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the ANF and the NPT
1965-1968**

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BRITISH NUCLEAR WEAPONS, THE ANF AND THE NPT **1965 – 1968**

John R. Walker

Introduction

This short note provides an account of UK thinking on ANF/MLF issues and in particular how they would impact on the UK warhead programme and efforts to negotiate a non-proliferation treaty. We also see for the first time some detailed estimates of the actual costs of nuclear warhead production. It will also summarise the extent to which UK-US nuclear collaboration under the 1958 Mutual Defence Agreement was taken into consideration during the formative stages of the NPT negotiations in 1965-1966.

Atlantic Nuclear Force (ANF): origins and issues

At the Nassau meeting in December 1962 Kennedy and Macmillan agreed to use their best endeavours to develop a NATO Multilateral Nuclear Force to which both the US and UK could contribute national forces. In February 1963 the US outlined in the North Atlantic Council proposals for a MLF of surface ships open to all members who wished to contribute. These ships would be armed with *Polaris* missiles and would be jointly owned and mixed manned. These proposals were warmly welcomed by Germany, but the UK had strong reservations, doubting whether there was military justification for any substantial addition to the Alliance's strategic nuclear forces. Furthermore, the MLF would have involved considerable additional expenditure for all participants and a force without the UK would be dominated by the US and Germany.

On the Thursday after the election in October 1964 the new Foreign Secretary – Patrick Gordon Walker - and the Prime Minister met in the latter's house and Wilson proposed that the UK might think of committing the UK's *Polaris* submarines absolutely to NATO. Development of what was to become the ANF was the major foreign policy initiative of the new Labour government.¹ The idea appeared the following morning in a piece in *The Times* by Gwynne Jones (soon to become Lord Chalfont), the paper's military correspondent. Wilson always said that this was a

¹ FO 800/951 Secretary of State's Tentative Comments on the ANF Minute 26 December 1964; see also Mohamed I. Shaker, *The Nuclear Non-Proliferation Treaty Origin and Implementation 1959-1979* Volume 1 Oceana Publications 1980 pages 174-178

coincidence as he and the Foreign Secretary were first to discuss the idea, but in Gordon Walker's view it must have been written and typeset before he and the Harold Wilson had spoken. He could not believe in such coincidences: Wilson must have discussed the idea with George Wigg who was close to Jones. The idea was tentatively outlined in Washington to Dean Rusk in December 1964 and Walker proposed the name ANF as well as the concept that its use should be agreed through a mechanism in which all participating European powers should be equal.

In December the UK formally proposed the ANF to its allies as an alternative to the MLF. This would internationalise the UK missile submarines under construction by committing them irrevocably to NATO for the duration of the alliance. The difference between the ANF and MLF was that the former would have consisted of existing or planned forces (e.g. US and UK Polaris submarines and the UK V-force and possibly some Minuteman missiles in the US). It would not, however, include mixed-manned *Polaris* submarines. The US was unwilling to contemplate such arrangements, which meant that the UK could not accept them, as it was using US know-how whose dissemination was prohibited under the 1958 US Atomic Energy Act. Even if the US were to relax its position, the UK was reluctant to follow suit since it did not believe that mixed-manning was feasible under the operational conditions found in *Polaris* submarines.²

This left open the possibility that other nuclear weapons systems such as bombers or missile sites might be mixed manned. However, the UK did not intend to commit all of its nuclear forces to the ANF: its tactical nuclear weapons –land-based and carrier borne - fell outside the bounds of the ANF proposal.³

Another aspect of the December 1964 proposal was that if the UK were to effectively relinquish the “supreme national interests” exemption clause in the Nassau Communiqué, it would not be easy to refuse a request to install Permissive Action Links (PALs) in British Polaris missiles when they became available. To do so would cast doubts on the sincerity of the UK's renunciation of national control over these missiles. However, as the MOD pointed out, if the UK's strategic nuclear weapons were assigned irrevocably, without any strings, to a NATO ANF a period of months might elapse before full national control could be resumed, if indeed it ever could.⁴

Finally, it had been suggested that if the UK were to provide warheads for the ANF, this would meet European desires to make the force appear less dominated by the US and would tie the UK more closely to the new force. In defence terms there were no advantages because UK warheads differed only slightly from American ones.

ANF Command and control: an irrevocable commitment?

Internal UK consultations on an ANF started on 11 November 1964 when the Prime Minister, Foreign Secretary and Defence Secretary discussed a paper on ANF

² FO 371/190665 WUN 1193/49 Non-Proliferation and Nuclear Sharing; PREM 13/220 Atlantic nuclear force as alternative to multilateral force: part 4 Feb-Nov 1965 Nick Fenn, Foreign Office to J.O.Wright 10 Downing Street 8 October 1965

³ DEFE 25/33 Atlantic nuclear force 1964-1965 MISC.17/4 Atlantic Nuclear force A report by the Defence and Overseas Policy (Official) Committee, Cabinet Office 18 November 1964

⁴ FO 371/184411 Atlantic nuclear force 1965 WUN 1192/243 F.W.Mottershead, MOD to The Viscount Hood, Foreign Office 6 April 1965

prepared by Cabinet Office officials.⁵ Ministers thought that in the first instance the UK might offer to make available planned or existing UK nuclear forces, which would be juridically committed but without any form of physical restraint through a permissive link or electronic lock. It was felt that such a device, which might be produced by the US in another year or so, could in any event be circumvented and its acceptance in subsequent negotiation would not mean that the UK could not regain independent control of its nuclear forces in the event that NATO dissolved. Under existing plans for the control of the UK *Polaris* force the intention was to rely on careful drills and tight discipline to ensure that the submarine commander did not launch without proper authority or was misled by spurious instructions purportedly coming from an authorised chain of command.⁶

For the UK to develop a PAL would require, as of 1965, up to four years of R&D effort, followed by extensive tests and trials, and it was thought unlikely that all the UK's *Polaris* boats could be fitted with British PALS before 1972. Further study of the technical aspects by AWRE and the Ministry of Aviation would be required, but it was already clear that if the function of the PAL was to exercise multilateral political control over the firing of weapons, then the technical problems involved would be very severe, especially in the area of communications. A revised ANF proposal for NATO was therefore prepared in January 1965, and this noted that PALS designed to make operational command more effective could be installed in all elements on the force, provided that they did not prevent reversion to national control if the alliance came to an end.⁷

Command, control and PALS presented an apparently irreconcilable dilemma. Although the UK had ostensibly promised to commit its nuclear forces to ANF, it also thought that it might need to reserve the right to take a subjective decision unilaterally in the event that a crisis in which there were fundamental differences in the alliance on the possible use of nuclear weapons. There was also the question of whether the UK should have the right to withdraw its forces in order to meet a threat outside the NATO area. Ministers were thus told they would need to decide whether they could accept command and control arrangements, including PALS, that would in practice prevent the UK firing the weapons independently. Alternatively, the UK could press for arrangements that would allow HMG to recover its weapons in an emergency. In the latter case this would have to be built into the command and control arrangements, and could be interpreted by its Allies as a sign that the UK was not serious about the commitment of nuclear forces to the ANF.⁸ The MOD's view was that an effective physical system of multilateral control over ANF the weapons was incompatible with a UK's need to be able to withdraw them in an emergency, and thus would detract from the credibility of the force. The best course of action was therefore to emphasise to the UK's Allies the technical difficulties inherent in such a system, and to seek to dissuade them from insisting on PALS because reduce the credibility of its deterrent

⁵ CAB 130/212 Atlantic Nuclear Force: meeting 1 1964 Nov 11 MISC. 16/1st meeting

⁶ CAB 21/6048 Atlantic nuclear force 1965, The Mechanism of Command and Control: permissive Action Link Memorandum by the Ministry of Defence, August 1965

⁷ CAB 148/19/5 ATLANTIC NUCLEAR FORCE. Note by the Chairman of the Defence and Overseas Policy (Official) Committee. 1965 January 12 O.P.D. (65) 5

⁸ FO 371/184412 Atlantic nuclear force 1965 WUN 1192/271/G The Mechanism of command and control: Permissive Action Links

effects.⁹ The choice was therefore between the UK retaining the ability to resume immediate national control of the *Polaris* submarines in an emergency and thereby maintaining the credibility of the force or convincing its allies via PALs that the UK had sincerely decided to abandon its independent deterrent by committing it irrevocably to NATO for the duration of the alliance.¹⁰

British warheads for the ANF/MLF

The Foreign Secretary (Patrick Gordon Walker) raised the question of UK warheads for a mixed manned surface component the ANF (i.e. the MLF) with his officials during a meeting on 15 December 1964. He thought that it might be necessary for the UK to produce more warheads for such a mixed-manned force than were already in its production plans, but that the UK might fund this by selling these additional warheads to the force. He commissioned a paper on the options and costings.¹¹ In his view there were political advantages. Apart from responding to an oft-expressed US wish, a UK contribution would mean that any mixed-manned surface element was not exclusively armed with US warheads. One possibility was that the UK might reduce costs by buying U-235 from the US, a suggestion also being considered in the context of a cut-off in the production of fissile material. UK and US warheads were basically interchangeable, but the differences were significant enough to make it desirable on technical and security grounds, that each vessel should have either US or UK warheads, but not both.¹²

Under the contemporary plans, warheads for the fifth UK *Polaris* boat ordered earlier in the year would have been available by early 1969. Acceleration of plutonium production for additional UK warheads for a mixed-manned component of the NATO force would have involved an extra charge to the defence budget of some £5.5 million in 1965/6 and £8 million in 1966/7, though savings in later years would have balanced nearly all of this. There was, however, strong opposition within the MOD and the Navy Department to the idea of making UK warheads available to any mixed-manned ANF force; both wanted the idea to be expressly rejected in the draft paper being prepared for the Defence and Overseas Policy Committee (DOPC) sub-committee on the ANF.¹³

In practice, there was little prospect of this issue actually arising in the on-going discussions about the ANF in the Paris NATO Working Group considering MLF/ANF options for making collective decisions on the use of nuclear forces. The Foreign Office therefore recommended that it be shelved for the present. However,

⁹ FO 371/184412 Atlantic nuclear force 1965 WUN 1192/274/G R.J.Andrew, MOD to E.J.W.Barnes, WOPD, Foreign office 1 June 1965 Draft Paper by the MOD for the DOPC Sub-committee on the ANF the mechanisms of Command and Control: Permissive Action links

¹⁰ CAB 21/6048 Atlantic nuclear force 1965 The Mechanism of Command and Control: permissive Action Link Memorandum by the Ministry of Defence, (Revised Draft) 20 August 1965 under cover of letter from R.J.Andrew to E.J.W.Barnes, Foreign Office ANF – Permissive Action Links, 20 August 1965

¹¹ FO 371/179080 Atlantic nuclear force 1964 WUN 11948/112/G E.J.W.Barnes to Mr Hugh-Jones, Atlantic Nuclear force 16 December 1964

¹² FO 371/179080 Atlantic nuclear force 1964 WUN 11948/112/G Suspended draft paper ANF The Mixed-manned Element and British Warheads under cover of compliment slip MOD to W.N.Hugh-Jones, Foreign Office, December 1964

¹³ FO 371/184414 Atlantic nuclear force 1965 WUN 1192/327/G D.C.Thomas to Mr Barnes Provision of British Warheads 29 October 1965; R.J.Andrew, MOD to E.J.W.Barnes, Foreign Office British Warheads for the ANF 14 September 1965

the paper is noteworthy for another reason. It stated that the rate of new production of fissile materials, together with stocks and material recovered from old weapons, would have been sufficient to complete the existing weapons production programme and leave a margin to manufacture the extra 12 warheads required for the fifth Polaris submarine. There was probably enough HEU for 20 warheads in fact, although the need to provide for working stocks would have left no room for contingencies of any sort.¹⁴ Nevertheless, the paper concluded that the UK should only be prepared to offer to supply warheads to any mixed – manned surface component of the ANF/MLF if HMG thought it essential if there was no other way of satisfying the demand for a visible UK participation in element of the NATO force.

An offer of this type to supply British warheads for the NATO mixed-manned surface force would also have involved a decision about the UK's future weapons programme, which would have had far-reaching financial and other effects. The UK could contribute only the type of warhead then being made for its own Polaris force. The UK might have been able to provide enough British plutonium to meet such a programme, but if it could have obtained the necessary U-235 and possibly other special materials from the US, their manufacture would have not delayed commissioning of a 25 ship force.

The key issue remained the need to get German support such a force, but the UK believed it was not in a position to discuss details affecting its *Polaris* missiles, their warheads or submarines without US approval, as this would endanger the 1958 exchange agreement and co-operation arrangements. In addition the UK believed that non-dissemination considerations necessitated preventing acquisition of control over nuclear weapons by a group of non-nuclear states, though this view was not shared by the US and Germany.¹⁵

Officials looked again at the question of UK warheads for an ANF/MLF at a meeting in the MOD on 17 June 1965. It remained apparent that there were all sorts of snags to the idea and that none of the MOD, Ministry of Aviation and Navy Department experts liked it.¹⁶ However, they concluded that a revised paper on this topic should not recommend its abandonment, and that it would be for DOPC to make recommendations to Ministers. The Ministry of Aviation produced an estimate of the potential costs of a UK warhead contribution towards the end of June 1965.¹⁷ This noted that the manufacturing costs (excluding fissile material) would have to cover work done and parts made in the UK and parts made in the US. Costs of work done in the UK would come in at £60,000 per warhead, but US costs could only be guessed at. If parts were bought immediately, then they would cost £44,000 each: since existing orders would be completed in early 1966 orders placed after that date would cost between £180,000 to £280,000. Historic costs consisted of recovery of R&D by AWRE, recovery of development expenditure by the Ministry of Aviation, recovery or pre-production expenditure by the Royal Ordnance Factories, amortisation of

¹⁴ FO 371/184414 Atlantic nuclear force 1965 WUN 1192/327/G R.J.Andrew, MOD to E.J.W.Barnes, Foreign Office British Warheads for te ANF 14 September 1965 The Provision of British Warheads for the ANF Draft paper by the MOD for the DOPC Sub-Committee on the ANF 15 September 1965

¹⁵ CAB 21/6047 Atlantic nuclear force 1964-1965 E.J.W.Barnes, Foreign Office to F.W.Mottershead, MOD 1 February 1965 covering a draft paper on ANF reviewing reactions and next steps.

¹⁶ FO 371/184413 Atlantic nuclear force 1965 WUN 1192/279 D.Thomas to E.Barnes 21 June

¹⁷ FO 371/184413 Atlantic nuclear force 1965 WUN 1192/294/G J.A.Battersby, Ministry of Aviation to R.J.Andrew, Head of DS 12, MOD 25 June 1965

capital employed in production facilities and all other overheads attributed to normal accounting principles to the *Polaris* programme. If only 16 warheads were produced for the ANF/MLF warhead would attract £200,000 for these charges. The best estimate for fissile material was £600,000 per warhead. The cost was most unlikely to fall below this sum, but the effects of a complete or partial international agreement on a cut-off in the production of fissile material might well increase it.

In addition to these costs, there were other charges that had to be considered: UK overheads and warhead functioning demonstration costs. Provision of warheads to an ANF/MLF imposed heavy overheads on the UK that would have to be recovered. It would be reasonable to expect the non-nuclear ANF/MLF participants to desire proof of the functioning of the UK warhead. If flight trials were needed to provide this, between £2 and £3.5m might have to be spent, or roughly £130,000 and £220,000 per warhead procured. Total cost would thus range from £945,000 to £1,145,000 million per warhead.

UK supplies of fissile and other special materials had been carefully tailored to a minimum UK programme for weapons and propulsion.¹⁸ Unless new arrangements were negotiated with the US over HEU, any UK warheads for ANF/MLF could only be at the expense of the national programme. On the most favourable assumption regarding the re-supply and maintenance of the ANF/MLF surface ships, the UK could supply 16 warheads and continue to meet the RN's naval propulsion requirements through to 1975/76. If 20 warheads were needed, including reserves, the effect on the domestic programme would be felt as early as 1971/72. These calculations were based on the assumption that there would be no change in existing plans for production and procurement of fissile and special materials. This assumed that existing UK weapons and propulsion needs were not going to be fulfilled until 1969. If a cut-off in the production of fissile material for weapons purposes entered into force earlier, the UK would be seriously embarrassed.

As to the number of warheads that might be involved, for planning purposes it was assumed that the UK contribution to the ANF would be four *Polaris* submarines and a total of about 200 warheads. An additional mixed manned fleet would require roughly a third of this number: its 9 ships would each carry 8 missiles, with the UK supplying warheads for 16 missiles. This would be roughly 20% of the warheads for the mixed manned component. The UK could supply warheads for 16 missiles from the existing programme provided that there was no requirement for additional reserve missiles and warheads and that warheads were supplied from UK's existing supply facilities.¹⁹ As the warheads then planned for *Polaris* contained some US material and components, British warheads were defined to mean warheads partially manufactured and wholly assembled in the UK.

Although plans for the provision of warheads for the mixed manned components of the new force assumed the UK warhead programme would be sustained at existing levels, the UK would have to supply additional personnel to operate and control the warheads. (The direct costs of a British warhead, excluding fissile and special

¹⁸ FO 371/184413 Atlantic nuclear force 1965 WUN 1192/295/G The Provision of British Warheads for the Atlantic Nuclear Force, draft paper by the Ministry of Defence for the DOPC Sub-committee on the ANF, July 1965; R.J.Andrew, MOD to E.J.W.Barnes, Foreign Office 13 July 1965

¹⁹ DEFE 25/33 Atlantic nuclear force 1964-1965 Atlantic Nuclear Force British Warheads. A.M.Mackintosh Head DS12, MOD to E.J.W.Barnes, Foreign Office 11 February 1965

material was £150,000. The comparable price to the defence budget in which historic costs were taken into account was £400,000. If fissile materials at US prices were included, this added a further £600,000 to the cost, making £1 million). As production of warheads for the fifth UK submarine had been planned for completion in early 1970., the immediate effect on the defence budget of supplying warheads for the INF would in fact have been to somewhat reduce the savings which were estimated to accrue from cancellation of this submarine.²⁰

The Treasury noted that once the UK incurred a commitment to supply warheads for the force, it would have to service them and keep pace with the US in their modernisation. It would be difficult to envisage a situation where UK ANF/MLF warheads, including re-entry bodies fell below the standards of their US counterparts.²¹ Thus by the end of April 1965 officials concluded that until the completion of the study on the possible UK contribution of warheads to the force, especially from the financial point of view, no assessment could be made over whether to offer such a contribution.²² It seems as if the results of this study are still closed to historians since two meeting minutes, one from May and the other from August 1965, are retained under section 3 (4).²³

In order to ensure that the proposed ANF would not result in, or be accused of leading to, dissemination, and in particular that the UK could not be said to be running the risk of German control over nuclear weapons, Ministers and officials thought it essential to incorporate into the planned ANF Charter clauses whereby the nuclear members would undertake not to disseminate nuclear weapons and the non-nuclear ones not to acquire them. Germany would undertake not to own or control nuclear weapons and there would also be a prohibition of nuclear weapons passing into the ownership or control of a group of countries.²⁴

At the end of the day of course all this became academic: ANF and MLF were eventually dropped. Although UK proposals were still on the table in NATO in September 1966, they were no longer under active consideration.²⁵ Discussions on McNamara's proposals - "the McNamara Committee", what was to become the Nuclear Defence Affairs Committee and Nuclear Planning Group in NATO - had essentially superseded both the MLF and ANF.^{26 27}

²⁰ FO 371/184406 Atlantic Nuclear Force 1965 WUN 1192/44/G A.M.Mackintosh, Head DS 12, MOD to E.J.W.Barnes, Foreign Office 15 January 1965; FO 371/184407 WUN1192/117/G Atlantic Nuclear Force British Warheads 11 February 1965

²¹ FO 371/184406 Atlantic Nuclear Force 1965 WUN 1192/43/G P.H.F.Dodd, Treasury Chambers to A.M.Mackintosh, MOD 8 January 1965

²² CAB 148/41/11 O.P.D. (o) 965) 10th meeting 30 April 1965 Item 3 ANF: Brief for multilateral discussions

²³ CAB 148/48 paper dated 12 August 1965 OPD (O) ANF (65) 6th meeting; OPD (O) (ANF) (65) 5th meeting

²⁴ DEFE 25/33 Atlantic nuclear force 1964-1965 Atlantic Nuclear Force Outline of HMG's proposal (Original as proposed to US authorities in Washington) 7 December 1964

²⁵ FO 371/190666 Sharing of nuclear knowledge and non-proliferation 1966 WUN 11913/88 Secretary of State's Visit to the USA, October 1966 NATO Nuclear Sharing and non-proliferation, WOCD 26 September 1966

²⁶ Glenn T.Seaborg with Benjamin Loeb, *Stemming the Tide Arms Control in the Johnson Years*, Lexington Books 1987 pages 126-129

²⁷ Paul Buteux, *The Politics of Nuclear Consultation in NATO 1965-1980*, Cambridge University press, 1983 pages 48, 55-57; Mohamed I.Shaker, *The Nuclear Non-Proliferation Treaty Origin and Implementation 1959-1979* Volume 1 Oceana Publications 1980 pages 188 and 286

The NPT and nuclear sharing 1965-66

The identification of the NPT as the most feasible and desirable measure in the global disarmament field coincided with the appointment in October 1964 of a Minister of State with special responsibility for disarmament, Lord Chalfont.²⁸ In January 1965 the Foreign Office's Atomic Energy and Disarmament Department revised an earlier working draft of a possible non-dissemination treaty whose main obligation would have required that the "*governments of France, the UK, USSR and USA, hereinafter called the "nuclear states", undertake not to transfer national control of nuclear weapons to states not now possessing control of nuclear weapons to States or to any association in which power to prevent the use of such weapons is not retained by the nuclear states which are members of the association concerned.*"²⁹ This was later revised with the phrase "*Each of the nuclear states party to this Treaty undertakes not to transfer control of nuclear weapons to any non-nuclear state or to any association if the association in question does not include among its members one or more nuclear states who retain the power to prevent the use of the nuclear weapons supplied to the association concerned.*" There was of course nothing in this that posed a threat to existing patterns of UK-US nuclear co-operation: if there had been the MOD would have been quick to point it out.³⁰ The MOD was more concerned with the need to ensure that China was included in the definition of a nuclear power and the need to prevent withdrawal from any treaty.³¹ Officials proposed that this draft might be shown to the US with the view to tabling a Western draft in the next session of the ENDC.³²

This text was passed to ACDA on 23 February 1965.³³ Initial US reactions were not passed to the British Embassy in Washington until 5 March. These noted *inter alia* that the main provisions in Article I seemed to rule out the European option, which would cause difficulty for certain NATO governments, but as it explicitly sanctioned MLF/ANF it would be unlikely to be acceptable to the Russians.³⁴ London's intention all along of course was to ensure that ANF type associations were compatible with the principles of non-dissemination; the draft had been deliberately crafted with this in mind. However, the Americans agreed that a draft should be placed on the table in Geneva after necessary consultations within the Alliance.³⁵ London felt that it was important that the West should come forward with specific proposals when the ENDC reconvened in the summer of 1965.

²⁸ CAB 151/138 The Non-Proliferation Treaty Background Notes 3 December 1968

²⁹ FO 371/181386 Non-dissemination of nuclear weapons 1965 IAD 1052/19 UK Draft non-Dissemination Agreement, S.J.Barrett to Mr Shepherd, 7 January 1965

³⁰ FO 371/181386 Non-dissemination of nuclear weapons 1965 IAD 1052/33 MOD Comments on draft treaty on non-dissemination, B.M.Day, MOD to H.B.Shepherd, Foreign Office 27 January 1965

³¹ FO 371/181388 Non-dissemination of nuclear weapons 1965 IAD 1052/68 B.M.Day, MOD to Andrew Stuart, Foreign Office 25 May 1965

³² FO 371/181386 Non-dissemination of nuclear weapons 1965 IAD 1052/38 H.B.Shepherd to Lord Hood Non-Dissemination of Nuclear Weapons 17 February 1965

³³ FO 371/181386 Non-dissemination of nuclear weapons 1965 IAD 1052/42 R.S.Faber, Washington to H.B.Shepherd, AEDD 23 February 1965

³⁴ FO 371/181386 Non-dissemination of nuclear weapons 1965 IAD 1052/45 Washington telegram 529 to Foreign Office 5 March 1965

³⁵ FO 371/181386 Non-dissemination of nuclear weapons 1965 IAD 1052/45 J.E.D.Street, AEDD to A.M.Mackintosh, MOD 17 March 1965

The US response was seen as cautious but not discouraging.³⁶ The British view remained that any Charter to establish an ANF had to contain or be underpinned by international provisions for non-dissemination of nuclear weapons by the nuclear weapon states and non-acquisition or control by the non-nuclear weapon states.³⁷ Consequently a revised text was shared with three other Western (US, Canadian and Italian) delegations to the Disarmament Commission in New York on 2 June 1965.³⁸ The consultation and tabling process was to be step by step, and these three agreed that the next step would be to share the draft with the Germans, making clear that this was a UK draft only, prior to presenting this to the NAC. London continued to grapple with the MLF/ANF problems and sought solutions on how to make clear the non-disseminatory nature of the MLF/ANF proposals.³⁹ Sir Evelyn Shuckburgh (UK Ambassador to NATO) introduced the UK draft to the North Atlantic Council (NAC) along with an explanatory memorandum on 7 July, but detailed consideration would not take place until 26 July.⁴⁰

Prior to that meeting on 26 July the US suggested some amendments to the UK draft particularly on Article I.⁴¹ These appeared to leave open the door for the establishment of a nuclear organisation in Western Europe or elsewhere operating by majority vote *without* the veto of its nuclear members.⁴² As such HMG felt that it would be extremely difficult to take responsibility for putting forward a proposal that envisaged a European option totally at variance with its own proposals for the ANF, especially given its public statements on the latter.⁴³ The US proposals were therefore rejected. For the UK, the dual objective was to increase the nuclear interdependence and cohesion of NATO whilst at the same time avoiding any proliferation of nuclear weapons. It was with these twin purposes in mind that the UK had offered to internationalise its nuclear weapons and commit them to the ANF for the duration of the NATO alliance.⁴⁴ There was no contradiction in UK eyes: both policies were complementary.

Following the 26 July 1965 NATO meeting, it seems that it was agreed that the Western four in Geneva would set up a working party to try to draft a treaty text that they could all sign up to. The UK Disarmament delegation in Geneva (UKDis) gave

³⁶ FO 371/181386 Non-dissemination of nuclear weapons 1965 IAD 1052/50 S.J.Barrett to Mr Shepherd 11 March 1965

³⁷ FO 371/184411 Atlantic Nuclear Force 1965 WUN 1192/240/G Atlantic Nuclear force Brief for Multilateral Discussions Summary of Negotiating Positions [Draft by the Foreign Office] 12 March 1965

³⁸ FO 371/181388 Non-dissemination of nuclear weapons 1965 IAD 1052/67 New York telegram No.1339 to Foreign Office 3 June 1965

³⁹ FO 371/181388 Non-dissemination of nuclear weapons 1965 IAD 1052/79 J.E.D.Street, Foreign Office to A.A.S.Stark, Bonn 15 June 1965

⁴⁰ FO 371/181388 Non-dissemination of nuclear weapons 1965 IAD 1052/100 UKDel NATO telegram 181 to Foreign Office 7 July 1965

⁴¹ FO 371/181389 Non-dissemination of nuclear weapons 1965 IAD 1052//123 Foreign Office telegrams 126 and 127 to UK Delegation to Disarmament Conference 19 July 1965

⁴² FO 371/181389 Non-dissemination of nuclear weapons 1965 IAD 1052//123 Geneva telegram 12 to Foreign Office 20 July 1965

⁴³ FO 371/181389 Non-dissemination of nuclear weapons 1965 IAD 1052//129 Foreign Office telegram 5741 to Washington 21 July 1965

⁴⁴ FO 371/181389 Non-dissemination of nuclear weapons 1965 IAD 1052//123/129 The British ANF Proposals and the Non-Dissemination Question Speaking Notes for Lord Chalfont 23 July 1965

some revised Articles I and II to the Americans first.⁴⁵ Article I now read, “*Each of the nuclear states party to this treaty undertakes not to transfer any nuclear weapons into the national control of any non-nuclear state, either directly, or indirectly through a military alliance; and each undertakes not to take any other action which would result in the acquisition, by any State or Organization not now possessing it, of an independent power to use nuclear weapons.*” The Americans did not like this and went ahead with their own version.⁴⁶ Canada and Italy preferred the US text, thus isolating the UK.⁴⁷ Britain’s draft would only permit a European nuclear association to be established *if* either a existing nuclear power was a member of it and continued to hold a veto on the use of nuclear weapons or a European federal state were to be created that would be the legal successor of at least one of the existing nuclear powers.⁴⁸

The Foreign Secretary wrote to Dean Rusk on 6 August 1965 to state that the UK could not honestly support any proposal that left open the prospect of dissemination, however theoretical. He made clear that the UK approach would permit the creation of the ANF. Whatever happened in Geneva, the UK would defend this proposition most vigorously and made it clear that it wanted to press on with the discussion and conclusion of an ANF without any unnecessary delay.⁴⁹ The dual aim of UK policy was a fundamental aspect of the its proposals: arrangements for the multilateral organisation of nuclear weapons within the Alliance would have had little point if it did not serve to prevent proliferation of nuclear weapons.⁵⁰ Although the UK decided not to pursue its own draft in the face of such opposition, the four Western powers were able to agree the text of a US draft that could be tabled in the ENDC.⁵¹ The US delegation was to table a draft treaty on 17 August supported by the Canadians and Italians, and the UK would accept this as a basis for negotiations, although making reservations on its Articles 1 and 2.⁵²

Ministers and officials were satisfied that the conclusion of a treaty was entirely compatible with nuclear sharing arrangements of the type foreshadowed in the UK ANF proposals into which the UK intended to merge the whole of its nuclear

⁴⁵ FO 371/181389 Non-dissemination of nuclear weapons 1965 IAD 1052//140 Geneva telegram No.14 to Foreign Office 27 July

⁴⁶ FO 371/181389 Non-dissemination of nuclear weapons 1965 IAD 1052//140 Foreign Office telegram No.148 to Geneva 29 July 1965

⁴⁷ FO 371/181390 Non-dissemination of nuclear weapons 1965 IAD 1052//149 Geneva telegram No.28 3 August 1965

⁴⁸ FO 371/181390 Non-dissemination of nuclear weapons 1965 IAD 1052/165 C.M.MacLehose, Foreign Secretary to J.O.Wright, 10 Downing Street 6 August 1965

⁴⁹ FO 371/181390 Non-dissemination of nuclear weapons 1965 IAD 1052/166 Foreign Office telegram No.6122 to Washington 6 August 1965

⁵⁰ FO 371/181392 Non-dissemination of nuclear weapons 1965 IAD 1052/254 H.B.Shepherd to Mr Street The NATO Council Meeting on 26 July 1965, 23 July 1965 The British ANF Proposals and the Non-Dissemination Question Speaking Notes for Lord Chalfont

⁵¹ FO 371/181391 Non-dissemination of nuclear weapons 1965 IAD 1052/174 Geneva telegram no.40 to Foreign Office 11 August 1965; Glenn T.Seaborg with Benjamin Loeb, *Stemming the Tide Arms Control in the Johnson Years*, Lexington Books 1987 pages 164

⁵² FO 371/181391 Non-dissemination of nuclear weapons 1965 IAD 1052/192 Foreign Office telegram No.343 to Certain missions 13 August 1965 Guidance No.343 Non-Dissemination; Glenn T.Seaborg with Benjamin Loeb, *Stemming the Tide Arms Control in the Johnson Years*, Lexington Books 1987 pages 164-165

capacity.⁵³ As the Prime Minister told Lord Chalfont after he had spoken at the ENDC, it had been most valuable that he had reserved the UK position fully on any possible development of a European nuclear grouping, thereby preserving the essence of the UK's ANF proposal's anti-proliferation emphasis.⁵⁴ Despite this at least one senior Foreign Office official noted that any rapid creation of an ANF was contrary to the wish of some Ministers and of influential people in the MOD.⁵⁵ An alternative Soviet draft treaty was tabled at the UN General Assembly in New York on 24 September, but its provisions allowed for the continuation of existing UK-US nuclear arrangements – its sole aim, as Gromyko had intimated to the UK, was to prevent any form of access by Germany to nuclear weapons.^{56 57}

In a review of the UK deterrent and non-dissemination policy commissioned by Lord Chalfont in autumn 1965, the Foreign Office's Atomic Energy and Disarmament Department (AEDD) concluded that an offer to get rid of the deterrent would not significantly increase the chances of a non-dissemination treaty. However, the stated policy was to abandon the independent capability as soon as it could be integrated into a suitable regional security system and the enunciation of this policy was thought to be helpful in working for the freezing and reduction of existing nuclear forces.⁵⁸

In the opening NPT negotiation phases the major area of disagreement among the Western powers was the question of reconciling nuclear sharing in NATO with a non-dissemination treaty.⁵⁹ Three options were on the table: an arrangement corresponding fairly closely to the ANF proposal and providing that a existing nuclear power retained a veto; an arrangements loose enough to permit at some time in the future majority control, which would make possible the out-voting of the existing powers; and third, a European federation, which would be the legal inheritor of the sovereignty of its component states and could therefore acquire from one of them nuclear state status. The UK thought that the second option would represent proliferation, but the US was not ready to reject this idea.

Additional complications had arisen over the US Article III in the US draft – the one dealing with safeguards. The UK had made it clear to Washington that it could not accept paragraph 2 of the US draft covering safeguards on transfers of equipment and material. UK objections arose partly from the use in the UK of the same plants for military and civil programmes. Since the UK was seeking at the same time a new civil bilateral agreement with the US, which would include transfers of HEU for the civil programme, safeguards would, if the US ideas were ever to be applied, make the

⁵³ FO 371/181391 Non-dissemination of nuclear weapons 1965 IAD 1052/201 A.C.Stuart to Mr Darwin, American Amendments to the British Draft Non-Dissemination Treaty 20 July 1965

⁵⁴ PREM 13/652 Disarmament negotiations Oct 1964 - Oct 1965 Foreign Office telno No.216 to Geneva 24 August 1965 Prime Minister's Personal Telegram Serial No. T 302/65

⁵⁵ FO 371/181391 Non-dissemination of nuclear weapons 1965 IAD 1052/205/G E.J.W.Barnes to Sir P.Gore-Booth 9 August 1965 Most complete statement on ANF was Wilson's statement to House of Commons on 16 December 1964 – Hansard Vol.704 column 430-435

⁵⁶ FO 371/181392 Non-dissemination of nuclear weapons 1965 IAD 1052/264 Notes on the Soviet Draft Non-Dissemination Treaty Tabled at the UN o 24 September 1965

⁵⁷ FO 371/190666 Sharing of nuclear knowledge and non-proliferation 1965 WUN 11913/88 Secretary of State's Visit to the USA, October 1965 NATO Nuclear Sharing and non-proliferation, WOCD 26 September 1965

⁵⁸ FO 371/181393 Non-dissemination of nuclear weapons 1965 IAD 1052/299 J.E.D.Street to Lord Hood, Non-dissemination and the UK deterrent 15 November 1965

⁵⁹ CAB 148/51 O.P.D. (O) D0 (65) 2nd Meeting Sub-committee on Disarmament 11 August 1965.

greater part of the UK's civil programme subject to IAEA inspection. This it was feared would place the UK at a commercial disadvantage, as well as exposing defence secrets to the IAEA.

The main arguments on the relation between NATO nuclear sharing arrangements and the NPT took place between the beginning of 1965 and the end of 1966. MOD commented on US amendments to the UK's draft NPT in July 1965 stating that the US changes would not safeguard the ANF's position since it could be expected that the Russians would argue that it would qualify as an organisation having "independent power". On another reading it could be taken to mean that the ANF could move to majority voting on the assumption that the UK created a vacancy in the nuclear club by relinquishing its independent status.⁶⁰ For these reasons the MOD wanted to revert to the UK original text. However, the US wanted to keep open the option of a European nuclear force whereas the UK wanted to foreclose the possibility of non-nuclear states acquiring control of nuclear weapons as a group or as a majority within a mixed association.

In the event the UK decided to drop its draft because it had so little support in NATO and to let the US take the lead with a draft of its own.⁶¹ The UK and US met in Washington in January 1966 to look at the drafting of Article I and II, focussing exclusively on text dealing with prohibitions on transfers to non-nuclear weapons states, thereby excluding by default transfer between the UK and US under the 1958, 1959 and 1963 Agreements.⁶² This went some way to dealing with UK objections to the notion that transfers might be permitted to a mixed association of states in which the existing nuclear weapon states did not have a veto. In March 1966 after discussion with Lord Chalfont, the US accepted an amendment that banned the non-nuclear association, though not the majority vote option. When the US and USSR joint text appeared in June 1967 Article I was effectively in its final form as it would appear in the text opened for signature the following year.

In December 1966 the Foreign Office noted that there was an asymmetry between the two halves of the US Article I text drafted in light of recent exchanges with the Russians, since the first referred to "*any recipient whatsoever*" and the second to "*any non-nuclear state*". It was concerned that proposals were made for this to be corrected and "*any recipient whatsoever*" appeared in both places, then the US would be prevented from assisting the UK to manufacture nuclear weapons and the effect of this would presumably be to rule out cooperation under the 1958 Mutual Defence Agreement.⁶³ However, the asymmetric version was to become the final version of Article I.)

⁶⁰ DEFE 13/871 Disarmament, C.W. Wright, AUS (Pol) to Secretary of State, Non-Dissemination Treaty 21 July 1965 see also FO 371/181389 Non-dissemination of nuclear weapons 1965 IAD 1052//133 R.J.Andrew, MOD to J.E.D.Street, Foreign Office 21 July 1965

⁶¹ DEFE 13/871 Disarmament, R.J.Andrew, Head of DS 12 to PS/S of S, Non-Dissemination Treaty, 13th August 1965

⁶² FO 115/4612 Non-dissemination and non-acquisition of nuclear weapons 1965 Jan 01 - 1965 Dec 31, R.S.Faber, Washington to J.E.D.Street, AEDD 21 January 1965

⁶³ FO 115/4618 Non-dissemination and non-acquisition of nuclear weapons 1966 Jan 01 - 1965 Dec 31 Foreign office telegram 11484 to Washington 19 December 1966 reference to Washington telno 3434. The Article draft read as follows: "*Each nuclear weapon state party to this treaty undertakes not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices, directly or indirectly: and not in any way to assist encourage,*

The discussion between the USSR and US that resulted in agreement on Articles I and II took place between November 1966 and January 1967. The US made clear to the Russians *inter alia* that the Treaty was not intended to address the transfer of nuclear delivery vehicles, provided that there was no transfers of nuclear weapons or control over them.⁶⁴ The NATO nuclear consultative arrangements were resolved at a meeting in Rome 1966 and were adopted by the NAC in December. The difference between the US/Soviet draft of January 1967 and the previous US/UK drafts was that the former banned the transfer of nuclear warheads (as distinct from nuclear delivery vehicles) between both nuclear weapon states and non-nuclear weapon states and also between nuclear-weapon states. The difference was accepted by the MOD on the grounds that the new text removed all difficulties associated with the non-nuclear association option and the majority vote option. It also reflected the actual US-UK position, since the US legislation already prohibited the delivery of warheads to the UK. The text was therefore considered by both the Foreign Office and the MOD as acceptable, given that it did not prohibit, as it specifically did not, any assistance between nuclear weapon states other than delivery of nuclear warheads.⁶⁵

Consultations within NATO led the US' Allies to ask what could and could not be transferred under the treaty. For the Americans the position was clear: it dealt only with what was prohibited, not with what was permitted. It prohibited transfer of nuclear weapons, not delivery systems or control over them so long as this did not involve transfer of bombs or warheads.⁶⁶ The US intended to interpret "transfer" as the surrender of custody of, or any ownership interest in, nuclear weapons while "control" meant the independent power to use nuclear weapons.⁶⁷ It was an integral part of the agreement with the Russians that the words "transfer" and "control" would not be defined, either in the text or outside it, but the application of these words in relation to nuclear sharing arrangements should be covered by an understanding between the US and Soviet Union in the form of "interpretations", which were later handed to the Russians for private use and which the US later made public during the ratification hearings in the Senate.⁶⁸

At a Cabinet Overseas and Policy Committee meeting in 1968 it had been questioned whether Articles I and II of the draft NPT were compatible with NATO strategy.⁶⁹ The fear was that these provisions might interfere with the NATO's "key of the cupboard" arrangements i.e. the US held custody of the nuclear weapons, whilst

or induce any non-nuclear weapon state to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices" Foreign Office telegram 2650 to Washington 22 December 1966

⁶⁴ PREM 13/2442 Disarmament negotiations: signing of non-proliferation treaty; part 6 1968 Jan 31-1968 Jul 16 Fred Mulley to Secretary of State for Defence 6 February 1968

⁶⁵ CAB 168/16 Safeguards and Non-Proliferation, NATO Nuclear Sharing Arrangements and the Non-Proliferation Treaty, Minister of State for Foreign Affairs to Sir Solly Zuckerman; the same point was put in a minute from Fred Mulley to the Secretary of State for Defence on 6 February 1968, PREM 13/2442 Disarmament negotiations: signing of non-proliferation treaty; part 6 1968 Jan 31-1968 Jul 16

⁶⁶ CAB 168/16 Safeguards and Non-Proliferation, IMV (67) 4 19 June 1967 Visit of Italian PM to London June 1967 Non-proliferation brief by the Foreign Office Annex 2 US Interpretation of the NPT

⁶⁷ CAB 168/16 Safeguards and Non-Proliferation, FCO Guidance N0.215 24 August 1967
Commentary on the Draft Non-Proliferation Treaty

⁶⁸ CAB 168/16 Safeguards and Non-Proliferation, NATO Nuclear Sharing Arrangements and the Non-Proliferation Treaty, Minister of State for Foreign Affairs to Sir Solly Zuckerman

⁶⁹ CAB 148/35 OPD (68) 2nd Meeting 30 January 1968 Item 3

NATO ally would control the delivery system. In wartime the warhead would be released to the delivery system. The views of the Law Officers were sought on this point, and their comments bore out the view that there was no inconsistency. They also agreed that, failing public Soviet approval of UK-US interpretations, the next best course would be a public declaration of these interpretations by the UK.⁷⁰ The meeting decided that the Foreign Secretary should keep under review the timing and form of any UK public declaration of its interpretation of these Articles: it is instructive that no one worried that they might be incompatible with the 1958 Agreement or the Polaris Sales Agreement 1963. The Foreign Secretary eventually made UK interpretations clear in an inspired answer to a Parliamentary Question on 8 July 1968.⁷¹

Conclusions

Neither the NPT nor ANF/MLF proposals had in the event any concrete impact on the UK weapons programme, although it is clear that if either the MLF or ANF plans had come to fruition, they could well have been a significant impact in term of costs and other UK plans, especially for the provision of future weapons for its tactical nuclear weapon programme. The key issue was ultimately NATO nuclear sharing arrangements in both the ANF/MLF and NPT contexts.

⁷⁰ CAB 148/35 OPD (68) 3rd meeting 14th February 1968 Item 1

⁷¹ DEFE 19/169 Non-Proliferation Treaty 1967-1973 Michael Stewart to Prime Minister Interpretation of the Non-Proliferation Treaty 4 July 1968