The NPT and the Origins of NATO’s Nuclear Sharing Arrangements

by William Alberque

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NATO’s Enduring Commitment to the Non-Proliferation Treaty
Vienna Center for Disarmament and Non-Proliferation
At the Permanent Mission of Japan
5 May 2017
PRESENTATION OUTLINE

I. The story
   - Personal and historical

II. Key findings
   - How were NATO’s nuclear sharing arrangements addressed during negotiations?
   - What were the other key issues to be resolved?

III. The enduring relevance of the NPT
The story of the NPT

• Baruch Plan of 1946
• Irish Resolution 1958, adopted 20 December 1961
• Eighteen Nation Disarmament Committee (January 1962)
  - 14 March 1962 to 26 August 1969
  - US Draft Treaty 17 August 1965
  - USSR Draft Treaty 24 September 1965
  - UN Resolution 2028(XX) 19 November 1965
  - US revised Draft Treaty 21 March 1966
  - Agreed by ENDC 14 March 1968
• NPT opened for signature 1 July 1968
The Cold War doesn’t stop for NPT negotiations

- Berlin Crisis and the Wall (AUG 1961)
- Cuban Missile Crisis (OCT 1962)
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- President Kennedy assassinated (NOV 1963)
- Six-Day War raises global tensions (JUN 1967)
- France withdraws from NATO military structure (MAR 1966)
- US escalation in Vietnam (MAR 1965)
- Invasion of Czechoslovakia (AUG 1968)
A Researcher’s Best Friend: the public record

THE NUCLEAR NON-PROLIFERATION TREATY
ORIGIN AND IMPLEMENTATION
1959 - 1979

Volume 1

by

Mohamed I. Shaker

1969
OCEANA PUBLICATIONS, INC.
London • Rome • New York

University Publications of America

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A Researcher’s Best Friend 2: FRUS

• The Foreign Relations of the United States
  - Broken down by President, and then topic area
  - https://history.state.gov/historicaldocuments

• The famous “Document 232”
  - Letter From the Under Secretary of State (Katzenbach) to Secretary of Defense Clifford, Washington, April 10, 1968.
  - The source text was sent under cover of an April 15 memorandum from Foster to Katzenbach, in which Foster recommended that Katzenbach send the letter to Clifford "informing him of the background of the U.S. interpretations of Article I and III before he (Clifford) goes to the NPG meeting at The Hague, April 18-19." Foster also proposed to Katzenbach that he suggest that Clifford make a statement "setting forth our opinion that the NPT will not affect the activities of the NPG."
232. Letter From the Under Secretary of State (Katzenbach) to Secretary of Defense Clifford

Washington, April 10, 1968.

Dear Mr. Secretary:

Before you go to The Hague for the Nuclear Planning Group meeting on April 18-19, I believe you should be familiar with the US interpretations of Articles I and II of the Non-Proliferation Treaty regarding alliance arrangements for nuclear defense. The FRG has requested in particular that we make it clear that the realization of the NPT will not affect the work of the NPG.

The language of Articles I and II of the NPT was chosen in order to protect alliance consultations on nuclear defense as well as on nuclear defense deployment arrangements. These are not explicitly sanctioned by Articles I and II, since the USSR was not prepared to provide such an endorsement of NATO arrangements.

In Secretary Rusli's October 10, 1966 talk with Foreign Minister Geomzyko, it was
FRUS Document 232

• “In Secretary Rusk’s October 10, 1966 talk with Foreign Minister Gromyko, it was clearly understood that Articles I and II of the NPT deal only with what is prohibited and not what is permitted. Article I of the NPT prohibits the transfer of ownership or control of nuclear weapons (understood to mean warheads and bombs and not delivery vehicles). It does not mention alliance consultations or deployment arrangements not involving a transfer of nuclear weapons. We worked out interpretations on these and other aspects of Articles I and II with our allies (and in particular the FRG) which were presented to the Soviets on April 28, 1967 in the form of answers to questions posed by our allies (Tab A).

• The FRG agreed with us that it would not be desirable to request comments from the USSR on these interpretations, since the USSR could not be expected to be bound by unilateral interpretations or a treaty made by others. However, the Soviets were informed that if they took an official position in opposition to these interpretations, a very serious problem would arise. The Soviets also were told that we expected that during ratification hearings the US Senators would ask similar questions as allied governments, and we expected to make the same responses on our understanding of Articles I and II.

• We have not heard from the Soviets any indication that they will contradict the US interpretations when they are made public in the process of consideration of the treaty either by the US or by our allies. This does not mean that they will necessarily agree with them.”
The Famous Four Qs and As

1. Q. What may and what may not be transferred under the draft treaty?
   A. The treaty deals only with what is prohibited, not with what is permitted.
   It prohibits transfer to any recipient whatsoever of "nuclear weapons" or control over them, meaning bombs and warheads. It also prohibits the transfer of other nuclear explosive devices because a nuclear explosive device intended for peaceful purposes can be used as a weapon or can be easily adapted for such use.
   It does not deal with, and therefore does not prohibit, transfer of nuclear delivery vehicles or delivery systems, or control over them to any recipient, so long as such transfer does not involve bombs or warheads.

2. Q. Does the draft treaty prohibit consultations and planning on nuclear defense among NATO members?
   A. It does not deal with allied consultations and planning on nuclear defense so long as no transfer of nuclear weapons or control over them results.

3. Q. Does the draft treaty prohibit arrangements for the deployment of nuclear weapons owned and controlled by the United States within the territory of non-nuclear NATO members?
   A. It does not deal with arrangements for deployment of nuclear weapons within allied territory as those do not involve any transfer of nuclear weapons or control over them unless and until a decision were made to go to war, at which time the treaty would no longer be controlling.

4. Q. Would the draft prohibit the unification of Europe if a nuclear-weapon state was one of the constituent states?
   A. It does not deal with the problem of European unity, and would not bar succession by a new federated European state to the nuclear status of one of its former components.
   A new federated European state would have to control all of its external security functions including defense and all foreign policy matters relating to external security, but would not have to be so centralized as to assume all governmental functions. While not dealing with succession by such a federated state, the treaty would bar transfer of nuclear weapons (including ownership) or control over them to any recipient, including a multinational entity.
The Famous Four Qs and As
Senate Executive H Hearings 1969
NPT Research 101: the US ratification records

• US Senate Committee on Foreign Relations Hearings on the ratification of the Treaty on the Non-Proliferation of Nuclear Weapons, Executive H

• Testimony of Adrian Fisher, Deputy Director of ACDA, 18-20 February 1969
  - Fisher testifies that the US has shared the Qs and As with the Soviets, “key members” of the ENDC, and all members of the UN.
  - USSR has not disagreed publicly to date with the interpretations, and “the negotiating history would belie such a claim.
  - “They have not indicated acquiescence or agreement because they can’t be asked to agree about certain arrangements that we keep secret.”
The hidden history: the 4 Qs and As

- FRG asks US a list of 12 questions on the effect of the NPT
- US provides full answers 18 January 1967
- US shares the list with NATO’s North Atlantic Council
  - 1 February 1967 First NAC discussion on Qs and As
  - 4 April 1967 US revises Qs and As based on Allied input
  - 28 April 1967 US shares Qs and As with USSR and several other non-Allied ENDC delegations
  - 3 May 1967 US shares final Qs and As with NATO
  - 18 February 1969 US shares Qs and As with Congress and UN
Historical context (1950s-1960s):

• Cold War and emerging nuclear powers
• US-USSR military tensions and escalations
• Security situation in Europe
  - Fears of West Germany in USSR, and in the West
  - France distancing itself from NATO
• Technological developments
  - Increased access to bomb-making know-how and materials
• Need for global regulation (civil and military)
• Emergence of unwritten patterns of behavior to manage crises
# US Estimate of Weapons Programs: 1963

## Table One: Country Nuclear Weapons Capabilities

<table>
<thead>
<tr>
<th>Country</th>
<th>Domestic Availability of Uranium</th>
<th>Nuclear Research Program</th>
<th>Nuclear Power Program</th>
<th>Industrial Nuclear Power Resources</th>
<th>Time Required to First Test</th>
<th>Aircraft Operational Capability</th>
<th>Missile Operational Capability</th>
<th>Motivation to Make Decision</th>
</tr>
</thead>
<tbody>
<tr>
<td>France</td>
<td>xx</td>
<td>xxx</td>
<td>xxx</td>
<td>xxx</td>
<td>done</td>
<td>1964</td>
<td>169</td>
<td>High</td>
</tr>
<tr>
<td>West Germany</td>
<td>----</td>
<td>xxx</td>
<td>xx</td>
<td>xx</td>
<td>4-5 yrs</td>
<td>6 yrs</td>
<td>7 yrs</td>
<td>Moderate</td>
</tr>
<tr>
<td>Italy</td>
<td>x</td>
<td>xx</td>
<td>xx</td>
<td>xx</td>
<td>5-6 yrs</td>
<td>7 yrs</td>
<td>8 yrs</td>
<td>Low</td>
</tr>
<tr>
<td>Belgium</td>
<td>----</td>
<td>xx</td>
<td>p</td>
<td>xx</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>Low</td>
</tr>
<tr>
<td>Netherlands</td>
<td>----</td>
<td>xx</td>
<td>p</td>
<td>xx</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>Low</td>
</tr>
<tr>
<td>Canada</td>
<td>xxx</td>
<td>xxx</td>
<td>xx</td>
<td>xx</td>
<td>1-2 yrs</td>
<td>6 yrs</td>
<td>7 yrs</td>
<td>Very Low</td>
</tr>
<tr>
<td>Sweden</td>
<td>xx</td>
<td>xx</td>
<td>xx</td>
<td>xx</td>
<td>2-3 yrs</td>
<td>5 yrs</td>
<td>8 yrs</td>
<td>Evaluating</td>
</tr>
<tr>
<td>Switzerland</td>
<td>---</td>
<td>x</td>
<td>p</td>
<td>xx</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>Low</td>
</tr>
<tr>
<td>Japan</td>
<td>x</td>
<td>xx</td>
<td>x</td>
<td>xx</td>
<td>5-8 yrs</td>
<td>6 yrs</td>
<td>8 yrs</td>
<td>Very low but depends on China</td>
</tr>
<tr>
<td>India</td>
<td>xx</td>
<td>x</td>
<td>xx</td>
<td>xx</td>
<td>4-5 yrs</td>
<td>5 yrs</td>
<td>8 yrs</td>
<td>Low but depends on China</td>
</tr>
<tr>
<td>Israel</td>
<td>x</td>
<td>xx</td>
<td>P</td>
<td>xx</td>
<td>2-3 yrs</td>
<td>1968</td>
<td>1968</td>
<td>Moderate to High</td>
</tr>
<tr>
<td>Iran</td>
<td>---</td>
<td>x</td>
<td>P</td>
<td>x</td>
<td>Over 10</td>
<td>Over 10</td>
<td>Over 10</td>
<td>High</td>
</tr>
<tr>
<td>Brazil</td>
<td>x</td>
<td>x</td>
<td>p</td>
<td>x</td>
<td>Over 10</td>
<td>Over 10</td>
<td>Over 10</td>
<td>Moderate to High</td>
</tr>
<tr>
<td>Australia</td>
<td>xx</td>
<td>x</td>
<td>p</td>
<td>xx</td>
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<td>---</td>
<td>Low</td>
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<tr>
<td>Norway</td>
<td>---</td>
<td>xx</td>
<td>x</td>
<td>xx</td>
<td>---</td>
<td>---</td>
<td>---</td>
<td>Low</td>
</tr>
<tr>
<td>Chile</td>
<td>xx</td>
<td>xx</td>
<td>p</td>
<td>xx</td>
<td>1963 (Possible)</td>
<td>1970</td>
<td>1972</td>
<td>High</td>
</tr>
<tr>
<td>East Germany</td>
<td>xxx</td>
<td>xx</td>
<td>xx</td>
<td>xx</td>
<td>USSR Prohibits</td>
<td>USSR Prohibits</td>
<td>---</td>
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</tr>
<tr>
<td>Czechoslovakia</td>
<td>xxx</td>
<td>x</td>
<td>x</td>
<td>xx</td>
<td>&quot;</td>
<td>&quot;</td>
<td>&quot;</td>
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</tr>
<tr>
<td>Poland</td>
<td>x</td>
<td>x</td>
<td>p</td>
<td>x</td>
<td>&quot;</td>
<td>&quot;</td>
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The Cold War doesn’t stop for NPT negotiations

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- Invasion of Czechoslovakia (AUG 1968)
**KEY FINDINGS:** Negotiation goals

- **Build defence capacity of NATO’s European Allies (solidify NATO’s nuclear sharing arrangements);**
  - Manage key bilateral relationships (particularly Soviet Union; in light of changing leadership)
  - Preserve (flexibility to improve) NATO’s nuclear training, planning and consultation arrangements

- **Prevent Multi-Lateral Force (MLF) / Atlantic Nuclear Force (ANF)**
  - Stop European acquisition (NW Status/Launch authority)
  - Manage diverging interests within the Warsaw Pact
  - Weaken NATO
  - Ban delegation of control of nuclear weapons by US Allies in peacetime

**US**

**USSR**

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KEY FINDINGS: NATO’s nuclear sharing arrangements

• NATO nuclear arrangements date to the founding of the Alliance
• “Forward Defence” in light of overwhelming Soviet capabilities
  - DC 6-1, MC-48, MC-3/5, MC-14/3
• Key questions: (1) storage, custody, authority to launch;
  (2) training, planning and consultation mechanism.
  - 1946: US Atomic Energy Act cut UK off and established law on US positive control
  - 1957: US amends to retain positive control/custody, but host nation agreements
  - 1960: US Concept of Multilateral Nuclear Force at NATO (hardware solution)
  - 1966: Establishment of Nuclear Planning Working Group (software solution)
• But, what if — no NATO sharing arrangements?
  - How many nuclear powers in Europe? What kind of bilateral sharing agreements?
The MLF and ANF: a colossal waste of time

• 1960: US comes up with the Multi-Lateral Nuclear Force (MLF) idea, announces it in 61, consults with Allies in 62, sets up PWG in 63

• 1964:
  - April: Johnson convinced it might work, sets up State task force
  - September: Erhard tells press US will give FRG bomb one way or the other
  - November: Kosygin, Gromyko, USSR media all beg Johnson to drop MLF
  - December: Johnson tells Kosygin MLF is dead and leaks NSAM to NYT

• 1965:
  - January: UK

• The Atlantic Nuclear Force is the only fleet that, while it had not been created, it torpedoes another fleet that had never sailed
  - Franz-Josef Strauss, German Defense Minister
The MLF: a colossal waste of time

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  - December: Johnson tells Kosygin MLF is dead and leaks his “Secret” NSAM to the NYT
The MLF and ANF: a breakthrough

• 1965:
  - January: UK proposes ANF to muddy the waters
  - May: US initiates NATO NWPG to create a software solution

• 1966:
  - 22 September: US and USSR agree to negotiate NPT text in NYC
  - 24 September: USSR condemns MLF in the UN
  - 26 September: Johnson tells Erhard MLF is dead, Erhard accepts
  - 27 September: US and USSR agree to draft NPT Articles I and II text

• The Atlantic Nuclear Force is the only fleet that, while not real, torpedoed another fleet that had never sailed
  - Franz-Josef Strauss, German Defense Minister
KEY FINDINGS: A complex negotiation

• US tries a multifaceted, multi-vector approach to negotiations

• *Five parallel negotiations, all with different players*
  - US-USSR
  - US-NATO
  - USSR-Warsaw Pact
  - US-USSR-ENDC
  - UN
Breakthrough: September 22-30, 1966

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Soviet adjustments in working group draft to meet U.S. objections

Substantive adjustments from prior Soviet texts:

1. The working group draft contains no prohibition against granting to non-nuclear-weapon States "the right to participate in the . . . control or use of nuclear weapons."

(Art. I of Soviet Draft). Neither "participate" nor "use" appears in the draft. "Control" does appear but, despite

Never before scanned documents from LBJ Presidential Library
Our Source Was the New York Times

“They have not indicated acquiescence or agreement because they can’t be asked to agree about certain arrangements that we keep secret.”
CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE ON DISARMAMENT

BRO/C/203
23 July 1964
ENGLISH

FINAL FIFTH RECORD OF THE TWO HUNDRED AND FIRST MEETING

Held at the Palais des Nations, Geneva, on Thursday, 23 July 1964, at 10.30 a.m.

Chairman: Mr. Peter THOMAS (United Kingdom)

Mr. S.E. TMYAKIN
(Union of Soviet Socialist Republics)

Lecturer:
Sir Paul HADE
(United Kingdom)

CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE ON DISARMAMENT

BRO/C/204
23 July 1964
ENGLISH

GENERAL RECORD OF THE ONE HUNDRED AND FIFTIETH MEETING

Held at the Palais des Nations, Geneva, on Thursday, 23 July 1964, at 10.30 a.m.

Mr. P. GIULIANI
(United States)

Hosted by the University of Wisconsin website
Our Source Was the New York Times

New York Times articles from April 1949 to July 1968 on NATO’s nuclear weapons:

~3,000

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Our Source Was the New York Times

Here’s 40 more major articles and books on NATO’s nuclear weapons policy in English, French, and Russian (1962-1967):

- Alastair Buchan, The Reform of NATO, (article in Foreign Affairs, January 1962)
- Klaus Knorr, A NATO Nuclear Force: The Problem of Management, (Center of International Studies Policy Memorandum, 1963)
- Alastair Buchan and Philip Windsor, The Control of Western Strategy, (Adelphi Papers, April 1963)
- N. Talasinsky, A NATO Nuclear Force is a Dangerous Venture, (article in International Affairs Moscow, May 1963)
- A. Yeremenko, “Absurd Plans, Ridiculous Hopes,” (article in International Affairs Moscow, June 1963)
- Andre Baumé, The Sharing of Nuclear Responsibilities: A Problem in Need of Solution, (article in International Affairs, July 1963)
- Claude Ricketts, The Case for the Multilateral Force, European Review, Summer 1963
- Robert Bowie, Strategy and the Atlantic Alliance, (article in International Organization, Summer 1963)
- Robert Bowie, Tensions within the Alliance, (article in Foreign Affairs, October 1963)
- General Paul Stählin, The Evolution of Western Defense, (article in Foreign Affairs, October 1963)
- Kai-Uwe von Hassel, Detente Through Firmness, (article in Foreign Affairs, January 1964)
- Frederick Mulley, NATO’s Nuclear Problems: Control or Consultation, (article in The Atlantic Community Quarterly, Fall 1964)
- Michel Fyraud, La force multilaterale, (article in Strategie, October 1964)
- Neville Brown, A New Policy for NATO, (article in A World Today, October 1964)
- Theo Sommer, For an Atlantic Future, (article in Foreign Affairs, October 1964)
- Zbigniew Brzezinski, Moscow and the MLF: Hostility and Ambivalence, (article in Foreign Affairs, October 1964)
- General Baron Del Marmol, Opinions Belges sur le “deterrent” nucléaire européen, (article in Chronique de politique étrangère, November 1964)
- Andre Fontaine, Histoire de la force multilaterale, (article in Le Monde, 20 November 1964)
- Kai-Uwe von Hassel, Organizing Western Defence, (article in Foreign Affairs, January 1965)
- Wilfrid Kohl, Nuclear Sharing in NATO and the MLF, (article in Political Science Quarterly, March 1965)
- Uwe Nerlich, L’Allemagne et l’armement nucléaire, (article in Strategie, July 1965)
- Sir John Slessor, Command and Control of Allied Nuclear Forces: A British View, “(Adelphi Papers, August 1965)
- Eugene Hutterhoff, Reflexions sur la force multilaterale, (article in Politique Etranger, 1965)
- M. Maratov, Non-Proliferation and NATO Nuclear Plans, (article in International Affairs Moscow, January 1966)
- L. Vidyasova, New Debates in the Atlantic Club, (article in International Affairs Moscow, April 1966)
- N. Andreyev, “Revanchism and the Atomic Bomb,” (article in International Affairs Moscow, November 1966)
- Dan Cook, The Art of Non-Proliferation, (article in Encounter, July 1966)
- Irving Heymont, The NATO Bilateral Forces, (article in Orbis, Winter 1966)
- Pierre Gallois, Paradoxes de la paix, (article in Politique Etranger, 1967)

See also, the Times of London, Pravda, Der Spiegel, Le Monde, Japan Times, Bulletin of Atomic Scientists, Survival, Foreign Affairs, the Atlantic Monthly, Hearings of the US Senate and House, Debates of the House of Commons, records of the ENDC and DCOR

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Ministers discussed NATO defence policy and approved the steps taken to organize the nuclear forces assigned or to be assigned to the Supreme Allied Commander Europe (SACEUR). These include notably:

- assignment of the United Kingdom V-bomber force and three United States Polaris submarines to SACEUR;
- establishment by SACEUR on his staff of a Deputy responsible to him for nuclear affairs;
- arrangements for broader participation by officers of NATO member countries in nuclear activities in Allied Command Europe and in co-ordination of operational planning at Omaha;
- fuller information to national authorities, both political and military.
The Origin of Verification

“We realize that when we ask the Soviet Union for verification and control, we are asking the USSR to make a unilateral concession; this is due to the nature of our open society. Verification, control and information needs of the Soviet Union are answered by the very fact that our society is open to the extent of 97 percent of these needs. An additional 2 percent are contributed by the fact that people in our government cannot keep their mouths shut. The final 1 percent is accounted for by Soviet espionage, so that there is nothing unknown about us to the USSR...

“It was too soon to expect us to rely on good faith alone--we did need verification, inspection and other assurance...We are not trying to pry or control; all we needed was to find some basis of confidence that when we sign an agreement, the result will be what we anticipated when we signed it.”

• Secretary of State Dean Rusk talking to Soviet Foreign Minister Gromyko at the Soviet Mission to the United Nations, on the sidelines of UNGA, 1 October 1965 (Document 97)
Moving to an end-state
The story of the NPT

• Baruch Plan of 1946

• Irish Resolution 1958, adopted 20 December 1961

• Eighteen Nation Disarmament Committee (January 1962)
  - 14 March 1962 to 26 August 1969
  - US Draft Treaty 17 August 1965
  - USSR Draft Treaty 24 September 1965
  - UN Resolution 2028(XX) 19 November 1965
  - US revised Draft Treaty 21 March 1966
  - Agreed by ENDC 14 March 1968

• NPT opened for signature 1 July 1968
NPT signing in London, Moscow, DC, 1 July 1968

Michael Stewart, UK Foreign Secretary, signs the Non-Proliferation Treaty in London watched by David Bruce, US Ambassador, (extreme right) and Mikhail N. Smirnovsky, USSR Ambassador, (second from left). On the extreme left is Harold Wilson, UK Prime Minister, who opened the ceremony.

Dean Rusk, US Foreign Secretary, signing the Non-Proliferation Treaty in Washington. On his left is President Johnston and to his right are William Foster, US Representative to the Eighteen-Nation Committee on Disarmament; Sir Patrick Dean, UK Ambassador, and Anatoly Dobrynin, USSR Ambassador, each of whom also signed the Treaty. Photo: Votavfot, Wien
A step towards general and complete disarmament...
KEY FINDINGS

• NATO and the NPT:
  - NATO’s nuclear sharing arrangement;
  - the stationing of US nuclear weapons on the territories of its Allies; and
  - NATO nuclear training, planning and consultation mechanisms are fully consistent with the NPT.

• Historical Negotiation Record:
  - NATO’s nuclear arrangements predate the NPT;
  - they were fully addressed during the negotiations to achieve compatibility with the NPT;
  - all signatories accepted the arrangements;
  - no objections when the treaty entered into force or for decades afterwards.
  - Further bilateral nuclear treaties (e.g. SALT, INF, and START) limiting NW were signed without affecting NATO’s nuclear arrangement.
  - Many people misread historical record and ignore joint US-USSR efforts
II. RELEVANCE OF FINDINGS FOR NPT PROCESS

• NPT a cornerstone of global security architecture
  - Only binding commitment in a multilateral treaty with the goal of disarmament;
  - Strong legal framework with security assurances that prevents spread of NW.

- NPT needs to be protected and not undermined with accusations. Accusations as political manoeuvres to distract from non-compliance?

➤ Enhance understanding of NATO’s defence and deterrence posture, and of the legitimacy of its arrangements

➤ Reiterate call to preserve and strengthen Non-Proliferation, Arms Control and Disarmament regimes
"He's been so much more attentive since he found out I have the bomb."