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EO 12356, Sec. 1.3 (a) 2/15/97  
FPC/HDR by JTC 5-1-95  
Exemption No. 5-29

G/PM

October 12, 1961

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MEMORANDUM

To: S/O - Mr. Gerard C. Smith  
From: G/PM - Raymond L. Garthoff  
Subject: Possible European Security Arrangements Restricting Nuclear Weapons

STATE DEPT DECLASSIFICATION REVIEW  
Exempted, EO 12356, 25X \_\_\_\_\_  
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by R. Curran-Burke Date: 11/3/00  
Other Agency Action: \_\_\_\_\_

Proposals for non-transfer of nuclear weapons, and for prohibition of production of nuclear weapons in a Central European area, raise several serious difficulties and disadvantages. Especially if negotiated as part of a Four Power package settlement on Berlin, there might be strong pressure to make concessions from our initial positions. In some cases, perhaps, there would be net advantage in doing so. This very fact, however, makes it necessary to have well in mind the disadvantages of modifications of any proposals of this nature, so that we can either not make such proposals in the first place, or clearly understand the disadvantages that specific modifications in negotiations would entail.

The language on non-transfer of nuclear weapons to other countries that is used in our current general disarmament proposal, and in the current draft Irish Resolution at the UN, is carefully tailored to retain for us four advantages: (1) to assuage the French by leaving open the possibility of giving nuclear weapons to France (no transfer to "any country not now owning them"); (2) to exclude from limitation nuclear warheads under US custody but deployed with Allied forces ("not to relinquish control of..."); (3) to permit transfer to NATO as such (by prohibiting transfer only to any "nation" or "state"; and (4) to cover Communist China (no transfer to "any" nation).

In the context of a Four Power Berlin agreement, however, three special problems arise: (a) if other provisions on Berlin itself are sufficiently attractive, we would be under pressure to

SECRET

relax and change the above-noted present safeguarded provisions (pressure which would not exist in the same degree if the measure were being separately negotiated on its own merits); (b) we may be vulnerable to Soviet efforts to restrict the measure to West and East Germany only or at least to the Rapacki countries, thus trading away an agreement that West Germany would never have nuclear weapons without a similar curb on Communist China; and (c) we open up to the Soviets an opportunity to press for a completely nuclear-free zone in the Rapacki countries. Gromyko, indeed, took each occasion the subject arose in the conversations with the Secretary to use an ambiguous formulation which suggested not only non-transfer but non-stationing of nuclear weapons.

The provision on non-transfer of nuclear weapons is delicately contrived to permit stocking of such weapons in US "custody" for the use of West German forces. It would be embarrassing to reveal, and very weakening to alter, this arrangement, but it is one on which our position in negotiation would be vulnerable to Soviet probing and pressure. As you note in your memorandum of October 9, the Soviets seem, in their memorandum of September 27, to have overlooked the custody question, but I do not think we should count on that.

The 1954 West German agreement not to produce nuclear (or chemical, biological and radiological) weapons could, if the NATO powers agreed, be revoked at any time. Its inclusion in a Four Power agreement would, therefore, mark a further step to a "point of no return" which has not been reached at the present time.

While there might be an advantage in getting East German, Polish and Czech agreement not to produce nuclear and CBR (and in the Soviet proposal also ballistic) weapons, the provision would set undesirable precedent if it were an uninspected arms control measure.

The political effects of Soviet attempts to exploit the above-noted vulnerabilities in our position could be adverse to NATO unity, and especially to German morale. Actual agreements seeming to discriminate against West Germany alone among NATO countries, or to limit the protection we could provide to West Germany, could have bad political effects in that country. Ambassadors Bruce and Dowling have both recently drawn attention to this danger.



SECRET

- 3 -

Finally, an agreement or agreements effectively denying nuclear weapons to West Germany would close out future options to transfer to them, or permit their production of, such weapons. While we may not at present either contemplate or desire to exercise such options, a Four Power agreement would limit future freedom of action on redeployment of US and other NATO forces, including possible agreements for Soviet and Western withdrawals or "thinning out" of forces in Germany on terms otherwise advantageous to us.

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