



**Agency for the Prohibition of Nuclear Weapons in
Latin America and the Caribbean**



Nuclear-Weapons-Free Zone
in Latin America and the Caribbean

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Nuclear Debates in Latin America

Carnegie Endowment for International Peace &
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Latin America and the Global Nuclear Order

The Global Nuclear Order: Does it exist? How should it evolve?

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- **New International Economic Order** (UNCTAD, 1970¹).
- **New World Information and Communication Order** (UNESCO, 1970-1980s²)
- If there were no nuclear chain reaction, there would be no need for a **Global Nuclear Order**.
- **What kind of Global Nuclear Order do we want?**
- Scientists were conscious very early of nuclear energy **dual use**. Only military uses can be banned, this implies that control and verification measures must be applied for peaceful and military uses.
- The problem of dual use was also observed in the case of chemical substances. However, the idea of a “**Global chemical order**” is not necessary because chemical weapons were banned.
- Every Nuclear-Weapon-State (NWS) developed its own arsenal for different reasons. Nuclear weapons confer **power at its maximum degree (offensive and dissuasive)**.
- The NWS started in 2010 having formal meetings called P-5 Conferences, last one in Beijing (2014). **NWS Conferences** have not considered granting full Negative Security Assurances.
- **The Global Nuclear Order does not aim at peace per se**. It freezes the power system.

¹ Resolution adopted by the General Assembly 3201 (S-VI). Declaration on the Establishment of a New International Economic Order, New York, United Nations, 1974, <http://www.un-documents.net/s6r3201.htm>

² Report by the International Commission for the Study of Communication Problems (Many Voices, One World), Paris, UNESCO, 1980, <http://unesdoc.unesco.org/images/0004/000400/040066eb.pdf>

- The possession of nuclear weapons represents a major obstacle to the **democratization of international relations** (*Para que serve a bomba*).
- Weapons of mass destruction (biological, chemical and nuclear): Why the production, development, modernization, deployment, use or threat of use of nuclear weapons is not **a crime against humanity**?
- The Global Nuclear Order was established **to halt (horizontal) proliferation of nuclear weapons**. But it was also necessary to regulate the peaceful uses of nuclear energy.
- **Atoms for Peace**: aimed at maintaining the peaceful and military control of nuclear energy. Progress in modernizing nuclear safeguards systems: INFCIRC; Additional Protocol; nuclear exports control (Nuclear Suppliers Group); nuclear safety and nuclear security.
- The right to the peaceful uses of nuclear energy is prior to the Treaty on the Nonproliferation of Nuclear Weapons (NPT). **The NPT does not institute that right, but merely recognizes its existence. There are just two pillars.**
- The Treaty of Tlatelolco is prior to the NPT. Represents **an exception to the Global Nuclear Order**, it is not top-down. Nuclear-Weapons-Free Zones (NWFZ) regime represents an “Order” established not by the NWS, but by those States who undertook not to acquire or possess nuclear weapons.
- NWFZ treaties establish rights and obligations to its States Parties; **those rights and duties are equally applied to every State**. NWS are legally bound to them by means of Protocols.

1. What are the similarities and divergences in how Latin American countries view the global nuclear order and in how they interact with it?

- Latin American and Caribbean States perceive Global Nuclear Order with different eyes, but with many similarities. Each State has different legal structures, but everyone is Party to the NPT and the Treaty of Tlatelolco. They differ in their objectives about development of nuclear energy for peaceful purposes, but they have a **common position on nuclear disarmament and nonproliferation**.
- **Argentina and Brazil** are looking for assurances to continue with their nuclear development, which does not mean they are against the nonproliferation of nuclear weapons.

2. What is the level of coordination between Latin American countries vis-à-vis the debates on nuclear governance in the international fora?

- Latin American and Caribbean countries have a high level of coordination, especially within the **System of Tlatelolco**: a **non-discriminatory** universal system; respected by NWS but limited by the **Interpretative Declarations**. The System has been appropriated by the United Nations. The Treaty has served as a **model for all other NWFZ agreements**. Tlatelolco is more than a regional legal regime; it contains a political **institution with global reach (OPANAL)**.
- The Treaty of Tlatelolco is built upon: **1) Control System**, whose provisions are enough to fulfill the obligations assumed by States Parties and; **2) OPANAL**, an organization that, besides institutionalizing regional nonproliferation norm, allows the NWFZ to have a comprehensive policy projection towards the goal of disarmament.
- OPANAL has the right and the moral standing **to demand nuclear disarmament**.

3. What are some of the practical steps towards global nuclear disarmament-what is the effect of the conversation on the humanitarian impact of nuclear weapons?

- **Political position of OPANAL:** *the pressing need to begin negotiations for the prompt conclusion of a universal and legally binding instrument prohibiting the possession, development, production, acquisition, testing, stockpiling, transfer, use or threat of use of nuclear weapons and providing for their destruction in a transparent, irreversible and verifiable manner under a multilaterally agreed timetable (Declaration of the States Members of OPANAL on the occasion of the International Day for the Total Elimination of Nuclear Weapons; pursuant to the United Nations General Assembly Resolution 68/32: Follow-up to the 2013 high-level meeting of the General Assembly on nuclear disarmament).*
- Making progress in implementing the **practical steps** towards nuclear disarmament agreed at the **2000 Review Conference** of the Parties to the NPT, as well as the **Action Plan adopted at the 2010 Review Conference** of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

Some steps possible, urgent and practical:

- **Negative Security Assurances (NSAs):** nuclear weapons have their role circumscribed to the NWS. The meaning of their refusal.
- **De-alerting Nuclear Weapons Systems.**
- Strengthening existing **NWFZ** (to withdraw or modify the interpretative declarations NWS made when they signed or ratified Additional Protocols) and **creating new ones** in other regions or States.

- The establishment of **NWFZ contributes to**: strengthen the nonproliferation regime; **stigmatize and marginalize (politically) nuclear weapons**; limit the territorial area of the world where such weapons can be deployed; make nuclear attacks disproportionate, unjustifiable and therefore less likely.
- **Humanitarian Impact of Nuclear Weapons**. It is not a new issue, it has been considered in the **Advisory Opinion** on the Legality of the Threat or Use of Nuclear Weapons by the International Court of Justice (July 6, 1996).
- Since the end of the Cold War, the nuclear debate evolved **from strategic (military) to humanitarian approach**.
- While the **NPT** states that: *the proliferation of nuclear weapons would seriously enhance the danger of nuclear war*, **the Treaty of Tlatelolco has a humanitarian approach**: *nuclear weapons, whose terrible effects are suffered, indiscriminately and inexorably, by military forces and civilian population alike, constitute, through the persistence of the radioactivity they release, an attack on the integrity of the human species*.
- The Treaty of Tlatelolco is a **preventive instrument** against the use or threat of use of nuclear weapons, **but also a breakthrough towards the goal** of effective, verifiable and irreversible nuclear disarmament.