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~~GRIP #27D (U)~~

Issue: Should the US change its current stance on US warheads on FRG Pershing IA missiles? (S)

Background: The Kohl statement of 26 August amounts to a FRG unilateral announcement that it will refrain from modernizing its existing Pershing IA force (72 operational missiles, with US nuclear warheads) and will dismantle that force if certain conditions are met. Those conditions are substantial, requiring:

- (1) US-USSR agreement on global elimination of US and Soviet land-based LRINF and SRINF missiles;
- (2) satisfactory resolution of verification issues;
- (3) ratification and entry into force of the agreement, and
- (4) completion on schedule of actual elimination of US and Soviet INF missiles. (C)

Immediately following the FRG announcement, which deals only with the FRG missiles themselves, US representatives were approached by Soviets inquiring how the USG would now treat the warheads associated with the FRG Pershing IA missiles. The clear implication of the Soviet probes was whether the US would now entertain an agreement with the USSR that our warheads would be withdrawn or destroyed. It is likely that the Soviets will continue to press the US and/or the FRG to make some kind of written pledge to make formal the unilateral FRG statement of 26 August, as well as to provide the USSR formal assurances about the US warheads supporting the FRG missiles. (S/G)

In addition to private bilateral approaches, the Soviets will use public fora to argue that the US position is illogical and unacceptable. They will attempt to create both domestic and international pressure on the US to agree publicly to the elimination of ██████████ warheads supporting FRG missiles. (S/G)

Current USG position: We have pointed to Chancellor Kohl's announcement as a unilateral FRG action, one that should remove the "artificial obstacle" erected by the USSR about the Pershing IA's, and therefore there is no more mention of this matter warranted. We have remained adamant that the FRG's Pershing IA missiles are not, have never been, and could never be a matter of active discussion or negotiation between the US and USSR, since US-USSR bilateral negotiations involve only the systems of the two parties to the negotiations. (C)

The current USG position on the future disposition of US warheads associated with the FRG Pershing IA missiles, and on the Soviet request that these be covered in some formal agreement is reflected in the President's message to Chancellor Kohl and the current USG press guidance on these subjects.

The President's message to Chancellor Kohl reads, in part, as follows:

"By all logic, your new position on Pershing IAs should overcome the obstacle to the INF agreement, introduced artificially and at the last minute by the Soviets, and thus make possible the stabilizing, verifiable INF agreement that we all want. But logic is not what motivates the Soviet Union. We must expect that the Soviets will try to get one or both of us to commit ourselves to them in writing to the non-modernization and dismantling of the Federal Republic's Pershing IAs. You should know that we will not be a party to such a document. As we have repeatedly stated, the Federal Republic's Pershing IAs are not and cannot be a matter of negotiations between the United States and the Soviet Union. I think it equally important that you not make a direct, bilateral written undertaking to the Soviet Union with respect to these missiles. For you to do so could set an undesirable precedent for the treatment of other programs of cooperation in future negotiations to the detriment of NATO." (C)

Our current press guidance on the warhead issue, which has been used by both White House and State spokesmen, is as follows:

Question: Now that Chancellor Kohl has made his announcement about the future status of the West German Pershing IA missiles, can you tell us what will be done with the US warheads assigned to them?

Answer: The Federal Republic's Pershing IA missiles and the US warheads for them are the subject of a long-standing program of cooperation between the US and the FRG, and therefore have not been—and will not be—a subject of US/Soviet negotiations, which are bilateral. This is a fundamental point of principle, which the Chancellor himself reaffirmed in his announcement of August 26.

Question: But what about the warheads? Are you willing to come to agreement with the Soviets concerning their future disposition?

Answer: No. The warheads, which are controlled by the US, are part of the program of cooperation with our German Allies, and therefore are not subject to any form of negotiation with the Soviet Union, either on our part or by the FRG.

Question: Does this mean that the warheads will stay in place even if the FRG eventually dismantles the Pershing IA missiles?

Answer: Of course not. If the conditions laid out by the Chancellor on August 26 are met and the FRG consequently retires the 72 Pershing IA missiles, we would withdraw the warheads. (U)

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Rationale for current USG position:

We have resisted any formal action by the US, or even recognition of the Soviet demands about the FRG missiles as a matter of central principle to our arms control philosophy. [REDACTED]

[REDACTED]

[REDACTED]

If we were to set the precedent of allowing one such POC to be susceptible to Soviet demands for incorporation in a US-USSR bilateral treaty, the USSR would be able to make parallel demands that other POCs be incorporated in other treaties. (S/G)

It is central not only for the USG to maintain that principle, but also to demand that [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Possible Soviet Approaches: There appear to be four variants of approach the Soviets could use at this juncture to attempt to drive wedges in the US, FRG, and NATO positions with regard to the FRG Pershing missiles and the principle of Programs of Cooperation (POCs) between the US and our allies. (S)

(1) The Soviets could argue that since the FRG has made a statement with regard to the Pershing IA missiles, the US should now make a statement, either publicly or privately, with regard to the associated warheads. We would have to anticipate that any such "private" statement to the Soviets would be made public by them immediately. (S)

(2) The Soviets could argue that since the unilateral FRG statement does not have the force of international law, it might not bind any successor government; thus, the US should put a statement about the warheads into the INF treaty. (S/G)

(3) The Soviets could press the FRG for a formal written undertaking confirming Chancellor Kohl's statement, to be codified as a bilateral exchange with the Soviet Union. (S/G)

(4) The Soviets could press for incorporation of formal recognition of Chancellor Kohl's statement - or at least the associated conditions for dismantlement of the FRG missiles - in the INF treaty. (S/G)

US Options (if the Soviets maintain pressure on this issue):

(1) Maintain our current posture without change, treating the issue as resolved by previous FRG and US statements. This would avoid any potential risks either from going into greater detail or changing the forum of our statements. Such risks include:

- Encouraging Soviets to believe that, contrary to our long-stated refusal, we might be willing to engage in a more detailed and formal discussion of this issue with them. This, in turn, could quickly turn into "negotiating" rather than "discussing." It could further lead the Soviets to continue their posturing and delay concluding an agreement.
- Creating serious concerns on the part of Allied governments that we are letting ourselves get chipped away at by the Soviets, and that we may not be averse -- either now or in the future -- to discussing third country systems or POCs with the Soviets.
- Reinforcing to the Soviets that it pays to pose awkward questions. (S/G)

Judging from public reaction since Kohl's announcement, the US has been largely successful in gaining acceptance both that it is a fundamental point of principle that we will not negotiate third country systems or POCs with the Soviets, and, in making it clear that the US would withdraw the warheads supporting the FRG Pershing IA's if Kohl's conditions are met and the FRG eventually dismantles the missiles. Given the real implications of Kohl's announcement, it is inconceivable that the Soviets, if they really want an INF agreement, would block such an agreement over this issue as it now stands. (S/G)

Therefore, the best course of action now, both with the Soviets and in public, is to emphasize whenever the issue comes up that:

- Kohl's announcement and our subsequent statements have settled the issue;
- It is now up to the Soviets to show whether or not they want an INF agreement. (C/G)

(2) The USG could issue our current guidance as a formal Presidential statement, stating that the US warheads will be withdrawn when and if the FRG missiles are dismantled. (S/G)

- The main benefit here is that we could cite a Presidential statement as evidence of USG policy rather than having to cite statements made by press spokesmen. This may be especially useful if the Soviets challenge the authority of the "USG position". (S/G)

(3) The USG could publicly maintain our current position, but privately explain the basis for the US position in more detail to the Soviets if needed. In offering such explanation, we would use the following lines:

-- The stated Soviet concern is that no German Pershing IA missiles armed with US warheads remain after the Soviet Union has eliminated its shorter-range intermediate range ballistic missile force.

-- The US and NATO concern is that the principle that existing programs of cooperation with allies and third country systems do not become the subject of US/Soviet bilateral negotiations.

-- These concerns can both be met, and a practical solution is offered by the announcement made by Chancellor Kohl and the follow-up statements made by the USG.

-- The Chancellor has made it clear that if the conditions specified in his August 26th announcement are met, the remaining Pershing IAs of the Federal Republic will be eliminated.

-- The USG has equally made it clear that it supports this decision made by the Federal Republic. The US has also stated that with the elimination of the German Pershing IA missiles, the associated US warheads will be withdrawn and this existing program of cooperation would terminate.

-- With both the FRG and the USG making unequivocal statements on these points, the artificial roadblock set by the Soviet Union should be gone.

-- If, however, the Soviet Union insists on pressing further for some additional commitments incorporated into or associated with the bilateral US/Soviet INF Treaty, then it indicates that, despite their statements, the real Soviet goal is to undercut the principle that existing programs of cooperation and third country systems are not a part of US/Soviet bilateral negotiations.

-- Because of the dangerous precedent this might set for the future, the USG will not take actions that will undercut this critical principle. (C/G)

If pressed further on the future status of the US warheads and the possibility that they could be reused in some other configuration to circumvent the treaty, the US could use the following points:

-- We would note that if the FRG Pershing IAs were gone, the US warheads would be withdrawn since there were no missiles for them to support. Such action would end the "existing POC."  
(S/G)

- The principle involved is that a bilateral treaty does not and cannot affect existing POCs. However, under our own principle, we would not establish new POCs in areas covered by the treaty. Therefore, these warheads should pose no circumvention concern.
  
- However, we would note that the treaty and our discussion do not inhibit establishing new POCs with our allies in areas not covered by this or other treaties. (S/G)

(4) The US could, drawing on the points in (3) above as appropriate, make the case now in greater detail. This approach would preempt any further Soviet posturing and frame the debate along lines the US would like to see. (S/G)

Bottom Line: Regardless of US actions vis-a-vis the Soviets, we should press the FRG not to agree to any formal or informal bilateral agreement with the USSR concerning their Pershing missiles. (S/G)

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