May I at the outset thank the Ministry of External Relations, in the person of Minister Aloysio Nunes Ferreira, as well as my distinguished colleagues ......... for the invitation to address this important and timely meeting. As a retired officer of the Brazilian Foreign Service, it is with special pride and honor that I return to the headquarters of this institution, where I spent a large part of my forty-eight years in the diplomatic career.

I was asked to provide a bird’s eye view of the three main topics of this Seminar, namely the contribution of the Treaty of Tlatelolco and ABACC to the security of Latin America and the world, the prospects for the 2020 Review Conference of the Treaty on the Non-proliferation of Nuclear Weapons and the impact of the recent adoption of the Treaty on the Prohibition of Nuclear Weapons. I shall try to take on the challenging mission of dealing with these issues in the twenty minutes allotted to me, but first may I be allowed to make a general comment.

Over the seventy-one years since Resolution 1 of the United Nations General Assembly called for the elimination of nuclear weapons and all other weapons adaptable to mass destruction, the international community has successfully outlawed chemical and bacteriological weapons. Nevertheless, a universal ban on nuclear weapons is yet to be achieved and the complex problems related to the use of nuclear energy still defy humankind. The high hopes of decades past based on the use of the atom to provide a clean, reliable and inexhaustible source of electric energy have been obscured by environmental and safety concerns due to disastrous accidents in civil nuclear facilities, coupled with the still unresolved question of the safe disposal of waste. The international security issues related to the military use of the explosive power of atomic fission and fusion have proved even more intractable. There are still close to 15.000 nuclear weapons in the hands of nine States. 4.150 of those are deployed with operational forces and about 1.800
are kept in a state of “operational alert”. We are not told much about the status of the remaining ones.

The detonation in 1945 of the first explosive device intended to be used in war marked the start of the proliferation of nuclear weapons. The horizontal dimension of their spread was generally contained but proliferation continues both in its vertical form and through the relentless development of new and ever more sophisticated and destructive nuclear weapons, as well as the means of their delivery. Currently, the sheer amount of resources spent on nuclear weapons seems particularly misdirected, in light of pressing needs in areas that impact on human development. Recent projections by the Arms Control Association estimate the cost of the nuclear weapons program in the United States alone over the next thirty years at somewhere around 1.35 trillion dollars, adjusted for anticipated inflation. By way of comparison, the cost of the implementation of the 17 Sustainable Development Goals adopted by the United Nations just two years ago was set at a similar figure – 1.4 trillion dollars.

It is fair to recognize that over the past seven decades the international community has managed to achieve a certain degree of conceptual advancement and even some substantive progress in matters related to the control of nuclear weapons. Several agreements are now part of the corpus of positive international law and have helped to establish some important principles and rules in this area.

For instance, – and here I come to the first of the three main topics of this seminar – , Latin America and the Caribbean States have been in the forefront of the quest for international regimes aimed at preventing the spread of – and at eliminating – nuclear weapons. One year before the Treaty on the Non-proliferation of Nuclear Weapons – the NPT – was endorsed by the General Assembly the countries in our continent undertook to use the nuclear material and facilities under their jurisdiction exclusively for peaceful purposes and at the same time prohibited the testing, use, manufacture, production and acquisition of such weapons in our region. The Latin-American example was later emulated by four other inhabited areas of the world. Now, nuclear weapon free zones also encompass the entire African continent and large parts of Oceania as well as of Southeastern and Central Asia, spanning 113 nations plus Mongolia. Atomic weapons are already prohibited in Antarctica, outer space and the sea-bed and its subsoil. New zones free of nuclear weapons
have been proposed for the Middle East, Northeast Asia and the Arctic regions. The South Atlantic has been declared a zone of peace and cooperation.

OPANAL, the agency established to ensure compliance with the obligations contained in the Treaty of Tlatelolco, is playing an important role in fostering nuclear cooperation among Latin American and Caribbean countries and has actively sought partnerships with other nuclear free zones. Besides, OPANAL has consistently worked to strengthen the rather flimsy assurances given by the nuclear weapon States in the two Protocols attached to the Treaty.

Twenty-five years ago Argentina and Brazil created the Argentine-Brazilian Agency for the Accounting and Control of nuclear materials – ABACC in the Portuguese/Spanish acronym. A few months later the Quadripartite Agreement involving Brazil, Argentina, ABACC and the IAEA came into being. The creation of the Common System of Control of Nuclear Materials permitted not only the reinforcement of confidence through mutual inspection of nuclear activities but also joint projects that enhance the strategic dimension of the bilateral relationship, such as the current development of the Brazilian Multipurpose Reactor and of the Argentine RA-10 reactor. The dynamics of Brazil-Argentina cooperation highlights not only the uniqueness of our bilateral relations but also our contribution to the region and the world at large with regard to security and non-proliferation. This experience today serves as a model of how impasses could be overcome in other regions.

The Treaty on the Non-proliferation of Nuclear Weapons – and here I move into our second main topic – is of course another landmark agreement. The NPT is considered the cornerstone of the multilateral nuclear non-proliferation regime. Over the 47 years since its entry into force, it has attracted near-universal membership. The unique conditions prevailing in the world in the first decades following the end of World War II enabled the two superpowers to negotiate this agreement between themselves and steer its passage through the Eighteen-Nation Disarmament Committee and the General Assembly. Such conditions are no longer present. Over time, most States have come to realize that their security interests would be better served by ensuring the absence of nuclear weapons, not only in their own territories but everywhere else as well. The general perception today is that the maintenance of peace and security cannot be based forever on a balance of terror. The current system of safeguards established by the NPT together with the IAEA has been so
far instrumental in preventing the early 1960’s alarming predictions about large-scale horizontal proliferation from becoming reality. Yet, the Treaty was ineffective in bringing about nuclear disarmament. The obligation contained in its Article VI remains unfulfilled.

The forthcoming Review Conference of the Parties to the NPT will take place in a particularly testing context:

- Tensions between the two major nuclear powers, as well as in other regions, have increased since the failed 2015 Review Conference.

- An acute focus of stress has intensified in Northeast Asia as the DPRK stepped up its nuclear weapon and missile programs. Both Pyongyang and Washington have engaged in mutual accusations and provocations to the point of explicitly threatening each other’s total destruction. Any nuclear confrontation would entail catastrophic consequences for the whole world.

- Alarming signs are seen in some States, where sectors of public opinion openly advocate the acquisition of indigenous nuclear capabilities.

- The agreement between the P5+1 and Iran, known under the acronym of JCPOA, is under severe strain and many fear for its sustainability.

- The use of nuclear devices by extremist groups has become a frightening possibility.

- Last, but not least, for over twenty years now the Conference on Disarmament has been unable to achieve agreement even on a program of work, raising questions about its current viability.

The first Session of the Preparatory Committee for the 2020 NPT Review Conference took place last May without any agreed result. A second session will be held next year. The third – and last – session, in 2019, is supposed to deal substantively with the issues at hand. Yet, experience shows that substantive questions are often left to be discussed at the Review Conference itself although not always in a constructive, let alone productive manner. Five out of the nine Review Conferences so far have failed to achieve agreement on a Final Document. Many Parties believe that the “strengthened review process” agreed in 1995 as part of the package that permitted the indefinite extension of the NPT has outlived its usefulness.
Another reason for concern is the fact that the Comprehensive Test-Ban Treaty (CTBT), adopted over twenty years ago, remains in legal limbo. It is still not formally into force due to the lack of signature and/or ratification by eight of the 44 States specified in its Article XIV. Nevertheless, the CTBT set a standard of behavior that has been observed by all States in the 21st century with the only exception of the Democratic People’s Republic of Korea. This treaty is a powerful measure to prevent proliferation. It is regrettable that some of the States already possessing nuclear weapons still resist transforming their self-declared testing moratorium into a legal obligation under international law. Withholding necessary ratification of the CTBT increases the risk of some country deciding to hold a nuclear test.

The disquieting trends described above bring into question the artificial division of the world established by the NPT. The world community is split between two blocks of States with different and largely opposing agendas. One group values nuclear weapons and regards them as essential for their own security and that of their allies, and even for the security of the whole world. The other considers such weapons militarily ineffective, morally indefensible and abhorrent on humanitarian grounds. In their view, the very existence of nuclear weapons constitutes a threat to international peace and security.

While both groups concur on the desirability of achieving nuclear disarmament, their diametrically opposed positions on matters related to security reflect a basic disagreement. The former argues that nuclear weapons have been responsible for keeping peace and stability since the end of World War II. This argument neglects recurrent strife and instability in many parts of the globe and does not take into account the inherent dangers and risks resulting from the use or misuse of nuclear weapons, by design or by accident. Although not discarding the possibility of using atomic weapons in the circumstances they deem adequate, nuclear armed States still insist that their main purpose is to deter aggression. Having established what they consider an exclusive and indefinite right to retain their arsenals, they adamantly deny every other nation similar means of safeguarding their own security. Even as they agree on disarmament as an “ultimate objective”, nuclear States and their allies maintain that the conditions for progress do not exist at present. Those States contend further that the way to move forward is to seek agreement on partial measures that seem feasible to them. One such measure, defined by their proponents as the “next logical step” would be a prohibition on the production of fissionable material for weapons purposes. In fact, as proposed, a ban on the production of fissionable material would be
redundant from the point of view of non-proliferation and innocuous from the point of view of disarmament, for the simple reason that non-nuclear weapon States are already prohibited under the NPT from acquiring atomic weapons. Moreover, the envisaged ban would leave intact the huge stocks of that material amassed by the nuclear weapon States.

The other group contends that conditions for progress on nuclear disarmament have never been clearly spelled out by the nuclear-weapon States, allowing for the conclusion that the real intention is to indefinitely postpone any engagement in meaningful negotiations of concrete measures of nuclear disarmament. All attempts to start action in this direction at the Conference on Disarmament in Geneva have met with strong resistance from the nuclear weapon countries. Indeed, the word “disarmament” seems to have disappeared from the lexicon of the armed States and their allies.

This brings me to the third and final main topic of this seminar. Frustration over the lack of tangible results in nuclear disarmament, coupled with a growing concern over the humanitarian and environmental consequences of any use of nuclear weapons, prompted several States, including Brazil, to push forward a proposal to negotiate a treaty on the prohibition of nuclear weapons. As we know, this instrument was successfully negotiated and adopted last July at the United Nations. Fifty-three States so far have signed and three have already ratified it.

Predictably, the negotiation of that treaty was fiercely opposed with varying degrees of vehemence by the possessors of nuclear weapons. Among other alleged flaws and defects, these States pointed out: a) that the concept of the Treaty fails to take into consideration the global security environment; b) that it would be ineffective; c) that the process of its negotiation was divisive, rather than consensual; d) that the prohibition is not a substitute for reductions in current arsenals; e) that it undermines the NPT, and finally, f) that a progressive, step-by-step approach is a more suitable path to achieve nuclear disarmament.

To counter these contentions, supporters of the Treaty point out: a) that the ban was not conceived in isolation of the existing security conditions and that its main adversaries neglected refused to attend the preparatory conferences where their concerns could have been voiced, and preferred instead to indict the process from the start and boycott the negotiations; b) that in fact past efforts have been ineffective in producing a clear, legally binding commitment to eliminate nuclear weapons; c) that the new treaty does not create
divisions among States but rather tries to bridge the longstanding gulf that has been exacerbated by the perceived disregard of the nuclear weapon States for their nuclear disarmament obligations; d) that the Treaty does not intend to achieve per se the automatic abolition of arsenals but will make the need for nuclear disarmament more visible and hasten multilateral action; e) that rather than undermining the NPT, the Treaty provides a path for its Parties to fulfill their legal obligation to pursue negotiations in good faith and bring them to a conclusion, as clarified by the ICJ in 1996. This is what is meant by in the expression “leading to their elimination” contained in the General Assembly mandate for the negotiation of the new instrument; and finally, f) the “step-by-step” approach favored by the nuclear weapon States and their allies over the decades has not resulted in a single multilateral measure of nuclear disarmament and has, in effect, served to perpetuate the status quo.

Opponents of the Treaty contend further that it offers no solution to the grave threat posed by North Korea’s nuclear program. This argument ignores, perhaps deliberately, that several pointed approaches so far attempted to deal with the DPRK as an emerging nuclear weapon State have not been successful either.

Despite the enthusiasm of its supporters and the disparagement of its opponents, it is too early to assess the impact of the Nuclear Weapons Prohibition Treaty on the current debate on the ultimate achievement of nuclear disarmament. The history of the negotiation and the language of the final version of the Treaty show an endeavor to take every precaution in order to avoid any incompatibility between this instrument and the NPT. In the months after the opening of the instrument to the signature of States at the United Nations it will be possible to gauge the extent of international support to the Treaty. Upon ratification, individual countries will be able to consider the adoption of national legislation containing measures that can have an impact on the policies and practices of nuclear weapon countries. States will need to find a workable convergence between the existing normative basis and the provisions contained in the new Treaty in order to ensure increased security for all nations. The continuity of the joint efforts of the promoters of the instrument is essential for its success.

May I conclude by recalling that the United Nations General Assembly decided to convene a UN High Level Conference on Nuclear Disarmament no later than in 2018 in order
to evaluate progress and advance further the elimination of nuclear weapons. The current 72nd Session of the General Assembly is expected to decide on the holding of a preparatory meeting for this High-Level Conference as well as on further work on a Fourth Special Session on Disarmament. The very articulate and thorough Final Document of the First Special Session is almost fifty years old now. It needs to be updated. These processes will coincide with the preparatory cycle for the 2020 NPT Review Conference. The next few years will be crucial.

Despite the intricacies and difficulties inherent to an issue as central – and vital – as the elimination of nuclear weapons, the pursuit of this objective must continue. Recent UN High Level Conferences produced important multilateral progress on issues such as climate change, oceans and migration. Advancing towards a world free of nuclear weapons is no less urgent and critical.

These opportunities should be seized by States with the active support of civil society organizations. Informed and widespread awareness of the threat posed to society – and indeed to civilization – by the continued existence of nuclear weapons is key for revitalizing the non-proliferation and disarmament debate and for achieving concrete and sustained progress towards the elimination of nuclear weapons.

This seminar is itself an expression of renewed commitment to that end. I trust its contribution will be significant. I once again thank the organizers and look forward to enriching and enlightening discussions.