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Chairman: Mr. Ismail FAHMY
(United Arab Republic).

Organization of Work

1. The CHAIRMAN: I should like to point out to the members of the Committee that the Korean question will be discussed some time on Monday, so that representatives should be prepared to discuss this item.

AGENDA ITEM 91

**Treaty for the Prohibition of Nuclear Weapons in Latin
America (*continued*) [A/6663; A/6676 and Add.1-4;
A/C.1/946]**

GENERAL DEBATE (*continued*)

2. Mr. DIACONESCU (Romania) (*translated from French*): Nearly four years ago the Romanian delegation, welcoming in this very room the adoption of resolution 1911 (XVIII) on the denuclearization of Latin America, expressed the opinion that that resolution could represent

“... a new contribution towards the establishment of a climate of *détente* in international relations and towards the promotion of confidence in the relations among States.”

Our statement went on:

“The implementation of the provisions of that resolution will provide the conditions that will enable a vast region of the globe, Latin America, to become, by means of negotiations among the States concerned, a region free of nuclear weapons, a region taken away from nuclear danger.”¹

3. The hope and the wish expressed by my delegation at that time have today found concrete expression. Last February, twenty-one Latin American countries, meeting in Mexico, succeeded in adopting the Treaty for the Prohibition of Nuclear Weapons in Latin America [A/C.1/946].

4 I take special pleasure in extending the Romanian delegation's congratulations to the delegations of the Latin American States on that outstanding achievement. My task is all the more agreeable in that I had the honour to represent Romania, as Observer, at the fourth session of the Preparatory Commission for the Denuclearization of Latin America that gave birth to the Treaty.

5. We regard the Treaty, history's first proclamation of a zone free from nuclear weapons in an important inhabited area of the world, as of major significance for the countries of the Latin American continent, which have thereby demonstrated their determination to live and grow in peace, without nuclear weapons, and to contribute their share to the removal of the grave nuclear threat. It is a source of great satisfaction to note that the authors of the Treaty envisage the legal instrument signed at Tlatelolco² as coming within the true context of the efforts all mankind is making towards disarmament, and especially nuclear disarmament. In the actual words of its preamble, the Treaty represents the desires of the sponsoring Governments to

“... contribute, so far as lies in their power, towards ending the armaments race, especially in the field of nuclear weapons, and towards strengthening a world at peace, based on the sovereign equality of States, mutual respect and good neighbourliness.”

For the Contracting Parties, the military denuclearization of Latin America is not an end in itself, but a step towards achieving general and complete disarmament at a later stage.

6. One undeniable merit of the negotiators in Mexico is that by using imagination they succeeded in creating a legal framework that, while prohibiting absolutely the presence of nuclear weapons on the territory of the Contracting Parties, leaves intact their rights in respect of the peaceful use of the atom to speed up the economic and social development of their peoples. In that respect, the Treaty reveals an awareness of the vast opportunities opened up for the future by the use of nuclear energy for the growth of national economies.

7. If the conclusion of the Tlatelolco Treaty is a measure designed to enable Latin Americans to channel their resources towards the improvement of their standard of living rather than waste them on nuclear weapons, thus constituting an important contribution to over-all peace and security, it is quite natural that the countries in the denuclearized areas should expect to enjoy the necessary guarantee of security for those areas.

¹ Statement made at the 1341st meeting of the First Committee, the official record of which was issued in summary record form.

² The Treaty for the Prohibition of Nuclear Weapons in Latin America was signed at Tlatelolco, Mexico.

8. Giving voice to that legitimate aim, Additional Protocol II rightly requests the nuclear Powers to undertake not to use or threaten to use nuclear weapons against the Contracting Parties of the Treaty, and not to contribute in any way to the performance of acts involving a violation of the obligations of article 1 of the Treaty in the territories to which the Treaty applies in accordance with article 4 thereof. In that connexion, the Romanian delegation wishes to reaffirm its full support for the Cuban Government's legitimate insistence that the provisions of the Treaty should be applicable also to the American military bases located in the Panama Canal Zone and in Puerto Rico, and that the United States of America should dismantle the Guantánamo Naval Base and return that part of Cuban territory to Cuba.

9. The conclusion of the Treaty for the Prohibition of Nuclear Weapons in Latin America embodies in our opinion unparalleled hopes for all countries that see in the creation of denuclearized zones in various regions of the world an effective means of strengthening international peace and security. We cannot but welcome the statement in the preamble of the Treaty that "the military denuclearization of vast geographical zones, adopted by the sovereign decision of the States comprised therein, will exercise a beneficial influence on other regions where similar conditions exist". The Romanian delegation considers that an organic interdependence exists among the various denuclearized zones, each of which tends to bring us closer to the goal we want to see attained as soon as possible, that of universal denuclearization.

10. Starting out from the belief in the establishment of denuclearized zones, reinforced by the undertaking of the nuclear Powers never to employ atomic weapons against countries that do not possess them, Romania has always been in favour of establishing such zones in Europe, Latin America, Africa and other parts of the world. At this juncture, let me recall that the Romanian Government, which is a profound believer in the principle that each country can and must make its individual contribution to the maintenance and strengthening of peace, submitted in 1957 and 1959 for the consideration of the Governments of other Balkan countries proposals to transform the region into a nuclear-free zone of peace and good-neighbourliness.

11. I cannot conclude this statement without mentioning that the decisive and historically speedy manner in which action leading to the conclusion and ratification of the Treaty was undertaken has once again emphasized the positive vein which runs through the many legal institutions created by Latin American diplomacy throughout the course of history. The outstanding contribution made by Mr. García Robles, the Mexican Under-Secretary for Foreign Affairs, to the construction of the most recent of those institutions has earned him the well-deserved title of architect of the Tlatelolco Treaty.

12. Mr. ISINGOMA (Uganda): This being my delegation's first intervention during the present session, may I take this opportunity of expressing to you, Sir, our congratulations on your election as Chairman and also our very real appreciation of the wise skill with which you have been conducting the meetings. It gives me great pleasure to assure you of my delegation's undivided confidence and

respect. May I also, through you, congratulate the Vice-Chairman and the Rapporteur, whose election has provided a firm basis for the important work with which the Committee is entrusted.

13. My delegation would like to associate itself with the congratulatory expressions which have been addressed to the countries of Latin America on their conclusion of the Treaty for the prohibition of nuclear weapons. It is pleasing to note that these States have succeeded in concluding a Treaty in a relatively short period, in spite of the practical problems involved. We commend them for their skill and statesmanship.

14. We are indebted to the delegations of twenty-one Latin American countries for their initiative in presenting this historic document to this Committee. This is a happy event which turns a new and glorious page, not only in the history of peaceful co-operation in the area but also in the history of more search for peace.

15. In some parts of the world there is great need for the respective countries to engage in a campaign against ignorance, poverty and disease. Valuable resources should not be wasted in the manufacture of nuclear weapons while every day millions of under-privileged people go hungry and millions more die because of lack of adequate medical services. Where possible, States should desist from the manufacture and acquisition of nuclear weapons as it is not in the interest of peace and the survival of the human race. It is because of this consideration that we welcome the provision in the Treaty for the use of nuclear energy solely for economic development and other peaceful uses. It is our hope that other countries will follow this example.

16. We urge nuclear weapon States to make every effort to eliminate existing obstacles which prevent them from reaching a similar Treaty. We also strongly hope that formal guarantees in accordance with the provisions of Additional Protocol II of the Treaty to respect the status of military denuclearization of the region will be forthcoming from nuclear Powers. Failure to give such guarantees will render the skill and aspirations of the region useless and will tend to discourage similar movements in the same direction.

17. The pace of reaching a similar treaty either on an international basis or among the nuclear Powers should be accelerated with a sense of urgency. The present favourable phase in international relations may not last for ever, though we all must earnestly pray that it will endure in our time and beyond.

18. My delegation is particularly happy to note that the Treaty is open to signature by all nuclear Powers in order to ensure the full implementation and success of the Latin American Treaty. It is essential that countries which are obligated either militarily or politically by this initiative should not stand aside from this document or attempt to frustrate its implementation and success.

19. Because of our desire to see universal denuclearization we commend the example set by the Latin American countries, which should serve as an impetus toward further advancement in that direction. We hope that more nuclear-free zones will eventually materialize until the nuclear fear is totally eliminated.

20. Mr. BENITES (Ecuador) (*translated from Spanish*): The statement made at the 1504th meeting by the Mexican Under-Secretary for Foreign Affairs, Mr. García Robles, was an extremely full and well-documented commentary on the Treaty for the Prohibition of Nuclear Weapons in Latin America, which is much indebted to his lucid intelligence, his legal wisdom and his patient efforts.

21. It was my privilege, as the representative of my country, to work with him on the formulation of this Treaty, from the preliminary meeting of November 1964 to the fourth and last session of the Preparatory Commission for the Denuclearization of Latin America held in February 1967 at the Mexican Foreign Ministry, in the beautiful, historic part of Mexico City which bears the name of the native hero Tlatelolco.

22. Thus I come before the Committee as a first-hand witness of the work done. It was hard work, marked by many pitfalls: we had to fight not only against the negative, pessimistic view that sees all effort as useless, but also against the credulous optimism which fancies, with the naïveté of Pangloss, that we are living in the best of all possible worlds; against both depression and over-enthusiasm; against facile hopes and also against premature disillusionment. We who took part in this work never hoped to draw up a perfect instrument; we aimed at a perfectible one, centred on a world of changing realities to which it must perforce adapt itself if it is to be effective. Thus it is with the humility born of a sense of human fallibility that we have submitted the Treaty for consideration to the United Nations, the guardian still of the meagre hopes of a world driven to despair by the threat of the nuclear peril and the hard facts of insensate violence.

23. The difficulties have been many; I will mention one of them: the cynical observation that a treaty for the prohibition of nuclear weapons in a zone that has none is a theoretical exercise for jurists with nothing else to do. We must recall that the origin of this Treaty was a real threat against peace that might have turned our part of the world into the theatre of a nuclear war. The proposal put to the General Assembly by the delegation of Brazil in 1962, with the support of Bolivia, Chile and my own country of Ecuador,³ was an attempt to avert immediate and imminent dangers; and although the draft resolution on the denuclearization of Latin America submitted on that occasion did not reach a vote, it does represent the beginnings of the long legal evolution that has led to the signing of the Treaty of Tlatelolco.

24. It must be borne in mind that, after all, the Latin American zone is rich in radioactive minerals such as monazite, which can be used as raw material for the extraction of plutonium, and minerals from which natural uranium can be extracted. There are at least four Latin American countries that are at present or potentially capable of producing fissile materials through reactions controlled in reactors; and at least three of them are technologically advanced to the point where theoretically they could produce uncontrolled reactions of fissile sub-

stances which constitute the most elementary form of nuclear weapons.

25. Finally, we must bear in mind that the prohibition of nuclear weapons in Latin America represents the decision on the part of the States in the zone not only not to manufacture them, either for themselves or for third parties, but to prohibit their reception, storage, installation on their soil, testing or use, whether on their own behalf or on behalf of third parties or in any other way, thus eliminating the risk of any possibility of nuclear bases in Latin America.

26. In other words, the Treaty does not mean renunciation of something we do not possess and never can possess. It is the expression of a genuine determination to keep clear of the madcap race towards death and destitution which the production and dissemination of nuclear weapons signifies.

27. A second difficulty that had to be overcome arose from the fact that any treaty for the prohibition of nuclear weapons in Latin America, to be effective, had first to secure the guarantee that the nuclear Powers would respect it. This seemed to my delegation all along to be a psychologically negative and dangerous attitude. It would be unrealistic to try to obtain a guarantee of intent to do or not to do something. If the guarantee we seek is based on facts and concrete proposals, that is something realistic. Hence throughout the negotiations for the drafting of the Treaty we never overlooked the timely consideration of what was both feasible and acceptable and the exchange of ideas with the nuclear Powers through a standing Negotiating Committee. It is not hopeless optimism to express our trust that both the nuclear Powers and the extra-continental Powers which *de jure* or *de facto* administer territories in the American continent will give a guarantee not to use the geographical area defined in the Treaty for the manufacture, testing, use, stockpiling or installation of nuclear weapons.

28. The hope that the nuclear Powers will give the necessary guarantee and sign the Additional Protocols is based also on respect for the fundamental principles of the United Nations. The stage of international relations based on the balance of power expressed itself in the idea of an international society based on balance of interests. It is true that traces of that era still persist in the transitional period in which we live; but no-one can deny that a new trend is emerging, that of the United Nations as the expression of an international community based on peaceful co-existence, universality, and the will to practise tolerance so as to live in peace as good neighbours. The existence of an international public opinion as vigorous and strong as national public opinion is the clearest expression of the changeover to a new concept of international life, and it is a deep-rooted tenet of this international public opinion that we must either succeed in imposing the objectives of the Organization, or else the world will sooner or later meet its end in the suicidal madness of nuclear war.

29. Having indicated the difficulties we had to face in shaping the Treaty we are now discussing, I should like to say that it would be pretentious and foolish to tell ourselves that the Treaty we are presenting is an original, perfect, or

³ *Official Records of the General Assembly, Seventeenth Session, Annexes*, agenda item 90 (A/C.1/L.312 and Add.1, Rev.1 and Rev.1/Add.1 and Rev.2)

finished instrument. On the contrary, we must recognize that on these matters there is definite precedent and prior effort.

30. Before Latin America took on the task of preparing the first zonal treaty for the prohibition of nuclear weapons in history, there was a project put before the General Assembly at its twelfth session on 2 October 1957 by the Minister for Foreign Affairs of Poland, Mr. Adam Rapacki [see 697th plenary meeting, para. 136]. This was renewed by Mr. Rapacki in a revised version on 4 November 1958. A third version was submitted to the Conference of the Eighteen Nation Committee on Disarmament on 28 March 1962.⁴ Likewise before Latin America began its deliberations to produce a treaty, in December 1960, a number of African countries—Ethiopia, Ghana, Guinea, Mali, Morocco, Nigeria, the Sudan and the United Arab Republic—submitted a draft resolution on the denuclearization of Africa [A/C.1/L.264/Rev.1 and Rev.1/Add.1].⁵ However, it did not reach the vote. A new draft on similar lines was submitted at the sixteenth session of the General Assembly by the same African States, with the addition of the Democratic Republic of the Congo, Liberia, Sierra Leone, Somalia, Togo and Tunisia; and resolution 1652 (XVI) was adopted on 24 November 1961.

31. I have cited all these efforts made before the Latin American work began as very valuable background, even though the circumstances and the facts underlying them were different from those which led to the Treaty of Tlatelolco. Since the latter is closely linked with the general problem of the non-proliferation of nuclear weapons, even though it does have original aspects peculiar to our region, it would be unfair not to recall the valuable contributions made prior to our efforts in the field of non-proliferation of nuclear weapons.

32. I must pay a tribute to the wisdom and tenacity of Ireland in this field. After submitting a draft resolution on non-proliferation in 1958,⁶ Ireland maintained a determined stand, and at last, on 20 November 1959, resolution 1380 (XIV) was adopted, later known quite rightly as the "Irish resolution". This was followed by resolution 1576 (XV) of 20 December 1960, and resolution 1655 (XVI) of 4 December 1961. We must also recall with gratitude the efforts made by Sweden in 1961, culminating in resolution 1664 (XVI), designed to prevent countries not possessing nuclear weapons from receiving or acquiring them.

33. Following this enumeration of precedents and mention of the contributions of Sweden and Ireland in the field of non-proliferation, I should like if I may to stress what I believe to be the positive and indeed the original aspects of the Treaty of Tlatelolco.

34. The first of these was pertinently referred to by the Secretary-General, U Thant, whose interest in the task of

preparing the Treaty deserves our most sincere gratitude. In his press release of 13 February 1967 he stated:

"The Treaty for the Prohibition of Nuclear Weapons in Latin America marks an important milestone in the long and difficult search for disarmament. It takes its place together with the Antarctic Treaty of 1959, the Nuclear Test Ban Treaty of 1963, and the Outer Space Treaty of January 1967 in establishing limits to the nuclear arms race. It provides the statute for the creation, for the first time in history, of a nuclear-free zone for an inhabited portion of the earth."

35. Secondly, it should be pointed out that the Treaty of Tlatelolco is the first international instrument of Latin America as such; in other words it is the affirmation of the Latin American personality, the expression of a common culture and a common will. Without the basis of cultural unity, common historical background, and shared legal traditions, a Treaty of this type would have been impossible.

36. I should like to stress also, as one of the singular and original aspects of the Treaty, the balance between the need for technical progress in the use of nuclear energy for economic development and the urgent need to prohibit its use for warlike purposes. Anyone acquainted with the problems of the new technology can appreciate the tremendous difficulties which this balance implies. They are perhaps the one obstacle now in the way of greater success in the field of non-proliferation; and we are hopeful that the contribution made by the Treaty of Tlatelolco can encourage further progress in the wider international field of co-operation for the elimination of the nuclear peril.

37. Finally, I should like to point out that the resolute, clear-cut way in which the Treaty of Tlatelolco tackles the problem of guarantees by the strict application of the safeguards system will perhaps have to be taken into account in future instruments dealing with the prohibition of the use of nuclear weapons for warlike purposes.

38. The two factors I have mentioned: balance between the peaceful uses of nuclear energy and the prohibition of its use for warlike purposes, and the adoption of a control system based on the safeguards of the International Atomic Energy Agency, give the Treaty of Tlatelolco its own legal shape. Nothing will prevent Latin America from moving ahead in nuclear technology in the interests of economic development and social well-being; but the possibility of that technology being applied to warlike purposes is outlawed.

39. If we look at the advances made by technology in the two fields, there does not seem to be any close connexion between the destructive capacity and the peaceful potential of the energy pent up in the atom. The first chain reaction by fission of the atomic nucleus was carried out at Chicago on 2 December 1942 by the Italian scientist Enrico Fermi.

40. Three years later, on 16 July 1945, the first atomic bomb was exploded at Alamogordo: a plutonium bomb equivalent to twenty kilotons. Just under a month later, on that dramatic sixth day of August 1945, the first uranium 235 bomb was exploded over Hiroshima, and three days later the plutonium bomb was exploded over Nagasaki,

⁴ ENDC/C.1/1 (mimeographed).

⁵ *Official Records of the General Assembly, Fifteenth Session, Annexes*, agenda items 67, 86, 69 and 73 (A/4680, para. 17).

⁶ *Ibid.*, *Thirteenth Session, Annexes*, agenda items 64, 70 and 72 (A/C.1/L.206).

both of twenty kilotons. Less than ten years later, in 1954, bombs equal to a strength of 15,000 kilotons were manufactured. By 1957, the appalling order of the megaton had been achieved and man had succeeded in usurping the divine power by fusing the light atoms existing only in the remote places of the cosmos.

41. The achievements in the peaceful uses of nuclear weapons are many, but considerably more limited; perhaps they will be speeded up once the use of nuclear energy for warlike purposes has been prohibited. The judicious and well-balanced use of the present nuclear potential could change the face of the earth, making the deserts bloom and inhospitable regions habitable by turning salt water into fresh water; it could swell the harvests in a hungry world; it could be helpful in the preservation and storage of foodstuffs; it could destroy the plagues and pests that play havoc with fruit production; it could assist medical science in its fight against disease and death; it might perhaps, in the near future, be used to clear great masses of earth and boulders, which would reduce the time and the expense of cutting canals, draining swamps and diverting rivers; in a word, it could be an active, colossal force at the service of life and of promise, the moment it ceases to be at the service of destruction and death.

42. It is with this promise for the future in mind that we submit, as a modest but real contribution, the Treaty of Tlatelolco. We do not claim that it is a prototype, but we do believe that it could be used as a model for other regional initiatives. We do not pretend that it is perfect, but we do maintain that it can be perfected within the limits of its own mechanism. We are aware that it contains flaws and limitations, but we know they can be corrected.

43. In presenting the Treaty we only wish to make a constructive contribution to our common future, to see the Treaty of Tlatelolco become a real milestone in history. Latin America has done its duty. Now it is the turn of the nuclear Powers to do the same.

44. Mr. MENDELEVICH (Union of Soviet Socialist Republics) (*translated from Russian*): The Soviet delegation has listened carefully to the statements made by the representatives of various countries in the debate on the Treaty for the Prohibition of Nuclear Weapons in Latin America, setting out its contents, giving their interpretations of its various provisions, and commenting upon its importance. During the discussion we have also noted the viewpoint of some States that are not signatories of the Treaty for the Prohibition of Nuclear Weapons in Latin America.

45. The Soviet Union considers and attaches great importance to the question of the creation of denuclearized zones in various parts of the world. As often stated by the Soviet Government, it favours the creation of zones free from nuclear weapons because the creation of such zones would lead to territorial limitation of the stationing and possible use of nuclear weapons and would contribute to the relaxation of international tensions and the limitation of the nuclear armaments race. The creation of denuclearized zones in various parts of the world could become a great help in achieving the main goal, that of general and complete disarmament. In that connexion we strongly

support such proposals as those of the Government of Poland for the creation of a denuclearized zone in Central Europe, the idea of the President of Finland for a denuclearized status for Northern Europe, the proposal of various States for the denuclearization of the Balkans, and the plans of African States to proclaim a denuclearized zone in the whole of the African continent. Generally speaking, we do not hold that denuclearized zones can be established in some parts of the world and not in others.

46. With regard to any practical attempts to create denuclearized zones in various parts of the world, our attitude towards such attempts is determined by two main considerations. First, to what extent do the obligations of the contracting parties ensure the zone's denuclearized status? Secondly, are other nuclear Powers ready to respect the denuclearized status of that zone?

47. Being interested in the creation of denuclearized zones in various parts of the world, we naturally considered the plan to create such a zone in Latin America, and did so at a time when negotiations on this question between Latin American States had barely begun. How were those plans carried out and what was the course of events?

48. It was apparent from the beginning that various States of Latin America—and here by rights we should first mention Mexico—sincerely wish to transform Latin America into a truly nuclear-free zone. That intention could only be welcomed.

49. However, at the same time it was also clear that that trend was meeting serious obstacles in the opposition of certain States. The only nuclear Power situated close to Latin America, the United States, refused to agree to the inclusion in the nuclear-free zone of the territories of Puerto Rico, the Virgin Islands, and the Panama Canal—that is, territories which are part of Latin America. The United States also refused to liquidate its military and naval base in Guantanamo, which it retains illegally on Cuban territory, despite the clear demands of the Cuban people for the removal of that base, and other military bases in Latin American countries. The United States also refused to take such a step towards normalizing the political situation in the Caribbean, and thus in the whole of the Latin American area, as ending its aggressive policies against the Republic of Cuba. What is more, it is well known that recently the United States of America has intensified its hostile policy towards Cuba.

50. Therefore, we fully understand and share the attitude of the Republic of Cuba to the plan to create a nuclear-free zone in Latin America, an attitude which has often been set forth in the General Assembly of the United Nations and which was again confirmed yesterday by the representative of Cuba, Mr. Alarcón de Quesada [*1508th meeting*]. We consider that the Revolutionary Government of Cuba has every right to adopt such a position.

51. In conditions when the Republic of Cuba was not able to take part in negotiations for the transformation of Latin America into a denuclearized zone, those negotiations, as is well known, were being carried on by some of the Latin American States. In due course the participants, through the Chairman of the Preparatory Commission for the

Denuclearization of Latin America, Mr. García Robles of Mexico, asked the Soviet Union about its attitude towards the plan and whether it was prepared to undertake to respect the status of the denuclearized zone in Latin America. As we understand it, similar communications were addressed to the other nuclear Powers. On 20 January 1967 the Soviet Union gave the following answer to that question.

“The Soviet Union is in favour of the creation of nuclear-free zones in various parts of the world, seeing in it a step towards effective limitation of the area in which nuclear weapons are stationed and used. The creation of nuclear-free zones is also of great importance in averting the threat of a nuclear war and limiting the armaments race.

“The Soviet Government considers that in order to strengthen peace and prevent the proliferation of nuclear weapons, the undertaking to create nuclear-free zones can be given not only by groups of States representing whole continents of important geographic entities, but also by more limited groups of States and even by individual countries. For its part, the Soviet Government is prepared to undertake to respect the status of all atom-free zones that are set up if similar obligations are accepted by the other nuclear Powers.

“The Soviet Government will be able to determine its position towards the status of an atom-free zone in Latin America more precisely after the States directly concerned have reached agreement on an appropriate treaty for the creation of such a zone and also after the position of other nuclear Powers becomes known.”

52. It is easy to see that the Soviet Government, in giving this preliminary answer, was guided by the two positions of principle which determine its attitude towards practical attempts to create nuclear-free zones and which were mentioned above. Confirming our generally favourable attitude towards the creation of nuclear-free zones in various parts of the world, the Soviet Government in its answer pointed to the main factors which would govern its final position regarding a specific plan creating a denuclearized zone in Latin America: first, the contents of the future treaty; and secondly, the position taken up by the other nuclear Powers.

53. The Treaty for the Prohibition of Nuclear Weapons in Latin America, or, as it is called, the Treaty of Tlatelolco, has now been concluded, and its contents are known. Now we are able to examine in substance the question whether the provisions of that Treaty ensure the transformation of Latin America, or at any rate of the territories of those Latin American States which are participants in the Treaty, into an area free from nuclear weapons.

54. A study of the Treaty shows that it does contain provisions—and these were stressed by the representatives of States that are Parties to the Treaty, more particularly the representatives of Mexico, Chile, and today Ecuador—which certainly are directed towards that goal. This applies especially to article I of the Treaty, which contains obligations to prohibit nuclear weapons in Latin America, as well as to some other provisions of the Treaty, including a number of provisions in the articles concerning control.

55. However, at the same time the Treaty on the Prohibition of Nuclear Weapons in Latin America contains other provisions which, to say the least, introduce an element of ambiguity in the Treaty. That impression is strengthened when one has heard the various interpretations of provisions of the Treaty given by the participants themselves, for instance, in the Eighteen-Nation Disarmament Committee.

56. We have here in mind, first of all, article 18 of the Treaty, which states that the Contracting Parties may carry out explosions of nuclear devices for peaceful purposes, including explosions which involve devices similar to those used in nuclear weapons. How can one reconcile the intention to create a nuclear-free zone with the retention of the right of the participants to carry out nuclear explosions using practically the same devices as those used in nuclear weaponry? Those two elements are incompatible.

57. It may be that in non-nuclear States the essence of the matter is not fully realized. In countries having nuclear weapons it is known with absolute certainty that between devices for peaceful nuclear explosions and devices for military explosions there are no distinctions in principle. Any affirmation that there can be a technical differentiation between explosions of nuclear devices for military and peaceful purposes is quite unfounded. If a State has carried out a nuclear explosion, even for peaceful purposes, that does mean it has the ability to explode a device for military purposes—that is to say, it has nuclear weapons. That is an incontrovertible fact which various delegations here have already pointed out.

58. Taking into account the great importance of this question, the Soviet Government, as early as the negotiation stage of the Treaty for the Prohibition of Nuclear Weapons in Latin America, thought it necessary to inform the participants of its point of view on this matter. On 12 February 1967 the Chairman of the Preparatory Committee, Mr. García Robles, received a communication from the Soviet Government stating the following on this problem.

“The Soviet Government has now learned that the Preparatory Committee is examining, *inter alia*, the question of including in the treaty on a denuclearized zone in Latin America provisions which would allow participant States of that zone to carry out nuclear explosions for peaceful purposes.

“The Soviet Government would like to point out that this question is indissolubly linked to the question of preventing further dissemination of nuclear weapons, since installations for the explosion of nuclear devices for peaceful purposes are, in principle, in no way different from installations for the explosion of nuclear weapons. The Soviet Government which has firmly and consistently supported a speedy solution of the question of non-proliferation of nuclear weapons, has constantly stressed that it deems it necessary to reach an agreement for the solution of this problem which would close any loopholes allowing the proliferation of nuclear weapons. This position is in full conformity with well-known decisions of the United Nations General Assembly adopted with the active support of Latin American States. That is why the Soviet Government deems it necessary and timely to express the view that the inclusion in the treaty for the

creation of a denuclearized zone in Latin America of a provision allowing nuclear explosions for peaceful purposes could complicate the solution of the question of the non-proliferation of nuclear weapons.

"Since the speedy solution of the question of non-proliferation of nuclear weapons is in conformity with the interests of maintaining peace, the Soviet Government expresses the hope that these considerations will be taken into account by the members of the Preparatory Committee in the creation of a nuclear-free zone in Latin America.

"Bringing its point of view on this matter to the attention of the Preparatory Committee, the Soviet Government would also like to stress that it realizes the interest of Latin American countries, as well as of many other States, in the future use of nuclear energy for carrying out important projects in the field of economic development which might require nuclear explosions. However, this is a special matter, which can be solved only on the basis of a separate international agreement."

59. As can be seen in this communication, the Soviet Government took a very definite position on the possibility of including in the treaty on the creation of a denuclearized zone in Latin America a provision allowing for nuclear explosions for peaceful purposes. In doing so, it expressed the hope that its ideas would be taken into account by the parties to the negotiations for the conclusion of a treaty on a nuclear-free zone in Latin America. At the same time, it clearly stated that it understood the importance to the Latin American countries, as well as to many others, of the future use of the energy derived from peaceful nuclear explosions for the carrying out of important projects in the field of economic development and that it considered this question could be settled in a separate international agreement.

60. It also goes without saying that our views on so-called peaceful nuclear explosions were and are in no way linked to the question of the peaceful uses of atomic energy by all States, including members of the denuclearized zones. The Soviet Union has always been in favour of the widest possible use of atomic energy by all States for the development of their economy and culture.

61. Now that the Treaty for the Prohibition of Nuclear Weapons in Latin America has been signed and promulgated, it would appear that it does contain provisions allowing, though with some reservations, the contracting parties to carry out nuclear explosions for peaceful purposes. But how then will it be possible to achieve the main objective of the Treaty—to exclude the possibility of the appearance in Latin America of nuclear weapons? That question remains open.

62. The Treaty contains another element of ambiguity. Although it bars its participants from manufacturing or acquiring nuclear weapons, or installing or deploying them in their territories, it nonetheless contains no provision preventing the transporting of nuclear weapons through the territories of States parties to the Treaty. Yet this is an important matter. It is all the more important because of the well-known practice of the United States of America, whose warships, with nuclear weapons on board, regularly

go through the Panama Canal. And despite the intention of the Latin American States to create a denuclearized zone for the United States has refused to put an end to this form of transportation. It may be that United States nuclear weapons are also transported over the territory of other States participating in the Treaty; we do not know. Anyway this is not prohibited under the Treaty.

63. To take only one aspect of the matter, the Panama Canal. We find we do not understand the situation. Panama is a party to the Treaty for the Prohibition of Nuclear Weapons in Latin America, but at the same time the intention is to continue to transport nuclear weapons through the Panama Canal, which runs through Panamanian territory and, if United States authorities so wish, to keep those weapons there. This means that United States nuclear weapons will not only remain in Puerto Rico and in other Latin American areas which the United States does not wish to include in the denuclearized zone, but that they will also continue to appear inside the actual nuclear-free zone, in the Panama Canal. How can we construe such a state of affairs, and how can we reconcile it with the objectives of the Treaty prohibiting nuclear weapons in Latin America?

64. I should like now to refer to another aspect of the Treaty. Article 4 of the Treaty defines the zone of its application in such a manner that under certain conditions it will encompass vast areas of the Atlantic and Pacific Oceans, hundreds of kilometres beyond the territorial waters of the States parties to the Treaty. This is not usual in international practice, as incidentally the delegation of Mexico noted in its analysis of the main provisions of the Treaty.

65. We naturally ask ourselves what the intention is in practice of attempting to apply the Treaty for the Prohibition of Nuclear Weapons in Latin America to the international waters of the Pacific and Atlantic Oceans. What limitations is one intending to apply to States, especially to States that are non-signatories to the Treaty, and on what grounds is a group of States making such an attempt in regard to international waters, the legal status of which cannot be altered by anyone for a unilateral purpose?

66. These questions inevitably give rise to other questions. What is one wishing to achieve by extending to international waters provisions of the Treaty for the Prohibition of Nuclear Weapons in Latin America? Is there not a tendency here to hamper the normal communications through international waters between States that are non-signatories of the Treaty prohibiting nuclear weapons in Latin America?

67. Such are some of the comments and considerations which occurred to us in connexion with the Treaty for the Prohibition of Nuclear Weapons in Latin America. We have made these remarks because the parties to the Treaty have expressed the wish that the nuclear Powers, including the Soviet Union, should adopt a definite position on this Treaty, that they should undertake to respect the status of the nuclear-free zone in Latin America. For the reasons we have just explained, we are still not quite clear what this zone will really be.

68. We can understand that many Latin American States really wish to remove from their continent the threat of a nuclear war by the creation of a nuclear-free zone. We duly respect that desire, and we take special note of a fact such as the decision of Mexico to ratify the Treaty and, without any further conditions, to implement it on its territory. The statements which representatives of States that signed the Treaty have made during the discussion in the First Committee have so far not cast any light on this matter.

69. The second aspect of the problem, namely the position of other nuclear Powers towards the Treaty, is also still unclear to us although some of those Powers, especially the United States, are not only closer to the Latin American area than is the Soviet Union, but have territories there under their jurisdiction.

70. The statement made by the representative of the United States in the First Committee on 26 October [1507th meeting] threw no new light on the position of the United States as regards its undertaking to respect the status of the nuclear-free zone in Latin America.

71. The statement of the representative of the United Kingdom [1508th meeting] purported to answer that question and might almost have been a definite answer. However, there was one small detail in that statement which seemed to reveal the essence of the British answer. The representative of the United Kingdom, Lord Caradon, announced yesterday that under certain conditions the United Kingdom would unilaterally review the obligations which it was now ready to assume towards States parties to the Treaty; in other words, in certain circumstances it would renounce such obligations. Simple, is it not? Today, we assume obligations, tomorrow we renounce them.

72. The Soviet Union assumes a duly serious and responsible position towards the Treaty for the Prohibition of Nuclear Weapons in Latin America, as it does to any other international question. The way in which a given international problem is resolved can have important repercussions on the lives of peoples. It is for this reason that the Soviet delegation, in the present case also, has frankly and openly stated its views and opinions, and has shown why some aspects of the Treaty are not clear to us, both as regards its contents and as regards what is happening in connexion with that Treaty.

73. I could have concluded this statement here, but I think I should make one more observation.

74. As you, Mr. Chairman, must have noticed, the Soviet delegation made its statements on this question in Russian, which is the general language of the State in our country and the one commonly used by Soviet delegations at international organizations and conferences.

75. We spoke in Russian not because we could not find anyone who could speak Spanish. Of course we could have found someone who could, especially for a very short period of time. We did not do so for other reasons.

76. First of all, we did not have the same motivation as the representative of the United States, a motivation to which he himself alluded. He drew attention to the fact

that the population of about twenty states in the United States speaks Spanish. But in the territories making up the Soviet Union we have no such areas, and we have none because throughout our history we have never taken one square kilometre of territory from a Latin American State, nor have we ever fought against Latin American States; on the contrary, we were allied with many Latin American countries in the Second World War against the Fascist aggressors, and we have never forgotten that alliance.

77. Secondly, in speaking in the First Committee, we have not sought, through unusual gestures, to divert attention from the content of our statement; on the contrary, we wish to draw the attention of all of our colleagues to its content, and particularly, of course, the attention of the representatives of the Latin American States. We realize that our statement may not, on all points, immediately satisfy our colleagues from Latin America, but if they carefully peruse it they will become convinced that we spoke from the bottom of our hearts, that we said what we meant and spoke the truth. This, in our opinion, is the main thing. We are convinced that this will be duly appreciated.

78. For these reasons, we spoke in our own language, the Russian language, the language of Pushkin and Lenin, though we have the deepest respect for the language of Cervantes and Bolivar, and, let us add, for the language of Shakespeare and Lincoln as well.

79. Mr. BERRO (Uruguay) (*translated from Spanish*): First of all, Mr. Chairman, I should like to congratulate you on your well-deserved election, and similarly to congratulate the Vice-Chairman and Rapporteur.

80. My voice and my conscience are fully at one today in the performance of a sacred international duty, that of giving real effectiveness to the basic purposes and principles of the Charter of the United Nations.

81. I do not come here to point out, as is frequently done, blemishes, defects, failures or defeats in this community of nations which emerged in 1945 to cast a luminous beam of hope over the smouldering ruins of the Second World War. On this occasion I shall not raise my voice in sorrow and in distress to tell of controversy, of conflict, of aggressions, of reprisals, of armistice agreements violated, of peace-keeping forces, of violations of human rights, of racial conflicts, and the rest. Instead, I shall speak today to assure the present and future generations, our children and our children's children, that there is at least one part of the globe, inhabited by 300 million people, where the use of nuclear weapons has been banned for all time, as a first step towards universal disarmament; where reason, sanity and the sense of responsibility for the fate of mankind have triumphed over national individualism, over the aggressiveness of sovereign pride, over economic domination and the unbridled madness of power and force.

82. Furthermore, in that part of the globe, the ingenuous wisdom of simple, good men has prevailed over the inexplicable blindness of the strategists of military balance of power, stubborn in their determination not to see that nuclear weapons, by the very fact that they exist, increase the statistical probability of an outbreak of nuclear warfare, whether through accident, miscalculation or deliberate

design, as U Thant pointed out in the introduction to his Annual Report on the Work of the Organization [A/6701/Add.1, para. 18]. Should that happen, the fruits of victory or the bitterness of defeat would be equally irrelevant; for the total destruction of the universe would bring a uniform fate to victors and vanquished alike, removing even the possibility that such an apocalyptic holocaust might be recorded in history to serve as a cruel lesson to posterity, since without the indispensable conditions of viable existence and survival there could be no posterity.

83. That civil hero Víctor Andrés Belaúnde, who died fighting the good fight for the rule of law and for peace, speaking as President of the General Assembly eight years ago, said:

“Our fathers lived in a world in which it was possible to choose between the advantages of peace and the dangers and privations of war. In our world, the world of the atomic age, the alternative is different: peace will ensure life and progress for all peoples, but war will bring death and universal destruction.”⁷

84. In the face of this awful dilemma, the Governments and the peoples of Latin America have defined their responsibilities and have taken their proper stand on the strength of their noblest juridical, moral and human traditions.

85. The Treaty for the Prohibition of Nuclear Weapons in Latin America is the best possible answer to a world living under the domination of atomic terror, traumatized by fear of war that would spell the annihilation of the human species. Our continent has taken its definite stand. It rejects technology as the henchman of killing, and accepts it only when it contributes to the well-being of mankind.

86. It was not easy to fashion this complex legal instrument, which in brief reflects our repudiation of the destructive and homicidal nuclear force and at the same time our endorsement of atomic energy for peaceful purposes and for progress. The initial steps, as you know, go back to November 1963. General Assembly resolution 1911 (XVIII) was the starting-point, its immediate background being the joint Declaration by the Chiefs of State of five Latin American Republics, Bolivia, Brazil, Chile, Ecuador and Mexico,⁸ announcing that their Governments were prepared to sign a multilateral agreement undertaking “not to manufacture, receive, store or test nuclear weapons or nuclear launching devices”.

87. It may be useful here to single out operative paragraph 3 of resolution 1911 (XVIII) to bring out the universal nature and significance already attributed even then to the initiative taken by the Latin American States. It reads:

“The General Assembly. . . *Trusts* that at the appropriate moment, after a satisfactory agreement has been reached, all States, particularly the nuclear Powers, will lend their full co-operation for the effective realization of the peaceful aims inspiring the present resolution. . . .”

88. The Latin American Governments, conscious of the responsibility they had assumed, did not fail in the fulfilment of the purposes embodied in resolution 1911 (XVIII). This explains why the eminent internationalist Alfonso García Robles, Under-Secretary for Foreign Affairs of Mexico, and the architect of the splendid instrument we are considering today, was able to make the following categorical, definitive statement, whose sincerity and truth rules out any boastful intention—which would anyway be out of place, since the reference is to a joint effort by a group of States:

“Of course, the Treaty of Tlatelolco, the first example of unconditional prohibition of nuclear weapons in inhabited portions of the earth, which Latin America offers to the world as testimony of its desire for peace and its unequivocal repudiation of such weapons of mass destruction, was not concluded on the spur of the moment, and this is one of its principal merits. In fact, it was the outcome of steady and continuous efforts by the Latin American States, by which it was patiently discussed, drafted and approved.”

89. It would be out of place and superfluous for me to make a commentary on the Treaty and to analyse one by one all its provisions and those of the two annexed Protocols. After Mr. García Robles' methodical, scientific, well-documented and penetrating analysis at the 1504th meeting the other day, supported by copious background documentation and revealing his evident exceptional mastery of the subject, it would be both idle and foolish of me to embark on a similar task. But I do venture to say that the Treaty of Tlatelolco embodies the rare virtue of a sophisticated juridical technique, without prejudice to the realism essential to make it practically effective.

90. The great jurist Scialoja criticized the 1924 Geneva Protocol as embodying an excess of legal perfection, and he described it as a typical example of an instrument in which pure Cartesian logic clashed with the hard facts of everyday life. In the present instance, no one can contend that the Treaty of Tlatelolco contains abstract formulas or is over-doctrinaire to the detriment of the political and human realities it is designed to cope with.

91. The exhaustive debates on the purposes and principles to be listed in the preamble; the zone of application of the Treaty; its entry into force; the rights of the signatories; the obligations of the Contracting Parties; the system of control; the definition of nuclear weapons; and the peaceful uses of atomic energy, show that legal technique, carefully maintained in the definition of concepts did not prevent the Treaty from embodying the different elements of the political, economic and social reality of the Americas and the world. Further evidence of the profound concern to give the Tlatelolco instrument its correct and appropriate place in the very centre of the international community, with no regional chauvinism that would be at variance with its very essence, is to be seen in the insertion of the two Additional Protocols, which open the doors of the Treaty in a generous spirit of universality to those continental and extra-continental States which have international responsibility for territories situated in the region, and in general, without any limitation whatsoever, to all nuclear Powers whether Members of the United Nations or not.

⁷ *Ibid.*, Twenty-fourth Session, 795th plenary meeting, para. 30.

⁸ *Ibid.*, Eighteenth Session, Annexes, agenda item 74 (A/5415/Rev.1, annex).

92. "What is true in the lamplight is not always true in the sunlight", says Joubert. Thus the Latin American Treaty proscribing nuclear weapons is not a mere hothouse plant. Those who worked at Tlatelolco kept their feet on the ground, scrutinizing the ideas, the feelings, the ambitions and the disquiet of men. The academic virtues of the Treaty are not out of key with practical sense and an alert watchfulness in its provisions to prevent evasion and fraud.

93. Latin America has worked for the world. It has done so realistically; it has done so expertly; and it has done so disinterestedly. "Watchman, what of the night?" asks the Prophet Isaiah. And the watchman answers: "The morning cometh." Where the dark horizon of international reality looms up, the vision of Tlatelolco is like the dawn rays of hope.

94. In itself, nuclear energy is not a cosmic calamity: the calamity for the universe is the outcome of the application of this amazing discovery by man. The calamity is the result of the apparent purpose of the great Powers to maintain the balance of their nuclear weapons in case of war which might degenerate into the infernal realm of atomic conflict.

95. The countries of Latin America are neither concerned with nor interested in access to nuclear weapons. I repeat: the countries of Latin America are neither concerned with nor interested in access to nuclear weapons. That is why the Treaty of Tlatelolco was signed. But this does not mean that we are opposed to the peaceful uses of the atom or to the exploitation of this prodigious force for every manifestation of human progress and well-being. It was because they felt that way that the Latin American Governments emphatically proclaimed these principles in the preamble to the Treaty:

"That the incalculable destructive power of nuclear weapons has made it imperative that the legal prohibition of war should be strictly observed in practice if the survival of civilization and of mankind itself is to be assured,

"That 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 and ultimately may even render the whole earth uninhabitable,

"That the foregoing reasons, together with the traditional peace-loving outlook of Latin America, give rise to an inescapable necessity that nuclear energy should be used in that region exclusively for peaceful purposes, and that the Latin American countries should use their right to the greatest and most equitable possible access to this new source of energy in order to expedite the economic and social development of their peoples."

96. Confirming the principle inherent in the preamble's reference to the peaceful uses of the atom, article 17 reads:

"Nothing in the provisions of this Treaty shall prejudice the rights of the Contracting Parties, in conformity with this Treaty, to use nuclear energy for peaceful purposes, in particular for their economic development and social progress."

97. Again—and here I address myself in particular to the representative of the Soviet Union, to whom I listened this

morning with great interest and with feelings of profound solidarity with his search for solutions—article 18 too foresees the legitimate use of the atom in nuclear explosions for peaceful purposes which are not yet practicable but which could in the future be of immense importance. This article guards against any possibility of deceit by ruling out explosions if they violate articles 1 and 5 of the Treaty, referring to the use of nuclear weapons.

98. This unshakable, clear-cut distinction between the atom for war and the atom for peace greatly worried certain countries during the preparatory work on the Treaty. The chief fear was that the gap between States in regard to the warlike use of nuclear energy might become equally or even more acute in respect of peaceful uses in industrial development.

99. The Brazilian Foreign Minister, Mr. de Magalhães Pinto, referred very judiciously to this point in the general debate during the current Assembly:

"The adherence to the purposes of non-proliferation must not entail a renunciation by any country of the right to develop its own technology. On the contrary, Brazil, while supporting, as it always has, the non-proliferation of nuclear weapons, is convinced that the measures to this end should facilitate nuclearization for peaceful purposes. Such nuclearization for peaceful purposes should include the technology of nuclear explosives which might become indispensable for major engineering projects of significance for economic development.

"As a matter of fact, Brazil has already undertaken the sovereign commitment to renounce nuclear weapons by signing the Treaty for the Prohibition of Nuclear Weapons in Latin America, concluded at Mexico City on 14 February 1967. The manner whereby this Treaty draws a distinction between nuclear weapons, which it prohibits, and unlimited peaceful nuclearization, which it authorizes, seems to us quite appropriate for an agreement on a world-wide basis. . . .

"The scientific and technological gap between the Member States of this Organization is growing at an increasing pace to the detriment of the aims of the United Nations. . . .

"As the President of my country pointed out recently, we must realize that the planning of our development must take place within the context of the scientific and technological revolution which has ushered the world into the nuclear and space age. In this new era which we are entering, science and technology will increasingly condition not progress and the well-being of nations alone, but their very independence."

100. Latin America has said: we want atoms without war, but we want peace with atoms. The inequality which divides us off from the nuclear Powers in the use of the infernal machines they possess concerns us from the point of view of the general future of mankind; but the inequality which is accentuated daily in the exploitation of atomic energy and of scientific and technological progress applied to economic and industrial development is of vital concern to us because of the stagnation, the vassalage, the backwardness and the poverty it means for our peoples. It would be tragic if the era of colonialism, which is disappearing from the face of the earth, were to reappear in

a new form as a result of the technological progress achieved by the great Powers.

101. Nuclear neo-colonialism in the economic field must also be banned, and the doors of technology must be thrown open to the developing countries, thus avoiding new causes of disturbance and eliminating new areas of conflict, new misery and wretchedness deriving, paradoxically, from the very fact of man's scientific progress.

102. If the great Powers look deeply into the very heart of the Treaty, they will not only be able to avoid new wars, but they will have the glory of encouraging the economic development and the social welfare of all the peoples that dwell on earth.

103. It is clear that the Latin American initiative alone is not enough to eradicate nuclear war, even on our own hemisphere; the preamble to Additional Protocol II on this point reads:

“Aware that the non-proliferation of nuclear weapons is not an end in itself but, rather, a means of achieving general and complete disarmament at a later stage.”

Hence the inclusion in that Protocol of articles 2 and 3, addressed to the nuclear Powers.

104. The world awaits what the United States of America, France, the United Kingdom, the People's Republic of China and the Soviet Union have to say. The book of Tlatelolco lies open in Mexico. In comparison with the commitment assumed by Latin America, very little is asked of the great Powers.

105. By way of exhortation to the Powers which have the monopoly of the atom, I venture to repeat here the final paragraph of the preamble to the Treaty. What emerges from its text, clearly and unequivocally, is the sense of universality and humanism which imbues it, transcending national frontiers, geographical regions or political schools of thought. It reads as follows:

“That Latin America, faithful to its tradition of universality, must not only endeavour to banish from its homelands the scourge of a nuclear war, but must also strive to promote the well-being and advancement of its peoples, at the same time co-operating in the fulfilment of the ideals of mankind, that is to say, in the consolidation of a permanent peace based on equal rights, economic fairness and social justice for all, in accordance with the principles and purposes set forth in the Charter of the United Nations and in the Charter of the Organization of American States.”

106. Finally, there are obligations that flow from General Assembly resolution 2153 A (XXI), from commitments undertaken by the three nuclear Powers belonging to the Eighteen-Nation Committee on Disarmament, and also from the similar drafts submitted to that Committee by the United States and the Soviet Union which would place all those Powers in a position to accede to the Treaty, thus earning for themselves the sympathy and the applause of the world.

107. Before I conclude this statement I would like to recall these pertinent words from paragraph 18 of the

Annual Report of the Secretary-General, U Thant [A/6701/Add.I]:

“While it is true that the threat of nuclear war poses the main danger to humanity, the arms race in the field of conventional weapons and the dissemination of such weapons by the larger to the smaller Powers also create dangers and tensions which can lead to local or regional conflicts. The nuclear Powers can easily become involved in such conflicts with all the attendant risks of precipitating a global nuclear war.”

108. These great truths, which reflect the existence of great ills, have their origin, unfortunately, in the principle of the balance of power which served as a basis for the structure conceived at San Francisco. In the course of the truly outstanding debate which took place in the Uruguayan Senate on the ratification of the Charter of the United Nations, Senator César Gutiérrez stated:

“When we speak of the need to put an end to the scourge of war and to inject a sense of brotherhood into human relations, the real crux of the problem lies in the grave risk of lulling the senses of the people with a dream of lasting peace, while others are engaged in dark devices, preparing predatory schemes or concocting plans for world domination. That is the eternal, tragic conflict which the Charter of San Francisco, at once realistic and idealistic, is anxious to bring to an end.”

One of the characters in Euripides asks: “Why do you carry a bow if you are in the right?” A disturbing and eternal question which might be best answered not with a philosophical discourse, but with the pithy, terrible phrase of the Eteocles of Aeschylus: “The fact is, the gods always honour victory, just or unjust.”

109. So long as the bow and the reasoned argument are pitted against each other, the victory will always go to the one who shoots the arrow. This would not happen in a community of nations based exclusively on law. While evolution is bringing us closer and closer to that ideal, we must hold on to such constructive and exemplary elements as the Treaty for the Prohibition of Nuclear Weapons. We must follow that path, rising above the painful realities that afflict us day by day.

110. I shall never forget the fearful warning uttered by Charles de Visscher:

“The same man who is moved by the death of a single person reduces anonymous hecatombs to a question of statistics. The law of large numbers, which is precisely that of politics to the highest power, subjects the statesman's thought to pressures unknown to private morals. International collective action itself, moral and legal reaction against the attack upon the law and the peace of the world, bears the marks of these defects and deviations.”⁹

111. Without ignoring the truth of these remarks, and perhaps because of the need to put things right, we shall never lose heart in our struggle to reconcile legal principles and political goals, to try to imbue international activity

⁹ Charles de Visscher, *Theory and Reality in Public International Law*, Princeton University Press, Princeton, New Jersey, 1957, p. 95.

with a sense of moral and human values which ennobles it and transforms it into an instrument of well-being and happiness that knows no frontiers or races. The Treaty of Tlatelolco is a historic step in that direction.

112. I should like in conclusion to pay a heartfelt tribute to Mexico, to Mr. García Robles, and to his hardworking collaborators.

113. Mr. JAKOBSON (Finland): I am pleased to have this opportunity to extend to you, Mr. Chairman, to the Vice-Chairman and to the Rapporteur the congratulations and best wishes of my delegation.

114. The Finnish Government has a keen interest in the concept of nuclear-free zones as a means to prevent the spread of nuclear weapons and it has therefore followed with special attention the efforts of the Latin American nations to create a nuclear-free zone in the southern part of the Western Hemisphere. Accordingly, my delegation welcomes warmly this opportunity to receive authoritative and full information on the Treaty for the Prohibition of Nuclear Weapons in Latin America, and to pay tribute to its authors. We are especially indebted to the representative of Mexico, Mr. García Robles, for his lucid exposition of the complex and often difficult negotiations that have taken place and for his detailed analysis of the Treaty itself [*1504th meeting*].

115. To the nations of Latin America this Treaty, when it is fully effective, will surely offer incalculable benefits. The exclusion of the continent from the burdens and dangers of a nuclear arms race will contribute not only to the security and peace of the area, but also to its economic progress; whilst effectively prohibiting the introduction of nuclear weapons into Latin America, the Treaty fully guarantees the parties' right to develop and use nuclear energy for all peaceful purposes. At the same time, the Treaty has a significance which extends far beyond the geographical limits of its application. It establishes the first nuclear-free zone in an inhabited part of the world and it thus proves that the idea of creating such zones is a workable idea. That must give encouragement to all those who are interested in using every available method for the purpose of effectively preventing the spread of nuclear weapons on a regional basis.

116. The international significance of the Treaty is all the greater because some of its features could well serve as a model for solving elsewhere some of the problems connected with the prevention of the spread of nuclear weapons. I refer in particular to the provisions of the Treaty dealing with control and verification. They can be justly regarded as constituting a pioneering effort in this difficult field. My delegation welcomes especially the application of the International Atomic Energy Agency safeguards to the nuclear activities of the parties to the Treaty. Finland's own nuclear activities are already under these safeguards, and we support the further extension of this system.

117. As has been pointed out by several speakers before me, the clauses permitting the Treaty to enter into force for those States that choose to waive conditions of prior ratification by all the States concerned represent an

interesting innovation in the practice of diplomacy. We hope that the Treaty will soon come into force and will serve effectively its stated purpose.

118. I wish to add the congratulations of Finland to those extended to the Latin American countries which have brought about this unique achievement in the sphere of the control of nuclear arms. Let us hope that it will give a fresh impetus to the efforts to put an end to the proliferation of nuclear weapons on a world-wide basis.

119. Mr. VRATUŠA (Yugoslavia): Since this is the first time that I have taken the floor in this Committee, Mr. Chairman, I should like to extend to you my most sincere congratulations on your election as Chairman. Your distinctive qualities and rich experience are greatly contributing towards a successful completion of the very responsible tasks with which our Committee has been entrusted.

120. I also wish to take this opportunity to congratulate the Vice-Chairman, Mr. Tchernouchtchenko, and the Rapporteur, Mr. Örn, on their election to those important posts.

121. Yugoslavia has always shown great interest in, and has given full support to, the efforts of the Latin American countries to transform their continent into a nuclear-free zone. In that spirit a Yugoslav representative, in the capacity of an observer, attended the fourth session of the Preparatory Commission for the Denuclearization of Latin America. The endeavours made by Latin American countries have been crowned by the conclusion of the Treaty for the Prohibition of Nuclear Weapons in Latin America which, for the first time, establishes a nuclear-free zone in an inhabited part of the world with the consent of the countries of the area. Latin American countries have signed the Treaty in order "to keep their territories forever free from nuclear weapons", as is stated in the Preamble to this document.

122. It gives me pleasure, therefore, to take this opportunity to congratulate, on behalf of the Yugoslav delegation, the Latin American countries on this achievement which, by its importance and positive effects, transcends the boundaries of the Latin American continent.

123. My country has always attached great significance to the problem of the denuclearization of various areas in the world, considering that to be an important contribution to the establishment of conditions for initiating a process conducive to general and complete disarmament, which continues to be our major goal. The significance of the Treaty for the Prohibition of Nuclear Weapons in Latin America in our opinion lies in the fact that it restricts the dissemination of nuclear weapons by preventing their spread to Latin American countries. By prohibiting the use of nuclear weapons against parties to the Treaty, it also marks one of the first steps towards total prohibition of the use of nuclear weapons.

124. Furthermore, the Treaty for the Prohibition of Nuclear Weapons in Latin America confirms in practice that it is possible to establish nuclear-free zones within the inhabited territories of more States. The conclusion of this Treaty also points to the usefulness of the efforts aimed at

having other parts of the world—territories of other countries or even areas not under the national jurisdiction of any State, such as, for instance, the high seas—become nuclear-free zones.

125. In the first case the solution depends both on the countries of a given region and on the nuclear Powers, whereas in the second case the solution depends almost exclusively upon the nuclear Powers, which are today the only ones using those areas for the dissemination of their own nuclear arsenals.

126. We believe that this Treaty may also serve as an example and as an encouragement to the efforts aimed at eliminating nuclear weapons from other territories and regions of the world—such as Africa, Europe and others.

127. We are fully aware of the difficulties entailed in such efforts. We are however confident that the reaching of agreement on the establishment of other nuclear-free zones would be of great importance, as that would contribute towards the elimination of the nuclear arms race from territories in which it is being carried on.

128. However, the major significance of this Treaty, despite some of its imperfections, lies in the fact that it makes an encouraging contribution to world peace by restricting the material basis of the policy of force, which represents the main source of tension in international relations today.

129. In conclusion I should like to stress that practical implementation of the Treaty of Tlatelolco will naturally depend upon the parties to it as well as upon all other countries and, in particular, the nuclear Powers which are expected to respect the Treaty and the will of the countries and the peoples of Latin America freely expressed through it.

130. Mr. PEREZ GUERRERO (Venezuela) (*translated from Spanish*): Allow me first of all, Mr. Chairman, to offer you my delegation's sincere congratulations on your election to take charge of the work of this important Committee, with the expert assistance of Mr. Tchernouchchenko and Mr. Örn.

131. My delegation does not consider it necessary at this juncture to embark on a detailed analysis of the Treaty or the Additional Protocols. Here in the Committee this very week [*1504th meeting*], the distinguished Under-Secretary for Foreign Affairs of Mexico, Mr. García Robles, with his profound knowledge of the subject, has given us an account of the main stages in the preparation of the Treaty, and of its objectives, its main provisions and certain features of it which are clearly a valuable contribution to the law of treaties. We must therefore thank the Government of Mexico for the part it played in the Preparatory Commission and for placing at the service of our common purpose the perseverance, the skill and the persuasive personality of Mr. García Robles.

132. This is an occasion of singular importance for any Latin American delegation; for after four years of strenuous effort we are able to place before this Organization a Treaty that signifies for mankind a real advance in the process of

achieving general and complete disarmament. My Government attaches great importance to the value of this initiative in the context of the problem of disarmament. In addition to its intrinsic value, the Treaty for the Prohibition of Nuclear Weapons in Latin America undoubtedly represents a definite stimulus for the future drafting of similar instruments in other regions of the world as part of the process of world disarmament as a whole. Much of the effectiveness of this undertaking by the Latin American countries will depend on the support it receives from the nuclear Powers.

133. The views expressed on the subject of the Treaty of Tlatelolco by the members of the Eighteen-Nation Committee on Disarmament give us grounds to hope that the nuclear Powers, to which Additional Protocol II is addressed, will be able to sign it shortly, thus undertaking to respect the purposes and the provisions of the Treaty for the Prohibition of Nuclear Weapons in Latin America.

134. One outstanding consequence of this commitment is to ban the use or threat of the use of nuclear weapons against the Latin American States. This is the reason why we argue that the effectiveness of the instrument depends on the support it receives from the nuclear Powers.

135. The widest possible participation of the States in the area is required to ensure the most effective application of the Treaty. There are circumstances preventing some States for the time being from formally participating in the status established in respect of the denuclearization of Latin America. The Treaty contemplates the gradual elimination of those circumstances, which the States in question have squarely faced, and for the emergence of which they are not directly responsible.

136. In conclusion, my delegation wishes to express the satisfaction it feels at the decision by the Government of Jamaica to sign the Treaty, and at the willingness of the United Kingdom to subscribe to the Additional Protocols. We would recommend this attitude to the nuclear Powers as a praiseworthy demonstration of solidarity in which we would like to see other States associated soon.

137. Mr. EGUINO (Bolivia) (*translated from Spanish*): In the debate on item 91, which the Latin American nations proposed for consideration by this General Assembly, Bolivia feels it must express, however briefly, its gratification that the effective contribution of Latin America to nuclear disarmament, as crystallized in the Treaty for the prohibition of nuclear weapons in that geographical area, and hence to the maintenance of international peace and security, is arousing such interest on the part of all the delegations accredited to this Committee. We are the more gratified in that Bolivia participated from the very outset in the determination to negotiate and adopt a Latin American multilateral agreement in which the parties would pledge themselves not to manufacture, store or test nuclear weapons.

138. With their genuine peace-loving outlook and their unity of inspiration and effort, the Latin American republics surmounted all the stages leading to the signing of the Treaty for the Prohibition of Nuclear Weapons in February last, at the end of the fourth session of the Preparatory

Commission for the Denuclearization of Latin America, whose Chairman, Mr. García Robles, the representative of Mexico, has given a magnificent and comprehensive account to this Committee of the significance and scope of the Treaty.

139. As has rightly been stressed by the representatives here present, he was the main negotiator and driving force behind the Treaty and a worthy representative of his country. We owe our appreciation to these efforts, as also to the co-operation given by the United Nations Secretariat and the International Atomic Energy Agency.

140. This General Assembly of the United Nations, with its high prestige and international authority, will no doubt adopt the necessary decisions in respect of this Treaty, which has been described as an event of historic significance. The Assembly pronounced on this in resolution 1911 (XVIII), where it expressed the hope that studies would be initiated concerning the measures that should be agreed upon with a view to achieving its aims and its trust that the nuclear Powers in particular would co-operate for the effective realization of that end.

141. This prompts us, now that the Treaty is completed and signed, and its ratification is proceeding, to make another urgent appeal to the nuclear Powers, which have intimated that they favour agreements of this type—as we have heard in this Committee—to sign Additional Protocol II without delay, thus recognizing that the Treaty is an important contribution to the non-proliferation of nuclear weapons, an essential stage in the achievement of general and complete disarmament which will consolidate peace “based on mutual respect and sovereign equality of States”, as the Protocol says.

142. This gesture by the nuclear Powers, added to such measures as are adopted by Governments under article 25 and Additional Protocol I for the application of the Treaty in territories under their *de jure* or *de facto* responsibility, will decisively contribute to world-wide observance of the status of military denuclearization of Latin America, as defined in the Treaty, and make this geographical area the continent of hope and peace such as we trust will one day be shared by all the peoples of the world.

143. In conclusion, my delegation would like to state that in accordance with our consistent attitude Bolivia repeats its permanent readiness to support any step taken or any measure adopted, individually or collectively, with a view to strengthening the peace and security of the international community. For we are convinced that the tremendous efforts being made, often for destructive ends, must sooner or later be diverted to the herculean, noble task of bringing progress, well-being and happiness to all peoples. To this goal nuclear energy for peaceful purposes can make a decisive and constructive contribution, especially in the developing countries.

144. Mr. ESCOBAR SERRANO (El Salvador) (*translated from Spanish*): Mr. Chairman, as I speak for the first time in this Committee, I am happy to extend to you and to your fellow officers the respectful greetings of the delegation of El Salvador and our hearty and sincere congratulations on your welcome election.

145. Several years ago five Latin American Chiefs of State, concerned about the threat of nuclear war, suggested the idea that the countries of this continent should try to reach agreement to proscribe the use of nuclear weapons and devices in Latin America. The idea was sponsored with particular zeal by the Government of Mexico, which convened a conference to study the possibility of signing a treaty for that most worthy purpose.

146. From the outset, El Salvador took up the project with the utmost enthusiasm, convinced that in that way, and only in that way, could the American continent be safeguarded from the total destruction which the use of such weapons would mean.

147. Today we see with profound satisfaction that that wish has at last been fulfilled with the signing of the Treaty for the Prohibition of Nuclear Weapons in Latin America concluded in Mexico and known as the Treaty of Tlatelolco.

148. The distinguished representative of Mexico, Mr. García Robles, Under-Secretary for Foreign Affairs of his country and the indefatigable instigator in that great undertaking, has described to us in his well-documented statement the origin, the development and the contents of the Treaty, an unquestionably outstanding instrument which will have a tremendous influence on future treaties of the kind concluded by other regions in circumstances similar to ours.

149. The Foreign Minister of my country, speaking in the general debate at the present session of the Assembly, referred to the Treaty in the following words:

“The success of Mexico’s judicious and clever initiative in bringing about a Treaty for the Prohibition of Nuclear Weapons in Latin America (Tlatelolco Treaty) sets an admirable precedent for other regions of the world anxious to be freed from the threat of nuclear war.”
[1574th plenary meeting, para. 10.]

150. My delegation would like to take this opportunity to express its appreciation to the Government of Mexico for the tenacity it displayed in achieving this success, and above all to its distinguished representative, Mr. García Robles, whose devotion, perseverance and skill, placed at the service of this worthy cause, contributed decisively to overcoming difficulties, smoothing out divergent points of view, and finally succeeding in fashioning a beautiful, promising achievement from the noble desire of the Latin American peoples to contribute towards maintaining peace and outlawing the danger inherent in the presence of such weapons of mass destruction on Latin American soil.

151. My own small country, which has no means it can afford to squander on useless and dangerous armaments, can but feel gratified at this fact and at the same time proud that our Latin American continent—not without reason called the continent of hope—was the one to take the first step in that direction, thus once again giving evidence of its peace-loving philosophy.

152. Now that they have affirmed their free and sovereign determination not to allow on their soil either the existence or the use of nuclear weapons, the countries of Latin

America feel calmer and more secure, like the sleeper who awakens to prospects of future happiness after a terrifying nightmare of destruction and death. They would like other countries of the world, perhaps more threatened than they are simply because of their geographical situation, to be able in the near future to enjoy the same feeling of calm and confidence; for it is not right that mankind should live in a state of uneasiness and fear, with nuclear weapons like the sword of Damocles hanging above its head, the sinister privilege of the great Powers, even though it still does not give them confidence in their own security.

153. We are all aware of the frightful effects of nuclear weapons. It has been repeated *ad nauseam* that their use would endanger the existence of the whole of mankind. The truth is that it is a rare thing for a great scientific discovery, an outstanding advance in the use of technology which could bring incalculable benefits to mankind if used for peaceful purposes, at the same time to embody the direst threat and the most profound cause for alarm to the entire world, which shudders at the very thought of its being used in war.

154. We know full well that this effort by the Latin American nations to banish the threat of nuclear weapons from their territory cannot of itself solve this grave problem without the co-operation of the nuclear Powers. This is why the Treaty of Tlatelolco contains Additional Protocol II, which states that the non-proliferation of nuclear weapons is not an end in itself, but rather a means of achieving general and complete disarmament at a later stage. This

Additional Protocol, open for signature by the nuclear Powers, appeals to them first of all not to contribute in any way to the performance of acts involving a violation of the obligations of article 1 of the Treaty in the territories to which the Treaty applies in accordance with article 4, and secondly, not to use or threaten to use nuclear weapons against the Contracting Parties to the Treaty for the Prohibition of Nuclear Weapons in Latin America. Such is the collaboration which the Latin American countries request of the nuclear Powers in the interests of the peace of mind and the reassurance of our peoples. We hope and trust that they will appreciate the justice of the request and sign Additional Protocol II.

155. These are the feelings and views of my delegation on the item under consideration.

156. El Salvador is honoured and gratified to place before the current Assembly, in conjunction with the other countries of Latin America, the text of the Treaty for the Prohibition of Nuclear Weapons in Latin America which, in the words of the press release issued by Secretary-General U Thant on 13 February 1967, "marks an important milestone" in the efforts to avoid proliferation of nuclear weapons and to promote international peace and security; and my delegation is happy to note the favourable response which this important initiative has met with in every country in the world.

The meeting rose at 1.10 p.m.