DISTRIBUTION

COPY NUMBER	SENT TO	DESTRUCTION
<i>Original</i>	EXDIS Memo File 7512	
1	EXDIS Memo File 7224	
2	S	
3	U	
4	G	
5	EUR/Leddy	
6	EUR/Baker	
7	L/Meeker	
8	ACDA	
9	ACDA	
10	ACDA	
11	Amembassy BONN	
12	White House	
13	Sec/Def	
14		
15		
16		
17		
18		
19		
20		

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