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DÉLÉGATION NÉERLANDAISE AUPRÈS DU CONSEIL DE L'ATLANTIQUE NORD

Paris, July 28 1965.

My dear Secretary General,

You said, after monday's meeting, that you would like to reread the text of my intervention on the non-proliferation treaty.

Although I believe you have well deserved a good holiday, I do not want to fail to comply with your request, trusting that you will put the annex aside until after the holidays.

*With my best wishes
yours very*

[Signature]

Secretary General
of NATO.

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NON-PROLIFERATION OF NUCLEAR WEAPONS

I Mr. Chairman,

Both in the Assembly of the United Nations and in this Council my Government has repeatedly stressed the great importance of the problem we are now discussing. It is therefore understandable that my authorities have welcomed the proposals submitted by Canada and by the United Kingdom as a sincere effort to clarify some of the central issues which should be studied in a constructive spirit before they are submitted to the Eighteen Nations Conference in Geneva. The observations of Lord Chalfont and of General Burns made clear the status of the documents now before us, namely drafts of a very tentative character. They are, therefore, all the more valuable to discuss here in the presence of the United Kingdom, Italy, the United States and Canada Representatives to the Geneva conference.

In the opinion of my authorities, allied consultation on this topic is all the more important as it not only concerns a problem the solution of which may well determine the survival of world civilization but also the very character of future international relations: from its outcome it will depend whether a reasonable amount of stability will prevail in inter-state relations or whether this world is bound to go asunder in a chaos of destruction and nuclear blackmail. At the same time, it is equally true, whether we like it or not, that the present equipoise in East-West relations largely depends on a nuclear deterrent. Our own security is, therefore, directly involved. While we are only too well aware of the existence of nuclear problem within our own alliance, we cannot overlook the fact that several non-aligned countries are equally struggling with considerations effecting their own securities in terms of nuclear weaponry.

The question, therefore, is how to strike a balance between the apparently conflicting interests and motivations. However difficult it may be, my authorities do not consider it impossible to disentangle what appears to be a Gordian knot. They realize both its necessity and its urgency. However, there is a question mark: whether time has already come to reach an agreement. If a non-proliferation treaty aims at dissuading non-nuclear countries from acquiring something which they do not have now but might more or less easily acquire in a not too distant future, it goes without saying that their consent not only is indispensable, but that it can be obtained only if certain of their present apprehensions are met.

In the draft treaty the nuclear powers assume an obligation which is negative, that is, to oblige themselves to refrain from giving nuclear armament to non-nuclear powers. There is nothing in the two draft treaties which prevents the nuclear powers from distributing nuclear armament in their own secluded circle (Soviet Union, -China). In view of the great difference in capacity between the various nuclear powers, transfer of nuclear armament from one nuclear power to another may have a greater disruptive effect on the balance of power than transfer to a non-nuclear state. Some self-restraint on the part of the nuclear powers is necessary, as our German colleague has explained.

At first sight there appears to be a lack of balance in the sacrifices made by non-nuclear powers and those made by the nuclear powers, which should be looked into. We should certainly study carefully the observations of our German and Italian colleagues in this respect. We should also duly bear in mind the apprehensions of the neutral and non-aligned countries. Commitments, therefore, cannot be expected to come from one side only:

the nuclear powers too will have to play their part and assume obligations, both towards the non-nuclear countries and among themselves. The Canadian Foreign Minister has rightly recalled this aspect of the problem to ~~the~~ mind recently.

As the Council will be aware, the neutral and non-aligned countries themselves have, in the U.N. disarmament commission, recently insisted on linking a non-proliferation treaty to a number of measures of the type listed in the Canadian draft. General Burns made very clear this morning that the Canadian Government do not regard these measures as an inseparable part of a package deal. This attitude is close to the Netherlands' point of view as it was put forward in the recent U.N. debate: although we certainly understand the preference of these countries for a program of "integrated" measures we fear that their incorporation into a non-proliferation treaty might entail serious complications and eventually lead to a deadlock. In the light of Mr. Martin's statement too, I take it that the measures contained in the Canadian proposal are, therefore, rather be regarded as "related" measures in the sense of resolution DC/225 of the U.N. disarmament commission.

In the British draft, however, no mention is made of these measures. Lord Chalfont explained to us this morning why his government wished to keep the treaty as short and simple as possible. Nonetheless, it remains necessary to explore further whether the present draft will be sufficient to meet the wishes and the conditions of the countries. If they cannot be met by incorporating these measures within the treaty itself, the question remains in what other way it will be possible to fulfill the conditions that have been put forward so strongly by some countries. Mr. Cavaletti made it quite clear that certain of the requirements of countries like Sweden, India and the U.A.R. should be met.

II. Now, turning to the two drafts, I should like to call the attention on several of the merits my authorities see in the Canadian proposal, namely

1. The provision for a complaints procedure. Especially if it would prove impossible to provide for a system of safeguards through the "International Atomic Energy Agency" a complaint procedure is to be considered the best provision against unwarranted withdrawals from the treaty.
2. The withdrawal clause of the British draft on the other hand, would seem to be less adequate: it is similar to the one contained in the Moskou Testban Treaty, infraction on which, however, can fairly easily be determined by national detection instruments. The Canadian draft is specific in establishing a limited duration for the treaty, which is undoubtedly a stimulus to the nuclear states to make tangible progress to nuclear disarmament in order not to lose the advantage which they enjoy, because of the voluntary renunciation of the non-nuclear powers to their legal right to manufacture nuclear armaments.
3. The matter dealt with in a non-proliferation agreement is of a more complicated nature and therefore requires a more sophisticated verification system. If a permanent verification system cannot be established now or in the near future, a system of ad hoc verification through a complaint procedure possibly involving the I.A.E.A., seems to be very attractive. This point was, I think, convincingly made by General Burns.
4. It seems obvious that there are advantages at arriving at one single text, but, apart from the three points I already mentioned, it is equally clear that an assistance guarantee as mentioned in article IV of the Canadian draft, should be provided for in some way or another. However, this aspect needs further examination. Such guarantees would, in fact, amount to extending to other countries the same guarantees as we already enjoy within this Alliance, but with ^{out} all the obligations our membership entails.

III

Some other items dealt with in the two drafts also call for attention.

Non-transfer and non-acquisition.

My Belgian colleague has already called our attention to the absence in the Canadian draft of the clause, contained in the British proposal, which would make the treaty also apply to "any association of states". It would appear that in this respect the British draft goes somewhat further than the Irish resolution on which it is based, where the prohibition is limited to transfer to nations. I took note of Lord Chalfont's statement that the British draft does not exclude an ANF or an MLF, but it may be feared that the other side will not see clearly as we do what is exactly implied. This is a question of interpretation, the importance of which is rather transcendental.

It goes without saying that we welcome the idea, included in the Canadian draft, of also bringing private persons and organizations under the operation of the treaty.

Control.

From a purely legal point of view, the British definition of "control" might need some redrafting, as it would now make Article I, par. 1 to be read as follows: "Each of the nuclear states undertakes not to transfer the power to use a nuclear weapon without the consent of a nuclear state". I do not think that this is what is really meant.

Accession of nuclear powers.

Some discussion on the definition of a nuclear power, and on the question as to which nuclear powers must necessarily exceed seems to be required. In this respect article VII, par. 3 of the Canadian draft presupposes that all or nearly all of the nuclear powers of today have to sign the treaty before it becomes effective. My authorities are of the

opinion that further thought should be given to this question. Are certain criteria to be defined with regard to regional or political spreading, the participation of potential nuclear powers, etc.? If we do not want to jeopardize the possible agreement on a treaty, there may be an advantage in not being too exacting as to the number or the identity of both the nuclear and non-nuclear states whose participation is required. On the other hand, the association of countries such as mentioned in the Canadian draft is highly desirable, if not indispensable, if the treaty is to achieve its purpose. It might be preferable to avoid identification by name, but rather to associate these states with the negotiations at the earliest stage possible.

IV

In conclusion, Mr. Chairman, I share the opinion of Mr. Foster, that we should remain optimistic, although we are only too familiar with the arguments the Soviet Union has repeatedly put forward as a pretext for their procrastination. Mr. Kosygin's recent suggestions to Mr. Harriman may indicate a change of hearts.

But the acid test of Soviet sincerity may well lie in their willingness to renounce ~~to~~ pre-conditions regarding, for instance MLF or ANF, and to fabricating unnecessary links with developments in other parts of the world, such as in Vietnam. At any rate, our own desire to come to terms on a non-proliferation treaty should never be allowed to be used as a means of pressure on such issues.

Finally, Mr. Chairman, I should like to state that we remain convinced that a solution of the problem of nuclear sharing in the Atlantic Alliance is as necessary as a non-proliferation agreement is essential. We fully realize that there are other problems of equal importance for the security of one or more other Allies, but my

authorities feel that no priority should be established which would have to be fulfilled in order to attain any one of these equally desirable ends.

In other words we want to make progress where we can and we do not wish to regard the solution of one problem as a precondition to the solution of the other.