

July 10, 1968

Ministry of Foreign Affairs, Directorate of Political Affairs, Disarmament, 'Note: The treaty on the non-proliferation of nuclear weapons'

Citation:

"Ministry of Foreign Affairs, Directorate of Political Affairs, Disarmament, 'Note: The treaty on the non-proliferation of nuclear weapons'", July 10, 1968, Wilson Center Digital Archive, Cote 517INVA, Box 769, Centre d'archives diplomatiques de La Courneuve (CADLC). Contributed by Jonathan Hunt.

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Summary:

This report recounts developments at the UN First Committee from the beginning of the special session, April 24, to the plenary vote on June 12, 1968. Among the interesting observations was how the "most important resistance cell had ... surprisingly developed among the Black African states," who had sought concessions from the United States on apartheid South Africa's mandate over South West Africa (modern-day Namibia). The report notes the various changes forced on the superpowers by Italy and Mexico on behalf of the non-nuclear-weapon delegations. The aide-memoire concluded that "[a]lthough these concessions [were] more apparent than real, they served as a pretext for a number of delegations, under intense Soviet and American pressure, to go along with the draft resolution thus revised." The French delegate to the United Nations, Armand Berard, explained to the General Assembly on June 12 the reasons for France's abstention. In accordance with Francis Perrin's recommendations, Berard elaborated that although France would not sign the NPT when "the real issue was effective nuclear disarmament," it would nonetheless pledged to behave "[e]xactly in such a way as those States which opt to adhere to it."

Credits:

This document was made possible with support from Carnegie Corporation of New York (CCNY)

Original Language:

French

Contents:

Translation - English

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NOTE

s.a.: the treaty on the non-proliferation of nuclear weapons

The General Meeting of the United Nations resumed its XXII session on April 24, 1968, in order to examine the report of the Eighteen-Nation Committee [on Disarmament] (ENDC) (cf. note from the Disarmament Service of April 3, 1968) which it had, by a resolution of 19 December 1967, appointed to resume the study of the treaty on the non-proliferation of nuclear weapons.

This report, filed on March 15, 1968, contained, in addition to the final draft of the treaty as the Americans and the Soviets had just drawn it up, various declarations and suggested amendments formulated by the other members of the Committee with regard to this text which was not met with the unanimity desired by its authors. Also annexed to the report of the Eighteen [ENDC] was a draft Security Council resolution drawn up by Washington and Moscow with a view to responding to the concerns expressed by the non-nuclear-weapon States with regard to their protection against aggression or threats of aggression with nuclear weapons. (This question is the subject of a separate note).

Despite the continual criticism of certain non-nuclear States vis-à-vis the draft treaty, the delegations of the United States and the Soviet Union presented, as soon as the New York debates resumed, a draft resolution according to which the general meeting "approved" the text of the treaty submitted at the meeting and purely and simply recommended its signature.

The draft resolution, sponsored from the outset by 20 States, was submitted to the Political Committee, which opened for debate on 26 April. The representatives of the United States and the U.S.S.R., who did not fail to underline the sacrifices made, according to them, from the points of view of the non-nuclear States, asked the latter to approve the draft resolution, and in consequence, to approve the text of the treaty annexed to the report of the [ENDC], without looking for, to quote Mr. Goldberg's expression, "a perfection which is not of this world"[\[a\]](#)

For more than a month, however, ensuing interventions made it possible to identify the main currents of opinion that had coalesced on the question of non-proliferation. They showed that opposition had eroded when compared to that which had manifested itself during the first session, from October to December 1967.

Alone of all the States belonging to the two great alliances, Italy and Romania still pointed out with some vigor to the insufficiencies of the treaty. Among the other European states, Albania, entirely won over to the Chinese point of view, condemned the very principle of the treaty; Sweden took up the criticisms it had already formulated in Geneva; Spain expressed reservations, while Yugoslavia, although it always seemed attracted by the theses developed in Bucharest, showed little eagerness to support them at the meeting.

The Chinese problem was clearly at the center of the national concerns of the delegates from the Asian States. And specifically, it prompted Pakistan, Burma and Nepal to display a circumspect attitude towards the draft treaty; India stood by, as might be expected, the positions it had stated in Geneva and, without questioning the principle of non-proliferation, declared the American-Soviet draft treaty insufficient and demanded a new study of the question.

The Latin Americans, under strong pressure from Washington, showed themselves to be keen to reconcile the commitments that were being asked of them and those they had already made last year by signing the treaty denuclearizing Latin America. Brazil

and Argentina had indicated at the time their intention to stick very close to the terms of this treaty which seemed to authorize its signatories to manufacture and use nuclear explosives for peaceful purposes, so they expressed their hostility toward the prohibitions formally set out on this point by the draft non-proliferation treaty.

The most important core of resistance, however, would unexpectedly develop among the states of black Africa. The reason for this must be sought in the dissatisfaction these states felt at the attitude displayed by the great powers in the matter of the [UN] mandate over South West Africa. With the exception of Nigeria, no doubt because of its internal situation, almost all of the English-speaking and French-speaking States requested that the discussion be postponed until the next session of the General meeting, after the holding of the conference of non-nuclear states scheduled for the end of August 1968.

Among the Arab States, only Mauritania, paying more attention than any other to the reactions of the States of Black Africa, and Algeria, which denounced the establishment of a nuclear monopoly by the great powers, expressed their opposition to the project, while the U.A.R., far from reprising the critical attitude it had displayed in Geneva, had to, just like Morocco, Syria, Lebanon, Iraq, and then Sudan and Yemen, sponsor the American-Soviet draft resolution.

Americans and Soviets estimated that the oppositions met were still too strong to enable them to achieve the near unanimity they wished for. They accepted, on May 3, that the draft be reviewed, according to a suggestion from Italy, in order to allow a possible modification to the draft treaty that they had written. A second revision [b], happening on May 28, smoothed on the other hand the imperative nature of the resolution; moreover, a new paragraph emphasized the need for all states to make progress on disarmament and to abstain from using force while another referred to the principles of freedom and of cooperation in the matter of peaceful use of nuclear energy.

Subsequently, the Americans and the Soviets, approving suggestions presented by various delegations of non-nuclear States, in particular that of Mexico, made, on May 31 to the draft treaty itself, modifications which, without altering its substance, echoed some of the concerns expressed by a large proportion of non-nuclear states. [c]

The last paragraph of the preamble was finished with a sentence specifying the intention of the signatories to "achieve at the earliest possible date" the cessation of the nuclear arms race and also disarmament in this domain. A new paragraph also recalls the need of the States to refrain, in accordance with the Charter of the United Nations, "from the threat or use of force" and that "the establishment and maintenance of international peace and security are to be promoted." By adding this, the Americans and the Soviets wanted to take into account the criticism leveled against their draft treaty for not reproducing the provisions on these points contained in Article 2 of the United Nations Charter.

The paragraph 2 of the article IV, which addresses peaceful uses of nuclear energy, is, on the other hand, amended; the new redaction insists on the development of cooperation in this area. It provides for the exchange, not only of scientific and technological information, but also equipment and materials; it refers, also, to the needs of the developing regions of the world.

The article V, which deals with access to nuclear explosions for pacific purposes, now put emphasis on the creation of an international body intended to serve as an intermediary between nuclear and non-nuclear signatories of the treaty for their implementation; it provides for the opening of negotiations to this effect as soon as possible after the entry into force of the treaty.

And finally, the paragraph 2 of article IX, concerning the ratification of the treaty, designates the governments of the USSR, Great Britain and the United States as depositaries of the treaty.

Although these concessions were more apparent than real, they served as a pretext for a certain number of delegations, subject to strong Soviet and American pressure, to join the draft resolution as revised.

After Mr. GOLDBERG and KUZNETSOV, in a final declaration, underlined the spirit of conciliation between their governments, the representative of Italy set an example by

stepping forward as a co-author of the draft resolution and recommending the signing of the treaty, which will quickly find itself sponsored by 46 delegations. Among the number of those recorded *in extremis* as rallying behind [the amended treaty], one could note, in particular, Romania.

The group of Black Africa States, in itself, was divided:

13 States, among which Kenya, Ghana, Senegal, Madagascar, and Congo-Kinshasa joined Nigeria and Ethiopia who, from the start had supported the Soviet-American draft treaty, whereas 12 persisted in their intention to abstain.

At the end of the Political Committee's debates, the draft resolution received 92 votes on June 10, 4 delegations voting having voted against (Cuba, Albania, Tanzania and Zambia[d]), while 22 abstained (France, Spain, Portugal, Argentina, Brazil, Algeria, Mauritania, Mali, Guinea, Burundi, Sierra Leone, Rwanda, Uganda, Malawi, Gabon, Congo-Brazzaville, Chad, R.C.A., Niger, Saudi Arabia, India and Burma).

Moscow and Washington further improved this result in the General Assembly where, on June 12, the number of votes in favor went from 92 to 95 (Tchad abandoning the side of the abstentionists, while Cameroon and Costa Rica, who did not participate in the vote in the committee, this time brought their support behind the draft treaty).

France, for its part, stepped aside of the discussion in the Political Committee, in conformity with the choice made toward the matter of non-proliferation from the outset.

Mr. Armand BERARD, speaking on June 12 in front of the General Assembly, reiterated the reasons why France will not sign the non-proliferation treaty. He emphasized that, for France, the real issue was that of effective nuclear disarmament and in accordance with this announced that his delegation would abstain in the vote on the resolution recommending the adoption of the treaty. He specified, however, that we intended neither to condemn nor to advise the signing of this instrument and that as far as we were concerned, "as we do not want the dissemination of atomic weapons more than anyone else", we would behave in this area, "exactly as the States which decide to adhere to it".[e]

It should be noted that during the discussions in the Political Committee, no reproach had been formulated against France's position of abstention, which was already known to all. The declaration of our representative in the General Assembly did not raise public comments either. It seems to have been well received by many delegations from non-nuclear States which approved of some of our arguments without daring to express them themselves. The nuclear powers, for their part, noted with satisfaction the intention expressed by France not to promote in any way the dissemination of nuclear weapons.

The treaty was opened for signature on July 1, 1968, in Washington, Moscow and London, according to the procedure that had already been approved for the August 1963 treaty on the cessation of nuclear experiments.

It should be noted that among the signatories, who numbered 62 on July 10, there is, alongside the United States, the USSR and Great Britain, none of the non-nuclear States who, because of their technical advancement, could possibly be able to manufacture atomic weapons in a short period of time. It's the case, in particular, of India and Brazil, who have already positioned themselves against the treaty, as well as Japan and Italy who, with several other states, have made it known that they would wait the holding of the non-nuclear States conference next September.

The Federal Republic of Germany also counts on the prospect of this conference to delay its adherence from which it knows, however, it can hardly escape, the Soviets seeing in it the chief goal of the non-proliferation enterprise. In fact, Germany would like at least to commit itself definitively only after having received a triple guarantee: it insists on the official confirmation of the interpretation given by the Americans to articles 1 and 2 of the treaty, according to which the latter would not restrain the possession of nuclear weapon by a unified Europe; it would like American nuclear protection to be assured to it whatever the fate of the Atlantic Alliance; finally, benefiting on this point from a certain support from its non-nuclear

partners in the European Community, it would like the agreement to be reached between the I.A.E.A. and EURATOM to preserve the activities of the latter organization, in particular the control it exercises.

The period of difficulties is therefore not finished for the champions of the treaty. The United States and the USSR nevertheless deemed that a disarmament step had just been taken, which called for new initiatives in this field. Moreover, Article 6 of the Treaty puts them, in principle, under an obligation to do so.

The Americans and the Soviets took advantage of the opening of the treaty for signature to announce that they had agreed to undertake negotiations on the problem of the limitation of nuclear-weapon delivery systems, the USSR responding thus to renewed calls from the President of the United States for engaging in a dialogue on this matter. The Soviets, on the other hand, addressed, on the same day, to all states a memorandum enumerating nine measures likely, according to them, to pave the way for general and complete disarmament. Among other measures of uneven interest and referred to many times in the past, we note in this document the suggestion that all nuclear powers undertake talks on the cessation of the production of atomic weapons and the liquidation of their stocks.

[a] Goldberg's actual words were: "...if we insist on a perfect treaty - each Member with its different ideas of perfection - then we shall be unable to move forward, for there is no perfection in this world." Walter Raymond Duncan, ed., *Soviet Policy in the Third World* (New York: Pergamon Press, 1980), 44.

[b] See in the attached document I the final text of this resolution.

[c] See in the attached document II the final text of the treaty.

[d] Those 2 countries had just signed an economic agreement with China

[e]