



General Assembly

Distr.
GENERAL

A/C.1/47/4
12 October 1992
ENGLISH
ORIGINAL: SPANISH

Forty-seventh session
FIRST COMMITTEE
Agenda item 142

CONSOLIDATION OF THE REGIME ESTABLISHED BY THE
TREATY FOR THE PROHIBITION OF NUCLEAR WEAPONS
IN LATIN AMERICA AND THE CARIBBEAN

Letter dated 7 October 1992 from the Permanent Representatives
of Argentina, Brazil and Chile to the United Nations addressed
to the Secretary-General

We have the honour to transmit herewith the text of the statements made by the delegation of the Argentine Republic and the delegation of the Republic of Chile, on behalf of the Governments of the Argentine Republic, the Federative Republic of Brazil and the Republic of Chile, at the seventh special session of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL), held at Mexico City on 26 August 1992.

We should be grateful if you would have the text of this letter and its annex distributed as an official document of the General Assembly at its forty-seventh session, under agenda item 142.

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(Signed) Ronaldo M. SARDENBERG
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ANNEX

Statement made by the delegation of the Argentine Republic, on its own behalf and on behalf of the Federative Republic of Brazil and the Republic of Chile, at the seventh special session of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL), held at Mexico City on 26 August 1992

The non-proliferation of weapons of mass destruction is a priority for the international community. This is only logical, since such arms represent a definite and serious threat to the very survival of humankind.

Latin America was the first region of the world to decisively confront the dangers of the proliferation of nuclear weapons. The Treaty of Tlatelolco, the conclusion of which was considerably assisted by Mexico and, in particular, by Ambassador Alfonso García Robles, was a landmark of historic significance, as the first international instrument banning nuclear weapons.

The international tension and the senseless arms race of the decades which followed caused profound concern to our countries and impeded the prompt entry into force of the Treaty throughout the region.

Today the situation in the world is very different. The collapse of the Berlin Wall, the end of the cold war, the agreements on nuclear disarmament between the super-Powers and the agreements limiting conventional arms within the framework of the Conference on Security and Cooperation in Europe (CSCE) have profoundly changed the shape of today's world. The United Nations system of collective security has begun to function. The negotiations on an international convention on chemical and biological weapons are nearing a conclusion. Despite the savagery and violence of some regional conflicts and the aggressive policies of some authoritarian regimes, the period we are now living through is, generally speaking, one of détente and dialogue.

All this opens up new opportunities, particularly for our region, where favourable world conditions coincide with the spread of democracy, the abandonment of futile geo-political rivalries and the deepening of economic and trade relations.

Success in preventing the proliferation of weapons of mass destruction is a basic prerequisite for consolidating this framework. The propagation of such weapons is a direct threat to peace, security, cooperation and progress.

That is how Brazil, Chile and Argentina understand the issue and that is why we have decided to contribute to the full implementation of the Treaty of Tlatelolco throughout Latin America and the Caribbean. The formalization of this important nuclear-weapon-free zone is an historic and momentous event, an example for the world and a significant legacy for future generations of Latin Americans.

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Our attitude confirms the exclusively peaceful nature of our respective nuclear programmes and is consistent with other major steps that our three countries have taken to make such programmes transparent and to ban weapons of mass destruction in the region.

Our presence at this meeting is the culmination of a process promoted by the Presidents of Argentina, Brazil and Chile to establish a framework of full confidence and cooperation in the nuclear field in South America.

For more than a decade now, Brazil and Argentina have maintained very fruitful relations in the nuclear field, fostering know-how and mutual cooperation. We have reached the point where today we pursue a joint policy in this field. The Argentine-Brazilian programme was defined by Presidents Menem and Collor de Mello in the Póz de Iguazú Declaration and the Guadalajara Agreement. The Presidents of Chile, Brazil and Argentina also made the political commitment to move forward together towards the full implementation of the updated Treaty of Tlatelolco.

The Argentine-Brazilian programme includes important contributions to non-proliferation. First, we have established a Common System of Accounting and Control of Nuclear Materials and also a Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials (ABACC), which has already started functioning. ABACC is the first experiment of its kind since EURATOM. Both countries have committed themselves to giving the Agency maximum support in order to ensure that it operates as efficiently as possible.

Secondly, in December 1991, Argentina, Brazil and ABACC signed an agreement with the International Atomic Energy Agency (IAEA) for the application of complete safeguards. This agreement, which we hope will enter into force very soon, has been recognized as an example of cooperation and a model for other regions of the world.

This successful joint effort has had a fundamental impact on our bilateral relations. The joint nuclear policy has created a climate of friendship and confidence which increases the determination of both countries to move towards economic and commercial integration.

Furthermore, in September 1991, Chile, Brazil and Argentina signed a Joint Declaration on the Complete Prohibition of Chemical and Biological Weapons, known as the "Mendoza Accord". Uruguay, Paraguay, Bolivia and Ecuador have also signed this Accord. The signatory countries have committed themselves fully not to develop, produce, acquire in any way, stockpile or retain, transfer directly or indirectly, or use chemical or biological weapons.

I would now like to refer briefly to the amendments submitted by Argentina, Brazil, Chile and Mexico.

The amendments we are proposing are essentially technical in nature, in no way affect the principles and objectives of the Treaty and are a significant contribution to its effective implementation. Specifically, they

make it possible to carry out the special inspections provided for under the Treaty.

The original formulation of the relevant articles created considerable difficulties for our countries, unnecessarily duplicated reporting obligations, could not be effectively implemented and created uncertainty and ambiguity with regard to special inspections. Moreover, they did not provide for appropriate treatment of the information obtained from inspections and did not guarantee the protection of technological secrets.

The amendments solve these and other problems. Special inspections will be carried out only by IAEA, which will decide, after receiving the request submitted to it by OPANAL in conformity with the procedures of revised article 15, whether or not to proceed with the inspection in accordance with its Statute and the respective safeguards agreements.

In addition, the implementation of the safeguards agreement between Argentina, Brazil, ABACC and IAEA will ensure that those countries show due respect and provide adequate protection for technological secrets.

I wish to emphasize that these amendments in no way prejudice the full implementation of the Statute of IAEA, nor do they imply any curtailment of the obligations assumed by States to provide information to IAEA in accordance with their respective safeguards agreements.

Lastly, it should be stressed that the amendments also do not affect the articles of the Treaty bearing on Additional Protocols I and II.

Our political commitment is to contribute to the full implementation of the Treaty of Tlatelolco throughout Latin America and the Caribbean.

Consequently, upon approval of these amendments, Brazil, Chile and Argentina undertake to embark promptly on the constitutional procedures required for the ratification and entry into force of the amended Treaty. We are confident that the other countries of the region will take the same attitude.

The collective political will to use nuclear energy for exclusively peaceful purposes will thus have found expression in a legal instrument of regional scope.

As we already said, the step we are taking today is tremendously significant for the western hemisphere and the world. The full implementation of the Treaty of Tlatelolco represents a major contribution to international security. Nuclear weapons have never found fertile soil in Latin America. Our commitment today will banish them from the continent forever.

Latin America can be proud of its achievements in the field of non-proliferation of weapons of mass destruction, achievements for which the host country of this meeting can take much of the credit. The Treaty of

Tlatelolco is to a large extent a child of Mexico's humanistic and pacifist tradition and it is fitting therefore that we should pay it a well-deserved tribute.

Brazil, Argentina and Chile also wish to thank Mexico for its willingness to cooperate in the final drafting of the amendments. Mexico's inestimable contribution, in particular the negotiations undertaken by Ambassador González Gálvez, facilitated the process enormously.

Statement made by the delegation of the Republic of Chile, on its own behalf and on behalf of the Federative Republic of Brazil and the Argentine Republic, at the seventh special session of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL), held at Mexico City on 26 August 1992

On behalf of the Governments of Argentina, Brazil and Chile, I should like to make a brief statement concerning the proposed amendments to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean.

The proposed amendments, taken as a whole, will not only help to make the Treaty substantially more effective while safeguarding its normative integrity, but will also represent a significant contribution by our region to denuclearization and, above all, to the prohibition of nuclear weapons.

OPANAL will transfer inspection functions to IAEA on terms which enhance the latter's ability to carry out special inspections, as established in the proposed amendment to article 16. I wish to emphasize that the proposed text entirely replaces current article 16. Accordingly, it provides for the OPANAL Council to hear a thorough analysis of the reasons for any specific request for a special inspection, all of which must be done after meeting the requirements of article 15, which provides for the drafting of a special report which the General Secretary shall request from the affected Party.

As a result, we have a fair, responsible and balanced procedure for dealing with the very delicate issue of special inspections.

We are proud therefore to participate in this meeting of signatories, which coincides with the ratification by the Government of France of Additional Protocol I to the Treaty of Tlatelolco. We value this commitment greatly, as we believe it will strengthen the effectiveness of the Treaty.

We hope that the cooperation between IAEA and OPANAL, which will be reinforced by the splitting of new articles 19 and 20, will be intensified, possibly by means of a protocol to this effect.

We wish to thank the Government of Mexico once again for having brought us together in the shared task of incorporating the entire nuclear capability of the region and all the States of Latin America and the Caribbean in the Tlatelolco regime. It is our hope that the consolidation of our system will also signal the start of an upsurge in regional cooperation for the peaceful development of nuclear energy.
