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Research Memorandum RSB-106 from Thomas L. Hughes to the Secretary, 'Soviet Conditions about Western Nuclear Arrangements for a Nondissemination Treaty'

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Summary:

INR looked closely at Soviet positions on an NPT arguing that the Soviets appeared to “attach a higher priority in using the nondissemination issue as a means of attacking possible NATO nuclear arrangements than in concluding an agreement.”

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To : The Acting Secretary
Through: S/S
From : INR - Thomas L. Hughes

Subject: Soviet Conditions About Western Nuclear Arrangements for a Nondissemination Treaty

Recent discussions of the US and Soviet draft treaties on nondissemination raise the question of whether there is a precise point on the spectrum of possible Western sharing arrangements which Moscow is prepared to countenance and still sign a nondissemination treaty.

CONCLUSIONS

For the present, Moscow appears to attach higher priority to using the nonproliferation issue as an instrument in attacking potential NATO sharing arrangements than to concluding an agreement. If the Soviets once hoped that a nonproliferation agreement might inhibit Communist China or serve as an appropriate pretext for denying them further nuclear assistance, those considerations no longer apply. Moscow may well feel that it can count on the US to exert its influence to oppose nuclear proliferation whether there is an agreement or not, and the Soviets may take a relatively philosophical view of the possibility that India might decide to produce nuclear weapons. In the recent discussions Moscow has not addressed the issue of inducements (such as security guaranties)

to achieve adherence by potential Nth countries. While the Vietnam crisis flares, Moscow may be reluctant to undercut its position on Vietnam by concluding an agreement with the US. Finally, Moscow apparently sees differences within and among Western countries which it hopes to exploit by making West German participation in NATO sharing arrangements the principal focus of debate on nonproliferation.

Our review of Soviet statements since the US draft treaty was presented in Geneva on August 17 does not indicate that Moscow has committed itself to any well-defined cut-off point as to what degree of Western sharing it would accept and still sign a non-dissemination treaty. Rather Soviet statements are contradictory. On the one hand, Moscow has not repeated its earlier explicit attack on the McNamara proposal (for a Select Committee on nuclear planning) in the context of nondissemination, leaving the impression that there may be an element of potential flexibility in the Soviet position. On the other hand, Soviet demands -- now formalized in the draft treaty which Gromyko tabled at the UN on September 24 -- could be read as precluding already existing arrangements in NATO and some practices in the Warsaw Pact as well.

The obscurities of Soviet language cannot be resolved by philological inquiry, for they reflect a political intention to let the issue go as far as it will. Whatever the degree or element

of Western arrangements which is open for discussion, Moscow will try to make it an issue in nonproliferation negotiations in the hope of thereby frustrating Western efforts to resolve NATO's nuclear problems. But once debate on a subject is closed within the Western alliance, Moscow will have little purchase on it and will be more inclined to accept what it cannot change. The test of Soviet willingness to agree to a nondissemination agreement in the face of the Select Committee -- something more or something less -- will lie not so much in the specific provisions of the sharing proposal as in how long Western debate on it continues and how much opportunity it affords for Soviet maneuver. As opportunities for making mischief in NATO decline, Moscow's other interests in a possible nondissemination treaty will tend to become more salient. Although Moscow has not perhaps found it as compelling as it might have, it has, and recognizes, an interest in preventing the spread of nuclear weapons to other Nth countries. With respect to the European aspect, Moscow presumably would consider West German participation in a controlled alliance arrangement as a lesser evil than an independent German nuclear force and would see some virtue in a nondissemination agreement as a means of freezing the new status quo in NATO.

NOTE: The Soviet draft treaty was tabled by Gromyko at the UN on September 24, 1965. For a more general discussion of other topics covered in his UN speech see Research Memorandum RSB-105, "Gromyko Tables Two Proposals in New York," of that date.

The Soviet Record Before Geneva

In January 1965 Moscow sought to use the issue of possible West German participation in a NATO multilateral nuclear force as the theme for a show of unity at a Warsaw Pact summit meeting. In so doing, the Soviet Union again committed itself to continued opposition to the MLF. After the meeting East German party boss Ulbricht, who had earlier seemed concerned over Moscow's firmness on the subject, expressed satisfaction that the West could no longer think in terms of the Soviet Union's ever countenancing the MLF in a nondissemination agreement. To take account of discussion of the ANF and of possible follow-on proposals, the Warsaw Pact communique reaffirmed opposition to the MLF in "any form," and thus broadened the definition of NATO arrangements which the pact members pledged to oppose.

At the UN Disarmament Commission session in New York Tsarapkin made it clear that the Soviet strictures against the MLF and ANF applied equally to the McNamara proposal for a Select Committee on nuclear affairs in NATO. The basic Soviet statement on the proposed Select Committee and its relevance to the proliferation problem was Tsarapkin's June 2, 1965 speech. After a description and interpretation of the McNamara proposal, he concluded:

> "A treaty on the nonproliferation of nuclear weapons must be comprehensive. It must bar all access to nuclear weapons to States which do not possess such weapons. This means that the possibility of access to nuclear weapons both directly, that is, through the acquisition of national control over nuclear weapons, and indirectly, through participation in the use of and the supervision over such weapons through military alliances, including access of West German to nuclear weapons through the so-called NATO multilateral forces or NATO's Atlantic nuclear forces or a NATO Committee such as was proposed by Mr. McNamara the day before yesterday in Paris, or in any other form, must be forbidden."

At Geneva

At the last series of meeting of the disarmament conference in Geneva, Tsarapkin did not specifically mention the Select Committee as such, and one Polish officer, Skowronski, in a conversation with an American on September 7, even suggested that there might be a compromise on a nondissemination agreement whereby the West would abandon the MLF and the Soviets would not object to the Select Committee.

Tsarapkin did, however, protect his June 2 position by generalized references to analogues to the MLF. On August 3 he stated, "An important question calling for urgent solution is the prevention of the creation in any form whatsoever of multilateral NATO nuclear forces..."(emphasis added). Again at the August 31 meeting Tsarapkin referred to the "the so-called MLF or any similar body." Moreover, in that speech and again on September 7 he stated Moscow's conditions for a nonproliferation treaty in terms amply broad enough to prohibit the McNamara proposal as an analogue to the MLF and ANF. Specifically, he insisted that a treaty must prohibit any extension of participation in "ownership," "disposition" and "use" of nuclear weapons.[1]

The relevant passage in Tsarapkin's August 31 speech reads:

> "The Soviet Union sees agreement on the nondissemination of nuclear weapons as a real means of bringing to an end the process of the continuous extension of access to nuclear weapons, either through new nuclear powers (having their own nuclear means or through participation in collective ownership, collective use or collective disposition of such nuclear weapons within the framework of military alliances or in any other way. Only such a solution to the question of the nondissemination of nuclear weapons -- one that would not allow for any lacuna, any reservation or exception -- would really be a contribution to the cause of peace."

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1. The three terms have been subject to some vagaries of translation. In Russian they are: (1) vladenie, ownership. The word has as its root the concept of dominion or domain and carries a connotation of property rights. (2) rasporyazhenie, disposition. The idea of "having at one's disposal" carried by the word would presumably apply to storage or deployment arrangements. (3) ispol'zovanie, use. In connection with nuclear weapons, the term presumably includes firing. To take an everyday illustration of the meaning of the terms; vladenie would refer to the owner's registration of an auto; rasporyazhenie to the possession of the keys, as in thecase of a parking lot attendant who can move it about or perhaps drive it off; and ispol'zovanie to actually putting in the key and driving somewhere.

Tsarapkin used the same three key terms on September 7:

> "Such an agreement should provide for the obligation of the nuclear powers not to transfer nuclear weapons in any form whatsoever, directly or indirectly, through third Powers or groups of Powers, into the possession or control of States or groups of States which do not have nuclear weapons as yet, and not to provide to such States or groups of States the right to praticipate in the ownership, disposition and use of nuclear weapons."

Clearly Tsarapkin did not give up his June 2 position and nothing he said could be read as a good word for the McNamara proposal. While it is possible that Tsarapkin was deliberately avoiding specific reference to the McNamara proposal in order to open up the option of a shift in position that he was merely trying to focus discussion on the better known term -- MLF and ignored a proposal which has not been a major topic of public discussion of late.

Be that as it may, the broad language which Tsarapkin used in Geneva, which had the effect of protecting his June 2 position on the McNamara proposal, was also the forerunner of the Soviet draft treaty tabled by Gromyko in New York on September 24. The Soviet draft may well have been prepared while the Geneva talks were in progress but saved in order to get more impact by presenting it in New York.

The Soviet Draft Treaty

As a matter of public posture, the principal purpose of the Soviet draft treaty was to buttress Moscow's argument that the US draft treaty contained a loophole which would allow dissemination via establishment of NATO arrangements. In using sweeping language to close the loophole, the draft treaty includes provisions which would go beyond merely ruling out the MLF. Taken literally, it could be read as prohibiting existing arrangements in NATO and some in the Warsaw Pact itself.

The key provision is the first sentence of Article I, which prohibits any granting of "the right to participate in the ownership, disposition or use of nuclear weapons." The terms used are the ones which Tsarapkin had used in his Geneva speeches. On the face of it, they would seem to cover the entire gamut of any kind of nuclear sharing, and that impression is reinforced by the elaboration contained in the treaty.

The second sentence of Article I is evidently based upon languaged of the American minute on the subject of nondissemination which was handed to the Soviets in 1963 1/. It states that the parties will "not provide nuclear weapons or control over them or over their location or use to units of the armed forces or to individual members of the armed forces" of allies even if those units or individuals are under the command of the alliance. The effect is to add to the original US draft a general reference to deployment and use, as distinct from control -- the term which the US has defined as meaning the ability to fire without resort to other authority.

The third sentence of Article I (it is numbered "2") extends the prohibition to assistence in the manufacture of "preparation for manufacture or testing" (a provision which seems to describe what the USSR did for Communist China), as well as transfer of information which "may be utilized for the manufacture or application of nuclear weapons." The last provision -- against passing of information on the application or use of nuclear weapons (the Russian word is primenenie) is perhaps the most far-reaching in the Soviet draft. It would seem to cover not only planning, but

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1/ It incidentally used the word "control" even though the Russian word kontrol carries a different connotation in general usage. The Russian word is usually used to refer to a fiscal or accounting function such as that performed by the comptroller in an American business, but it has entered Soviet parlance on disarmament in its American sense.

also training in the use of nuclear-capable delivery systems (such as high performance aircraft and tactical missiles), as well as training for troops to operate in a nuclear environment even if they are not nuclear-armed themselves since that involves information about weapons effects. Taken literally, the last sentence of Article I would thus prohibit at least some activities now carried on in the Warsaw Pact as well as NATO.

Article II repeats for non-nuclear powers the same obligations as described in Article I for the nuclear powers. Article III obliges the parties to refrain from giving any encouragement or inducement to states which seek to own, manufacture, or obtain the right to dispose of nuclear weapons. Broadly analogous to old Soviet proposals to ban war propaganda, it has an obvious propagandistic thrust. Given the background of Soviet public criticism of West Germany and its NATO allies, it would seem that little in US relations with the FRG would escape criticism under the rubric which Article III seeks to create.

The Meaning of Lack of Meaning

At a time when Moscow appears to attach a higher priority to using the nondissemination issue as a means of attacking possible NATO nuclear arrangements than to concluding an agreement, the USSR has not given any precise definition of its terms for an agreement. Hence, the Soviet record which we have examined in such detail provides no basis for a clear reading of what Moscow will or will not countenance in the way of NATO nuclear arrangements and still conclude a nondissemination treaty. Tsarapkin's failure to mention the McNamara Committee by name during the Geneva debates may suggest -- as the Polish officer read it -- an element of potential flexibility in the Soviet position on that score. However, nothing Tsarapkin said implies approval of the Select Committee, and the broad language which he used certainly sufficed to protect his previous position that it was an unacceptable analogue to the MLF. Indeed, the Soviet draft treaty uses language so broad that it would seem to rule out not only the Select Committee, but already existing arrangements in NATO and even some activities in the Warsaw Pact. The one thing which emerges really clearly from the Soviet record we have examined is that Moscow has not allowed itself to be pinned down to a definition of what would or would not be permitted under a nondissemination treaty. Rather, the Soviets appear willing to let the debate go as far as it will. If the West chooses to make an issue of its existing nuclear arrangements, Moscow need not object.

Ultimately, the precise terms for a nondissemination treaty seem likely to depend less on Soviet desiderata, or on any preconceived Soviet notion of how much NATO sharing is tolerable, than on the state of nuclear issues in the West. So long as the questions of MLF, ANF, and the McNamara proposal remain subject to debate, Moscow is likely to find opportunities for attempting to meddle by making them issues in nonproliferation negotiations. Whenever these questions are resolved -- as with existing two-key arrangements with the FRG -- they cease to afford a purchase for the Soviets, and Moscow is more likely to accept what it cannot expect to change. If the nuclear issues are settled in NATO, Moscow's interest in a nondissemination treaty as a means of political and psychological influence on potential Nth countries and of freezing the status quo in NATO (which Moscow would regard as a lesser evil than an independent West German capability) will tend to be more salient.

A Polish Footnote

On September 2 the Polish delegate, Goldblat, suggested to the Geneva disarmament conference a somewhat more sophisticated approach than Moscow has taken. He argued:

> "To be effective, a ban on nuclear dissemination has to freeze the present status of all States with respect to physical access to and ownership, disposition, operation and control of nuclear weapons as well as training in their use, planning, etc."

Perhaps reflecting some Polish concern over emergent Warsaw Pact arrangements, Goldblat's statement introduced the notion -- which Moscow so far has studiously avoided -- that there is a spectrum of possible arrangements and that there has already been some nibbling from the fruit of the tree of knowledge. He recognizes that there is a status quo when he calls for freezing it. Moscow may well choose not to open the difficult subjects which Goldblat's approach entails. But if and when the Soviets do adopt his approach, the US may have to come to grips with the problem of definitions of the status quo both within the West and within the Warsaw Pact.