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ACTION SS 7a
INFO MM 01, SSO 00, NSCE 00, USIE 00, CC0 00, 071 W

O P 171856Z JAN 68 ZFZ 4
FM USMISSION GENEVA
TO SECFSTATE WASHOC IMMEDIATE 6550
INFO AMEMBASSY BONN PRIORITY 860
AMEMBASSY BRUSSELS 940
AMEMBASSY THE HAGUE 442
AMEMBASSY LONDON 1146
AMEMBASSY MOSCOW 533
AMEMBASSY PARIS 1370
AMEMBASSY ROME 733
US MISSION NATO 113
USUN NEW YORK 1561

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LIMDIS

DISTO/NATUS/BUSEC

SUBJECT: DRAFT NPT TEXT AS IT MAY BE REVISED FOR TABLEING AT ENDC

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ON CONTINGENCY THAT SOVIETS WILL BE AUTHORIZED TO TABLE REVISED
NPT DRAFT TREATY ON BASIS AUTHORIZED FOR US DEL IN STATE 98934
AND 99821, FOLLOWING IS TEXT WHICH WE WOULD TABLE AS ENDC
DOCUMENT 192/REV 1. PURSUANT LAST PARA STATE 99821, TEXT MUST
BE HELD IN STRICT CONFIDENCE.

BEGIN TEXT:

SECRET
UNITED STATES OF AMERICA

DRAFT TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

THE PARTIES CONCLUDING THIS TREATY, HEREAFTER REFERRED TO AS THE "PARTIES TO THE TREATY";

CONSIDERING THE DEVASTATION THAT WOULD BE VISITED UPON ALL MANKIND BY A NUCLEAR WAR AND THE CONSEQUENT NEED TO MAKE EVERY EFFORT TO AVOID THE DANGER OF SUCH A WAR AND TO TAKE MEASURES TO SAFEGUARD THE SECURITY OF PEOPLES;

BELIEVING THAT THE PROLIFERATION OF NUCLEAR WEAPONS WOULD SERIOUSLY ENHANCE THE DANGER OF NUCLEAR WAR;

IN CONFORMITY WITH RESOLUTIONS OF THE UNITED NATIONS GENERAL ASSEMBLY CALLING FOR THE CONCLUSION OF AN AGREEMENT ON THE PREVENTION OF WIDER DISSEMINATION OF NUCLEAR WEAPONS;

UNDERTAKING TO CO-OPERATE IN FACILITATING THE APPLICATION OF INTERNATIONAL ATOMIC ENERGY AGENCY SAFEGUARDS ON PEACEFUL NUCLEAR ACTIVITIES;

EXpressing their support for research, development and other efforts to further the application, within the framework of the International Atomic Energy Agency Safeguards System, of the principle of safeguarding effectively the flow of source and special fissionable materials by use of instruments and other techniques at certain strategic points;

AFFIRMING THE PRINCIPLE THAT THE BENEFITS OF PEACEFUL APPLICATIONS OF NUCLEAR TECHNOLOGY, INCLUDING ANY TECHNOLOGICAL BY-PRODUCTS WHICH MAY BE DERIVED BY NUCLEAR-WEAPON STATES FROM THE DEVELOPMENT OF NUCLEAR EXPLOSIVE DEVICES, SHOULD BE AVAILABLE FOR PEACEFUL PURPOSES TO ALL PARTIES TO THE TREATY, WHETHER NUCLEAR-WEAPON OR NON-NUCLEAR-WEAPON STATES.
CONVINCED THAT IN FURTHERANCE OF THIS PRINCIPLE, ALL PARTIES TO THIS TREATY ARE ENTITLED TO PARTICIPATE IN THE FULLEST POSSIBLE EXCHANGE OF SCIENTIFIC INFORMATION FOR, AND TO CONTRIBUTE ALONE OR IN CO-OPERATION WITH OTHER STATES, TO THE FURTHER DEVELOPMENT OF THE APPLICATIONS OF ATOMIC ENERGY FOR PEACEFUL PURPOSES,

DECLARING THEIR INTENTION TO ACHIEVE AT THE EARLIEST POSSIBLE DATE THE CESSATION OF THE NUCLEAR ARMS RACE,

URGING THE COOPERATION OF ALL STATES IN THE ATTAINMENT OF THIS OBJECTIVE,

DESIRING TO FURTHER THE CESSING OF INTERNATIONAL TENSION AND THE STRENGTHENING OF TRUST BETWEEN STATES IN ORDER TO FACILITATE THE CESSATION OF THE MANUFACTURE OF NUCLEAR WEAPONS, THE LIQUIDATION OF ALL THEIR EXISTING STOCKPILES, AND THE ELIMINATION FROM NATIONAL ARSENALS OF NUCLEAR WEAPONS, AND THE MEANS OF THEIR DELIVERY PURSUANT TO A TREATY ON GENERAL AND COMPLETE DISARMAMENT UNDER STRICT AND EFFECTIVE INTERNATIONAL CONTROL,

HAVE AGREED AS FOLLOWS:

ARTICLE 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.

ARTICLE II

Each non-nuclear-weapon state party to this treaty undertakes not to receive the transfer from any transferring whatsoever of nuclear weapons or other nuclear explosive devices or of 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.

ARTICLE III

1. Each non-nuclear-weapon state party to the treaty undertakes to accept safeguards as set forth in an agreement to be negotiated and concluded with the International Atomic Energy Agency in accordance with the statute of the International Atomic Energy Agency and the agency's safeguards system for the exclusive purpose of verification of the fulfillment of its obligations assumed under this treaty with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. Procedures for the safeguards required by this article shall be followed with respect to source or special fissionable material whether it is being produced, processed or used in any principal nuclear facility or it outside any such facility. The safeguards required by this article shall be applied on all source of special fissionable material in all peaceful nuclear activities within the territory of such state, under its jurisdiction, or carried out under its control anywhere.

2. Each state party to the treaty undertakes not to provide (a) source of special fissionable material, or (b) equipment or material especially designed or prepared for the processing, use or production of special fissionable material, to any non-
NUCLEAR-WEAPON STATE FOR PEACEFUL PURPOSES. UNLESS THE SOURCE OR SPECIAL FISSIONABLE MATERIAL SHALL BE SUBJECT TO THE SAFEGUARDS REQUIRED BY THIS ARTICLE. SR-30 TUBBY
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OP 171856Z JAN 68 ZZF+4
EM USMISSION GENEVA
TO SECSTATE WASHDC IMMEDIATE 6551
INFO AM EMBASSY BONN PRIORITY 661
AM EMBASSY BRUSSELS 941
AM EMBASSY THE HAGUE 443
AM EMBASSY LONDON 1147
AM EMBASSY MOSCOW 534
AM EMBASSY PARIS 1371
AM EMBASSY ROME 734
USMISSION NATO 114
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3. THE SAFEGUARDS REQUIRED BY THIS ARTICLE SHALL BE
IMPLEMENTED IN A MANNER DESIGNED TO COMPLY WITH ARTICLE IV OF
THIS TREATY, AND TO AVOID HAMPERING THE ECONOMIC OR TECHNOLOGICAL
DEVELOPMENT OF THE PARTIES OR INTERNATIONAL COOPERATION IN THE
FIELD OF PEACEFUL NUCLEAR ACTIVITIES, INCLUDING THE INTERNATIONAL
EXCHANGE OF NUCLEAR MATERIAL AND EQUIPMENT FOR THE PROCESSING,
USE OR PRODUCTION OF NUCLEAR MATERIAL FOR PEACEFUL PURPOSES IN
ACCORDANCE WITH THE PROVISIONS OF THIS ARTICLE AND THE PRINCIPLE OF SAFEGUARDING SET FORTH IN THE PREAMBLE.

4. NON-NUCLEAR-WEAPON STATES PARTY TO THE TREATY SHALL CONCLUDE AGREEMENTS WITH THE INTERNATIONAL ATOMIC ENERGY AGENCY TO MEET THE REQUIREMENTS OF THIS ARTICLE EITHER INDIVIDUALLY OR TOGETHER WITH OTHER STATES IN ACCORDANCE WITH THE STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY. NEGOTIATION OF SUCH AGREEMENTS SHALL COMMENCE WITHIN 180 DAYS FROM THE ORIGINAL ENTRY INTO FORCE OF THIS TREATY FOR STATES DEPOSING THEIR INSTRUMENTS OF RATIFICATION AFTER THE 180-DAY PERIOD. NEGOTIATION OF SUCH AGREEMENTS SHALL COMMENCE NOT LATER THAN THE DATE OF SUCH DEPOSIT. SUCH AGREEMENTS SHALL ENTER INTO FORCE NOT LATER THAN EIGHTEEN MONTHS AFTER THE DATE OF INITIATION OF NEGOTIATIONS.

ARTICLE IV

1. NOTHING IN THIS TREATY SHALL BE INTERPRETED AS AFFECTING THE INalienable RIGHT OF ALL THE PARTIES TO THE TREATY TO DEVELOP RESEARCH, PRODUCTION AND USE OF NUCLEAR ENERGY FOR PEACEFUL PURPOSES WITHOUT DISCRIMINATION AND IN CONFORMITY WITH ARTICLES I AND II OF THIS TREATY.

2. ALL THE PARTIES TO THE TREATY HAVE THE RIGHT TO PARTICIPATE IN THE FULLEST POSSIBLE EXCHANGE OF SCIENTIFIC AND TECHNOLOGICAL INFORMATION FOR THE PEACEFUL USES OF NUCLEAR ENERGY. PARTIES TO THE TREATY IN A POSITION TO DO SO SHALL ALSO COOPERATE IN CONTRIBUING ALONE OR TOGETHER WITH OTHER STATES OR INTERNATIONAL ORGANIZATIONS TO THE FURTHER DEVELOPMENT OF THE APPLICATIONS OF NUCLEAR ENERGY FOR PEACEFUL PURPOSES, ESPECIALLY IN THE TERRITORIES OF NON-NUCLEAR-WEAPON STATES PARTY TO THE TREATY.

ARTICLE V

EACH PARTY TO THIS TREATY UNDERTAKES TO COOPERATE TO INSURE THAT POTENTIAL BENEFITS FROM ANY PEACEFUL APPLICATIONS OF NUCLEAR EXPLOSIONS WILL BE MADE AVAILABLE THROUGH APPROPRIATE INTERNATIONAL
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PROCEDURES TO NON-NUCLEAR-WEAPON STATES PARTY TO THIS
TREATY ON A NON-DISCRIMINATORY BASIS AND THAT THE CHARGE TO
SUCH PARTIES FOR THE EXPLOSIVE DEVICES USED WILL BE AS LOW AS
POSSIBLE AND EXCLUDE ANY CHARGE FOR RESEARCH AND DEVELOPMENT.
IT IS UNDERSTOOD THAT NON-NUCLEAR-WEAPON STATES PARTY TO THIS
TREATY SO DESIRING MAY, PURSUANT TO A SPECIAL AGREEMENT OR
AGREEMENTS, OBTAIN ANY SUCH BENEFITS ON A BILATERAL BASIS OR
THROUGH AN APPROPRIATE INTERNATIONAL BODY WITH ADEQUATE
REPRESENTATION ON NON-NUCLEAR-WEAPON STATES.

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ARTICLE VI

EACH OF THE PARTIES TO THIS TREATY UNDERTAKES TO PURSUE
NEGOTIATIONS IN GOOD FAITH ON EFFECTIVE MEASURES REGARDING
CESSION OF THE NUCLEAR ARMS RACE AND DISARMAMENT, AND ON A
TREATY ON GENERAL AND COMPLETE DISARMAMENT UNDER STRICT AND
EFFECTIVE INTERNATIONAL CONTROL.

ARTICLE VII

NOTHING IN THIS TREATY AFFECTS THE RIGHT OF ANY GROUP OF
STATES TO CONCLUDE REGIONAL TREATIES IN ORDER TO ASSURE THE
TOTAL ABSENCE OF NUCLEAR WEAPONS IN THEIR RESPECTIVE TERRITORIES.

ARTICLE VIII

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 TO THE TREATY, THE DE-
POSITARY GOVERNMENTS SHALL CONVENE A CONFERENCE, TO WHICH
THEY SHALL Invite ALL THE PARTIES TO THE TREATY, TO CONSIDER
SUCH AN AMENDMENT.

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3. FIVE YEARS AFTER THE ENTRY INTO FORCE OF THIS TREATY, A CONFERENCE OF PARTIES TO THE TREATY SHALL BE HELD IN GENEVA, SWITZERLAND, IN ORDER TO REVIEW THE OPERATION OF THIS TREATY WITH A VIEW TO ASSURING THAT THE PURPOSES AND PROVISIONS OF THE TREATY ARE BEING REALIZED.

ARTICLE IX

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 DEPOSITION WITH THE GOVERNMENTS OF WHICH ARE HEREBY DESIGNATED THE DEPOSITORY GOVERNMENTS.

3. THIS TREATY SHALL ENTER INTO FORCE AFTER ITS RATIFICATION

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BY ALL NUCLEAR-WEAPON STATES SIGNATORY TO THIS TREATY, AND
40 OTHER STATES SIGNATORY TO THIS TREATY AND THE DEPOSIT OF
THEIR INSTRUMENTS OF RATIFICATION FOR THE PURPOSES OF THIS
TREATY, A NUCLEAR-WEAPON STATE IS ONE WHICH HAS MANUFACTURED
AND EXPLODED A NUCLEAR WEAPON OR OTHER NUCLEAR EXPLOSIVE DEVICE
PRIOR TO JANUARY 1, 1967.

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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 SIGNATURE.
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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 X

1. 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

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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.

2. TWENTY-FIVE YEARS AFTER THE ENTRY INTO FORCE OF THE
TREATY, A CONFERENCE SHALL BE CONVENED TO DECIDE WHETHER THE
TREATY SHALL CONTINUE IN FORCE INDEFINITELY, OR SHALL BE EXTENDED
FOR AN ADDITIONAL FIXED PERIOD OR PERIODS: THIS DECISION SHALL BE
TAKEN BY A MAJORITY OF THE PARTIES TO THE TREATY.

ARTICLE XI

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.

IN WITNESS WHEREOF THE UNDERSIGNED, Duly AUTHORIZED, HAVE
SIGNED THIS TREATY.

SECRET