

United Nations
**GENERAL
ASSEMBLY**

EIGHTEENTH SESSION

Official Records

**FIRST COMMITTEE, 1333rd
MEETING**

Monday, 11 November 1963,
at 3.10 p.m.



NEW YORK

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Chairman: Mr. C. W. A. SCHURMANN
(Netherlands).

AGENDA ITEM 74

Denuclearization of Latin America (A/5415, A/5447 and Add.1, A/C.1/L.329)

GENERAL DEBATE AND CONSIDERATION OF DRAFT RESOLUTION A/C.1/L.329

1. The CHAIRMAN recalled that, in accordance with the decision taken at the Committee's 1319th meeting, some representatives had expressed their views on agenda item 74 in the course of their statements in the general debate on agenda item 26 (Question of general and complete disarmament).

2. Mr. BERNARDES (Brazil) recalled that since the earliest days of the Conference of the Eighteen-Nation Committee on Disarmament, his country had favoured in principle the concept of denuclearized zones. The Antarctic treaty, signed at Washington on 1 December 1959, and General Assembly resolution 1652 (XVI), calling upon Member States to consider and respect the continent of Africa as a denuclearized zone, had already provided evidence of a desire to restrict the area of atomic danger; indeed, a country which accepted the use of atomic weapons on its territory while having no share in the decisions relating to their use would impair its sovereignty, yet would be unable to evade the attendant responsibility. At the seventeenth session of the General Assembly (1125th plenary meeting), the Brazilian delegation had indicated that it favoured the establishment of denuclearized zones, and that Latin America might form such a zone. At that time, the attempt to introduce nuclear weapons into that area in connexion with the Caribbean crisis had led Bolivia, Brazil, Chile and Ecuador to submit a draft resolution^{1/} which had been supported by a substantial majority of United Nations Member States; however, the draft resolution had not been put to the vote at the seventeenth session. The idea of denuclearizing Latin America had gathered new momentum from the declaration of 29 April 1963 signed by the Presidents of Bolivia, Brazil, Chile, Ecuador and Mexico (A/5415). That declaration had met with a favourable response not only in Latin America but also in official circles in the United States, and in the world at large; it had also been welcomed by the Secretary-General. Finally,

^{1/} Official Records of the General Assembly, Seventeenth Session, Annexes, agenda item 90, document A/C.1/L.312/Rev.2.

in July 1963, Brazil had requested the inclusion of that item on the agenda of the current session of the General Assembly (A/5447 and Add.1).

3. It had been said that the creation of a denuclearized zone must comply with the following criteria: first, the area contemplated must be outside the zone of direct confrontation of the great Powers and must not disturb the existing global power balance; secondly, the decision to denuclearize an area must be freely taken by all the countries in the area; thirdly, the denuclearization agreement must include adequate measures for verification and control. The denuclearization of Latin America could fully satisfy those criteria.

4. With regard to the first point, the Western Powers had never used Latin American territory for the purpose of installing missile bases and the need had never arisen for stationing in Latin American countries the components of a nuclear air force. On the contrary, it seemed that technological improvements, and the increasing need for invulnerability, would make it unnecessary to use foreign bases for the purpose of defence and security. The United States representative had tacitly acknowledged that the denuclearization of Latin America would not disturb the balance of power; indeed, Brazil considered that it would contribute to stability by preventing a recurrence of the Caribbean crisis of October 1962. Furthermore, the denuclearization of Latin America would represent a measure of territorial nuclear disarmament and would help to check any disorderly trend in the arms race.

5. With regard to the need for the freely given consent of the countries concerned, Brazil strongly upheld that principle. The Brazilian Foreign Minister had already said in his address to the General Assembly (1208th plenary meeting), that he was not proposing that the Assembly should declare Latin America a denuclearized zone, but rather that the Latin American countries, as sovereign nations, should consider the possibility of concluding a treaty under which they would commit themselves not to manufacture, store, receive or test nuclear weapons. Likewise, a draft resolution on the subject should not be interpreted as pressure exerted by the General Assembly on the Latin American countries, but only as an encouragement to seek agreement in that respect.

6. As to the problem of control, the denuclearization of Latin America could obviously not be achieved without an effective system of verification and inspection. However, it was too soon to consider the details of such a system; the question would certainly be discussed in the context of the negotiations preparatory to a possible agreement.

7. He emphasized that the Brazilian initiative fitted logically into the disarmament process and the measures paving the way for disarmament. It was recognized that, owing to its intricate character, the question of disarmament should be tackled first in those areas which afforded the best prospects of pro-

gress; steps should therefore be taken first of all to prevent the arms race from spreading to the disarmed areas. In other words, the arms race must be halted before being reversed. That approach had led to the conclusion of the Antarctic Treaty and later to the adoption of General Assembly resolution 1884 (XVIII). The denuclearization of Latin America was a logical sequel to those measures, and was implicitly in keeping with the wish voiced by the General Assembly in recognizing the need to prevent the dissemination of nuclear weapons.

8. The criticism might be made that the denuclearization of Latin America would place that continent in a position of inferiority with respect to the other areas that remained free to enter the nuclear arms race. However, the proposed agreement would have to contain provisions preventing the region from being placed in such a position in any circumstances; for example, the agreement could be made valid for a limited period of five, seven or ten years, at the end of which the contracting parties would be free to review their armaments policy in the light of the international situation and of the negotiations for general and complete disarmament. Furthermore, the agreement could include a clause enabling it to be abrogated should events detrimental to the security of the parties occur.

9. In conclusion, he emphasized that although the Caribbean crisis had not had the catastrophic consequences that had been feared, there was no justification on that account for any weakening in the resolve to destroy the root cause of the trouble. He therefore hoped that the Committee would overwhelmingly support draft resolution A/C.1/L.329.

10. Mr. GARCIA ROBLES (Mexico) recalled that the joint declaration of 29 April 1963 on the denuclearization of Latin America had been made on the initiative of the President of Mexico, Dr. Adolfo López Mateos, who had sent letters on the subject to the Presidents of Bolivia, Brazil, Chile and Ecuador on 21 March 1963. In those letters, President López Mateos had referred to the three developments which had preceded his initiative: first, the statement made on 22 March 1962, on his instructions, by Mr. Manuel Tello, the Mexican Minister for Foreign Affairs, that, pending a worldwide agreement, denuclearization could and should be achieved by the spontaneous decision of States; second, the submission at the seventeenth session of the General Assembly by Brazil, with Bolivia, Chile and Ecuador as co-sponsors, of a draft resolution on the denuclearization of Latin America; and third, the statement which he himself had made in December 1962 that the Mexican Government was prepared to enter into a commitment not to obtain nuclear weapons or permit the stockpiling or transport of such weapons or the establishment of nuclear launching sites in its territory for any reason, provided that a substantial group of Latin American Republics, or all of them, did the same.

11. President López Mateos, after recalling those earlier developments, had gone on to explain his proposal to the other four Presidents, expressing the opinion that the action already taken with a view to denuclearization should not be left unfinished and that a promising approach would be for the Presidents of the five countries to issue a joint declaration indicating their willingness to sign a multilateral agreement with the other countries of Latin America providing for the latter's denuclearization.

12. The Mexican President's suggestion had been immediately and enthusiastically welcomed by the four Presidents to whom it had been addressed. As a result, the declaration on the denuclearization of Latin America had been adopted simultaneously in the five capitals on 29 April 1963.

13. In announcing the declaration to the Mexican people, President López Mateos had said that at the present stage of the cold war, Mexico's role must in essence be that of a moderator. To be true to its tradition of peace, it should join with other States having similar aspirations in a combined effort to persuade the great Powers, by the force of example, to seek diligently for ways and means of achieving general and complete disarmament.

14. The declaration indicated the readiness of the five Governments concerned to conclude a multilateral Latin American agreement whereby their countries would undertake not to manufacture, receive, store or test nuclear weapons or nuclear launching devices; to bring declaration to the attention of the Heads of State of the other Latin American Republics; and to cooperate with such other Latin American Republics as might accede to the declaration in order that Latin America might be recognized as a denuclearized zone as soon as possible.

15. Going on to consider the provisions of draft resolution A/C.1/L.329, he explained that the first preambular paragraph flowed directly from the first preambular paragraph of the United Nations Charter, the terms of which it reproduced. The second preambular paragraph faithfully reflected the substance and wording of the corresponding paragraphs of the three General Assembly resolutions to which it referred. The third preambular paragraph repeated the ideas embodied in the first two preambular paragraphs of resolution 1664 (XVI). The first part of the fourth preambular paragraph merely took cognizance of the fact, regarding which all the members of the Committee were in agreement, that the partial test ban treaty had created a favourable atmosphere for other disarmament measures, and the connexion which was stressed in the second part of that paragraph was obvious and flowed from the resolutions that were referred to. With regard to the fifth preambular paragraph, it reproduced the terms of the fundamental paragraph of the declaration on the denuclearization of Latin America, which, as the only existing multilateral instrument dealing with the subject, certainly deserved to be taken as a basis for the draft resolution. The final preambular paragraph was explained by the desire to preserve the non-nuclear *status quo* in Latin America and to spare that region the dangers and expenditure which would be attendant on participation in the arms race.

16. He believed that operative paragraph 1 was fully justified in view of the extensive support that had been given to the declaration of 29 April 1963. As the Brazilian representative had already pointed out, that declaration had been favourably received by the Secretary-General. And when it had been submitted by the representatives of Brazil and Mexico to the Conference of the Eighteen-Nation Committee on Disarmament, almost all the other members of the Eighteen-Nation Committee—specifically, the representatives of Nigeria, Burma, Italy, Poland, the United States, Ethiopia, Romania, India, the United Kingdom, Czechoslovakia, Canada, the Soviet Union, Bulgaria and Sweden—had expressed interest, gratification or approval with regard to the Latin American initiative.

If account was taken, moreover, of General Assembly resolutions 1380 (XIV), 1576 (XV) and 1665 (XVI), which were aimed at preventing the wider dissemination of nuclear weapons, the justification for operative paragraph 1 seemed self-evident. Operative paragraph 2 was perhaps not an ideal example of good style, but the sponsors had wished to make it as flexible as possible. The regional agreements referred to in that paragraph were the Charter of the Organization of American States, signed at Bogotá on 30 April 1948^{2/} and the Inter-American Treaty of Reciprocal Assistance, signed at Rio de Janeiro on 2 September 1947.^{3/} The principles of those two instruments were similar to those of the United Nations; furthermore, in Article 103 of the United Nations Charter it was provided, of course, that in the event of a conflict between the obligations under those agreements and the obligations under the Charter, the latter would prevail. As to operative paragraph 3, it was based on the unanimous approval accorded to General Assembly resolution 1665 (XVI). Lastly, operative paragraph 4 provided that the valuable technical co-operation of the United Nations Secretariat should be available, if needed.

17. He then made three remarks of a general nature. First, "denuclearization" should be understood to mean the decision to prohibit the existence in Latin America of nuclear weapons or their delivery vehicles; the prohibition did not, of course, apply to the use of nuclear energy for peaceful purposes. Secondly, the task of determining the geographical boundaries of "Latin America" would be one of the functions of the Latin American conference, that would be responsible for making the denuclearization of the region a reality; Mexico, for its part, would uphold the position that those boundaries should include Jamaica and Trinidad and Tobago, which had already expressed their desire to join the States traditionally known as Latin American States in their denuclearization plan. Thirdly, it was already possible to reply in the affirmative to those who wished to know whether the sponsors of the draft resolution envisaged the adoption of verification or inspection measures simultaneously with the creation of the denuclearized zone, but it would be premature to answer in more detail. That was one of the points which the future Latin American conference would have to examine with the greatest care. It was taken for granted that verification measures could not run counter to the principle of non-intervention, which all the countries of Latin America considered the cornerstone of amicable relations between States.

18. From the legal point of view, there were three types of denuclearized zones that might be set up in Latin America: first, a zone including all the States and territories of the region—the ideal solution envisaged in the declaration of the five Latin American Presidents and in draft resolution A/C.1/L.329—which required the free consent of all the countries; secondly, a zone including several States, whether contiguous or not; and, thirdly, a zone consisting of the territory of a single country, whose Government had decided to declare it, by law or decree, to be a denuclearized zone. In the first two cases it would suffice that the Governments of the countries concerned should, by virtue of their right of sovereignty, conclude a treaty to denuclearize the zone. In the third case the entry into force of the relevant law or decree

would be sufficient. Just as no one disputed the right of any Government to prohibit the production of narcotic drugs, there was even less reason to dispute its right to prohibit the presence in its territory of nuclear weapons, the effects of which were infinitely more dangerous to the people than those of narcotics. In the first two cases it was evident that the decision rested solely with the sovereign power of the States directly concerned. As the representative of Ecuador had rightly pointed out, the power to sign bilateral or multilateral agreements was an exclusive prerogative of States. The United Nations did not exercise guardianship over States and had only the moral obligation to promote the application of the purposes and principles of the Charter by recommending the conclusion of any agreement which might reduce international tension and prevent the spread of conflicts. It must be added that that moral obligation was equally incumbent on all States, particularly the nuclear Powers. The creation of denuclearized zones was, in fact, intended to prevent the wider dissemination of nuclear weapons, as recommended by General Assembly resolutions, which should be considered morally binding on Member States. The nuclear Powers would therefore have to undertake to respect the juridical status voluntarily established by the State or States concerned. Any nuclear Power that failed to respect that status would be violating not only a moral obligation but a legal obligation as well, since in order to compel a State to accept nuclear weapons against its will, the nuclear Power would have to use threats or force, in violation of the provisions of the Charter. In the case of Latin America there would probably be no difficulty in securing, at the appropriate moment, the co-operation referred to in operative paragraph 3 of the draft resolution.

19. The proposal made in the draft resolution could, in the long run, have incalculable beneficial effects for Latin America. The draft was, however, limited in scope and related solely to the immediate future. Its only purpose was, in fact, to ask the General Assembly to give moral support to studies aimed at the establishment of a regional "non-nuclear club", which might help to bring about the establishment of a universal "non-nuclear club", as had been urged by Mr. Undén, the Swedish Minister for Foreign Affairs. It also represented the first step in implementing the plan recommended by Mr. Aiken, the Irish Minister for Foreign Affairs, to prevent the wider dissemination of nuclear weapons. The Mexican delegation therefore hoped that the Committee and the General Assembly would unanimously adopt the draft resolution.

20. Mr. BOSSAY (Chile) recalled that at the seventeenth session of the General Assembly the Chilean representative in the First Committee had suggested (1249th meeting) that the Latin American countries should undertake not to acquire any nuclear weapons; the representatives of Brazil and Mexico had made statements to the same effect. The delegations of Brazil, Bolivia, Chile and Ecuador had then submitted a draft resolution on the subject, but, in view of the circumstances, had thought it preferable for consideration of the draft to be deferred to the current session. Subsequently, the Presidents of Bolivia, Brazil, Chile, Ecuador and Mexico had issued the declaration of 29 April 1963 on the denuclearization of Latin America.

21. The preamble to draft resolution A/C.1/L.329 did not call for any special comment. It should, on

^{2/} United Nations, *Treaty Series*, vol. 119 (1952), No. 1609.

^{3/} *Ibid.*, vol. 21 (1948), No. 324 (a).

the other hand, be pointed out that the operative part was merely procedural and did not refer to problems which would be examined by the sovereign States of Latin America at a special conference to be called for that purpose.

22. He noted, with regard to operative paragraph 3, that the co-operation of all the Members of the United Nations, particularly the nuclear Powers, was indispensable to the achievement by the Latin American States of their objective, namely, the denuclearization of their region. It should be borne in mind in that regard that in the understanding of the sponsors of the

draft resolution, that region included not only the continental territory of Latin America but also the islands of the Caribbean, including Jamaica and Trinidad and Tobago.

23. He assured the Committee that the draft resolution had been drawn up with no ulterior motives and that it represented the deepest aspirations of the Latin American peoples, whose sole concern was to work in peace for social, economic and cultural advancement.

The meeting rose at 5.10 p.m.