

CORVINUS UNIVERSITY OF BUDAPEST

**COOPERATION ON NON-PROLIFERATION:
An analysis of the Treaty of Tlatelolco and the Latin
American and Caribbean Nuclear-Weapon-Free Zone
(NWFZ)**

DOCTORAL DISSERTATION

Supervisor: Gálik Zoltán, PhD
Associate Professor

Valeria Puga Álvarez

Budapest, 2021

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International Relations Multidisciplinary Doctoral School

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ABSTRACT

This project aims to identify and analyse the variables that explain the origin and level of effectiveness achieved by the Treaty of Tlatelolco, which created the Latin American and Caribbean Nuclear-Weapon-Free Zone (LAC-NWFZ). Until 1985, solely Latin America and the Caribbean had been able to establish an NWFZ in an inhabited area. Nonetheless, only in 2002, the Treaty of Tlatelolco entered into force in the 33 states of the continent. Tlatelolco's states parties have undertaken to prevent any form of possession of nuclear weapons, and Nuclear Weapon States (NWSs) have pledged not to attack nuclearly the zone or breach its denuclearized status. However, presumable violations have occurred and NWSs still had interpretative declarations over the Treaty jeopardizing its compliance. In addition, the fact that NWFZs' effectiveness has been scantily studied, leads us to pose the question: to what extent Tlatelolco has been effective to tackle nuclear threats and nuclear proliferation and what factors can explain it? To answer this inquiry, we propose a multidimensional approach that incorporates the study of material and immaterial variables through a detailed analysis of three subcases: Mexico, Argentina and Brazil, the most nuclear-developed states of the region and key players of the non-proliferation international regime. Due to methodological concerns, this dissertation observes a limited time span, which encompasses the roots and performance of Tlatelolco between 1947 and 1997 from an updated perspective. To do so, it proceeds in two stages: first, it analyses the main sources and motivations that enabled the opening for signature of the Treaty and the creation of OPANAL (1947 – 1967); and secondly, it explains the variables that affected the level of effectiveness or ineffectiveness achieved by Tlatelolco (1968 -1997). Despite the proposed time-span of observation, it is possible to conclude that Tlatelolco's "old" challenges and threats persist until nowadays even though Latin American and Caribbean states parties have predominantly respected the mandate.

Keywords: Nuclear-Weapon-Free Zones – Latin America and the Caribbean - Treaty of Tlatelolco – Effectiveness – Nuclear non-proliferation – OPANAL

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List of abbreviations

ABACC	Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials
ABC	Pact of Argentina, Brazil and Chile
ADIMRA	Metallurgical Industry Workers of the Argentine Republic
AECL	Atomic Energy of Canada Limited
ALCSA	South American Free Trade Area
AMIA	Argentine Jewish Mutual Aid Association
ARCAL	Regional Cooperative Arrangements for the Promotion of Nuclear Science and Technology in Latin America
ARENA	National Renewal Alliance (of Brazil)
AU	African Union
BIT	Bilateral Investment Treaty
CAN	Community of Andean Nations
CAPNB	Evaluation Committee of the Brazilian Nuclear Program
CARICOM	Caribbean Community
CBPF	Foundation of the Brazilian Center for Physical Research
CBTN	Brazilian Company of Nuclear Technology
CCD	Conference of the Committee on Disarmament
CDTN	Center for the Development of Nuclear Technology
CEA	Atomic Energy Commission of France
CECLA	Special Commission of Latin American Coordination
CELA	Latin American Economic Conference
CELAC	Community of Latin American and Caribbean States
CEME	Commission for the Export of Strategic Materials
CFE	Federal Commission of Electricity (of Mexico)
CIA	US Central Intelligence Agency
CICIC	Commission for the Promotion and Coordination of the Scientific Research

CNEA	National Commission of Atomic Energy of Argentina
CNEN	Nuclear Energy National Commission of Mexico
CNPq	National Council for Research of Brazil
CNSNS	National Commission for Nuclear Safety and Safeguards (Mexico)
COMANBRA	Nuclear Materials Company of Brazil
CONINTES	Internal Commotion of the State Plan (of Argentina)
COPREDAL	Preparatory Commission for Latin American Denuclearisation
CPRM	Mineral Resources Research Company
CSAC	Common System of Accounting and Control (Brazil – Argentina)
CSARP	NRC’s Cooperative Severe Accident Research Program
CTBT	Comprehensive Nuclear-Test-Ban Treaty
DNEA	National Direction of Atomic Energy (of Argentina)
ECLAC	Economic Commission for Latin America and the Caribbean
ECOSOC	UN Economic and Social Council
ENACE	Argentine Nuclear Company of Power Plants
ENDC	18 Nations Disarmament Committee
EPEC	Provincial Enterprise of Energy (Argentina)
EURATOM	European Atomic Energy Community
FDN	National Democratic Front (Mexico)
FORJA	Force of Radical Orientation of Argentine Youth
FMLN	Farabundo Martí National Liberation Front
FPAD	US Fund for Peaceful Atomic Development
FSLN	Sandinista National Liberation Front (Nicaragua)
FTA	Free Trade Agreement
FTAA	Free Trade Area of the Americas
GATT	General Agreement on Tariffs and Trade
IADB	Inter-American Development Bank
IAEA	International Atomic Energy Agency
IANEC	Inter-American Nuclear Energy Commission

IBQN	Brazilian Institute for Nuclear Quality
IEA	Atomic Energy Institute (of Brazil)
ICAN	International Campaign to Abolish Nuclear Weapons
ICJ	International Court of Justice
ICSID	International Centre for Settlement of Investment Disputes
IEN	Institute of Nuclear Engineering
IIRSA	Regional Infrastructure of South America
ILO	International Labour Organization
IMF	International Monetary Fund
IMO	International Maritime Organization
INAREMO	National Monazite Refining Industries (of Brazil)
INB	Nuclear Industries of Brazil
INF	Intermediate-Range Nuclear Forces Treaty
INFCE	International Nuclear Fuel Cycle Evaluation
INIC	National Institute of Scientific Research (of Mexico)
INVAP	Applied Researches Public Enterprise (Argentina)
IPEN	Institute of Nuclear Research (Brazil)
IPN	National Polytechnic Institute (of Mexico)
IR	International Relations
ISEB	Institute of Brazilian Studies
JCPOA	Joint Comprehensive Plan of Action
LAC-NWFZ	Latin American and Caribbean Nuclear-Weapon-Free Zone
LAFTA	Latin American Free Trade Association
MDB	Brazilian Democratic Movement
MERCOSUR	Common Market of the South
MIBRA	Brazilian Mining Company
MTCR	Missile Technology Control Regime
NAC	New Agenda Coalition
NAFTA	North American Free Trade Agreement
NAM	Non-Aligned Movement
NAMUCAR	Caribbean Multinational Shipping Company
NATO	North Atlantic Treaty Organization
NFU	Non-First Use (of Nuclear Weapons)

NNPA	US Nuclear Non-Proliferation Act
NNPN	Nuclear Non-Proliferation Norm
NNWS	Non-Nuclear Weapon State
NPT	Nuclear Non-Proliferation Treaty
NSA	Negative Security Assurance
NSG	Nuclear Suppliers Group
NTI	Nuclear Threat Initiative
NUCLAM	Nuclebras Auxiliary Mining
NUCLEBRAS	Nuclear Brazilian Enterprises
NUCLEI	Nuclebrás Isotopic Enrichment
NUCLEMON	Nuclebrás research of thorium from monazite sands
NUCLEN	Engineering Nuclebrás
NUCLEP	Nuclebrás Heavy Equipment Company
NUCON	Nuclebrás Nuclear Power Plants Building Company
NWFZ	Nuclear Weapon-Free Zone
NWS	Nuclear Weapon State
OAS	Organisation of American States
OLADE	Latin American Energy Organization
OPA	Pan-American Operation
OPANAL	Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean
OPCW	Organisation for the Prohibition of Chemical Weapons
PAEG	Government's Economic Action Program (Brazil)
PNE	Peaceful Nuclear Explosion
PDS	Democratic Social Party
PEMEX	Mexican Oil Company
PETROBRAS	Brazilian Oil Company
PMDB	Party of the Brazilian Democratic Movement
PRI	Institutional Revolutionary Party of Mexico
PRM	Mexican Revolutionary Party
PRONAE	National Energy Program (Mexico)
PSA	Project and Supply Agreements (IAEA)
PTBT	Partial Test Ban Treaty

RCA	Regional Cooperative Agreement for Research, Development and Training related to Nuclear Science and Technology for Asia and the Pacific
RECNA	Research Center for Nuclear Weapons Abolition
SALT	Strategic Arms Limitation Talks
SALTE	Health, Food, Transportation and Energy (Plan of Brazil)
SAPCZ	South Atlantic Peace and Cooperation Zone
SATI	Service for Technical Assistantship to the Industry (of Argentina).
SBPC	Foundation of the Brazilian Society for the Progress of Science
SEGBA	Electricity Services Company of Gran Buenos Aires
SELA	Latin American Economic System
SEMP	Secretary of Energy, Mines and Public Industry
SEPAFIN	Secretary of National Heritage and Industrial Development (Mexico)
SIPRON	System of Protection for the Brazilian Nuclear Program
SNI	National Intelligence Service (of Brazil)
SOUTHCOM	US Southern Command
SS-NWFZ	Single-State Nuclear-Weapon-Free Zone
SSOD	Special Session of the General Assembly on Disarmament
SULBA	Mining Commercial Society (of Brazil)
SUTIN	Nuclear Industry Workers' Union
TIAR	Inter-American Treaty of Reciprocal Assistance
TPNW	Treaty on the Prohibition of Nuclear Weapons
TRIGA	Training Research Isotope General Atomic
UCR	Radical Civic Union (of Argentina)
UDN	National Democratic Union (of Brazil)
UN	United Nations
UNAM	Autonomous University of Mexico
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme

UNGA	United Nations General Assembly
UNIDIR	United Nations Institute for Disarmament Research
UNODA	United Nations Office for Disarmament Affairs
URAMEX	Mexican Uranium (Company)
USNRC	US Nuclear Regulatory Commission
VCDNP	Vienna Center for Disarmament and Nuclear Non-Proliferation
WB	World Bank
WMDFZ	Weapons of Massive Destruction Free Zone

Chapter 1:

Definitions and approaches on nuclear non-proliferation

The nuclear non-proliferation and arms control regime is currently in crisis and according to the Bulletin of Atomic Scientists “the world is closer than ever to Doomsday” (Mecklin, 2020). We mean by regime the “set of implicit or explicit principles, norms, rules and decision-making procedures around which actors’ expectations converge in a given area on international relations” (Krasner, 2006: 73)¹.

According to the scholar Robert Williams we are currently at the so-called “Arms Control’s Third Era” (2012, 3), which began after the Cold War period and has been marked by a relevant reduction in both superpower’s nuclear arsenals. Nevertheless, some authors (Meier and Daase, 2013) have observed a shift in non-proliferation and disarmament policies from a cooperative approach (e.g.: the Intermediate-Range Nuclear Forces Treaty –INF-) to a coercive one (e.g.: economic sanctions against Iran), which would undermine the effectiveness of non-proliferation in general. Jeffrey Knopf, in an exhaustive volume entitled: “International cooperation on Weapons of Mass Destruction Non-proliferation” has cast doubt on this assumption arguing that even coercive policies need some degree of multilateral cooperation (2016: 2).

However, recent evidence shows that the Cold War institutional architecture of bilateral and multilateral agreements is facing a gradual dismantlement or at least a stalemate. The last Non-Proliferation Treaty (NPT) Review Conference in 2015 was unable of issuing a Final Document due to the United States, Canada and the United Kingdom’s opposition to approve the text on the Middle East Weapons of Massive Destruction Free Zone (WMDFZ) (Davenport, 2018). Additionally, the Comprehensive Nuclear-Test-Ban Treaty (CTBT) is far from obtaining the indispensable ratifications for entering into force fully.

Conversely to the Obama’s administration, where the doctrine of a nuclear-free world was largely proclaimed² and some progress was achieved -such as the so-called Joint Comprehensive Plan of Action (JCPOA) to address the Iranian nuclear program-

¹ The theory of regimes is a permanent reference in this dissertation. We will provide a more detailed discussion over its applicability to our case study in the upcoming sections.

² Barack Obama, president of the United States, in his speech from Prague on April 5, 2009 referred to the future of nuclear weapons and claimed: “the United States will take concrete steps towards a world without nuclear weapons. To put an end to Cold War thinking, we will reduce the role of nuclear weapons in our national security strategy, and urge others to do the same”. Full speech can be consulted on <https://obamawhitehouse.archives.gov/the-press-office/remarks-president-barack-obama-prague-delivered>

the Donald Trump's stance was ambiguous, controversial and maximalist on advancing US interests regardless of the setbacks that they might imply for international security. Kingston Reif, a member of the renowned Arms Control Association, bluntly said, "the Trump administration [was] preparing to compete in a new nuclear arms race while simultaneously increasing the likelihood of a such a contest" (2019). The US withdrawal from the JCPOA in 2018 and the concurrent re-imposition of economic sanctions on Iran; the failure of the talks with North Korea over its denuclearization, the US and Russia formal withdrawal from the Intermediate-Range Nuclear Forces Treaty (INF) in 2019 and US and Russia efforts to modernize their nuclear arsenals are visible symptoms of the international enfeeblement of non-proliferation and nuclear arms control.

This structural regime weakening is not a *deus ex machina* fact, it reflects the changes in power distribution internationally, and the decline of the American world supremacy (Acharya, 2014a; Walt, 2018; Mearsheimer, 2018). The emergence of Russia and China as a new pole to counterbalance the American power has provoked a change in US strategy and inevitably a legitimacy crisis upon the current international instruments to avoid nuclear proliferation. The shift in Iran's nuclear position - following the US pull-out of the deal- is a response to this cumulative legitimacy crisis where multilateralism itself is dwindling. Do we need new non-proliferation rules? How might the new world order transform the non-proliferation regime?

At odds with the NWS' positions, some civil society organizations –such as the Nobel Peace Prize International Campaign to Abolish Nuclear Weapons (ICAN)- and a large part of Non-Nuclear Weapon States (NNWS) advocate nuclear abolition. The approval of the Treaty on the Prohibition of Nuclear Weapons (TPNW) in 2017 was a milestone for them and despite NWSs' harsh opposition it entered into force on January 22, 2021, once the required 50 ratifications were met.

How NWSs envisioned the nukes role in security is dramatically different from the NNWSs understanding of them. For the first group, nuclear arsenals provide deterrence and world stability and for the second one, they imply a potential danger for humanity. A third group of countries can be included, those which are not part of the NPT but possesses nuclear weapons. Here we can mention Israel, North Korea, India, and Pakistan. For them having nuclear bombs is not only a matter of security but modern leverage for advancing up their positions in the international hierarchy.

Amidst these three different nuclear appraisals, Latin American and Caribbean countries have historically adopted abolitionist and pro-non-proliferation postures. Regarding recent non-proliferation initiatives such as the TPNW and the Middle-East WMDFZ, the continent has been notably supportive, for instance, 22 out of 50 ratifications of the TPNW came from Latin American and Caribbean countries (UNODA, 2020a).

Although peripheral regions such as Latin American and the Caribbean, Africa or Asia have often played an insignificant role in the discussions over security and nuclear issues, Latin America has had a pioneer international role in establishing the first Nuclear-Weapon-Free Zone (NWFZ) in a populated area in 1967 with the opening for signature of the so-called Treaty of Tlatelolco and developing a diplomatic “know-how” to negotiate policies and norms in this area, where the Mexico’s actorness has been particularly relevant³.

NWFZs in general have been an underexplored phenomenon in International Relations and the case of Latin America has not been an exception, even if it has probably been the most documented one. As Jeffrey Knopf has remarked “cooperation on non-proliferation has largely flown under the radar of the IR literature” (2016:4). This lack of information coupled with the persistent understanding by the international community that the creation of NWFZs is still a plausible solution for tackling nuclear proliferation -as the proposals for creating new NWFZs in the Middle East and in North-East Asia demonstrate it⁴- have motivated the elaboration of this thesis.

In this chapter, some key debates, definitions and concepts will be discussed and the research problem will be outlined. The purpose of this part is to introduce the concerning topic from a deductive perspective by linking it to the broad debate on non-proliferation.

³ It must be cautiously said that not all Latin American countries have been involved with the same intensity or homogenously in non-proliferation tasks internationally. Mexico has probably been the most relevant actor in this domain. For instance, it has helped to bridge the NWS and NNWS’s positions and since 2010, it has supported the proposal of a Nuclear-Test-Free Korean Peninsula (Expansion, 2010).

⁴ The creation of new NWFZs is currently on the international table. The revival of the Middle East NWFZ project in 2015- and the relatively novel Northeast Asia NWFZ proposal, made by the Research Center for Nuclear Weapons Abolition (RECNA) of the Nagasaki University in 2015 (Umebayashi and Tatsujiro, 2016) are good examples of the current relevance of this cooperative scheme.

1.1 Defining the nuclear non-proliferation problem

In February 1963, the US secretary of defence, Robert McNamara predicted, that by 1973 other new eight countries – China, India, Israel, Sweden, Australia, Japan, South Africa and Germany- would proliferate and many other states –like Argentina, Brazil and Yugoslavia- would do so in the long-run⁵; nonetheless, only nine more countries have proliferated and persisted on it since the inception of the Manhattan Project in 1939. The five NWS, the United States, the Soviet Union -now Russia-, the United Kingdom, China and France, and the non-recognized nuclear possessors: Israel, India, Pakistan and North Korea have succeeded in making a bomb.

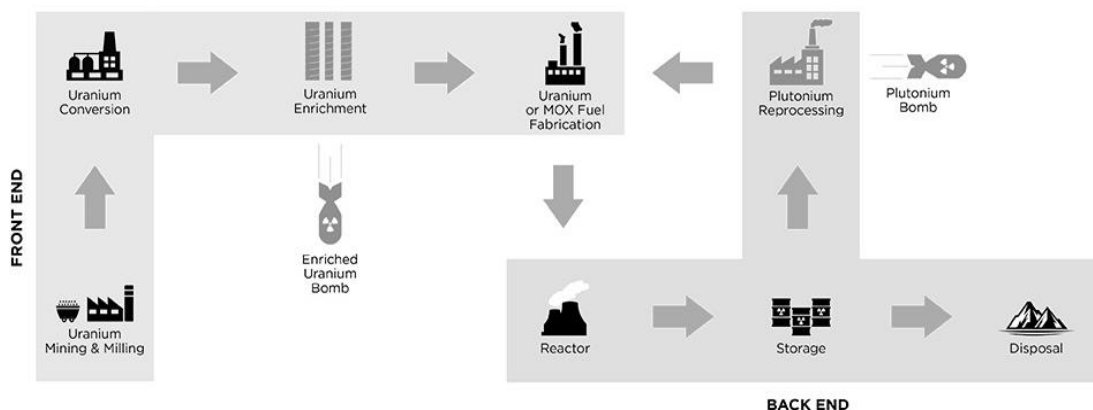
The classical neorealist perspective of the US establishment led it to calculate a chain of proliferation or domino effect. Although the nuclear non-proliferation regime was on the making at Kennedy's era, his administration overrated the role of the affordability of nuclear technology and the dissemination of nuclear knowledge. But, this prognosis reflected a long-standing question in the nuclear studies realm: why States go nuclear and why others don't? Taken into account McNamara's analysis, financial costs and knowledge dissemination might influence the countries behaviour. The query about states' motivations to become nuclear has been at the core of this field of studies and it is inextricably connected to our research subject if we wonder: why did most Latin American and Caribbean countries decide not to proliferate? And how to explain that initial suspicious actors as Argentina and Brazil shifted from critical positions towards the non-proliferation regime to cooperative stances? Frequently, IR schools have focused more on studying the reasoning behind proliferators rather than on deciphering the variables that explain why do some states abandon their nuclear military programs? Or simply why do some countries restraint from having nuclear weapons?

But what does make a country a proliferator? There has been a lot of discussion on this and the parameter differs from one author to another. For instance, Joseph Cirincione estimated a nuclear test as a proliferation indicator (2007), meanwhile, the former director of the International Atomic Energy Agency (IAEA), Mohamed ElBaradei, "routinely labelled states that accumulated an SQ [significant quantity of fissile material] as 'virtual' nuclear weapon states: 'countries that are able to develop nuclear weapons overnight'" (Hymans, 2010:161). The dual-use nature of nuclear energy has made this question a technical and political conundrum. We should know

⁵ The office of the Secretary of Defense, Robert McNamara submitted to president Kennedy on February 12, 1963, a Memorandum entitled: The Diffusion of Nuclear Weapons With and Without a Test Ban Agreement. It's available at <https://fas.org/man/eprint/dod1963.pdf>. Consulted on: January 12, 2020.

that the so-called nuclear fuel cycle might have two ends: one peaceful, where nuclear energy in a controlled process is harnessed through a nuclear reactor for electricity, and other non-peaceful or military objective when nuclear materials in significant quantities are diverted through uranium enrichment or plutonium reprocessing processes to make a bomb. Natural uranium has only 0.71% of Uranium 235 (U-235), the isotope that maintains a chain reaction, indispensable, either for obtaining energy or making nuclear weapons. In the case of plutonium, this fissile material “does not exist at all in natural form and has to be manufactured from uranium. This is done by placing it inside a reactor, where some U-238 nuclei will capture slow-moving neutrons to form fissile Plutonium-239 [Pu-239]” (Simpson *et al.*, 2008:1). That step is better known as plutonium reprocessing. Therefore, the processes of uranium enrichment and plutonium reprocessing are the two most critical stages in the nuclear fuel cycle. As it can be observed in *Figure 1.1* most of the nuclear fuel cycle is the same either for peaceful or military purposes, this is why in several parts of this dissertation we just refer to some programs as nuclear program (without the civilian or military adjectives), because in some cases (especially when we refer to the beginning of a nuclear program) it is difficult to know the real intentions of nuclear programs’ proponents unless there has been enough evidence to categorize them accurately.

Figure 1.1 Nuclear fuel cycle



Source: NTI (Nuclear Threat Initiative) and the CNS (James Martin Center for Nonproliferation Studies). Tutorial. Module

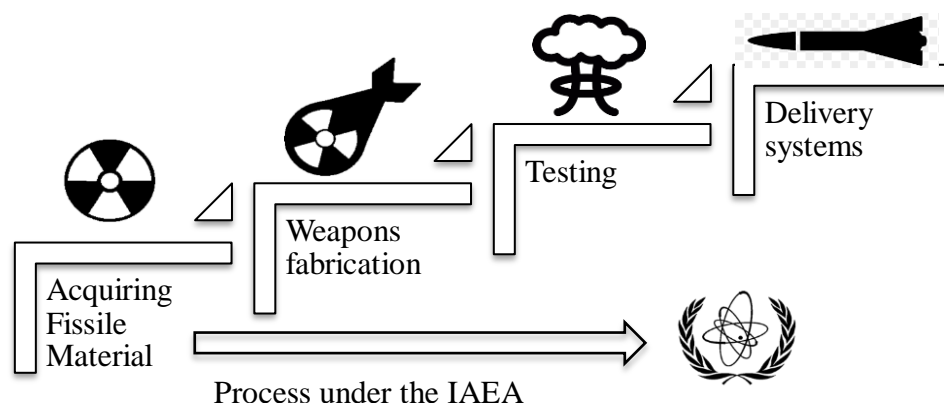
Yet, the difference between civilian and nuclear programs lies in quantities, to build a bomb a proliferator needs to acquire enough fissile material. In the case of a peaceful nuclear program or civilian nuclear program, uranium is enriched at lower concentrations; usually, it is about 3-5% of U-235, but never more than 20% of U-235.

In a military nuclear program or for building a bomb by fission, uranium needs to be highly enriched at more than 20% of U-235. “The lower the enrichment the higher the amount of material to achieve critical mass in order to increase the concentration of U-235” (Zargham, 2019:19). Critical mass is “the minimum amount of concentrated fissionable material required to sustain a chain reaction” (Zargham, 2019:10).

However, we should advert that the process of developing nuclear weapons is much more complex than enriching uranium or reprocessing plutonium as can be noticed in *Figure 1.2*. It implies scientific, technical and institutional expertise, economic and financial resources, and specifically, it requires the manufacturing of weapons, the process of testing and the development of delivery systems. Consequently, it is highly controversial to take the SQ as the indicator of proliferation.

Precisely, the nuclear non-proliferation regime -developed since 1946 and enshrined in the Non-Proliferation Treaty (NPT)- aims to tackle the spread of nuclear weapons through a safeguards system under the IAEA supervision. The NPT to some extent prefers the test/no-test indicator at the moment of identifying nuclear weapon stateness according to what article IX claims: “For the purpose of this Treaty, a nuclear-weapon State is one which has manufactured and exploded a nuclear weapon or other nuclear explosive device prior to January 1, 1967”.

Figure 1.2 Stages for nuclear weapons development



Sources: Zargham, 2019 and Hakansson and Jonter, 2007. Elaborated by the author.

Nonetheless, this test/no test indicator is still problematic if we remind that the “Little Boy” uranium gun-type atomic bomb was directly dropped over Hiroshima without testing. The defenders of the SQ/no-SQ parameter instead state, “that the widespread use of such a metric would change state behaviour” (Hymans, 2010:171). But as

Jacques Hymans recognizes: “The shift to SQ/no-SQ represents a significant “dumbing down” of the barriers to entry into the ‘nuclear club’. [...] Why should it not lead even frankly incompetent states [...] to claim nuclear weapon state status?” (2010:171). Therefore, the SQ/no-SQ indicator proves to be technically unsound and politically undesirable. In front of these shortcomings, the test/no-test seems to be the most plausible option to identify a proliferator. To complement the information provided by the technical indicators, Hymans suggests observing the causes that would lead certain states to test or not their nuclear weapons (2010: 172). The discussion over this issue goes on, but following the Hymans’ argument, we consider the need of underpinning a holistic approach when it comes to identify a proliferator, that is, to take into consideration not only technical aspects (for instance: importation of nuclear materials in large quantities or as much as the IAEA safeguards agreements allow it), but also political, military, economic and symbolic variables. So far the IAEA safeguards control the whole nuclear fuel cycle depicted in *Figure 1.1* which is the starting and fundamental point for further development of nuclear arsenals. The NPT to some extent goes beyond that, preventing transfer and receipt of nuclear materials and, therefore, encompassing the whole process of nuclear weapons acquisition.

In theory, disarmament, non-proliferation and peaceful uses of nuclear energy are NPT pillars, the regime’s core. Besides the NPT, other formal and informal institutions and agreements, such as the CTBT, have been established to avoid nuclear diversion and to control every step of nuclear weapons development. NWFZs are part of this seamless web of non-proliferation rules and norms since 1959 when the Antarctic Treaty was signed, prohibiting military activities in the territory and nuclear testing.

Consequently, the already ambiguous and complex nature of the non-proliferation phenomenon pervades theoretical discussions and policymaking processes which often fails to give conclusive and uncontroversial answers and are still musing over questions such as: why do some states go nuclear and others don’t? How to halt nuclear weapons spreading without undermining states’ rights to use nuclear energy for peaceful purposes? How to guarantee international security in a world exposed to nuclear risks? The debate certainly goes on and beyond it.

To develop this dissertation deductively, the following part will allow us to present our specific topic ontological and epistemically as part of a common research ground. Also, we will introduce some substantial concepts that will be employed throughout this research work.

1.2 The concept of Nuclear-Weapon-Free Zones (NWFZs)

In 1956, Poland's Minister of Foreign Affairs, Adam Rapacki, proposed for the first time in history to establish an NWFZ. West Germany's re-militarization, particularly the US intentions of deploying tactical nuclear weapons there motivated Poland to launch a project for creating an NWFZ in Central Europe aimed to prohibit the production, processing, acquisition and stationing of nuclear weapons in West Germany, East Germany, Czechoslovakia and Poland. In the context of the so-called "peaceful coexistence" between the East and the West, the Polish proposal seemed a plausible way of disengagement from any possible nuclear confrontation. Notwithstanding, this initiative failed given NATO's staunch opposition. Similar projects came out in the '50s and '60s for denuclearizing Scandinavia, the Balkans and the Mediterranean but none of them succeeded in approving their proposals (Puga, 1918).

From 1956, the concept of NWFZ has been transformed and it has been institutionalized at different levels across regions, however, three pillars can be identified at its core: the total absence of nuclear weapons in a delimited area; the implementation of a verification and control system under IAEA's authority; and the NWS commitment of not perpetrating or attempting to perpetrate any nuclear attack against states parties from a given NWFZ, a compromise commonly known as Negative Security Assurances (NSAs).

The NSAs problem has been a longstanding preoccupation for NNWSs since the NPT's negotiations in the '60s, but as it is obvious the NPT included no clause about it. Since 1975 NNWSs have explicitly requested the negotiation of an international legally binding instrument of negative security assurances that obliges NWSs not to use nuclear weapons against NNWSs, (for instance, as an additional protocol to the NPT as Uruguay has recommended it) (UN, 2010:2), but this proposal has not prospered either. To remedy this shortcoming, NNWSs have sought at every NPT Review Conference to include this issue in Final Declarations, sometimes with no success as it happened in 1980, 1990, 1995 and 2005 often because there was no Final Declaration at all (UN, 2010). In this context, resolutions 255 (1968), 984 (1995), 1887 (2009) have expressed the will of NWSs to provide NSAs but without legal connotation. From them, the Resolution 255 issued by the Security Council, for instance, has emphatically stated: "in case of nuclear aggression or threat of it against an NNWS, the SC permanent members

would intervene according to the UN Charter” (UN, 2010). In that sense, NWFZs and their Additional Protocols are regional mechanisms to redress this legal limitation and tackle nuclear risks, but it seems so far, they have also been unable to cope with it.

Only in 1975, more than fifteen years later of the first zone’s creation and almost seven years after the establishment of the Latin American NWFZ, the UN officially defined NWFZs. According to the General Assembly resolution 3472 (XXX) B, an NWFZ is:

...any zone recognized as such by the General Assembly of the United Nations, which any group of States, in the free exercise of their sovereignty, has established by virtue of a treaty or convention whereby:

- (a) The statute of total absence of nuclear weapons to which the zone shall be subject, including the procedure for the delimitation of the zone, is defined; [and]
- (b) An international system of verification and control is established to guarantee compliance with the obligations deriving from that statute (UNGA, 1975:24).

We should underline, as the UN stipulates, an NWFZ could be established only under the free will of states parties, and not by a top-down imposition coming from other countries. The 1970 NPT also recognizes in its article VII the conformation of NWFZs, it states: “Nothing in this Treaty affects the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories” (UNODA, 2020).

The treaties for establishing NWFZs are legally atypical in comparison to other international legally-binding instruments, including those of arms control, because NWFZs treaties not only require the signature and ratification of all the regional states parties, but they also need to incorporate an additional protocol to be signed and ratified by the five NWSs: Russia, the US, China, France and the United Kingdom (UK), and in some cases, the countries which possess overseas territories in the concerning area should adhere also to a second protocol. The UN in Resolution 3472 (XXX) B defines the principal obligations of NWS towards NWFZs as follows:

- a) To respect in all its parts the statute of total absence of nuclear weapons defined in the treaty or convention which serves as the constitutive instrument of the zone;
- b) To refrain from contributing in any way to the performance in the territories forming part of the zone of acts which involve a violation of the aforesaid treaty of convention;
- c) To refrain from using or threatening to use nuclear weapons against the States included in the zone (UNGA, 1975:24).

Professor Ramesh Thakur has pointed out that “an NWFZ must satisfy the principle of undiminished security for all countries in the region as well as for the global powers” (1998:13). Often, NWSs have not been keen to renounce their nuclear transportation privileges, for example to their transit rights and navigations freedoms on the NWFZs’ territories (Goldblat, 1997). Therefore, the bargaining process for creating a zone may take years or even decades until achieving an agreement. Systemic, regional and domestic factors, and sometimes, personal motivations, influence the pace of this complex process (Knopf, 2016).

It’s not surprising then, that until nowadays only five regional Nuclear-Weapon-Free Zones (NWFZs) in inhabited areas have been established since 1967, namely, the South Pacific NWFZ (1985), the Southeast Asian NWFZ (1995), the African NWFZ (1996), and the Central Asian NWFZ (2006). We should also add to Mongolia, which according to the UN is a Single-State Nuclear-Weapon-Free Zone (SS-NWFZ) since 2000 when the “Law of Mongolia on its NWF status” entered into force (NTI, 2020)⁶.

Map 1.1 NWFZs from 1967 to nowadays



Source: VCDNP, 2018.

Every NWFZ has been a response on its own to the states –parties’ concerns in a very precise moment of history. It’s evident for instance, that the end of the Cold War

⁶ Mongolia has obtained from the NWSs only unilateral statements hailing the initiative (1993 – 1994), but not any legal recognition of its status or the required NSAs. Consequently, no Protocol exists so far, although Mongolia is still working to the full institutionalization of its status.

loosened the political and security conditions in several regions, which enabled the creation of four NWFZs in inhabited areas. Some of the states' common objectives to establish an NWFZ have been:

- To disengage themselves from a hypothetical nuclear confrontation.
- To avoid deleterious uses of their territories by NWS (ex: nuclear tests, transit and stationing of nuclear weapons beyond the Law of the Sea).
- To restrain any suspected nuclear military program developed by a state of the zone.
- To eradicate nuclear waste in their territories.
- To transfer and share nuclear technology for peaceful purposes.
- To contribute to nuclear non-proliferation, and therefore to international security.

Until today none of the NWFZs has developed a nuclear military program nor they have suffered nuclear attacks by an NWS. In that sense, it could be preliminarily said that NWFZs treaties have been accomplished and hence they have been effective in their general objectives, however, that conclusion would be misleading if we do not observe another kind of violations of those treaties and their shortcomings.

One of the most salient differences among the five NWFZs has been the achieved level of institutionalization in terms of membership and additional protocols' ratification. The Treaty of Tlatelolco is the only case that has fulfilled all the required adhesions by states-parties and extra-regional actors. Thus, all the 33 countries of the continent are part of the zone, and the five NWSs plus the Netherlands have signed and ratified both Additional Protocols according to the UN definitions explained above. This last aspect has not been met in the rest of NWFZs, which are still struggling for getting approval from NWSs to their Treaties. For instance, the Additional Protocols of the Treaties of Pelindaba, Rarotonga and Semipalatinsk have not been ratified by the United States, and in the case of the Treaty of Bangkok, none of the NWSs has signed it. Besides that, ten signatory states have not ratified yet the Treaty of the African NWFZ as can be observed in cyan in *Map 1.1*.

Due to the Treaty of Tlatelolco pre-dated the NPT's approval, which assigned to the IAEA a verification mandate, its promoters considered compulsory the foundation of specific control and verification body, namely the Agency for the Prohibition of Nuclear

Weapons in Latin America and the Caribbean (OPANAL). A similar specialized entity does not exist to enforce the rest of the NWFZs treaties that came into being after the entry into force of the NPT. Therefore considering the establishment of a regional control and verification body as a parameter to measure the degree of institutionalization of NWFZs would be insufficient and inaccurate.

Consequently, one of the most important NWFZ states parties' challenges is to obtain the NWS's ratifications and their total approval to their Treaties. Moreover, states-parties should ensure that NWSs do not add interpretative declarations to the additional protocols that undermine the right enforcement of the Treaty jeopardizing the existence of the zone. In the case of the LAC-NWFZ, OPANAL and the UN have repeatedly called NWSs to withdraw their interpretative declarations as a recent OPANAL's communiqué has claimed it (OPANAL, 2019a).

As we referred before, the UN established the NWSs' general obligations with NWFZs, however, a grey zone remains in the law regarding the role of the non-recognized Nuclear-Weapon States, which are India, Pakistan, Israel and North Korea. We might wonder to what extent the IAEA item-specific safeguards agreements⁷ signed by India, Pakistan and Israel, and India's Additional Protocol may be disincentives for their engagement in activities that might disrespect the NWFZ treaties? For instance, the case of the Southeast Asia NWFZ could be worthy to explore given its proximity to India and Pakistan, and somewhat to North Korea. Until nowadays, there is no progress in the negotiations between the IAEA and North Korea for implementing some safeguards and verification measures. This grey zone poses several questions, for instance: what kind of NWFZ's forbidden activities are the most vulnerable ones in front of the interests of non-recognized NWSs? This topic opens a new discussion, which hopefully, could be developed in future research.

A recently released report about "cooperation among NWFZs" carried out by the Vienna Centre for Disarmament and Non-Proliferation (VCDNP) have stressed the "lack of up-to-date information" (2018) as one of the main challenges to overcome in order to enhance the inter-zones cooperation and leverage the NWFZs' impact at international level and their bargaining power vis-à-vis NWSs. Officially, the first and last "Comprehensive Study of the question of NWFZs in all its aspects" was conducted

⁷ The IAEA defines that: "agreements of this type cover only nuclear material, non-nuclear material, facilities and other items specified in the safeguards agreements. They are based on the safeguards procedures established in INFCIRC/66/Rev.2 and this document's earlier versions. States parties to such agreements undertake not to use nuclear material, facilities or other items subject to the agreement for the manufacture of any nuclear weapon or to further any military purpose" (IAEA, 2020).

in 1976 by the Conference of the Committee on Disarmament and after that, just a few studies elaborated by the United Nations Institute for Disarmament Research (UNIDIR) (1997, 2005 and 2011) and other researchers were released (Gasparini and Cipollone, 1997; Hamel-Green, 2005 and Vignard, 2011). It is urgent to start a prolific discussion on this topic. In addition, most of the scholarly studies⁸ have focused more on NWFZs' historical aspects, which are necessary to explore but not enough to explain NWFZs' concrete results and relevance nowadays.

1.3 The research problem: The Treaty of Tlatelolco and the Latin American and Caribbean NWFZ




Most of the studies about the Latin America and the Caribbean NWFZ have tended to focus on the formation of the zone by exploring political variables (Melet, 2009; Serrano, 1992; Vargas Carreño, 2003; Redick 1981), including the role of the United States in the negotiation of the Treaty of Tlatelolco (Robinson, 1970). In addition, some brief contributions have been made about the Treaty's political consequences and results, but they cannot be considered as profound studies in the line this research is meant to be (Luddeman, 1983; Martínez Cobo, 1984; Mirek, 1986; Revista Mexicana de Política Exterior, 1996; Román-Morey, 1995, 1996; Musto, 2015; Rosas, 2017). Consequently, the underlying need of revealing the conditions, which enabled Tlatelolco to emerge as well as its outcomes compel us to link both processes in a causal and complex manner beyond the limits of what has already been concluded.

1.3.1 Case and subcases of study

The negotiations for the approval of the Treaty of Tlatelolco started in 1963, two years after the Missile Crisis in Cuba. The presidents of Mexico, Brazil, Chile, Bolivia and Ecuador issued a letter calling to forbid nuclear weapons in the continent. They counted on the initial support of 17 states, the UN, and the relative sympathy of both superpowers, the US and the Soviet Union. Through the creation of the Preparatory Commission for the Latin American Denuclearization (Copredal, its acronym in Spanish), the Treaty's blueprint was prepared, and finally, in 1967 it was open for signature. It established a control system and the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) to ensure that Treaty's obligations were met.

⁸ For this dissertation, some previous analyses were studied, such as Redick, 1975; Goldblat, 1997; Thakur, 1998; Mukai, 2005; Moorthy, 2006; Shaker, 2008; Hamel-Green, 2009; Rosas, 2017.

Table 1.1 Subcases of study

Country	México 	Brazil 	Argentina 
Position towards Tlatelolco	Promoter	Promoter (until 1964)	Non-promoter
Nuclear (civilian) program starting date⁹	1956 (CNEN)	1951 (CNPq)	1950 (CNEA)
Signature of Tlatelolco	1967	1967	1967
Ratification	1967	1968	1994
Entry into force	1967	1994	1994

Elaborated by the author

Except for Brazil (Cubillos, 2012) and Argentina (Colombo, Guglielminotti and Vera, 2017), none of the Latin American States had developed an advanced nuclear program until the '60s, in part, due to economic, technological and political constraints, and the relentless US interventionism.

To some extent, the fact that Brazil and Argentina were involved that early in the development of their own nuclear programs competed with their intentions of adopting the Treaty of Tlatelolco fully, which entered into force in their territories only in 1994. Other latecomers were Chile, Belize, Santa Lucia and Saint Kitts and Nevis, which joined the Treaty in the 90s', and Cuba, which ratified Tlatelolco in 2002.

The treaties at the end of the day are the result of the states' will, therefore, we will study these three subcases: Mexico, Brazil and Argentina. It will allow us to better understand what variables made possible Tlatelolco and why Brazil and Argentina delayed the Treaty's entry into force until 1994. To what extent the reluctance of Brazil and Argentina to be full states-parties of Tlatelolco impinged the performance and effectiveness of Tlatelolco? It is analytically relevant to the epistemological unity of this dissertation to be able to answer this question where the actors' geopolitical clout matters.

⁹ Here we took into account the foundation of the main institutions in charge of the development of nuclear programs. CNEN stands for National Commission of Nuclear Energy (currently the National Institute of Nuclear Researches, ININ). CNPq means National Council for Research (today the National Council for Scientific and Technological Development), and the CNEA is the National Commission of Atomic Energy.

1.3.2 Analysis of the text of the Treaty of Tlatelolco

The preamble of Tlatelolco is very specific on its objectives: to contribute to the ending of the nuclear weapons arms race but “recalling that militarily denuclearized zones are not an end in themselves but rather a means for achieving general and complete disarmament at a later stage” (OPANAL, 2018: 3)¹⁰; and to prevent making the region “a target for possible nuclear attacks [...] which would involve the unjustifiable diversion, for warlike purposes, of the limited resources required for economic and social development” (5). Therefore such a zone was intended to be linked to the “maintenance of peace and security in [the region]” (4).

Similar to McNamara’s arguments referred to before, Tlatelolco reflected the preoccupation around the *inevitability* of nuclear proliferation “unless States, in the exercise of their sovereign rights, impose restrictions on themselves” (4). Although Latin American parties were aware of their historic role and “traditional peace-loving outlook” (5), they did not preclude the need to advance towards “an acceptable balance of mutual responsibilities and duties for the nuclear and non-nuclear powers” (3). Not only then but also now, such a topic is still a legitimate source of tension and preoccupation particularly for NNWS, given the lack of commitment by the NWS. To sum up, Tlatelolco wanted to prevent a regional nuclear arms race and also a nuclear attack. As for nuclear energy harnessing for peaceful purposes, Tlatelolco recognizes that “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” (5). Moreover, article 1 enshrines in fact, the permission “to use exclusively for peaceful purposes the nuclear material and facilities” (6).

The Treaty prohibits and prevents: “the testing, use, manufacture, production, acquisition, receipt, storage, installation, deployment and any form of possession of any nuclear weapon, directly or indirectly, on behalf of anyone else or in any other way”. In addition, the contracting parties “should also refrain from engaging in, encouraging or authorizing similar activities” (article 1). It does not prohibit transit or transportation of nuclear materials, and it leaves the door open to states-partied to decide on. Peaceful nuclear explosions and the use of nuclear-propelled instruments that may be used for transportation or propulsion “if [they are] separable from the device and not an indivisible part thereof” are allowed.

¹⁰ In this part we will refer to many articles of the Treaty, the citations of the Treaty are explicit, therefore we have deemed not necessary to include the same citation (OPANAL, 2018) onwards.

Tlatelolco has two types of contracting parties: the Latin American states¹¹ and the extra-continental states, signatories of Additional Protocols I and II. The Additional Protocol I –ratified already by the United States, Great Britain, France and Netherlands– refers to their commitment to respect the denuclearized status of their *de jure* or *de facto* territories within the limits of the zone. Meanwhile, the Additional Protocol II, signed and ratified by the five NWSs, stipulates the respect to the denuclearized status of the zone, prohibits any contribution from their side “to the performance of acts involving a violation of the obligations of article 1 of the Treaty” and demands their pledge to “not to use or threaten to use nuclear weapons against the Contracting Parties of the Treaty” (articles 2 and 3).

In many ways, Tlatelolco was a unique experience for the construction of international and regional regimes with no similar precedent in history. A remarkable innovation was the method for approval and entry into force, which was a sort of rolling basis mechanism. Articles 26 and 27 (before 1991 amendments, articles 25 and 26) recognize that all Latin American sovereign states (and the Caribbean officially since 1990) can be contract parties of the Treaty according to their respective ratification processes. The Treaty established the government of Mexico as the Depositary Government. Article 29 (before 28) demands the signature and ratification of Additional Protocols I and II by all the concerning states and the conclusion of safeguards agreements with the IAEA by states-parties as the main requirements for the full entry into force of the Treaty. However, it provides to the states the right to waive them partially or wholly. In that case, a state should deposit its ratification enclosing a declaration waiving the requirements for an immediate entry into force of the Treaty. Two cases can be mentioned here: Brazil and Chile, which signed and ratified the Treaty in its first decade (1968 and 1974 respectively) but without waiving the requirements, hence Tlatelolco did not enter into force there until 1994 when they waived such conditions.

Article 29 also incorporates an interesting clause regarding the rise of new nuclear powers and the execution of Tlatelolco. It states in numeral 4 that:

“After the entry into force of the Treaty for all the countries of the zone, the rise of a new power possessing nuclear weapons shall have the effect of suspending the execution of this Treaty for those countries which have ratified it without waiving the requirements [...],

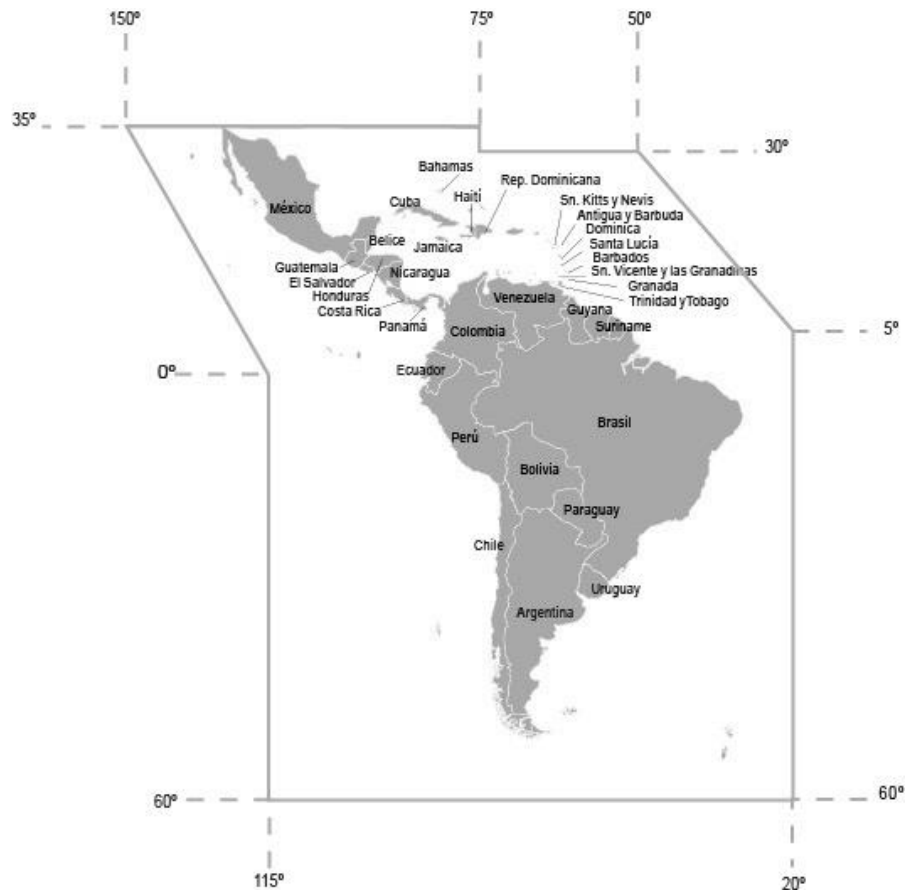
¹¹ We must clarify that, although some Caribbean countries, such as Barbados (1969), Haiti (1969), Jamaica (1969), Granada (1975), Trinidad and Tobago (1975) and Surinam (1977) ratified the Treaty between the end of ‘60s and the ‘70s, the name of the Treaty referred only to Latin America. After the 1990 amendments, the Treaty was renamed including the word “the Caribbean” in the title.

and which request such suspension; the Treaty shall remain suspended until the new power, on its own initiative or upon request by the General Conference, ratifies the annexed Additional Protocol”.

Clearly new nuclear powers emerged since then such as India, Israel, Pakistan and North Korea, however, none of them has signed an Additional Protocol and this is still a grey zone for many NWFZ Treaties as we suggested some paragraphs before.

If we perform a general observation of Tlatelolco, we infer that it is above all a Treaty with few rights and many obligations, and although it encourages the use of nuclear energy for peaceful purposes, even accepting explosions, it does not provide concrete steps towards the promotion of nuclear energy. In addition, OPANAL according to the Treaty has a limited mandate, acting more as a channel of interaction between Latin American countries and the IAEA, the United Nations (the Security Council) and the OAS rather than as a Treaty’s enforcement organization.

Map 1.2 Zone of application of the Treaty of Tlatelolco



Source: OPANAL, 2020c

Articles 2, 3 and 4 refer to the contracting parts, the definition of territory –only those where States exercise their sovereignty in full-, and the zone of application which

encompasses those states where the Treaty is in force, and “upon fulfilment of the requirements of article 29” (before article 28), the continental limits, including territorial waters and air space. For the compliance of this article, Additional Protocol I was inevitably needed to ensure that the whole Latin American territory was protected from a nuclear attack and to prevent any violation of the denuclearized status of Latin American and the Caribbean.

Article 5 defines nuclear weapons for the first time in an international instrument. It considers as a nuclear weapon to “any device which is capable of releasing nuclear energy in an uncontrolled manner and which has a group of characteristics that are appropriate for use for warlike purposes”. Nevertheless, it does not include “an instrument that may be used for the transport or propulsion “if it is separable from the device and not an indivisible part thereof”. In that sense, some nuclear submarines and nuclear-powered ships are allowed.

From article 6 to 11, Tlatelolco refers to the institutional organization, namely: meetings of signatories (art. 6); duties, activities and location of OPANAL (art. 7); conformation and obligations of the organs, which are the Secretariat, the General Conference and the Council (arts. 8, 9, 10 and 11). The General Conference is the most important body, it takes place every two years, it is the responsible entity for establishing processes for the control system, and it elects the Secretary-General and the Council members. Each member country has one vote, and decisions are taken by a “two-thirds majority of the members present and voting in the case of matters relating to the control system”. The Council is conformed by five members elected by the General Conference and under an “equitable geographical distribution” criterion. They are elected for a four-year term. The Council, along with the Secretary, ensures the adequate implementation of the control system. The Council must submit an annual report about its activities. Regarding the voting process, the Council’s decisions are taken by a simple majority. The third body is the Secretariat basically represented by the Secretary-General, elected for a four-year term. Similarly to the Council, this authority has to provide an annual report to the Conference and it is in charge of the optimal implementation of the control system.

Tlatelolco throughout articles 12 to 18 and 24 established a control system, where state parties have as regular and compulsory duties the following:

- The negotiation with the IAEA of multilateral or bilateral agreements for the application of safeguards, 180 days after the deposit of the ratified instrument (art. 13);
- the submission of semi-annual reports on their nuclear activities to OPANAL and to the IAEA, and if relevant, to the OAS (art.14); and,
- the notification of other international agreements on concerning matters (art. 24, before art. 23).

Articles 15, 16, 17 and 18 refer to particular situations where extra reports or further investigation might be required. Tlatelolco established some mechanisms for ensuring the compliance of article 1, such as special reports requested by the General Secretary (art. 15), special inspections carried out by the IAEA under request of the Council and the OPANAL General Secretary (art. 16), the obligation of submitting a notification prior to carrying out explosions for peaceful purposes, and on-site inspections if necessary (art. 18).

Additionally, the Treaty, through article 19 and 20, encourages relations with other international organizations, particularly with the IAEA (art. 19) and other bodies involved in disarmament activities and nuclear energy such as the Inter-American Nuclear Energy Commission (IANEC, currently disappeared).

In the event of Treaty's violation, the agreement in article 21, institutes that the General Conference is the responsible body for taking note of non-compliance cases and reporting them to the Security Council, the UN General Assembly –through the Secretary-General, to the Council of the OAS and to the IAEA. Until now, this article has never been invoked.

Amendments are also possible with the approval of a two-thirds majority in voting (art. 29). Lastly, according to article 31, the Treaty is permanent and indefinite. In case of denunciation, a contracting party should notify its denunciation to the Secretary-General, who must inform this to the UN Secretary-General (who should notify it to the General Assembly and to the Security Council) and to the Secretary-General of the OAS. It is meant to take effect after three months of the denunciation. So far any state has denounced the Treaty.

While in broad terms it could be inferred that the Treaty of Tlatelolco has attained its objectives of denuclearizing the region and preventing a nuclear attack, we cannot dismiss other violations to the Treaty, which are likely to be discovered only by digging into the history.

Some NWSs defend their right to transit with nuclear weapons through the zone's territory beyond the concession of sovereign states to do so, and in some cases, namely the US has categorically said that: "[it] understands the definition contained in Article 5 of the Treaty [of Tlatelolco about nuclear weapons] as necessarily encompassing all nuclear explosive devices" (US Department of State, 2009 – 2017:22), which contradicts the definition provided by Tlatelolco and could limit the transfer of nuclear technology to the continent.

The fact that the US, an NWS, is neighbour of the Tlatelolco's zone poses always a challenge to Treaty's compliance. Some possible situations might be particularly worrisome, for instance, the US transit of nuclear weapons through Latin American waters or the disrespect of *de jure* and *de facto* territories' denuclearized status. In the worst scenario, a nuclear attack against the US could also imply devastating consequences to Latin America, especially to Mexico, the Caribbean and Central America.

The legacy of colonialism in the continent could not be ignored either, for example, during the 1982 Malvinas/Falklands Islands War between Argentina and the UK, Argentina accused the UK of transporting nuclear weapons close to the zone, but there was no conclusive answer to these allegations.

1.3.3 The research question

As we mentioned before, between the '50s and '60s many NWFZ proposals were made but they ended in failure with the exception of the Latin American project. Therefore, *what we know* so far about our case in relation to the rest of 'NWFZ's universe is that:

- 1) The nuclear superpowers were not radically opposed to the creation of the Latin American zone, and
- 2) The Treaty of Tlatelolco has been the only NWFZ Treaty that has met both crucial requirements for its full implementation:
 - a. The signature and ratification of the Treaty by all the states of the continent.
 - b. The signature and ratification of both Additional Protocols I and II by the five NWSs plus the Netherlands in the case of Protocol I

This peculiarity, besides the background exposed some lines before, leads us to propose the following research question: **What were the factors that led Latin American countries to achieve consensus on nuclear non-proliferation and which of them**

have been relevant for explaining the level of effectiveness and performance attained by the Treaty of Tlatelolco?

If we split the research question into two parts we can realise that it aims to analyse two processes: first, the origin of the zone, that is, the causes and factors that explain it, and second, the variables that might help to understand the zone's effectiveness and performance. To better understand these initial premises and to answer our research question, it is appropriate to dive into the main non-proliferation debates and to elaborate a plausible analytical framework.

Chapter 2

From non-proliferation debates to the study of Tlatelolco: Theories, analytical framework and methodology

In the preceding chapter, the debate on non-proliferation, as well as the research problem, were outlined. Following that sequence, in this chapter, we will elaborate on the analytical framework and justify the suitability of that choice for our case study. First of all, we consider that it would be narrow to analyse this complex phenomenon from one single perspective. For instance, from a capabilities-based angle, we would assert that less developed countries, which do not have enough financial, technical and scientific resources to get a bomb, are less prone to proliferate. However, North Korea and Pakistan are examples that this argument is not plausible. We dare to say that no other Treaty defines the States' identity itself as the NPT does by creating a two-tier order: the nuclear haves and the nuclear have-nots -not referring to those "non-recognized" nuclear haves-, which has collateral implications not only in security but also in economy, finance, environment, science and in states' self-perception. The nuclear issue is existential and it means that states are obliged to take a position by defining themselves: either as nuclear states by starting a nuclear military program or as non-nuclear states by accepting the protection of a nuclear umbrella or by obtaining NSA guarantees from NWSs. NWFZs' states-parties pertain to this last group of nuclear have-nots, that preferred an NWSs' commitment of not attacking them through the signature of an Additional Protocol. Consequently, we assume that explaining nuclear non-proliferation requires an exhaustive analysis of all the main identifiable factors that might explain coherently every phenomenon.

2.1 General theories and debates on nuclear non-proliferation

For a long time, Cold War dynamics, such as the US–Soviet Union confrontation, oriented the theoretical debate towards classical realist and neorealist assumptions where egotistical self-help and zero-sum calculations are the common rules that guide states' decisions. If we think that variables for explaining proliferation and non-proliferation might be divided into material and immaterial ones, realist analysis highlights the material motivations. It must be said that this particular field of studies has to deal with the inherent secrecy that shrouds information about nuclear activities, which is often a heavy stumbling block for researchers and scholars.

For realism, power maximization and interests are ends by themselves. According to this view, institutions matter but only epiphenomenally or when they can be a useful tool for expanding the hegemon's interests. Regarding nuclear weapons, realist authors traditionally have considered them the ultimate weapon for security and for taming international anarchy (Mearsheimer, 1984-1985; Waltz, 1990). John Mearsheimer in his position against the North Atlantic Treaty Organization (NATO)'s proposal of adopting a non-first use (NFU) of nuclear weapons policy was straightforward at highlighting that: "Nuclear weapons, because of the horror associated with their use, really are the ultimate deterrent. Formidable conventional forces simply do not have and can never have the deterrent value of nuclear weapons" (1984-1985: 20). Deterrence is the key concept for understanding the realist approach and somehow the superpower's establishment mindset during most of the Cold War who considered it not only a medium for keeping the balance of power but also an effective tool for curbing proliferation. As Henry Kissinger defined it: "deterrence is the attempt to keep an opponent from adopting a certain course of action by posing risks which will seem to him out of proportion to any gains to be achieved" (1957, 1984: 96). Accordingly, those countries, weaker and smaller, which decide not to proliferate, might opt for a military alliance, including extended deterrence, that is, choosing to be protected by an NWS nuclear umbrella. Lawrence Friedman nevertheless assumes that extended deterrence "may be better understood as an attempt to achieve the maximum deterrent effect from a particular strategic relationship" (1989: 207). This argument falls into the balance of power theory; where both superpowers were supposed to achieve certain military capability parity in conventional and nuclear forces to avoid the opponent's superiority and prevent a war. The balance itself regulated their relations and it remained as the result of the conformation of alliances.

The extended deterrence was modestly successful in the Cold War when both superpowers the United States and the Soviet Union enjoyed the nuclear duopoly dragging under their control those countries, which might have wanted to proliferate (Mearsheimer, 1998). For instance, West Germany and Japan chose to be protected by the US nuclear umbrella while Poland was under the Soviet nuclear umbrella. The NATO and the Warsaw Pact formalized in the '50s this extended deterrence in Europe, although many differences between both schemes should be warned (Guertner 1990, Gheorghe 2019). Therefore, from the realist perspective, systemic forces, in this case, the distribution of power between both superpowers restrained countries from

proliferation. Moreover, a recent study published in 2014 buttressed this claim, by combining a large -N quantitative analysis, as well as a case study; the authors concluded that “security guarantees significantly reduce proliferation proclivity among their recipients” (Bleek and Lorber, 2014). But to what extent allies could be sure of being defended by an NWS if an attack would occur? Kenneth Waltz himself said that “reassuring allies is unnecessary militarily and unwise politically” (1990: 739) because in that way they could work harder for their own security. Consequently, this security guarantee mechanism -as a tool for preventing nuclear proliferation- could be a short-term solution only, even if the quantitative results of Bleek and Lorber’s study have been positive.

A second approach to understand the variables and causes of nuclear non-proliferation come from the neoliberal institutionalist school, which considers regimes and international institutions crucial mechanisms for tackling nuclear mushrooming. However, as one of the most prominent authors, Robert Keohane reminds, “like realism, institutionalist theory is utilitarian and rationalistic” (Keohane and Martin, 1995:39). The state is still the main actor but non-state actors also matter to explain international phenomena, hence this paradigm studies not only systemic forces but also regional and domestic structures.

Institutional liberals estimated fundamentally that “the costs of the use of force are higher than in precedent decades” (Keohane and Nye, 1987: 727) not only in terms of human casualties but also in economic, domestic-parochial and public opinion terms. Thus, for them, new norms such as the NPT as well as the third wave of democratization and the economic liberalization contributed to refrain states from starting or continuing a nuclear military program (Solingen, 1994; Hymans, 2006; Fuhrmann and Horowitz, 2015).

For example, the scholar Etel Solingen analysed the path towards non-proliferation followed by what she dubbed the ‘nuclear fence-sitters’ referring to those countries that initially had ambiguous nuclear projects and variable nuclear postures, such as South Korea, Taiwan, South Africa and of our concern Argentina and Brazil. In her understanding: “ruling coalitions pursuing economic liberalization [would be] more likely to embrace regional nuclear regimes than their inward-looking nationalist, and radical-confessional counterparts” (1994:136). As it was explained before, neoliberals emphasize their analysis not only on how systemic factors shape actors behaviour, rather they incorporate the domestic dimension into their explanations, as Solingen

does. This perspective allows including also other explanatory categories and actors such as regionalism, epistemic communities, political parties, bureaucracies, among others, that showcases a much more sophisticated analytical universe for understanding non-proliferation (Solingen, 1994; Kutchesfahani, 2014). By the same token, it must be said that this school have contributed prolifically to this field and to answer the precise question of why do States decide not to go nuclear. Regarding NWFZs, domestic concerns have proven to be as relevant as international and regional ones, even some countries have had incoherent nuclear postures given the competing opinions among local actors. For instance, Iran's Shah had decided to start a nuclear program¹², but concurrently he supported the creation of a Middle East NWFZ (Karem, 1988; Dunn, 1982). Despite some scholars have embraced the democratic peace theory by saying that democracies tend to abandon nuclear programs (Hymans, 2012; Müller and Schmidt, 2010) or that democratization processes explain denuclearization in countries such as South Africa, the evidence contradicts those assumptions. For example, Argentina and Brazil started their nuclear cooperation at the end of their dictatorships (we will explain this painstakingly). Consequently, on this apparent causal relation, there is no consensus among neoliberals (Solingen, 1994). Additionally, we have to draw attention to the fact that the majority of the first proliferators were/are democracies, including the United States, which has been the only country in history that dropped two nuclear bombs in a war. That evidence debunks the assumption that democracies and leaders with a non-rebel past would be less prone to initiate a nuclear program and therefore to drop nuclear bombs as some authors suggest¹³.

Constructivism is a third angle to analyse non-proliferation. The theoretical roots of this school come mainly from sociology and psychology. The interplay between agent and structure is relevant for explaining consensus around norms. How norms born, shape actors' attitudes, include them or stigmatize them is a matter of concern to this school. It should be notice that although neoliberals and constructivists are focused on norms analyses they have different starting points. Neoliberals think norms in terms of cost-benefit, that is, they intend to explain how much the benefits from a norm outweigh the purpose of proliferating, meanwhile constructivists explain

¹² The evidence so far is not conclusive on the Shah's intentions regarding the Iranian nuclear program. What we know is that he "repeatedly insisted that at least he did not want a nuclear bomb – yet he was adamant that Iran not be treated as a second-class citizen" (Milani, 2010). Therefore, we included the category of a nuclear program in broad terms.

¹³ For instance, scholars Matthew Fuhrman and Michael Horowitz suggest that leaders with a rebel past against the state would be "significantly more likely to pursue nuclear weapons once in office than other types of leaders" (2015:72).

the constitution itself of a norm, the adoption of it regarding actors' identity and not only as a mere by-product of rational choice. Alexander Wendt, one of the most prominent constructivists authors, asserts: "Self-help and power politics do not follow either logically or causally from anarchy and that if today we find ourselves in a self-help world, this is due to process, not structure" (1992: 394).

In this constitutive process of agent and structure, the inter-subjective understandings among actors influence how they assess the distribution of power. In that sense, the identity shaping process is relational (Onuf, 2002). Henceforth, "institutions may be cooperative or conflictual" (Wendt, 1992: 399) and they cannot be reified as if they were sustained far from social practices.

It is relevant to mention that other authors such as Martha Finnemore, Kathryn Sikkink (1998) have contributed to theorizing norms. They propose an analytical framework for analysing the norms-building process or cycle; accordingly, some states, categorized as norm entrepreneurs, propose a new norm at the international level and this norm might "cascade" or being accepted by a considerable number of states or critical mass becoming an instituted norm (1998).

Constructivism applied to the analysis of nuclear non-proliferation envisions proliferation as a social fact and it understands states' decision of not being nuclear on one side, as a result of the institutionalization process of the 'nuclear taboo', related to the consequences of the bomb dropping in Hiroshima and Nagasaki, (Tannenwald, 1999) and on the other side, as a position emanated from the State's identity or even from the leaders' psychology (Hymans, 2006).

According to Maria Rost Rublee, it is relevant to understand states' security environment but mainly the social forces that influence states' assessment over the importance or unimportance of nuclear weapons (2009). Rost Rublee and Avner Cohen added that three aspects are relevant to explain states' nuclear choice: "the logic of appropriateness [in global nuclear governance], the role of norm contestation, and the changes produced by norms entrepreneurs" (2018: 317). Two examples can be mentioned: In Sweden, the international non-proliferation norms contributed in the '70s and '80s to galvanize the anti-nuclear domestic positions regarding a potential bomb-building (Arnett, 1998; Jonter and Rosengren, 2015). Similarly, the "ambivalent Switzerland" finally renounced its nuclear program and joined the NPT due to "deep political contestation and the fundamental ideational changes that took place in [this country] during the 1950's and 1960's" (Jasper, 2012; Nidecker, 2015). However,

some scholars such as Mario Carranza by observing the limitations of the norm contestation theory –depicted by Rost Rubblee-, asserts, that “some norms are more resistant to contestation than others. The nuclear non-proliferation norm (NNPN) is more difficult to contest than new norms (such as the Responsibility to Protect) because it is rooted in fifty years of non-proliferation nuclear diplomacy” (2019: 1). Following this argument, Harald Müller and Carmen Wunderlich have stated that:

Contestation can lead to normative progress; result in blockage, or even lead to decay. [...] The outcome depends on three factors: commitment by the powerful parties to appreciate the positions of the non-nuclear weapon states, the engagement of bridge-builders to shape compromises, and the construction of reciprocal gains for and compliance by all parties (2018:1).

Having summarized the three mainstream non-proliferation theories, we can state that no single group have a conclusive answer to the non-proliferation studies bedrock question: why do states not go nuclear? For realists, military alliances, nuclear umbrellas and extended deterrence avoid proliferation; for neoliberals, democratization, economic liberalization and free-market policies encourages non-proliferation; and for constructivists the creation of international regimes, norms and institutions has proved to be effective at preventing nuclear mushrooming. All these theories have evidence in their favour as we explained it, and it cannot be neglected that all of them provide -from different angles- plausible assumptions to understand the nuclear restraint dilemma, but are not enough to explain other cases especially from the Global South as we will point out in the next section.

2.2 Limits of the non-proliferation theories to study the Latin American NWFZ

Kalevi J. Holsti in his book, “The state, war and the state of war” (2004) analysed the state-strength dilemma and how being weak, failed or strong state may influence its level of vulnerability in the international system. Holsti formulated an interesting classification in which some states constitute ‘zones of peace’ and others ‘zones of war’. The author emphasised that strong states were more prone to implicitly constitute ‘zones of peace’, meanwhile weak states and failed states made up ‘zones of war’’. Although Holsti did not refer to the whole Latin American region, he observed that South American states were neither strong nor completely weak. As a consequence, this region has become an anomaly, transitioning from a classical ‘war zone’ (19th century)

to what he called as a ‘no-war zone’ (20th century)¹⁴, which stands for a zone “in which the possibility of an armed conflict has been reduced to almost zero” (158), but it is still far from being a pluralistic security community (ex: North America). Holsti, indeed, recognized that the South American anomaly defied the mainstream IR theories. Therefore, this sort of “middle ground” status of Latin America prescribes a different looking at the moment of studying its behavioural patterns in peace, war and security issues.

Realism reduces the nuclear non-proliferation phenomenon to military alliances and extended deterrence agreements between NWSs and NNWSs. This argument can be relatively satisfactory for understanding the experiences of Western actors and its allies, and during the Cold War, for the Soviet Union and the Warsaw Pact member states, but it overlooks the rest of the non-proliferators’ universe. Moreover, this school interprets states as monolithic entities and given units disregarding their complex domestic and transnational relations at stake. Empirically, global south countries are not part of the realist research agenda, which is mostly devoted to explaining the behaviour of NWSs (Acharya, 2014b). We should take into account that realism was originally underpinned by Anglo-American authors whose *locus* of enunciation was the Interwar period and after, the Cold War that framed their topics of interest or what they considered as relevant. In that sense, this approach –as long as it has been thought in the IR- is limited to explain non-proliferation in Latin American and the Caribbean. We should add that in 1947 the majority of these countries signed the Inter-American Treaty of Reciprocal Assistance (TIAR, for its acronym in Spanish), launched by the US, a collective defence agreement that never enshrined any nuclear protection from the Americans to its Latin American neighbours. Probably, the fact that Latin American countries were not directly involved in the Cold War dynamics at that time, their obvious lack of intention –or material capabilities- to start a nuclear program, as well as their vicinity to the US rendered a nuclear umbrella an unnecessary resource.

The nuanced analysis of the institutional liberal perspective might encompass more non-proliferation or denuclearization cases even from the Global South given its accent on institutions and norms, but still rooted in rational – material calculations. The major contribution however is the incorporation to the analysis of domestic and transnational actors, which might endow polyphony to our research at the moment of studying the three subcases. As we said before, the democratic peace theory-based

¹⁴ The so-called Cenepa War –between Ecuador and Peru- was the last armed conflict in South America, where most of the inter-state wars finished in 1941.

assumptions to understand non-proliferation are inapplicable to the Latin American case, where the two main reticent states to adopt Tlatelolco, Argentina and Brazil started to cooperate before their democratization process. The second hypothesis elaborated by Etel Solingen, which subscribes to the causal connection between economic liberalization and non-proliferation could offer a better orientation to analyse the subcases of Brazil and Argentina given that the economic liberalization in both countries started before the transition to democracy and it was previous to their first steps towards nuclear cooperation.

Constructivism has a compelling analytical *corpus* to analyse non-proliferation in Latin America due to its less deterministic, less West-centred approach and the incorporation of cultural and social factors. It accepts that material capabilities are significant but also collective knowledge and identity. Regarding the establishment of the Latin American and Caribbean NWFZ, constructivism would explain that its origin has to do with the rooted peaceful identity of Latin American countries and its No-War Zone status by using the Holsti's expression (1996). Also from this angle, we could interpret that the group of five countries (Mexico, Brazil, Chile, Ecuador and Bolivia), which proposed the creation of the Zone in 1963 might be considered as norm entrepreneurs given that there was no similar precedent at that time. Taking into account the norms theory of Finnemore and Sikkink (1982), these countries would have achieved an acceptable critical mass when 12 countries acquiesced to join them and the five NWSs did not oppose the idea. The Missile Crisis in Cuba might be seen as a catalyst event, provoking a new understanding among Latin American countries about the danger of being involved in a nuclear confrontation, leading them to create a Security Community (Serrano, 1992).

From all the theories observed, constructivism proved to be the most comprehensive one for the Latin American case, however, it's relevant to highlight that, identities and common understandings are inferred concurrently from facts and material factors. The explanation of the nuclear proscription process of the region would be precarious if other variables such as technical, scientific and financial capabilities were dismissed. Therefore, what seems more appropriate so far is to build a comprehensive framework taking into account the following three elements present in the above-mentioned theories: power, interests and norms.

2.3 Building an appropriate analytical framework to study the LAC-NWFZ

For this study three main topics of the IR literature have been observed: first, the existent bibliography about international cooperation on arms control and specifically on nuclear non-proliferation; second, and with a more methodological objective in mind, the publications about international regimes' effectiveness and third, the literature on NWFZs, especially regarding the Latin American case.

2.3.1 Regimes theory

In the introduction, we started by pointing out Stephen Krasner's definition of *International Regime*. This concept as such hardly can be inserted in a specific IR school, and it has become, to some extent, a cross-cutting category to analyse norms and institutions regardless of the approach applied¹⁵. The Treaty of Tlatelolco is a normative *corpus*, hence it is relevant to have an exhaustive ontological understanding of it, and the application of what haven dubbed as regime theory enables us to pursue this objective.

According to Krasner, "regimes must be understood as something more than temporary arrangements that change with every shift in power or interests" (1982:186). Regimes have four elements: "Principles [which] are beliefs of fact, causation, and rectitude. Norms are standards of behaviour defined in terms of rights and obligations. Rules are specific prescriptions or proscriptions of action. Decision-making procedures are prevailing practices for making and implementing collective choice" (Krasner, 1982: 186).

In the Latin American case, the Treaty of Tlatelolco is the most relevant regional agreement in terms of universality (membership). There are other non-proliferation and arms control instruments related such as the Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials (ABACC), founded in 1991; the bilateral nuclear statements and agreements between Argentina and Brazil since 1980 and the CELAC 2013-2017 joint declarations on non-proliferation and disarmament. They undoubtedly knit together a seamless web of norms and principles shaping the complex non-proliferation Latin American sub-regime, however, due to methodological and relevance concerns, we will observe only the Treaty of Tlatelolco.

¹⁵ Keohane and Nye recognize it as a notable contribution to the field despite some pitfalls such as the elusiveness to distinguish unambiguously what is a regime and what is not.

To Krasner, regimes have been frequently understood as “intervening variables standing between basic causal factors on the one hand and outcomes and behaviour on the other” (1983: 185). According to him, there are at least two different approaches to this. The first is based on realist axioms, which envisions regimes as an epiphenomenon in IR. Henceforth, for them: “When power distribution changes, behaviour will also change” (Krasner, 1983: 191). In that sense, regimes can be decisive only “under circumstances that are not purely conflictual, where individual decision making leads to suboptimal outcomes, [...]” (Krasner, 1983: 191). The last perspective highlighted by Krasner -linked to constructivist theses- conceives regimes as an inherent “pervasive” condition of the international system where “patterned behaviour reflecting calculations of interest tends to lead to the creation of regimes, and regimes reinforce patterned behaviour” (1983: 193).

Table 2.1 Parallelism between the most common variables to explain the development of regimes and nuclear non-proliferation

Krasner’s variables to explain the development of regimes	Sagan’s three models to understand proliferation/ non-proliferation¹⁶
<i>Egoistic self-interest:</i> Maximise interests or survive / Common interests/ Common aversions.	<i>The security model:</i> nuclear weapons and international threats
<i>Political power:</i> 1) Power in the service of the common good 2) Power in the service of particular interests: It’s oriented to “enhance the utility of particular actors, usually states” (1982:198-199)	<i>The domestic politics model:</i> nuclear and parochial interests. The acquisition of nuclear weapons might serve to: 1) National interests of a state 2) Parochial bureaucratic or political of at least some individual actors within the state (Ex: nuclear energy establishment, professional military, politicians)
<i>Knowledge:</i> “The sum of technical information and of theories about that information which commands sufficient consensus at a given time among interested actors to serve as a guide to public policy designed to achieve a goal” (1982:203)	
<i>Norms and principles:</i> Diffuse and specific-issue area norms and principles	<i>The norms model:</i> nuclear symbols and states identity
<i>Usage and custom:</i> “Regular patterns of behaviour based on actual practice; custom, to long-standing practice” (1982:202)	“According to this perspective, state behaviour is determined not by leader’s cold calculations about the national security interests or their parochial bureaucratic interests, but rather by deeper norms and shared beliefs about what actions are legitimate and appropriate in international relations” (1996-1997: 73)

Elaborated by the author. Sources: Krasner, 1982 and Sagan, 1996 – 1997.

¹⁶ Sagan elaborates in greater detail the political domestic factors than Krasner but has recognized that “the largest number of [...] [nuclear proliferation] cases are best explained by the security model” (1996-1997: 85). Probably, that model -epitomised by IR neorealism- helps to understand proliferation, but it proves to be limited for studying NWFZs where security threats are not obvious.

To explain this relation between causal factors, regimes and behaviour and by making a synthesis of the IR mainstream approaches, Krasner proposes some concrete variables, which might lead to developing a regime: egoistic self-interest, political power, norms and principles, usage and custom, and knowledge as it can be seen in *Table 2.1*.

Similar to Krasner, Scott Sagan has synthesized three models to explain proliferation and non-proliferation. In *Table 2.1* can be observed that there is a parallelism between the syntheses of variables elaborated by both authors. We have deemed it suitable to put them in a parallel perspective because that will allow us to identify the main variables to incorporate in our analysis of the Treaty of Tlatelolco's formation.

2.3.2 Explaining regime formation: variables and hypotheses

Some studies on non-proliferation have concluded that the decision to proliferate or not depends not only on pure geopolitical and security calculations or economic interests, but also it might be explained by identity factors either at a national or personal level (Sagan 1996-1997; Hymans 2006; Fuhrmann and Horowitz 2014; Way and Weeks 2013). Henceforth, to address our investigation from a pure and single approach might be limited to get a comprehensive understanding, even more so if we have in mind that Latin American countries often have to deal with continuous political turnabouts. It is under this precondition that this research will try a holistic approach by encompassing diverse variables synergistically.

Then, we will proceed in two stages. In the first stage (*Chapter 3*) we will answer the following part of the research question: **What were the factors that led Latin American countries to achieve consensus on nuclear non-proliferation?** For doing so we have taken as reference the Krasner's, Sagan's syntheses explained above and the framework built by Jeffrey Knopf for explaining cooperation on non-proliferation (2016). Accordingly, the analysis of actors' preferences and capabilities *combined* may help to better explain this non-proliferation phenomenon. As for preferences, Knopf mentions the following factors to be taken into account: self-interest, US leadership, norms and identity, ideas, learning and transnational networks, outside inducements or persuasion and domestic politics (2016: 12-14).

We are aware of the idiosyncrasy of our case and subcases of study, which has been addressed in previous paragraphs; therefore, we have sketched out our own framework. To analyse the regime formation phase we will observe the three subcases:

Mexico, Brazil and Argentina from 1947 to 1967. We have identified the approval of the Inter-American Treaty of Reciprocal Assistance (Rio Treaty, TIAR for its acronym in Spanish) signed after WWII in 1947 as a remarkable starting point of analysis. The TIAR was the first system of collective defence in the world. It integrated the entire continent and it reset and conditioned the security alliances in the region dragging it within the American zone of influence. The reasoning behind our choice is that the TIAR might have preconditioned the states' preferences regarding security and nuclear non-proliferation according to Washington's guidelines.

Following the syntheses of Krasner, Sagan and the factors underpinned by Knopf, we propose to analyse the following group of factors, as is described in *Table 2.2*. Variable 1 about the Proliferation/ non-proliferation and disarmament systemic transformations /External inducements will be included in the introduction of every period given that it cannot be circumscribed at the state level.

Table 2.2 Treaty of Tlatelolco's regime formation variables

Mexico – Brazil – Argentina (1947 – 1967)	
Variables	Components
1) Proliferation/ non-proliferation and disarmament systemic transformations /External inducements	
2) Political power and identity	Type of government
	Model of development
	Identity (e.g.: diplomatic doctrine)
	Foreign policy
	Security threats
3) Nuclear material and institutional capabilities	Natural resources exploration (Uranium/Thorium)
	Commission of Atomic/Nuclear Energy (R&D Investment)
	Development of a military-scientific community
	Nuclear program
4) Relations with the hegemon (USA)	Cooperation agreements on security (E.g.: Atoms for peace program)
5) Norms and principles: <i>ex-ante</i> nuclear preferences	Position at UN (voting, memberships)
	Position at IAEA (Treaties/ Agreements' support)
	Position at the Inter- American Nuclear Energy Commission (IANEC)
 General position on the Treaty of Tlatelolco	
 Opening for signature of the Treaty 1967 (Output)	

Elaborated by the author

Hypotheses I

The analysis of the first period will integrate all the possible factors that might have intervened in the creation of the Latin American Zone according to the ensuing hypotheses:

- The opening for signature of the Treaty of Tlatelolco was mostly determined by:
- a. The imminent fear of Latin American states of being involved in a similar event as the Missile Crisis in Cuba (external motivation);
 - b. The states' *ex-ante* nuclear preferences, that is: their pre-Treaty predispositions to adopt peaceful and non-military policies in front of the relative absence of conflict and meaningful threats (norms, identity, ideas and domestic policies);
 - c. The relative support to the Treaty by the states with the most significant nuclear capabilities in the region, Brazil and Argentina (self-interest); and,
 - d. the NWS' non-strong opposition to the Treaty and in some cases, their sympathy for the idea (superpowers positions).

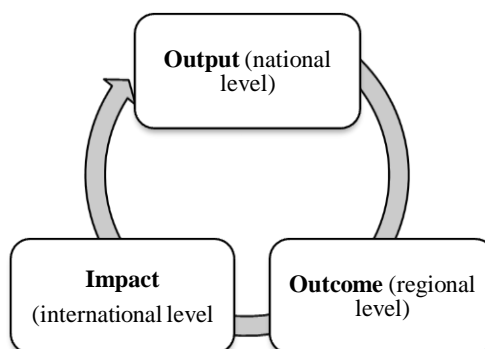
We mean by *ex-ante* preferences to all those behaviours, decisions, positions and policies implemented by a State before the enforcement of any Treaty, which might change or not after the adoption of it. We included this variable precisely because it will allow us to observe clearer *ex-post* or after-Treaty transformations of a state's behaviour, or the reinforcement of its prior patterns.

Some authors, for instance, have analysed the reasons behind the signature and ratification of the treaties for the creation of NWFZs from a quantitative approach, and they have concluded that states with limited security threats are more prone to establish an NWFZ (Tago, 2006; Furhman and Li, 2009). This assumption seems *a priori* a plausible condition for Tlatelolco, and *hypothesis I b* reflects it.

Therefore, this assumption plus the other factors analysed in *Chapter I* leads to suppose that not only the Missile Crisis in Cuba motivated the creation of the LAC-NWFZ and /or the fright of being involved in a nuclear confrontation, but also a sort of "peaceful" identity built along the XX century –as Holsti suggested it-. Some scholars, such as Arie Kacowicz, have even stated that there is a lack of mutual importance among Latin American countries on military issues (1995). Was then Tlatelolco possible because non-proliferation was relatively irrelevant for states? We will try to reply to this answer and test out our hypotheses from a multi-level focus.

Our country-level study would be incomplete if we would not include a general explanation at the regional level, therefore, at the end of every analysed period, we will add an analysis of the main discussions at OPANAL General Conferences. We should underline that every case and every period will be contextualized from an international perspective following a double way causality understanding. We might so-call this as a *norms cycle*.

Figure 2. 1 Norms cycle



Elaborated by the author

As Jeffrey Knopf recognizes “much [of the cooperation studies] focuses on treaty ratification rather than on how cooperation itself develops” (2016:11). For that reason, this author proposes to examine cooperation as a process by observing the different stages of cooperation, which go from the proposal's presentation to the Treaty’s implementation phase, as follows:

Figure 2.2. Regime formation



Elaborated by the author. Source: Jeffrey Knopf, 2016.

In our case, the observation of this process deserves particular attention because not all the three countries here examined: Mexico, Brazil and Argentina adopted the Treaty of Tlatelolco at the same time. That means that the implementation phase began at different moments and therefore, we have to observe different elements accordingly. Meanwhile, the implementation phase for Mexico started in 1968, in Brazil and Argentina, the Treaty of Tlatelolco entered into force only in 1994. In that context, we

must observe in the cases of Brazil and Argentina for the same period 1968 – 1994 their positions over Tlatelolco, but particularly their nuclear programs.

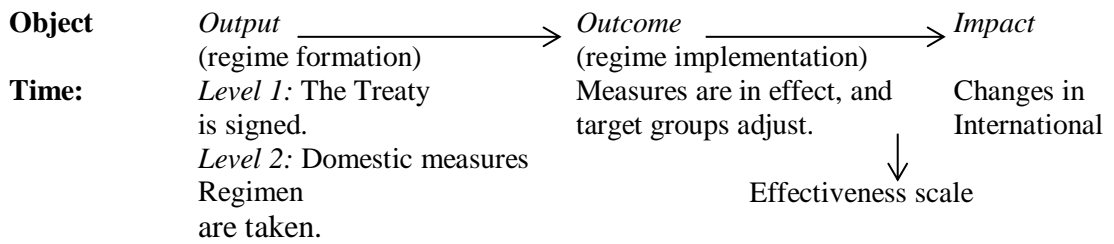
2.3.3 The regime effectiveness analytical framework, variables and hypotheses

The common understanding of regime effectiveness has been frequently linked to the observation of treaties' compliance, which is theoretically narrow if we think that treaties' adoption may include implementation, sometimes membership enlargement processes and spillover effects, among other outcomes far from mere compliance. For instance, some authors such as Fuhrmann and Lupu have concluded that the NPT has been effective in curbing the spread of nuclear weapons chiefly due to States' *ex-ante* preferences (2016).

This research moves towards a more comprehensive and complex understanding of effectiveness taking as reference some specialized studies on non-proliferation (Hamel-Green, 2016; Blavoukos, Bourantonis and Portela, 2015), particularly the analytical framework built by Arild Underdal to explain regime effectiveness (2002a, 2002b) and applied it out by Edward L. Miles to the Nuclear Non-proliferation regime for the period 1945 to 1995" (2002b). These selected texts employ a novel perspective and methodology on this topic, in direction to the proposed comprehensive scope.

We should remind that in this phase we aim to answer the second part of the research question: **which [factors] have been relevant for explaining the level of effectiveness and performance attained by the Treaty of Tlatelolco, which created the NWFZ?** According to Underdal, the level of cooperation determines regime effectiveness, which is the result of two independent variables: problem malignancy/benignity and problem-solving capacity (2002a). The problem malignancy/benignity variable has to do with the contradictions among actors' positions regarding the gains, the incongruity/congruity of costs/benefits, the asymmetrical/symmetrical distribution and the cumulative or cross-cutting cleavages (2002a: 21); and the problem-solving capacity variable is related to the institutional settings, "the distribution of power among the actors involved and the skill and energy available for the political engineering of cooperative solutions" (2002a: 23). In a similar direction, Krasner offers a hint at the moment of evaluating a regime: "If the principles, norms, rules, and decision-making procedures of a regime become less coherent, or if actual practice is increasingly inconsistent with principles, norms, rules and procedures, then a regime has weakened" (1983: 189).

Figure 2.3 Regime effectiveness process assessment



Source: Underdal, 2002a: 7. Adapted by the author.

To Underdal, an effective regime would produce a behavioural change among the actors and technical optimization regarding cooperation or common processes (2002a, 37).

Hypotheses II

According to the proposed analytical framework and taking into account all the particularities presented above regarding our case study, we propose the following hypotheses for the second stage:


The attained level of cooperation by the Treaty of Tlatelolco has predominantly depended on:

- a. The processes of harmonization and dis-harmonization of interests and preferences between the states with significant nuclear capabilities (Brazil and Argentina) and those with incipient or no nuclear capabilities;
- b. The commensurability/incommensurability between the objectives and scopes of the Treaty and its real problem-solving capacity –especially at critical events-;
- c. Its perceived relevance or irrelevance to states-parties in relation with their interests and preferences over time; and,
- d. Its embeddedness capability in the scaffolding of the international non-proliferation regime.

To test these hypotheses, in the second stage we are going to observe the following variables, explained in *Table 2.3*. As it can be noticed there are two visible differences between the pre-Tlatelolco period and the post-Tlatelolco period: The first one include the *ex-ante* preferences and the second does not include *ex-post* preferences. This is because the *ex-ante* preferences (for instance: voting at UN, OAS) are proxy indicators of states' positions on nuclear non-proliferation and it allows us to assess if there is continuity or discontinuity regarding the approval of the Treaty of Tlatelolco. In the second period, we will not include an *ex-post* preferences part (of the same nature as the

first one: voting at UN, IAEA additional safeguards adoption, etc.) because we assumed that member states' decisions there do not emanate directly from their Treaty of Tlatelolco's commitments, that is, there is no an evident causal relation between adopting the Treaty of Tlatelolco and adopting any other non-proliferation norm. Instead of that, the implementation of the Treaty (institutional and operational) was included.

Table 2.3 Treaty of Tlatelolco's regime effectiveness variables

Implementation Mexico (1967 – 1997) Brazil and Argentina (1995 – 1997)	Enlargement Brazil and Argentina (1967 – 1994)
1) Proliferation/ non-proliferation and disarmament systemic transformations	
2) Political power and identity	
<ul style="list-style-type: none"> • Type of regime/ type of government <ul style="list-style-type: none"> • Model of development <ul style="list-style-type: none"> • Foreign policy • Security threats 	
3) Relations with the hegemon (USA)	
<ul style="list-style-type: none"> • Nuclear cooperation agreements • Positions towards the Nuclear Non-Proliferation Act (1978) 	
4) Implementation of the Treaty (Output) Institutional level	4) Nuclear and non-proliferation preferences
<ul style="list-style-type: none"> • Ratification process/ Enter into force • Domestic institutional changes 	Development of the nuclear civilian program
Operational level	Positions towards the NPT and the non-proliferation regime
<ul style="list-style-type: none"> • Consequences over the nuclear civilian program • IAEA Safeguards implementation • Compliance with Tlatelolco's control system 	Positions towards Tlatelolco
 Outcome and impact Overall evaluation of the Treaty according to OPANAL General Conferences:	
<ul style="list-style-type: none"> • Enlargement • Protocols enforcement • Control system compliance • Crisis management • International Cooperation • Future agenda 	

Elaborated by the author

Underdal underlines that “the effectiveness of a regime [is expected] to increase when it has had the time to mature and penetrate the system of activities in question” (2002a: 13), in that sense, the long-lasting existence of Tlatelolco may help us to test this assumption and to observe variations, and “curvilinear patterns” in the implementation

of the Treaty. Underdal observes also that an attained level of regime effectiveness is not constant and linear and it changes over time. Therefore, the implementation process must be segmented into periods to be evaluated in their own singularity as units of analysis.

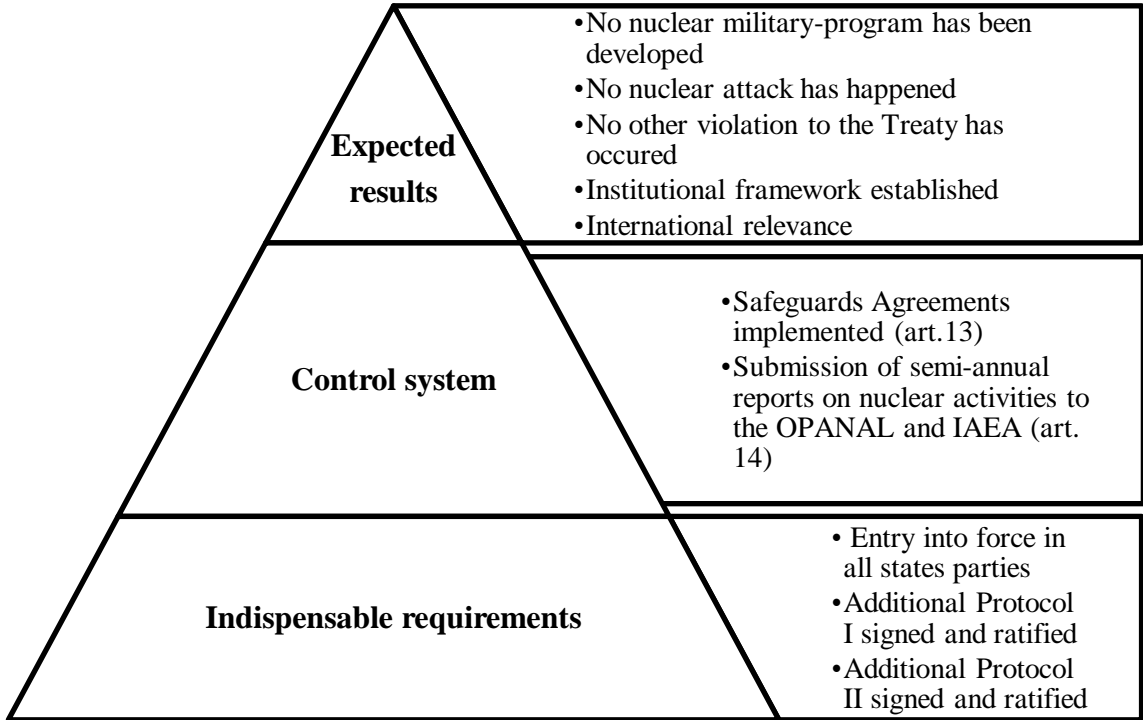
For this second stage, we are going to observe the three cases from 1967 to 1997 approximately, by dividing them into the following sub-periods: a first sub-period will be from 1967 to 1985 when the National Security Doctrine was applied in most of the countries of the region –including Brazil and Argentina and in less extent in Mexico- and after, the transition to democracy started. The second period will go from 1986 to 1997 when the security agenda changed with the return to democracy and the neoliberal economic model was adopted –in México, Brazil and Argentina- until the moment when Argentina and Brazil adopted and implemented the Treaty of Tlatelolco in 1997. We consider that the observed period is satisfactory to test our hypotheses and answer our research question. Unfortunately, due to methodological and time concerns, this study will not observe in a detailed manner further events regarding Tlatelolco in the last years, but it will include a brief analysis of the recent facts. We think that the way, in which the research topic has been presented, enables us to pose new questions and to sketch out plausible conclusions useful for the contemporary debate on non-proliferation.

We conceded particular relevance to domestic politics as they help to explain and answer the research question and fundamentally because they are even more relevant to explain foreign policies choices in presidential systems, which is the case of Latin America. We will go through every presidential term for the three cases to observe continuities and discontinuities and therefore, identify plausible patterns to satisfy this research.

2.3.4 Conceptualizing effectiveness in the Treaty of Tlatelolco context

To define effectiveness in the context of the Treaty of Tlatelolco, we observed the main obligations and responsibilities established by this instrument, which was extensively explained in *Chapter 1, 1.4.2. Analysis of the Treaty of Tlatelolco*. Additionally, we have taken into consideration Underdal's regime effectiveness framework explained above. Accordingly, we propose in the *Figure 2.4* an analytical set of "effectiveness requirements" which matches with the variables included in *Table 2.3*, particularly regarding the part devoted to the "*Overall evaluation of the Treaty according to OPANAL General Conferences*".

Figure 2.4 Regime effectiveness requirements (applied to the Treaty of Tlatelolco)



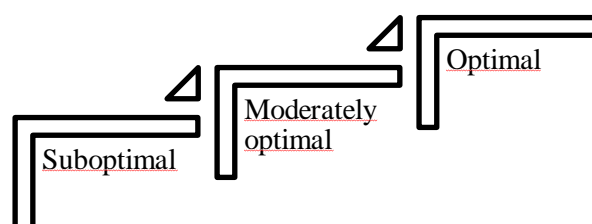
Elaborated by the author

Therefore we can state that NWFZs effectiveness is the result of the compliance process of the indispensable requirements and of the control system requirements by a group of states parties and its associated third parties. Additionally, we might assume that an NWFZ is optimally effective when the indispensable conditions have been satisfactorily met, and a control system has been successfully implemented by states-parties giving as a result, a collective optimum in non-proliferation-related areas.

Not all these requirements are equally important and that is why we have elaborated a hierarchical diagram to observe clearly what factors are *sine qua non* conditions for the smooth implementation of the Treaty. For instance, some variables are remarkably relevant, such as the Treaty’s recognition by NWSs, which is decisive for the creation of an NWFZ. Without the NWS’ signature and ratification of Additional Protocols, the implementation of a Treaty is practically infeasible.

We mentioned that we are going to evaluate every sub-period, therefore, we have elaborated a scale in order to differentiate them appropriately. Our scale will contemplate three levels: suboptimal when only a few effectiveness requirements have been met; medium/moderately optimal if the half or more significant aspects have been accomplished and optimal when the majority of significant aspects have been implemented. The scale estimation will be carried out thoroughly and buttressed by empirical evidence of the political clout of different actors and variables.

Figure 2.5 Regime effectiveness scale



Elaborated by the author

2.4 Methodological approach

2.4.1 Process-tracing method

To test out our hypotheses we will apply the process-tracing method and given the novelty of the topic and the scarcity of sources, we will perform archival research. For single cases of small-N problems, process-tracing method proves to be a useful tool to find causes and understand patterns. As Beach and Brun Pedersen summarize:

Process-tracing in social science is commonly defined by its ambition to trace causal mechanisms (Bennett 2008a, 2008b; Checkel 2008; George and Bennett 2005). A causal mechanism can be defined as “a complex system, which produces an outcome by the interaction of a number of parts” (Glennan 1996: 52). Process-tracing involves “attempts to identify the intervening causal process – the causal chain and causal mechanism- between an independent variable (or variables) and the outcome of the dependent variable” (George and Bennett 2005: 206–7) (2013: 1).

In our case, the dependent variable is the effectiveness level of the Treaty of Tlatelolco and the preferences and capabilities, the independent variables that help to explain it. The interaction of all these factors or variables should lead us to understand what enabled the cooperation among member states and what was the degree of effectiveness achieved.

2.4.2 Data collection and research techniques

This study will perform *archival research*. We will analyse particularly, the national development plans of Mexico, Brazil and Argentina from the 60s’ onwards; the final reports of presidents from the three countries and their most relevant speeches; the concerning laws; OPANAL secretaries-general’s reports and OPANAL General Conferences’ resolutions, among others.

We will accede to this material predominantly through online platforms and digital archives, such as: the OPANAL’s digital archive opanal.org, the National

Security Strategy Archive <http://nssarchive.us/>, the National Security Archive <https://nsarchive.gwu.edu/>, the Wilson Center's Digital Archive <https://digitalarchive.wilsoncenter.org/>, the Mery Ferrell Foundation Archives https://www.maryferrell.org/pages/Main_Page.html, the CIA's archives <https://www.cia.gov/library>, the Diario Oficial de La Federación of Mexico <http://dof.gob.mx>, the International Relations Digital Library of Mexico <https://acervo.sre.gob.mx/index.php/biblioteca-digital-de-relaciones-internacionales>; the Daniel Cosío Villegas Digital Library <https://biblioteca.colmex.mx/index.php/recursos-electronicos>, the Archives of the Federal Senate of Brazil <https://www25.senado.leg.br/web/atividade/legislacao>, the Brazilian Digital Library <http://memoria.bn.br/hdb/periodico.aspx>, the Center of History and Diplomatic Documents of Brazil <http://www.funag.gov.br/chdd/>, the Historical Archives of the Ministry of Foreign Affairs of Argentina <http://desclasificacion.cancilleria.gob.ar/>, the Institutional Collection of the National Commission of Atomic Energy of Argentina <https://www.cnea.gob.ar/nuclea/page/about> and the Open Archives of the Ministry of Defence of Argentina <https://www.argentina.gob.ar/defensa/archivos-abiertos>, among others. We will examine with particular attention OPANAL Secretary-General bi-annual reports.

As a complement, *discourse analysis* will be applied especially to deconstruct the speeches addressed by presidents, ministers of foreign affairs, ministers of security/national defence, presidents of atomic energy commissions, and other relevant actors.

We understand that there are at least three tiers to assess policies: the discourse level, that is the enunciation of the policy by a speech or similar; then the level of policymaking itself when a plan is elaborated and finally the full implementation or operationalization of the policy. We will go through these three levels to evaluate every country and period.

Chapter 3
Regime Formation:
Pre -Treaty of Tlatelolco period 1947 – 1967

“Why then? Why not earlier? Why not later?” (Smith, 1987: 276)

“The formation of a regime in a given issue-area must be preceded by at least a slight change in rationality, a change in preference, otherwise why would the regime not already exist?” (Smith, 1987: 276)

Since 1946, the United States led a prominent discussion on how to regulate or control the uses of atomic energy for military purposes. First, the “Report on the International Control of Atomic Energy” (commonly known as the Acheson-Lilienthal report), prepared for the Secretary of State’s Committee on Atomic Energy, basically highlighted the preoccupation concerning the level of destruction by “means [...] hitherto unknown” (Barnard *et al.*, 1946:1), the inexistence of “adequate military defense against atomic weapons” (2) and that “no single nation can in fact have a monopoly” (2). This report underlined that all the stages of the nuclear fuel cycle should be submitted to surveillance and inspection, but concurrently it assessed that nuclear energy could not be abolished once and for all because its pacific and constructive uses were already relevant for all nations. They were aware of human nature regarding curiosity and interest in scientific progress. This report, besides that, recognized that “raw materials of atomic energy, potentially valuable for new peacetime purposes and of critical importance for war, [were] already a matter of extreme competition between nations” (1946: 8). In fact, only a few nations had started to explore uranium reserves then¹⁷. The Baruch Plan, which inherited largely the main assumptions of the Acheson-Lilienthal report, promoted by the US to the United Nations Atomic Energy Commission on June 14 1946, was the milestone for the creation of the IAEA, finally established in 1957.

The US was aware that in five to twenty years they would lose the monopoly over nuclear resources, and therefore over nuclear weapons. In fact, just some years

¹⁷ On this matter, uranium -in large quantities- is the indispensable raw material for any nuclear program, and secondly thorium (but still dependent of uranium).

later the Soviet Union, the United Kingdom, France and China joined the ‘nuclear club’. Furthermore, Australia, Canada became part of the recently born nuclear market.

Latin America and the Caribbean were mostly relatively absent from this debate at the beginning, however, countries like Mexico and Brazil participated in the discussions of the UN Atomic Energy Commission since 1946. The pursuit of development and economic growth made obtaining atomic energy also attractive to some countries in the region. Throughout the 1950s, Brazil, Chile and Mexico began their first uranium explorations. In the 1960s, Argentina and Bolivia followed suit. This can be observed in *Table 3.1* (Hansen, 1981).

Many scholars conceive the nuclear dispute as to the starting point of the Cold War. In this new international order, the United States and the Soviet Union drew their spheres of influence and Latin American and the Caribbean became a *de facto* part of the US zone of influence. The US, in order to institutionalize this geopolitical configuration, brought Latin American to the table at the Rio Conference to sign the Inter-American Treaty of Reciprocal Assistance (TIAR – Spanish acronym), one of the first treaties of collective defence in history. All Latin American states and the US signed it and ratified it almost immediately, although “Mexico, Argentina, Chile and Cuba had insisted on [the inclusion of Inter-American economic cooperation] while the US wanted to see Rio Conference restricted to Inter-American defense” (Kunz, 1948: 113). In the case of Mexico, it had proposed “the shelving of the economic problem but Cuba [had] asked the inclusion in the treaty of provisions prohibiting ‘threats and aggressions of and economic character’, thus linking the economy with that of security” (Kunz, 1948: 114). Regarding Argentina, its intentions of promoting “collective action between American states [had been] defeated” (Kunz, 1948: 114). The US promised development aid and industrial cooperation to Latin America through a compromise resolution, but in the end, this treaty strengthened the political and military American hegemony in the region. Perón’s Argentina for example explicitly ratified the TIAR to get in return economic cooperation from the US (Morgenfeld, 2015:91). Nowadays, it is a very well known fact that the US designed ambitious economic and military aid programs for Europe, Asia and the Middle East “but declined to introduce new policies for Latin America [in the II post-war period]” (Rabe, 1978: 279).

Following Truman’s non-proliferation policy, the US president Dwight Eisenhower in 1953 decided to implement the program “Atoms for peace” by emphasising on constructive uses of nuclear energy. Latin America was a relevant

target, especially Brazil, Argentina and Mexico. Through this program, the US intended to build technical and political allies with the aim of avoiding any nuclear endeavour.

The U.S. Department of State, through the Foreign Operations Administration, acted in concert with several domestic and foreign middle range actors, including people at national nuclear commissions, universities, and industrial funds, to implement programs of regional technical assistance, education and training, and technological transfer (Mateos and Suárez-Díaz, 2016: 1).

Table 3.1 Exploration, production, resources and production capability of Latin American countries identified and projected until 1990

Country	First exploration	First production	Total production to 1980 (tonnes U)	Attainable maximum production capability	Year maximum production capability reached	Qualitative potential
Argentina	1968	1974	750	700	1983	High
Bolivia	Late 1960's	-	0			Moderate
Brazil	1952	1979	100	1000	1983	High/ Very high
Chile	1950	-				Low
Mexico	1957	-	< 100	90	1979	Moderate/ High

Except where noted, data on resources are from *Uranium Resources, Production and Demand (December 1979)*, adjusted for 1979 production and updated to 1 Jan 1980.

Adapted from Hansen, 1981: 11.

To a great extent, the “Atoms for peace” US program paved the way for the upcoming approval of the Treaty of Tlatelolco (Mateos and Suárez-Díaz, 2016). It is not surprising, therefore, that Costa Rica some years later in 1958, in a meeting at the Organization of the American States (OAS) Council “proposed a Latin American nuclear arms control arrangement, fundamentally, to prevent the manufacture of nuclear weapons and their acquisition from the Nuclear Weapon States (NWS)” (Puga, 2018:7). In spite of the low support that it got, this was the first Latin American Non-Proliferation proposal. In the following paragraphs, we will analyse the sources of Mexico’s, Brazil’s and Argentina’s nuclear postures and how they determine their positions towards the Tlatelolco proposal.

3.1 Mexico, from the Estrada Doctrine to Tlatelolco

From 1930 until the 90s' the Mexican foreign policy had as a central piece the so-called Estrada Doctrine (*Doctrina Estrada*) based on the non-intervention principle and the right to self-determination of peoples. This Doctrine was crafted by the minister of foreign affairs Genaro Estrada, under the government of Pascual Ortiz Rubio as a response to a wave of regime changes¹⁸ in Latin America, where Mexico proposed not to judge their legitimacy. According to this, peace could be achieved only on the basis of full respect for the other's sovereignty. This stance reflected additionally a tacit rejection to the relentless US interventionism in Latin America and it was a frame to underpin the Mexican autonomy from its northern neighbour in the international arena. The traumatic relation between the US and Mexico led the latter to seek constantly new opportunities to showcase its political initiative, as it did with the Tlatelolco project.

Table 3.2 Presidents of Mexico and nuclear preferences 1946 – 1970

Term	President	Nuclear preferences
1946 – 1952	Miguel Alemán Valdés	First steps for an indigenous nuclear project.
1952 – 1958	Adolfo Ruiz Cortines	Development of the indigenous nuclear program for peaceful uses
1958 – 1964	Adolfo López Mateos	Proposed Tlatelolco and prioritized non-proliferation over the Mexican nuclear program.
1964 – 1970	Gustavo Díaz Ordaz	Re-boosted the indigenous nuclear program and continued Tlatelolco proposal

Elaborated by the author

3.1.1 Political power and identity

Conversely to its pairs in Brazil and Argentina, military bodies in the post-revolutionary Mexico (1917 – 1967) had a secondary role on its institutions, which experienced relative stability and continuity. The so-called II post-revolutionary period 40s' – 70s' was characterized by an authoritarian presidentialism (Loaeza, 2013), whose governments' composition ranged from conservatives to right and left-centrists. Invariably, the Institutional Revolutionary Party (PRI, in Spanish) ruled the country in those years. As some authors have explained, Mexico's interdependence with the US and its geographic situation, have been conspicuous determinants not only of its foreign policy but also of its domestic political choices (Loaeza, 2013, Amorim and Malamud: 2015).

¹⁸ Here clearly we are referring to the changes of domestic political systems, which go beyond the change of government and imply rules' transformations.

The Aleman Valdes' administration opted for an atypical government composition, which not included other parties in its cabinet, but many businessmen associated with the private national capital, and the bourgeoisie without any political background (Medin, 1997). As Aleman himself pointed it out at describing his cabinet: "This is the avant-garde of an army which leave behind the rifle to embrace the law" (Medin, 1997). His plan was to fulfil the demilitarization of the Mexican institutions. The only two military members were generals Gilberto Limón, Minister of Defence and Luis Schufelberger, Minister of the Mexican Navy. This was a significant political turn given that the former Mexican Revolutionary Party (PRM) –previous to recent born PRI- was integrated not only by workers, peasants, public servants and popular organizations but also by military members. Aleman started the dismantlement of the socialist-lean legacy of former president Lázaro Cardenas in some aspects –government composition, education curriculum, anti-imperialist narrative- and it initiated a repressive cycle that peaked under president Gustavo Diaz Ordaz when the student's massacre occurred at the Tlatelolco Square on October 2, 1968.

Mexican presidents from this period and their ministers of foreign affairs were aware of Mexico's power disadvantage in front of the US; hence their objective was to play the best game possible under the condition of dependence. Jaime Torres Bodet, minister of foreign affairs in 1946 claimed in his memories: "The ruins of the immense conflagration do not allow us to glimpse a future of true harmony and authentic progress [...] we were going to settle for years in another war: the Cold War" (cited in Medin, 1997:148)

Ever since there was no a "public enemy" to Mexico, the US was a potential threat. Due to its conflictual recent past with the American nation, Mexico underpinned a *modernizing nationalism* praising cooperative values to prevent any attempt of use of force from the North. Government composition and foreign policy reflected this new *télos*: to keep the nationalist foundations of Mexico moderately but to modernize the country, the industry, in order to leave behind the under-developmental condition. When came to choose between nationalism and modernization, it can be observed that Mexico preferred mostly to sacrifice the first for the second.

3.1.2 Nuclear material and institutional capabilities

The advent of the nuclear age placed science and technology as quintessential resources for a country's development and as means for escalating positions at the international hierarchy. In this domain, the Mexican presidents of this period were aware of the

salience of science for the country and decided to boost the incipient formation of scientific clusters chiefly in public universities and with US cooperation.

The main clusters for the development of a scientific community specialized in nuclear studies were the Autonomous University of Mexico (UNAM) and the National Polytechnic Institute (IPN). The II World War “obliged” Mexico to expand its development in science and technology to cope with US war needs (Azuela and Talancón, 1999). The creation in 1941 of the Commission for the Promotion and Coordination of the Scientific Research (CICIC) was the first attempt to link universities to government. One of his members, Manuel Sandoval Vallarta was after in 1946 chairman of the recently created International Commission of Atomic Energy, where the Mexican delegation participated actively (Azuela and Talancón, 1999: 42). Vallarta was a staunch advocate of the right to free access to new technology arguing that peaceful uses of nuclear energy were relevant for developing countries.

Concurrently, in August 1945 the Secretariat of Economy issued a Declaration that incorporated all kinds of radioactive material to the national mineral reserves “taking into consideration the surprising applications obtained lastly by the use of radioactive substances, which should be employed for the general benefit of society and its progress” (Serrano, 1945:4). After, in 1946, the exclusive exploitation by the Mexican State was also incorporated legally (URAMEX, 1980:212). As it can be noticed, since the very beginning of the nuclear age Mexico started to build the basic foundations for developing nuclear energy. Most scientists agreed that the early development of nuclear technologies in the country would contribute to overcoming its underdevelopment. (Azuela and Talancón, 1999:45)

Under the presidency of Alemán, the Institute of Physics at the UNAM acquired the first nuclear accelerator, and in 1949 the Nuclear Law was passed. In 1950, the former CICIC was transformed into the National Institute of Scientific Research (INIC). One of the main tasks of this Institute was the uranium exploration in Sotolar, Chihuahua.

The Mexican nuclear project took a sharper shape in 1952 with the Ruiz Cortines’ government. The scientist Carlos Graef persuaded president Ruiz to create a specialized institution in atomic energy, the erstwhile president was opened to his proposal and created in 1956, the Nuclear Energy National Commission of Mexico (CNEN for its acronym in Spanish). In 1957, the Direction of Exploration and Exploitation was incorporated into this body.

In the Adolfo López Mateos' government, the nuclear sciences education system was decentralised. Additionally, in 1961 the Organic Law of the National Institute for Scientific Research was approved. Its objective was to connect research activities to productive development. Given that López Mateos was the main promoter of the Latin American Nuclear-Weapon-Free Zone, the nuclear project slowed down. López Mateos thought that promoting both projects could be a contradictory position. For scientists, this move backwards was badly timed (Azuela and Talancón, 1999: 61). There were two projects to build power nuclear plants in Chihuahua and Mexico City. According to the CNEN, in 1959 Mexico possessed 4 000 tons of uranium.

In 1960, Graef was elected as representative of Mexico for the IAEA Board of Governors. He negotiated with the Agency –and later with the United States- an agreement to have a research reactor and provide uranium, which was approved in 1963 (ININA; US Department of State, 1986). President Mateos was reluctant to continue with this endeavour, but in 1964 the scientist Nabor Carrillo convinced him of building a Nuclear Centre. President Mateos offered 10 million Mexican pesos and some parcels of land to the new Centre.

President Gustavo Díaz Ordaz continued the project of establishing the Salazar Nuclear Centre. He gave remarkable support to nuclear projects, promoting greater participation of national experts over foreigners. The number of researchers grew steadily in both universities IPN and UNAM. The cooperation on nuclear energy between the US and Mexico increased especially through the US Atomic Commission. (Domínguez Martínez, 2000: 252).

Several studies about the possibility of nuclear power plants in Latin America conducted by the Economic Commission for Latin America and the Caribbean (ECLAC) in the '50s and '60s gave momentum to Mexican perspectives for developing nuclear electricity. From 1964 to 1969, with the eventual collaboration of the CNEN, the Federal Commission of Electricity (CFE, for its acronym in Spanish) sought to install the first nuclear-electric power plant of the country carrying out feasibility studies and concluding that the best place for this purpose would be Laguna Verde. The IAEA supported this conclusion.

Although the CNEN and the CFE worked together, each one had its own research agenda. For the CNEN the Salazar Nuclear Center was the major priority. In 1965 the IAEA, Mexico and the US made up a group for exploring the viability to build

a dual-purpose nuclear power plant for desalination of seawater and energy provision. But in 1968, due to some sovereignty issues, the project was abandoned¹⁹.

The CNEN implemented safety norms for nuclear workers, based on the IAEA's recommendations, and it signed the 115 Radiation Protection Convention of the International Labour Organization (ILO). The acquisition of the nuclear research reactor TRIGA Mark III fabricated by the American company General Atomic, turned Mexico into one of the few countries in the region in having such technology, which to the CNEN and the government was the first significant step towards nuclear-electric energy. The Nuclear Center was finally inaugurated on November 27, 1968. Consequently, Mexico had met the minimum requirements to enter into the nuclear age.

3.1.3 Relations with the hegemon

Ideologically, the Mexican presidents of this period oscillated between conservative and centre to centre-right leanings, which gave some relief to the US in the context of the Cold War. Mexico did not break diplomatic relations with Cuba after the 'Missile Crisis' in 1962 -as several Latin American did- this was not a reason for the US to punish Mexico or going backwards in their bilateral understandings. However, "pressure was exerted on Mexico at different moments for free-trade agreements, and Washington never felt completely at home with Mexican nationalism" (Mateos and Suárez-Díaz, 2015:245).

Mexico went through a mild process of "finlandization": "The US to support the legitimacy of its government would tolerate the Mexican dissidence in important, but not vital issues for Washington; Mexico instead, would not confront the US on issues considered vital for the North American national interest" (Ojeda cited in Meyer, 2010: 204). This was not a neutral position at all, but a pragmatic strategy to keep its relative autonomy in its foreign policy (well paid domestically) but on the side of the US at the backdoor. The frequent visits of US presidents to Mexico²⁰ and vice versa²¹ were the token of this tacit agreement.

¹⁹ "From 1963-1974, Mexico, the United States, and the IAEA negotiated two trilateral supply agreements to cover the TRIGA research reactor at the Salazar Center, located outside of Mexico City, including its construction, fuel, and components; as well as the construction of the nuclear power reactor at Laguna Verde, and its fuel" (Cándano, Riedel and Goorevich, 2019: 1).

²⁰ Truman, 1947; Eisenhower, 1953, 1959, 1960; Kennedy, 1962 and Johnson, April 1966, December 1966, 1967.

²¹ Aleman 1947; Ruiz Cortines, 1953, 1956; López Mateos, 1959, 1964; Díaz Ordaz, 1964, 1967, 1968, 1970. Retrieved on January 15, 2020, from the Office of the Historian of the US <https://history.state.gov/departmenthistory/visits/mexico>.

Regarding nuclear issues, Mexico and the US had a path of gradual cooperation, first under the OAS framework and after trilaterally with the mediation of the IAEA through “Project and Supply Agreements” (PSA). From 1963 to 1974 two trilateral PSA’s were signed, included the abovementioned PSA for acquiring the TRIGA research reactor. In 1963, indeed the three parties (Mexico, the US and the IAEA) started feasibility studies for building a nuclear plant in the Colorado River Delta (US Department of State, 1986).

On the education domain, the Convention for the development of the Inter-American Cultural Relations²² signed in Buenos Aires in 1936 -and revised in Caracas in 1954- established the first step for educational interchange and scholarships in the hemisphere. Although Mexican authorities were initially uninterested in it, some young scientists benefited from it in the long term.

Mexico never engaged in any bilateral agreement with the US within the “Atoms for peace” program, the initiative launched by President Dwight Eisenhower in 1953 for re-signifying the role of atomic energy as a benefit for humanity, controlling the nuclear market and preventing the development of nuclear weapons. Publicly, the program’s objective was to contribute through scholarships, training courses, technical advice, and equipment endowment to develop nuclear peaceful programs worldwide.

As part of this master project, one year later, the US Fund for Peaceful Atomic Development (FPAD) was created. This time Mexico accepted to have some negotiations. The FPAD helped to train eight Mexican students in the US. In 1954, the fund contributed to the Mexican participation at the *Conference on the Peaceful Uses of the Atomic Energy* in Switzerland where the need for creating a permanent body in Mexico to smooth international networking emerge. The Conference to great extent persuaded scientists and Mexican bureaucrats to establish the CNEN.

Despite the apparent friendly relations between the US and Mexico during this period, the convergence of the modernizing nationalist agenda of Mexican governments and the still present mistrust from the US, led them to prefer trilateral agreements and technical cooperation only. Mexican presidents wanted to have the US aloof from their

²² The Treaty in Spanish can be read in the following link: <https://aplicaciones.sre.gob.mx/tratados/ARCHIVOS/RELACIONES%20CULTURALES%20INTERAMERICANAS.pdf> and the revision of 1954 in <http://www.oas.org/juridico/spanish/tratados/a-48.html> [Accessed Feb. 1st, 2020].

strategic projects to have full control over them as an autonomy and development symbol.

3.1.4 Ex-ante nuclear preferences

From the very beginning of the non-proliferation international institutional design, Mexico was an active and leading member. In 1946, Mexico was a member of the Security Council and the renowned scientist Manuel Vallarta was chairman of the UN Atomic Energy Commission.

In these decades, president Aleman and president Lopez Mateos participated at UN periods of session delivering several speeches. Meanwhile, Aleman didn't mention its stance on nuclear issues or disarmament; rather his formulation about peace and cooperation was very general (UNGA, 1947). López Mateos claimed bluntly:

Clearly the question of world disarmament far transcends the action of the small or medium powers; although they may lack the argument of force, they should take up the arms of persuasion and, within their own borders and so far as they are able, promote the social, economic and political conditions necessary for peace (UNGA, 1959: 488).

This statement suggests along the lines how he conceived the Treaty of Tlatelolco as an arm of persuasion towards nuclear disarmament. It is interesting to underline that López Mateos highlighted the problem of “disarmament” instead of “proliferation” as if his intention was to place the problem responsibility burden indirectly over the nuclear haves' arms rather than over those of potential proliferators. His minister of foreign affairs, Alfonso García Robles engaged with the Tlatelolco proposal by projecting this endeavour internationally at the UN and by getting support from several Latin American nations at the UN. In fact, the UN support for this proposal was crucial to its development and success. We will come back over this topic at the end of this chapter.

Undoubtedly, Mexico was a very active UN founding member, particularly engaged with disarmament, non-proliferation and development. Given the reluctance of most Mexican presidents of this period to negotiate bilateral treaties with the US, the UN was the perfect forum to promote their ideas and to forge a reputation of Mexico as a leading Latin American country. This awareness drove Mexican officials to occupy many high-level positions at UN recent created institutions. For instance, in November 1957, the First Committee of the Disarmament Commission decided to enlarge its membership including fourteen new member states, among them: Mexico, Brazil and Argentina and in 1960, the outstanding scientist, Graef was elected as representative of Mexico for IAEA Board of Governors.

At that time the US worked on an Inter-American architecture to assure and institutionalize its hegemony in the hemisphere. The Conferences of Chapultepec in 1956, Río in 1947, and Bogotá in 1948 when the OAS was founded were the first steps to set up its zone of influence. Mexicans were not so eager to be part of any “strategy” of defensive solidarity. In 1960, the Inter-American Nuclear Energy Commission (IANEC) was established by the initiative of the US, and it was closed due to budgetary problems in 1989. The IANEC established a framework for technical cooperation and channelled scholarships and other grants. At some point, it could have been perceived by Mexico as a “competitor” of OPANAL, but the IANEC never achieved such importance for member states because it became rather a sort of fund for nuclear education and training.

3.1.5 General position on the Treaty of Tlatelolco

The Cold War clashed with the post-revolutionary modernizing nationalist period of Mexico. This intersection was reflected in Mexican foreign policy and the domestic choices of governments. On the one hand, the Mexican presidents of this period developed intermittently a nuclear project for peaceful purposes. On the other hand, they sought to raise the position of the country internationally as the leader of Latin American countries or as a regional *norm entrepreneur*, in front of the interventionist hegemony of the US. The Missile Crisis of 1962 was a watershed that pushed not only Mexico but also many Latin American countries to find a solution 1) to balance their nuclear disadvantage vis-à-vis the hegemon and 2) to institutionalize their disengagement from the confrontation between the US and the Soviet Union.

For the post-revolutionary Mexico to be protected by a US nuclear umbrella would have been a contradiction in front of its search for autonomy. Additionally, to adopt a Mongolian model, that is, to declare Mexico as a nuclear-weapon-free country, would not have helped the country to carve out its place as a Latin American leader in the world and its guarantee of security would have been even more limited, at least in political and geographical terms in front of the US. Therefore, in the eyes of president Lopez Mateos, to galvanize the Latin American concerns on nuclear weapons and security, the conformation of a multilateral agreement seemed the most suitable solution. It can be speculated if there was any American influence and Polish inspiration on this decision, and probably this is a subject of future archival research, but at least we should comment on two precedents. The first one which fuels the American influence is that “The idea of a Latin American NWFZ originated in the

1950's in a plan proposed by the then US Secretary of Treasury Robert B. Anderson and was first put forward as a Costa Rican proposal" (Serrano, 1992:72). Mexico would have been reluctant to the Costa Rican and Brazilian initiatives, but later it shifted its position. Was the impact of the Missile Crisis in Cuba only what led Mexico to reconsider its nuclear preferences? Recently declassified documents suggested that behind the apparent independent Mexican foreign policy, there was strong cooperation with US intelligence services, (Serrano, 1992: 72-73; NSA, 2006; Aguayo Quezada, 2018). However, it is still no conclusive when that cooperation would have started and to what extent it would have influenced the development of the Tlatelolco proposal.

President López Mateos probably was inspired by the Polish proposal of creating an NWFZ in Central Europe launched by minister Rapacki in 1957 and promoted also by Władysław Gomułka. One month before the publication of the five Latin American presidents' letter-proposal, the Polish premier Josef Cyrankiewicz visited Mexico on March 5 1963 and after, López Mateos visited Poland on April 1st of the same year. López Mateos in his European tour campaigned strongly for non-interventionism. About the visit, the New York Times, for instance, echoed "some observers [had] speculated that the Cyrankiewicz visit would be the forerunner of a series of attempts to draw Mexico toward the Soviet trend of thinking in regard to revolutionary movements in Latin America." (NYT, 1963).

The American influence and the Polish inspiration that might have pervaded the Mexican proposal are not necessarily exclusionary. What could be relevant to know in the future is to what extent Americans were involved in the proposal and in the operation itself for the Treaty's approval.

What was evident later on in the process of discussion of Tlatelolco was an intense process of consultation between Mexico and the US about the details and articles to be included in the Treaty (Serrano, 1992). Besides that, the US, altogether with the UK, was overtly invited to the Treaty's talks. Whatsoever, Mexico was not only the official proponent but also the main bridge-builder between most Latin American countries and the US for the approval of the Treaty.

3.2 Brazil, between independent foreign policy and instrumental submission to the US

Historically, Brazil and Argentina have not shared the same "political times" with Mexico. Given the proximity of Mexico to the US and its longstanding

interdependence, its foreign and domestic policies have not had the same cycles as in South America that has had greater leeway to implement less interdependent agendas. Brazil and Argentina have had less institutional stability and military members have had a stronger influence on their governments than in Mexico's.

It is relevant to warn that despite Brazil is ruled by a presidential system, at least since 1946, the dramatic party fragmentation has prevented elected presidents from achieving a significant majority at both chambers pushing them to govern only by coalitions similar to a parliamentary system. This singularity of the Brazilian political system has been named “coalitional presidentialism” (Amorim and Malamud, 2015:13). This, on one side, has blocked ambitious or “revolutionary” agendas by presidents and on the other side, it has provoked a sort of patronage or a clientelistic fashion of power accumulation, where presidents have been “obliged” to offer places in Ministries or other institutions to coalition parties' members. In worst cases, they have paid deputies to pass laws. This institutional configuration, unfortunately, has not brought the wanted stability.

Table 3.3 Presidents of Brazil and nuclear preferences 1946 – 1967

Term	Presidents²³	Nuclear preferences
1946 – 1951	Gaspar Dutra	Promoter of a nuclear program for peaceful uses. Radioactive resources exploitation. Pro-American
1951 – 1954	Getúlio Vargas	Radioactive resources as a mean of negotiation. Nationalist position.
1956 – 1961	Juscelino Kubitschek	Promoter of an independent foreign policy. Vargas' follower.
1961	Jânio Quadros	Dual position: he preferred an independent foreign policy, but domestically, he was conservative.
1961 – 1964	João Goulart	Developed the nuclear program for peaceful uses and signed the letter for establishing a LAC-NWFZ
1964 – 1967	Humberto de Alencar Castelo Branco (dictatorship)	Continued the nuclear civilian program. He was relatively reluctant to a regional non-proliferation agreement. Criticized the NPT.

Elaborated by the author

The civil-military coup d'état against Goulart in 1964 was a clear example of Brazilian political fragility. This event marked the onset of the military rule period in Brazil, which lasted until 1985. However, as it will be observed, the nuclear preferences were predominantly stable even if at certain points it had some contradictions. This case

²³ Due to methodological purposes, the following interim presidents: Café Filho (1955) Carlos Luz (1955), Nereu Ramos (1955 – 1956) and Ranieri Mazzilli (1961) have not been included. Except for Café Filho and Nereu Ramos their administrations lasted less than one month.

contradicts the IR liberal institutionalist theses about the influence of the type of government over states' nuclear preferences.

3.2.1 Political power and identity

The period of 1945 to 1964 is known as the “Fourth Brazilian Republic” or as the “Populist Republic”. Some others refer to it also as the “Populist Democracy”. From 1964 to 1985 Brazil was ruled by conservative military governments. This part will cover most of the years of the “Fourth Brazilian Republic” and the beginning of Castelo Branco’s dictatorship.

Similar to Mexico, Brazil sought to modernize, industrialize and develop its country by giving a central role to the State. This nationalist orientation was based on autonomy from the US but it never turned into adherence to the Soviet side. A notable token was the declaration of prohibition of the Communist Party in 1947 (Tribunal Superior Eleitoral, 1947).

The first president of this period, Gaspar Dutra, was a military member supported by the progressive ex-president Getúlio Vargas. However, Dutra changed his mind surprisingly and took a liberalizing stance –especially in the economy- by reducing State’s intervention and approaching the conservative party: National Democratic Union (UDN). This upset Vargas and his supporters. If we make a parallelism with Mexico, Vargas was the Brazilian version of Lázaro Cárdenas. They both shared many ideological features as well as a national-popular allure to accumulate power. Thus, even if Vargas was the “only” senator at that time, he was still influential on the national political landscape. In this context, the Dutra’s automatic alignment to the US agenda was an anomaly of the “IV Brazilian Republic” foreign relations.

He proposed the SALTE development Plan²⁴ for the term 1949 – 1953, but Congress approved it only in 1950. This Plan pursued the improvement of health, food, transportation and energy (Departamento Administrativo do Serviço Público, 1950; FGV CPDOC, 2009). Moreover, it enabled the creation of technical and experimental institutions and it widened the participation of foreign private capital especially in energy concessions. In spite of this intention, the SALTE Plan was not appealing for the private sector, because the projects presented were of public interest rather than purely commercial.

²⁴ In original Portuguese SALTE meant: Saúde (health), alimentação (food), transporte (transportation) and energia (energy).

In 1951, Getúlio Vargas came back to the Catete Palace to start his second mandate. He didn't change the SALTE Plan, but he turned it into a source of additional funds to complement other overriding projects (FGV CPDOC, 2009). Vargas retook the nationalist path having as the main objective the creation of Petrobrás (the national oil company). The conservative udepeists led by the journalist and owner of the media outlet *Tribuna da Imprensa* (Press Gallery), Carlos Lacerda articulated a fierce opposition to Vargas and his progressive policies. The Vargas' objectives of providing social rights to peasant workers triggered the anger of landowners and bourgeoisie members. However, in 1953 he was able to found Petrobras. The appointment of Goulart, known by his progressive leans deepened mistrust among conservatives. The 100% rise of the minimum wage was for them unbearable. Thus a group of 82 military officials signed "The manifest of colonels" criticizing the measure and arguing that Brazil was about to become a communist country. Following this, an ex-Vargas ally, João Neves da Fontoura revealed to the press that president Vargas along with Perón was planning in secrecy an alliance (named the ABC Pact) between Argentina, Brazil, and Chile against the US (D'Araujo, 2011:40.) Finally, the deaths of two journalists Nestor Nogueira and Carlos Lacerda helped to galvanize the anger of opposition sectors, which accused the official presidential guard of being involved in these deceases. Although Vargas dissolved his guard, the calls for him to renounce increased among congressmen and military members. As a result of the support of the Minister of War, Zenóbio da Costa to the opposition's motion of Vargas 'renouncement, president Vargas left a testament- letter (1954) and committed suicide.

The popularity of Vargas made him after his death a martyr for his followers. That gave chance to Juscelino Kubitschek to win the elections because he had good relations with Vargas. Future president Goulart assumed as vice-president. The dissatisfaction of udepenists with these results led them to claim that there was fraud in the elections and with the support of the armed forces attempted to overthrow the varguist Kubitschek. Rapidly the coup was suffocated and Kubitschek reassumed the power. His developmental policy was epitomized in his plan "50 years of progress in 5 [years of government]: Plan of goals". Brazil was already applying an undeclared Import substitution and industrialization model which led governments to improvise, hence Kubitschek sought to cope with this shortcoming. The development of the energy and transportation sectors was at the core of his plan. To carry out his plan efficiently, he created the Council of Development in 1956. His balance between the

democratization of institutions, pragmatic nationalism, development of strategic sectors, and mild technocracy was well rewarded at the end of his mandate, improving the general situation of Brazil (Loureiro, Abrucio and Pacheco, 2010). São Paulo was the main benefiter of the recently established industries and of credit availability, which originated a modest Paulist bourgeoisie, often more progressive than old Brazilian oligarchies.

Jânio Quadros assumed his mandate in 1961 supported even by the UDP. Goulart ran for vice-president and won for the same term. The composition of his government was conservative, assigning strategic ministries to udepenists and to the officials of the right-wing faction of the army called: “Democratic Crusade”. His understanding of “order” (as the Brazilian flag waves it since 1889) ranged from moral prescriptions for daily life to bureaucracy’s reorganization. Domestically, a noticeable contribution was the institutional articulation of the executive branch with federal administrations through yearly meetings and the foundation of the Regional Development Council and the Regional Bank of Development.

Quadros started a period known as the “Independent Foreign Policy”, which had three major influences, first: the critics did by the Institute of Brazilian Studies (ISEB) to the country’s acquiescent and automatic alignment to the US. The Brazilian *Intelligentsia* was engaged with the ideas of national development promoted by ECLAC and Raúl Prebisch, which envisioned the world division not as an East-West struggle but as a centre-periphery contradiction, that needed to be sutured (Rezende de Souza, 2010). Second, the Cold War dynamic itself pushed the Brazilian government to diversify its international relations. Third and last, the level of development already achieved by Brazil suggested a broadening of its trade nexus with actors such as Eastern European countries and the newly decolonized nations. Consequently, in the Quadros’ term, a neutral foreign policy was forged and some principles as non-interventionism, disarmament, self-determination of peoples, judicial equality of nations, and the peaceful settlement of disputes were adopted (Pinheiro, 2017).

These contradictions of being conservative (culturally), self-declared anti-communist but at the end moderately progressive caused Quadros many difficulties in-home and outside leading him to renounce only seven months after his possession. Varguist Goulart –nicknamed Jango- should take the power as vice-president right after, but officials attempted to avoid his possession given that he was in Communist China.

Despite this conundrum, Goulart assumed the presidency but under a parliamentary regime –as a condition-, where the prime minister was Tancredo Neves. However, in 1963, Brazilians voted against the parliamentarian system. This untangled his lack of leeway to carry out his reforms (Base Reforms), mainly the neglected agrarian reform, which would entail inevitably constitutional changes (Grynszpan, 2017).

Goulart radicalized the Brazilian Independent Foreign Policy. He established relations with the Soviet Union and he declared his opposition to the US invasion of Cuba, which turned him into a danger for the US. But the main concern for Goulart was not that Brazil had a neutral position amidst the Cold War, but rather that Brazil followed a path of total disengagement from the East-West confrontation in order to find its own place in the world (Pinheiro, 2017). This explains partially why Goulart supported the Tlatelolco project from the very beginning. In other words, his foreign policy was driven more by pragmatic-national questions such as development, than by foreign ideological confrontations. He wanted resources for Brazil's development.

Notwithstanding, his Base Reforms and independent foreign policy displeased conservative military members, oligarchies, and the US, who converged to overthrow him. Additionally, popular sectors demanded the quick implementation of the reforms, which isolated Goulart politically. Thus, the “March of the Family with God for Liberty” started what we can call the “ousting moment” where conservative sectors called for the president's removal. In September 1963, the “Sargent's revolt” exacerbated the polarization. “Jango” tried to showcase the popular support that his Reforms had by calling his supporters in the most important cities to participate at the “Reform rallies”. Nevertheless, in March 1964 Goulart was overthrown by a coup d'état supported by officials and the US through the “Operation Brother Sam” (Fico, 2008).

The first military leader of the 21-year dictatorship period was Humberto Castelo Branco. A marshal who fought during the Second World War on the allies front under the American division and personal friend of the well-known hawkish US military officer Vernon Walters, who became military attaché in Brazil in 1964 -during the coup d'état-. Due to his present and past, Castelo Branco, conversely to Goulart, guaranteed the active alignment of Brazil to the US. In his inaugural address, Castelo Branco emphasized that it was not a coup d'état that brought to him to preside over the country, but a Revolution and proclaimed his vocation for democratic freedom and respect to the minorities. On foreign policy, he stated: “The historical alliances that tie

us to the free Nations of the Americas will be preserved and strengthened” (1964: 13), in a subtle reference to the new ideological path that the Brazilian foreign policy would take.

It would be a mistake to portrait the Brazilian military as a monolithic body. Within this stratum, there were two clear-cut factions: the castelists who basically wanted to “clean up” the house from leftist influences but giving after the power to civilians, and the hardliners who preferred to govern Brazil under total control of the military power. These two positions would fight each other to impose their agendas. For Castelo Branco, this ambivalent situation of being a dictator who tried to conceal his authoritarianism by saying that was a democratic regime with a short State of exception, gave his period the name of “ashamed dictatorship” (Gaspari, 2002). Brazilian dictators of this period tried to give a democratic face to their administrations.

Castelo Branco set new elections for October 1965. Nevertheless, Congress approved a prorogation of his mandate until March 1967. In October 1966 he closed the Congress and dissolved all political parties including those, which supported the 1964 coup d'état such as the UDP. The dictatorship started to be imposed gradually, and with the support of hardliner officials, the National Intelligence Service (SNI) was instituted. Amidst this persecution atmosphere, former varguist presidents Goulart and Kubitschek were exiled in Uruguay. The dissolution of all the parties provoked that the udepenist Carlos Lacerda, once in Uruguay, decided to join the former presidents' initiative called “Broad Front” to fight against the dictatorship. Castelo Branco to offset the lack of political parties founded two organizations, the National Renewal Alliance (ARENA) and the Brazilian Democratic Movement (MDB). Afterward, in 1967 a new constitution was adopted.

To solve the critical economic situation, Castelo Branco proposed the Government's Economic Action Program (PAEG) to tackle the rampant inflation and to invest in megaprojects. “There is practically a generalized opinion that the PAEG created the internal conditions in order Brazil might experience what was called as the economic miracle (1968 – 1973)”. (Bastián, 2013:141). On the ground, the PAE of Castelo Branco and the Triennial Plan of Goulart were rather similar than different, except for their policies on wages and monetary. Washington additionally strangulated the Brazilian economy during Goulart's administration, but once Castelo Branco took the power, this situation changed, and the US loosened credit and import restrictions (Bastián, 2013).

To sum up this period, we can say that Brazil didn't achieve yet a clear-cut position internationally or regionally but it started to contour some bases and values for its definition: national development and low-intensity nationalism. Its game oscillated between the contention of the external influence by two means: the declared neutrality or the total disengagement in front of an international conflict; and the explicit utilitarian commitment with one side to obtain some kind of benefits (financial resources, loosening of import restrictions, etc.). We will see in the next section how geopolitical concerns affected its nuclear preferences.

3.2.2 Nuclear material and institutional capabilities

Unlike the Mexican case, in Brazil not only the scientific community and the executive power were interested in starting a nuclear program, but also the economic and military sectors, but at different moments. The first period until 1956, especially during the presidency of Dutra (1946 – 1951), was characterized by intense cooperation with the US on nuclear issues. The second moment (1956 – 1964) -from Kubitschek's administration to Goulart's presidency-, the cooperation with US was reduced and new partnerships were encouraged, chiefly with the Federal Republic of Germany (FRG) and France. From the end of this period onwards, Brazil started to cooperate with Latin American nations also. The third moment (1964 – 1967), under military rule, the cooperation with the US was retaken and Brazil adopted a reluctant position towards non-proliferation instruments.

We can trace back the roots of the Brazilian nuclear project to 1934 when the Ministry of Agriculture created the National Department of Mineral Production and the University of Sao Paulo inaugurated its Department of Physics. The US-Brazil agreement for the prospection of radioactive minerals signed in 1940 supplied the US with enough radioactive material in the II World War even to build its first nuclear submarine (Jornal do Senado Federal, 2013). Nevertheless, Brazil was still far from its objective:

Brazil's industrial and techno scientific capacity was way below the huge investment of 250 thousand people (out of them 25 thousand scientists and engineers, allied to militaries) and US\$ 2 billion (equivalent to 21 billion in 2006) made in the Manhattan Project to develop the atomic bomb (Kamioji and Santos Filho, 2019: 105).

In 1942, the Orquimia enterprise was founded, initially for the industrial production of rare earth minerals such as monazite and later on for the treatment of uranium and thorium. Until 1945, Brazil and India disputed the first position in the exportation of

monazite (Jornal do Senado Federal, 2013). In 1949, the government officially bought the enterprise.

In the frame of the Inter-American Conference in Chapultepec, Brazil and the US signed a secret agreement, which established the exportation of radioactive minerals from Brazil to the US and assured the Development Assistance from the US to Brazil. In the same year, another similar agreement entered into force. Brazil would sell 5000 tons of monazite to the US.

In 1946, the physicist Marcello Damy, started in São Paulo the installation of the Bétraton accelerator, the first in Latin America, and sent some of his assistants to the US and Canada to research photonuclear reactions. Concurrently, Captain Álvaro Alberto da Motta e Silva, delegate to the Atomic Energy Commission (1946-48), proposed to the government of Gaspar Dutra the creation of a National Council of Research to build the bases of a coordinated agenda for the Brazilian nuclear program. Some days before, Getúlio Vargas assumed the power, in January 1951; the Congress approved its establishment through the 1310 Law. Dutra had achieved what Vargas attempted in 1936. The first tasks of the Council (known as CNPq for its name in Portuguese) were the policymaking in science and technology and the coordination of the implementation of the state monopoly on the exportation of radioactive minerals and its restrictions.

From 1947 to 1949, other three important institutions were created: the Strategic Minerals Study and Inspection Commission, the Foundation of the Brazilian Society for the Progress of Science (SBPC), and the Foundation of the Brazilian Center for Physical Research (CBPF). In 1952, the University of Minas Gerais founded the Institute for Radioactive Research; becoming the first Brazilian Center specialized in nuclear energy. By the same year, the Commission for the Export of Strategic Materials (CEME) was created by the Ministry of Foreign Affairs to control the exportation of nuclear materials, a task carried out before by the CNPq (Patti, 2014).

Getúlio Vargas, from a nationalist perspective, continued with the intense cooperation with the US on nuclear energy. Thus, the Second Atomic Agreement - where Brazil committed to supplying the US with rare earth minerals- was signed in 1952. The third agreement approved one year later, instead, proposed an interchange of wheat for thorium. However, Vargas started to diversify the suppliers of nuclear materials. In 1953, Brazil through the CNPq signed a contract with the Atomic Energy Commission of France (CEA) “for the production of nuclearly pure metallic uranium

salts” (Centro de Informações Nucleares – Comissão Nacional de Energia Nuclear). In 1954, Brazil purchased three ultra-centrifuges to the FRG. Not less relevant, later the USP acquired an electrostatic accelerator type Van de Graff.

Under the short government of Café Filho, in 1955 the fifth Atomic Agreement with the US was signed. Onwards they negotiated other agreements such as: on Nuclear Energy Civil Uses (amended later in 1958) and the Joint Co-operative Program for the Reconnaissance of the Uranium Resources of Brazil (finished in 1960). It was particularly important the establishment of the Atomic Energy Commission adscript to the CNPq.

In the government of Juscelino Kubitschek, in 1956, there was an institutional re-engineering with the approval of the Government’s Rules for a Nuclear Energy National Policy. Afterward, the Special Commission for the Study of Atomic Energy in Brazil and the Institute of Atomic Energy were founded, this latter thanks to the installation of a research reactor provided in the frame of the Atoms for peace program promoted by the US president Eisenhower. By the same token, the National Commission of Nuclear Energy (CNEN) replaced the Commission of Strategic Minerals Exportation (CEME).

The cooperation with Washington was not radically abandoned but Kubitschek sought on one side: to negotiate better agreements for the Brazilian interests, such as the 1957 lease contract of fissile material. And on the other side, diversify the Brazilian cooperation with others partners. Hence, in 1958 Brazil and Italy achieved an agreement for peaceful cooperation in atomic energy, and in 1961, another three agreements were signed respectively with France, the European Atomic Energy Community (EURATOM), and Paraguay.

Two key last events of Kubitschek administration were the inauguration of the research reactor called TRIGA (Training Research Isotope General Atomic) Mark 1 at the IPR and the acquisition of Orquima by the CNEN, which at that time was part of the Ministry of Mining and Energy.

Once Goulart took the power, the process of national development kept up. The Electrobrás was founded and the Institute of Nuclear Engineering (IEN) was opened for testing the research reactor Argonauta through an agreement between the CNEN and the University of Brazil²⁵. The CNEN had a greater boost by the government with the official definition of the Nuclear Energy National Policy to transform it into a federal

²⁵ This is currently the Federal University of Rio de Janeiro (UFRJ).

autarchic body; this allowed the CNEN to organize the Working Group of the Nuclear Power Reactor, to acquire other mining companies such as SULBA, INAREMO, COMANBRA and to incorporate the IEA and the IEN. In 1964 the mentioned Working Group recommended the construction of a nuclear power plant based on natural uranium and the creation of a sub-body adscript to Electrobrás.

New cooperation agreements came with France (1962) and the United States (1962) fundamentally for the peaceful and civilian uses of nuclear energy. At the end of 1964 with the beginning of the military rule, a basic Agreement for technical assistance was negotiated with the UN and other international organizations (Kamioji and Santos Filho, 2019).

Although the government regime changed, the interest in nuclear energy didn't diminish. In 1965, the Argonauta reactor entered into operation and the centralization of nuclear research around the CNEN continued with the incorporation of the Institute of Radioactive Research. This latter in partnership with the Federal University of Minas Gerais created the Group of thorium to train new personal on the use of reactors. In 1967, at the Ministry of Mining and Energy, engineers from the CNEN, Electrobrás, and Furnas (dam) constituted the Special Working Group for the building of the first power plant.

Besides the permanent cooperation with the US (1965), Brazil established new cooperation agreements with European and Latin American countries to underpin its role as the "benevolent regional hegemon". Brazil signed these agreements with Portugal (1965), Switzerland (1965), Peru (1966) and, Bolivia (1966) fundamentally for the peaceful uses of nuclear energy. Finally, in 1967 due to new US restrictions to the exportations of nuclear materials, Brazil, the US and the IAEA signed a Safeguard Agreement.

3.2.3 Relations with the hegemon

Indistinctively of the ideological preference of the Brazilian government, the cooperation with the US was not abandoned. Comparatively, the conservative governments of Dutra and Castelo Branco were more prone to privilege the ties with the US, sometimes in a defeating way for Brazil (Suárez, 2017) than those from the Independent foreign policy wave.

The popular, nationalist and anti-communist leader Getúlio Vargas could not change its foreign policy radically given the difficulty to attain a majority at the Congress and the limitations posed by the endogenous political fragmentation, which

always was an obstacle for ambitious or more independent agendas. However, we can observe that a little break happened under the administrations of Quadros and Kubitschek who managed to diversify Brazil's partnerships without been impeached as Goulart. This can be read as an immediate consequence of the Missile Crisis and its neutral position. After the Missile Crisis in Cuba, the United States stiffened its policy towards Latin America by implementing the so-called National Security Doctrine to tackle the 'communist threat' in the region. This doctrine consisted of combatting the "internal enemy" rather than an "external enemy" changing the role itself of armed forces who overnight became the major power in countries such as Brazil and Argentina. "This concept was used to designate the military defense and internal security, as opposed to threats of revolution, the instability of capitalism and the destructive capacity of nuclear weapons" (Leal Buitrago, 2003).

The realist reasoning triumphed over other concerns at the moment of wavering international relations. It cannot be ignored also that, military officers were predominantly anti-communist and this ideology was so spread in the establishment of Brazil that even a nationalist leader as Vargas didn't question it. This meant that Brazilian and American leaders shared a common ground to identify allies and foes in the world, which smoothed their relations. Additionally, the juridical tradition of Brazilian diplomacy led it to prefer the "OAS as the main mechanism of hemispheric security against peronism, communist ideology and consequently the URSS" (Baptista Junior, 2013: 81). In fact, Dutra promptly in the '40s decided to break Brazil's relations with the Soviet Union.

Conversely to Mexico, Brazil did take part in the "Atoms for peace" program promoted by the US. This agreement allowed Brazil to have the first research reactor at the end of the '50s and to get the knowledge for making a second one called Argonauta. As we will analyse in *Chapter 4*, the restrictions to the imports of nuclear materials in the '70s imposed by the US was the first significant watershed in this longstanding cooperation. As professor Suárez admits: "this relationship, almost paradoxical - ideological and pragmatic - is given in order to produce and support Brazilian economic interests in the context of a state of emergency internally and bipolar context externally" (2017, 3).

The Brazilian Constitution of September 1946 –which ruled until the end of this period- linked the international policy to the national development of the country. Not less important, in its article 4, it specifically added that "Brazil won't engage in conquer

wars either by its own or in alliance with another state”, which suggested a peaceful vocation particularly relevant for its South American neighbours and for the powerful countries which polarized the world in the Cold War period.

3.2.4 Ex-ante nuclear preferences

Brazil was the only country from South America involved militarily in the II World War in cooperation with the United States, and therefore, it fought on the Allied side. Since its independence from Portugal, Brazil was aware that given its material capabilities (size, population and, natural resources) could play a greater geopolitical role. Until finding its own place and identity amidst the international anarchy, Brazil chose the automatic alignment with the United States to leverage its position internationally. By the same token, in 1947, this country supported decisively the signature of TIAR, the first multilateral agreement of collective defence. However, as we explained it before, since the ‘50s- and ‘60s this taken-for-granted policy started to be questioned with the rise of the Cepaline School (ECLAC) and the dependency theory and its influence on the Brazilian *intelligentsia*. This was also reflected in the Brazilian nuclear orientation to build basic infrastructure for its nuclear program and on its nuclear preferences in general.

Due to its importance, Brazil participated from the very beginning in many UN specialized bodies on disarmament and non-proliferation. In 1946, Brazil integrated the Atomic Energy Commission, whose delegate was the renowned Captain Álvaro Alberto da Motta e Silva (1946-48), promoter of the Brazilian nuclear project. There is no evidence so far to suppose that Brazil pursued a military nuclear program at that time (De Queiroz Duarte, 2017), but “Alvaro Alberto tried to initiate an autonomous nuclear program in Brazil as Homi Bhabha did in India, avoiding any close association with the United States. He approached West Germany [...] and obtained some uranium enrichment centrifuges” (Goldemberg, Feu Alvim and Mafra, 2018: 6, 7). The country’s main concern was knowledge transference for the exploration of the peaceful uses of nuclear energy. Brazil promoted this idea in every international body. The following paragraph of an ECLAC report illustrates this purpose:

“In January 1958 the member of the Board of Governors of the IAEA for Brazil, supported by the members of Argentina and Guatemala, proposed that studies should be undertaken on the possibility of establishing in Latin America a training centre or centres in the field of atomic energy activities. The board recommended that the General Director of the Agency appoint a mission to research Latin American countries with respect to their needs for the establishment of such training centre or centres.” (ECLAC, 1959:iii)

Brazil was also part of the Eighteen-Nation Disarmament Committee (ENDC) in charge of proposing the draft of the NPT Treaty. The main concern for Brazilians was “the discriminatory aspect of the draft –the division of the world into two immutable categories of nations”. (De Queiroz Duarte, 2017: 9). In fact, for long time, Brazil would be reluctant to sign the NPT.

At the seventeenth regular session of the UN General Assembly, in 1961, the Brazilian ambassador, the udepenist Afonso Arinos proposed the *disatomization* of Latin America and Africa. One year before, in the context of the Algerian War, France had carried out its first nuclear test in the Sahara known as “Gerboise Bleue”. The proximity criterion has been –and still is- a relevant determinant of Brazilian foreign policy, which at that time, started to envision South America and Atlantic Lusophone Africa as its zones of interest. Therefore, with this zone project, Brazil wanted to protect both continents from nuclear bombardment and nuclear tests. This initiative was supported by Bolivia, Chile, and Ecuador, but it met staunch opposition from Cuba, which argued that Puerto Rico and the Panama Canal Zone should be contemplated in the proposal, as well as the foreign military bases, namely, the Guantanamo Naval Base.

After the Missile Crisis in Cuba occurred, Brazil had to clarify in a Telegram to the UN that such event had not motivated its initiative, but its purpose of “[generalizing] international inspection of nuclear arms” (Ministry of External Relations Archives, 1962). For a second time, Brazil sought to convince of its idea to the OAS, but it didn’t succeed either.

Only after the Missile Crisis in Cuba, the necessity for denuclearizing the region became evident and urgent for Latin American countries. Brazil under the presidency of Goulart, was one of the five countries which signed the letter in 1963 calling for the creation of a Latin American NWFZ. When the military rule started in 1964, Brazil diminished its enthusiast position.

3.2.5 General position on the Treaty of Tlatelolco

As we can notice, although the political instability of Brazil in those years, the nuclear project didn’t stop, neither the agreements with its main partner the US despite the critics. What did change although not radically was the Brazilian position on nuclear non-proliferation. Initially, President Goulart, who signed the letter calling for the creation of an NWFZ in Latin America in 1963, supported that position but afterward, it was subtly discouraged by the military rule, which was reluctant to the full entry into

force of the Treaty of Tlatelolco. One of the main criticisms was the inclusion of the term ‘denuclearization’. “The use of the term “denuclearization” in the declaration raised some eyebrows as it could have given the impression that the intention was a complete rejection of nuclear technology, to the detriment of prospects for the nascent nuclear industry in some countries” (De Queiroz Duarte, 2017: 7). This was the reason to name officially the Treaty as “the Treaty for the Prohibition of Nuclear Weapons in Latin America”, and this led to the inclusion of article 17, which states: “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”. Although all these suggestions were incorporated, Brazil demanded the signature of all the countries, including Cuba, to the entry into force of the Treaty, but this was possible only in the ‘90s.

3.3 Argentina, from isolationism to nuclear development

The political system of Argentina since 1946 has been dominated by two parties: the peronist Justicialist Party and the Radical Civic Union (UCR), and the military power. In that way, Argentina didn’t suffer from the party fragmentation like in Brazil but it similarly was affected by the political instability, where several coup d’état put an end to democratic governments. Ideologically Argentina was a neutral nation most of the time in front of international conflicts, and for many years was the most Anti-American country in the region. “Before World War II, Argentina followed three main orientations in its foreign policy: ‘Europeanism, opposition to the United States, and isolation from the rest of Latin America’ (Amorim and Malamud, 2015:11).

Table 3.4 Presidents of Argentina and nuclear preferences 1946 - 1970

Term	Presidents ²⁶	Nuclear preferences
1946 - 1955	Juan Domingo Perón	Promoted a nuclear program for peaceful uses. Founded the CNEA. Independent foreign policy.
1955 - 1958	Pedro Eugenio Aramburu (d)	Continued the nuclear civilian program.
1958 – 1962	Arturo Frondizi	
1963 - 1966	Arturo Illia	Continued the nuclear civilian program. They did not supported non-proliferation treaties.
1966 – 1970	Juan Carlos Onganía (d)	

Elaborated by the author

(d): Dictatorship/ Civil-military government

²⁶ Due to methodological reasons and relevance criteria, the following interim presidents: Eduardo Lonardi (Sept/1955) and José María Guido (1962-1963) were not included in the table. However, the analysis may include some mentions of their administrations.

During the Cold War period, Argentina persisted in its opposition to the United States, but it reassessed its role in the region shifting to a propulsive role and to an integrationist stance. Conversely to Mexico and Brazil that didn't perceive an external imminent threat to their security, for Argentina, the United Kingdom was a permanent threat due to the longstanding dispute over the possession of the Malvinas/Falklands islands. These factors shaped Argentina's non-proliferation position and influenced its path towards the consolidation of a nuclear program.

3.3.1 Political power

Contrariwise to the Brazilian automatic alignment to the US that characterised the onset of this period under Dutra's administration, Argentina preferred an independent foreign policy. During the II World War, this country was neutral, and only on March 25, 1945; it declared war on Germany and Japan. This belated declaration of war was a persistent source of US mistrust, until many years later. For the same reason, Argentina was isolated in those years and it complained of the blatant US interference in the internal policy of the nation, especially the role played by the US ambassador Spruille Braden in the coups d'état of the '40s. The fact that Perón won the elections by using the phrase: "Braden or Perón" in his political campaign demonstrates how antipathy against Americans was expanded in the public.

In 1946, general Juan Domingo Perón won the elections. He had the challenge of improving the relations with the US and diversifying the Argentinian international relations hence he adopted what he called the "Third Position" policy. This doctrine was based on the idea that conciliation between both ideological extremes was possible: democracy but with sovereignty and social justice. This was Perón's version of developmentalist nationalism embraced in Brazil and México.

His development strategy was synthetized in the "Five-Year Plan (1947-1952)" which sought to organize the norms concerning imports and exports and give to the State a central role in the national economy. The doctrine behind the plan was the Model of Import Substitution Industrialization (ISI), also applied in Brazil as in most of the Latin American countries between '50s and '60s. Perón opted for a protectionist policy to safeguard the local industry and he implemented redistributive measures at a national scale. The fact that Perón had the majority in both cameras enabled him to pass laws with minimal resistance (Moniz Bandeira, 2004; Oddone, 2009).

Perón established diplomatic relations with the Soviet Union in 1946, after with Poland and Romania and he recognized the Italian Republic. Perón had a salient

foreign policy with his Latin American neighbours by opening new embassies and strengthening cultural ties with them. He included “workers’ attachés” at the Argentinian embassies and diplomatic representations for establishing contact with trade unions.

Perón was the first Latin American president of the XX century in proposing a model for regional integration based on autonomy to expand the region’s decision-making capability (Oddone, 2009: 6). The social organizations who supported Peron’s candidacy, such as the Force of Radical Orientation of Argentine Youth (FORJA) and some national worker’s unions, already advocated for autonomy, sovereignty, and integration as overriding political objectives.

Perón once said: “We should carry out the Bolívar’s dream. We should conform the United States of South America” (Vicente, 1967:8). He wanted to organize an economic and political community conformed by the countries of the River Plate basin plus Chile, Bolivia, and Peru, and in the long- run to extend the bloc to the Latin European countries of Spain, Portugal, Italy, and France. As the first steps towards the “Southern Countries Union”, Argentina signed several friendship and trade agreements with its Latin American pairs but due to external and internal pressures, many of these agreements were not ratified -such as those with Chile and Brazil-, which led the initiative to fail.

In his second mandate, Perón lost the support of key actors, namely the Catholic Church, and some factions of the military. The opposition criticized his ‘personality cult’ and the extreme power centralization of his government. Additionally, some economic problems made crumbling the Perón’s administration. Thus, in September 1955, a bloody civil-military coup put an end to the Peronist government after a bombing of the “May Square”. The new civil-military regime was self-named the “Liberating Revolution”.

General Eduardo Lonardi assumed the power, but his tepid stance to control the political situation, provoked a new military coup, and he was replaced by General Pedro Eugenio Aramburu in the presidency. The new government had as its main objective “de-peronize” the country; to do so, Aramburu issued the Decree 4161/56 for the proscription of Peronism where not only the Justicialist Party was banned, but also all its political and cultural symbols (e.g.: the Peronist march) were prohibited. The mention of the names Perón and Evita was also proscribed. Peronism was forbidden until 1973.

But the changes were not only domestic. There was a major turn in foreign policy yielding to a more pro-American position. The military members thought that an alignment to the West, and especially to the United States would help to alleviate the economic problems. Hence, Argentina became a member state of the International Monetary Fund (IMF) and the World Bank (WB) and it abandoned its former development plan. Argentina had liberal orthodox policies and developmental nationalists policies at the same time.

This alignment to the US was expressed in the new debt contracted by Argentina. The American government provided \$ 100 million in loans through private banks, the IMF, and the Standard Oil funds. “These contributions allowed overcoming the conjunctural problem of the balance of payments that existed at that time” (Simonoff, 1999).

In 1958, Aramburu called for elections but without the participation of peronism. Arturo Frondizi from the ‘intransigent faction’ of the Radical Civic Union (UCR) triumphed in the elections with the support of peronists. Frondizi had a moderate position and disagreed with the proscription of peronism.

Frondizi embraced the ideas of capitalist nationalism and Keynesianism for the economic development of Argentina. He implemented a plan of stabilization, which provoked some frictions with peronists, and many workers went on strike. Frondizi set in motion the Plan CONINTES (Internal Commotion of the State) to repress the wave of protests.

He sought to have a mature and balanced approach to the US and Brazil. In 1959, Frondizi visited the US with the objective of having financial support and declared his alignment to the West and to the Inter-American plans. In February 1969, Eisenhower visited Argentina. The Cuban Revolution in 1959 changed radically the relations between the US and the rest of Latin America. Americans speculated that a ‘domino effect’ would happen across the region; therefore to avoid the spread of communism they implemented a financial support program in the region called “the Alliance for the progress”, under Kennedy’s mandate. Argentina was sceptical of this plan because its needs and its stage of industrialization were different from those of the rest of the region. The US not only adopted sanctions against Cuba, but also wanted to isolate it. They started to press the Latin American governments to break relations with Cuba and to expel it from the OAS. Frondizi had received Fidel Castro in Argentina and he didn’t want to break relations with Cuba, he perceived the Cuban question as a

bilateral problem between the US and the Caribbean Island. At the VIII OAS Conference celebrated in Punta del Este, Argentina abstained in the voting process to expel Cuba. Bolivia, Brazil, Chile, Ecuador, Haiti, and Mexico also abstained. However, in 1962 all the Latin American nations except Mexico had broken relations with Cuba.

Under Frondizi's government, Perón's idea of a regional customs union was not abandoned although he preferred a limited consultation system among its pairs (Simonoff, 1999). Following the liberal ideas of free trade, the Latin American Free Trade Association (LAFTA or ALALC in Spanish) was created through the Treaty of Montevideo in 1960 with the Argentinian adherence.

At the end of his mandate, Frondizi decided to relax the ban against peronism and to allow the participation of some neo-peronist organizations in the legislative elections of 1962. The peronism had several victories across the country. Conservative actors perceived this orientation as dangerous for their interests and some days after the elections, Frondizi was overthrown by a military coup.

José María Guido who presided over the country until October 1963 led the transition government. His administration was characterized by the automatic alignment to the US. After the Missile Crisis in 1962, the US imposed a naval blockade to Cuba, which was immediately buttressed by Argentina that sent two navy ships to the Island. Domestically, Guido kept the political prohibition over peronism and called for elections in 1963.

Arturo Illia, from the UCR, assumed power in October 1963. He persisted on the Cepaline model of development and his government has been categorized as reformist populism (Simonoff, 1999). It's in this period when the future dictator, lieutenant general Juan Carlos Onganía delivered his paradigmatic speech at the West Point Academy in the US enshrining the adhesion of the Argentinian army to the National Security Doctrine and the Condor Plan (Crenzel, 2011). That speech is rather considered the origin of the National Security Doctrine adoption in the continent.

Illia embraced the idea of the development of the southern nations. For him, peace should be political and economic. Those ideas were projected at the meeting of the Special Commission of Latin American Coordination (CECLA) celebrated in Alta Gracia, Argentina. There, the "Declaration of Alta Gracia" was approved and nineteen Latin American countries denounced the discriminatory character of the international trade as an important factor of their vulnerability (Escudé and Cisneros, 2000c).

His government also worked for the OAS improvement and for advancing Latin American interests. In 1966, Argentina celebrated the “Agreements of the River Plate Basin” with Brazil, Uruguay, Paraguay, and Bolivia, for exploring natural resources and coordinating the construction of shipping infrastructure.

At the peak of the decolonization process, Argentina re-took the fight for its sovereign rights over the Malvinas/Falklands Islands. Illia established “three objectives:

- 1) To re-establish the Argentinian territorial unity by affirming our sovereign rights over the islands;
- 2) to reject any attempt of self-determination by the islanders for not being a native population;
- 3) to achieve a motion from the Decolonization Committee aimed at achieving the first objective (Simonoff, 1999).

Consequently, the UN General Assembly passed the 2065/64 Resolution, where the dispute was recognized as a “colonial situation” and the governments of Argentina and the United Kingdom were enjoined to continue negotiations in order to find a peaceful solution.

The unstable political scene repeated again: in June 1966, Illia was toppled by the military. General lieutenant Juan Carlos Onganía assumed as president. This government defined its political project as a “modernizing process”. On foreign affairs, his idea was to underpin an independent policy but on the ground, he ended up aligning Argentina to the US. At the OAS, he demanded the creation of an Inter-American Board of Defense, but it was not supported even by the US. A major shift occurred in its attitude towards its Latin American pairs. Argentina refused to participate in the Andean Pact and resurfaced propagandistically old rivalries with Brazil. The negotiation process with the UK over the Malvinas/Falklands issue continued but it remained a stalemate.

3.3.2 Material and institutional capabilities

In 1950, president Perón founded the National Commission of Atomic Energy (CNEA) by the 10.936 Decree²⁷. Formerly, the Austrian physic Ronald Richter had presented to Perón a project for thermonuclear energy that fitted perfectly in his developmental agenda so he decided to support his idea. This became known as the Huemul Project. Perón wanted to officialise publicly the project and founded the CNEA (Marzorati, 2007:3). However, some suspicions about the plausibility and the scientific character of the thermonuclear “discoveries” of professor Richter raised among other scientists and Perón’s advisors. He decided to establish an Inspection Commission to Huemul. The

²⁷ The full decree is available in Spanish on: <https://www.cnea.gob.ar/es/wp-content/uploads/2016/09/DECRETO-10936-50.pdf>. Consulted on: December 17, 2019.

commissioner scientists proved that Richter was lying about his scientific advances (Balseiro, 1952). As consequence, the project was abandoned, but the commission continued its operations.

The CNEA helped to centralize scientific research on nuclear energy. The CNEA depended directly on the Presidency through the Ministry of Technical Issues. It started the exploitation of uranium, the production of radioisotopes and coordinated the research in this domain with other institutions and faculties. At that time, Argentinian scientists had already a good reputation internationally (Monserrat, 2000), for instance, the Institute of Physics of the La Plata University was the most important centre at the beginning of the XX century in Latin America. The immigration of German scientists and engineers to Argentina, after the II World War, boosted considerably the scientific development in that country (Vallejos de Llobet, 2000: 230).

The National Direction of Atomic Energy (DNEA) was founded also, whose task was to train scientists and engineers. Afterward, the acquisition of a Cockcroft – Walton generator and a Synchrocyclotron altogether with the recently graduated scientists were the bases of the Argentinian Nuclear Project.

From 1956 to 1957, under the Aramburu's dictatorship, the institutionality for the prospection of nuclear minerals was reinforced and the procedures for their exportation were implemented. The CNEA would be the rule institution subject to the executive branch. The Decrees concerned (N° 22.477, N° 14.467, N° 5.423) established the State as the unique entitled institution with the right to exploit those resources.

In 1958 the synchrocyclotron installed in the headquarters of the CNEA was ameliorated through a light approach and the research reactor RA-1 at the "Constituyentes" Atomic Center reached criticality. This led to regulate the use of radioisotopes and ionizing radiations by Executive Decree N°842 and "Constituyentes" had the opportunity of being officially inaugurated.

In comparison to its pairs, Argentina had attained an advanced level on nuclear research very quickly selling its expertise for the fabrication of fuel elements to reactors type "ARGONAUT" to the German firm Degussa-Leybold AG (Sheinin, 2005).

Under Frondizi's presidency, in June 1960, by the Executive Decree N° 7006/60, the activities of the CNEA were declared of national interest and its institutional dependency on the presidency was ratified. The government sought to involve other social and political sectors in the nuclear project; thus the CNEA and the Metallurgical

Industry Workers of the Argentine Republic (ADIMRA) signed an agreement for establishing the Service for Technical Assistantship to the Industry (SATI).

The expansion of the CNEA intended to be not only inwards but also outwards. During the short presidency of José María Guido and the beginning of the Illia's mandate, two important cooperation agreements were signed. The first with the EURATOM concerning the applications of nuclear energy for peaceful uses; and the second one, with France in November 1963 on the same subject. Guido also established through the N° 1.647 Executive Decree, the exclusivity of the CNEA for the exportation of nuclear materials

Illia entrusted to the CNEA to carry out the pre-investment studies for a nuclear power plant in the Gran Buenos Aires –Littoral area. In May 1966, the CNEA concluded the feasibility studies for the construction of the Gran Buenos Aires-Littoral power plant.

Irrespectively of the type of national regime, the development of nuclear energy in Argentina didn't dwindle or suffered major changes, rather it can be observed that democratic authorities and military presidents supported similarly the nuclear project as a national-development question. They even didn't change the institutional rank of the CNEA as a direct dependence from the presidency. This close link between the executive and the CNEA would have been very sensitive to any regime-change, but its continuity demonstrates how extended and shared was the idea of developing a national nuclear program among politicians, military members, and scientists no matter their political affiliations.

When Onganía assumed its mandate, two research reactors attained criticality, the RA-2 in the "Constituyentes" Atomic Center (1966) and the RA-3 in the Ezeiza Atomic Center, which was officially inaugurated in 1967. After the feasibility studies carried out by the CNEA for the Gran Buenos Aires-Littoral nuclear power plant, the province of Córdoba started a program through an agreement between the Provincial Enterprise of Energy (EPEC) and the CNEA.

Internationally, Argentina signed three relevant agreements: for technical assistantship with Spain (1966), and for peaceful uses of nuclear energy with Colombia and Paraguay in 1967. In the next sections, the cooperation with the US and the Argentinian presence in nuclear international bodies will be addressed.

3.3.3 Relations with the hegemon

In 1948, US president Truman was afraid of a sub-imperialist Argentina. The state-driven development plan adopted by Perón was, in his understanding, at odds with US liberal capitalism. Moreover, the Perón's evoked proposal of a unified and integrated South America heightened the fear in the North. "The threat which gives us the worst case of cold shivers is that of a southern bloc dominated by Argentina," wrote US State Department officer Guy Ray (cited in Dorn, 2002:1). However, as was mentioned before, the integrationist project of Perón didn't prosper.

President Perón attempted to improve the Argentinian relations with the US once Eisenhower took the power. The general was looking for new investments and financial sources for his developmentalist agenda. In that context, Milton Eisenhower, the US president's brother visited Argentina. Perón prior to the visit had passed a law for improving the foreign investment conditions in the nation. "Milton Eisenhower came back to the US convinced of the Perón's anti-communism and his support for the US" (Escudé and Cisneros, 2000a). In the US government, there was no consensus about what kind of foreign policy adopt towards Argentina. Furthermore, the Eximbank had prioritised the funds for the Plan Marshall in Europe. However, in the American eyes, the growing influence of ECLAC and its dependency theory in Latin America, and what they judged as the "communist turn" in Guatemala (with Jacobo Arbenz) deserved a better strategy, including ameliorating the relations with Argentina. Perón amidst hard opposition by the UCR achieved an agreement with American businessmen, namely the Standard and Oil for oil exploitation in Argentina (Dachevsky, 2014). However, the Congress rejected the contract and criticized Perón for risking national oil. At the end of Perón's mandate, the US government ended up supporting him (Escudé and Cisneros, 2000a).

Aramburu deepened this friendly turn to the US by signing the Argentine adhesion to the IMF (1956) and the World Bank (1956). The three next radical (UCR) governments tried to keep a balanced relationship with the US. US vice-president, Richard Nixon himself attended the possession ceremony of Frondizi during his tour across Latin America (1958). That year the IMF granted a stand-by loan by 75 000 SDRs²⁸ (IMF, 2005). In 1959, Frondizi visited the US twelve days after the official invitation received from Eisenhower. In an interview with *The New York Times*,

²⁸ SDR stands for Special Drawing Right. "The SDR is an international reserve asset, created by the IMF in 1969 to supplement its member countries' official reserves". Further information on: <https://www.imf.org/en/About/Factsheets/Sheets/2016/08/01/14/51/Special-Drawing-Right-SDR>

Fronzizi said: “We are now embarked on an irreversible course linking our destiny with the United States and with the rest of the republics of the Western Hemisphere” (NYT, 1959:4). However, no deals were concreted. His two-year stabilization plan weakened politically his government and it triggering social unrest.

Fronzizi joined the Brazilian president Juscelino Kubitschek’s initiative called the “Pan-American Operation” (OPA), which was a multilateral program of development assistance to Latin American countries. The argument behind this was that the austerity measures imposed by the American-sponsored loans in the region were damaging the social tissue dramatically. Moreover, the interests of Americans in the region didn’t meet with those of Latin Americans. The US was more interested in the eradication of the communist threat, and the Latin American countries in their development. In that situation of unpopular social and economic policies, communist ideas were more attractive for the discontent population. Hence the Kubitschek’s proposal was to sell raw materials at better prices to the US and to negotiate with international donors better credit conditions for development. Additionally, some Latin American countries preferred building trade ties with the socialist countries. This new interchange pushed the US to create the Inter-American Development Bank (IADB) in 1959 to contain this incipient economic turn to the East.

The Cuban Revolution was a turnabout in US-Latin American relations. Many of the OPA’s ideas were included in the ‘Alliance for Progress’ initiative underpinned by president John F. Kennedy. The “Alliance for Progress” was one side of the coin of the new US strategy in the region; the other side was the “National Security Doctrine”. Fronzizi in a visit to the US in 1961 offered his good offices to Kennedy to mediate with Cuba, but the US insisted on projecting the conflict as a hemispheric issue (Morgensfeld, 2013). Notwithstanding, Fronzizi didn’t share the American position of isolating Cuba.

After, the toppling of Fronzizi, José María Guido assumed the presidency in 1962. Under his mandate, on 22 June 1962, an important cooperation agreement with the US was signed for civilian uses of atomic energy. The feeble economic condition of Argentina led him to abandon gradually its independent foreign policy. When the Missile Crisis in Cuba occurred Argentina had no option than support the US in its anti-Cuban plan. “The Guido’s position, [...] facilitated the strategy of the State Department and allowed the Pentagon to build ties with powerful Argentinian military members as Onganía” (Mongerfeld, 2013: 19).

The government of Arturo Illia adopted a less submissive policy to the US. As a first measure, he denounced the oil contracts signed by Frondizi, which were considered by the UCR as a fraud. Those contracts were signed fundamentally with US oil corporations. Additionally, Illia didn't accept the austerity conditions of the US loans. Under his government, the 1962 cooperation agreement for civilian uses of nuclear energy signed with the US was amended on June 8, 1964.

In a surprising leap of realignment to the US, the government of Illia supported the US military intervention of 1965 in the Dominican Republic, where a civilian-military coup d'état had ousted recently elected president Juan Bosch, who was accused of being communist. The US wanted to legitimate the invasion by establishing a multilateral alliance called the "Inter-American Peace Force", which was supported by Argentina. The Argentinian population and many civil society sectors protested against the Illia's collaborative stance pushing him to step back in his intentions.

Finally, the government of Onganía deepened the economic, financial, and political ties with the US. The presence of US foreign capitals in Argentina increased its dependence on the North, but it was still limited. "Argentina disagreed with the denuclearization policy promoted by Washington. The reluctance to sign the NPT and to ratify the Treaty of Tlatelolco caused that the US Congress, in retaliation, limited the military ammunitions and supplies" (Morgenfeld, 2013: 7). This led Onganía to turn to Europe for its military modernization plan.

3.3.4 Ex-ante nuclear preferences

In the recitals of the 10936 Decree that founded the CNEA, can be read "Whereas the Republic of Argentina unconcerned of any offensive intention, can work in this order of things also with an elevated sense of peace in benefit of the humanity". This clause wanted to confirm to the world the peaceful nature of Argentina's project.

Regardless of the president and the ruling political forces, the Argentinian critical position towards the non-proliferation regime was stable from the '40s until 1994. Argentina perceived the NPT as discriminatory and defended staunchly the right to nuclear energy for peaceful uses. Its position was coherent if we consider that Argentina in comparison to its Latin American pairs was the most advanced country on nuclear research.

In 1955, Argentina participated in the I International Conference on the Peaceful Uses of Nuclear Energy in Geneva, Switzerland with over 37 scientific research works

about uranium fields, radioisotopes for medicine, and the announcement of the discovery of new radioisotopes by the CNEA.

Argentina through the Decree N° 5071 approved its adhesion to the IAEA on May 15, 1957. Ten years later, the counter admiral, Oscar A. Quihillalt, president of the CNEA, was elected president of the Board of Governors of the IAEA 1967-1968. Argentina also adopted the Vienna Convention on Civil Liability for Nuclear Damage, but it entered into force only in 1977.

Conversely to Mexico and Brazil, Argentina was not part of the ENCD (1961), but in 1969 it integrated the Conference of the Committee on Disarmament (CCD). This fact might have caused some resentment in Argentina, which until the 90's didn't adopt any non-proliferation international instrument.

3.3.5 General position on the Treaty of Tlatelolco

When the five presidents from: México (Adolfo López Mateos), Brazil (Joao Goulart), Ecuador (Carlos Julio Arosemena Monroy), Chile (Jorge Alessandri) and Bolivia (Víctor Paz Estenssoro) proposed the creation of the Latin American NWFZ on April 29, 1963, Argentina was ruled by the transition government of José María Guido. Argentina participated actively at the COPREDAL. Ambassador Silvano Santander was the Argentinian representative at the talks and he proposed a resolution in 1965 to establish a permanent committee of denuclearization in order to enforce the resolutions issued by the COPREDAL. This proposal recommended that *de jure* or *de facto* territories ruled by extra-continental states should undertake the same obligations and responsibilities as the rest of states-parties. It also underlined that the support of the UN was crucial to ensure respect from NWS (OPANAL, 1965).

In the 4th session of COPREDAL on February 1967 in México, Luis Santiago Sanz from the Argentinian delegation pointed out that the denuclearization was only a means to the full disarmament but not an end itself. He added that if disarmed countries committed not to proliferate without the co-responsibility of the five NWSs, the latter would increase their arsenals. The Argentinians demanded to include in the declaration of the session “a resolution stating the Latin American solidarity against ‘the extra-continental powerful countries which made illicit claims’ over territories vindicated by the members of the pact” (Escudé and Cisneros, 2000b). Additionally, the delegation wanted to include the right to carry out peaceful explosions. Americans, British, and other Latin American fellows, namely Mexico, Chile, and Uruguay, opposed to that.

Argentina signed initially the Treaty given that it didn't prohibit the use of nuclear energy for peaceful purposes. However, the Argentinian Congress didn't ratify it because the Congress considered that the two reporting tools: to the IAEA (safeguards) and to OPANAL didn't protect adequately the industrial secret.

When the Treaty of Tlatelolco was discussed, Argentina had already almost 40 years of experience in nuclear energy and a long tradition of being a country interested in science. For instance, the Argentinian doctor and pharmacist, Bernardo Alberto Houssay won the Nobel Prize in Medicine in 1947, becoming the first Latin American laureate in the category of sciences. Argentina until the mid of the XX was considered one of the ten richest countries in the world. This outstanding position leveraged, first its development in science and technology and secondly, its neutral and independent foreign policy by many years. Unlike Mexico and Brazil, Argentina enjoyed for many years the status of a powerful country that carved out its nationalist and autonomous identity. This background can be traced right upon its non-proliferation stance and criticism against the non-proliferation regime.

3.4 Tlatelolco, from the five-president proposal to the establishment of OPANAL

Two proposals for preventing regional nuclearization were made before 1963, one by Costa Rica and the second one, by Brazil -as it was explained before-. None of these initiatives got enough resonance from its pairs to move forward because at that point the notion of 'nuclear threat' was not perceived as imminent by most of the Latin American countries and therefore it didn't raise enough concern. This apathy changed dramatically after the Missile Crisis in Cuba, especially for the neighbour state, Mexico, which would have been a potential victim if a nuclear conflagration would have been ignited.

The Mexican president Adolfo López Mateos privileged its proposal for non-proliferation over the nuclear civilian program that had started at the UNAM. The majority of presidents, which issued the 1963 Joint Declaration shared a nationalist-progressive political orientation which explains their purposes of gaining autonomy and independence amidst the bipolar confrontation. But for the American establishment, the proposal was aimed to prevent a new nuclear incident in Cuba (first) and then to the rest of the region (De Onis, 1963).

The inherent narrow binary mindset of the Cold War system made inadmissible the dissidence in the eyes of the US. After the Missile Crisis in Cuba, the US had begun

to blockade Cuba economically and politically. The US offensive wanted to isolate Cuba from its Latin American pairs by pushing them to break diplomatic relations with the Caribbean country, but not all the countries acquiesced it. From the group of Tlatelolco proponents: only Bolivia and Chile did it. México, Brazil, and Ecuador maintained their diplomatic ties with Cuba, but not for a long time. The overthrow of president Goulart of Brazil and president Carlos Julio Arosemena from Ecuador were strongly motivated by their reluctance to cut off diplomatic relations with Cuba. The National Security doctrine had started to be implemented in Latin America²⁹.

Although these coups d'état slowed down the pace of the Tlatelolco talks, the initiative was not abandoned. This continuity can be attributed to some factors. First: in most of the countries, there was not a polarizing understanding on this issue, in part due to the lack of interest and or understanding of the matter. Second: the US supported the initiative. Third, the impact of the Missile Crisis in Cuba and its consequences dissuaded any Latin American state from pursuing a nuclear program thereby this fact led them to prefer or assess as a more rewarding policy the adoption of Tlatelolco. Fourth, the weak structural conditions of the majority of States -except for Brazil, Argentina and Mexico- made it improbable for them to embark upon a nuclear undertaking. Fifth: the Soviet Union and the other NWSs were not strongly opposed to the project. Lastly: The OAS and the UN supported actively the initiative.

The General Assembly of the UN issued the (1911) XVIII Resolution on the Denuclearization of Latin America, which stated its satisfaction on this endeavour (UNGA 1963). In November 1964, the Preliminary Meeting on the Denuclearization of Latin America (REUPRAL), in which seventeen Latin American countries participated³⁰, established the COPREDAL in order to prepare a preliminary version of the Treaty.

Although the Treaty had robust support from regional and extra-regional actors, there were some important obstacles to overcome regarding the postures of Cuba, Brazil

²⁹ The Doctrine was conceptualized under George Kennan's containment policy to prevent any advance of the communism in the so-called 'free world'. This strategy -put in motion by civilians and military members with the US direct or indirect support- clashed with the Latin American socio-political context where peasants, workers, and students movements had been fighting for their rights long before the Cold War and without any clear tie with Soviet communism or with communism itself. Moreover, communist parties in most Latin American countries didn't have/ haven't had any political clout, except for Cuba (but after the Revolution). Lastly, the Soviet Union didn't have a strong interest in Latin America. Only Cuba and Nicaragua were supported by the Soviets. In the case of Nicaragua, it was sporadic. This overideologization ended up justifying coup d'états, forced disappearances, and genocides in what has been known as State terrorism.

³⁰ Mexico, Brazil, Ecuador, Chile, Bolivia, Haiti, El Salvador, Nicaragua, Costa Rica, Honduras, Panama, Uruguay, Colombia, Costa Rica, Guatemala, Peru, and Venezuela.

and Argentina. The expulsion of Cuba from the OAS in 1962, its relative isolation after the military coup d'état in Brazil (1964), the measures taken by the United States to harm the Cuban economy and its diplomatic ties with Latin American countries, and the presence of the US in the military base of Guantanamo hindered its adhesion to the Treaty.

Table 3.5 Sessions of the Preparatory Commission for Latin American Denuclearisation (Copedal)

First period of sessions	March 15 – 22, 1965
Second period of sessions	August 23 - September 2, 1965
Third period of sessions	April 19 - May 4, 1966
Fourth period of sessions Part I	August 30, 1966
Fourth period of sessions Part II	January 31 - February 14, 1967

Source: OPANAL 2020a. <http://www.opanal.org/en/copredal-2/>

In Brazil, the new dictatorship led by Castelo Branco supported the Treaty but not with the enthusiasm as Goulart, his predecessor did it. Argentina had a critical position over the non-proliferation regime in general. Both countries had significant advanced nuclear programs and considered the top-down non-proliferation rules as discriminatory and unequal. Brazil argued that Cuba had to be part of the Treaty, and it was perceived as a pretext to delay the negotiations. In the case of Argentina, the implication of the Treaty regarding its claim over the Malvinas/ Falkland Islands and the peaceful explosions question were also dissuasive factors.

Additionally, the US wanted a permanent coordination body between the Treaty and the OAS, but the US military intervention in the Dominican Republic in 1965, backfired upon its request sowing mistrust among states. Notwithstanding, in the last period of sessions, the US expressed its support for the Treaty. They concluded that the Treaty “would impose no prohibition that restricts the freedom of transit as based on the security needs of the Western Hemisphere” (Serrano, 1992:37).

As a result of the last period of sessions, the treaty was opened for signature. Bolivia, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Haiti, Honduras, México, Panamá, Peru, Uruguay, and Venezuela were the first signatories. In the same year (1967) only UK had signed both Additional Protocols.

The final Treaty stipulated: the prohibition of nuclear tests in the Latin American territory, additionally, it required states, “not to manufacture, acquire, store or place directly or indirectly nuclear weapons by any means [on the territory]”. It also

established the creation of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) whose headquarters would be in Mexico City. This agreement did not proclaim any prohibition of using atomic energy for peaceful objectives as Argentina and Brazil demanded it.

As a conclusion of this part we can say that systemic, regional and domestic factors explain the creation of an NWFZ in Latin America. Regarding the systemic domain: the relative geographic isolation; the coincidence with the superpower's policy of making international norms to refrain nuclear proliferation; the lack of opposition from any superpower to the creation of the zone; the perception of this proposal as an indigenous project and the active support from international organizations such as the UN and the OAS boosted the approval of the Treaty. Regionally, the desire to forge a Latin America as a continent of peaceful identity, a broad consensus on being an autonomous region and non-pursuing nuclear programs; flourishing diplomacy among Latin American countries and the centrality of development as the most relevant issue, instead of security, can also be mentioned as decisive factors for the birth of Tlatelolco. Domestically, we cannot neglect the fact that most Latin American countries did not have scientific, industrial and economic capabilities to build a power reactor, nor did they had large quantities of uranium reserves to be able to start a nuclear program, except for Brazil, Argentina and to a lesser extent Mexico. Therefore, the economic and political costs for developing a nuclear program would have been higher than the benefits for most of the countries. And as some scholars, such as Arie Kacowicz has stated: "there has been a lack of mutual placing of importance among Latin American countries on military issues" (1995). Therefore, the ex-ante State's preferences and the NWSs commitment enabled the approval of the Treaty of Tlatelolco.

Chapter 4

Regime effectiveness: Evaluating the Treaty of Tlatelolco

4.1 Subperiod 1: Cold War - National Security Doctrine era 1967 – 1985

In the Cold War period, Latin America was dominated by right-wing civil-military dictatorships. Notwithstanding, the nuclear programs of Argentina and Brazil, which had started at the initiative of democratic nationalist governments, continued under dictatorship. The new presidents were particularly sceptical about Tlatelolco and its implications for their nuclear programs. They also took very critical positions towards the NPT, which was approved in 1968, one year later of the opening for the signature of Tlatelolco. Mexico instead had a salient role in the NPT negotiations. Recently declassified documents have in fact revealed that Mexico was a key actor in the NPT talks (Blurr, 2018). The NNWS insisted on imposing disarmament obligations to the NWSs. Mexican diplomats worked on building conciliatory bridges between the NWSs and the NNWS positions, which resulted in the inclusion of article VI that states that:

Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control (UNODA, 2020b).

Mexico also contributed to the elaboration of articles IV, regarding the peaceful uses of nuclear energy and nuclear cooperation from the North to the South; and of article V, which ensures “that potential benefits from any peaceful applications of nuclear explosions should be made available to non-nuclear-weapon States Party” (UNODA, 2020b).

Regarding the implementation of the Treaty of Tlatelolco, this entered into force in 23 out of 33 countries in the continent (*See Table 4.1*). OPANAL started to operate in 1969. From the very beginning, many countries such as Finland, New Zealand, and Iran celebrated the initiative, and were interested in it, but the functioning of OPANAL was barely efficient. Only Mexico and Venezuela supported financially OPANAL’s operations (Musto, 2015).

However, the first significant test of the Treaty of Tlatelolco was the 1982 Malvinas /Falklands War between a NWS, the UK and a NNWS, Argentina. The UK had signed and ratified both Additional Protocols in 1969, but Argentina had only signed the Treaty in 1967, and it had not ratified it.

Table 4.1 Status of the Treaty of Tlatelolco and the NPT in Latin American and the Caribbean

State	Treaty of Tlatelolco			NPT		
	Signature	Ratification	Entry into force	Signature	Deposit	Deposit type
Antigua and Barbuda	1983	1983	1983		1985	Succession
Argentina	1967	1994	1994		1995	Accession
Bahamas	1976	1977	1977		1976	Succession
Barbados	1968	1969	1969	1968	1980	Ratification
Belize	1992	1994	1994		1985	Succession
Bolivia	1967	1969	1969	1968	1979	Ratification
Brazil	1967	1968	1994		1998	Accession
Chile	1967	1974	1994		1995	Accession
Colombia	1967	1972	1972	1968	1986	Ratification
Costa Rica	1967	1969	1969	1968	1970	Ratification
Cuba	1995	2002	2002		2002	Accession
Dominica	1989	1993	1993		1984	Succession
Dominican Republic	1967	1968	1968	1968	1971	Ratification
Ecuador	1967	1969	1969	1968	1969	Ratification
El Salvador	1967	1968	1968	1968	1972	Ratification
Grenada	1975	1975	1975		1975	Succession
Guatemala	1967	1970	1970	1968	1970	Ratification
Guyana	1995	1995	1997		1993	Accession
Haiti	1967	1969	1969	1968	1970	Ratification
Honduras	1967	1968	1968	1968	1973	Ratification
Jamaica	1967	1969	1969	1969	1970	Ratification
Mexico	1967	1967	1967	1968	1969	Ratification
Nicaragua	1967	1968	1968	1968	1973	Ratification
Panama	1967	1971	1971	1968	1977	Ratification
Paraguay	1967	1969	1969	1968	1970	Ratification
Peru	1967	1969	1969	1968	1970	Ratification
Saint Christopher and Nevis	1994	1995	1997		1993	Accession
Saint Lucia	1992	1995	1995		1979	Succession
Saint Vincent and the Grenadines	1992	1992	1992		1984	Succession
Suriname	1976	1977	1977		1976	Succession
Trinidad and Tobago	1967	1970	1975	1968	1986	Ratification
Uruguay	1967	1968	1968	1968	1970	Ratification
Venezuela	1967	1970	1970	1968	1975	Ratification

Elaborated by the author. Sources: OPANAL, 2020b and UNODA, 2020b.

Argentina's concerns over the Malvinas/Falklands Islands, the use of peaceful explosions, and the safeguards agreement conditions were the contested points to advance on the negotiations. Since 1979 those Latin American states living under

dictatorship, started their democratization processes. At the end of this period, Argentina and Brazil initiated formal talks to cooperate in nuclear issues paving the way for the future creation of the ABACC. Throughout this section we will understand the interaction between these factors and the development of nuclear and non-proliferation preferences in Latin America.

4.1.1 Mexico, the Dirty War years 1970 - 1985

Although at the international level this period coincided with the “détente” in the East-West relations, the US policy towards Latin America instead was toughened through the implementation of the mentioned National Security Doctrine. The Argentinian, Chilean and Brazilian dictatorships have been by far the most documented and studied ones, however the so-called “Dirty War” was also installed in Mexico during the administrations of Gustavo Díaz Ordaz (1964-1970), Luis Echeverría Álvarez (1970-1976) and José López Portillo (1976-1982). The fact that Mexico was governed by the same party, the PRI, for almost 70 years might explain that the “Dirty War” was almost unknown and concealed until very recently (López, Moreno and Evangelista, 2006). The difference between the “Dirty War” in Mexico and those in Argentina and/or Chile was the narrow selectiveness of the targets in Mexico. The idea of an ‘internal enemy’ embodied by any social movement opposed to any measure of the government, diverted the security forces from outside to the internal perimeter. Then, it is not surprising that the whole State apparatus overlooked the external security concerns to concentrate on citizens and dissidence adjusting its targets often according to the US, which was hell-bent on rooting out communism.

4.1.1.1 Political power, identity and relations with the hegemon

The presidency of Luis Echeverría (PRI) was marked by a sluggish economy³¹, social turbulence (particularly the intense political activity at Universities), repression³², and limited reformism. The paradox of his administration was his conservative reformism domestically and his progressive activism internationally. Echeverría swore to respect the principles of non-intervention, nuclear non-proliferation, and self-determination of

³¹ The Mexican GDP in 1971 grew up to 3.1% when the average during the sixties was 7%.

³² After the Tlatelolco Massacre occurred on October 2, 1968, under the government of Díaz Ordaz; another massacre happened during the Echeverría’s administration known as the Corpus Christi Massacre or “El Halconazo” (The hawk strike”) due to the 12 executions and repression carried out by ‘los halcones’ (the hawks) a paramilitary group. Although Echeverría promised to democratize the country, and many student leaders came back from the exile, Mexican and US forces (including the CIA) operated in the country to repress any dissidence or social vindication (Museo de la memoria y los derechos humanos, Masacre de “Corpus Christi” 10 años de impunidad). Available at: <http://archivomuseodelamemoria.cl/index.php/39134;isad> [Accessed: Mar. 10, 2020].

the peoples. However, some scholars have considered that Echeverría made some exceptions to the rule. He had strongly supported the socialist president Salvador Allende during his administration and broke diplomatic relations with Chile once Augusto Pinochet took power in 1973 after the US-back coup d'état³³. Similarly, President Echeverría did not recognize officially the Francisco Franco dictatorship. These actions have been judged by some scholars as deviations from the Estrada Doctrine, which considered and still non-intervention as an overriding principle of the Mexican Foreign Policy (Shapira and Meyer, 1978). These interpretations are debatable if we think that the above-mentioned dictatorships were at odds with the principle of self-determination of the peoples promoted by Mexico because they did not respect the leaders elected by people in democracy.

Beyond any axiological discussion, the Echeverría's turn towards the "radical activism" and the "commercial diplomacy" seemed to be a strategy for gaining support from the left and from the liberals locally. He supported strongly Cuba and advocated its re-incorporation to the OAS. Echeverría 'replaced' the special partnership with Chile by close ties with the president of Venezuela, Carlos Andrés Pérez, given his nationalist and anti-imperialist orientation. This partnership led to the conformation of the Latin American Economic System (SELA) and the Caribbean Multinational Shipping Company (NAMUCAR) created in 1975.

Additionally, he worked on underpinning Mexico's international economic position at multilateral arenas by organizing raw material exporter countries on common positions. The new 10% surcharge on all dutiable imports imposed by Nixon's government in 1971 affected considerably Mexico. Echeverría attempted unsuccessfully to negotiate it and he complained publically about the 'American protectionism'. This took shape when he proposed in 1972 the Charter of Economic Rights and Duties of the States at the United Nations Conference on Trade and Development (UNCTAD) meeting in Chile. The UN adopted later this Charter in 1974 through resolution 3281 (XXIX). At the UN General Conferences, Echeverría profited the opportunity to

³³ Recently, "Declassified White House Records [have shown] how Nixon-Kissinger set a strategy of destabilization" against Allende (Kornbluh and Bock, 2020). This is not new, but it re-confirms old evidence and previous research with similar conclusions, that is, that the US was leading the operation. We should remind that one of the first reports about the CIA's covert operations to overthrow Allende, - written by Seymour Hersh- appeared in September 1974 on the front page of the New York Times. This provoked a national and international scandal leading "to the first substantive congressional inquiry into U.S. covert operations, the first public hearings on CIA operations, and the first publication of a major case study, *Covert Action in Chile, 1963-1973*, written by the special Senate committee chaired by Senator Frank Church. *The nature and extent of the American role in the overthrow of a democratically elected Chilean government are matters for deep and continuing public concern*, Senator Church stated at the time. *This record must be set straight.* (Kornbluh and Bock, 2020).

criticize the discriminatory nature of the right to veto in the hands of a group of few nations.

Table 4.2 Presidents of Mexico and nuclear milestones 1970 – 1985

Term	Presidents	Nuclear positions
1970 – 1976	Luis Echeverría Alvarez	Financial support to the first stage of OPANAL operations. Start the construction of Laguna Verde NPP
1976 – 1982	José López Portillo y Pacheco	In the first ‘nuclear law’ of 1979 included that the use of nuclear energy should be only for peaceful purposes
1982 – 1988	Miguel de la Madrid Hurtado	The second ‘nuclear law’ entered into force in 1985. Active participation at the UN and third world arenas for full nuclear disarmament.

Elaborated by the author

In his presidency, the Mexican Institute for Diplomatic Studies “Matías Romero” was founded to expand the diplomatic representations worldwide particularly in Eastern European countries and in the Third World. The trade constrictions by the US, a special partner for Mexicans, led Echeverría to look upon new commercial ties. His anti-Zionism enabled him to appeal to new ties with Arab states although this backfired him in his relation with the powerful Jewish-American community (Shapira and Meyer, 1978).

José López Portillo followed the path of the Echeverría’s active foreign policy but with an important advantage: the increasing national oil production. At the beginning of his term, the oil prices skyrocketed due to the Yom Kippur War, nevertheless, the prices started to fall triggering a rampant economic and institutional crisis. Moreover, the soaring Mexican indebtedness led López Portillo to denounce at the UN in 1982 “the financial disarticulation”. He bluntly expressed:

We developing countries do not wish to become vassals. We cannot paralyse our economies or plunge our people into greater misery in order to pay a debt the servicing of which has tripled without our participation or responsibility and the conditions of which were imposed upon us. We countries of the South are about to run out of chips; if we cannot stay in the game, it will end up in defeat for everyone (López Portillo, 1982: 210).

In contradiction with his own claims, López Portillo continued to borrow large amounts of money. In December 1982 a new Letter of Intent with the IMF was released³⁴. According to the IMF: “From 1973 to 1981, the external debt of the public sector in

³⁴ The Letter of Intent is available on <http://revistas.bancomext.gob.mx/rce/magazines/665/11/RCE10.pdf>

Mexico had grown at an average annual rate of more than 30 percent, from \$4 billion to \$43 billion. [...] [but, at the same time] [Mexico] had become a power in the international oil market [...]" (Boughton, 2001: 7).

In his administration, once Spain returned to democracy, the diplomatic relations between both countries were re-established. Similarly to Echeverría, López Portillo supported Cuba, and the Sandinist Movement (FSLN) in Nicaragua and he declared the Mexican opposition to the El Salvador's dictatorship. He recognized the Farabundo Martí National Liberation Front (FMLN) as a belligerent force. Nevertheless, in the International Meeting on Cooperation and Development (so-called North – South Summit) organized by Mexico, Cuba was excluded under US request. Mexico underpinned his position as a "Third World" interlocutor but its external positions often had no a correlative presence locally.

Miguel De La Madrid started the Mexican economic liberalization adopting policies of market deregulation and privatization. Given the severe economic crisis, he implemented the so-called Economic Growth Pacts to negotiate prices and subsidies with producers of many sectors.

He took some slight distance away from the radical and activist foreign policy of his predecessors. He preferred to focus his diplomatic efforts on peace-making processes in Central America, a region whipped by years of civil wars. President De La Madrid pretended to be a relevant mediator, particularly by providing to the US president Ronald Reagan a less simplistic explanation about the national liberation movements in Latin America, which were wrongly perceived by Reagan as an expression of soviet communism. The conformation of the "Contadora Group" for peace in Central America epitomized the Mexican vocation for peace promotion and its influence over that region. Lastly, he promoted a common arena for the interaction among continent's countries called initially the Group of the eight, made up of Mexico, Brazil, Argentina, Venezuela, Colombia, Panamá, Uruguay, and Peru, which would be the seed for the Río Group, the biggest continental forum without the US presence.

4.1.1.2 Implementation of the Treaty

Mexico became the capital of the Latin American nuclear non-proliferation, hosting the OPANAL headquarters in its territory. The first Secretary-General was the Ecuadorian ambassador Leopoldo Benites Vinuesa. Mexico as the promoter state of Tlatelolco was the main financial donor of OPANAL, and in 1971 and 1973 contributed 200.000 pesos to the Special Fund for the utilization of nuclear energy with peaceful purposes. This

fund was employed for scholarships and other grants to train specialists in the supervision and control of nuclear materials. To Mexico, Tlatelolco was to some extent a preventive declaration of neutrality if any superpowers showdown occurred, therefore, Tlatelolco should demonstrate to be more than a well-written Treaty, should be a real commitment in practice, after all, Mexico had invested a lot of economic and politically to bring this idea into being. The interest of Mexico in Tlatelolco unfortunately was inversely proportional to that of the rest of states-parties, which formally and legally participated in Tlatelolco, but materially –to say- were less engaged.

In September 1968, the Mexican government signed the agreement for the application of safeguards under the Treaty of Tlatelolco with the IAEA, which was modified later in November 1973. The agreement established the control of nuclear material and related facilities in Mexican jurisdiction. The Mexican part committed to report to the IAEA any purchase and nuclear material transference from an export country to its territory. Additionally, it stipulated that any export country should report to the Agency any nuclear transference to the signatory country even before or regardless of the signatory country's report. It also demanded the Mexican government the submission of inventories and it regulated the actions in case of non-compliance. What is relevant to underline is that OPANAL was never mentioned in the Agreement with the IAEA, and no special role was assigned to the Latin American Agency. It should be noticed also that according to this agreement the IAEA's Board of governors was the body with the power to determine the compliance or non-compliance of the Treaty. Again, OPANAL didn't have any clear role so far. By 1973, the application of safeguards was suspended and negotiations for a new agreement began.

México and Costa Rica were also the first countries in signing the Convention on the Privileges and Immunities of the Agency in 1970 especially designated to protect the IAEA inspectors and other officers and diplomats when they carry out *in situ* inspections and other related activities to safeguards implementation.

Regarding the national legislation, article 27 of the Mexican Constitution was modified. According to the Mexican historian Emilio Kourí, “there is no more nationalistic article in the Mexican Constitution than article 27” (2017), where the nation declares its sovereignty over its natural resources. Under the presidency of Luis Echeverría, by official Decree on February 4, 1975, the following statement was included in article 27: “It is also the responsibility of the nation to take advantage of nuclear fuels for the generation of nuclear energy and to regulate their applications for

other purposes. The use of nuclear energy can only be for peaceful purposes”. In addition, this decree declared that only the Mexican state could exploit radioactive resources. However, the concerning regulation of article 27 –known as the ‘nuclear law’ issued in 1979 and modified in 1985, left to the erstwhile Secretary of National Heritage and Industrial Development (Sepafin) the final decision on granting or not concessionary rights to non-state actors or foreign investors. The Sepafin, created in 1976-, was renamed in 1982 as the Secretary of Energy, Mines and Public Industry (SEMIP).

In 1972, the CNEN had been transformed into the new National Institute of Nuclear Energy (INEN), but with the so-called 1979 “Nuclear Law” it was renamed as the National Institute for Nuclear Research (ININ), which is the same name nowadays. This law also established the National Commission for Nuclear Safety and Safeguards (CNSNS), the Uranium Mexican enterprise (Uramex) and the National Atomic Energy Commission (CNEA) “which never started its operation” (ININ, 2020). The ININ would specialize in nuclear researching and developing tasks and the SEMIP in radioactive resources exploitation. Some scientists deemed this activity division as a mistake because it did not allow deep inter-institutional coordination (García and Cortés, 2014). Nevertheless, this new institutional organization encompassed to a greater extent all the nuclear cycle’s stages suggesting that Mexico had already accumulated experience and knowledge on this domain without disregarding its binding non-proliferation commitment.

The nuclear Mexican program slowed down for a while due to the new unfavourable political, social, and economic circumstances. The energy crisis and the end of the gold standard convertibility hit significantly the Mexican economy. Luis Echeverría tried to appease the social conflict and the legitimacy crisis of his government and the PRI by adopting a conservative redistribution policy and a radical progressive foreign policy with meagre results. The Tlatelolco Massacre had caused dramatic power attrition to the actors of the Mexican political system. In spite of that, on November 27, 1970, the Nuclear Center "Dr. Nabor Carrillo Flores ” was officially inaugurated by Gilberto Valenzuela, Secretary of Public Works. Despite the nationalistic tenor of the ‘Nuclear Law’, from the 60s to the López Portillo’s government, it was difficult for the political power resisting the US pressures for obtaining exploitation licenses over its soil due to its unstable economic situation.

In 1978, the US Nuclear Non-Proliferation Act was enacted. Its purposes were:

(1) [To] pursue the establishment of international controls of nuclear equipment, material, and technology, (2) to enhance the reliability of the United States as a supplier of nuclear reactors and fuels, (3) to encourage ratification of the Treaty on the Non-Proliferation of Nuclear Weapons, and (4) to aid other nations in identification and adaptation of appropriate energy production technology (US Congress, 1977).

The Act in practice toughened the requirements for nuclear exports, which included:

(1) [A] requirement of IAEA safeguards; (2) the prohibition of U.S. assistance for nuclear explosives; (3) a requirement of prior U.S. approval for re-transfers and reprocessing; and (4) an application of such criteria to anything produced using exported nuclear technology. Exempts the European community, Mexico and, Yugoslavia from the retransfer and reprocessing requirement (US Congress, 1977).

Many countries perceived the implementation of this Act as a deliberate measure to interfere with their nuclear programs. Mexico, although it was exempted from one requirement was frustrated. Mexico through the IAEA sought enriched uranium suppliers. Paradoxically, “it was decided that the US [should] supply the enriched uranium. The core for the first unit [would] be French-supplied uranium enriched by the United States (with which Mexico [had] two ten-year enrichment contracts to cover the two units)” (Redick, 1981: 114). However, because of the Act, the export licenses were obtained in 1979, delaying the whole process. The Mexican government was upset because it had been transparent regarding its nuclear civilian program since its inception, it had already implemented the IAEA safeguards, it adhered to the NPT and ultimately, it had been the promoter of the Treaty of Tlatelolco, hence there was no signal of potential nuclear diversion or ambiguity. This trade hurdle led Mexico to look for new nuclear partners.

Table 4.3 Mexico’s nuclear agreements 1968 – 1985

Date of agreement	Partner	Date of report to OPANAL
Dec. 71	FGR	Dec. 71
Oct. 72	IAEA	Oct. 79
Feb. 74	IAEA and US	Oct. 79
Feb. 74	IAEA	Oct. 79
Jun. 74	IAEA and US	Oct. 79
Jun. 75	Romania	Oct. 79
Nov. 78	Spain	Nov. 75
Mar. 79	France	Oct. 79

Elaborated by the author. Source: OPANAL, 1985d

In 1976, the construction of the Laguna Verde Nuclear Power Plant had begun. The IAEA supported this project since 1969, and it sent two technical missions. Laguna

Verde included two reactors of 654 MW(e), which started to operate commercially in the '90s although president De La Madrid expected their operation would be ready by 1987. It's worthy to mention that the construction of the Laguna Verde Power Plant stirred up strong opposition among neighbour communities, especially after the Chernobyl disaster of 1986, which paved the way for the rise of antinuclear groups in Mexico, such as the "Madres Veracruzanas" (Mothers from Veracruz) officially constituted in 1987 by 30 women.

Under the presidency of Miguel De La Madrid, the transition to the neoliberal model started by reducing the role of state in economy, in strategic sectors (oil, mineral resources) and in social areas which from the 1917 Revolution had been somehow safeguarded by former governments. Some public enterprises were closed or absorbed by other institutions and private capital investments were encouraged. This paradigm change brought about some consequences for the national nuclear sector. In 1983, the mobilization of URAMEX worker's union (SUTIN³⁵) was one of the most significant protests. They demanded considerable increase in wages. The De La Madrid government conceded the petition but one year later through the approval of the 1984 Nuclear Law eliminated URAMEX and dismantled SUTIN (Ejea, 2015).

When URAMEX was closed, the Secretary of Energy took its activities over. This transformation was possible because the new 'Regulatory Law of the Constitutional article 27 on nuclear matters' had entered into force modifying the 'Nuclear Law' of 1979. Ambiguously, in his final report, De La Madrid accepted that "the public sector must not be retracted in strategic entities, but reinforced and efficiently expanded" (De La Madrid Hurtado, 2012:188).

This government had an active role internationally in initiatives for disarmament. In 1985, Mexico altogether with Argentina, India, Sweden, Tanzania and Greece issued the called 'Declaration of Mexico' at the 'II Summit for the peace and disarmament initiative' denouncing the nuclear race intensification and demanding to NWSs to take concrete actions to stop their nuclear race and reduce their nuclear arsenals³⁶. This Summit was repeated in 1988 where these governments congratulated the Soviet president Mikhail Gorbachev and the US head of state Ronald Reagan for the

³⁵ Sindicato Único de Trabajadores de la Industria Nuclear (Nuclear Industry Workers' Union)

³⁶ The full statement can be read in Spanish on: <https://revistadigital.sre.gob.mx/images/stories/numeros/n13/declaraciondemexico.pdf> [Accessed: Mar. 2, 2020].

signature of the INF Treaty and they enjoined them to commence “a time-bound process of nuclear disarmament” as Indian Prime Minister, Rajiv Gandhi expressed it ³⁷.

Along this period, Mexican presidents preserved the principles of non-proliferation and nuclear disarmament actively and not as mere spectators. Mexico contributed financially and logistically to OPANAL’s operation. Additionally, Mexican presidents engaged in disarmament cause by participating and leading international summits and underpinning their positions through the third world *ad-hoc* groups. Even though Mexico -as other sub-power countries as India or Argentina- criticized the slow pace in nuclear reduction and the nuclear possessors’ lack of political will to do so, its strategy was conciliatory and stable, for instance: it was not reluctant to sign the NPT. Conversely to Brazil and Argentina that underlined the discriminatory nature of the NPT, Mexican presidents focused their discourses on the nuclear possessors’ lack of commitment to advance on disarmament. Lastly, the explicit inclusion in the 1979 ‘nuclear law’ of a statement specifying that all nuclear endeavours should be only for peaceful uses reflected that the Treaty of Tlatelolco reinforced the Mexican nuclear previous preferences.

4.1.2 Brazil: economic miracle, sub-imperialism and cooperation

During this period Brazil was presided over by several military governments. This did not mean that the foreign policy was homogenous and uniform in all the period, although some traits and anti-communist policies remained unchangeable. The constant divergences among military members were reflected in the discontinuities of Brazilian international choices and alignments. Brazil oscillated between the automatic alignment to the US agenda and the projection of its actorness in South America, chiefly in the La Plata Basin, and in Portuguese-speaking Africa. Brazil continued its nuclear program and kept its reluctant position towards the NPT. Although it signed the Treaty of Tlatelolco in 1967 and it ratified it in 1968, this Treaty entered into force only in 1994. Brazil had decided not to waive the entry into force requirements prescribed in article 29. That meant, that the Treaty would enter into force in Brazil once all the states-parties ratify it, both additional protocols were ratified and safeguard agreements negotiations had concluded. In 1994, Brazil, despite Cuba’s ratification was still missing, decided to waive this clause to implement fully Tlatelolco. However, more reasons were behind this delayed resolution, as we will analyse it.

³⁷ The full statement of the Indian Prime Minister, Rajiv Gandhi can be read on: <http://meaindia.nic.in/cdgeneva/?pdf0588?000> [Accessed 2 Mar. 2020].

Table 4.4 Presidents of Brazil and nuclear preferences 1967 - 1985

Term	Presidents	Nuclear positions
1967 – 1969	Arthur Da Costa e Silva (DT)	<i>Diplomacy of prosperity.</i> <ul style="list-style-type: none"> • NPT as a discriminatory Treaty • Tlatelolco Treaty signed and ratified, but it did not enter into force.
1969 - 1974	Emílio Garrastazu Médici (DT)	<i>Diplomacy of national interest</i> <ul style="list-style-type: none"> • Modernization of nuclear institutionalization. • The 1972 agreement signed with the FRG in conflict with the Treaty of Tlatelolco mandate. The agreement allowed the entry and stationing of nuclear ships into Brazilian waters and ports.
1974 - 1979	Ernesto Geisel (DT)	<i>Responsible pragmatism</i> <ul style="list-style-type: none"> • Tripartite Agreement for safeguards between IAEA, FRG and Brazil (1975) signed. • White paper on the Brazilian Nuclear Policy was published as a confidence-building measure. • Institutions for full control of the nuclear cycle. • The parallel nuclear Project “Solimões” started at the end of his mandate.
1979 – 1985	João Figueiredo (DT)	<i>Ecumenical pragmatism</i> <ul style="list-style-type: none"> • Cooperation with Argentina started. • Establishment of the Evaluation Committee of the Brazilian Nuclear Program (CAPNB)

Elaborated by the author
(DT): Dictatorship

4.1.2.1.- Political power, identity and relations with the hegemon

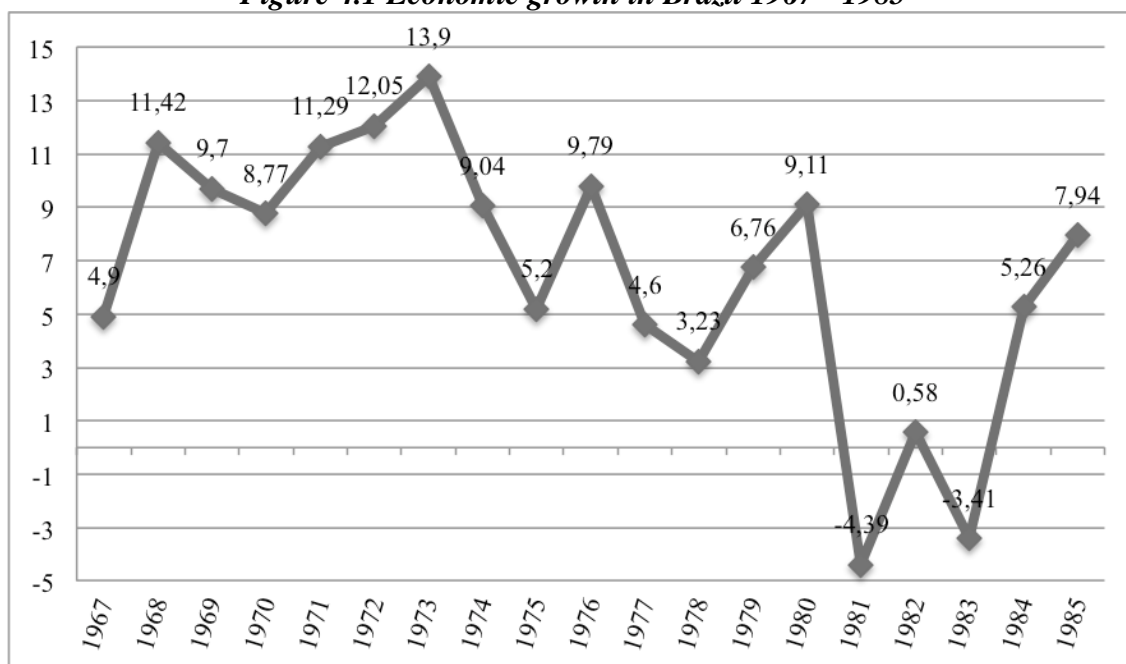
The Brazilian military stratum was not a solid monolithic unit, in part because officers had different scholar backgrounds and institutional memberships. Castelo Branco considered as moderate pertained to the Brazilian War College (Escola Superior de Guerra), considered as the intellectual stronghold of the Armed Forces, meanwhile hawkish Garrastazu and Figueiredo belonged to the intelligence services (Serviço Nacional de Informações). This internal dissent, the personal ambitions of Artur Da Costa Silva and the fear of the return to power of the ousted political groups –who won the elections of 1965-, delayed the return to democracy. As it was aforementioned, there was a dissonance between the international trend towards the *détente* and the national actions focused on the radicalization of the fight against what the Brazilian establishment branded as communism.

The group of Costa e Silva was aligned to the establishment sectors locally. As a first measure, he issued the Institutional Act Nº 5, the most radical of the institutional acts, which gave to him powers to intervene states and local governments, subjugate justice, to declare Congress and legislative recess, to cancel political rights and *habeas*

corpus –including surveilled freedom-, among others³⁸. This act was not well received neither at the Congress neither within the armed forces. Churches and universities were the few institutions organized to protest and show opposition to this Act.

At the international level, president Costa e Silva performed a more pragmatic policy aloof from the ideological restrictions and military interventions. During the “automatic alignment” era of Castelo Branco, Brazil had engaged in the US invasion of the Dominican Republic in 1965 and it was about to participate in the Vietnam War. The phrase said by the conservative politician, officer and ambassador in the US (1964-1967), Juraci Magalhães: “What is good for the US is good for Brazil” was re-thought under Marshal Costa e Silva’s administration. He switched the conflict axis from West – East to North–South. The need for finding a solution to the economic problems pushed him to adopt a foreign policy accordingly. Security and development became the paramount issues of the domestic and external agenda. At the end of his period, the GDP had grown in a 9,7%. This was considered as the onset of the “Brazilian miracle” which lasted until 1973 (Velooso, Villela and Giambiagi, 2008).

Figure 4.1 Economic growth in Brazil 1967 - 1985



Elaborated by the author. Source: The World Bank Data (2020a)

This period of “*grandeza*” made the Brazilian establishment think that Brazil could be a hegemonic power, which the following administration would reflect boldly. The ensuing president Emílio Garrastazu Médici followed the developmentalist direction -

³⁸ The full text of the Institutional Act 5 can be read in Portuguese on: http://www.planalto.gov.br/ccivil_03/ait/ait-05-68.htm. Consulted on: March 10, 2020.

started since the Getúlio Vargas presidency- with the difference that his administration was marked also by repression to its citizens. His model was named as a market economic model but it had significant state participation, and it was aimed to create a Brazilian model of industrial capitalism. Under his government, was implemented the I National Development Plan (1972 – 1974), whose overriding objective was to lift Brazil out of underdevelopment in one generation by increasing its economic growth at 9%. He projected as well to double the per capita income, to increase the employment rate and control inflation (Presidência da República, 1972). His development plan was instituted through the 5727 Law to expand its implementation to every state institution (Presidência da República, 1971). The economist Roberto Campos was the Plan's ideologue and the Minister of Planning and General Coordination, João Paulo dos Reis Veloso was its final author. Under G. Médici' presidency, the "Brazilian Miracle" was in its zenith with an economic growth rate of 13.97% in 1973, however, there was no fair income redistribution, rather it was concentrated in the hands of the rich Brazilian elite and in lesser extent in those of the middle class.

As it can be read in the Plan, Brazil should keep its position in the list of the top 10 economies in the world by GDP and its 8th position in the Western hemisphere. To do so, G. Médici included as a salient axis the "Implementation of National Technological Policy" in order "to accelerate and orientate the technology transfer" to Brazil linked to the development of Brazilian-made technology (Presidência da República, 1972:8). We will refer to this in the next section.

The presidency of G. Médici reinforced the anti-communist strategy in the immediate environment. The so-called *Teoria do cerco* (Fence Theory) was the paradigm adopted by him. This theory assumed that Brazil could intervene in the surrounding countries where citizens might elect governments of Marxist leanings to avoid the triumph of what they called "hostile regimes". This doctrine was somehow the immaterial consequence of the unparalleled economic growth and the expression of the elite's hegemonic intentions. The borders were foremost ideological. The '30 hours operation' in Uruguay in 1971 to hinder the victory of the leftist candidate Liber Seregni, the backing to the Bolivian dictator Hugo Banzer and the support to Pinochet in Chile were some examples on the ground of the Fence doctrine adopted by G. Médici (Miyamoto, 2013). This policy epitomized the Brazilian sub-imperialism of that time.

In 1973, G. Médici and the Paraguayan dictator, Alfredo Stroessner signed the Treaty of Itaipú for the construction of a national mega-dam harnessing the benefits of

the Paraná River, a geographic feature shared with Argentina. This agreement upset Argentinians who deemed it as a hostile action because they considered they should have been consulted previously by Brazil and Paraguay. This led Argentina -which at the moment was governed by the peronist Héctor Cámpora- to denounce that in different arenas from the OAS to the UN, to the NAM (Non-Aligned Movement). Argentina got two diplomatic victories to contest the Itaipú Treaty. First, at the IV Conference of the NAM in Algiers, with the support of Mexico, Argelia, Chile and Cuba, Argentina was able to include in the Economic declaration the following paragraph:

[The non-aligned countries] also believe that cooperation between countries interested in the exploitation of [natural] resources should be developed on the basis of a system of information and prior consultation within the framework of the normal relations existing between them (NAM, 1973:72).

The second Argentinian victory against the Brazilian “kilowatt diplomacy” was under the last government of Perón. At the 28th session of the UN General Assembly, the Argentinian resolution proposal entitled: “Co-operation in the field of the environment concerning natural resources shared by two or more States” which included the “prior consultation principle” was approved. Afterwards, there were many attempts by both sides to mend the strained relations but were frustrated due to internal disagreements. Only in the ‘80s, this crucial alliance achieved good terms.

In 1974, Ernesto Geisel started the “responsible pragmatism” era. He resurfaced the relevance of Portuguese-speaking Africa for Brazil –as Goulart did a decade before- and strengthened the ties with that region. Geisel recognized the newly independent countries, Angola and Mozambique although their governments had a different political identity. China was also recognized under his administration. His government had ups and downs with the US, especially with president Jimmy Carter because of his human rights foreign policy agenda.

The UN Conference on the Human Environment placed on the international agenda the environmental preservation issue and enjoined member states to take concrete steps to tackle pollution and other human impacts on environment. This had a remarkable resonance among South American countries, which possess vast natural reserves. In this context, and given the Brazilian purpose of increasing its exports to its immediate market, president Geisel proposed the Treaty for Amazonian Cooperation

(TCA), signed in 1978 by the representatives of Bolivia, Colombia, Ecuador, Guyana, Peru, Surinam and Venezuela.

The next government was led by João Figueiredo, whose “ecumenical pragmatism” (Miyamoto, 2013: 3) enabled him to appease the strained relations with Argentina, harmed since the Itaipú conflict. Although he took officially a neutral position in the Malvinas/Falkland War in 1982, a report published by *O Globo* in 2012 - based on declassified documents from the erstwhile National Information Service - revealed that Brazil might have funnelled weapons to Argentina from the Soviet Union (Casado and Oliveira).

In the Brazilian northern border instead, Figueiredo prevented a potential US intervention in Surinam in front of an imminent turn to the left in that country by occupying the place of Cuban cooperation with Surinam. Despite the good relations with the US, Figueiredo and Reagan had different approaches about the methods to employ in the “anti-communist fight”, at least in Latin America. For Brazilians, who had participated in the “Contadora Group” to promote peace in Central America, the US interventions in that region had been “ineffective” given the *ex-post* social and political instability in those countries; therefore, a military intervention in its northern border would be costly, undesirable and not strategic. These assessments led them to improve their cooperation with Suriname to replace the Cuban nexus. This gamble proved to be successful in the mid-term for Brazilians because the US intervention in Suriname did not take place and this country was not ‘cubanized’ as Americans supposed it (Duchiade, 2019).

At the end of Figueiredo’s administration, the Mexican president De La Madrid visited Brazil in March 1984. The countries had increased their bilateral cooperation since 1980 when the Memorandum of understanding on Economic and Industrial cooperation was signed. Brazil had participated also at the North-South Summit in Cancun where the bilateral Work Plan on Commercial and Economic cooperation had been signed. These previous common encounters resulted in the visit of the Mexican president to Brazil and the signature of the “Work Plan on Commercial and Economic Cooperation” for the 1984 – 1985 period amidst a rampant economic crisis in the region. This intense diplomatic connection between Mexico and Brazil increased the confidence in each other and paved the way for the future entering into force of the Treaty of Tlatelolco in Brazil during the democratic period.

We can argue that the military rule era was characterized by periods of ideological radicalization and periods of political loosening and this was also reflected in the Brazilian foreign policy. The intense interventionist sub-imperialist policy during the 70's undoubtedly helped to the implementation of the "National Security Doctrine" in South America, but this behaviour in comparison to those of other periods of the recent Brazilian history, was anomalous. In general terms, the sub-imperialist policy was short-lived and circumstantial. Brazil was worried about future resentments among its neighbours due to its interventionist policies; hence it decided to re-orient its international relations towards cooperation and conciliation.

4.1.2.2 Nuclear and non-proliferation preferences

The Brazilian nuclear program was under full control of the military power, where the participation of the Navy was particularly relevant (and it is until nowadays). Conversely to the Mexican case, where the nuclear program was institutionalized by the government in a stepwise approach and the scientific communities had an important role, the Brazilian case was a project that originated almost exclusively at the military and political elites.

The fact that Brazil had taken a pro-West position and had subscribed to the anti-communist US stance did not mean an alignment in nuclear policies or a cooperative behaviour on non-proliferation norms, as the US aspired. The status of regional power and the Brazilian interests in development and security as two sides of the same coin prevailed over any ideological consideration.

Costa e Silva in his last speech to the nation on March 15, 1969, proudly highlighted as a milestone of his government at the international level the non-signature of the NPT. He alleged: "In the international domain, without prejudice of the coexistence with friend nations, we firmly defended the Brazilian interests, refusing to sign the NPT because we consider it discriminatory and detrimental to our development" (Costa e Silva, 1969: 498). This understanding would fade only after the full transition to democracy.

Similarly to his predecessor, Emílio Garrastazu Médici in his inaugural speech underlined, that Brazil for 2000 would be a powerful country in nuclear issues: "I have faith that in the mid-term of my government we can prepare the bases to launch our true position in 2000 and assuring our participation in nuclear and special programs, as long as they serve to accelerate the Brazilian development" (Garrastazu Médici, 1969:38). According to the I National Development Plan 1972/1974, it was projected that "Brazil

would enter in the nuclear era with the construction of the First Nuclear Power Plant, the completion of the nuclear fuel cycle and the uranium exploration and processing on a large-scale” (Presidência da República, 1972). Through a research program on uranium, the G. Médici’s government sought to place Brazil as the third or fourth-largest uranium producer.

His government worked on three issues particularly: the signature of strategic agreements with the US, the FRG and France; the modernization of the nuclear concerned institutionality and the start of the construction of the first power plant Angra I in 1972. Regarding the first aspect, although many difficulties, three agreements were signed with the FRG: the first one for scientific and technological cooperation in 1969; the second one, for the entry of nuclear ships into Brazilian waters and their stationing in Brazilian ports in 1972 (this was in conflict with the Treaty of Tlatelolco), and the third one, between the National Nuclear Energy Commission (CNEN), the Brazilian Company of Nuclear Technology (CBTN) and the FRG Ministry for research in 1973.

In 1972, the US–Brazil agreement for supplying enriched uranium in exchange for Brazilian natural uranium with safeguards application was signed. Westinghouse Electric committed to building a nuclear power plant in Angra dos Reis in the frame of this agreement. Nevertheless, in 1974 the US Atomic Energy Commission informed that the supply of enriched uranium couldn’t be guaranteed (not only for Brazil) breaching the agreement.

On the second aspect, G. Médici created in 1969 the Mineral Resources Research Company (CPRM) linked to the Ministry of Mines and Energy and in 1972 he founded the Brazilian Nuclear Technology Company (CBTN) whose main task was installing the nuclear plant for uranium enrichment. Finally, in 1970 the Institute of Atomic Energy became an autonomous public institution.

The policy of “responsible pragmatism” of Ernesto Geisel was a rupture with its predecessors who had prioritized ideological concerns. He retook the erstwhile “Independent Foreign Policy” of Kubitschek, Quadros and Goulart. In 1977, he denounced the 1952 Military Agreement prior signed with the US, because his government considered that this commitment limited Brazil’s options for technological transfer. Moreover, the new human rights foreign policy adopted by Jimmy Carter led his government to criticize the human rights violations in Latin America and to reduce considerably the military cooperation to the region (Fitch, 1993) pushing Brazilians to look for new partners. The search for partnerships’ diversification was exacerbated after

the issuance of the 1978 US Nuclear Non-Proliferation Act (NNPA), which tightened the conditions and requirements for nuclear exports and cooperation. Other factors that contributed to the Brazilian searching for nuclear energy were the 1973 oil crisis, the gloomy predictions about the exhaustion of oil national reserves and the calculations of considerable demand for Brazil's electrical energy in the mid-term (Ortega, 2018).

Brazil sought full control of the nuclear cycle including the enrichment of uranium and the reprocessing of radioactive material. The US restrictions led Brazil to negotiate with France and the FRG for obtaining nuclear materials. The Atomic Commission from France (CEA) and the Brazilian Commission of Nuclear Technology (CBTN) celebrated an agreement for the knowledge transfer on reactors operation, and with the FRG, Brazil signed an agreement for the technological transfer on fuel enrichment, construction of nuclear power plants and provision of equipment for radioactive minerals prospection. This was complemented by the 1975 agreement between Nuclebras and the STEAG (from Germany) for enrichment through the Nozzle process technology. For the German side, the Brazilian nuclear partnership resulted also relevant for the expansion of its market. The German-Brazilian nuclear agreement stirred up American's distrust. The US elite was deeply worried about the possibility of a Brazilian nuclear bomb not only because of the agreement but also because Brazil was reluctant to sign the NPT. However, Brazil had signed and ratified the Treaty of Tlatelolco in 1969 and although it entered into force only in 1994, this country as part of the Latin America territory and as a signatory state should not adopt any measure that contravened the Treaty. In that sense, the Brazilian government perceived the American restrictions and fears as contradictory to the IV article of the NPT, which promotes nuclear energy cooperation for peaceful purposes. Given these concerns, Brazil, the FRG and the IAEA signed a safeguards agreement in 1975, which later on was finally ratified by the IAEA Board of governors. Despite this tripartite agreement established severe conditions for this alliance, it did not exclude entirely the possibility of building a nuclear weapon.

Geisel created and reorganized a seamless web of supportive and complementary institutions for the control of the nuclear cycle, thus the Brazilian Company of Nuclear Technology, the National Council of Research and the Institute of Radioactive Research were renamed as Nuclebrás, the National Council of Scientific and Technological Development (CNPq) and the Center for the Development of Nuclear Technology (CDTN) respectively; the Institute of Nuclear Engineering, the

Institute of Radioactive Research and MIBRA (Brazil Mining company) were relocated under the direction of Nuclebrás. At the end of 1975, six new Companies were founded: NUCLEN (Engineering Nuclebrás), NUCLEP (Nuclebrás Heavy Equipment), NUCLAM (Nuclebras Auxiliary Mining), Nuclemon (Nuclebrás research of thorium from monazite sands), Nuclei (Nuclebrás Isotopic enrichment) and Nustep, this last in cooperation with the German enterprise STEAG for developing a centrifugal compressor. The approval of the 6453 Law over civil liability for nuclear damage and criminal liability for acts related to nuclear activities in 1977 can be interpreted also as part of Geisel’s government efforts to cover the cycle including nuclear safety. In 1975 the Federal Decree 75.879 licensed the construction and operation of Angra III to Furnas (now Furnas – Eletrobras Enterprise), one year later, the Angra II project started to be built.

Table 4.5 Brazil’s nuclear agreements 1968 – 1985

Date of agreement	Partner	Date of report to OPANAL
Nov. 66	Peru	Dec. 71
Jul. 79	Venezuela	Oct. 79
Aug. 81	Paraguay	Oct. 79

Elaborated by the author. Source: OPANAL, 1985d

As it can be observed in *Table 4.5* Brazil reported to OPANAL only a few of its nuclear agreements given the Treaty did not enter into force in its territory. The agreement with Germany was still a source of suspicion in Brazil and in the FRG. The German newspaper *Der Spiegel* said in a publication that there were many technical and political inconsistencies in the Brazil-FRG nuclear agreement, and it described Brazilians as irresponsible and incompetent to carry out the program. This upset the Brazilian elite and some Senate members decided to constitute a Parliamentary Inquiry Commission about the Nuclear Question to clarify the doubts about the program and the agreement³⁹. Additionally, the government of Geisel published the White Paper on the Brazilian Nuclear Policy as a confidence-building measure. It emphasized its commitment not to carry out any activity against the objectives and ends of Tlatelolco given that Brazil had signed and ratified it. The Joint Statement signed by presidents Geisel and López Portillo of Mexico on January 19 1978 included the same undertaking. By the same token, president Geisel at the I Special Session of the General Assembly devoted to Disarmament (SSOD – I) on May 28 1978, pointed out that “the Treaty of Tlatelolco

³⁹ The full report of the Nuclear Question Parliamentary Inquiry Commission is available in Portuguese on: <https://legis.senado.leg.br/sdleg-getter/documento?dm=3375490&ts=1586467400593&disposition=inline>. Consulted on: March 2, 2020.

[constituted] a real progress that honours the pacific traditions of our hemisphere” (OPANAL, 1979: 8). Some days later, the Brazilian Minister of Foreign Affairs added that: “Brazil has a firm position against nuclear weapons production and it feels happy about seeing them banned in Latin America” (OPANAL, 1979:8). However, for Brazil, the NWSs engagement with the Treaty was crucial and a *sine qua non* condition for its entry into force. Antonio Azeredo da Silveira, the Brazilian Minister of Foreign Affairs, in a letter submitted to OPANAL underlined that: “the security of our geographic area is necessarily the result of a regional collective disposition and of an unequivocal undertaking by NWS through the signature of Protocols I and II. When this happens, Brazil, which already ratified the Treaty, will be *ipso facto*, part thereof ” (OPANAL, 1979: 9).

For a long time, the Brazilian Navy was interested in having small reactors for the propulsion of submarines. Additionally, the question of nuclear development became an issue of national identity because Brazilians did not want to lag behind Argentina, which had an advanced nuclear program at that time. This led them to initiate in 1979 the Parallel Nuclear Program also known as the Autonomous Nuclear Program or “Solimões Project” aimed to develop a submarine of nuclear propulsion and to control the processes of enrichment and reprocessing of nuclear fuel. To accomplish this project, in 1980 the Nuclear and Energy Research Institute (IPEN) and the Brazilian Navy signed an agreement. Meanwhile, the other project, the nuclear power plant Angra I obtained the first chain reaction and in 1985 started to operate commercially.

Paradoxically, Argentina and Brazil had similar objectives and obstacles on their nuclear programs and at the end of the ‘70s, they became allies starting long-lasting cooperation. In 1980, president Figueiredo visited Buenos Aires with the firm objective of finding a solution to the economic difficulties and to agree on the terms for nuclear cooperation. As a result of his visit, Brazil and Argentina signed on May 17 1980 a protocol of industrial cooperation in the nuclear area (Ortega, 2018). They declared their opposition to the NPT and their nuclear commissions agreed to work on common nuclear research projects. The president of Argentina, Jorge Rafael Videla visited Brazil in August of the same year and signed an agreement for the creation of a mixed working group and an agreement between the two Atomic Commissions the CNEN and the CNEA. NUCLEP from Brazil committed to providing heavy machinery to the Argentinian Power Plant “Atucha II” and the CNEA supplied fuel elements for the Brazilian power reactors.

The attitude of Brazil towards Tlatelolco was less critical than with the NPT. At the 1983 Tlatelolco's General Conference, the Brazilian delegate expressed the support of his country to the Treaty, referred to as a model to prevent the threats against international peace and security, but he was frank at saying that NWFZs might lose credibility if they do not demand –under the equality principle- the compliance of NWS' obligations as a guarantee for not being attacked in future (OPANAL, 1989b: 13).

In 1982 the Parliamentary Inquiry Commission about the Nuclear Question published its results, this led to the establishment of the Evaluation Committee of the Brazilian Nuclear Program (CAPNB) in September 1985 by the 91.606 Decree. Moreover, the System of Protection for the Brazilian Nuclear Program (SIPRON) was implemented by the 1809 Decree subordinating all nuclear researches in the country to the State's control.

Similarly to the previous periods, the institutional re-organization continued and the international cooperation with new actors, especially from Latin America increased exponentially. On the first aspect, The Brazilian Institute for Nuclear Quality (IBQN) and the short-lived (1989-1984) Nucon (Nuclebrás Nuclear Power Plants Building Company) were established. Regarding cooperation, Brazil signed several agreements for the peaceful use of nuclear energy with Iraq (1980), Argentina (1980), Colombia (1981), Peru (1981), Venezuela (1983), Spain (1983) and China (1984). Figueiredo underpinned Brazil as one of the main providers of military supplies to the Third World.

At the end of the Figueiredo's administration, the Brazilian Air Force dug a deep hole in Serra do Cachimbo as part of the Solimões Project, this event was interpreted by the press as a nuclear test. The government declared that Serra do Cachimbo was not used for those purposes but the excavation had been part of prospection for minerals. Specialists concluded that Brazil was still far from the completion of the nuclear fuel cycle (Ortega, 2018).

The completion of a nuclear cycle is feasible technological, economic and politically only for a few groups of countries. Moreover, the deterrence strategy in the case of a nuclear weapon possessor requires a lot of sophistication, and the nuclear safety process also entails demanding know-how itself. Brazil was still far from that objective at that time. Brazilians considered the NPT as an arrogant and discriminatory instrument, which reflected the global power relations and aimed to preserve the *status quo* where most of the countries would be indefinitely excluded and probably would

face difficulties for knowledge transfer. The fact that Brazil accepted signing and ratifying the Treaty of Tlatelolco and not the NPT demonstrates that its stance was not against the non-proliferation rules but against the power asymmetries. Brazil wanted to be a “regional power” and its nuclear independence was a way to underpin this objective, in that frame Tlatelolco was not particularly relevant for Brazilian government and given that it did not enter into force until 1994, was not legally an obstacle for their nuclear aspirations.

4.1.3 Argentina: from the scientific and technological regional leadership to the Malvinas/Falklands War

Argentina has been one of the actors that criticised the most non-proliferation regime because it had deemed it discriminatory and self-defeating for its nuclear interests.

Table 4.6 Presidents of Argentina and nuclear preferences 1970 - 1985

Term	Presidents	Nuclear positions
1970 - 1971	Roberto Levingston (DT)	Continuation of the nuclear civilian program
1971 – 1973	Alejandro Lanusse (DT)	Continuation of nuclear civilian program
1973 – 1976	Peronist governments Cámpora-Lastiri-Perón-Martínez de Perón	Perón signed a contract with the Italian company <i>Italmimpianti and the Canadian enterprise Atomic Energy Canada Limited (AECL)</i> for the construction of a second nuclear power plant. Perón’s government considered IAEA’s monitoring system as the best safeguards system against any nuclear energy divert in front of the external pressures for signing the NPT and Tlatelolco.
1976 – 1981	Jorge Rafael Videla (DT)	Acceleration of the nuclear civilian project. In 1979, the 302 Decree approved the construction and operation of four 600MW nuclear power plants before the end of the XX century and one industrial plant for heavy water production and all the necessary facilities to cover the nuclear cycle.
1981 – 1983	Military governments (DT) Viola-Galtieri-Bignone	In the context of the Malvinas/Falklands War of 1982, Argentina accused the UK of “violating Latin America’s NWFZ by deploying nuclear-propelled submarine for militaristic purposes”. Refusal to sign a safeguard agreement with the IAEA and the NPT, and to ratify Tlatelolco.
1983 - 1989	Raul Alfonsín (Radicalism)	The official start of nuclear cooperation with Brazil. Creation of the “Zone of Peace and Cooperation in the South Atlantic” (against nuclear weapons).

Elaborated by the author.

DT: Dictatorship

Similarly to the case of Brazil, the military members had several discrepancies among them regarding the model of development, which influenced largely the continuity or

discontinuity of the Argentinian nuclear program and its non-proliferation policy. The dictators Levingstone and Lanusse had a nationalist economic policy, and Lanusse allowed some political pluralism for transitioning to a short-lived democracy with the return of peronism, which was ousted by a new military coup.

4.1.3.1 Political power, identity and relations with the hegemon

Levingston and Lanusse conversely to Onganía adopted political pluralism in their foreign policies. They wanted to revert Argentina's isolation by establishing new trade relations with Eastern European countries and reinforcing their ties with its Latin American neighbours. Lanusse also re-established diplomatic relations with China in 1972 (Casa Rosada, 2015).

Argentina had to deal with two troublesome fronts: Brazil and Chile. As we referred before, Argentina and Brazil had interests in conflict on the construction of the Itaipú Dam, when Brazil signed an agreement with Paraguay without prior consultation to Argentina. We remarked that Argentina attempted to enclose Brazil juridically by imposing the "prior consultation" norm on common natural resources exploitation at the UN and at the NAM arenas. Brazil and Argentina had also different criteria on how the prior consultation mechanism should be carried out (Zapata and Zurita, 2005:154).

Levingston adopted a non-intervention policy respecting the socialist government of Salvador Allende in Chile. The bordering question between Chile and Argentina over the sovereign possession of the Beagle Canal zone was an enduring dispute. In 1971, Lanusse and Allende settled this question by replacing the British mediation by the International Court of Justice (ICJ) arbitration, which was deemed by Argentina as less biased.

The relations with the United States were difficult. "The US included [Argentina] in the Latin American bloc and the governments of the [so-called] Argentine Revolution wanted to remain as an autonomous entity within the [bloc]" (Zapata and Zurita, 2005:158). In that context, Argentina preferred to diversify its relations by looking to Europe, particularly to France. The nuclear cooperation with the US didn't stop but the FRG Company Siemens got the contract for building the Atucha nuclear power plant.

Given the soaring popular discontent and the intense claim by large peronist groups of allowing the return of Perón, Lanusse decided to call for elections and lifted the proscription over peronism. After almost two decades, peronism came back to participate in elections. Perón, who was exiled in Spain and was not allowed to run in

the elections, returned to Argentina in 1973 amidst the Ezeiza massacre where extreme peronist organizations (from left to right) confronted each other. This bloody preamble was difficult to overcome but it didn't play havoc with the triumph of the peronist candidate, Héctor Cámpora. He started the third short-lived period of peronist governments until the coup of 1973.

In the '70s the social movements' activity was at its peak in Argentina and this was reflected in the ceaseless internal disputes among the factions and wings of peronism. A political rift was also widening in Latin America, where two forces emerged: the first, represented by Mexico, Panama, Chile, Ecuador and Peru which defended the autonomy of the region in front of the US and the second, embodied by Brazil, Bolivia and Uruguay which were more aligned with the US interests. Argentina under the peronist administration deepened the foreign pluralism initiated by Lanusse, which embraced the first group stance. It was paradigmatic the straightening of commercial relations with the Soviet Union that at a certain point replaced as a partner to Western Europe and England (Miguez, 2018).

Cámpora in his speech delivered at the Congress on May 25, 1973, remarked on the Latin American fight against imperialism and he expressed Argentina's support for regional integration. He harshly criticized the OAS: "It has not served to the liberation objectives of our people, rather the opposite it has contributed to keeping them in a dependent and underdeveloped condition" (1973: 21). Peronism valued scientific and technological development as the main vehicles of liberation and full independence. In the same speech, Cámpora underlined that: "Every reference to a system of science and technology should include, by logical consequence, a boost to the researches closely linked to national security" (1973: 61).

Cámpora re-established diplomatic relations with Cuba after a decade of distance, but due to peronist internal disputes, Cámpora was obliged to renounce and Raúl Lastiri took the power instead. He followed the heterodox and pluralist foreign policy adopted since Lanusse and deepened by Cámpora. Lastiri announced a US 200 million loan to Cuba, the largest Argentinian loan for a Latin American country. Brazil defended strongly the OAS as the main regional forum but Argentina and Peru called for reforming that organization, particularly the TIAR. For them, the OAS didn't represent the Latin American interests and it was falling into an institutional paralysis.

Lastiri called for elections. Juan Domingo Perón ran for president and triumphed after years of proscription. He adopted a moderate and pragmatic foreign policy for

advancing Argentina's national interests, boosting regional integration and opening the country to the East but avoiding any overt confrontation with the US. The so-called "Third position" was once again underpinned by peronism. Thus Argentina sent commercial missions to Hungary, Poland, Czechoslovakia and the Soviet Union in 1974 (Gentile, 2004) and attempted to approach Washington.

Perón died and his wife, María Estela Martínez assumed the presidency beginning a chaotic and erratic period locally and internationally. Perón who somehow was able to relieve the internal fight among the many factions of peronism was not there anymore and no one had legitimacy as him to keep the situation under control. His absence stirred up confusion. On the one hand, Martínez' government proposed several nationalizations and interventions of foreign enterprises particularly linked to oil production (e.g.: Shell and Esso) and electricity (e.g.: Italian –Argentine Company and Siemens) and on the other hand, she supported the US positions at international forums and paralyzed the trade negotiations with the Soviet Union and the Eastern Bloc. The relations with the US could not be revised because the nationalist policies adopted by Martínez de Perón affected US enterprises.

These non-stop ups and downs with the US and the West reflected largely the internal dynamic of peronism. Cámpora tended to leftist choices, Perón tried to keep a balance underpinning its "Third position" policy and Martínez de Perón, widely influenced by right-wing peronist groups and advisors as José López Rega, tried to undo some heterodox policies (e.g.: the approach to the Eastern Bloc). This lack of foreign policy coherence undermined the government's purpose of getting the US closer to Argentina.

The new military regime, self-named as the "Process of National Re-organization" took the power in 1976 with two missions: transforming profoundly the economic structure by enhancing the Argentinian ties with the international financial capital and the transnational corporations, and abolishing radically any dissidence by terror methods to order the country.

According to Roberto Russell, there were two kinds of diplomacies in this period: the military and the economic one. The military diplomacy can be characterised by "its nationalist, ideological and pro-Western orientation [...], its acceptance of the world *status quo* [...]" and its understanding that Argentina's historical role in the region was to prevent "the advance of the 'Marxist subversion'" (1984:173). The military president Jorge Rafael Videla in his first televised address in 1976 pointed out:

“Culture will be motivated and enriched. It will be open to the contributions of the great currents of thinking but it will keep always fidelity to our traditions and to the Christian conception of the world and the man” (RTA, 1976).

Meanwhile, economic diplomacy had “a pragmatic, internationalist and first worldist orientation [with] strong links to the [international] ‘business world’s values and interests” (Russell, 1984: 173). Both visions found several coincidences but concurrently dissonances. The Videla’s dictatorship meant for Argentina the most visible attempt of merging the dominant class’ interests with those of the State, where a new system of values was underpinned through repression and gross human rights violations. Videla underlined that:

We will give to the private initiative and to the national and foreign capitals all the required conditions to participate with their maximum potential and creative force in the rational exploitation of resources. We are aware of the valuable contribution that businessmen’s resolute action can offer to our financial, economic and technological independence and because of that we will boost it with all the State’s resources but assuring that economic interests don’t interfere with the exercise of the public power (RTA, 1976).

The economic plan of Martínez de Hoz, the minister of economy embodied these ideas and it was well-received by the American businessmen (Russell, 1984: 175). Nevertheless, when the Democrat Jimmy Carter assumed the presidency of the US, he criticized the human rights violations that occurred in Argentina. This led to a cold relationship between the two countries at least until 1978. The wanted nuclear autonomy of Argentina was also a relevant point of divergence between them. As consequence, the Eximbank suspended the financing for the American exports to Argentina. In the same year, “the Department of Defence blocked consideration of 212 license requests for \$100 million in military equipment. Following some indication that the condition of human rights had improved in Argentina, US Senate voted to repeal the ban on military sales” (Selden, 1999:130). However, American businessmen as David Rockefeller praised a good job of Martínez de Hoz.

The US –Argentina relations improved considerably under the presidency of Reagan in the ‘80s but when Argentina decided not to apply a cereal embargo against the Soviet Union, the relations with the Americans crumbled again. Argentina underlined its respect for the agreements already signed with the Soviet Union.

The dictatorship aimed to single out Argentina from the rest of Latin America due to its more developed level than its regional pairs in many areas (e.g.: culture,

science, technology). That and not only the mere competition with Brazil may explain some expansionist policies adopted by the military government, for instance, its support for the Bolivian coup d'état.

The relation with the rest of the region took a commercial pattern getting away from common political and social agendas. Argentina didn't quit regional forums, such as the NAM either because it deemed them useful arenas for promoting its position about the sovereignty over the Malvinas/ Falklands islands, but Argentina kept a low profile in those arenas. In fact, Argentina regardless of ideological differences with its neighbours received strong support from them during the Malvinas/Falklands islands War with the UK. The War started on April 2 1982 and finished on June 14 of the same year⁴⁰. Argentina called its military incursion as the recovery of the Islands from the British occupation initiated in 1833. Meanwhile, the British side claimed that it was an invasion. The war ended with the Argentine surrender and a total of 649 Argentine casualties and 255 English deaths.

After the war, the US – Argentina relations became difficult again. Russell summarizes this event as follows: “Fortunately, the Pope’s mediation in this point put an opportune stop to the “nationalist activism” project of the military diplomacy” (1984: 185). The War backfired the military regime and hastened the process for a democratic transition. (We will amp up this issue in the next section.)

The return to democracy in 1983 symbolised the end of almost a half-century of governments predominantly military. Raúl Alfonsín, leader of the Radical Civic Union (UCR), won the presidential elections with 51,7% of the votes in October 1983. Alfonsín had to deal with the military branch and its human rights violations, the wobbly economic situation aggravated by the foreign over-indebtedness that occurred during the last dictatorship, and the political disarray.

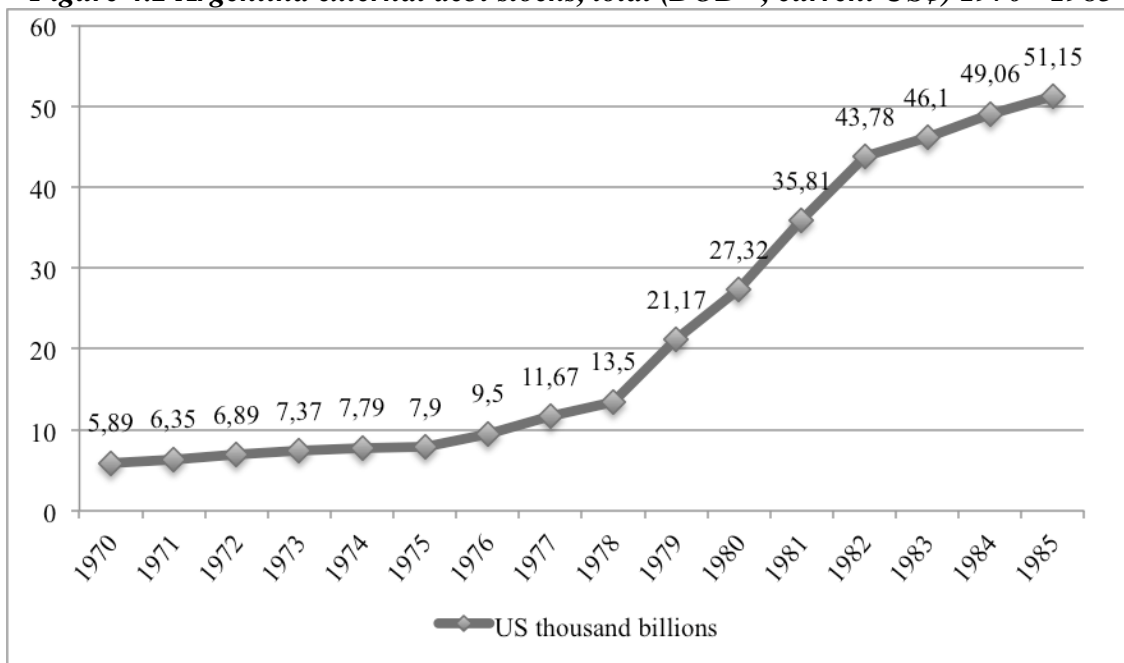
The Justicialist Party (peronism) and trade unions represented the political opposition in his period (De Monserrat Llairó, 2008: 9). The first steps towards neoliberalism initiated in Alfonsín’s government soon complemented the de-industrialization process, which had started under military governments. Bernardo

⁴⁰ We can trace back this conflict to 1713 when the “Peace of Utrecht” was signed and it assured Spain’s territorial possessions in South America and its exclusive navigation rights on the Atlantic Sea. Afterwards, France and the UK occupied the Islands. In the case of France, it ended up recognizing the Spanish authority, but the UK persisted in its occupation intentions and started to colonize the islands in 1841 by naming an official governor. In 1908, UK annexed the South Georgia and the South Sandwich Islands, as well as other territories currently undisputed under the Antarctic Treaty (Cancillería Argentina, 2020). One of the arguments underlined by the British is that the Islands had no indigenous population and that they were the first explorers when Captain John Strong named the channel between the two biggest islands ‘Falkland Sound’ in 1690 (Falklands Islands Government, 2020).

Grinspun, minister of the economy adopted some orthodox measures giving daunting results. Additionally, the negotiations with the IMF for obtaining credit implied a package of adjustment including the payment of a considerable percentage of debt interests. By December 1984 the price index rose 20%. In 1985, the new minister of economy, Juan Vital Sourrouille launched the Austral Plan in order to overcome the crisis, however the IMF conditions thwarted this purpose.

The over-indebtedness crisis was affecting not only Argentina but also Brazil and Mexico. In front of this situation, at the UNGA, president Alfonsín, as well as other Latin America's representatives, including those from Brazil, asked for a reconsideration of the debt (De Monserrat Llairó, 2008: 10). Nevertheless, as it can be observed in *Figure 4.2* the debt did not stop growing although in a slow rhythm.

Figure 4.2 Argentina external debt stocks, total (DOD⁴¹, current US\$) 1970 - 1985



Elaborated by the author. Source: The World Bank Data (2020b).

This vulnerable economic condition as well as the obsolescence of the East-West foreign policy approach to underpin the place of Argentina in the world made Alfonsín re-think the new orientation of the Argentinian international relations, tightening its ties with Europe, the NAM and the Cartagena Group. This latter was an *ad-hoc* gathering integrated by various Latin American countries to discuss solutions for the indebtedness crisis. At the 1984 Latin American Economic Conference (CELA), the origin of the

⁴¹ DOD stands for disbursed and outstanding debt.

Cartagena Group, the minister of foreign affairs, Dante Caputo criticized the external pressure inflicted by developed countries and credit organizations:

(...) Argentine democracy does not accept the trap in which the international financial system and its associated minorities have placed it by generating this overwhelming foreign debt. Nation-states have been fooled by these speculative groups. The destiny of the continent is to get out of this trap. (...) The crisis we are suffering may have as its counterpart the creation of an invaluable opportunity to finally make the integration of Latin America and the Caribbean a reality (La Nación, 1984)

The Argentine proposal of establishing a common mechanism that would allow debtor countries to negotiate in a group with creditor countries non-austerity conditions or alternative debt conditions was rejected by Brazil or Mexico. The interests' heterogeneity, as well as the predominance of conservative outlooks, were the main stumbling blocks to advance with this proposal (Escudé and Cisneros, 2000d).

To great extent, the debt crisis was one of the structuring issues of Argentina's foreign policy in this period. These conditions led the government to re-approach Argentina not only to its Latin American pairs and Europe but also to the US, in a balanced manner. Argentina was not aligned anymore with the US on its "fight against communism" but it sought to keep a good tone in its relations in order to ameliorate its bargaining capability for achieving some debt alleviation. The dispute with the UK over the Malvinas/Falklands Islands was also an axis of its diplomatic performance. Alfonsín purposed peaceful negotiations with the northern country. The longstanding frontier dispute with Chile concerning the Beagle Channel controversy was settled through a referendum in 1984 which allowed Argentina to sign the "Peace and Friendship Treaty" with Chile.

The East-West cleavage proved to be insufficient for understanding the complex problems of Third World and emerging countries and that explains that Southern-Cone dictatorships have ended up adopting pragmatic and realist foreign policies despite their anti-communist ideology (e.g.: the accomplishment of trade agreements with the Soviet Union). Nevertheless, their anti-Communist narrative gave them the political justification for eliminating by illegal means to their opponents without international stigmatization. Undoubtedly, the gross human rights violations committed on behalf of the "fight against communism" by civil-military dictatorships, the consequences of the Malvinas/Falklands War and the over-indebtedness crisis damaged the social tissue of Argentina and had an uncountable human cost. Therefore, it is undeniable that the

transition to democracy implied a holistic reconstruction at national and international level.

4.1.3.2 Nuclear and non-proliferation preferences

The non-proliferation preferences of Argentina didn't change during this observed period, neither its decision of advancing its nuclear program. Regardless of the ideological stance of the government, peronist or anti-peronist, both positions remained unchangeable. Not even the de-industrialization process started in the 1976 dictatorship affected the progress of the nuclear civilian program, whose protection had been guaranteed by scientists and military members who envisioned it as a piece of the national security policy. When Argentina signed the Treaty of Tlatelolco underlined

The Government [...], by signing the Treaty [...], upon complying with article twenty-eight, the first paragraph, expresses its satisfaction with the inclusion [...] of clauses that preserve the peaceful development of nuclear energy, among them, article eighteen that recognizes the right of the contracting parties to carry out, by their own means or in association with third parties, explosions of nuclear devices with peaceful purposes, including explosions that presuppose artefacts similar to those used in nuclear weapons. The Government of the Argentine Republic understands what determinations ensure the use of nuclear energy as an indispensable auxiliary in the development process of Latin America and, consequently they represent the fundamental precondition to lay the bases for an acceptable balance of authorities and mutual obligations for nuclear powers and non-nuclear countries (OAS, 1967).

Like Brazil, Argentina deemed unfair the limited obligations for NWS on nuclear arsenals reductions; while hard responsibilities regarding nuclear energy were imposed on the rest. The transition from the creation of non-proliferation norms to the establishment of restrictions for nuclear items exports reinforced the Argentine reluctant position towards the regime. To remind it, in 1975 the US had led the foundation of the Nuclear Suppliers Group (NSG) and in 1978 the US Congress had enacted the Nuclear Non-Proliferation Act, both aimed to control nuclear materials exports. For Argentina, this set of norms was not only for tackling nuclear proliferation but foremost for preserving the US monopoly on nuclear items and boycotting peaceful or commercial nuclear applications developed in other states (Valle, 2003:73).

Another conflictual point had to do with the peaceful explosions. Argentina and Brazil at the Tlatelolco negotiations pushed for the inclusion of a specific article on this. Thus the article 18 allowed “explosions of nuclear devices for peaceful purposes – including explosions which involve devices similar to those used in nuclear weapons- or

collaborate with third parties for the same purpose [...]” (OPANAL, 2018: 17), prior to a detailed notification to OPANAL and to the IAEA. Argentina was particularly interested in peaceful explosions applications on oil explorations, ports excavation, among other uses, which had been developed for the first time at the Livermore Lawrence Radiation Lab. (Voress, 1961).

For Argentina, the idea of legalizing the inequality between countries with the right to possess nuclear weapons and those which were forbidden of so by signing the NPT not only perpetuated the *status quo* but also increased the vulnerability of the State’s security and hindered the own industrial and technological development. From then onwards Argentina and Brazil worked together to reinforce their postures at the international level and their nuclear cooperation. They considered that the NPT violated the legal parity of states.

In this context, Argentina continued its nuclear endeavours regardless of the type of regime and government’s political orientation. The navy protected the nuclear project since 1952. Additionally, the CNEA centralized all the functions and institutions covering the nuclear cycle under a robust legal frame safeguarding the nuclear project from the tempestuous political changes. Thus, the second nuclear power plant, proposed in the Onganía’s government, was carried out in the Lanusse’s and Perón’s administrations. Perón signed a contract with the Italian company *Italmimpianti and the Canadian enterprise Atomic Energy Canada Limited (AECL)*, which operated in tandem for the construction of the plant. The technological transfer was a pre-requirement for any international contract. The possibility of developing indigenous capabilities (e.g.: heavy water elaboration) was also a criterion for selecting companies for the Argentinian nuclear project. However, these companies demanded Argentina to sign the NPT and Tlatelolco but Argentina argued that the IAEA’s monitoring system was the best safeguard measure against any nuclear materials diversion.

The CNEA was strong enough to defend its proposals and points of view in front of the executive power regarding the recruitment of foreign companies for the Argentinian nuclear projects (Nevia Vera, 2019: 86). In, 1973 the nuclear energy gained momentum in front of the oil crisis and that fact enabled the CNEA to propel its nuclear projects.

In May 1974 the construction of the Embalse Nuclear Power Plant started, but Perón’s death two months later and the harsh economic conditions slowed down this project. Once the military rule took the power, the neoliberal model began to be

implemented reducing the role of the state and de-industrializing the country. In spite of this economic and financial turnabout, the nuclear project speeded out given that a considerable budget was assigned to its purpose. “After two decades and a half of development, the nuclear area had fostered a wide support among different groups such as businessmen, industrial sector’s members, congressmen, political parties and of course, scientists” (Nevia Vera, 2019:89; cited Hurtado, 2009), this social and institutional machinery helped to safeguard the project from the political ups and downs.

Table 4.7 Argentina’s nuclear agreements 1968 – 1985

Date of agreement	Partner	Date of report to OPANAL
Jun. 69	US	No reported
Jul. 69	Paraguay	
Nov. 72	Uruguay	
May 73	Peru	
Apr. 77	Ecuador	
May 78	Peru	
Jun. 79	Peru	
Aug. 79	Peru	
Aug. 79	Uruguay	
Jul. 81	FGR	
Oct. 81	Switzerland	
Oct. 81	Soviet Union	

Elaborated by the author. Source: OPANAL, 1985d

In 1979, the 302 Decree approved the construction and operation of four 600MW nuclear power plants before the end of the XX century and one industrial plant for heavy water production and all the necessary facilities to cover the nuclear cycle. Article 7 of the Decree remarked that the study of all the CNEA’s proposal on that would be treated as “urgent” (InfoLEG, 1979). The president of the CNEA, Carlos Castro Madero in a press conference announced as a first step the construction of a third nuclear power plant of heavy water and the establishment of the Atucha II Nuclear Power Plant. He also referred to the difficult task of the international tendering process (DiFilm, 2014). Similarly to the former contracts, the participation of the local industry should be guaranteed. The KWU German Company won the contest for providing the heavy water plant. As consequence, the Argentine Nuclear Company of Power Plants (ENACE) was established. The several export restrictions imposed by the US, led Argentina to find new suppliers including the Soviet Union (Hurtado, 2009). Given the large uranium reserves of the country, the final prevision of Castro Madero (CNEA) was to build a regional plant of uranium enrichment to supply its Latin American neighbours (Nevia Vera, 2019:91).

In the '70s, the physicist Conrado Varotto had founded the Applied Researches Public Enterprise (INVAP). This institution was key for the uranium enrichment process. The INVAP and the CNEA subscribed a contract and at the end of the decade the INVAP started to develop secretly a uranium enrichment plant in Pilcaniyeu, which reached criticality in 1983 and it was only publically known under the presidency of Raúl Alfonsín.

Table 4.8 Argentina's power reactors until 1982 and projected

Facility	Actual or estimated completion date	Type	Power (MWe)	Status
Atucha I	1974	PHWR*	370	Operational
Embalse	1982 – 1983	CANDU	630	Near completion
Atucha II	1987 - ?	PHWR	685	Under construction
Power reactor	1991	HWR	600	Authorized
Power reactor	1994 – 95	HWR	600	Authorized
Power reactor	1997	HWR	600	Authorized

*All the planned power reactors until 1982 were of the natural uranium heavy water moderated type. PHWR denotes the West German pressurized-vessel heavy water reactor. CANDU denotes Canadian deuterium uranium reactor, a pressure-tube heavy water reactor; and HWR denotes water reactor – version not then selected.

Source: SNIE, 1982: 14

The first significant challenge for the Treaty of Tlatelolco was the 1982 Malvinas /Falklands War. During and after the War, Argentina accused the UK of “violating Latin America’s NWFZ by deploying nuclear-propelled submarine for militaristic purposes to the demarcated geographic area and by entering the Zone with ships carrying nuclear weapons, possibly with the intent of using them in the War” (Musto, 2015: 1).

Meanwhile, the American government, as well as other members of the US establishment, were “concerned that Argentina's confrontation with Britain might prompt President Leopoldo Galtieri to start building a nuclear bomb, especially if a peaceful or military resolution of the Falklands dispute results in a loss of face for Buenos Aires” (Miller, 1982). The Democrat Senator Alan Cranston even forecasted in the Senate that Argentina would have “the theoretical capability to produce nuclear bomb-grade material in significant quantities within the next two years. [Similarly] the [CIA estimated] that Argentina could build a nuclear weapon within three to five years if it chooses” (Miller, 1982). What unsettled Americans significantly was the announced agreement between Argentina and the Soviet Union “to enrich 4 tons of low-grade

Argentine uranium into 220 pounds of 20 %-enriched uranium fuel” (Miller, 1982). In front of the US speculations, the IAEA had conducted then inspections in Argentina founding no irregularities.

Map 4.1 Malvinas / Falklands Islands’ disputed zones



Source: Political Geography Now (2013). Map by Evan Centanni (country coastlines from the Natural Earth dataset).

The fact, that Argentina did not attain a single safeguards agreement with the IAEA to cover all its nuclear plants, its reluctance to sign the NPT and ratify Tlatelolco, the announcement made by Admiral Madero, head of the CNEA “that his country wanted plutonium for peaceful purposes, specifically for blending with uranium for power reactors and for use in breeder reactors” (Miller, 1982), and the repeated refusal “to accept international inspection at the reprocessing plant, situated at Ezeiza, near Buenos Aires because it [had not been] produced without foreign help and [was] therefore not subject to international safeguards” (Miller, 1982), made Americans persist in their sales restriction of all nuclear supplies to this country.

By September of the same year, American authorities were informed by a CIA report that “Argentina did not have a military component in its nuclear program [although it had] the capacity of developing a nuclear program with military purposes” through plutonium production by 1986 – 1988 (SNIE, 1982). The same report claimed that: “The immediate impact of the Falklands defeat cuts two ways. Emotionally, it has probably increased the desire to develop a nuclear weapons option. Politically and

economically, however, it has reduced Argentina's capability to fulfil this desire" (SNIE, 1982: 3). What is relevant to highlight for the purpose of this study is that despite Argentina had not ratified the Treaty of Tlatelolco, it would have refrained in case of a nuclear test as the report estimated:

The attainment of a nuclear weapons capability by whatever means will not necessarily require the testing of a nuclear device:

- Such a test would alienate other principal countries in South America, especially Brazil and possibly Venezuela and Peru. Additionally, Argentina would be reluctant to offend the continent generally by challenging the Treaty of Tlatelolco.
- Argentina could also be deterred by the prospect that an overt test could easily lead to a nuclear arms race with Brazil (SNIE, 1982: 4).

One of the results of the war was the "embargo by the European Community on all conventional weapons sales to Argentina that [by September 1982 was] still generally in effect" (SNIE, 1982: 9). This consequence demonstrates that it would have been very difficult for Argentina to advance in a nuclear military project. Additionally, given that Argentina had commercial contracts with important nuclear suppliers like Canada, West Germany, Switzerland and the Soviet Union, most of them US allies, the constraints and the political costs would have been insurmountable.

On November 1982, José Martínez Cobo, the OPANAL Secretary-General, visited Argentina. He talked with members of the Ministry of Foreign Affairs and of the National Atomic Energy Commission (CNEA) who had favourable opinions on Tlatelolco but demanded a new text from the IAEA to sign a safeguards agreement. Argentina did not accept a version of the NPT safeguards agreement form with 'superficial' modifications or adjustments according to Tlatelolco's requirements (OPANAL, 1983:14). It seems that somehow OPANAL under US pressure decided to take action to make Argentina re-assess the possibility of signing a safeguards agreement. However, for Argentina what was even more significant was the role that OPANAL could play in the light of the Malvinas/Falklands islands dispute.

But if the UK and the US were pointing out Argentina for initiating the Malvinas/Falklands War. Argentina by its side continued alleging that UK's had introduced nuclear weapons in the region and denounced it publically at OPANAL, at the NAM's meetings and at the UN. In response to these allegations the British ambassador, Crispin Tickell in a note to OPANAL's Secretary stated that UK had accomplished thoroughly its obligations according to Protocols I and II of "not deploying nuclear weapons" in the geographical zone established by the Treaty

(OPANAL, 1983a). In the frame of the OPANAL's VIII Ordinary Period of Sessions in May 1983, the Argentinian ambassador Atilio Molteni argued that "the British declarations contained in the note [were] unsatisfactory and insufficient. [...] [The note] did not deny that the colonialist British fleet was sent for military operations to the Latin American NWFZ with its whole arsenal, including nuclear-fuelled installations and nuclear weapons" (OPANAL, 1983b). The UK deemed the Argentinian note as an impertinence for the purposes of the VIII OPANAL's Conference. The UK's ambassador, David M. Edwards remarked that: "the UK [had] accepted the formal and legal obligations under the Protocols, but Argentina [had] not even ratified the Treaty" (OPANAL, 1983c).

OPANAL struggled with the US pressure to issue a declaration favouring the UK position. OPANAL -by taking into account the definition of nuclear weapons coined in article 5- judged that "it [seemed] it [was] not a nuclear weapon and if it [did not] carry them on board, it [was] simply a vessel of nuclear propulsion supplied with conventional weapons" (OPANAL, 1983: 5). In 1971, Jamaica had gotten a similar response by the erstwhile General Secretary Benites Vinueza. According to the OPANAL Secretary-General's report: "The British War vessels did not enter into the territorial waters of any member state" (OPANAL, 1983: 5). The OPANAL Secretariat maintained close contact with some governments and Council members, including the UK's ambassador.

For the US the resolution project CG/L. 188 [lacked] balance because the Argentinian allegations against the UK had not presented any evidence and they had been treated as proved facts in the resolution (OPANAL, 1983d). At the close of the Session, the US defended the UK's positions by justifying its own interpretation of the Treaty, claiming that: "It [was] important that [the] Conference does not permit the lingering bitterness of the South Atlantic conflict to result in questioning the legal basis of the Treaty regime that [had] been established through the years with regard to freedom to navigate on the high seas and to transit rights" (OPANAL, 1983e).

At the 37 Ordinary Period of the UNGA, Argentina had denounced the British introduction of nuclear weapons into the Malvinas/Falklands Islands region and the UK had not denied the accusations. Some British parliamentarians as the labourist backbencher Tam Dalyell had questioned the British government on this particular, but Prime Minister Margaret Thatcher had not replied to it either. Lastly, The NAM also had issued a declaration by emphasizing the obligatory respect to the Latin American

NWFZ by NWSs (OPANAL, 1983i). Nicaragua and Panama had also questioned at OPANAL the UK inherence⁴².

In Resolution 170, OPANAL limited itself to “[took] note of the important presentations and statements formulated by the delegations of Argentina and the UK [...], [and expressed] concern about the employment of submarines fuelled by nuclear energy in military actions” (OPANAL, 1983h: 3). In response to these concerns, Brazil and Mexico proposed to analyse how to reinforce the accomplishment of the Treaty by all the parties, including those, which had signed the Additional Protocols. Argentina and Brazil remained somehow unsatisfied with the OPANAL resolution.

Nevertheless, the new democratic government in Argentina opened new opportunities for the ratification of Tlatelolco. In November 1983, the Argentinian Ministry of Foreign Relations and Worship informed OPANAL that Argentina had enriched uranium through the gaseous diffusion method without foreign assistance and it was open to cooperating with any member state on technological transfer. At the XXVIII IAEA International Conference, the new president of the CNEA, Alberto Constantini did the same announcement underlining the peaceful character of the nuclear achievement. President Raúl Alfonsín had created a commission to elaborate a blueprint for a nuclear policy where the strict peaceful use of nuclear energy should be enshrined as well as the legislative control over atomic activities (OPANAL, 1985a: 9).

The government of Alfonsín considered regional integration and cooperation a paramount mission of his administration. In this context, the relations with Brazil were prioritized especially on nuclear energy matters. As a consequence, president Alfonsín and Brazilian president José Sarney issued on November 30 1985 the “Joint Declaration on Nuclear Policy Subscribed in Foz de Iguazu” (ABACC, 1985a).

One year later in 1986, Brazil went ahead with its initiative of creating a “Zone of Peace and Cooperation in the South Atlantic” -including Africa- under the auspices of the United Nations General Assembly. The UNGA official resolution 41/11 included a paragraph that leads to interpret that to some extent Argentina and Brazil sought to mitigate the modest results obtained at the OPANAL’s VIII conference regarding the British nuclear weapons introduction to the zone by supporting the constitution of the South Atlantic Zone. The mentioned paragraph stated:

⁴² In the following section, we will come back over this topic but concentrating our discussion on the OPANAL’s role and the states-parties positions. We decided to had these two different takes of this topic, because in that way we will be able to better elaborate our argumentation by connecting it with similar or related phenomena.

[The UNGA] calls upon all States of all other regions, in particular the militarily significant States, scrupulously to respect the region of the South Atlantic as a zone of peace and cooperation, especially through the reduction and eventual elimination of their military presence there, the non-introduction of nuclear weapons or other weapons of mass destruction and the non-extension into the region of rivalries and conflicts that are foreign to it (UNGA 1986).

At the end of the military rule period, the coincidences between Brazil and Argentina regarding nuclear positions became more diaphanous and recurrent initiating numerous talks to pave the way for the future creation of the Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials (ABACC).

4.1.4 Overall assessment of the Treaty of Tlatelolco 1967 - 1985

The OPANAL General Conference was installed for the first time on September 2, 1969 in Mexico City. The Council members and the Acting Secretary-General were there elected. However, the Council didn't start its functions immediately, in part, because the General Conference didn't assign it specific tasks for the implementation of the Control System, the bulwark of Tlatelolco. In the following subsections, we are going to analyse the most common problems as well as the critical moments of the Treaty according to the OPANAL Secretary-General reports, the General Conference resolutions, and other official documents available on the OPANAL's digital archive. We will proceed in the following order: first, we will explain the difficulties around the Treaty's enlargement process; secondly, the processes of Additional Protocols signature and ratification will be analysed, third, the limits and discussions around the control system will be exposed; fourth, the OPANAL's crisis management will be studied; fifth, the OPANAL's international cooperation actions will be examined and finally, the emergence of new topics for the regional agenda will be assessed.

4.1.4.1 Enlargement

Until August 1970, another two countries adopted the Treaty of Tlatelolco, Guatemala and Venezuela, increasing the membership number to 16. However, seven Latin American states (Brazil, Argentina, Chile, Cuba, Guyana, Trinidad and Tobago⁴³ and Bahamas⁴⁴) were not yet parties, which hindered the smooth Treaty's compliance. In the eyes of the second Secretary-General, Leopoldo Benites Vinueza "article 28 [... created] a complicated system for the entry into force, [where] normally [it] depends on

⁴³ Trinidad y Tobago became independent from UK in 1962 and it was declared as Republic in 1976.

⁴⁴ Bahamas became independent from UK in 1973.

the will of signatories [a determined number of them], and it is less frequent, that the entry into force depends on the will of external states thereof” (OPANAL, 1971: 5). In fact, as we saw in *Chapter 1*, one of the requirements for the entry into force of Tlatelolco is the signature and ratification of the Additional Protocols I and II by the NWSs + Netherlands. Although most of the Latin American countries waived these preconditions in order to implement immediately the Treaty, relevant regional actors such as Brazil and Chile preferred to wait for the fulfilment of these requirements. The fact that the entry into force should be “approved” by external countries meant in other words to give them a sort of right of veto. This requirement, therefore, is not only a simple variable that influences the effectiveness of the Treaty but a decisive precondition and a trait of the persistent colonialist legacy in the region. This complicated entry into force system configured four categories of states in relation with the Treaty: those non-signatories countries (Cuba, Guyana and Bahamas), those states which only signed the Treaty (for instance Argentina); those states which signed and ratified the Treaty but did not waive the article 29 requirements (such as Brazil, Chile and Trinidad and Tobago) and the 16 states-parties which had signed, ratified it and waived the article 29 requirements until 1970.

According to article 18 of the Vienna Convention “A State is obliged to refrain from acts which would defeat the object and purpose of a treaty when: (a) it has signed the treaty [...]” (OAS, 1980). We should remember that Vienna Convention was signed in 1969 and it entered into force only in 1980, but given that some dispositions of Tlatelolco were approved by unanimity, they should be recognized as part of the international law obliging states to comply with it regardless of their ratification processes (OPANAL, 1973b: 11).

Guyana was a particular case, it had expressed its intentions for signing Tlatelolco, but Venezuela hindered its admission due to their boundary dispute over the Essequibo⁴⁵, a resource-rich region. The Venezuelan government had reignited the conflict in 1962, by declaring the 1899 agreement null and void, after the external inherence over the award and agreement was confirmed. In that context, the Venezuelan government invoked article 25 (now art. 26), which fundamentally stipulates that the

⁴⁵ The conflict between Venezuela and the UK over the Essequibo region can be traced back to 19th century. In 1897 Venezuela and the British Empire signed the “Washington Treaty of Arbitration” after US pressure. On October 3, 1899, the Arbitration Tribunal delivered its award and Venezuela lost 149 500 km². Due to political turmoil and economic distress, Venezuela was able to reclaim the award, but “tensions rose again in 1949, when a memo from Mallet-Prevost, one of the American arbitrators on the Tribunal, was made public posthumously. In the memorandum he said that the American arbitrators had been pressured to agree to the final deal by the Russian President of the Tribunal” (Zwaagstra, 2016).

General Conference cannot “take any decision regarding the admission of a political entity part of all of whose territory is still subject [...] of a dispute [...] so long [it] has not been settled by peaceful means”. To solve this, the General Conference by Resolution 17 created a Good Offices Commission conformed by Jamaica, Mexico and Peru whose results were not satisfactory until the ‘90s.

Panama and Colombia adhered to the Treaty in 1971 and 1972 respectively. In the context of the IV period of sessions in 1975, the Conference recognized that the détente of the Cold War did not help to shift the positions of Argentina, Brazil, Cuba and Chile towards Tlatelolco.

Despite that, new Caribbean states joined Tlatelolco. Grenada, Surinam, Bahamas signed the Treaty, Trinidad and Tobago ratified it by waiving article 28 about the requirements for its entry into force, and Surinam was in a way to ratify it. Concurrently, the independence of some Caribbean states increased the number of non-signatories. Dominica, Santa Lucia and Saint Vincent and the Grenadines started the talks with OPANAL’s authorities in 1980 to adopt the Treaty.

In the case of Chile, once Augusto Pinochet took the power, its government explicitly conditioned the Tlatelolco’s entry into force to the signature and ratification of Protocol II by the Soviet Union. Notwithstanding, after the ratification of the Soviet Union in 1979, Chile still did not accept the article 29 waiver for the entry into force of Tlatelolco asserting that Chile’s stance would depend on the other non-signatory states’ positions.

The Cuban position over Tlatelolco

Cuba had worked actively at the 10th Period of Extraordinary Sessions of the UN General Assembly about disarmament and in many other international bodies, but it was reluctant to sign Tlatelolco, fundamentally because of the US military presence in Guantanamo Bay. For Cuba, the existence of many US military bases located within the Tlatelolco’s zone, among them the US military base in the Guantanamo Bay “against the Cuban government and people’s will” (OPANAL, 1981: 11) resulted incompatible with the denuclearized status of the region. Furthermore, for Cuba:

The existence of an aggressive US policy, which [was] expressed in political, economic and military acts against Latin American countries, as the criminal blockade that Cuba has suffered for almost twenty years; the existence of bilateral and multilateral military treaties between the US, a NWS, and Latin American countries; [...] the presence of military bases in Latin American territories under colonial rule, as Puerto Rico under the US colonial rule; the US’

purpose of creating a permanent Inter-American military force or a rapid deployment force to operate and intervene in any point within the Treaty's territory, as well as the reinforcement of the US military presence in Latin America, fundamentally in the Caribbean and the military exercises in the zone of the Treaty [...] [have fanned] tension and [jeopardize] the region's peace and security (OPANAL, 1981: 11 – 12).

Therefore, for Cuba, only when all those actions ceased by the US side, “the establishment of a denuclearized zone in the Western hemisphere could be negotiated” (OPANAL, 1981: 12), that is, the long-term survival of the Latin American zone would be subject to the US military actions in the region.

The US hostility against that country heightened hindering any Cuban intention of adhesion. For Cuba, the US military support to the Latin American dictatorships as well as the US non-reply to the Cuban allegations on the use of bacteriological weapons against the Island, the resumption of CIA's destabilizing activities, the attacks against Cuban leaders, and the US intentions of constructing a new military base in the Tortuga Island aggravated the situation (OPANAL, 1983:13 -14).

Cuba also denounced the “OCEAN VENTURE 81” naval exercise, a maritime test carried out by the US with the support of the NATO from August 1st 1982 to October 15 in the Caribbean, the South Atlantic and the North Atlantic, which included manoeuvres in the Guantanamo Base and close to Granada. But not only Cuba criticized the operation, Norway considered that: “the first phase of the operation, which [took] place in the South Atlantic, [appeared] to extend NATO's role beyond the area stipulated in the North Atlantic Treaty” (Middleton, 1981). Moreover, the Norwegian Government was not “eager to see its naval units participating in an exercise including ships from Argentina, Brazil, Colombia, Uruguay and Venezuela”, some of them governed by antidemocratic forces a fact that could embarrass Oslo in front of the September elections and undermine Nordic NWFZ proposal (Middleton, 1981). In any case, the circumstances did not help to change the Cuba's position over Tlatelolco.

The US ratification of the Treaty's Additional Protocol I led the Secretary-General to think that it would facilitate the negotiation with Cuba over Tlatelolco's signature. In 1983, Secretary-General Martínez Cobo visited officially Cuba where he underlined the benefits for Cuba in case of adhesion. He emphasised that Cuba would be protected from nuclear weapons attacks, and its signature would undermine the argument sketched out by pro-military-intervention groups that Cuba would be storing nuclear devices, which eventually might be used against the US. Cuban authorities

reiterated that they did not possess nuclear weapons or nuclear military facilities, but they could not renounce the right of possessing them in front of the North American government's hostility (OPANAL, 1983: 7).

4.1.4.2 Protocols enforcement

The United Kingdom was the first extra continental state in signing and ratifying the Additional Protocols I and II in December 1969, and the visit of the Foreign Secretary, Lord Chalfont to OPANAL's secretariat was deemed by the erstwhile Secretary -Carlos Peón del Valle- as a sign of support to the Latin American zone (OPANAL, 1970:24).

Table 4.9 Signature and ratification of Additional Protocols I and II

State	Additional Protocol I		Additional Protocol II	
	Signature	Ratification	Signature	Ratification
United States	May 26 1977	Nov. 23 1981	Apr. 1 1968	May 12 1971
United Kingdom	Dec. 20 1967	Dec. 11 1969	Dec. 20 1967	Dec. 11 1969
France	Mar. 2 1979	Aug. 24 1992	Jul. 18 1973	Mar. 22 1974
Russia	It does not apply		May 18 1978	Jan. 8 1979
China	It does not apply		Aug. 21 1973	Jun. 2 1974
The Netherlands	Mar. 15 1968	Jul. 26 1971	It does not apply	

Elaborated by the author. Source: OPANAL, 2020d

We should underline that the United Nations General Assembly supported Tlatelolco's signatories in their effort for obtaining the signature and ratification from extra-continental states through several resolutions [2830 (XXVI), 2286 (XXII), 2456 B (XXII), 2666 (XXV), 3262 (XXIX)]. Moreover, it is remarkable the crucial role of the Mexican diplomacy at the highest level to obtain the extra-continental adhesion.

In March 1973, the Secretary-General was invited to the meeting of the Security Council in Panama – the first time in Latin America- under the request of Panama and Peru. He delivered a speech in the meeting where he underlined that transit rights had not been limited by Tlatelolco. He clarified that given Latin American states could not possess nuclear weapons, they could not transit with them throughout the territory and in case a third state wanted to transit by it might be prohibited or not by a State in the exercise of its sovereignty. Secretary Gros Espiell also asked the Council to enjoin extra-continental states to sign and ratify the Additional Protocols (OPANAL, 1973c). In the meeting, the Secretary-General of the UN and many other countries highlighted

the contribution of Latin American states to the strengthening of world peace and security.

The US position

In 1971, United States ratified the Additional Protocol II and Netherlands deposited Protocol I. However, the signature of Protocol I was delayed. In 1973, the US government announced a revision of its non-proliferation policy, including its possible approval of Protocol I.

Under Carter's administration, the US position towards Protocol I shifted, and on May 26 1977, president Carter signed it. In September of the same year, the US and Panama signed the Panama Canal Treaty which enabled Panama to denuclearized the Panama Canal area.

In 1978, the US Senate started to discuss the possible ratification of Protocol I. The ratification of Protocol I by the US meant that denuclearization should be applied to the Virgin Islands, Puerto Rico and to the Guantanamo Military Base in Cuba. In that year the General Assembly celebrated the first special session on disarmament (SSOD-I)⁴⁶, which in its final declaration supported the establishment of new NWFZs. The programme of action of the final document considered "desirable" the signature and ratification of the Additional Protocols by the concerning states

In the 80s' the no-ratification of the SALT II by the US Senate was a bad signal for a possible ratification of Protocol I. Moreover, NWSs' inexistent efforts to reduce and limit nuclear weapons undermined any disarmament objective. This unfavourable context had some negative impact on Tlatelolco's performance.

Finally, on November 13 1981, the US Senate ratified the Additional Protocol I of the Treaty of Tlatelolco. Nevertheless, the Senate pointed out that the Treaty and Protocols should not affect member state's choices on granting or rejecting transit and transport privileges to a country regardless of cargo or weapons it might have. Moreover, the US Senate emphasized that the Treaty and Protocols should not affect the freedom of navigation. None member state objected to the US reservations, only the Soviet Union in April 2, 1982, written note submitted to the Mexican government said:

[...] The soviet party considers necessary to underline again that nuclear weapons transportation by any mean throughout the zone of the Treaty would contravene the Treaty's objectives, whose preamble

⁴⁶ The General Assembly celebrated another two conferences in 1982 (SSOD-II) and in 1988 (SSOD-III). These sessions were followed up by three Open-Ended Working Groups on SSOD in 2003 (SSOD-IV), in 2007 (SSOD-V) and in 2016 (SSOD-VI).

states that Latin America should be completely free of nuclear weapons and it would be incompatible with the denuclearized status of the Treaty-signatory countries or with their obligations determined in article 1 of the Treaty (OPANAL, 1983: 17).

On November 23 1981, the US Secretary of State, General Alexander Haig, deposited in the Mexican chancellery the ratification document. Haig remarked: “[...] Once the denuclearized zone has been fully established, it will help to stabilize the world politics and to reduce the risk of war [...] The Treaty is currently being studied as a possible model to be applied in other world regions exposed to the nuclear proliferation threat” (OPANAL, 1983: 3). As a consequence of this ratification, Puerto Rico was denuclearized –as well as the Virgin Islands and the Guantanamo Military Base-. The Puerto Rican Bar Association created a special commission to observe the fair and correct application of the Treaty in its territory.

Soviet Union

The Soviet Union had strong doubts about the future implications of Tlatelolco in case of ratification. What worried the Soviet Union the most were the consequences of the article 18 application regarding the “explosions of nuclear devices for peaceful purposes” and the possibility of collaborating with third parties for the same purpose [...]” (OPANAL, 2018: 17). Additionally, its alliance with Cuba was a centrifugal factor.

The Vladivostok Agreement or Joint US-Soviet statement of 24 November 1974 on the question of further limitations of strategic offensive arms was considered as a positive sign by OPANAL and as an opportunity for negotiating with the Soviet Union the signature of Protocol II. But the expected good conditions to negotiate it did not occur immediately. The Soviet Union persisted in its reluctance to approve Tlatelolco. On December 10 1976, the UNGA issued Resolution A/31/67 exhorting the Soviet Union to sign and ratify Protocol II. The UN Secretary-General committed himself to negotiate with the Soviet Union its adherence (OPANAL, 1977:10).

Finally, on May 18 1978 at the visit of Mexican President López Portillo to Moscow, the Soviet Minister of Foreign Affairs, Andrei Gromkyo signed the Additional Protocol II. In January 1979, the Supreme Soviet ratified the Protocol and it entered into force.

China

China seemed to be the most likely nuclear state to sign Protocol II (OPANAL, 1971:10). In 1973, after the visit of the Mexican President, Luis Echeverría to China, the Chinese government declared its decision of signing Protocol II, without prejudice of its opposition to the NPT and to the [then] Partial Test Ban Treaty (PTBT) (OPANAL, 1973b: 7). On June 2, 1974, China ratified the Treaty of Tlatelolco.

France

The French sympathy for Tlatelolco was not tantamount to its real actions. France was reluctant to sign both Protocols until 1973 when president Georges Pompidou agreed to sign Protocol II with some reservations after the official visit of the Mexican President Echeverría.

On March 2 1979, at the visit of the French president, Giscard D'Estaing to Mexico, the French minister of foreign affairs, Jean François-Poncet signed Protocol I too. Nevertheless, France enclosed reservations and interpretative declarations, which fundamentally underlined that France signed the Protocol only as responsible *de jure* of French territories in the zone [namely French Guiana, Martinique and Guadalupe] and not under any other condition (OPANAL, 1979: 11).

Similarly to the US, France had expressed its concerns about the consequences of the Treaty in transit rights, especially on nuclear material transportation. Latin American states did not object to these concerns, thus facilitating the negotiations for obtaining the France's ratification of Protocol I.

The Indian question

The development of nuclear weapons by India depicted a new scenario for Tlatelolco. India's 1974 first successful nuclear bomb test –called the Smiling Buddha- raised concern among Latin American states. In front of this situation, the Secretary-General suggested the possibility that India signs the Additional Protocol II. The OPANAL Secretariat submitted a Memorandum to the Indian ambassador in Mexico, Mr S. K. Roy suggesting that India should consider signing and ratify the Additional Protocol II. However, the government of India replied in April 1975 that:

The underground experiment with peaceful purposes, carried out on May 18 1974 through nuclear explosions, was exclusively executed for economic ends. [...] and that experiment did not reveal any diversion from its consistent [peaceful] traditional policy. India has no nuclear weapons and therefore there is no occasion for using nuclear

weapons against Latin American Tlatelolco's state parties. The government of India does not have intentions of using nuclear energy for military ends. Therefore, there is no reason for signing or ratifying Protocol II of the Treaty of Tlatelolco" (OPANAL, 1975b: 3).

Moreover, the Indian government requested the OPANAL Secretariat to reconsider this issue and "to make the necessary corrections in the Memorandum" (OPANAL, 1975b: 4), which had been also submitted to the President of the Preparatory Committee for the NPT Review Conference. However, the Secretary-General decided to keep the OPANAL's assertions in its report. Accordingly, to OPANAL the Indian "underground experiment" fell into the definition of nuclear weapons included in article 5 of Tlatelolco, that is: "any device which is capable of releasing nuclear energy in an uncontrolled manner and which has a group of characteristics that are appropriate for use for warlike purposes."

As we could observe, except for France, all the concerning countries signed and ratified both additional protocols in this period. This legal support increased the legitimacy of Tlatelolco and its international recognition in its first years of existence was substantial to make LAC-NWFZ a reference of the non-proliferation regime.

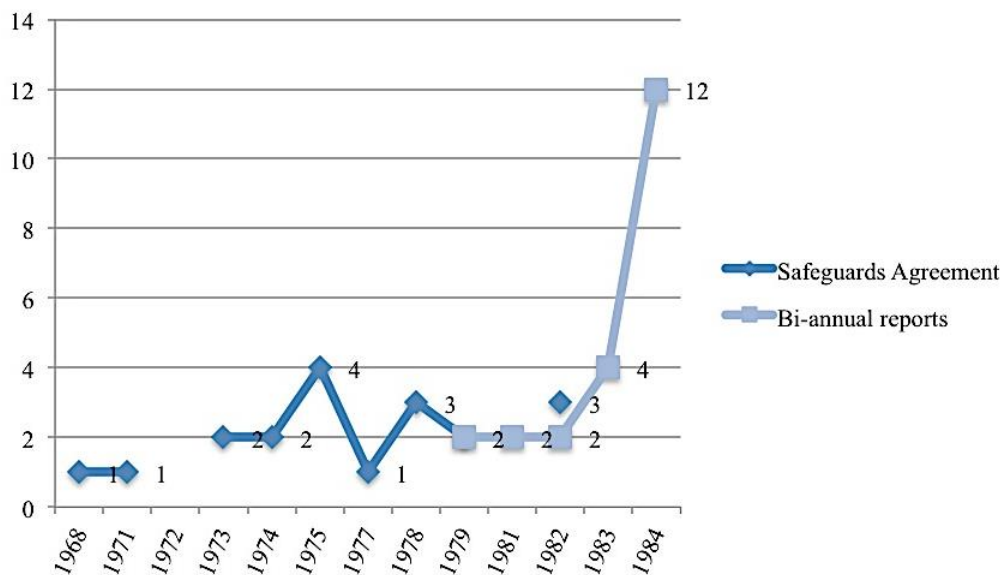
4.1.4.3 Control system compliance

In order to implement fully the Control System and to accomplish with article 13 of Tlatelolco, the OPANAL Secretary-General, Leopoldo Benites Vinueza asked IAEA General Director to prepare a model for the safeguard agreements to be signed between member states and the IAEA. The IAEA prepared the draft for the negotiations. The Secretary-General of the II Period of Sessions (1971) pointed out that states-parties were not accomplishing with the requirements established by the Control System such as the negotiation and signature of safeguard agreements with the IAEA and the bi-annual reports over their nuclear activities, however, since the third Period of sessions (1975) was remarkable that most of the states tried to accomplish with all their obligations.

We should remember that Tlatelolco was signed before the NPT; hence the implementation of a safeguards system was already included in the Latin American agreement. To some extent, this requirement included by both agreements the NPT and Tlatelolco was a challenge to the IAEA to avoid any control overlapping. The IAEA noticed the need of having two types of agreements: one for states carrying out nuclear activities and the other for those states without nuclear activity, which might have some

in future. The adoption of safeguard agreements was deemed by OPANAL's Secretariat as a positive chance for states-parties to receive assistantship from the IAEA (OPANAL, 1971:18).

Figure 4.3 Compliance of the Tlatelolco's control system by year 1968 – 1985⁴⁷



Elaborated by the author. Sources: OPANAL, 1985c

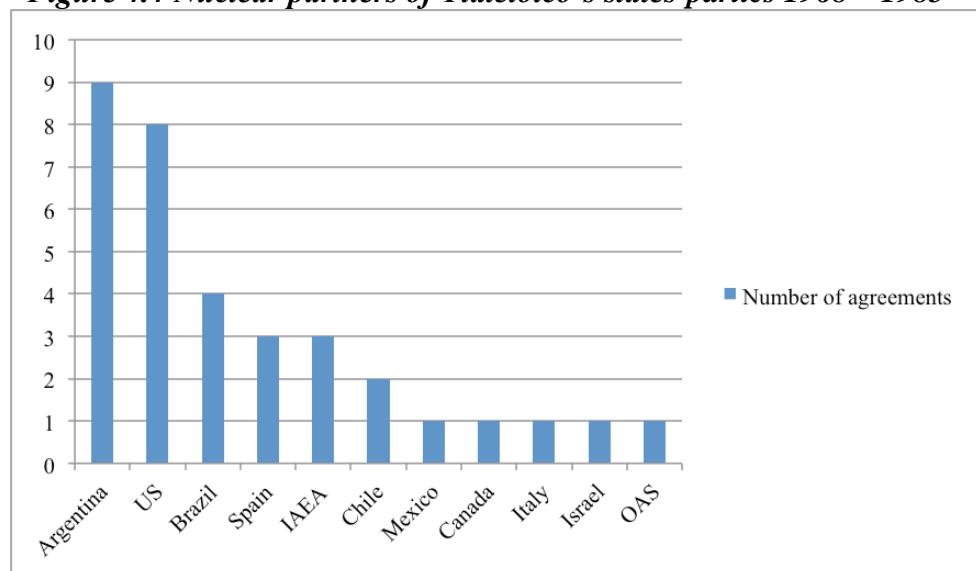
Bolivia, Costa Rica, Ecuador, Guatemala, Haiti and Jamaica started to negotiate their safeguard agreements with the IAEA. The OPANAL Secretariat was very active diplomatically supporting states-parties to sign Safeguard Agreements with the Agency. Bolivia, Ecuador, El Salvador; Haiti, Honduras, Nicaragua and Panama authorised the Secretariat to negotiate these agreements with the Board of Governors, which were successfully approved. This allowed improving the accomplishment of article 13. On behalf of Surinam and the Netherlands Antilles, the Netherlands signed also Safeguard Agreements with the IAEA, but after Surinam's independence on November 25 1975, this agreement applied only to the Netherlands Antilles. If we observe *Figure 4.3* we can conclude that the implementation of Tlatelolco took at least ten years to be fulfilled and that articles 13 and 14 were barely accomplished in these first years.

Regarding the compliance of article 24 concerning the notification of bilateral or multilateral nuclear agreements, its application was not clear at the onset. There was no conclusive interpretation on which type of agreements must be included, for instance: whether or not to register universal instruments such as conventions. However, this

⁴⁷ Further details can be found in the *Annex 2*.

ambiguity was overcome and it was stipulated that any kind of nuclear-related instrument should be reported to OPANAL including those between Atomic Agencies. Bolivia, Colombia, Ecuador, Jamaica, Mexico, Paraguay, Peru, Uruguay and Venezuela notified OPANAL about their agreements with third states and institutions (see *Annex 2*). It should be underlined that Argentina was the major nuclear partner. Half of the agreements were signed after the approval of the 1978 US Nuclear Non-Proliferation Act, which suggests that the US restrictions on nuclear exports maybe would have helped Argentina to gain momentum among its Latin American pairs as a reliable nuclear partner. This fact also could explain the market interests of Argentina in its immediate environment and its reluctance to sign the NPT and ratify Tlatelolco.

Figure 4.4 Nuclear partners of Tlatelolco's states-parties 1968 – 1985⁴⁸



Elaborated by the author. Sources: OPANAL, 1985d.

Concerning the rest of the control system articles (further investigation of nuclear activities), the II Period of Sessions of the General Conference designated the Council as the responsible body to analyse the appropriate implementation of these articles and the specific procedures. For instance, the Council should establish the type of reports to be requested by the Secretary.

By the same token, the General Conference adverted the need for regulations for harmonizing international and domestic laws, for instance, those States which don't exercise effective jurisdiction over a portion of their territories because the existence of

⁴⁸ It does not include the agreements signed by Mexico, Brazil and Argentina. Further details can be found in the *Annex 2*.

military bases or other foreign installations, eventually would need an adjustment on their domestic laws for granting transit rights to third countries. These problems were deeply debated in the 1973 Regional Seminar on Nuclear Law, which took place in Rio de Janeiro under the IAEA's auspices and where the Secretary-General participated.

Peaceful explosions

The Uruguayan ambassador Héctor Gros Espiell was named as the new Secretary-General for the period 1972- 1974.⁴⁹ The controversial matter of nuclear peaceful explosions reemerged as a result of the approval by the IAEA's Board of Governors of the "Guidelines for the International Observation by the Agency of Nuclear Explosions for Peaceful Purposes under the Provisions of the NPT or Analogous Provisions in Other International Agreements" (IAEA, 1973). These guidelines were helpful for achieving a consensual interpretation of article 18 and for responding to the Soviet Union objections (referred to in previous paragraphs). The elaboration of some preliminary guidelines on the role of OPANAL to observe and to inform about peaceful explosions was assigned to the Working Group on the Peaceful Use of Nuclear Energy.

The NPT's control system, the Sea Bed Treaty and their consequences over Tlatelolco

Almost simultaneously, the Treaty of Tlatelolco and the NPT started to be implemented. The NPT proposal sparked contrasting positions since it was proposed in 1965 at the former Eighteen-Nation Disarmament Committee. At the onset of the NPT talks, Latin American nations were particularly critical. Two aspects resulted problematic to them: first, the Treaty emphasized horizontal proliferation and vertical proliferation remained almost untouched or subject to the goodwill of NWSs. Secondly, the Treaty might obstacle the development of nuclear energy programs. As it was exposed before, Mexico's role was determinant to negotiate the positions between NNWS and NWS and harmonize the positions of Latin American states over the NPT.

Secretary-General Benites Vinueza drew attention to article 1 of the NPT, which prohibits the transfer of "nuclear weapons or other nuclear explosive devices". He underlined the fact that in the erstwhile arms industry there were already non-explosive weapons with a lethal power based on short-live radioactive isotopes, which were excluded in practice from the NPT. Accordingly, the NPT would refer only to strategic weapons but it would omit the tactical ones (OPANAL, 1971: 27). Jamaica consulted

⁴⁹ Until November 1972, the Secretary-General position remained vacant after the demission of Benites Vinueza on September 1971, and it was only temporary occupied by Antonio González de León.

indeed to the OPANAL Council whether or not Tlatelolco prohibited all types of weapons regardless of their explosiveness, but the Council was not able to answer this question promptly.

Despite these conflictual points between both treaties, Tlatelolco has tended mostly to reinforce the NPT by implementing a Control System at the regional level and by establishing an institution for cooperation and constant information interchange. It should be underlined the fact that at the end of the day, Tlatelolco incorporated the IAEA as the overriding institution in nuclear control matters. By the same token, the Secretariat in 1971 decided to prepare a draft for an agreement between OPANAL and the IAEA.

Another problematic issue in these first years was the potential contradiction between Tlatelolco and the 1971 Seabed Arms Control Treaty. The Seabed Treaty in its article 1, numeral 1 states:

The States Parties to this Treaty undertake not to emplant or emplace on the sea-bed and the ocean floor and in the subsoil thereof beyond the outer limit of a sea-bed zone, as defined in article II [that is twelve-mile outer limit of the zone referred to], any nuclear weapons or any other types of weapons of mass destruction as well as structures, launching installations or any other facilities specifically designed for storing, testing or using such weapons (UNODA, 1971).

This means, that meanwhile, the Seabed Arms Control Treaty establishes a concrete twelve-mile outer limit where nuclear weapons can not be emplanted or emplaced, Tlatelolco is more comprehensive and restrictive, because it prohibits any emplacement in the whole zone of application including territorial waters. To overcome this contradiction, the OPANAL Secretariat recommended to those states that had the intention of ratifying the Seabed Treaty, to enclose a statement accepting the Seabed Treaty as long as it did not undermine the Tlatelolco's compliance (OPANAL, 1971: 29).

After ten years of existence, OPANAL showed some modest results in terms of compliance and surfaced new relevant issues for the zone as conventional disarmament. Articles 13, 14 and 23 since the III period of sessions were regularly accomplished. The lack of the Treaty's universality and the incomplete negotiation of safeguards agreements made the control system still weak. Moreover, The IAEA General Director recognized himself at the XXVI regular session of the General Conference that the Safeguard System had some limitations and therefore it needed to be improved (OPANAL, 1983: 23).

4.1.4.4 Crisis management

In this period there were four critical moments regarding 1) the implications of the US secrecy over its activities in the Panama Canal Zone; 2) the alleged introduction of British nuclear weapons into the zone in the context of the 1982 Malvinas/Falklands War; 3) the consequences for the zone of the US neutron bomb; and, 4) the denounced emplacement of US nuclear weapons in Puerto Rico. We already addressed the Malvinas/Falklands Islands question in the section about Argentina, in this part we will provide further details on the other' states reactions to the Argentinian allegations.

US presence in the Panama Canal Zone

Until 1977, when the Torrijos- Carter Treaties were signed to settle the dispute between the US and Panama over the Canal, the Canal Zone was a grey territory. This ambiguous situation had its own implications for the compliance of Tlatelolco since Panama was a state party. By 1973, Panama reported that:

Despite Panama included all its territory even the Canal Zone at the moment of signing and ratifying the Treaty of Tlatelolco, it has not been able to carry out the necessary inspection to know the US nuclear activities in that area. It would be convenient to have the cooperation of OPANAL to ensure that no violating activities to the Treaty of Tlatelolco are taking place in the Canal Zone area (OPANAL, 1973b: 16).

This issue was submitted to the Council, which asked the Secretary-General to contact the American government in order to settle it. In the IV period of sessions, Panama submitted again this request where OPANAL obtained a positive response from the US government ensuring the respect of the Treaty (OPANAL, 1975: 10). Once the Torrijos-Carter Treaties entered into force in 1979, certain calm was achieved, however, the persistence of the US presence in the Canal Zone would be controversial.

The Malvinas/Falklands War

In the context of the South Atlantic conflict, the alleged presence of UK submarines with nuclear weapons in Latin America rose concern in public opinion and among the OPANAL's states-parties. Some press columnists denounced that British vessels might have carried nuclear weapons to the region. As we explained it, Argentina had not ratified the Treaty then while the UK had signed and ratified both Protocols, thus the Malvinas/Falklands Islands should be a denuclearized area and UK should respect this

status -since Protocol I compels it- by avoiding any use of nuclear weapons. As we summarized previously, the UK's government declared that its submarines were propelled by nuclear energy but they were not nuclear weapons. However, not only Argentina was worried about this (to which we already referred extensively in the previous section). The Sandinist Nicaragua proposed establishing a "general principle to prohibit the presence of nuclear weapons in military ships that arrive at the Zone with military purposes [...] applicable for all the circumstances, for all the situations and to all the nuclear power countries [...]" (OPANAL, 1983f: 3 and 4).

Panama like Nicaragua stood by the Argentinian side denouncing extra-regional violations to the Treaty because it was interested in preventing any use of excavation nuclear techniques by the US in the Panama Canal (OPANAL, 1983g). Panamá even sent to the members of the Council and to the Secretary-General a message in March 1983 expressing its concern about "what seemed to be a grave violation of the Treaty of Tlatelolco by a signatory NWS" (OPANAL, 1983g: 6). At the II Special Session on Disarmament (SSOD-II) in 1982, Panama insisted on this issue enlisting some worrisome omissions by the UK: the UK had replied referring to the question of nuclear propulsion but it had not explained whether or not nuclear weapons were available for the British Forces in the South Atlantic.

Peru at the XXVI IAEA General Conference underlined also that this violation of the Treaty further aggravated the already discriminatory and unfair actions executed by NWS. OPANAL recognized that "the British nuclear-propelled submarines were not in a peace mission", and some paragraphs below it even highlighted a gloomy fact: "[This] might lead to the grim conclusion that policies elaborated to tackle nuclear proliferation might establish a political and military supremacy by the five NWSs to the detriment of the rest of the world" (OPANAL, 1983h: 8-9). In fact, as many OPANAL policymakers recognize it seems that NWFZs at the end of the day end up favouring more to NWSs than to the NWFZ states-parties whose force is based only on law (in paper) but not on material capabilities.

The US neutron bomb

Another factor that worried not only Cuba but also the entire region and even the world was the US plan of building neutron bombs. In April 1978, Ronald Reagan, then-presidential candidate, had triggered controversy announcing that this bomb was "the first weapon that's come along in a long time that could easily and economically alter

the balance of power. It could be the ideal deterrent” (NYT, 1981: 46). Carter did not continue the project, but once Reagan assumed the administration he moved on. Reagan started talks with NATO members to explore the possibility of deploying neutron bombs to the European territory. In front of that dangerous situation, the OPANAL Council approved a resolution on November 27, 1981, stating: “The Council [...] expresses its hope that nuclear arms race do not intensify and especially, that fabrication, storing or using of new nuclear weapons, as the so-called neutron bombs, do not proceed (OPANAL, 1983: 29)”. This joint statement was submitted to all member states –even to the Protocol signatories as the US- and it was presented by the Secretary-General at the XI General Assembly of the OAS.

Several times at the VIII ordinary period of sessions it was repeated the frustrating conclusion that scientifically there is no mechanism to counteract the devastating effects of nuclear weapons or a mean to protect a city from nuclear massive destruction. The Secretary-General reminded that:

Over the last years in military spheres, the possibilities of limited atomic wars or a prolonged nuclear war restricted to superpowers have been mentioned. Outstanding Western and Eastern physicists gathered some months ago in Italy, considered those ideas as reckless because superpowers have such many nuclear and ballistic devices that there is no possibility of limiting or prolonging it for an eventual victory of one side. That would be the last war (OPANAL, 1983: 37).

Nuclear gambling made every time clearer the subjection of the South, of those NNWS to the will of NWSs and its allies. New forms of wars were discussed openly disregarding the consequences for Southern countries mostly deprived of nuclear weapons. As the Secretary Martínez Cobo remarked: “There is no serious dialogue between East and West neither between North and South”(OPANAL, 1983:38).

Emplacement of US nuclear weapons in Puerto Rico

Once the US ratified the Additional Protocol I, the Puerto Rican Bar Association announced that they would observe the compliance of the Treaty in its territory. By 1985, they submitted a report to OPANAL stating that:

The official US policy of not confirming or denying the nuclear weapons installation or emplacement to Puerto Rico breeds insecurity and uncertainty [...]. Unfortunately, the investigations have revealed the existence of plans, installations and a general policy incompatible with Tlatelolco’s objectives (OPANAL, 1985a: 12-13).

Additionally, the report underlined the intense presence of nuclear weapons in military aeroplanes and vessels going and coming from and to the Island, “which could not be catalogued as mere transit or transport of nuclear weapons” (OPANAL, 1985a: 12-13). OPANAL had a circumspect reaction. It simply remarked the US reservations at ratifying Protocol I where transit rights should be respected and the fact that no state-party had opposed to that.

The case of Puerto Rico posed a blurred and new question to the Treaty. On the one hand, Puerto Rico as a *de jure* territory ruled by the US and not as a sovereign state could not grant or deny transit or transport privileges “to itself” as Tlatelolco allows it in the case of sovereign states, and on the other hand, the US at signing Additional Protocol I committed to denuclearize and respect that status on their *de jure* or *de facto* territories. The main contradiction here was (and is) the US reservation and interpretation of the Additional Protocol I at the ratification moment and the alleged “intense nuclear-related activity” observed by the Puerto Rican Bar Association, which would have contravened the Treaty. Notwithstanding, given this legal and political intricacy, OPANAL decided not to take further action on this episode, which somehow demonstrated the limits of Tlatelolco in front of an NWS and superpower as the US is.

4.1.4.5 International Cooperation

Nuclear energy

The heterogeneity in terms of nuclear development among Latin American countries was crucial. On the one side, Argentina and Brazil were (and still are) the most advanced countries in nuclear energy and on the other side, the rest of the countries were less nuclearly developed. This asymmetry had provoked that both groups of countries seek different responses to attend to their interests, particularly over the peaceful uses of nuclear energy.

Also OPANAL Secretaries-General had some fears over a possible increment in economic and development disparities as a result of atomic energy applications, dominated by industrialized countries. In that context, the elaboration of a regional strategy to cope and to prevent future imbalances was considered a priority. According to Secretary-General, Benites Vinueza, Latin America [did] not even have an exact idea about potential radioactive minerals under its soil, therefore Tlatelolco should support this diagnosis.

To cope with this matter, since the first years, OPANAL through the Secretary-General sought strengthening cooperation with the IAEA and the UNDP. With the IAEA, OPANAL signed its first cooperation agreement on October 3 1972. This agreement stipulated the permanent consultation between both organizations in all those issues that were mutually affected by; it instituted the reciprocal representation at General Conferences, the interchange of information and documents, and technical and scientific cooperation under request.

The initial paralysis on how to promote nuclear energy was also partially offset by the conformation of a Working Group in 1973 integrated by Bolivia, Mexico, Paraguay, Peru and Venezuela in order to elaborate some guidelines for future decisions on this matter. Moreover, Mexico did an additional financial contribution to the Special Fund for Nuclear Energy (to 200 000 pesos) in order to implement a scholarships program for training Latin American specialists on nuclear peaceful application. Spain and the FRG offered also to contribute to this initiative (OPANAL, 1973a).

The 1970's oil shortage or energetic crisis led many countries –including in Latin America- to reassess the relevance of nuclear energy. In that direction, Secretary-General Gros Espiell at the first extraordinary Conference emphasized the necessity of having a common and coordinated nuclear energy policy in Latin America. He envisioned OPANAL as the perfect organization to assume this task by advising countries, sharing information and nuclear policy planning at the regional level. He expressed: “OPANAL with its experience and its agreement with the IAEA should be this organism in future” (OPANAL, 1977: 19). In the context of the fifth period of ordinary sessions in 1977, the Conference agreed to include this idea in the final declaration and to start the scholarships program by January 1st 1978.

In 1981 the erstwhile president of the Ecuadorian delegation –and since then the OPANAL Secretary-General-, José Martínez Cobo, followed the purposes of its Uruguayan predecessor saying: “Everything makes to think that the moment of giving OPANAL a new content has arrived, and that means to take action on nuclear energy peaceful uses” (OPANAL, 1983: 24). However, after two years of administration, Martínez Cobo recognized that the Agency would need a radical change in order to deal with nuclear energy activities. That would have implied rethinking the OPANAL's path differently from the past 14 years and increasing exponentially human and financial resources. Martínez Cobo was aware of the global development of nuclear energy –291 nuclear reactors in 24 countries -, its diverse applications and how Latin America was

lagging behind. He initially thought if Latin America was capable of creating the first NWFZ, it would be able of developing a coordinated plan to harness the pacific benefits of nuclear energy in the future, but the reality showcased the opposite. The Secretary-General concluded that no transformation was possible in the short-run and in the meantime, OPANAL should promote and channel cooperation chiefly for technical assistance through the IAEA and to a lesser extent through the Inter-American Nuclear Energy Commission (IANEC) (OPANAL, 1985a: 23)

OPANAL requested the support of the IAEA, the IANEC, and the Latin American Energy Organization (OLADE in Spanish) to elaborate a proposal to promote the use of nuclear energy for peaceful means. The IAEA appointed Alberto Oteyza to work on this task. Oteyza's report was submitted to OPANAL on February 9, 1979. It identified the necessity of accurate coordination among nuclear energy organizations, namely IAEA, OPANAL, IANEC and OLADE to avoid any overlap. Afterwards, OPANAL and OLADE signed a cooperation agreement.

In addition to this, the Secretary-General requested to member states to submit some information about their necessities on the use of nuclear energy, but this initiative did not prosper due to the lack of interest of states-parties (OPANAL, 1981: 21). IANEC did not sign any agreement with OPANAL, although they interchanged some agreement cooperation drafts for years (OPANAL, 1989:67). IANEC had been established in 1959 as a technical consultation body to facilitate the cooperation on nuclear energy between North American and Latin American states. IANEC meetings were held every two years and the OAS' Secretary-General allocated financial, technical and administrative resources to this purpose. Every government designated a representative for programs implementation. Since 1969, the IAEA cooperated with IANEC and in 1984 they adopted the "Regional Cooperative Arrangements for the Promotion of Nuclear Science and Technology in Latin America [known in Spanish as ARCAL]" (Figueroa Pla, 1991: 551). ARCAL still exists.

What resulted more effective was the initiative of the Andean Community of Nations (known as CAN in Spanish) – then integrated by Venezuela, Colombia, Ecuador and Peru-, which aimed to create an Andean system of nuclear cooperation similar to the Regional Cooperative Agreement for Research, Development and Training related to Nuclear Science and Technology for Asia and the Pacific (RCA). This proposal was supported by the IAEA –which formerly had buttressed the Asian Pacific initiative- and OPANAL. In September 1981 these countries celebrated a

meeting with OPANAL, the IANEC and OLADE to coordinate nuclear energy technical assistantship projects. On that occasion, the OPANAL Secretary-General proposed to enlarge the meeting to all the Tlatelolco states-parties. The Andean States also took part in the ARCAL initiative with the support of OPANAL as well, where Argentina, Brazil, Costa Rica, Chile, Guatemala, Paraguay and Uruguay had begun to participate.

Tlatelolco according to its promoters was above all a preventive instrument; in that frame, the promotion of nuclear energy enshrined in the Treaty was in the long run rather a symbolic objective than a feasible goal. The limited financial, technical and human resources made Secretaries and the General Conference prioritized the preventive mission of the Treaty.

NPT Review Conferences

At the approaching of the I Review Conference in 1975, Latin American states wanted to achieve a common position particularly over nuclear energy cooperation where NWS had done little effort. The NPT Preparatory Committee had decided unanimously to include OPANAL as the first and unique intergovernmental organization as an observer in the I Review Conference. Nevertheless, the OPANAL General Conference was unable to adopt a resolution on this matter and Latin American positions were not coordinated.

The I NPT Review Conference was able to issue a final declaration but it became clear the growing rift between the North and the South on their positions towards the NPT. The first group (which included the US and the Soviet Union and their respective allies) wanted to strengthen the NPT safeguards system and achieve universality, meanwhile, the second group (made up fundamentally by the Non-Alignment Movement members) proposed a detailed examination of the Treaty's compliance. NNWS, part of the second group, were disappointed about the imbalance between their obligations and rights and the weak obligations and non-compliance by the NWS's side according to article VI. Several NNWS deemed that safeguards somehow undermined their rights to import nuclear materials and equipment in front of those non-signatories countries. This perception was deeply shared by Tlatelolco members who after the Smiling Buddha 'experiment', and the Review Conference judged the NPT as ineffective, and considered Tlatelolco more important than ever (OPANAL, 1977: 9). OPANAL had submitted a document to the Conference as an

observer suggesting that those Tlatelolco states-parties no signatories of the NPT had the same benefits as their signatories on nuclear energy cooperation. The OPANAL Secretary-General assumed that the adherence to Tlatelolco was sufficient to negotiate safeguard agreements with the IAEA and therefore to proscribe nuclear proliferation (OPANAL, 1977:16). The Conference additionally considered Tlatelolco as a stricter document in comparison to other non-proliferation instruments and therefore, a disincentive to Latin American states for pursuing a nuclear military program but an incentive for nuclear energy exploitation (OPANAL, 1977:18).

For the second NPT Review Conference, which took place in 1980, the OPANAL Secretary-General, Hector Gros-Espiell, insisted on having coordinated actions but once again that objective was attainable. OPANAL participated as an observer in the Conference, where the differences among states became sharper. According to the OPANAL Secretary-General:

The fail of the II NPT Review Conference demonstrates a crisis, maybe insuperable, of the system established by this international instrument. The consequence of this crisis and the fails of both NPT Review Conferences compel us to reformulate the whole question of nuclear disarmament at the universal level, taking into account the current situation regarding the US – URSS bilateral agreements, the SALT II case, the perspective of new reforms and the frustration of creating new NWFZ (OPANAL, 1981: 27).

There was no much contrast with the results of the III NPT Review Conference of September 1985. OPANAL followed closely the meetings of the Preparatory Committee and contributed with some analyses and policy briefs. The deteriorated relations between the West and the East as well as the acceleration of the nuclear weapons race led the OPANAL Secretary-General to conclude that the III NPT Review Conference would be unsuccessful (OPANAL, 1985a: 18). Actually, he considered the final declaration as disappointing, with no clear commitments.

The LAC-NWFZ solitude and the frustrated comprehensive studies on NWFZ

We had said that before and after the establishment of the Latin American NWFZ, other proposals to denuclearize regions -such as the Balkans, Southeast Asia, Africa, the Indian Ocean, the Near East- were made but without any success. In that context, the UN General Assembly, through Resolution 3261 decided to develop a *comprehensive study on nuclear-weapon-free zones* and it invited OPANAL to cooperate with this task. In several OPANAL Secretary-General's reports, the conformation of new NWFZ was

deemed as crucial for the own relevance of the LAC-NWFZ and not to remain isolated in its endeavours towards a nuclear-free world.

After the Disarmament Committee releasing of the *comprehensive study on nuclear-weapon-free zones*, the OPANAL Secretariat highlighted the role of Mexico's UN delegation in coining a plausible definition of nuclear-weapon-free zones in order to avoid misinterpretations over their states-parties obligations and the NWS's duties.

In 1978, the First Special Session on Disarmament (SSOD-I) supported the establishment of new NWFZs in its final declaration. The SSOD-I called for the Security Council to take action for Africa's denuclearization and for the creation of an NWFZ in the Middle East. It mentioned the desire of South Asia for keeping their countries free of nuclear weapons but it did not outline concrete step towards that goal. The final document also referred to the creation of zones of peace in South-East Asia and in the Indian Ocean (UNGA, 1978: 6, 8 – 9).

However, as the 1979 Secretary-General's OPANAL Report stressed "there was no advance on that" due to political circumstances (OPANAL, 1979: 4). The Latin American zone had been established with the underlying purpose of encouraging other states to advance on their NWFZ proposals and sharing the same status with them, but the panorama somehow left Latin America alone and practically in the least position of the nuclear hierarchy. This fact set new conditions and challenges for Latin American states over disarmament, security and peace (OPANAL, 1979: 4). According to the OPANAL Secretariat, the lack of opportunities to create new NWFZs "[diminished] the universal projection of the zone and its contribution to peace and international security" (OPANAL, 1981:6).

The 37 UNGA period of sessions (1982 – 1983) approved Resolution 37/99F requesting the UN Secretary-General –with the cooperation of the *Ad-Hoc* Group of Governmental Qualified Experts- to carry out a study to review and update the 1976 comprehensive study on NWFZs.

OPANAL was invited to participate in the *Ad-Hoc* Group meetings to share its experience. For OPANAL, the ineffectiveness of the NPT altogether with the possibility that another fifteen countries could become nuclear without foreign assistantship made it urgent to underpin any initiative to halt this nuclear arms race (OPANAL, 1983:20).

In this context, in 1983, the OPANAL Secretary-General, José Martínez Cobo, visited Romania. He hold several meetings with president Nicolae Ceaușescu and other

members of the government about the possibility of creating a Balkan NWFZ, an initiative mainly promoted by that country, which never came into being.

The UNGA Secretary-General designated a group of experts for the NWFZs Ad-Hoc group, which met in New York during four periods of sessions in 1983 and 1984 without results. The experts were not able to prepare the report for the 1984 UN General Assembly. They coincided over the relevance of NWFZs to tackle nuclear proliferation geographically but they concluded that there were no conditions for the creation of other zones elsewhere.

The UN General Assembly insisted on this issue by approving Resolution 39/159 B and asking the experts to continue the study and to present it at the 1985 UN General Assembly. The experts met again during three sessions at the beginning of 1985 but it ended up in failure again (OPANAL, 1985a: 16 – 17). This explains why until now there is only one official UN study on NWFZ. However, the creation of the South Pacific NWFZ by the signature of the Treaty of Rarotonga in 1985 was a motivating event for Tlatelolco's states-parties and for those countries, which sought a non-nuclear peace.

4.1.4.6 Future agenda: The Tlatelolco II on conventional weapons idea

A new issue garnered attention at the Tlatelolco's VI period of sessions, the regional limitation on transfer and use of conventional weapons. The 1974 Declaration of Ayacucho, which sought the limitation of conventional weapons, the adoption of a control system for their transfer, and the prohibition of weapons with excessively cruel and indiscriminate effects led twenty Latin American states to discuss this matter in 1978 at Mexico's initiative. Albeit the Treaty of Tlatelolco was conceived as a partial step within a global strategy towards disarmament, the government of Mexico envisioned upon this experience to underpin what the Secretary of Foreign Affairs, Santiago Roel, called "Tlatelolco II (on conventional weapons)", in order to transform Latin America in a peace zone, "which [meant] not only absence of war but full development" (OPANAL, 1979: 33).

What was clear for Mexico and the OPANAL Secretary-General was that a conventional weapons control system would imply greater obstacles to overcome than those of Tlatelolco (OPANAL, 1981: 29). In fact, after the 1978 Inter-American Conference on War and Peace Problems or Conference of Chapultepec organized by

Mexico, the conventional weapons control system proposal was paralyzed; and rather, the conventional weapons race accelerated.

Despite this daunting scenario, the XVIII OPANAL General Conference in 1983 issued Resolution 164 (VIII) encouraging member states to continue the talks to adopt measures for establishing a control arms mechanism in the region. The Colombian minister of foreign affairs, Augusto Ramírez Ocampo at the XIV OAS General Assembly highlighted the importance of implementing such a mechanism to limit military spending (OPANAL, 1985a: 25). However, none of these ideas achieved momentum in this period.

In a certain way, Cuba's position was in line with Mexico's Tlatelolco II proposal for establishing a peace zone in Latin America, in the sense that both states envisioned a determinant linkage between the proscription of nuclear weapons and the control of conventional weapons for an effective denuclearization in Latin America. Could a zone be considered denuclearized if it has foreign military bases which might have unknown nuclear activities? To what extent foreign military bases might be an obstacle for NWFZs? Undoubtedly, these questions need deep reflection and research in future.

4.1.5 Conclusions: between the persistence of colonialism and the international recognition (subperiod 1 1968 – 1985)

In this first period, the Treaty of Tlatelolco faced several political and institutional difficulties. The persistence of colonialism meant a great challenge to bring into being the Treaty given that its application is based on geography where every territory either territorial sea, air space, or others define its physical and legal boundaries. The Additional Protocol I, which enacts that States with territories in the region should respect the denuclearized status, proved to be not enough to cope with the problems that arose. Almost all the critical events addressed by Tlatelolco had to do with this aspect. The alleged emplacement of US nuclear weapons to Puerto Rico demonstrated that *de jure* or *de facto* territories are the most vulnerable areas when it comes to respecting the denuclearized status. Which allegation would prevail if the ruler country simply denies any Treaty's violation? Additionally, Tlatelolco recognizes only full sovereign states as parties; in that case, the Puerto Rico status of US unincorporated territory was out of the scope of the Treaty. Should OPANAL take actions if actors other than sovereign states provided enough evidence of the Treaty's violations? If so, what kind of actions should

have been taken? This question undoubtedly is controversial and deserves further research and comparison with similar cases in other NWFZs. To sum up, the question must be: What to do when a Treaty's violation occurs in *de facto* and *de jure* territories, where the sovereign is a recognized NWS? Clearly, Tlatelolco does not have yet a conclusive reply to this inquiry.

Argentina's allegation that the UK had introduced nuclear weapons to the Latin American NWFZ in 1982 was also a test for Tlatelolco. In this case, Argentina had not ratified the Treaty, and that was an argument in favour of the British side, however, we consider what should have prevailed is the full respect to Treaty and to its spirit regardless of the state-party that denounces an abuse. In that sense, and given that these accusations worried many other Latin American states; probably the OPANAL's Solomonic communiqué was a discouraging response. Here again the limits between the political and juridical prove to be conflictual. The Treaty has no provision on what should be done when an NWS or extra-continental actor breaches the law. It regulates only those violations committed by (Latin-American and Caribbean) states-parties. History suggests that this legal vacuum is the consequence of the Protocols negotiation. Surely, no NWS or extra-region state would have even signed the Treaty if such provision had been included. But even if the Treaty would have incorporated an article stating that if a Treaty's violation caused by a third party occurs, the case should be reported to the IAEA's Board of governors and/or to the UN Security Council, the solution would not have been simple. The judge would have been the party also. In those cases, the Tlatelolco multilateral exit was outright impossible and only the unilateral or bilateral exit might have been the most suitable resort. Can the LAC-NWFZ be a safe place if their territories are still dealing with colonialist legacy or if they have foreign military bases? The colonialist legacy persists in Latin America either with consented or not as it happens in Guantanamo Bay in Cuba and that conundrum deserves greater attention by scholars, experts and politicians.

The boundaries disputes were another challenge for Tlatelolco. The dispute between Venezuela and Guyana over the Essequibo region was an obstacle to Guyana's accession, which in this period was not resolved even though OPANAL created a Good Offices Commission to deal with it.

The Argentinian and Brazilian nuclear aspirations contrasted sharply with the disinterest in nuclear energy showcased by most of the Latin American and Caribbean States and the Mexican international activism on non-proliferation. Although Mexico,

Argentina and Brazil shared the narrative of harnessing nuclear energy only for peaceful purposes and criticized the discriminatory nature of the TNP, in practice, their actions were different. Argentina, signatory of the Treaty, for instance, never reported to OPANAL about its nuclear agreements; Brazil did it but only a few of its nuclear arrangements were notified to the agency. Both states persisted in their reluctance to sign the NPT. Moreover, Brazil had since mid-70's a secret nuclear program undermining the legitimacy of Tlatelolco, even if the Treaty had not entered into force there. Meanwhile, Mexico promoted the Tlatelolco experience overseas and mediated in the negotiations of the NPT. On the very opposite position, we find most of the Latin American and Caribbean states, which were not familiarised with the applications of nuclear energy and for a long time, did not show interest in that, even if OPANAL offered them to channel their needs. The lack of economic, financial and technological resources or the growing nuclear taboo as a consequence of the Missile Crisis in Cuba might explain the 'disinterest' of Latin American states in nuclear energy. However, we should remember that at the end of this period it was clear that OPANAL would not play the role of a nuclear energy organization, given its financial and legal limitations and the lack of political will of the regional major players. Unequivocally, these asymmetries hindered the smooth performance of the Treaty.

We can mention another defies that challenged the effectiveness of Tlatelolco such as the rise of India as an NWS, which was –and is still now- an uncharted territory; the inexistence for a long time of new NWFZ leaving the Latin American and Caribbean states – parties alone in their commitment against nuclear proliferation. We cannot neglect that the Cold War world order entangled the scenario even more.

Notwithstanding, we must recognize that Tlatelolco had some modest achievements in this period. First, all the concerning states, except for France, signed and ratified both Additional Protocols and the Treaty entered into force in 23 states. In addition, at the end of this period, except for Antigua and Barbuda, Bahamas and Barbados, all of the states-parties had signed safeguards agreements with the IAEA and they had started to regularize the submission of bi-annual reports to OPANAL and IAEA. Similarly, those states, which had signed nuclear agreements, reported to OPANAL about their activities (see *Annex 2*.)

Despite all the initial political, legal and financial hurdles, Tlatelolco and the LAC NWFZ garnered international recognition. The invitation to the OPANAL to participate in the UN Comprehensive Study on NWFZ, the 1982 Nobel Peace Prize won

by the Mexican ambassador, Alfonso García Robles, “father of the Treaty of Tlatelolco”, as well as the OPANAL Secretary-General participation in high-level Conferences and meeting demonstrated that the Treaty of Tlatelolco and the Latin American and Caribbean region became an example of non-proliferation good practices.

Consequently, after assessing all these factors we can conclude that the factors associated with the problem-solving capacity of Tlatelolco (institutional design) and the persistence of colonialism had a paramount relevance at the moment of dealing with critical moments. The limited mandate of Tlatelolco, as well as the OPANAL’s financial shortage, blockaded an optimal performance, leading Tlatelolco to have a low or suboptimal level of effectiveness.

4.2 Sub-period 2: Neoliberalism and the Tlatelolco's paradoxes (1985 – 1997)

Between 1985 and 1987 some crucial events occurred at the international level. The US and the Soviet Union celebrated two meetings, one in Geneva in November 1985 and the other in Reykjavik in 1986. In both meetings, they discussed nuclear issues, and it was particularly relevant their agreement not to seek strategic superiority. They stated in Geneva: “nuclear war cannot be won and must never be fought” (NSA, 2005). Although Reagan and Gorbachev had different purposes for the meetings, they helped to build trust between them and they committed to analysing the possibility of eliminating the intermediate-range missiles from European soil. The Soviet Union had presented at the Disarmament Conference in Geneva two proposals: to discuss a treaty for the prohibition of nuclear testing, to stop fully the production of fissile material for nuclear weapons over in 1989 and to shut down two plutonium-producer reactors in 1989 and 1990. The 1987 Intermediate-Range Nuclear Forces Treaty (INF) signed by both superpowers was the first sign towards their disarmament.

The Soviet ambassador in Mexico informed the OPANAL Council about Gorbachev's nuclear disarmament initiatives (OPANAL, 1987a: 28). In January 15, 1986, Gorbachev had claimed that “the entire planet should be an NWFZ by 2000” (OPANAL, 1989d: 43). The Soviet representative at the XI OPANAL General Conference, Igor Palenykh reminded them that the Soviet Union was ready to support the immediate prohibition of nuclear tests (OPANAL, 1989d: 43). Despite Cuba was not part of Tlatelolco; the Soviet Union had shown a cooperative attitude.

The United States had followed closely the Tlatelolco debates since its origins and it had been a supporter of the initiative. George Murphy, the US representative at the 1989 OPANAL General Conference, transmitted the message from president George Bush to the states-parties. In Bush' words Tlatelolco was relevant to the “hemispheric security because it [strengthened] the international juridical restrictions on nuclear weapons proliferation” (OPANAL, 1989d: 46). The US representative at the OPANAL General Conference announced officially the conclusion of the US Safeguard Agreement with the IAEA under the mandate of Protocol I and remarked on the role of his country in technological cooperation in Latin America.

As part of this new phase of détente, the German Democratic Republic (GDR) at the initiative of the Chairman of the State Council, Erich Honecker launched a proposal for establishing a nuclear-weapon-free corridor from the Balkans to Scandinavia “to further stabilize the situation at the dividing line between the two alliances, [...] for

peaceful crisis management and for the prevention of military incidents in Central Europe” (UNGA, 1988:3). In addition, the GDR organised in Berlin the I International Meeting for NWFZ from 20 – 22 June 1988 where the OPANAL Secretary-General, Antonio Stempel Paris participated actively. OPANAL hailed the GDR’s initiative of creating an NWF corridor and at the Meeting’s Preparatory Committee, Secretary-General Stemple underlined a new upturn on denuclearization initiatives as a positive step towards disarmament.

At the 1988 Berlin Conference, it was underlined that “NWFZ [represented] an obstacle to the aspirations of States involved in regional conflicts to obtain nuclear weapons” (UNGA, 1988:5). In addition, the NWFZ advantages were extensively recognized, such as:

“(i) The limitation of the arms race; (ii) the greater advance warning and time for reflection in the case of a conflict triggered by chance or otherwise; (iii) the raising of the nuclear threshold in such a case; and (iv) the provision of more time to find political solutions, in other words greater political predictability, which to a greater or lesser extent contributes to consolidating confidence among states” (UNGA, 1988:7).

What is particularly striking to highlight is that the 1988 Berlin Conference’s conclusions were consistent with ours of the subperiod 1967 – 1985. The final document recognized the “valuable experience gained” by Tlatelolco, but it also acknowledged “no consensus of opinion on their effectiveness [...]”. Similarly, it pointed out the need for “the elimination of all vestige of colonialism in the zone, the dismantling of foreign military bases and an end to the use of the territory by ships and aircraft capable of transporting nuclear weapons” (UNGA, 1988:9). As we inferred, the effectiveness was suboptimal to great extent, because of the crisis related to the persistence of colonialism.

After years of political loneliness for the Latin American zone, a new NWFZ was created in 1985. On August 6, ten states, namely, Australia, New Zealand, the Cook Islands, Fiji, Kiribati, Nauru, Niue, Papua New Guinea, Tuvalu and Western Samoa, signed the Treaty of Rarotonga for establishing the South Pacific NWFZ. The OPANAL Secretariat followed this process through the South Pacific Bureau for Economic Cooperation⁵⁰ and Australia and New Zealand’s embassies in Mexico. The states-parties at OPANAL considered it politically strategic to strengthened their ties

⁵⁰ Since 2000 it is the Pacific Islands Forum.

with the recently born zone through a cooperation agreement with the South Pacific Bureau, the Rarotonga's depositary institution.

Peace and disarmament initiatives flourished everywhere as an unambiguous token of the Cold War thaw. In Latin America, on August 6-7 1986, the presidents of Argentina, Greece, India, Mexico and Sweden and the first minister of Tanzania celebrated the II Summit of the Peace and Disarmament Initiative in Ixtapa, Mexico. The so-called 'Group of the Six' exhorted the two superpowers to cease nuclear tests and the arms race. They proposed them the eventual complete elimination of nuclear weapons.

Similarly, in Stockholm in 1988 the 'Group of the Six' enjoined NWSs to forswear tactical nuclear weapons and to restraint from using outer space for non-peaceful purposes. It claimed the necessity for the prohibition of nuclear weapons test and the urgency of a convention to forbid and eradicate chemical weapons (OPANAL, 1989a: 2). The Group congratulated the Soviet president Mikhail Gorbachev and the US head of state Ronald Reagan for the signature of the INF Treaty. They enjoined them to commence "a time-bound process of nuclear disarmament" as Indian Prime Minister, Rajiv Gandhi expressed it. The OPANAL Secretary-General participated in the preparatory roundtables prior to the Summit where he supported actively the peace initiative and claimed the necessity of promoting the creation of new NWFZs.

On October 27 1986, the UN General Assembly with 124 votes approved Resolution 41/11, which established the SAPCZ, a Brazilian initiative supported by Argentina, Uruguay, Angola, Cape Verde, Congo, Guinea-Bissau, Equatorial Guinea, Liberia, Nigeria and Saint Thomas and Prince. The US voted against this proposal meanwhile Belgium, France, the FRG, Italy, Japan, Luxemburg, the Netherlands and Portugal abstained. The US opposition and the abstentions undermined any expectation of compliance. The SAPCZ aimed to promote regional cooperation (economic, social, scientific and technical); prevent arms race (including nuclear weapons) and extra-regional tensions, which might threaten the independence, sovereignty and territorial integrity of its members. The elimination of apartheid and the self-determination and independence of Namibia were deemed indispensable preconditions for the consolidation of the zone. We should underline that Tlatelolco and the SAPCZ were very different instruments from their inception in legal and political terms. The Tlatelolco scope was very narrow and precise; the SAPCZ had a wider range of objectives. Additionally, the SAPCZ was not a full-fledged legally binding declaration

and the zone of application was not clearly delimited. In that sense, although the UK approved the SAPCZ Declaration, this did not discourage it for instance from performing military exercises in the South Atlantic breaching paragraph 3 of the Declaration (OPANAL, 1989c: 15)⁵¹. For OPANAL, the SAPCZ enlarged the LAC-NWFZ because SAPCZ prohibited the introduction of nuclear weapons strengthening the Tlatelolco's mandate.

Foreign policy theories claim that countries oscillate between survival and maximization of power. In the case of developing states, they are mostly concerned about survival although sometimes they challenge the status quo or at least attempt to tame it by elaborating strategies where immaterial capabilities are relevant. Latin American diplomacy has historically been defensive in face of the US, and that has been a crucial factor at the moment of choosing policies for dealing with international challenges. However as we observed it, Tlatelolco was not enough to balance somehow the US military, political and economic supremacy, not even that of its allies and nuclear possessors, namely the UK in front of critical contexts as the Malvinas/Falklands War. In this second part, we will observe how these tensions as well as the internal or regional asymmetries between the Brazilian-Argentinian nuclear-developed axis and the rest of the continent shaped the continuity and discontinuity of Tlatelolco and its NWFZ.

The end of the Cold War did not mean an immediate and automatic improvement of the nuclear non-proliferation regime as it could have been imagined. Rather, the consequences of the triumph of the American-led liberal hegemonic order brought about setbacks and advances for the regime depending on the studied region. The disappearance of the US ideological and military enemy, the Soviet Union, would have implied a considerable reduction of military interventions overseas, but that didn't occur. The unipolarity begot unilateral militarism as the American-liberal order started to be expanded.

We should remind that in general terms the non-proliferation regime encompasses "the network of treaties, export controls, safeguards, and inspections designed to prevent the spread of nuclear weapons, [which includes] principally the NPT and the IAEA" (Scarlott, 1991: 687 and 689). That means that States undergo to

⁵¹ The paragraph 3 stipulates: "[it] calls upon all States of all other regions, in particular the militarily significant States, scrupulously to respect the region of the South Atlantic as a zone of peace and co-operation, especially through the reduction and eventual elimination of their military presence there, the non-introduction of nuclear weapons or other weapons of mass destruction and the non-extension into the region of rivalries and conflicts that are foreign to it" (UNGA, 1986).

several painstaking-monitoring activities to prove their commitment to not proliferate. However, as we learnt in precedent sections, authority is not synonymous with legitimacy and the NPT was the target of harsh criticism from many nuclear have-nots such as Brazil and Argentina. This controversial legitimacy coupled with the US unilateral preferences for tackling nuclear mushrooming undermined the opportunity for a full boost of the non-proliferation regime in the Cold War's aftermath.

To sum up, on the one hand, there were positive advances such as the creation of the South Pacific NWFZ in 1985, the joining of North Korea to the NPT in the same year, the US president's announcement of reducing tactical weapons in Europe and Asia, the signature of the START I by the US and the USSR in 1991; the accession of China and France to the NPT in 1992, and the onset of the Cooperative Threat Reduction Program for dismantling nuclear arsenals in former soviet States or return them to Russia.

On the other hand, the discovering of Iraq's nuclear efforts in 1991 revealed the weakness of the non-proliferation regime. Additionally, instead of a political solution, the unilateral US military attacks against Iraq's nuclear facilities –then a member of the NPT and the IAEA- undermined the legitimacy of the regime. Lastly, the US did not abandon its programs such as the bomber B-2 and the Strategic Defense Initiative (Scarlott, 1991). As Scarlott blatantly put it: “In the Middle East, for example, the end of the Cold War seems to have weakened whatever effectiveness the non-proliferation regime may once have had” (1991: 693).

Amidst this ambiguous panorama, the third wave of democracy unfolded in Latin America, particularly in South America. This political shift although didn't provoke directly a turnabout on the nuclear choices of significant countries such as Argentina and Brazil, it eased the security cooperation among them.

If something characterised the new unipolar order is the ontological re-emergence of “regions” as the main subjects for addressing conflicts and new international dynamics such as trade agreements and security understandings. In the case of Latin America, trade and tariff agreements flourished, the Mercosur and the Andean Community were the most visible examples.

Therefore, this last sub-period is relevant for our inquiry because of three relevant facts in the nuclear non-proliferation domain: the Treaty of Tlatelolco attained universality through the full signature and ratification by all the 33 Latin American and Caribbean countries including Cuba; the Treaty of Tlatelolco and the NPT entered into

force in Argentina and Brazil and the nuclear cooperation between them was re-launched through the creation of the ABACC. In the following paragraphs, the Treaty of Tlatelolco’ achievements and pitfalls will be assessed.

4.2.1 Mexico: indebtedness, modernization and new foreign policy agenda

4.2.1.1 Political power, identity and its relations with the hegemon

The 1982 financial crisis of Mexico affected greatly its foreign policy. The Mexican peso devaluated at 49 to the dollar, public external indebtedness skyrocketed at USD 91 billion, the Bank of Mexico’s international reserves dropped and the inflation went high at 100% (Collado, 2011; NYT, 1982). The idea of López Portillo of underpinning the country as a regional power remained on hold in front of new circumstances, which required urgent transformation. In addition, at the international level, the rise of neoliberalism as the *non-plus ultra* economic paradigm compelled the Mexican government to adjust its policies in order to adopt the new model satisfactorily.

Table 4.10 Presidents of Mexico and nuclear milestones 1985 - 1997

Term	Presidents	Nuclear milestones
01/12/1982 - 30/11/1988	Miguel De La Madrid	<p>“Revolutionary Nationalism and Indebtedness Crisis”</p> <ul style="list-style-type: none"> • The Laguna Verde Unit 1 began to operate. • Tlatelolco started to loose relevance in the Mexican foreign policy agenda.
01/12/1988 - 30/11/1994	Carlos Salinas de Gortari	<p>“Modernization and neoliberalism”</p> <ul style="list-style-type: none"> • The Tlatelolco agenda lost relevance • The nuclear civilian program is re-launched. • The Laguna Verde Unit 2 began to operate
01/12/1994 – 30/11/2000	Ernesto Zedillo	<ul style="list-style-type: none"> • Perception of a nuclear threat is reduced • Re-invention of Tlatelolco was not supported by Mexico.

Elaborated by the author

Under the new Planning Law enacted in 1983, De La Madrid proposed his National Plan 1983 - 1988 overcome the crisis. He considered “revolutionary nationalism” as a constitutive part of Mexico’s identity. He said: “Revolutionary nationalism has given us strength to lead, amidst a hostile world, a sovereign process of social transformation” (Presidencia de la República de México, 1983:11).

According to his Plan, Mexico’s national security pillars were: international law and international cooperation and “not the assurance of its own power at the expense of others”, in allusion to its northern neighbour’s approach. “Our national security increases and does not diminish with the security of other nations. Consequently,

actions in favour of peace, respect for self-determination and rejection of blocks politics and hegemony converge in this concept” (Presidencia de la República de México, 1983:17). To some extent, De La Madrid followed these norms by keeping some prior *ad hoc* multilateral mechanisms such as the Contadora Group, the Group of Eight and the Group of Six (described in the precedent sub-section). To Mexico, Central America was a priority because of its geographical proximity; hence achieving peace in that region whipped by years of civil wars was crucial. The Contadora group seemed the most suitable arena to achieve it.

The importance of Mexico’s national security was tied to its national development, and therefore to its natural resources. The armed forces and navy thus had the duty of protecting the natural resources facilities and work for hand in hand with the industry sector.

The Mexican foreign policy pursued to preserve the nation’s sovereignty and to strengthen its political and economic independence. To do so, De La Madrid reiterated the enhancement of its ties with developing countries (as Mexico had been doing for a long time), underpinning the so-called proposal of constructing a New International Economic World Order⁵². However, its ideals crashed into reality. The forced adoption of a new economic model where the state role should be minimized and regionalism became limited to trade and tariff agreements undermined these purposes.

The adoption of the neoliberal model by the De La Madrid government allowed a greater influence and participation of private sectors in the State. Additionally, as a result of the nationalization of private banks that occurred in Lopez Portillo’s administration, the pact with the elites weakened, therefore, president De La Madrid took some measures to repair it.

The 1985 Mexico City earthquake with an 8.0 magnitude altogether with the oil prices plunge aggravated the situation. This led the government to sign a second Letter of Intent for a stand-by arrangement for a USD 12 billion loan with the IMF. The immediate consequence was a reduction of 40% in private and public investments; a wave of privatizations, subsidies reduction, public expenditure reduction and wage freezes (Collado, 2011:162), provoking social unrest across the country ensued often by authoritarian backlash from government. Mexico was going through the most

⁵² The main purpose was building a more equitable trade between industrialized and third world countries. The UN Declaration for the Establishment of a New International Economic Order (A/RES/S-6/3201) inspired this idea in the 70s’.

complicated situation in years with all its fronts at stake, including conflictual relations with the US due to its support to the Contadora Group and because of its dialogue with the Sandinistas in Nicaragua (Schiavon, 2016). Mexico had already proclaimed in its Plan that “economic transactions, migration workers, border relations and Latin American issues would be the most inescapable problems to deal with the US” (Presidencia de la República de México, 1983:22).

The erstwhile monolithic PRI had become a contested arena where a new faction had emerged – the Democratic Trend-. It pushed for more internal democracy and transparency; nevertheless, most of the party members rejected the faction’s proposal. The Democratic Trend and other discontent sectors, including those, which had participated in protests for wages increase conformed to the National Democratic Front (FDN). Cuauhtémoc Cárdenas from the FDN ran for president obtaining second place with the 30% of votes. Carlos Salinas de Gortari from the PRI won the elections with above 50%. However, the PRI was accused of fraud (Collado, 2011: 174). By 1988, the political landscape had changed dramatically, it had mutated from a one of absolute priist hegemony to another of contested political forces, where the opposition parties had started to gain ground.

As a backdrop, the denominated Washington Consensus, which consisted of, a list of recommendations for –theoretically- re-establishing the economic growth in Latin America through open market policies and macroeconomic discipline started to be adopted throughout the region.

Salinas de Gortari took a different foreign policy path. According to his National Development Plan (1989 – 1994) “the East-West distension and the economic globalization had rendered the traditional security and cooperation understandings obsolete” (Poder Ejecutivo Federal de México, 1989: 45). In his view, the State’s role should be also questioned as well as the meaning of sovereignty. He argued: “The modern defence of sovereignty demands a state, which simultaneously links itself to the developed centers of the world and spreads justice over its citizens” (Salinas de Gortari, 1990:1100). To embrace this new concept of sovereignty the Mexican armed forces needed to be “modernized”.

The concept of security implied new territories. The Salinas’ Plan considered that global security not only included defence and military aspects but also international economic balance, therefore, “external debt of developing countries [became] a new threat coming from new hegemonies” (Poder Ejecutivo Federal de México, 1989: 45).

Salinas was afraid that as in old times the debt could be used as a new pretext of the US for intervening in Mexican internal affairs.

Salinas believed in interdependence as the new force to lead the world onwards. Because of that, he propelled an approach to the new economic growth poles: Asian Pacific and the European Community. According to his 1989 – 1994 National Development Plan to modernize Mexico, the country should strive to insert its economy fully into global markets (Poder Ejecutivo Federal de México, 1989). Economic issues dominated his foreign agenda.

The fall of the Berlin Wall brought about a Copernican turn in Mexican attitude towards the US. Salinas took distance from the nationalist identity embraced by its predecessors since the 1917 Revolution, and he adopted radically the neoliberal model and took an approach closer to the United States and to the Bretton Woods institutions.

“For the first time in the post-revolutionary Mexico history, integration with the North-American economy was accepted not only as necessary but as beneficial” (Abella, 1992: 71). The idea of the historical threat coming from the northern neighbour, which former Mexican presidents had frequently portrayed to galvanize domestic support for their policies and underpin political legitimacy was abandoned by Salinas’ new rhetoric, he wanted to implement “a realist application of principles” (Poder Ejecutivo Federal de México, 1989: 51).

By the US side, it reevaluated its ties with Latin America, particularly with Mexico, launching in 1990 the “Enterprise for the Americas Initiative (EAI)” which included: “the development of free-trade agreements, including the North American Free Trade Agreement (NAFTA); a US\$1.5 billion grant fund to support the implementation of investment reform programs; and a program of official debt relief” (USAID, 2014). Moreover, the US re-launched the OAS through *ad hoc* summits, which came institutionalized in 1994 under the name of “Summit of the Americas”.

In February 1990 President Salinas de Gortari concluded a final agreement on a debt relief plan, which rescheduled the loans due from 1985 to 1990, relaxed foreign exchange restrictions and he privatized some public enterprises (such as the telecommunications enterprise, Telmex). Macroeconomically, Mexico started its road to recovery with no satisfactory social consequences. The inflation rate dropped to 19.7%, and the GDP grew by 2.9%. This allowed it to negotiate a new trade agreement with the US.

After years of preliminary talks, in 1992 the US, Canada and Mexico signed the North American Free Trade Agreement (NAFTA) which entered into force in 1994. Since WWII, Mexico had been linked to the US economy mainly through indebtedness, foreign investments and trade. The NAFTA stirred up criticism and concerns in many sectors of Mexican society, no mentioning the obvious asymmetries in economic size, technology, industry and science.

The improvement in the US – Mexican relations and the end of the Cold War, enabled president Salinas at the end of his term to retake the conciliatory role of the country in Central America from a bilateral approach to detriment of the multilateral scheme of Contadora Group. Salinas also mediated between the US and Cuba under the request of president Bill Clinton in the 1994 migratory crisis demonstrating its political pragmatism on critical situations close to Mexico's borders.

In 1994, again a PRI candidate won the elections for the period 1994 – 2000. Ernesto Zedillo started his mandate in December 1994 promising an economic improvement and a crusade against drug trafficking. However, the shadow of the political assassination of the PRI candidate Luis Donaldo Colosio occurred on March 23, 1994, and the changes in the US monetary policy stirred up preoccupation among investors over Mexico's future. The new finance minister, Jaime Serra had declared to have no intentions of devaluating the peso but one day after, the peso had been devaluated. As a result of this, USD 4.6 billion, half of the foreign exchange reserves were pulled out of the country triggering the so-called "Tequila crisis". "The weak regulation of banks proved to be one of the main handicaps in the system" (Musacchio, 2012: 10).

Given the strong and growing economic and financial interdependence between the US and Mexico, and the fear of a contagion effect, the US approved a bailout for Mexico. "The credit line was for \$50 billion, of which the U.S. Treasury provided \$20 billion; the remainder came from the IMF (\$18 billion), the Bank for International Settlements (\$10 billion), and private banks (about \$3 billion)" (Musacchio, 2012: 20).

In front of this critical panorama, president Zedillo considered that Salinas de Gortari had yielded Mexican sovereignty to the US and international markets, hence he proposed to diversify international partnerships with mid-power countries and reduce dependence on the US. Consequently, under his administration new free trade agreements (FTA) were signed with the EU, Japan, Israel and the so-called Northern

Triangle of Central America constituted by Guatemala, Honduras and El Salvador. Additionally, he continued negotiations for FTA with Panama, Peru and Ecuador.

Although Zedillo sought to expand the Mexican relations beyond the US, the problems shared by both countries often made him recoil on his objectives. Immigration control, drug trafficking became salient issues in the common agenda and at a certain point, these issues monopolized their relations. The fight against drug trafficking had been included in the final declaration of the I Summit of Americas in 1994 and even though there is no mention of a specific country on it, Mexico and Colombia were the most critical cases to be tackled in the region. In that context, US president Bill Clinton visited Mexico in 1997 and signed several cooperation agreements with his counterpart for fighting against drug trafficking. The US toughened its immigration policies towards Mexicans provoking distrust and diplomatic impasses.

Despite PRI congressmen and ministers permanently criticized the US sanctions and blockade against Cuba, Zedillo decided to review the traditional Mexican supportive policy towards the Island. For instance, he criticized the Cuban political system enjoining Castro's government for more democracy and freedom on the island. Neither he visited Cuba out of multilateral events as his predecessors did breaking the cooperative and friendly policy that Mexico had unfolded for years towards the Caribbean country.

4.2.1.2 Treaty's implementation and nuclear preferences

The institutions created for developing the Mexican nuclear civilian program were divorced from those, which managed non-proliferation policies. The huge complex of public nuclear institutions (research centres, the ININ, universities and public enterprises) did not have a dialogic relation with the Ministry of Foreign Affairs, which conducted non-proliferation and disarmament policies. We should take into account that at the onset one of the OPANAL Secretaries-General's premises was to re-orient the Agency's mission and cooperation among Latin American states towards nuclear energy.

In the National Development Plan (NDP) 1983 – 1988, the De La Madrid's government diagnosed “a generalized global crisis of the co-existence models in the last years” and underlined that international institutions; particularly those in charge of peacekeeping, security and development had a “relative paralysis”. To this country, the budget spent in the arms race was unacceptable because it “[limited] the efforts for

development cooperation and impeded the satisfaction of basic needs of world population”. Mexico forecasted, “the non-proliferation issue would grow in importance” and reiterated its commitment to disarmament and international cooperation (Presidencia de la República de México, 1983: 21).

It is fundamental to complete the processes that allow full entry into force of the NPT and the Treaty for the prohibition of nuclear weapons in Latin America. It is indispensable to stop the possession of nuclear weapons through acquisition or production due to the risk that it entails. Also, it is required to formalize a real agreement for the prohibition of nuclear tests for peaceful purposes (Presidencia de la República de México, 1983: 23).

Mexico like many other NNWS was disappointed about the meagre results in disarmament that the two superpowers had displayed. The Sea Convention had mitigated some uncertainties regarding the economic zones but the nuclear matters were still raising concern. Some plans of NWS for militarizing the space were worrisome to Mexico and its government expressed its intention to prevent this danger for international security.

The so-called third industrial revolution coupled with the recession widened the gap between developed and developing countries, leading the latter to double their efforts to become competitive. As the National Development Plan (NDP) 1983 – 1988 described: “for the first time in 50 years Latin America [had] observed a fall in its GDP” (Presidencia de la República de México, 1983). President De La Madrid reoriented the economy towards external markets. In countries like Mexico where the private sector invested limitedly in science and technology, this economic turn harmed former industrial projects on nuclear energy leading to what has been named as “the end of the Revolution’s State ” (Ejea, 2015).

Additionally, Mexico had suffered two tragedies: the fire and explosions of a PEMEX gas plant in 1984 in San Juan Ixhuatepec where 500 people were killed, and the 1985 Mexico City’s earthquake with devastating consequences. The PEMEX disaster undermined its public perception considerably surfacing the problem of oil and nuclear facilities safety. Massive demonstrations occurred in these years against the Mexican entry to the General Agreement on Tariffs and Trade (GATT), and against the Laguna Verde nuclear power plant. The rise of the Zapatista Army of National Liberation (EZLN) had its origin in this context.

The operation and construction of Laguna Verde were politicized as closer as new elections got in 1988. However, this did not prevent that Unit 1 started its

operation. The crisis had demonstrated how negative the dependence on oil revenues could be for the Mexican economy; hence the nuclear option should be explored. In 1984, the government released the National Energy Program (PRONAE) 1984 – 1988 aimed to foster energy diversification and linking this sector to the productive structure. Mexico had been good example of balancing non-proliferation policies with nuclear energy harnessing proving that promoting both sides of the same coin were possible.

In the period of Salinas de Gortari, his ideas to counteract the suffered vulnerability were explicit in his purposes of development. The military industry should be tied to the development of the country by coordinating the industrial national sector to limit foreign dependence. In his plan, Salinas guaranteed, “State will keep the control and property over the strategic areas indicated in the article 28 fourth paragraph of the Constitution [among them] radioactive minerals and nuclear energy production” (Poder Ejecutivo de México, 1989: 29). His program promised also the “technological modernization of enterprises” (Poder Ejecutivo Federal de México, 1989:33).

The rapprochement with the United States was reflected also in nuclear cooperation. The US Nuclear Regulatory Commission (USNRC) signed a new agreement with the National Nuclear Commission for Safety and Safeguards (CNSNS) of Mexico in October 1989 “for exchange of technical information in nuclear safety matters” (USNRC, 1996: 8). The issue of waste management was added. This problem had been also included in Gortari’s Plan, where the prevention of sea pollution was an important objective. The environmental issues had emerged at that time in the international arena. “Since 1992, CNSNS [...] requested the opportunity to engage (at no cost) in NRC’s Cooperative Severe Accident Research Program (CSARP) on a limited basis” (USNRC, 1996:8).

However, the disarmament question had lesser importance in the Gortari’s Plan and it was focused from a “hemispheric” perspective, a very American concept. The US had been working for years on building a “hemispheric” identity to ensure its predominance over Latin America. Countries like Brazil had sporadically embraced this notion in its foreign policy and development plans, but Mexico did it for the first time only under the Salinas’ administration.

Unlike his predecessors who lingering highlighted the importance of the Treaty of Tlatelolco for peace and disarmament, Salinas completely omitted any reference to it in his Plan. Nevertheless, in his administration, Mexico promoted the negotiations to subscribe the CTBT and cooperated with the preparatory committee for establishing the

Organisation for the Prohibition of Chemical Weapons (OPCW) (Salinas de Gortari, 1994: 382). Mexico had traditionally sought an exemplary non-proliferation policy as a token of transparency and trust about the intentions of its nuclear program.

For a long time, the Mexican nuclear civilian program had been paralysed due to the critical economic situation, but in 1990 the first Laguna Verde's nuclear reactor started to operate. As part of its opening to the Pacific, in February 1992, Mexico and Australia signed a "Cooperation Agreement for the Pacific Use of Nuclear Energy and Nuclear Material Transfer". Both countries recognized the Treaty of Tlatelolco and the Treaty of Rarotonga as the pillars of their convergent peaceful ideals and therefore they were the guarantees of their agreement. The deal allowed Australia to transfer fissile material to Mexico under the condition that the material should not be transfer to a third party, that uranium -235 should not be enriched to 20% or more, and the material must not be reprocessed (SEGOB, 1992).

On August 25 1994 "after having fulfilled all regulatory requirements. The CNSNS [authorized] the initial fuel load and startup tests [...] initiated. [By 1995] the startup test program was completed [and the] commercial operation license was granted on April 10" (USNRC, 1996: 7). Thus, the second reactor of the Laguna Power Plant had started to operate. The debt crisis preconditioned the expectations of Salinas, who at the end of the day governed at the margins of his own Plan, but it is remarkable that the Mexican nuclear program was re-launched. It was clear as well that Tlatelolco had lost some relevance in the Mexican foreign policy in comparison to the precedent tenures.

By 1995, when Ernesto Zedillo was in office, there was a change in the perception of nuclear threats. Zedillo's plan expressed this shift in the following words: "As the political division of the world into two poles disappeared, creative forces were unleashed in many latitudes and the threat of an all-out nuclear war diminished" (Zedillo, 1995:10). This somehow reinforced Salinas de Gortari's assumptions that non-proliferation would be more relevant in these years. To Mexico, the struggle for total and general disarmament had its roots in the defence of its own sovereignty, but the new geopolitical order where globalization was the paradigm, the Mexican foreign policy's causes were under question. In addition, Mexico's rapprochement to the US meant an abandonment of its erstwhile international protagonism when it was the mediator and speaker of the global south.

This new perception of a reduced nuclear threat, the prioritization of FTAs and the alignment to the US had its impact on the Mexican position at OPANAL. In 1997, the Agency had finished the first round of consultations about its future. The OPANAL *Ad Hoc* Group had concluded that some amendments were needed to expand the mandate of Tlatelolco towards tasks related to peaceful uses of nuclear energy or to radioactive waste management. Mexico opposed to this idea:

In this regard, the Government of Mexico confirms its position expressed on that occasion, in the sense that the issue of preventing pollution of the marine environment is out of the nature of the Treaty of Tlatelolco. It would exceed the original scope and spirit of the [Treaty], which is oriented to nuclear non-proliferation (OPANAL, 1997c: 3).

Mexico agreed on the interchange of information with other NWFZs on common interest areas, the increase of OPANAL's analysis and research capabilities and cooperation reinforcement with the ABACC. Regarding the amendment-requirement measures, Mexico's representatives suggested the Secretary-General elaborate a plan of activities, which addresses the transportation of radioactive material, the prevention of sea pollution by radioactive waste and the control of fissile material production. However, none of these recommendations was implemented. The new Mexican foreign policy agenda and the buoyant nuclear cooperation between the two biggest nuclear-capable Latin American countries, Brazil and Argentina paralysed any Tlatelolco's reinvention.

4.2.2 Brazil, from regional leadership to global actorness

4.2.2.1 Political power, identity and its relations with the hegemon

Since the Brazilian Congress had rejected the constitutional amendment proposal for direct elections in 1984, the leader of the PMDB (Party of the Brazilian Democratic Movement), Tancredo Neves and José Sarney president of the Democratic Social Party (PDS) began to knit political alliances to call for elections. The government delivered again a new amendment proposing to call for elections by 1988. The opposition disagreed on the date, to them a call for elections should be immediate. The wrestling was fruitful, after twenty years of dictatorship elections became a reality. In 1985, Tancredo Neves won the elections but due to his early death, José Sarney took office instead initiating the "Nova Republica" era.

The transition to democracy in Brazil was not revolutionary, but a negotiated and calibrated process. To a greater extent, the economic downfall was the most important cause driving to abbreviate the pace towards democracy. Sarney diagnosed the crisis in the following words: “Brazil’s poorest half, that owned 4% of national income in 1960, has now less than 3%. The richest 10%, which owned 39% of the national wealth has reached 51%. The poor get poorer and the rich get richer. [...] This explains the social disgruntlement” (Sarney, 1985a: 70). Sarney set five objectives synthesized in these words: freedom, development, social option, cultural identity and sovereignty and independence.

Table 4.11 Presidents of Brazil and nuclear preferences 1985 - 1997

Term	Presidents	Nuclear milestones
15/03/1985 – 15/03/1990	José Sarney “ <i>Nova Republica</i> ”	<ul style="list-style-type: none"> • The Nuclear Parallel Program is revealed and dismantled. • The Brazilian initiative to declare a “South Atlantic Peace and Cooperation Zone” (SAPCZ), which stipulated the denuclearization of that area, is approved at the UN. The US opposed. • Brazil mastered the full nuclear cycle
15/03/1990 – 29/12/ 1992	Fernando Collor de Mello	<ul style="list-style-type: none"> • Creation of the ABACC • Signature of the quadripartite safeguards agreement between Brazil, Argentina, ABACC and the IAEA
29/12/1992 – 31/12/ 1994	Itamar Franco	<ul style="list-style-type: none"> • The Treaty of Tlatelolco entered into force • ABACC and OPANAL signed a cooperation agreement • Brazil persuaded Cuba to sign the Treaty of Tlatelolco
01/91/1995 – 31/12/2002	Fernando Henrique Cardoso	<ul style="list-style-type: none"> • Brazil adopted the NPT

Elaborated by the author

To Sarney in the same way as his predecessor thought it, national security depended largely on the national economy, and sovereignty was intertwined with development. In that sense, an “independent negotiation” of the debt was a key piece to enhance its national and foreign agenda. Brazil shared some values with Mexico such as the defence of peoples’ self-determination, peaceful settlement of disputes and non-interventionism. “We have the awareness of being a link between the Old and the New World”, claimed Sarney (1985: 85).

Inflation and indebtedness were two major problems. Sarney did not want to portray the issue as an ideological dispute but as a question of sovereignty and national interest. “We are facing a tough foreign debt negotiation with bankers and IMF. We

cannot allow that dogmatic intransigence of international financial organizations impose to our country an unnecessary recessive policy” (1985: 86).

The new political elite perceived that the model of import substitutions should be replaced and the role of the state should be re-assessed. To alleviate this situation, Sarney implemented the “Cruzado Plan”, which consisted of a package of price and wage freezes to curb inflation (225.99 %). However, the Plan failed and until the end of his tenure in 1989, annual inflation reached 1, 430.724 %.

The economic fragility, as well as the controlled transition to democracy, were reflected in Brazil’s foreign policy. The US – Brazilian relations were affected by this situation and the incompatibilities between both countries on security and economic issues got sharper, particularly when the GATT negotiations began. Sarney perceived that the US had had no gesture of support to Brazil, even he thought the US mistreated Brazil as a “second class country” (Fonseca, 2011: 34). This perception fuelled Sarney’s purposes of diversifying foreign relations and improving relations with Argentina. In 1988, both countries signed the “Treaty of Integration, Cooperation and Development between Argentina and Brazil”, the origin of the Common Market of the South (MERCOSUR). Also, they participated at the “Contadora Group” for peace in Central America. The new alliance between the two Plata Basin biggest players, which had started in 1980 when Figueiredo visited Argentina, left behind the old Brazilian military’s interpretations that Argentina wanted to isolate Brazil to assure its continental supremacy (Hilton, 1985). The new cooperative game was seen as an unsettling shift by the American establishment. In July 1988, US president Ronald Reagan “ordered \$200 million in trade sanctions against Brazil [...] in retaliation for that country’s refusal to provide patent protection to US pharmaceutical and chemical manufacturers” (Auerbach, 1988). To Brazil, this was a reaction to the Treaty signed with Argentina (Fonseca, 2011:35). The sanctions arrived in the worst moment; Brazil was not only amidst an economic crisis but also amidst the debate for a new Constitution, which was finally approved in 1988. At the end of his term, Sarney had expanded Brazil’s partnerships to China, the Soviet Union, Africa and the Middle East.

The end of the Cold War brought about a deeper crisis in Brazil. The new ideas of free trade and market liberalization did not have good results in this country. The new president Fernando Collor de Mello implemented this new economic model with the purpose of modernizing the country and inserts it competitively into the world

economy. Collor de Mello –as his precedent pairs- sought forging Brazil as a first-world player.

This new systemic change made crumble paradigms and concepts over the world, including in Brazil, where it “provoked a big debate between those who defended to re-launch the partnership with the US by reforming the internal policy according to its alignments, and those who defended the correction of country’s global policy to adapt itself to international changes” (Fonseca, 2011: 35).

The “Collor’s North American illusion” prevailed (Vizentini, 2003:61) sometimes backfiring the Brazilian’ interests. On December 3 1990, during the visit of US president, George H. W. Bush to Brazil, Collor de Mello, in reference to the free trade US initiative “Enterprise for the Americas” claimed:

The Plan Bush emerges as a signal of US predisposition to make a constructive agenda with Latin America and giving an effective priority to economic cooperation with our region. [...] It’s a promising perspective for conciliating definitely the unity of Latin American peoples with the strengthening of hemispheric cooperation (Collor de Mello, 1990:10).

The alignment of Brazil to the US interests seemed inevitable to Collor de Mello, although he realized soon the limitations of his orientation. He adopted the IMF and WB’s structural adjustment policies (*o pacote*), but they proved to be unfit since the idiosyncratic economic and social characteristics of Brazil deserved a different approach. The government to face off internal and external weaknesses appointed Celso Lafer as Minister of Foreign Affairs who promoted a “creative adaptation” to the new international order and reduced the US importance to Brazil. The creation of Mercosur in 1991 was a paramount milestone towards an open regionalism that preconized economic liberalization as its *leitmotiv*.

In 1992, Collor de Mello was shrouded by corruption scandals aggravating social discontent and unrest. His government at that point was untenable, thus the Brazilian Congress ousting him from the presidency after an impeachment process. His vice-president Itamar Franco took the oath of office as acting president to replace Collor de Mello. In his first speech aired by TV and radio on December 30, 1992, Franco recognized that “the proclaimed modernization [had] impoverished the country to 10% in only 30 months” (Franco, 1992: 36).

Regarding foreign policy, Franco was aware of the importance of keeping a balance between sovereignty and global insertion. He considered “strict reciprocity” as the main principle to orient Brazil’s relations with other peoples, and the creation of a

“Latin American community of nations” as the overriding goal of political, economic, social and cultural regional integration (Franco, 1992: 38, 39).

Fernando Henrique Cardoso, minister of foreign affairs of the new government, reached some redefinitions of Brazil’s international relations seeking autonomy and independence through regional integration replacing “a reactive foreign policy agenda dominated by a logic of autonomy through distance” (Vigevani and Fernandes Oliveira, 2007). We should remind that Cardoso had been one of the dependence theory’s authors, which had gained momentum between the ‘60s and ‘70s, therefore his policy had this in his DNA. Cardoso took some distance from Washington’s agenda but not radically. The next minister of foreign affairs, Celso Amorim continued Cardoso’s approach. He fine-tuned a strategy for the international insertion of Brazil and achieve a position at the Security Council, a long-standing Brazil’s goal.

By 1994, under president Itamar Franco, Cardoso who had been appointed as Minister of Finance, launched the “Real Plan” (*Plano Real*) that helped to stabilize the Brazilian economy and to control inflation. The ideologues thought that healing the economy would improve the country’s position and image abroad. In the same year, the signature of the Protocol of Ouro Preto epitomized the balance achieved between autonomists and neoliberals at leveraging Mercosur as the most important regional integration institution and placing trade as the main axis. Mercosur would be an inter-governmental organization whose decisions would be implemented by consensus. Mercosur would offset Brazilian trade dependence from the US (Fonseca, 2011:37).

The significant role played by Cardoso at the Ministry of Foreign Affairs and at the Ministry of Finance led him to the presidency. Once the Brazilian economy had been stabilized, it was ready to play a more proactive role internationally. Institutionally speaking, the foreign policy design, which had been forged at Itamaraty, was more presidential-based this time. “FHC sought to conciliate a global dimension with a South American-centred one” (Fonseca, 2011: 38). Similarly, Cardoso’s minister of foreign affairs, Luiz Felipe Lampreia, called this new moment “critical convergence” because Brazil’s identity coincided with universal values.

The Brazilian relations with the US followed previous patterns of healthy diplomacy and eventual incompatibilities. At Bill Clinton’s visit to Brazil in 1997, Cardoso recognized that: “The US is the first trade partner of Brazil, but Brazil is – as we like to say- a global – trader. We have relations with Mercosur, with other countries of our continent, with Europe, with Asia and with Africa. It is from this perspective of

globality [...] that our understandings [with the US] are taking place” (Cardoso, 1997a: 430).

The Free Trade Area of the Americas (FTAA) proposed by US president Bill Clinton was not well received by Brazil, because it considered that it would deepen the asymmetries in agriculture and intellectual property. In front of this, Cardoso proposed the South American Free Trade Area (ALCSA) and the Initiative for the Integration of the Regional Infrastructure of South America (IIRSA), which was officially launched in 2000.

The return to democracy and the ensuing economic alleviation enabled Brazil to expand its international agenda. The creation of ABACC in 1991, which enshrined nuclear cooperation with Argentina; the establishment of Mercosur to promote free trade in the Southern Cone; the promotion of the Group of Rio as a mechanism of regional inter-governmental consultation open to including Cuba; the continued support to the South Atlantic Peace and Cooperation Zone (SAPCZ) to denuclearize not only the Southern Cone but also the Atlantic countries of Africa; and the dispute for reforming the UN, particularly its struggle to have a seat at the Security Council, epitomized a new and proactive foreign policy. Brazil, which had a short *interregnum* as a bandwagoner of the US’ agenda in the Collor de Mello’s government, finally it had found a balance between being a global player and a regional integration promoter under Cardoso’s administration.

In the next section, we will analyse the reasons behind Brazil’s adhesion to the Treaty of Tlatelolco and how the implementation of a disarmament agenda and nuclear cooperation with Argentina became relevant to Brazil for obtaining a technological and scientific transfer.

4.2.2.2 Nuclear and non proliferation preferences

The transition to democracy did not make Brazil more likely to engage with the non-proliferation regime in the short-term, but it helped to solidify a mutual recognition with Argentina on common nuclear interests and obstacles to overcome, leaving behind their competitive past.

This new stage might be understood from three moments: first, the public revelation of the Nuclear Parallel Program and the completion of the nuclear fuel cycle; second, the institutionalization of Brazil – Argentina’s nuclear cooperation and third,

Brazil's adhesion to Tlatelolco and to the NPT. In that sense, it's difficult to prove a causality line between democracy and pro-non-proliferation positions.

In 1985, the minister of mines and energy, César Cals, inaugurated officially Angra 1. In September of the same year, president Sarney created the Assessment Commission of the Brazilian Nuclear Program (CAPNB) through the Decree N° 91.606. The Commission should make proposals for a nuclear policy in 180 days. To Sarney, the Commission must “identify gaps and possible deviations of the government's normative and enforceable role in the area [...]” and those regarding “the participation of universities, research centres and companies contractors in the generation and absorption of scientific and technological knowledge” (Sarney, 1985b: 260).

Although Tlatelolco had not entered into force in Brazil, Sarney underlined Brazil's commitment with the Treaty, with the FRG's agreement and with the IAEA's Safeguards Agreement, as a framework to guarantee the peaceful purposes of the Brazilian nuclear program. This ‘policy overhaul’ was deeply motivated by the transition to democracy, where nuclear policy should be understood from a new institutional framework where civilians should rule it.

Following this new orientation, Brazil retook the idea of denuclearizing the Portuguese-speaking Africa. The 1982 Malvinas/ Falkland's War had led Brazil and Argentina to tackle possible nuclear threats in the Southern Cone. Brazil, which had fuelled for a long time its purposes of expanding its influence towards South Atlantic Africa, proposed on September 23 1985 at the 40th Period of sessions of the UNGA, to preserve the South Atlantic as a peace zone by preventing an arms race, the introduction of nuclear weapons and avoiding any conflict originated out of the zone.

Afterwards, in May 1986, the Brazilian minister of foreign affairs, Roberto Costa de Abreu Sodré sent a letter to the General Secretary of the UN requesting to include in the agenda of the next period of sessions the question of the South Atlantic peace zone. In its letter, minister Costa deemed the declaration of the Zone as the corollary of the Treaty of Tlatelolco and as the complement of the Declaration on the Denuclearization of Africa approved by the African Union (AU) (OPANAL, 1989c: 6). Although the US staunchly opposed to this initiative, the UNGA approved the resolution 41/11 with 124 votes, vindicating a moderate diplomatic victory for Brazil.

However, this gesture in favour of non-proliferation was overshadowed by the *Folha* newspaper's revelation. It published that the Brazilian government was building some underground facilities to carry out nuclear tests in the Serra do Cachimbo air force

base. In July 1986, a month before the publication a nuclear explosive 320-metres-deep test shaft had been completed. In front of the evidence, in September of the same year, Rex Nazareth, president of the CNEN confirmed that Brazil was developing a nuclear parallel program (Folha de São Paulo, 1995).

In the early 1980s, Brazil mastered two key-technologies: yellow cake conversion into pure uranium hexafluoride (UF₆) gas suitable for use in enrichment operations, thanks to an experimental plant present at the Institute of Nuclear Research (Instituto de Pesquisa Nucleares, IPEN) in São Paulo; and uranium enrichment, through the indigenous development of the ultracentrifuge method by the Brazilian Navy (Patti, 2011).

In September 1987, president Sarney announced internationally that Brazil could command the technology for uranium enrichment. “Brazil had reached the capacity of autonomously enriching uranium through a nuclear program that had been kept secret for national security reasons” (Patti, 2011). But this technological success was overshadowed by the radiological accident that occurred in Goiânia, when haphazardly some employees at the local junkyard released the remaining Cs-137 –a radioactive isotope of caesium- of an old teletherapy unit, killing four people and poisoning 290 persons in the first few months (Rádio Câmara). The CNEN responsible for nuclear safety was condemned by the local justice and it “was able to turn to the international community for assistance under the terms of the 1986 IAEA sponsored Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency; this marked the first time the Convention was invoked” (IAEA, 1998: foreword).

To assuage concerns over future accidents and as a confidence-building measure regarding the peaceful objectives of its nuclear programme, Brazil enshrined in the 1988 Constitution, that “all nuclear activity in the national territory will be admitted only for peaceful ends and under the approval of the Congress” (OPANAL, 1989d: 35). At the 1988 OPANAL General Conference, the Brazilian representative, Luiz Augusto de Araujo Castro, remarked that it was a fallacy to say that the technological advance of developing countries –especially in the nuclear domain- would jeopardize international peace and security when military powerful countries [were] sophisticating their weapons threatening the human survival and the environment” (OPANAL, 1989d: 35).

Brazil considered that over the past 20 years the only real proliferation had been the vertical one and its geographic dissemination. In fact, the UNGA Resolution 2028 (XX) underlined the necessity for a balance of responsibilities and obligations between NWS and NNWS. Therefore, it was not surprising that Brazil proposed a detailed

examination of the NWS compliance of the Tlatelolco's Protocols I and II, particularly the implication of their interpretative declarations.

Brazil supported the OPANAL's preoccupation with the radioactive pollution in the zone and hailed that this organization was sought cooperation between Tlatelolco and the South Atlantic Peace and Cooperation Zone (SAPCZ) created under Brazilian initiative. To De Araujo, both instruments were complementary to address nuclear proliferation.

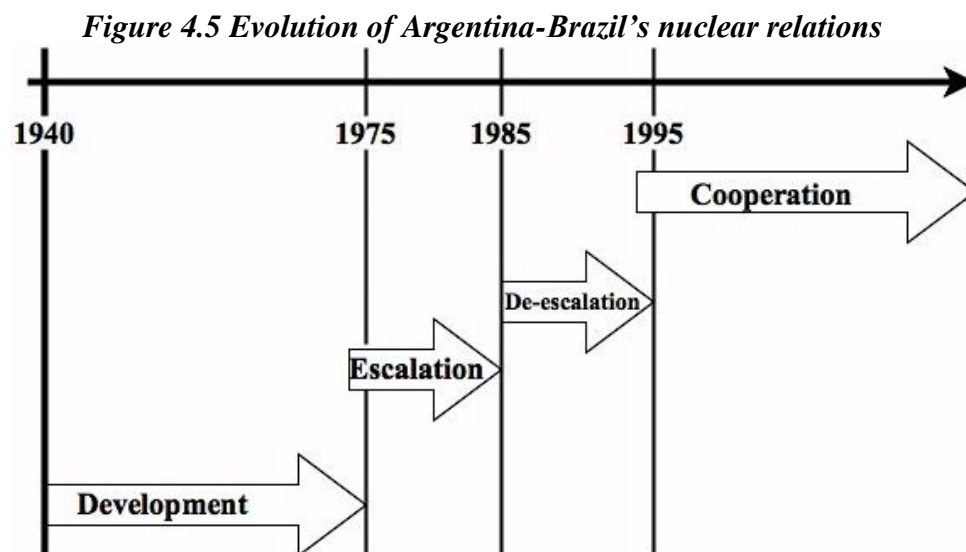
Brazil under Sarney had taken a diplomatic strategy similar to Mexico, which on the one hand it continued to develop its nuclear program and on the other hand, it underpinned a non-proliferation-driven policy. But Brazil expanded geopolitically its non-proliferation approach by including the South Atlantic, promoting new alliances with African nations, and underpinning its role as a global player. However, Sarney did not abandon its reticence to adopt fully Tlatelolco and the NPT.

In 1988, the Navy Ministry inaugurated the Aramar Experimental Centre in Iperó meant to the functioning of a uranium enrichment unit, necessary for a planned nuclear submarine. By the same year, president Sarney eliminated Nuclebrás establishing instead the enterprise "Nuclear Industries of Brazil" (INB).

After significant public pressure, the Nuclear Parallel Program or secret program was dismantled in 1989, "when it was integrated with the safeguarded civilian program previously based on cooperation with Germany" (Patti, 2011). Once Fernando Collor de Mello took the power in 1990, the nuclear explosive test shafts were sealed in Serra do Cachimbo. "A few days later, speaking to the United Nations General Assembly, President Collor announced that Brazil would not pursue research into peaceful nuclear explosions" (Patti, 2011). This step towards non-proliferation went hand in hand with its efforts for nuclear cooperation with Argentina.

The past road to a sort of "regional nuclear deterrence" between Brazil and Argentina had started to de-escalate since 1980 when Brazilian president Figueiredo visited Argentina. The political elites of both countries realized that they had common understandings and criticisms over an "unfair" and "discriminatory" nuclear order. Both states similarly struggled for technological transfer to continue with their nuclear civilian programs and were equally blockaded in the import of nuclear supplies mostly by the US. This mutual recognition as "victims" of the same asymmetrical and hierarchic world order led them to join their forces to move on their nuclear aspirations.

For Argentina as much as for Brazil, the development of a nuclear program was not only a security issue but a symbol of sovereignty, development and power.



Source: Pozzo, 2017: 185. Elaborated by the author

On November 28 1990, presidents Carlos Menem of Argentina and Fernando Collor of Brazil subscribed to the second “Declaration of Foz de Iguazú” for a common nuclear policy, which created a Common System of Accounting and Control (CSAC) to be applied to all their nuclear activities (facilities, materials, and inspections). In this context, they agreed to negotiate joint safeguards with the IAEA taking into account the CSAC. The OPANAL Secretary-General Antonio Stempel was invited as a witness of the signature of this Declaration, as a gesture of confidence and to dissuade any speculation over creating a parallel institution to OPANAL. Despite the Brazilian government was demonstrating a more conciliatory policy towards non-proliferation, and nuclear cooperation, restrictions for acquiring nuclear materials persisted.

In the visit of US president George H. W. Bush to Brazil in December 1990, Collor de Mello expressed his preoccupation with the obstacles for acceding to technological and scientific knowledge, despite all the efforts made by Brazil.

In a moment when military-strategic considerations lose relative clout, these obstacles only increase the gap between developed and developing countries. They can not be a good path to build a safe world, and quite the contrary they can turn it more unstable, as long as the major part of humanity see the benefits of progress unattainable and far to be achieved. [...]

The past week, to end once and for all with the arguments used to restraint our access to high technology; I signed with president Menem an agreement to begin to negotiate with IAEA a safeguards agreement adjusted to the control and accounting system [CSAC].

[...] Brazil anticipates its unilateral renounce to the possibilities of carrying out nuclear explosions, even for peaceful ends. Now we are hell-bent on setting the best conditions for the entry into force of the Treaty of Tlatelolco (Collor de Mello, 1990:12).

Although Collor de Mello had expressed his intentions of hastening the entry into force of the Treaty of Tlatelolco in Brazil, it was not immediate. The successful negotiation of a quadripartite agreement between Argentina, Brazil, ABACC, and the IAEA was a mandatory pre-requirement for the full adoption of Tlatelolco. On July 18, 1991, the Guadalajara Agreement for the exclusive use of nuclear energy for peaceful ends was signed between the governments of Argentina and Brazil. Through this agreement was created the Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials (ABACC), emulating to some extent the Euratom.

On December 13, 1991, finally the Brazil – Argentina – ABACC – IAEA quadripartite agreement was signed for safeguards application. Carlos Menem, president of Argentina and Collor de Mello “explained that they had abandoned the test, use, production and acquisition of nuclear explosives, but they had not renounced to the use of nuclear energy for propulsion of submarines” (Ortega, 2018). Moreover, this agreement “removed Brazil from the ‘black list’ to have access and to participate fully of nuclear technology materials and goods market” (Ortega, 2018).

This chain of steps that Brazil and Argentina made towards nuclear cooperation and accountability might be interpreted from different angles. In part, the economic crisis and the intricacies linked to the transition to democracy meant rapid attrition of power and legitimacy for the military and political elites of both countries, which were in need of trust at the national, regional and international level to compete in a new context where global trade had become the predominant paradigm of international relations. It’s not surprising that over nuclear cooperation there was first an economic cooperation umbrella, epitomized fundamentally by the Mercosur. Therefore, the existence of an ambitious and ambiguous nuclear program was untenable. Another reason is that both stopped perceiving each other as real threats, rather they started to realize that they were on the same side when it came to nuclear development. Both were affected negatively by the same “discriminatory system”. In addition, the new international revival of NWFZs’ creation and unilateral nuclear restraint decisions (for instance in South Africa) reinforced the ‘nuclear taboo’. Undoubtedly, the negotiations between the two superpowers for disarmament meant exemplary incentives for those states (like Brazil and Argentina), which had criticized the lack of commitment of

NWSs with the disarmament and non-proliferation regime. In that sense, for both countries to keep a *status quo*, a long-lasting balance of power by mutual nuclear restraint became the most ‘economic’ decision.

We should remember as well that during the Collor de Mello’s years, Brazil aligned again to the US agenda in order to leverage its position internationally and negotiate its debt given the centrality that the US had achieved in those days. Collor de Mello decided to ignore or at least to put on hold conflictual areas with the US, including bilateral disputes on nuclear issues, trade and intellectual property to improve the Brazil’s reputation with international economic and financial institutions, and enhance the terms of its debt negotiation. Nevertheless, as we remarked before, this ‘strategic proximity’ to the US was not enough to alleviate the financial problems of Brazil.

After the impeachment of Collor de Mello, Itamar Franco replaced him as acting president and Fernando Henrique Cardoso was appointed as Minister of Foreign Affairs. In the heyday of the discussions for a UN Security Council reform, Brazil sought a permanent seat there. To achieve it, Brazil expanded its international agenda from a benevolent approach, participating in several UN peace operations in Africa and Central America. President Franco in his first public speech remarked: “Brazil strives at international organizations and conferences for the humanity’s pursuit of a disarmament path, participating in the international control of nuclear activities and technologies, which might threat world peace” (Franco, 1992: 39, 40).

This new vision of regional solidarity paved the way for the OPANAL – ABACC Cooperation Agreement signed in Mexico City on May 28, 1993, by Antonio Stempel (OPANAL) and Carlos Feu Alvim (ABACC). The Agreement allowed mutual participation in their meetings or conferences, consultations on common issues and information interchanges.

As a first consequence of this agreement, in April 1994, the Brazil’s Minister of Foreign Affairs, Celso Amorim invited the OPANAL Secretary-General, Román Morey to an official visit to Brazil. The Secretary had talks with higher officials of the Brazilian government, of the Ministry of Foreign Affairs, of the Senate and of ABACC. After the quadripartite safeguards agreement entered into force in 1994 and the amendments process of the Treaty of Tlatelolco, this latter was consequently enforced in the same year. In the same period, Brazil applied the rules of the Missile Technology Control Regime (MTCR).

The full membership of Brazil revitalized OPANAL and remarked the Treaty's importance in the eyes of states, like Cuba, which for a long time had been reluctant to sign it. Furthermore, minister Amorim persuaded his Cuban counterparts to sign the Treaty. President Itamar Franco received a letter from Cuban president, Fidel Castro, announcing Cuba's adhesion to the Treaty of Tlatelolco. At the Group of Rio meeting, on September 9, 1994, president Franco referred to Cuba's decision:

We hail Cuba's announcement of adhesion to the Treaty of Tlatelolco. We have conquered the right of being at the vanguard of the international movement for the comprehensive prohibition of weapons of mass destruction in all the continents. As a counterpart, we demand that our developed partners guarantee to us the possibility of acquiring the necessary technology for the welfare of our peoples. Only old remains of domination might explain the difficulties we still face to acquire technological means missing in our economies (Franco, 1994:177).

Similarly, on several occasions, minister Celso Amorim had advocated "an effective democratization of international relations, allowing the rightful access of developing countries to cutting edge technology" (Canani, 2004). However, this demand remained unsatisfied for a long time. Brazil felt to some extent frustrated because after adopting almost all the disarmament and non-proliferations rules and even persuading other countries to do the same, the rewards did not arrive soon as it expected.

At the end of Franco's tenure, Brazil was developing nuclear propulsion submarines and countries like the US, Germany, Japan, Russia and France reduced some restrictions of technological and nuclear items opening a door for exporting these materials to Brazil.

The government of Fernando Henrique Cardoso continued these cooperative steps towards disarmament and non-proliferation, based on the "autonomy by participation" approach. Brazil since 1996 presented at the UN General Assembly a draft resolution to recognize the denuclearized status of Latin America, South Pacific, South Asia and Africa. It also integrated the "New Agenda Coalition" (NAC) towards complete disarmament with Egypt, Ireland, Mexico, New Zealand and South Africa, Sweden, New Zealand, Ireland and Slovenia, which signed an 18-point declaration entitled "A Nuclear-Weapons-Free World: The Need for a New Agenda".

We should remember that previously in 1995, the NPT states parties had agreed to the Treaty's indefinite extension and that the UN Security Council had approved the Resolution 984 on "Security assurances against the use of nuclear weapons to non-nuclear-weapon States that are Parties to the Treaty on the Non-Proliferation of Nuclear

Weapons” (UNSC, 1995), which encouraged the Brazilian government to adopt the NPT. Brazil’s previous adhesions to the MTCR, to the CTBT and its integration to the Nuclear Suppliers Group as well as the entry into force of the Treaty of Tlatelolco were signs that Brazil could soon revert its 30-year policy of reluctance to the NPT.

Consequently, in June 20 1997 president Cardoso officially requested to the Brazilian Congress the adoption of the NPT. In his speech he remarked:

There has been a mature awareness in Brazil for some time that nuclear weapons’ acquisition does not benefit national interests, it does not meet citizens’ values and has no room for the good understanding that we have with our Latin American neighbours and with our other international partners. That is why Brazil has been adopting, in recent years, a series of measures that reflect, at the international level, the commitment assumed in the Constitution (Cardoso, 1997: 669 – 670).

To Cardoso, the full adherence of Brazil to the NPT would guarantee Brazil smooth access to the nuclear technology market. “The ‘adhesionism’ of Cardoso was an element that allowed Brazil to have a gentle and less conflictive dialogue with the US” (Ortega, 2018). However, there were some steps backwards in terms of industrialization, for instance, the national military industry was dismantled and Brazil was pushed to import such equipment from the US.

In conclusion, the case of Brazil and the adoption of the Treaty of Tlatelolco and the NPT demonstrate that several factors, from those systemic to those domestic, converged to shift its prior reticent position to a cooperative approach. We might underline that the strong and longstanding desire of Brazil of being a global player as well as its financial and political crisis led the new governments towards a more cooperative approach. If Brazil wanted to become a global trader, should be first a “good player” under the rules of the new unipolar American world order that meant to become a state party of all the non-proliferation and disarmament agreements. We cannot neglect that the Brazil’s debtor condition reduced inexorably its chances to persist in its reluctant position towards the NPT and Tlatelolco. Regarding Tlatelolco we must point out that in the last period before its full adoption by Brazil, there were bureaucratic obstacles rather than political hurdles. It had to do with the signature of a safeguards agreement according to its own requirements and in the frame of Brazil – Argentina’s nuclear cooperation. Additionally, the disarmament advances made by NWS particularly by Russia and the US were a strong incentive for Brazilian governments to put aside the perception of a discriminatory disarmament and non-

proliferation regime, which for a long time had prevented them from adopting fully the Treaty of Tlatelolco.

4.2.3 Argentina, from iconoclast actorness to disruptive obedience

4.2.3.1 Political power, identity and its relations with the hegemon

We already analysed in section 4.1.3.1 the first part of Alfonsín’s government (1983 – 1985), a turbulent period marked by the transition to democracy, indebtedness crisis and a “reconciliation” of its international ties heavily affected after the Malvinas/Falklands War. As we said, the indebtedness crisis to great extent guided the Argentinian foreign policy’s agenda. The second part of Alfonsín’s administration (1986 – 1989) was not different given that the same economic, financial and political problems persisted.

Argentina’s foreign policy has been mostly determined by its internal forces. Its ebbs and flows can be explained by “the political and economic crises, tensions among different economic development models –and their respective strategies for international insertion– and diverse understandings of democracy” (Busso, 2014:10). In this last observed period, we will explain how these two models competed: the first, characterised by a Keynesian approach where the role of the state is relevant and social justice is an overriding objective and; the second, influenced by the Washington Consensus rules, leaned towards neoliberal policies where the role of the state is reduced. The first model has usually embraced an autonomous foreign policy and the second one has opted for an alignment to the hegemon, in this case to the US. President Alfonsín applied tepidly the second model but Carlos Menem adopted it radically, as we will see.

Table 4.12 Presidents of Argentina and nuclear preferences 1985 - 1994

Term	Presidents	Nuclear positions
1983 - 1989	Raúl Alfonsín	<ul style="list-style-type: none"> • Strengthening of nuclear cooperation with Brazil. • Development of Condor II Missile Program
1989 – 1999	Carlos Menem	<ul style="list-style-type: none"> • Argentina joined most of the control arms arrangements • Foundation of the ABACC • Dismantlement of Condor II • Ratification and entry into force of the Treaty of Tlatelolco and the NPT.

Elaborated by the author

The second part of the Alfonsinist government demonstrated to the citizens that democracy in its formal terms was not enough to ameliorate their living conditions. The tension between liberal institutionalism and popular sovereignty has been at the core of the “democracy battles” not only in Argentina but also in the rest of Latin America. From a strategic perspective, Alfonsín sought to re-insert Argentina in the world as a non-aligned Western state that meant to embrace Western values but not at the expense of its autonomy. However, the failure of the “Plan Austral” for stabilizing the country’s economy provoked a “realist twist”, which implied a prioritization of the US partnership (Busso, 2014:17). Nonetheless, Alfonsín never supported the option of a US invasion of Panama, instead of that, he offered himself as a mediator.

The support that Alfonsín initially had sought from Europe turned to be limited given the magnitude of Argentina’s crisis. Similarly, the failure of the Cartagena coalition to solve as block the debt crisis led Argentina to reassess its foreign policy priorities, preferring the sub-regional integration, fundamentally the relations with Brazil. Despite, the US had hesitated about Alfonsín’s ability to alleviate the crisis, they supported both austerity plans: the Plan Austral and the Plan Primavera (Norden and Russell, 2002: 27). The Plan Austral was directly negotiated with representatives from the Federal Reserve (FED), the US Department of the Treasury and the IMF.

Alfonsín had three fronts to deal with: trade unions that had organized 12 general strikes in those years; the military members, which organized several rebellions between 1987 – 1990 after many members were brought to justice for their gross human rights violations; and the economic and financial crisis that bowed the country before international creditors. Some industry and banking sectors as well as the Rural Society accompanied for a while the government but hyperinflation was uncontrollable. This challenging landscape forced Alfonsín’s government to resign. “Only at this point did U.S. friendship and confidence begin to appear critical to rebuilding Argentina's international image, and to Argentina's gaining support from international economic institutions” (Norden and Russell, 2002: 28).

In July 1989 Carlos Menem from the peronist “Justicialist Party” took office amidst hyperinflation and prices soaring up to 4.923,6%. Argentines demanded not only democracy and economic stability but also a better political representation. Menem had triumphed promising a productive revolution and better wages. Nonetheless, shortly after his onset as president, the three peronist pillars of economic independence, social justice and political sovereignty became a dead letter. Menem

invited to his cabinet several erstwhile ideological and programmatic adversaries of the peronist doctrine. For instance, Miguel Ángel Roig, ex CEO of Bunge y Born, a large multinational corporation of food processing and grains trading, became minister of economy and some members of the right-wing party Democratic Centre Union were appointed as ministers too (Busso, 2014:19).

The end of the Cold War consolidated a single vision of the world determined by economic liberalization, liberal democracy and globalization, and the unipolar leadership of the US. This world order shift coupled with the internal maelstrom compelled Menem –as it happened with Collor de Mello in Brazil and Salinas de Gortari in Mexico- to re-think the economic model as well as the foundations of Argentina’s foreign policy, chiefly its relation with the US. Once there was no a competing paradigm, adopting neoliberalism seemed an undeniable duty as well as the “westernization” of international relations. In this context, Menem broke the long-standing autonomist and independent Argentina’s position by subsuming the national agenda to the US determinations.

The distance [between Argentina and the United States] produced negative results for both nations. Today before a world where integration and cooperation are motor values of international behaviour, we have the feeling that resentments between the US and Latin America, and Argentina in this particular case have been too long and sterile. I have no doubt that we must overcome them because I feel that in all international orders today it is necessary to shorten distances and leave behind what does not contribute to improving them (Menem, 1990: 10).

His external turn had no precedents in the immediate history. Argentina overnight became one of the best US allies in the region standing by its side even in military interventions. Thus, “in 1991, Argentina modified forty positions in the UN, explaining that this was an ‘expression of an intended greater approximation to the US’” (Norden and Russell, 2002: 4). (See *Table 4.13*)

Additionally, Argentina needed to assign a new role to its armed forces after several rebellions and sentences, hence Menem decided to involve its troops in peacekeeping operations. “In 1992, Argentina contributed an army battalion to UN peacekeeping efforts in Croatia; smaller forces were sent to UN missions in Cyprus and Kuwait” (Norden and Russell, 2002: 4). But the Argentinian military involvement in US-led military interventions was conspicuously controversial. Argentina sent “ships to the Persian Gulf in 1990, and peacekeepers to Haiti following the US invasion in 1994” (Norden and Russell, 2002: 4, 5). Seven out of ten Argentinians opposed to the

participation of the country in US Haiti's invasion (R. K. Página 12, 2004). In addition, Argentina withdrew from the Non-Aligned Movement (NAM), signed multiple Bilateral Investment Treaties (BITs) and adhered to the Washington-based International Centre for Settlement of Investment Disputes (ICSID).

Domestically, Menem deepened the de-industrialization and privatization processes started by the 1976 dictatorship, and he reverted the Alfonsín's human rights policies of reparation and justice. In addition, trade unions did accompany the change of model performed by Menem (Busso, 2014:20). "The telephone company, national airline company, railroads, and oil fields passed into the hands of private capital" (Norden and Russell, 2002: 5). Other companies privatized were the electricity utility SEGBA, the hydroelectric enterprise Hidronor and the state-owned oil and energy enterprise YPF, then South America's largest company.

All the advances made by Alfonsín on human rights and justice, were put aside by Menem. He pardoned first, 300 persons and after 1200 persons between members of the military dictatorship and leaders of left guerrilla groups, causing a profound wound to the victims and igniting rage among human rights organizations (Busso, 2014: 21). The tragedy that dictatorship meant altogether with the implementation of the neoliberal model provoked to some degree a generalized depoliticization among citizens.

The inflationary problem had not been solved yet, therefore, in 1991, the minister of economy, Domingo Cavallo implemented the Convertibility Plan, which pegged the peso to the US dollar. He removed also controls on prices and interest rates. Initially, some results were achieved, inflation was stabilized and controlled but the economic model increased de-industrialization, wealth concentration particularly in financial sectors and unemployment paving the way to the 2001 social outbreak. By the end of the Menem government, elites began to discuss the possibility of dollarizing the economy.

Open regionalism or regionalism oriented to trade, liberal democracy and economic liberalization solidified among Plata Basin countries, which established the MERCOSUR through the Treaty of Asunción in 1991 (as we already referred to it in the previous section of Brazil). Mercosur improved trade relations with the US, but Europe was still a major partner. Nevertheless, the convergence of economic, financial, political and social crisis triggered by Menem's and Collor de Mello's administrations slowed down the pace of integration temporarily.

But the Menem era was marked not only for its radical neoliberal agenda, human rights setbacks and disruptive submission to the US but also by the emergence of an unusual phenomenon in Latin America: terrorism. Two terrorist deadly bombings occurred in the country in 1992 and 1994. The first attack was against the Israeli Embassy in Buenos Aires and the second one against the Argentine Jewish Mutual Aid Association (AMIA) in the same city. In the beginning, the hypothesis that Hezbollah and Iran were linked to both attacks gained saliency, but until today there is no conclusive response. As for Menem, he said some years later that the reason behind the attacks might have been the Argentinian support to the US in the Gulf War.

Table 4.13 Convergence of Argentine and US votes in the UN General Assembly in comparison to Mexico and Brazil since the end of the Cold War

Year	Argentina	Brazil	Mexico
1989	13.3%	11.8%	12%
1990	12.5%	14.9%	15.2%
1991	41%	22.7%	20.6%
1992	44.4%	22.7%	20.3%
1993	53.8%	28%	28.3%
1994	67.9%	39.1%	33.3%
1995	68.8%	41.1%	41.6%
1996	60.7%	42.4%	38.8%
1997	56.1%	42.6%	37.5%

Source: U.S. Department of State: Report to Congress on Voting Practices in the United Nations (Washington D.C.: U.S. Government Printing Office, 1989-2000).

Some experts have agreed on this hypothesis adding that when Menem –son of Syrian immigrants- was candidate, he would have made several promises - which never were met- to Middle East partners in exchange for funding for his campaign, provoking a terrorist backlash (Moreno, 2002). The only certainty today is that the investigation about the attacks has been plagued by irregularities.

The “permanent crisis” that Argentina went through in the ‘90s propelled the role of presidents to the forefront over other state branches and it exacerbated the disputes about the models of democracy, development and international insertion yielding to foreign trends. Furthermore, the “carnal relations” with the US far from helping Argentina to overcome its crisis, only worsened its international vulnerability.

Despite inconsistent and erratic Argentina's foreign policy was, it was remarkable that its post-Malvinas/Falklands War isolationism was overcome.

4.2.3.2 Nuclear and non proliferation preferences

As we referred to it before, “in November 1983, the Argentinian announcement that it had autonomously developed the technology for uranium enrichment in its Pilcaniyeu facilities [had] fed new alarmist versions of a potential nuclear race in South America” (AHMRE, 1985:2). The US intensified pressure over Argentina to adhere to the non-proliferation regime, but the government of Raúl Alfonsín refused to give up Argentina's historical position against the NPT. This did not mean that Argentina was developing nuclear weapons but it was against a “discriminatory” nuclear order where NWS were doing no effort to disarm.

The border disputes with Chile, the Argentinian claim over the Malvinas/Falklands Islands, its sporadic competitive relation with Brazil as well as its strong autonomous foreign policy made the US suppose for years that Argentina might develop nuclear weapons. As we said it the 1982 Malvinas/Falklands War fuelled this hypothesis.

Nonetheless, the Brazil – Argentina nuclear cooperation that had started with military governments strengthened once the transition to democracy occurred. In February 1985, Alfonsín planned a meeting with Latin American presidents to discuss [among other issues] the non-proliferation of nuclear weapons. He had informed the then elected Brazilian president Tancredo Neves “that technicians from the CNEA were [...] studying formulas that could be used to implement Latin America's own safeguard system” (AHMRE, 1985). By March, president Alfonsín had made public his intentions. This was probably one of the origins of the ABACC. Alfonsín's initiative was a continuation of his outstanding participation in New Delhi at the “Group of Six” meeting, which issued a joint statement calling for nuclear disarmament. Indeed, this participation can be interpreted as a token of a different non-proliferation policy, built from a multilateral platform of emergent or middle powers and crafted from a purposeful stance. Argentina seemed to take a new leadership position in the region on non-proliferation and disarmament.

Regarding Alfonsín's proposal, the scientific attaché of the American Embassy said “that his Government would receive well the news of an understanding between Brazil and Argentina on reciprocal nuclear inspections” (AHMRE, 1985). The US had

applied a set of disincentives to prevent the development of a nuclear military program in Brazil and Argentina, “from denying access to what [was] considered “sensitive” materials and technology (basically, uranium enrichment and fuel reprocessing) to insinuations that they had [nuclear] military purposes due to [their] rivalry” (AHMRE, 1985). Nevertheless, for Argentina and Brazil, the US was not boycotting the possible “military nuclear option”, but it was preventing the development of their nuclear programs even for peaceful purposes.

Alfonsín’s proposed regional control system would provide some legitimacy and trust to the Argentinian nuclear project, it would debunk the narrative and suspicions over Argentina’s nuclear military intentions and therefore, it would provide some access to cutting-edge nuclear technology. According to a report of 1985 prepared by Itamaraty to the government “[the] mechanism [...] would allow the Argentinian government to show some flexibility against American pressure without abandoning its fundamental position of not signing NPT and not ratifying the Treaty of Tlatelolco” (AHMRE, 1985).

Argentina had been always unsatisfied with the limited responses and actions of OPANAL, therefore it was not surprising that Alfonsín had opted for a multilateral platform of pairs and for the strengthened of bilateral nuclear cooperation with a similar emergent country like Brazil to leverage its new diplomacy on non-proliferation and disarmament. For instance, for a long time Argentina had requested a tailor-made safeguard agreement with the IAEA before ratifying Tlatelolco. The Argentinian government sought to include in the Agreement the right of using nuclear energy for peaceful purposes and the no-limitation of nuclear explosions for the same ends. In October 1978 Argentina and the IAEA Secretariat had held informal consultations without progress. IAEA had elaborated a new draft in 1979 and a second in 1981 but Argentina still did not accept the agreement. Given the talks between Argentina and IAEA had bogged down, the OPANAL Secretary-General, José Martínez Cobo, at the XXX Period of Sessions of the IAEA General Conference in 1986 met with the IAEA’s Secretary, Hans Blix to overcome this stalemate situation. But, the difficulty of distinguishing technically between explosions for peaceful purposes and others rendered this point the main obstacle for an agreement between IAEA and Argentina. To sum up Argentina felt a natural decoupling from the needs of the rest of Latin American countries due to its higher level of development in nuclear technology. Objectively, Argentina in terms of nuclear development had more convergences with the middle

powers of the Group of Six and Brazil than with the majority of Latin American and Caribbean countries, which were many steps backwards. In that sense, Argentina's governments believed that the country required special and customized agreements to not affect its nuclear development already underway.

Evidence also indicates that Alfonsín's government did not abandon overnight some meaningful military projects. In fact, he "undertook a joint venture with Egypt, Iraq, and Libya for the development of an intermediate-range guided missile, the *Cóndor II*, which could have destabilized the Middle East" (Escudé, 2016: 62). Since 1984, Iraq was secretly financing the program in exchange for missile technology, but once Menem took office, the *Condor II* missile project was dismantled in May 1991 in front of a growing threat of US sanctions (Norden and Russell, 2002: 85). "The U.S. Congress had stipulated that virtually no technology could be transferred to missile producing countries" (Norden and Russell, 2002: 85). As we observed in *Chapter 1* the development of delivery systems is one of the crucial elements for having an operative nuclear military program, therefore, to destroy them meant a controversial step towards non-proliferation. The sudden dismantlement of *Condor II* could have been also a motivation for the 1992 and 1994 terrorist attacks in Buenos Aires.

Until the government of Alfonsín, the CNEA centralized all the nuclear activities. The effects of the economic and financial downfall soon hit this institution that had enjoyed the highest budget in history during the military dictatorship. Additionally, Alfonsín de-militarized this sector and re-hierarchized the priorities of R&D. Medicine, biotechnology, and electronics were prioritised over nuclear energy and space industry (Rodríguez, 2015). To some extent, the 1985 Declaration of Foz de Iguazú between Brazil and Argentina had as an indirect objective to deprive "the military of control of nuclear policy" (Norden and Russell, 2002: 60). We cannot neglect globalization winds where regionalism was in its heyday also contributed to this bilateral cooperation. Furthermore, for Alfonsín the domestic democratization should pervade foreign policy.

The presidency of Carlos Menem meant the government of the neoliberal turn, celebrated by foreign actors and western countries but harshly questioned by Argentinians. However, Menem continued the paradigmatic nuclear cooperation with Brazil and founded the ABACC in 1991.

The presidency of Menem was sealed by its close ties with the US. "With Menem, Argentina adopted other US priorities, especially emphasizing cooperative

security and peacekeeping [...]” (Norden and Russell, 2002: 57). Then, Argentina was even designated as a “major non-NATO ally of the US” (Norden and Russell, 2002: 62).

Table 4.14 Milestones of Argentina – Brazil nuclear cooperation

Year	Event
1980	Cooperation Agreement for the Development and Application of the Peaceful Uses of Nuclear Energy
1985	Declaration of Iguazú
1985	Joint Declaration on Nuclear Policy “to create a joint working group aimed at the promotion of nuclear technological development for exclusively peaceful purposes”
1986	Joint Declaration on Nuclear Policy “to intensify the exchange of information and consultation between both countries in the nuclear energy field.”
1987	Declaration of Viedma (for nuclear industries integration)
1988	Declaration of Iperó (to enhance the cooperation mechanisms)
1990	Declaration on a Common Nuclear Policy (the Common System for Accounting and Control of Nuclear Materials (SCCC) is established.
1991	Guadalajara Agreement (The ABACC is created)
1991	Signature of the Quadripartite Agreement (IAEA – ABACC – Brazil – Argentina)
1991	ABACC headquarters are inaugurated in Rio de Janeiro

Source: ABACC, 2020

Under Menem’s tenure, the longstanding Argentinian reticence to engage with the NPT and non-proliferation regime was abandoned. The new world order based on the US unipolarity, the weak economic and financial situation of the country and the international growing acceptance of liberal norms and cooperative approaches might be good explanations for this turnabout policy but not sufficient if we take into account that “the productive value of Argentina’s nuclear policies had been highly questionable since the mid-1970s”, and that precedent economic crisis did not determine a substantial shift (Hymans, 2006:166). According to evidence, the fear of new isolationism for Argentina or US antipathy if Argentina cooperated militarily with Libya seems to have played a crucial role to dissuade Menem from nuclear ambitions and anti – NPT positions. After a talk with Khadafy, who had financed his campaign, about the Cóndor II Missile project, Menem revealed to his minister of foreign affairs, Domingo Cavallo that: “If the North Americans are afraid of the Cóndor, and we now export it to this guy, we will end up being caught in the middle [of their conflict]” (Hymans, 2006:168).

The Menem’s government relations with its Middle East pairs were to say the least, erratic and troublesome. In 1991, “at US behest Menem cancelled a major nuclear technology export to Iran [and] halted the sale of research reactor components to Algeria” (Hymans, 2006:169). Moreover, Khadafy never got his reward for his

Menem's campaign funding, because Menem ended up supporting the UN sanctions against Libya (O' Donnell, 2011). His visit to Syria in November 1994 to improve Argentina's relations with the Middle East after its participation in the Gulf War, was tepidly significant.

As a result of this policy turnabout, the US had a cooperative position with Argentina on nuclear issues expressed through new technology transfer agreements, its support for membership in international nuclear arms control bodies and by "[keeping] Argentina off the list of countries with limitations regarding the acquisition of nuclear and sensitive materials" (Norden and Russell, 2002:99). Thus, in February 1993, they signed a Memorandum of Understanding for strategic technology transfer to Argentina and in April 1994, the CNEA and the U.S. Department of Energy "signed a further agreement to enhance cooperation 'on research, development, testing, and evaluation' of nuclear technology and procedures, presumably with peaceful intentions" (Norden and Russell, 2002:85). In February 1996 a new agreement on nuclear energy was signed by the US Secretary of State, Warren Christopher in his visit to Buenos Aires. Regarding memberships, the US supported Argentina's membership to the Australia Group (1992), to the MTCR (1993), to the Nuclear Supplier Countries, or the Club of London (1994) and to the Wassenaar Accord in Vienna (1996), "which promotes international and regional security by encouraging transparency in the transfer of conventional arms, sensitive materials, and technologies". (Norden and Russell, 2002: 98).

Nevertheless, the Condor II project was not the only nuclear endeavour dismantled by Menem's government, the CNEA was also affected by Menem's new commitments and policy orientations. "Following the World Bank guidelines, the CNEA's "scrapping" [begun in 1994 by privatizing] its nuclear power plants" (Quintanar and Romegialli, 2007:5). The CNEA onwards was in charge only of "investigation tasks and development, management of radioactive waste, dismantling of facilities nuclear power plants and the production of radioisotopes for medical use" (La Nación, 2006). Meanwhile, a constellation of companies would do the rest of the activities including the operation of Atucha I and Embalse and the construction of Atucha II, assigned to the Nucleo-electric Argentina S.A. (NA-SA).

Under Menem presidency, Argentina finally adopted all the non-proliferation instruments. The Argentine Congress approved on November 10, 1993, the accession to the Treaty of Tlatelolco and on December 22, 1994, the adhesion to the NPT. In 1992, a

group of amendments of the Treaty of Tlatelolco regarding on-site inspections were approved at the explicit behest of Argentina and Brazil (See *Tables 4.14 and 4.15*). These amendments and the Quadripartite Agreement (Argentina – Brazil – ABACC – IAEA) paved the legal way to the Tlatelolco's entry into force in Argentina. Through Law N° 24.272, Congress approved Tlatelolco but included in article 2 an interpretative declaration confirming the rights of Argentina over the Malvinas, South Georgia and the South Sandwich Islands (InfoLEG, 1993).

Regarding the NPT adoption, the Menem's government to persuade the Congress to approve it

[He] claimed that adhering to the NPT would be the culmination of the growing transparency in Argentine nuclear policy, increase the country's credibility, and secure its commitment to peace and world security. Second, the government asserted that following the nuclear agreements with Brazil and the ratification of the Treaty of Tlatelolco, joining the NPT would not imply additional obligations. Finally, the administration also proposed that ratifying the treaty would open up new possibilities for cooperation with the developed countries in the nuclear field (Norden and Russell, 2002: 99).

Even further, Argentina supported the NPT's indefinite extension in 1995. "At this time, Argentina joined the United States in the Friends of NPT Group of Countries and presided over the working group of nuclear-weapon-free zones" (Norden and Russell, 2002: 99). US and Argentina diplomatic representations in Menem's era continued to collaborate closely at disarmament conferences and at the debates over the CTBT.

It was clear that the US conditioned the transfer of strategic technology and credit availability to Argentina to its full adherence to the non-proliferation regime; therefore, we can argue that the US factor was decisive for Argentina's ratification of Tlatelolco. Albeit systemic, regional, bilateral relations with Brazil and transition to democracy contributed to fade out Argentina's strong criticisms over the non-proliferation regime, the change of the economic model under the US guidelines was also significant. This new paradigm not only assigned a less protagonist role to the state but decoupled the traditional idea that nuclear development (or development in general) was tied to national sovereignty. The understanding that an autonomous foreign policy should be preserved was side-lined by Argentina's submission to the US agenda. However, we should point out some nuances. Despite the evident protagonism of Menem in Argentina's foreign policy, Congress was the institutional actor that ratified the Treaty. In that sense, other factors such as the growing international acceptance of

the non-proliferation norm and the defence of Argentina in front of possible UK nuclear raids might have proved to be plausible for the final decision over Tlatelolco.

4.2.4 General assessment of the Treaty of Tlatelolco between 1986 -1997

As it was said, the end of the Cold War did not mean an automatic turn towards peaceful coexistence. For instance, the Yugoslav Wars and the Gulf War were the harbingers of a new form of conflict where superpowers clash was not anymore the main war *leitmotiv*, but the symbiosis of national, regional and international factors, where the US supremacy was unfolded. For Latin America, this period meant a new wave of democracy and the adoption of the neoliberal economic model. The Inter-American relations were redefined under those premises where the role of the state should be minimized and trade must be the driver of regional relations. In that context, scientific and technical cooperation lost momentum leading to the IANEC cease of activities in 1991.

The OPANAL Secretariat and the Council deemed that the return to a democratic path in Latin America would help to fulfil the universal implementation of Tlatelolco (OPANAL, 1990). They were right; the end of the bipolar confrontation affected positively the compliance of Tlatelolco but not immediately.

The new wave of accessions and political relaxation –particularly between 1992 and 1993- did not mean a radical transition of OPANAL. The Agency was unable to capitalize its universality and refashion its policies towards nuclear energy as many former General Secretaries desired and expected it (at least since 1977). Rather, it seemed that its “mission” came to the end, that is, no other tasks were possible under its narrow mandate. If we think that the OPANAL’s control system had to do more with the IAEA’s supervision, OPANAL would be limited to facilitate some information among members, to represent them diplomatically at international forums and to promote some international cooperation if needed. In the following paragraphs, we will analyse the institutional and political maelstrom of Tlatelolco in the ‘90s.

4.2.4.1 Enlargement

At the I meeting of Tlatelolco’s Signatories celebrated on July 3 1990, states-parties decided to change the official name of the Treaty by including “the Caribbean” phrase given the increasing number of accessions from that sub-region as a result of the decolonization process.

The Tlatelolco’s universal membership was an overriding objective for states-parties. For this purpose, OPANAL established a Working Group integrated by Mexico, Peru, Jamaica, Costa Rica and Venezuela. 27 Latin American and Caribbean states had signed the Treaty by 1991 but only in 23 countries, it had been entered into force fully. Cuba, Dominica, Saint Lucia, Saint Vincent and the Grenadines and Saint Kitts and Nevis had expressed no intention to sign Tlatelolco, and Belize⁵³ and Guyana required a special regime to access the Treaty because of their territorial disputes. The Secretary-General requested Venezuela, a country with diplomatic representations in every Caribbean state; to support OPANAL in its negotiations with potential new Caribbean members (OPANAL, 1989b: 18). After all these efforts, this legal-political quagmire was solved thanks to Resolution 268 (XII), which modified article 25 as it follows:

Table 4.15 Amendment of article 25, paragraph 2

Text of 1967 Article 25	Amended text of 1991 Article 26
<p>The General Conference shall not take any decision regarding the admission of a political entity part of all of whose territory is still subject, prior to the date when this Treaty is opened for signature, of a dispute or claim between an extra-continental country and one or more Latin American States, so long as the dispute has not been settled by peaceful means.</p>	<p>The condition of State Party to the Treaty of Tlatelolco shall be restricted to Independent States which are situated within the Zone of application of the Treaty in accordance with Article 4 of same, and with paragraph I of the present Article, and which were Members of the United Nations as of December 10, 1985 as well as to the non-autonomous territories mentioned in document OEA/CER.P, AG/doc. 1939/ 85 of November 5, 1985, once they attain their independence.</p>

Elaborated by the author. Source: opanal.org

In that way, those states, which were not sovereign and independent before the date of the opening of signature, could be finally admitted. Consequently, Belize and Guyana became states-parties. In 1991 and 1992, Saint Vincent and the Grenadines and Saint Lucia subscribed to the Treaty as well.

One of the most significant shifts came from Cuba. On September 22, 1990 president Fidel Castro submitted a petition to Mexican president Carlos Salinas de Gortari to grant Cuba an observer status at OPANAL. The OPANAL Council approved the petition. Cuba expressed its intentions of signing the Treaty “on behalf of the regional union” once all the Latin American and Caribbean states ratify it (OPANAL, 1993:3).

⁵³ Since 1859, Guatemala has claimed a portion of 11 030 km² and some islands of Belize as part of its territory according to the 1783 Treaty of Paris signed between Spain and the UK.

For OPANAL, the Argentinian and Brazilian's Foz de Iguazu Declaration for nuclear cooperation was promising for its purposes of achieving universality and it considered relevant their South Atlantic Peace and Cooperation Zone (SAPCZ) (OPANAL, 1987c), which included a non-proliferation clause. Argentina and Brazil after years of negotiation had also signed a safeguards agreement with the IAEA in compliance with article 13 and after the creation of the ABACC. Consequently, at the VIII Extraordinary Period of Sessions, on January 18 1994, Chile and Argentina finally adopted fully the Treaty and on May 30 of the same year, Brazil approved the entry into force of Tlatelolco becoming member 29. (OPANAL, 1995d: 8). With the signature of Cuba on March 25 1995 and ratification of Tlatelolco in 2002, the Treaty finally achieved universality. Almost thirty years after its opening to the signature, all the 33 Latin American and Caribbean countries became states-parties.

The results obtained by OPANAL in terms of membership until 1995 buttressed its formal success and accentuated its recognition by international and regional institutions. Besides the UN, the OAS approved Resolution 1355 (XXV-O/95) in the same year on the "Consolidation of the regime established by the Treaty of Tlatelolco" reaffirming its commitment to promoting "a universal, genuine and non-discriminatory non-proliferation regime" (OAS, 1995).

4.2.4.2 Protocols enforcement

France had signed the Additional Protocol I in 1979, but more than five years later it had not ratified it despite the repeated UN resolutions enjoining the French government to ratify this instrument. In May 1985, the OPANAL Secretary-General visited France, but it was in vain. The French government's delegate argued that France would ratify Tlatelolco only if the full consensus in the region was achieved, which meant that only once all Latin American and Caribbean states sign the Treaty, France would do its part (OPANAL, 1987a:8). The Secretary-General did not share this position. To him, NWS should guarantee the denuclearized status of the region beyond that pre-condition.

We should remember that France was reticent to engage in any international non-proliferation agreement then, for instance, it acceded to the NPT belatedly in 1992. By the same token, France abstained in the UN voting session over the creation of the South Atlantic Peace and Cooperation Zone (SAPCZ) in 1986. Paris was reluctant to support any of these initiatives chiefly due to political and strategic concerns, and since mid-70, because of industrial and economic reasons. France had deep differences with

the US on how to tackle proliferation, from the 1946 McMahon Act or US Atomic Energy Act, which impeded the access to nuclear information to other states, the EURATOM proliferation restrictions, to the NPT. France self-perceived often as a victim of the US promoted non-proliferation initiatives. French strategists deemed nuclear weapons a symbol of independence, a “factor for the stabilization of the international system” and not only an instrument of deterrence (Soutou, 2011:3). France was also an important nuclear partner of Argentina and Brazil, especially during the ‘60s.

However, after years of negotiation and reluctance, France ratified the Additional Protocol I on August 24, 1992. Also, a symptom of this partial loosening of international political conditions was the onset of the negotiations between the UK and the IAEA for a safeguard agreement in compliance with the Additional Protocol I, which concluded by 1993.

4.2.4.3 Control system compliance

In twenty years of existence, 18 out of 23 countries had signed safeguard agreements with the IAEA and states-parties satisfactory complied with the submission of bi-annual reports to OPANAL over their nuclear activities demonstrating that none of them had embarked upon a nuclear military program.

Nevertheless, as we saw in the precedent subperiod, the compliance of Treaty’s formal requirements did not prevent further violations by third states where the Treaty was (and is) not applied. After the Puerto Rican Bar Association’s denouncement that the US was violating the Treaty of Tlatelolco and the Argentine’s allegation that the UK had introduced nuclear weapons into the zone during the Malvinas/Falklands War, the 1985 OPANAL General Conference requested the Council -through the Resolution 208 (IX)- to do an examination of all the “measures leading to the full enforcement of the Treaty of Tlatelolco and the strict fulfilment of the Treaty and its Additional Protocols” (OPANAL, 1985b). Mexico, Peru, Jamaica, Costa Rica and Venezuela integrated a Working Group to carry out this investigation.

Argentina and Brazil were still the most challenging states. They requested OPANAL some clarification about the onsite inspections stipulated in article 16 of the Treaty. These inspections did not have a detailed procedure or regulations; hence for both countries, it could jeopardize the confidentiality of certain industrial processes associated with nuclear energy affecting the state security itself. In response to this

demand, the OPANAL Secretary-General, Antonio Stempel, at the III Extraordinary Period of Sessions of the UNGA on disarmament (1988) called on Argentina and Brazil to submit proposals for the regulation and implementation of article 16, which would be studied afterwards by the OPANAL Council, but these proposals were not done.

The OPANAL Council in its comprehensive study of the Treaty released in 1989, referred to the need of coordinating the OPANAL's and IAEA's activities regarding the control system, by "applying only one control system" (OPANAL, 1989b: 61). This recommendation became law once it was incorporated into the Treaty through an amendment.

On August 26 1992 at the VII Extraordinary General Conference, the second package of amendments was approved. This had the explicit intention of advancing the entry into force of the Treaty in Brazil, Argentina and Chile due to their complaints about the lack of clear regulations for the application of articles from 16 to 21.

Table 4.16 Amendments to articles 14, 15, 16, 19 and 20

Original version of 1967	Amendments of 1992
Reports of the parties Article 14. (Paragraph 3.)	
The contracting parties shall also transmit to the OAS, for its information, any reports that may be of interest to it, in accordance with the obligations established by the Inter-American System.	Paragraph 3 was eliminated and replaced by the following text: The information furnished by the contracting parties shall not be, totally or partially, disclosed or transmitted to third parties, by the addressees of the reports, except when the contracting parties give their express consent.
Special Report requested by the General Secretary Article 15. (Paragraph 1.)	
With the authorization of the Council the General Secretary may request any of the Contracting Parties to provide the Agency with complementary or supplementary information regarding any event or circumstance connected with compliance with this Treaty, explaining his reasons. The Contracting Parties undertake to cooperate promptly and fully with the General Secretary.	At the beginning of paragraph 1, it was added the following text, and some words were replaced in the last part: At the request of any of the Contracting Parties and with the authorization of the Council, the Secretary-General may request any of the Contracting Parties to provide the Agency with complementary or supplementary information regarding any extraordinary event or circumstance which affects the compliance with this Treaty, explaining his reasons. The Contracting Parties undertake to co-operate promptly and fully with the Secretary-General.

<i>Special inspections</i> Article 16.	
<p>1. The IAEA and the Council established by this Treaty have the power of carrying out special inspections in the following cases: From numeral 2 to 8 the Treaty detailed the process to follow in case the inspections should be carry out by the Council or the IAEA (costs, expenses, submission of reports). Here some of the most relevant and after amended stipulations:</p> <p>2. [...]Any Party which suspects that some activity prohibited by this Treaty has been carried out or is about to be carried out, either in the territory of any other Party or in any other place on such latter Party's behalf, the Council shall immediately arrange for such an inspection in accordance with article 10, paragraph 5.</p> <p>5. The Council shall immediately transmit to all the Parties through the General Secretary, a copy of any report resulting from special inspections.</p> <p>6. Similarly, the Council shall send through the General Secretary to the Secretary-General of United Nations for transmission to the UNSC and GA, and to the Council of the OAS, for its information, a copy of any report resulting from any special inspection carried out in accordance with paragraph 1, subparagraph (b), sections (i) and (ii) of this article.</p> <p>8. The General Conference convened in special session under this article, may make recommendations to the Contracting Parties and submit reports to the Secretary-General of the UN to be transmitted to the UNSC and the GA.</p>	<p>The Council is eliminated from this task</p> <p>1. The IAEA has the power of carrying out special inspections in accordance with Article 12 and with the agreements referred to in Article 13 of this Treaty.</p> <p>The 8 numerals were eliminated and replaced by the following text:</p> <p>2. At the request of any of the Contracting Parties and in accordance with the procedures established in Article 15 of this Treaty, the Council may submit for the consideration of the IAEA a request that the necessary mechanisms be put into operation to carry out a special inspection.</p> <p>3. The Secretary General shall request the Director General of the IAEA to transmit to him in a timely manner the information forwarded to the Board of Governors of the IAEA relating to the conclusion of the special inspection. The Secretary General shall make this information available to the Council promptly.</p> <p>4. The Council, through the Secretary General shall transmit this information to all the Contracting Parties.</p>
<i>Relations with other international organizations</i> Article 19. (after 19 and 20)	
<p>1. The Agency may conclude such agreements with the IAEA as are authorized by the General Conference and as it considers likely to facilitate the efficient operation of the control system established by this Treaty.</p> <p>2. The Agency may also enter into relations with any international organization or body, especially any which may be established in the future to supervise disarmament or measures for the control of armaments in any part of the world.</p> <p>3. The Contracting Parties may, if they see fit, request the advice of the IANEC on all technical matters connected with the</p>	<p>This article was split into two parts:</p> <p><i>Relations with the IAEA</i> Article 19</p> <p>The Agency may conclude such agreements with the IAEA as are authorized by the General Conference and as it considers likely to facilitate the efficient operation of the Control System established by this Treaty.</p> <p><i>Relations with other international organizations</i> Article 20</p> <p>1. The Agency may also enter into relations with any international organization or body, especially any which may be established in</p>

<p>application of the Treaty with which the Commission is competent to deal under its Statute.</p>	<p>the future to supervise disarmament or measures for the control of armaments in any part of the world. 2. The Contracting Parties may, if they see fit, request the advice of the IANEC on all technical matters connected with the application of this Treaty with which the Commission is competent to deal under its Statute.</p>
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Elaborated by the author. Source: opanal.org

As it can be noticed, this package of amendments reduced the role of OPANAL considerably, especially the regulatory activities of the Council regarding special inspections and reporting. The IAEA became the unique body entitled to carry out such actions. In that sense, the Council and OPANAL should fundamentally channel the states-parties demands or mediate between them and the IAEA, but they were deprived of any further enforcement action. In front of these amendments, OPANAL seemed to lose while winning, because they simultaneously allowed the universalization of the treaty but limited the OPANAL’s mandate, leading it to question its own existence’s purposes.

4.2.4.4 Crisis management

The Puerto Rican Bar Association continued to denounce before the OPANAL Secretary-General and the Council the US military activities in the Island and their “potential risk for Puerto Rico” (OPANAL, 1987a: 9). In a communiqué of June 9 1986, the Association alleged: “the existence of [US] contingent plans to operate from the Roosevelt Roads Base a centre of anti-submarine nuclear war” (OPANAL, 1987a: 9). In fact, since 1975 it was known that the US Navy had there “a centre for atomic submarines and guided missiles, as well as installations for aircraft carriers with thermonuclear missiles” (Mora, 1975: 489). As it can be observed in *Table 4.10*, the largest US operating base in Puerto Rico during the ‘80s was indeed the Roosevelt Roads Naval Station.

In response to these denunciations, on April 28 1986, the OPANAL’s Council issued Resolution C.20 requesting the US and the UK to comply with article 1 of the Additional Protocol I and to sign safeguard agreements with the IAEA. The UK government replied on June 30 1986 stating that there were no nuclear weapons in its *de facto* or *de jure* territories and it had respected the denuclearized status of all the areas where the Treaty was in force, therefore a safeguard agreement was senseless. The

OPANAL Secretary-General insisted to the UK government that signing safeguards agreements was an obligation for all states-parties even if they did not have ongoing nuclear activities (OPANAL, 1987a: 10). The US, meanwhile, negotiated a Safeguard Agreement with the IAEA and signed it in February 1989, guaranteeing –at least juridically- the full enforcement of Protocol I in their Latin American territories (OPANAL 1989:12).

Table 4.17 Major US military installations in Puerto Rico, 1980's

Department	Name of installation	Authorized				Total Acreage	Major Activity-Function
		Military	Civil	Total	Total Personnel		
Army (National Guard)	Camp Santiago (1987)	2	39	41	1 146	11 431	National Guard Training
Army	Fort Buchanan (1985)	468	1 065	1 533	2 448	828	Reserve Component Training
Navy	Naval Station Roosevelt Roads (1989)	2 671	1 289	3 960	5 004	32 161	Operating Base
Navy	Naval Fleet Training Area, Vieques (1985)	-	-	-	-	25 552	Training
Navy	Naval Security Group, Sabana Seca (1987)	398	72	470	481	2618	Communi-cations
Air Force (National Guard)	Puerto Rico International Airport/ Air Guard Station (1989)	2	299	301	1 154	44	156 Tactical Air Command Fighter Group
Source: US Department of Defense, Base Structure Reports, 1980 – 1989							
Note: Years in parentheses indicate last report where information has been published							

Source: García Muñiz, 1991: 85

4.2.4.5 The OPANAL's existential crisis era: prioritizing international cooperation

A radical re-orientation of OPANAL towards the promotion of nuclear energy in the region was unfeasible because of its scant financial resources⁵⁴, its limited and now reduced mandate and the lack of states-parties' political will. Mexico, which had been its main advocate, after the neoliberal turn, where trade became the most relevant preoccupation of its foreign policy, had lost its initial enthusiasm. Meanwhile, Argentina and Brazil had started their own nuclear cooperation path. In that scenario, OPANAL had few choices to re-invent itself; hence becoming an international non-proliferation promoter seemed to be the most plausible option

OPANAL's cooperation agreements and observer status recognition at the UN

At the III NPT Review Conference (1985), the OPANAL Secretary-General offered to states-parties permanent collaboration to coordinate their positions. OPANAL was particularly concerned about bolstering its own safeguard system and the IAEA's in front of the legitimacy critiques about its compliance after the Malvinas/Falklands War. However, the lack of cohesion among Latin American and the Caribbean States was once again evident.

In 1987 the OPANAL Secretary-General attended the "United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy", where he denounced the existence of policies that limited developing countries to have free nuclear energy access. He considered that the adoption of the Tlatelolco's control system by states-parties was sufficient to ensure non-proliferation and therefore, it was a sound guarantee for them (and the world) for obtaining nuclear energy cooperation. However, developing countries still perceived that NWS were imposing a nuclear apartheid, hindering their technological progress.

The General Secretary was invited as an observer to participate at the Amendment Conference of the Partial Test-Ban Treaty (PTBT) in 1988. Mexico, Peru, Indonesia, Sri Lanka and Yugoslavia aimed to negotiate a comprehensive test-ban treaty. Despite the staunch opposition by the US and the UK, 41 states joined this initiative and requested to hold this Conference. From 7 to 18 January 1991 they met in

⁵⁴ The member states' quota payments were very irregular indeed and that caused internal financial crises repeatedly. Since 1982 the quota collection decreased dramatically: in 1982 only 40.51% of the budget was collected; in 1983 the 51.05%; in 1984 the 66.81%; in 1985 the 67.13% and in 1986 the 63.47% (OPANAL, 1987: 26).

New York to discuss the proposal. The initiative had no success, but it helped to push the international agenda towards a new negotiation of the Treaty (Carvalho, 2005:1977).

At Mexico's behest, the UN General Assembly through Resolution 43/6 officially recognized OPANAL as an observer. The purpose of such a resolution was to enhance the coordination between the UN and OPANAL (OPANAL, 1989a: 20). To the UN, OPANAL was a crucial organization for its disarmament purposes. We might remember when the UN General Secretary U Thant at the I OPANAL General Conference said that: "this organization [was], in a certain way, the offspring of the UN" (OPANAL, 1989b: 60). In that sense, the example of the Latin American NWFZ was a concrete display of a long road that many states had started without success. ARCAL, which gathered Latin American countries to improve their nuclear cooperation agendas, also admitted OPANAL as an observer.

In the frame of ARCAL, OPANAL proposed at the XII Meeting on Technical Cooperation in 1995, to work as a bridge between IAEA and the rest of the states-parties, which were not part of ARCAL in order to channel the program's benefits to them. After eleven years of ARCAL's creation, 18 out of 33 Latin American and Caribbean states were part of it and it continued to solidify its cooperation program on several applications of nuclear energy. Certainly, the implementation of ARCAL in most of the countries of the continent reduced indirectly the OPANAL's range of activities. ARCAL had become the privileged arena to discuss a regional nuclear energy agenda.

We could mention also the cooperation agreement signed between OPANAL and the South Pacific Permanent Commission⁵⁵, an institution in charge of applying the principles of the Santiago's Declaration on Maritime Zones and whose main activities were the conservation, exploration and exploitation of marine natural resources. These institutions agreed on having mutual representation at their main meetings or general conferences, to interchange relevant information, to organize consultations and eventually cooperate scientifically and technically in concerning matters. A similar agreement was signed with the South Pacific Bureau, depositary of the Treaty of Rarotonga and with the ABACC in 1993.

However, over its past 20 years of existence, the cooperation between IAEA and OPANAL was the most important for the Agency. We observed two cooperation mechanisms between them. First, they cooperated on those tasks and duties established

⁵⁵ The South Pacific Permanent Commission (SPPC) is an international intergovernmental organisation established by a Convention signed by Colombia, Chile, Peru and Ecuador on August 18 1952.

by the Treaty regarding the control system implementation. Secondly, IAEA sporadically supported states-parties through OPANAL on nuclear energy for peaceful uses' applications. As we said before, the IAEA became since the '90s the ruling entity of the Treaty of Tlatelolco in practice, leaving to OPANAL the diplomatic agenda. Nevertheless, OPANAL continued enjoining NWS to have a greater commitment with disarmament and with their duties as signatories of Additional Protocols.

The failure of the Ad Hoc Working Group's report over the strengthening of the Tlatelolco system

Before the new wave of accessions of the 90s', the OPANAL Secretariat branded this new moment as the "strengthening of the Tlatelolco system" stage (OPANAL, 1995a: 10). It deemed this political phase as a preparatory period for entering afterwards in a new stage where the predominant cooperation issue would rely on peaceful uses of nuclear energy. In order to do so, the General Secretary suggested designating a new official as deputy general secretary and incorporating technical, scientific and legal advisors to the permanent OPANAL's staff.

In 1995 an Ad-Hoc Working Group⁵⁶ was created for strengthening OPANAL. The group suggested a plan of political actions and a plan of actions that required amendments. This first political phase would include prolific interchange with the rest of NWFZs organizations –those in charge of the application of the Treaties of Rarotonga, Bangkok and Pelindaba-; the conformation of a small group of professionals to support the Secretariat activities, especially for the elaboration of specialized analyses (for instance, for the update of the agreement with IAEA) and the improvement of the interchange with the IAEA. The Group proposed to delimit the specific aspects of nuclear energy where OPANAL would be able to channel cooperation. Additionally, the report recommended institutionalizing cooperation with ARCAL and IAEA, and analysing painstakingly if among these three organizations there was an overlap risk. The cooperation with ABACC would be also prioritized.

Concerning those actions, which would require further amendments to the Treaty, the Ad Hoc Group suggested to the General Conference to strengthen the legal framework of the Treaty to ameliorate the OPANAL's role in nuclear energy cooperation, in radioactive waste and pollution management and in nuclear technology

⁵⁶ The 1995 Ad Hoc Working Group was conformed by Argentina, Belize, Bolivia, Brazil, Chile, Colombia, Costa Rica, El Salvador, Jamaica, Mexico, Nicaragua, Panama, Peru and Venezuela (OPANAL, 1996: 2).

and transfer areas. Furthermore, it recommended following closely the debate over nuclear explosions for peaceful ends *vis à vis* the CTBT discussions (OPANAL, 1996). The recognition of OPANAL by international organizations as the precursor of the creation of new NWFZs had been deemed the most important starting point to re-think OPANAL's tasks. The 1997 General Conference and the *Ad-Hoc* group persisted on the idea of heightening OPANAL's participation at the international level on disarmament activities. The trust built by the Treaty and OPANAL inwards and outwards was a relevant political capital to explode. The elaboration of joint policies with the rest of NWFZs as well as the scientific outreach tasks were some ideas proposed in this period of uncertainty. OPANAL initially would play a role as the international "spokesperson" of the Latin American non-proliferation experience.

Mexico, Colombia and by a joint statement Argentina and Brazil presented their positions about the *Ad Hoc* Group's report in 1998. Mexico agreed on the information interchange with other NWFZs on common interest areas, the increase of OPANAL's analysis and research capabilities and the cooperation reinforcement with the ABACC. Regarding the amendment measures Mexican representatives suggested the General Secretary elaborate a plan of activities, which addresses the transportation of radioactive material, the prevention of sea pollution by radioactive waste, the control of fissile material production and nuclear safety.

Colombia, for its part, encouraged the inclusion of non-proliferator states as Canada, Germany and Japan as observers; the participation of OPANAL at other international forums [such as the Rio Group and the Caribbean Community (CARICOM)], and the organization of an international conference of NWFZs' states-parties (OPANAL, 1999: 5).

The most critical stance was held by Argentina and Brazil, which were part of the *Ad Hoc* Group and participated actively in it. They elaborated a detailed joint response expressing their considerations and fundamentally their disagreement with most of the proposed actions. They agreed on further information interchange with the rest of NWFZs, but they noticed that the reduced budget would be a considerable obstacle. They were frank in saying that, they would support any activity insofar it would not cause a budgetary increase. On the improvement of OPANAL-ABACC's cooperation, they considered that it should be based strictly on the Tlatelolco's original mandate, but not on pacific uses of nuclear energy, which was not a fundamental part of the mandate (OPANAL, 1999: 6). In the same direction, Argentina and Brazil estimated

that analysis and research activities were already the IAEA's functions, therefore it would be redundant and inefficient for OPANAL to manage these tasks. They suggested that OPANAL should examine painstakingly the benefits and cost at the moment of expanding its relations with disarmament organizations. By the same token, Argentina and Brazil pointed out that OPANAL must be cautious ABOUT accepting extra-continental funding by non-states parties donors because it could jeopardize its political role. In a tone alike, both delegations expressed their overt opposition to amending the Treaty and to the OPANAL's *de facto* assumption of new functions and competencies sidetracking its original spirit (OPANAL, 1999:7). Especially, they disagreed that OPANAL should occupy on nuclear energy technical cooperation because they deemed it was not part of Tlatelolco's mandate and that activity had already been implemented by ARCAL.

Another divisive issue had to do with the different positions taken about India status as a nuclear weapons possessor. Brazil and Argentina did not recognize India and Pakistan as such under the Additional Protocol II, consequently, to hold India or Pakistan as potential signatories of that document was deemed simply pointless. They agreed only on enhancing political interchange with the rest of NWFZs, but after studying the benefits of an inter-zone conference.

The OPANAL staff and states parties spent almost fifteen years discussing what was the best direction to take. After all states parties had signed and ratified the Treaty, the Agency lost importance. With the opposition of the three most relevant members of OPANAL to the recommendations of the Ad Hoc Group's report, Tlatelolco's mandate and OPANAL was not expanded.

The NWFZ's issue according to the OPANAL Secretaries-General's reports

The decision of the 1995 NPT Review Conference of extending the NPT indefinitely was a crucial event for the non-proliferation regime. At the NPT Conference, the OPANAL Secretary-General and some Latin American delegations included in Decision 2 over the "Principles and objectives for nuclear non-proliferation and disarmament", some paragraphs about NWFZs. It recognized that NWFZs "[enhanced] global and regional peace and security", and therefore they "should be encouraged as a matter of priority" (NPT/CONF, 1995:3). Moreover, paragraph 7 stated that: "the cooperation of all the NWS and their respect and support for the relevant protocols [was] necessary for [their] maximum effectiveness" (NPT/CONF, 1995:3). This

declaration meant a visible endorsement from the UN to the existent NWFZs and it was a framework for encouraging the creation of the Middle-East Weapons of Massive Destruction Free Zone (WMDFFZ), nowadays still on hold.

On April 11 1996, the OPANAL Secretary-General was invited by the Egyptian president, Hosni Mubarak to the opening for signature ceremony of the Treaty of Pelindaba, which would constitute the African NWFZ. In El Cairo, the OPANAL Secretary-General held several meetings with representatives of the South Pacific and Southeast Asia zones and with the General Secretary of the African Union (AU) outlining a cooperation general agenda.

In 1997, the Mexican government and the United Nations Institute for Disarmament Research (UNIDIR) co-sponsored the Seminar over “NWFZs in the next century” in Mexico City, for commemorating the XXX Anniversary of the Tlatelolco’s opening for signature. Besides the states parties’ representatives, delegates from the rest of NWFZ’s states parties attended the Seminar. As a result of this event, the UNIDIR’s experts prepared a publication on NWFZs. In that way, OPANAL was trying to occupy and adjust itself outwards by activating linkages and discussions on NWFZs, a topic frequently perceived as marginal in the sea of nuclear concerns.

The OPANAL Secretary-General as we said focused his agenda on diplomatic and scholarly activities such as bolstering the OPANAL’s relations with its Caribbean members given that most of them did not have embassies in Mexico. On March 13 1997, General Secretary Roman Morey held a meeting with the UN General Secretary, Kofi Annan to analyse the relevance of OPANAL in the international disarmament agenda and explore the possibility of organizing joint activities. This encounter was considered historic by OPANAL, because it was the first time that both secretaries had a high-level talk (OPANAL, 1997: 10).

In November 1999, the General Conference passed the “Lima Call” which encouraged particularly NWSs to advance on the total prohibition of nuclear weapons employment and fabrication and to adopt political decisions in order to accomplish the UN General Assembly Resolution 808 and the Resolution 53/77 “Towards a nuclear-weapon-free world: in need of a new program”. The declaration added the demand of striving for the creation of new NWFZs.

The organisation of the I NWFZ Conference finally took place in Mexico City in 2005. There, it was agreed to celebrate every five years similar Conferences before NPT review conferences. Since then another two conferences have taken place and the 2020

NWFZ Conference was postponed due to pandemic restrictions. Although the results or outcomes of those conferences have yet not affected dramatically the non-proliferation agenda, it has become a relevant arena to galvanise common positions against the existence and employment of nuclear weapons. In addition, this forum has been a salient platform to support the creation of the Middle East WMD/FZ, still in debate.

4.2.4.6 Future agenda: The radioactive contamination problem and the rise of non-state actors

Since the 1972 United Nations Conference on the Human Environment held in Stockholm, the international concern over environmental issues pervaded many other aspects beyond itself. Regarding non-proliferation, radioactive contamination became the major preoccupation. For instance, one of the objectives incorporated by the Treaty of Rarotonga was “to keep the region free of environmental pollution by radioactive waste and other radioactive matter” (UNODA, 1985). OPANAL issued Resolution 223 (X) on the “Prevention of radioactive pollution in the adjacent seas to the continental and insular territories of Latin American and the Caribbean” (OPANAL, 1987b) requesting the OPANAL Council –and other international organizations- to examine this question and the means to prohibit it, even through a Protocol. The study presented by the United Nations Environment Programme (UNEP) and the Council diagnosed that there were only a few sub-regional conventions on sea protection and preservation (the Southeast Pacific Convention and the Great Caribbean Convention) and therefore, it recommended not only modify the Treaty but also to include an Additional Protocol forbidding the introduction of radioactive waste and any other radioactive pollution in the sea and in the rest of environments (OPANAL, 1989:21).

Resolution 252 renovated the Council mandate for the elaboration of a similar document on the “prevention of radioactive contamination in the seas adjacent to the continental and island spaces of Latin America and the Caribbean”. It was recommended to request again the UNEP’s assistantship. Sadly, by the XIV period of Session, the Secretary-General informed that only Mexico, Venezuela, Ecuador and Costa Rica had given some feedback to this proposal. Moreover, Resolution 331 (XIV) demanded to analyse the maritime transportation of radioactive waste according to international law, particularly it suggested observing the positions of the IAEA and of the International Maritime Organization (IMO) in order to promote and develop international legislation to avoid the risks of such transportation (OPANAL, 1995b).

However, states parties until nowadays have not amended the Treaty or incorporated any legally binding stipulation to prevent radioactive contamination.

The rise of non-state actors

The rise of non-state actors in the international arena and their struggle to participate at the UN international meetings had its correlative at OPANAL. States parties considered reforming the General Conference regulations to allow NGOs and research institutions to attend those gatherings. To do so, the Mexican delegation proposed modifying articles 22, 23 and 24 to admit the attendance only of those institutions with an NGO status at the UN Economic and Social Council (ECOSOC) and upon General Conference's approval (OPANAL, 1995c). The Mexican proposal was accepted and on March 28 1995, the OPANAL General Conference through Resolution 323 (XIV) approved the participation of NGOs at their period of sessions in exceptional cases. In the next period of sessions in 1999, twelve NGOs (such as Greenpeace, the Center for Economic and Social Studies of the Third World, the Lawyers Committee on Nuclear Policy, the Monterey Institute of International Studies, among others) and eight special guests participated at the OPANAL General Conference.

4.2.5 Conclusions: The paradox of the Treaty's success and the OPANAL's decline

The last period observed for this research (1985 – 1997) was characterised by the transition of most Latin American countries to democracy and the adoption of the neoliberal economic model. Moreover, the transition from a bipolar to a unipolar American-led world order, where globalization, free trade and liberal democracy became the mainstream norms affected decisively nation- States. Mexico, Brazil and Argentina, at different degrees, went through these processes of transformation that determined to some extent their nuclear and non-proliferation policies.

Although non-proliferation initiatives multiplied in the pre-transition stage, there was still some institutional paralysis at the heart of international organizations that were unable to carry out any radical transformation. The Treaty of Rarotonga was approved in 1985 but it was not legally supported by all the NWSs, similarly, the Brazilian SAPCZ, which stipulated the denuclearization of the South Atlantic area, was rejected by the US; the nuclear cooperation between Argentina and Brazil had started to grow but both states were reluctant to adopt fully the NPT and the Treaty of Tlatelolco; lastly, the so-called “New Delhi's six” (among them Argentina and Mexico) gathered at the

“Six Nation Summit on Nuclear Disarmament” in 1985, and who asked the US and the Soviet Union to halt an arms race in space and to reduce their nuclear forces, found a tepid response in those years. The US and the Soviet Union did begin their arms talks to reduce their strategic nuclear arsenals and medium-range missiles in Europe and preventing an arms race in space nevertheless the US was adamant about not limiting the development of its space weaponry, popularly known as Reagan’s Star Wars (Oberdofer, 1985; Boyd, 1986). The political clash between a group of states that sought the complete elimination of nuclear weapons in future (the NAM, the New Delhi’s six”) and NWSs, especially the US that wanted to persist in a nuclear arms race became sharp.

In Latin America, the transition to democracy coincided with the indebtedness crises. Mexico, Brazil and Argentina were deeply hit by this economic problem, which became a threat to their government’s plans and sovereignty. This indebtedness problem led them to think that healthy relations with the US was a *sine qua non* pre-condition to improving their leeway at the moment of an eventual debt re-negotiation.

In the case of Mexico, although the excruciating economic maelstrom limited its international agenda, the De La Madrid’s administration still tried to keep alive the Mexican leadership on disarmament and non-proliferation issues through the “Group of Six” and by denouncing the militarization of space and calling for an agreement to prohibit nuclear tests. However, under the Salinas de Gortari’s government, these issues lost momentum in the foreign policy agenda, notably, the Tlatelolco’s system waned its erstwhile relevance as the flag of Mexican diplomacy. The partial non-support for the Tlatelolco system’s strengthening plan might be considered the most conspicuous symbol of the Mexican non-proliferation policy’s turn. President Salinas abandoned the nationalistic Mexican position and considered that traditional understandings of security were outmoded and sovereignty should be tied to the developed centres in reference to the US. In the post-Cold War era, the apparent shift from an IR paradigm dominated by security concerns to a paradigm where economic and financial factors prevailed coupled with the perception that the nuclear threat had diminished provoked that Mexico placed at the centre of its foreign relations the search for a free-trade agreement with the US and the enhancement of its role at the Inter-American forums. Nevertheless, the paralysed nuclear program was resumed once Mexico got some economic relief. Mexico signed some relevant nuclear cooperation agreements with the US in 1989 and Australia in 1992. Therefore, the increased

dependence of Mexico on the US economy reduced to a great extent its autonomous foreign policy and internationalism, affecting its salient actorness on disarmament and non-proliferation issues, including its leadership of the Tlatelolco system. Moreover, the Mexican authorities' perception of a reduced nuclear threat and a world where economic issues were more relevant than those of security accentuated this selective disengagement.

Brazil's return to democracy fuelled its commitment to the non-proliferation and disarmament agenda, but it did not mean an automatic abandonment of its critical position towards the NPT and its nuclear civilian program. Brazil's purposes of being a "global trader" and having a permanent seat at the UN Security Council led the new democratic governments to re-assess and try new international insertion mechanisms when the backdrop was a rampant indebtedness crisis. In that sense, its engagement with the non-proliferation regime was not an end by itself but a medium to boost its international position, gain legitimacy, and increase its bargaining ability. In doing so, Brazilian governments tested different strategies.

Clearly, the perception of Sarney's government that the US mistreated Brazil and that it had no gesture of support to the country for alleviating its indebtedness crisis, pushed Brazil to look for new partnerships, especially with Argentina and its geographically closer neighbours. Although the evidence is still no conclusive about a presumable Brazilian help to Argentina during the Malvinas/Falklands War, at that moment both actors had already started to take the initial steps towards nuclear cooperation. We should underline that their positions on nuclear questions converged even before the 1980 Figueiredo's visit to Argentina, at the first OPANAL General Conferences when they recognized their common positions regarding the free use of peaceful nuclear explosions (PNEs), therefore we could say that OPANAL contributed as an arena to the first approaches between Argentina and Brazil, despite no reward to the Tlatelolco system was obtained in the short-term. The autonomy through regional integration strategy demanded a new cooperative-proactive role from Brazil. The disclosure of the Nuclear Parallel Program under Sarney's administration and the creation of the SAPCZ promoted Brazil as a reliable partner and a benevolent regional hegemon. The fact the SAPCZ included the South Atlantic reinforced simultaneously the idea of Brazil as a 'global trader' beyond Latin American. These actions also can be interpreted as confident-building measures to continue its nuclear civilian program without resigning to its longstanding reluctance to adopt the NPT. Despite the critical

economic situation, Brazil was able to master the uranium enrichment process, which proved that state institutions –mainly the military branches- had ‘immunized’ the program from the ebbs and flows of the domestic and international political winds.

But this renowned Brazilian leadership in the non-proliferation regime was perceived as limited by those actors interested in denuclearizing the South American nation, particularly the US that hindered the nuclear technology transfer and export to Brazil. The Collor de Mello’s foreign policy attempted a new strategy by alignment to the US agenda, in a similar tone did by Salinas de Gortari in Mexico, but it did not bring along the expected results of economic relief and unlocked nuclear items trade. The fact that Collor de Mello was able to strengthen the nuclear cooperation with Argentina through the consolidation of the ABACC, had to do more with the institutional machinery of Itamaraty and the mutual understandings of the respective epistemic communities than with the president’s diplomatic abilities by their own. On nuclear terms we could say that to great extent there was continuity in Brazil; regardless of the type of government, the nuclear civilian program and the same non-proliferation position continued. The dramatic changes or discontinuities were observed in two actions: the consolidation of the nuclear cooperation with Argentina and its abandonment of the nuclear parallel program. Once Itamar Franco took power Brazil adopted fully the Treaty of Tlatelolco. The expanded internationalism and the intention of making Brazil a ‘global trader’ and a UNSC member that Itamar Franco sought under the advice of minister Cardoso explains largely – but not only- why Brazil finally decided to implement the NWFZ Treaty. The institutional, legal and bureaucratic disentanglement of the steps previous to that decision also helps to understand the timing of that. It was necessary for Brazil and Argentina the signature of the quadripartite nuclear agreement to “in alliance” adhere to the Tlatelolco system.

Brazil still questioned the discriminatory nature of the non-proliferation regime and considered that noncompliance cases should be studied and discussed by OPANAL, mainly in relation to third parties or Protocol signatories. That position was consistent with its stance regarding the NPT. Brazil in this stage, although its criticism of the regime, worked as a mediator to enhance the sub-regional regime, for instance, negotiating Cuba’s adhesion to the Tlatelolco’s system. The fact that Tlatelolco was not a regime under the command of the NWSs and ‘its discrimination’, and it was a Latin-American creation, smoothed the Brazilian predisposition to engage fully with Tlatelolco first. This perspective evolved during Cardoso’s tenure that finally adopted

the NPT. To him, nuclear weapons' acquisition was deemed simply as outmoded leading to a process of de-industrialization of the nuclear sector. Although more research should be done, it's striking that the adoption of multilateral non-proliferation agreements in the case of Brazil and Argentina had been coupled with processes of nuclear de-industrialization, even if the spirit of a non-proliferation pact does not entail such an action. In conclusion, in the case of Brazil, several factors influenced to change its posture towards Tlatelolco, where the international ones seemed to be more relevant.

In the case of Argentina, the shift of its non-proliferation policies was more radical. President Raul Alfonsín, in front of a weak economic situation and a transition to democracy underway, wanted to boost Argentina's foreign relations leaving behind its past of war. Alfonsín disputed also the regional leadership in non-proliferation through its participation at the "New Delhi's six group" and its plans to launch a Latin American safeguard system. Conversely to Brazil, where foreign policy emanates not only from the president but also from the bureaucracy of Itamaraty, in Argentina, the foreign policy is highly dependent on the political changes and the role of the president is more decisive and conspicuous. This purposeful new role of Argentina in non-proliferation issues might be explained hence not only by the government's desire of repairing a past of isolation or improving the political conditions to negotiate its debt but also by Alfonsín's political will and commitment to democracy and non-proliferation. What is clear is that Alfonsín did not envision OPANAL as an adequate arena to carry out its initiative. In that sense, we could say that even when Alfonsín had a more proactive and open role to foster non-proliferation and disarmament initiatives it did not imply an automatic commitment with the Tlatelolco system and the NPT. Evidently, it's different to agree with non-binding initiatives than with legally binding instruments, where limits will condition future choices of a state, therefore, the Alfonsín's actorness in non-proliferation was partial. Menem in that sense broke the traditional reluctant position of Argentina towards the NPT and Tlatelolco, but this did not imply salient activism of his government in this domain. Argentina limited to sign and ratify the instruments to satisfy the conditions imposed by the US to support Argentina financially and restore the export of nuclear materials to that country. Consequently, even if domestic variables have proved to be relevant to Argentina's foreign policy, in this case, the US factor was decisive. In addition, the fact that the military branch was bound up with Argentina's nuclear civilian program paved the way to legitimise socially and politically the dismantlement of the nuclear and military

sector, particularly the destruction of the Condor II Missile project. The isolation phantom proved to be also a dissuasive force in these decisions as well as its new strong nuclear partnership with Brazil. Despite all these factors combined contributed to Argentina's cooperative position on non-proliferation and nuclear dismantlement, undoubtedly the Menem's neoliberal comprehension of what a state should be was at the roots of his decisions.

The gamut of cooperation is wide, and as scholar Arthur Stein cleverly identified this might range from minimal collaboration to maximal cooperation. Knopff summarising Stein's conceptualisation explains that: coordination is required when actors seek to avoid a particularly bad outcome, [...], but need not align their actions beyond that. Collaboration, in contrast, is needed when states have to specify more concretely their actions." (Knopff, 2015:7). In the light of this understanding and by performing an overall assertion of the Treaty of Tlatelolco and OPANAL, we might say that the Latin American non-proliferation experience falls into the minimalistic collaboration category where once the negative objective, we mean the avoidance of certain action is accomplished, no further cooperation is sought. In that sense, we can advert that over time, the states parties' expectations about expanding Tlatelolco's mandate changed. Initially, they had ambitious goals and after they tended to adjust them reducing the OPANAL's role to a compliance assistantship institution. The paradox was that while the Treaty's compliance grew; the Agency became less relevant for its members. This paradox does not mean that between both elements there was a causal relation, rather it might have several interpretations, for instance, that *non-proliferation* simply became a customary law in the continent therefore there was no need of an Agency to monitor that. Additionally, the fact that the IAEA became the surveillance institution to enforce the Treaty's mandate, also explains the decline of the OPANAL's importance. The implementation of the joint nuclear policy of Brazil and Argentina and the ARCAL were two examples that Tlatelolco's states parties did not see OPANAL as the most suitable institution to channel the implementation of nuclear energy policies. Moreover, for some Latin American policymakers, OPANAL was considered an instrument of Mexican foreign policy (Mirek 1986).

The Secretary-General, Antonio Stempel was aware of this situation and declared: "With realist sense, the Secretary-General should try to make OPANAL –by now- a political and moral organization by keeping valid the Latin American countries'

ideals [...] participating at disarmament and no proliferation international meetings” (OPANAL, 1993: 8-9).

Consequently, it can be stated that the effectiveness of the Treaty of Tlatelolco in this period was moderate. Although, all the 33 Latin American and Caribbean countries signed and ratified the Treaty, and it had a wide impact on the international non-proliferation regime by supporting the creation of new NWFZs; its main problems were not solved. NWSs, particularly the US, kept their particular interpretations about the Additional Protocols and nuclear transit rights. Moreover, the Treaty and the OPANAL’s agenda could not be re-updated according to the new regional and international settings, for instance, regarding the prevention of radioactive waste.

Chapter 5

Conclusions

Can nuclear weapons confer a meaningful increase of strength to developing countries? If several nuclear attacks would occur, the country that would survive would be the one that until the ‘doomsday’ has still some infrastructure and social tissue in place. In that sense, to have nuclear weapons implies more than the mere fabrication of nukes and their delivery systems. In human security terms, the possession of nuclear weapons by developing countries might be meaningless if other urgent and structural problems such as poverty and social inequality are not well addressed previously or simultaneously. The Latin American leaders who proposed the Treaty of Tlatelolco in the ‘60s seem to have been imbued by this rationale.

5.1 Regime formation and enlargement phases

We formulated in our hypotheses that from all the factors, the Missile Crisis in Cuba, the states’ *ex-ante* nuclear preferences predominantly peaceful in front of the relative absence of inter-State conflicts, the relative support to the Treaty’s proposal by Brazil and Argentina (states with significant nuclear capabilities) and, the NWSs’ non-strong opposition to the Treaty were the most relevant variables to the approval of the Treaty of Tlatelolco. To test them up we included a wide range of factors, such as the domestic political and economic dynamics, foreign policy, the nuclear capabilities, the non-proliferation preferences, the role of the US, and the systemic changing conditions. The state-level analysis was complemented by an overall assessment of the Tlatelolco system at the regional and international level in an organic manner. This two-level (and sometimes three-level) analytical exercise enabled us to provide a more accurate response to our research question unveiling the following findings and conclusions:

- As we assumed in our hypotheses to explain the origin of the LAC-NWFZ, the imminent fear of Latin American states of being involved in an event like **the Missile Crisis in Cuba was a relevant external motivation particularly for those states without or incipient nuclear capabilities or close to the US, but it proved to be irrelevant to those countries with advanced nuclear programs underway and relatively far from the epicentre of the conflict, we refer Argentina and afterwards to Brazil.** In the case of Mexico, its proximity to Cuba and particularly to the US, a neighbour who several times had invaded the country, rendered the Missile Crisis a vital issue for its security

beyond its considerations about its own nuclear program. Simultaneously, non-proliferation and disarmament issues became a question of national interest. The US – Mexico complex interdependence and its geographical location turned Mexico into a collateral target in a hypothetical nuclear conflagration. Mexico had a sort of “finlandized” relation with the US, that is, it tried to keep certain leeway in its international positions but not affecting the US main interests. Mexican presidents publically and domestically addressed very nationalistic speeches, and they applied for a long time (since 1917 until the beginning of the ‘90s) the Estrada Doctrine of foreign policy, which was the political and legal backbone to avoid any break off diplomatic relations with Cuba after the Missile Crisis in 1962. In that sense, to find a mechanism to keep that autonomy and prevent any direct engagement with one side (presumably with the US) turned out to be an overriding preoccupation for the government. Thus, Mexican president Adolfo Lopez Mateos proposed the denuclearization of the region. This solution would not only disengage Mexico from any nuclear confrontation, but it would also preserve its autonomy before further US pressure for instance, regarding its relations with Cuba and it would allow it to assuage concerns about its nuclear civilian program. Concurrently, the López Mateos’ initiative carved out Mexican internationalism. Mexico became a leading actor in non-proliferation in the region and afterward in the world. Therefore, it is not an overstatement to suggest that **the Treaty of Tlatelolco worked as Mexico’s preventive declaration of neutrality amidst the Cold War.**

- We should remember that before the five-president proposal, Costa Rica and Brazil had proposed to denuclearize the continent, but Mexico had shown no interest in those initiatives -as the majority of the region-, therefore, **the Missile Crisis was determinant for the timing when Mexico and the other four countries (Brazil, Bolivia, Ecuador, and Chile) launched the LAC-NWFZ proposal** and a first 17-state group approved the Treaty.
- **Notably the fact that Argentina and Brazil counted on advanced nuclear capabilities and did not share their borders with an NWS was a disincentive for adhering to Tlatelolco.** Different geopolitical circumstances compelled Mexico to prioritize its non-proliferation policy advocacy over its own nuclear program. The Mexican nuclear civilian program was fundamentally led by the UNAM’s and IPN’s scientific communities, and the government, which

protected the exploitation of radioactive minerals and built specialized institutions such as the CNEN in 1956. The program was relatively weakened in the presidency of Lopez Mateos who prioritized the promotion of the Treaty of Tlatelolco. In the cases of Brazil and Argentina, their nuclear projects were not discontinued because of the political turnabouts and they were “protected” since their inception by the military branch. In the case of Argentina, for example, the navy did it since 1952. While social, political and economic policies changed with every new government, democrats and dictators, leftist and right wing politicians continued the development of their nuclear programs, considered a fundamental part of their national interests.

- Concerning **Mexico’s, Brazil’s and Argentina’s previous disarmament and non-proliferation preferences at international arenas** (such as the UN and the OAS) **were consistent with their positions over the Treaty of Tlatelolco**. We must underline that **although Argentina and Brazil participated actively in disarmament institutions, this didn’t persuade them or compelled them to advance on their formal and legal engagement with Tlatelolco or the NPT**. Mexico, as we explained it, was a salient actor and advocate of non-proliferation and disarmament causes, deeply involved since the very beginning in the creation of disarmament institutions and in the approval of the NPT, hence, **Mexico’s promotion and adhesion to Tlatelolco buttressed its outstanding international actorness and reinforced its previous preferences**. Brazil like Mexico participated in the Eighteen Nations Disarmament Committee (ENDC) and **until the presidency of João Goulart (1961 -1964) it had prominent advocacy on non-proliferation issues**. The main concern for this country in the international forums was the nuclear knowledge transfer to Latin American countries and the unequal nuclear order that the NPT aimed to establish. **The neutrality of Argentina during most of the II WW often isolated the country and that might explain that it was relatively absent of the incipient disarmament bodies’ construction**. The existence of the Treaty did not provoke a radical change in the preferences of Brazil and Argentina and in the case of Mexico it reinforced its previous behaviour, therefore, their pre-Tlatelolco non-proliferation preferences were a consistent hint to predict their possible initial stances towards Tlatelolco.

- Although the Missile Crisis in Cuba did not have a homogenous effect over all the countries of the region, and it was irrelevant for the enforcement of the Treaty in Argentina and Brazil, other systemic factors, namely **the transformations of the world order particularly in the non-proliferation and disarmament domain proved to be relevant for the enforcement of Tlatelolco in both states**. Brazil and Argentina shared the perception that the international nuclear non-proliferation regime and more precisely the NPT was discriminatory and this common stance led them to cooperate bilaterally. They criticized the NWSs' lack of commitment with their disarmament tasks meanwhile the rest of the countries were obliged to disarm or keep disarmed. In their understanding, this double standard enshrined in the NPT relegated them to a "second-class position". Moreover, the restrictions to export and transfer nuclear materials imposed by the US and other nuclear suppliers fuelled their reluctance to adopt full safeguards, the NPT and to some extent Tlatelolco. The visit of Brazilian president Figueiredo to Argentina in 1980 is considered the official starting point of nuclear cooperation between both countries, but we can suggest that **at the OPANAL General Conferences, both countries began to recognize their common positions in nuclear issues, for instance, their advocacy of peaceful nuclear explosions (PNEs) even before the '70s**. In that sense, OPANAL worked as an arena that enabled states parties to identify positions and contradictions to organize their collective action. It was clear that the convergence of Argentina and Brazil about PNEs was crucial for the introduction of article 18.
- If the exigencies of Brazil and Argentina (non-prohibition of PNEs) were included in the Treaty, then why were they reluctant to adopt fully Tlatelolco? We could state that **the most significant factors that discouraged Brazil and Argentina from engaging fully with Tlatelolco were out from the Treaty scope** and the fact that they changed their positions only after the end of the Cold War lead us to think that systemic forces mattered considerably to their shift on non-proliferation policies. The mutation of their perceptions about security threats as well as of their assessments of disarmament responsibilities distribution at the international level had a substantial influence on their behavioural change towards Tlatelolco. **The signature of the US- Russia Strategic Arms Reduction Treaty (START I) helped to loosen the positions**

- of Brazil and Argentina because the argument that they had held for years that NWSs were not accomplishing with the NPT mandate started to be – yet slowly- reversed. According to the analysed documents, this was undoubtedly a systemic variable that stimulated the cooperative standpoints of Argentina and Brazil to allow Tlatelolco’s full entry into force in their countries.
- Although the nuclear cooperation between Brazil and Argentina would deserve a thesis apart, this research has inserted this *sui generis* case into the evolvement of Tlatelolco’s system. **In a two-way process, this example of bilateral cooperation was also a variable that intervened at the moment of the full adoption of Tlatelolco.** Probably, if Argentina and Brazil would have persisted in their rivalries and they would have perceived a “nuclear regional deterrence” policy as a suitable norm for their security, their incorporation into the Tlatelolco’s system might have been unattainable. Additionally, **the flexibility of the Tlatelolco’s adhesion process (stipulated in article 29), the introduction of the right to carry out PNEs and to build nuclear-propelled submarines and the active diplomatic collaboration of the OPANAL Secretaries-General to outline a better Safeguards Agreement between the IAEA and both countries eased the conditions for Argentina’s and Brazil’s denuclearization without hindering their nuclear civilian programs.**
 - Among these systemic factors that enabled the constitution of the Tlatelolco’s regime, we should mention the equidistant positions held by the NWSs. Conversely to the NWSs opposition to the establishment of NWFZs in Central Europe, the Balkans, Scandinavia and in the Middle East more than a decade before Tlatelolco, they **did not thwart the negotiation process of the LAC-NWFZ Treaty although they, especially the US, influenced deeply on the limits of Tlatelolco’s final mandate.** Thus, the US impeded any regulation of transportation or transit of nuclear materials by Tlatelolco. Under those premises, the US supported the proposal. However, as we observed in the cases of Puerto Rico and Cuba, the US military presence there threatened the compliance of the Treaty. As for the Soviet Union and France, the states that had the most critical positions about Tlatelolco, they did not frustrate the project although they perceived it, to some extent, as a US geopolitical gamble. The Soviet Union changed this assumption over time, showcasing a more cooperative stance and ratifying the Treaty’s Additional Protocol II in 1979.

Consequently, we should admit that **the scope of Tlatelolco was as radical as the NWSs' interests allowed it. It is conspicuously paradoxical that the creation of the Zone, which was intended to demonstrate independence and neutrality in front of superpowers, was made under their conditions and guidelines.**

- From all the NWSs, **the US influence on Tlatelolco's development was decisive.** Hardly the Treaty of Tlatelolco would have been approved if the US had opposed its adoption. The militarily asymmetrical relation between the US and its Latin American and Caribbean neighbours demanded a clever political move to offset at least legally the almighty US nuclear arsenal. In a hypothetical scenario of nuclear conflagration, the military vulnerability of Latin American nations would have devastating consequences for its citizens, even worse if the US would decide to attack nuclearly any state below its southern border. As we already said, in the case of Mexico, its relations with the US proved to be persuasive to propose and promote the Treaty. Since the enactment of the Estrada Doctrine, Mexican administrations strove for placing the country in the world as leader of the Global South through a peaceful and mediating identity. This behaviour granted Mexico important assets from the US, such as nuclear materials and technical advice for its nuclear program. Consequently, **for Mexico's interests being part of Tlatelolco and promoting non-proliferation norms might have brought to it more benefits than costs.** It's still no clear if the US influenced directly president Lopez Mateos' proposal for creating the zone, given that the original idea had been already suggested in the '50s by the US Secretary of Treasury, Robert B. Anderson. Additionally, after the Missile Crisis in Cuba, **Tlatelolco resulted desirable for the US security interests and for its international purpose of building a nuclear non-proliferation regime and preserving its nuclear supremacy.** A question that remains to be answered in future is Who benefited the most from Tlatelolco: Latin American and Caribbean states or the US?
- Brazil was a special case. Since the 1964 coup d'état, **Brazilian presidents of the dictatorship period shared the US anticommunism ideology and at different moments they were very cooperative with its northern neighbour, but this ideological convergence did not influence either the Brazilian critical position on the non-proliferation regime or its intention to advance**

its nuclear program. Although the US recommended several times Brazil elites to join the non-proliferation regime and adopt full safeguards, the Brazilian military elite shielded the nuclear civilian program from external interference and from domestic disputes and changes. Itamaraty, the bureaucratic heart of Brazil's foreign policy, in this case, followed the military guidelines of not recoiling on its non-proliferation positions. **Hence, the influence of the US on Brazil's decision to allow the entry into force of Tlatelolco was only indirect.**

- The opposite happened **in Argentina**, where **the role of the US was determinant to persuade Menem's government to abandon Argentina's traditional reluctance to adopt fully the NPT and the Treaty of Tlatelolco.** Argentina historically had an independent foreign policy from the US influence, and often it had difficult diplomatic relations with its northern neighbour, even during the ideologically anti-Communist dictatorships. From the three cases, Argentina had a long-standing anti-NPT position. Conversely to Brazil, Argentina did not participate in the group of five presidents who proposed the Treaty of Tlatelolco, despite its political clout in the region and internationally was significant. Argentina's enduring dispute with the UK over the sovereign possession of the Malvinas/ Falklands Islands was also an obstacle to ratifying the Treaty. Additionally, the role of OPANAL regarding the 1982 War between Argentina and the UK did not satisfy Argentina's government discouraging it from adopting the Treaty integrally. In this scenario, the overt US support to the UK even breaching the Inter-American collective defence treaty (TIAR) only contributed to fuel their mutual distrust. Notwithstanding, the debt crisis, the difficulties of Argentina's transition to democracy and the new American-led world order led Menem's government to re-assess its foreign policy mainly its ties with the US in the '90s. Argentina's deep financial vulnerability and increasing economic dependence on the US fuelled the influence of this latter on Argentina's foreign policy. Menem built closer relations with the United States in a way that none of its predecessors did it. In this scenario of fragility, the US conditioned the transfer of strategic technology and debt alleviation to Argentina to its full adherence to the non-proliferation regime, including the ratification of Tlatelolco. Under US political and economic pressure, Argentina finally ratified the Treaty. But as we explained it, the ratification process of Treaties in

Argentina implied the role of other actors as the Congress, therefore, **even though the US growing influence on Argentina's foreign policy helps to explain the timing and Menem's initial political moves to the full adhesion to the LAC non-proliferation regime, domestic gambling affected also the decision of adopting Tlatelolco in 1994.**

- We stated that in Latin America, including in Mexico, Brazil and Argentina, the domestic factors are often more relevant than those international ones when it comes to shaping foreign policy. But what seems more accurate to say is that **there are areas where externally linked factors are more substantial than those related to domestic variables.** The continuity of non-proliferation and disarmament policies that Mexico, Brazil and Argentina demonstrated over 40 years regardless of the type of government and the political party in power lead us to question the level of relevance of domestic politics at least in this area. To avoid any spurious conjecture, it is necessary to point out what had been observed throughout this research. First of all, the type of regime or type of government resulted irrelevant to explain the discontinuities in their non-proliferation policies, nonetheless, **in the case of Argentina and Brazil the transition to democracy helped to solidify their nuclear cooperation and contributed to their eagerness for promoting new non-proliferation initiatives although unrelated to Tlatelolco.** Moreover, the fact that their nuclear civilian programs were under the military guard increased the legitimacy of **non-proliferation and disarmament norms considered more democratic in opposition to the military governments.** The adoption of the neoliberal model, where the state role is meant to be minimalistic accentuated this approach epitomized in the nuclear industry dismantlement, often portrayed as an unnecessary expenditure, which contributed to increase the importance of being a non-proliferator country.
- In the light of the overall findings of the origin of the Treaty of Tlatelolco, the thesis of Ramesh Thakur that states with minimal security concerns are more prone to establish NFWZs seems to be plausible. **The relative absence of inter-state conflicts in the region coupled with the securitization around the Missile Crisis in Cuba, the political willingness of the majority of Latin American nations to establish an NWFZ and the absence of regional and**

international opposition to the proposal converged to the birth of the Tlatelolco system.

5.2 Regime implementation

The second part of our research focused on the results, performance and effectiveness of the Treaty of Tlatelolco from 1967 to 1997. We aimed to answer the question: which factors have been relevant for explaining the level of effectiveness and performance achieved by the Treaty of Tlatelolco? We proposed that the Tlatelolco's effectiveness level predominantly depended on: the processes of harmonization and disharmonization of interests and preferences between the states with significant nuclear capabilities (Brazil and Argentina) and those with incipient or no nuclear capabilities; the commensurability or incommensurability between the objectives and scopes of the Treaty and its real problem-solving capacity –especially at critical events-; the states-parties perception about the relevance or irrelevance of Tlatelolco to satisfy their interests and preferences over the time; and, the Tlatelolco's embeddedness capability in the scaffolding of the international non-proliferation regime.

For this section, we analysed similar factors to those examined in the first part, except for the implementation aspect. The purpose of this phase was to detect any *ex-post* change/non-change in the states' behaviour and therefore to infer the attained level of cooperation and effectiveness of the Treaty. Due to methodological concerns, we observed two sub-periods only: from 1967 to 1985 (approximately) and from 1986 to 1997 covering an analysis of 50 years in total (1947 – 1997). **We concluded that in the first subperiod, the enforcement of the Treaty of Tlatelolco was suboptimal effective and the second period was characterised by a moderately effective performance regarding non-proliferation regional concerns. If we evaluate the overall performance of the Treaty until the last observed period we could state that it has been moderately effective.** Unfortunately, most of the problems and difficulties exposed persist until nowadays, therefore, our study far from being outdated, it is a picture whose interpretation is still valid. Here we will present the findings and reasons that justify our final diagnosis and prognosis.

- In the first studied subperiod (1968 to 1985), Tlatelolco achieved a considerable significant membership of 23 states-parties, both Additional Protocols were signed and ratified, except for France that did not ratify the Additional Protocol I and the control system began to be accomplished by the signatories. To some

extent, the indispensable requirements and the control system requirements were met, however Brazil, Argentina, Chile and Cuba were reluctant to adopt the Treaty and **the formal compliance of Tlatelolco by all the rest of the states proved to be not enough to tackle critical situations satisfactorily.** The 1982 Malvinas/ Falklands Islands conflict when Argentina accused the UK of introducing a nuclear-armed submarine was the first important challenge to the Treaty. OPANAL as the agency in charge of the Treaty's enforcement issued a statement expressing concern about the incident but it was legally unable to take further actions. Simply, within the limits of the Treaty's mandate, there was (is) no clause or article about the process to follow in case of a presumable violation of the Treaty by an NWS or other external actors, because it only stipulates the actions to take in case of a contracting party's violation (article 21) or in case of disputes concerning the interpretation or application of the Treaty by states-parties (article 25), defined as such in article 2. Consequently, this legal vacuum in the Treaty made predictable the inability of OPANAL and the General Conference to address this kind of conundrums. Additionally, the aforementioned 255 Security Council Resolution was not invoked. As we stated, if the Treaty's draft would have contained an article addressing third-party or NWSs violations, NWSs simply would not have approved it. Nonetheless, as we explained it, the Malvinas/Falklands Islands issue was not an isolated case, but it was and it is part of an overarching problem: the persistent and disputed legacy of colonialism limits the enforcement of the Treaty of Tlatelolco despite concerning states have ratified the Additional Protocol I. The denouncement submitted by the Puerto Rican Bar Association since 1985 to OPANAL about the emplacement of US nuclear weapons on the Island was another example that even the most "institutionalized" NWFZ Treaty could be unable to preserve its denuclearized status in every territory, particularly where an NWS is still the ruler authority. Other forms of foreign presence, for instance, the US military base of Guantanamo proved to be also a source of mistrust hindering Cuba's adoption of the Treaty of Tlatelolco by decades, although OPANAL worked diplomatically to bring the Caribbean country closer to the system. Unfortunately, **the persistent legacy of colonialism and other forms of foreign presence are still crucial challenges to the denuclearized status of the Latin America and the Caribbean NWFZ. Moreover, the particular**

interpretations by NWSs regarding the freedom to navigate on the high seas and the transit rights with radioactive material is a stumbling block from then to now for the effective compliance of Tlatelolco. Beyond that, from a technical and geographic perspective, in a hypothetical scenario of superpowers' all-out nuclear war, where the US would be involved, hardly Latin American and the Caribbean would remain safe due to its proximity with the northern country. In such an apocalyptic context, the Treaty of Tlatelolco would become a dead letter. Hopefully, such a scenario will not happen, at least in the short term.

- Consequently, after analysing the empirical evidence we can prove the plausibility of our hypothesis (II b) where the incommensurability between the Treaty's objectives and scopes and its real problem-solving capacity – particularly through OPANAL- was an important challenge to build a robust zone and advance on its cooperation level. But we should warn that **the concerning incommensurability was (and is) mainly externally configured by geopolitical circumstances where the power of NWSs is unbeatable,** rather than by the result of sheer institutional insolvency.
- Nonetheless, OPANAL was 'victim' of its own pioneerism because **since the NPT entered into force in 1970, many of its monitoring and compliance tasks were reassigned to the IAEA, minimizing the Agency's role** and provoking eventual functions' overlapping. States parties should sign Safeguards Agreements with the IAEA and not with OPANAL, which transfers to the IAEA the surveillance, control and verification tasks. Accordingly, **OPANAL became above all a body for channelling political and diplomatic tasks,** assisting states parties to achieve compliance and promoting international cooperation on disarmament and non-proliferation. For instance, OPANAL mediated diplomatically between those states with border disputes such as Venezuela and Guyana to help this latter to become a state-party, although in the first period observed OPANAL did not have success.
- **OPANAL's constant financial difficulties were and are still an example of longstanding and non-solved problems, which has limited its activities and has unveiled to what extent states-parties were and are interested in the course of the Agency.** If we take this aspect into account, we could say that

OPANAL is not relevant for its states-parties or at least it seems it does not have the importance that security-related institutions usually have.

- Since the 60s', development began to be the main preoccupation for Latin American states leaving in the background the external security agenda. As we explained it, during military governments the national security doctrine was imposed but since the mid-80s' with the return to democracy, the internal security agenda lost momentum and the role of military branches was submitted to civilian control. This new political turn accentuated the lack of importance of security issues. We exposed how the nuclear threat became considered almost inexistent by the presidents of the neoliberal wave, leading them to reassess their own definitions of sovereignty and security. Hence, **the perceived gradual loss of importance of the nuclear threat also contributed to diminishing the significance of Tlatelolco.**
- In the second analysed period, all the 33 states of the region became states-parties of Tlatelolco including the most reticent ones: Brazil, Argentina, Chile and Cuba, which contributed to the Treaty's universalization. The completion of **the decolonization process mainly in the Caribbean delayed the application of the Treaty in all the territory**, but it did not impede its full entry into force afterwards. France, which had been reluctant to ratify the Additional Protocol I, reversed its position as well. Despite these legal and institutional accomplishments, Tlatelolco's states-parties were unable to transform these adhesions into political victories. For instance, they did not update or expand the Treaty's mandate nor they boosted the OPANAL's role. **Paradoxically, the entry into force of Tlatelolco in all the Latin American territory brought about a conspicuous institutional existential crisis, and to some extent, it unleashed an ossification process of OPANAL, menacing its survival.** In the 90s', the fact that key states-parties of Tlatelolco namely Mexico, Brazil and Argentina coincided in not expanding the Treaty's mandate towards the regulation of nuclear waste or towards nuclear energy cooperation echoed in other states' unwillingness to re-orient the Tlatelolco's institutional future, limiting the role of the Agency to the accomplishment of diplomatic and cooperation tasks and to the eventual organization of scientific outreach activities.

- Furthermore, **the nuclear proliferation problem has been a sporadic and not a lingering preoccupation in Latin America because a proliferator has not emerged sharply**, even if Cuba hosted the Soviet Missiles in 1962 and Argentina and Brazil at certain moments in the '70s and '80s seemed to have ambiguous purposes with their nuclear programs. Consequently, if nuclear proliferation has not been a longstanding threat in the region, the solution, that is the Treaty, has constantly run the risk of losing momentum. Therefore, over time, Tlatelolco became perceived as relatively irrelevant to their states-parties, as our hypothesis (II c) had pointed it out.
- In this daunting context for the Tlatelolco system, the Regional Cooperative Arrangements for the Promotion of Nuclear Science and Technology in Latin America (ARCAL) and the Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials (ABACC) emerged to cope with the nuclear energy cooperation regional needs and the nuclear materials' control and verification activities required by Argentina and Brazil. Although unintentionally, **the establishment of both institutions reinforced the loss of relevance of OPANAL and institutionalized the different nuclear agendas** of Brazil and Argentina and of the rest of the countries mostly with incipient or no nuclear capabilities, as we suggested in our hypothesis (II a).
- Before the Tlatelolco's inception, the nuclear asymmetries between Brazil, Argentina and the rest of Latin American and Caribbean countries were already visible, also the contradictions of their interests and preferences. Brazil and Argentina were more interested in developing their nuclear programs, than in fostering a nuclear non-proliferation regional regime because as we explained it, they perceived this restraint as a discriminatory measure and as an action in benefit of NWSs' supremacy. Moreover, they did not want to include India as an NWS or as a candidate to sign an additional protocol as Secretaries-General prescribed it. Additionally, they demanded to the OPANAL General Conference a constant assessment of the compliance of the Treaty including the role of NWSs. Their critical and sceptical attitudes regarding the effectiveness of Tlatelolco got accentuated **after the 1982 Malvinas/Falklands islands war**, pushing them outwards to find new bodies or institutions to satisfy their positions. To this respect, it can be noticed that **Argentina preferred to promote its nuclear and non-proliferation stances by building up ties with**

emergent countries or similar pairs, for instance through the “New Delhi’s group of six”, and the ABACC; and Brazil, privileged the expansion of its zone of influence towards the South Atlantic through the establishment of the South Atlantic Peace and Cooperation Zone (SAPCZ), but also by strengthening its cooperation with its Plata Basin’s neighbour and its pairs through the 1996 “New Agenda Coalition” (NAC) towards complete disarmament. Despite their scepticism about Tlatelolco’s efficacy to tackle potential nuclear threats coming from NWSs, they did not impede the Treaty’s implementation process. Nevertheless, **their reluctance to enforce the Treaty in their territories was a political token that undermined the Tlatelolco’s legitimacy for a long time. Also, this reluctance turned them for some decades the target of Western suspicion, which considered they were proliferating militarily.**

- Therefore, **the combination of systemic factors** -such as the superpowers’ signature of START I and the US financial and political pressure, especially over Argentina during Menem’s government- **and domestic variables** -such as the neoliberal presidents’ new understandings about state and security- **explains the shift of Argentina’s and Brazil’s non-proliferation positions allowing the entry into force of Tlatelolco in their territories.**
- We should underline that **the changes in Brazil’s and Argentina’s non-proliferation postures were implemented by their governments as a mean to obtain certain immediate rewards (debt renegotiation, technological transfer).** Similarly, **the new conceptualization about the state and the deepening of Mexico’s interdependence with the US affected Mexico’s internationalism clearly linked to non-proliferation and disarmament, prioritizing trade and the fight against bi-national threats such as illegal immigration and drug trafficking.**
- If we gauge the overall performance and effectiveness of Tlatelolco we can estimate that it achieved a moderate effectiveness level. Notably, the Treaty obtained universality with its full acceptance by the 33 Latin American and Caribbean states, and it gained international legitimacy through the ratification of the Additional Protocols by all the extra-continental countries, that even negotiated with the IAEA their safeguards agreements. **According to the OPANAL Secretaries-General’s reports, states parties have accomplished**

considerably with the requirements of the control system (See Annexes 2 and 3) **and none of them has violated Tlatelolco since its enactment.** Although, the Treaty's mandate and OPANAL could not be modernized according to the new threats (e.g.: nuclear radioactive waste) and the new states-parties' demands (e.g.: nuclear energy harnessing), OPANAL focused on: assisting states-parties in their compliance tasks, cooperating with other international entities and extra-continental states, particularly for the establishment of new NWFZs and, promoting non-proliferation, especially the Latin American experience through scientific and academic outreach activities. Notably, **the role of Mexican diplomacy until the 90s was paramount for the “export” of the Tlatelolco model and the promotion of non-proliferation and disarmament international norms.**

- The OPANAL's high-intensity diplomacy inwards and outwards coupled with the perceived absence of an immediate nuclear threat fuelled a long-standing inter-State peace in the continent and concurrently **fostered a regional nuclear taboo**, which was reinforced once Brazil, Argentina, Chile and Cuba adopted fully the Treaty. **Non-proliferation is one of the few areas where Latin American and Caribbean countries of the region have had a stable and unified position for almost half a century.**
- To some extent, the “export” of the ‘Tlatelolco model’, and **the OPANAL's proposal of developing a standing forum of NWFZs' states-parties to galvanize collective action and undertake common initiatives, proved the OPANAL's embeddness ability in the scaffolding of the international non-proliferation regime**, as we claimed in our hypothesis (II d). Undoubtedly, the establishment of the LAC - NWFZ was a paradigmatic case and an international reference for the creation of other NWFZs and for the NPT itself. **This international recognition has been until nowadays an important political capital to explode by OPANAL to keep alive the Agency and Tlatelolco.**
- However, until now several challenges have remained unchangeable. **NWSs' interpretative declarations persist, and an eventual denunciation of the Treaty cannot be discarded either.** Over the last decade, some declarations and resolutions have been issued addressing the problem of NWSs' interpretative declarations, namely: the 2013 Declaration of Santiago of the first CELAC Summit, which in its 44 numeral “[called] upon the nuclear powers to

withdraw their reservations and interpretative declarations to the Protocols to the Treaty, and to respect the denuclearization status of the Latin American and Caribbean region” (CEPAL, 2013:8); the 2014 CELAC proclamation of the region as a “Zone of peace”, which reinforced the denuclearization of the continent; the 2016 UN General Assembly Resolution 71/27, which “[encouraged] once again States parties to Additional Protocols [...] to review their interpretative declarations thereto, [...], reaffirming and recognizing the legitimate interests of the States that comprise the [LAC NWFZ] in receiving full and unequivocal security assurances from the NWSs” (UNGA, 2016:3); and lastly, the 2019 OPANAL General Conference’s resolution CG/Res.12/2019 adopted on November 7, which decided to continue with the diplomatic good offices before the Russian Federation and France, which currently do not recognize the Treaty’s zone of application, and before the US, the UK and Russia due to their hypothesis that a state-party commits a military aggression with the support of a NWS or in support of a NWS (OPANAL, 2019a: 3; OPANAL, 2019b: 1).

- **Moreover, from the 2015 Review Conference of the parties to the NPT until the recent 2020 Review Conference, Latin American and Caribbean states have been able to unify their positions and submit two working papers as Tlatelolco state-parties** encouraging the ratification of CTBT’s annexe 2 as well as the urgent adhesion to the NPT, and the fulfilment of its article VI, but most importantly, enjoining the states parties to additional protocols to the NWFZs’ treaties to give full Negative Security Assurances (UN, 2020:3).
- **The legal advantages that Tlatelolco may have conquered in the past are at the moment incommensurable in political terms.** In the years to come, the tri-polar world order will be a defy to Tlatelolco given that the continent is now considered by the US Southern Command (SOUTHCOM) as “the front line” in its clash with China (Seldin, 2021). With all these obstacles a couple of questions remain to be answered in the future: ¿who did benefit the most from Tlatelolco: the Latin American and Caribbean states or the NWSs, particularly the US? Will the compliance of Tlatelolco deteriorate in front of the new geopolitical order? It seems that this latter is likely to happen.
- To conclude, and reassessing this thesis holistically, we can underline that **it has contributed to sketch out a basic reference to evaluate the effectiveness of**

an NWFZ Treaty by intertwining domestic, regional and systemic dimensions and by incorporating material and immaterial variables in a heterodox theoretical framework. It had sketched out a concept and understanding of effectiveness in the context of a NWFZ Treaty and has showcased the persistence of their limits. Are they still stepping-stones towards the construction of a Nuclear-Free World? The case of Latin America and the Caribbean suggests that without the commitment of NWSs and nuclear-capable states, the desired Nuclear-Free World can be a mere Panglossian objective.

Epilogue

At the end of the '90s most of the Latin American countries were under political, social and economic crisis as a result of the neoliberal policies implemented during this decade in the frame of the Structural Adjustment Policies recommended by the International Monetary Fund (IMF) and the World Bank (WB). This social disgruntlement provoked the raising by new political leaders of progressive ideas. This was named the “pink tide” because of leaders' leftist leans. The triumph of Hugo Chávez in 1998 in the General elections of Venezuela marked the onset of this turn to the left. During the first decade of the 21st century most of the presidents in Latin America were leftist. This political change also implied the creation of new regional organizations in order to increase economic and political integration and assure the autonomy of the continent from Washington's influence. For these purposes, CELAC and the South American Defence Council were founded in 2010 and in 2008 respectively.

Both institutions wanted the constitution of Latin America as a peace zone, which reinforced the objectives of the Treaty of Tlatelolco. In the case of CELAC, the I Summit carried out in Santiago de Chile in 2013, not only recognized the contribution of the Treaty of Tlatelolco to the world security and peace, but also the presidents enjoined the NWSs to withdraw their interpretative declarations on the Additional Protocols, and to respect the denuclearized status of the region (OPANAL, S/BP52). CELAC expressed in several summits its support for the full abolition of nuclear weapons as the only peace guarantee and it remarked on the need for a legally binding instrument where the NWSs commit to taking measures of Negative Security Assurance for the NNWS. In this regard, the position of the Latin American bloc became more critical and radical in this period.

The tepid results of the NPT and its legitimacy was harshly questioned by Latin American countries – especially Brazil, Argentina, Venezuela, Ecuador and Bolivia. These last three countries started to explore the possibilities of having nuclear power plants in their territories. Given the growing tensions between Venezuela and the US, Hugo Chávez's purposes of building a nuclear plant with the cooperation of Russia, Iran, Brazil and Argentina, raised the preoccupation of some US policymakers and experts. Also, the Brazilian intentions of developing nuclear-powered submarines worried Washington. Nevertheless, these speculations sharply contrasted with the absence of evidence that Brazil or Venezuela were violating the Treaty of Tlatelolco or the ABACC safeguards system in the case of Brazil. So far Venezuela has renounced to

its program in the short term and Brazil has not breached the regional non-proliferation rules (Patti, 2016). Although the signature of the Additional Protocol of the NPT for strengthening the safeguards and inspection system does not depend directly on the Treaty of Tlatelolco, Brazil, Argentina and Venezuela, have been reluctant to sign it.

It is relevant to mention that the ‘pink tide’ governments took a more radical and critical position against the possession and modernization of nuclear arsenals and the inequity of the nuclear world order established by the NPT. Concurrently, they were more prone to explore new opportunity windows for harnessing the peaceful uses of nuclear energy.

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Annexes

Annex 1: Text of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)

(With the amendments adopted by the General Conference to Articles 7, 14, 15, 16, 19, 20 and 25)

Preamble

In the name of their peoples and faithfully interpreting their desires and aspirations, the Governments of the States which sign the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean,

Desiring 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,

Recalling that the United Nations General Assembly, in its Resolution 808 (IX), adopted unanimously as one of the three points of a coordinated programme of disarmament “the total prohibition of the use and manufacture of nuclear weapons and weapons of mass destruction of every type”,

Recalling that militarily denuclearized zones are not an end in themselves but rather a means for achieving general and complete disarmament at a later stage,

Recalling United Nations General Assembly Resolution 1911 (XVIII), which established that the measures that should be agreed upon for the denuclearization of Latin America and the Caribbean should be taken “in the light of the principles of the Charter of the United Nations and of regional agreements”,

Recalling United Nations General Assembly Resolution 2028 (XX), which established the principle of an acceptable balance of mutual responsibilities and duties for the nuclear and non-nuclear powers, and

Recalling that the Charter of the Organization of American States proclaims that it is an essential purpose of the Organization to strengthen the peace and security of the hemisphere,

Convinced:

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 general and complete disarmament under effective international control is a vital matter which all the peoples of the world equally demand,

That the proliferation of nuclear weapons, which seems inevitable unless States, in the exercise of their sovereign rights, impose restrictions on themselves in order to prevent it, would make any agreement on disarmament enormously difficult and would increase the danger of the outbreak of a nuclear conflagration,

That the establishment of militarily denuclearized zones is closely linked with the maintenance of peace and security in the respective regions,

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,

That the privileged situation of the signatory States, whose territories are wholly free from nuclear weapons, imposes upon them the inescapable duty of preserving that situation both in their own interests and for the good of mankind,

That the existence of nuclear weapons in any country of Latin America and the Caribbean would make it a target for possible nuclear attacks and would inevitably set off, throughout the region, a ruinous race in nuclear weapons which would involve the unjustifiable diversion, for warlike purposes, of the limited resources required for economic and social development,

That the foregoing reasons, together with the traditional peace-loving outlook of Latin America and the Caribbean, give rise to an inescapable necessity that nuclear energy should be used in that region exclusively for peaceful purposes, and that the Latin American and Caribbean 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,

Convinced finally:

That the military denuclearization of Latin America and the Caribbean – being understood to mean the undertaking entered into internationally in this Treaty to keep their territories forever free from nuclear weapons – will constitute a measure which will spare their peoples from the squandering of their limited resources on nuclear armaments and will protect them against possible nuclear attacks on their territories, and will also constitute a significant contribution towards preventing the proliferation of nuclear weapons and a powerful factor for general and complete disarmament, and

That Latin America and the Caribbean, faithful to their tradition of universality, must not only endeavour to banish from their homelands the scourge of a nuclear war, but must also strive to promote the well-being and advancement of their 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,

Have agreed as follows:

Obligations

Article 1

1. The Contracting Parties hereby undertake to use exclusively for peaceful purposes the nuclear material and facilities which are under their jurisdiction, and to prohibit and prevent in their respective territories:

a. The testing, use, manufacture, production or acquisition by any means whatsoever of any nuclear weapons, by the Parties themselves, directly or indirectly, on behalf of anyone else or in any other way, and

b. The receipt, storage, installation, deployment and any form of possession of any nuclear weapons, directly or indirectly, by the Parties themselves, by anyone on their behalf or in any other way.

2. The Contracting Parties also undertake to refrain from engaging in, encouraging or authorizing, directly or indirectly, or in any way participating in the testing, use, manufacture, production, possession or control of any nuclear weapon.

Definition of the Contracting Parties

Article 2

For the purpose of this Treaty, the Contracting Parties are those for whom the Treaty is in force.

Definition of territory

Article 3

For the purposes of this Treaty, the term “territory” shall include the territorial sea, air space and any other space over which the State exercises sovereignty in accordance with its own legislation.

Zone of application

Article 4

1. The zone of application of this Treaty is the whole of the territories for which the Treaty is in force.

2. Upon fulfilment of the requirements of article 29, paragraph 1, the zone of application of this Treaty shall also be that which is situated in the western hemisphere within the following limits (except the continental part of the territory of the United States of America and its territorial waters): starting at a point located at 35° north latitude, 75° west longitude; from this point directly southward to a point at 30° north latitude, 75° west longitude; from there, directly eastward to a point at 30° north latitude, 50° west longitude; from there, along a loxodromic line to a point at 5° north

latitude, 20° west longitude; from there, directly southward to a point at 60° south latitude, 20° west longitude; from there, directly westward to a point at 60° south latitude, 115° west longitude; from there, directly northward to a point at 0° latitude, 115° west longitude; from there, along a loxodromic line to a point at 35° north latitude, 150° west longitude; from there, directly eastward to a point at 35° north latitude, 75° west longitude.

Definition of nuclear weapons

Article 5

For the purposes of this Treaty, a nuclear weapon is any device which is capable of releasing nuclear energy in an uncontrolled manner and which has a group of characteristics that are appropriate for use for warlike purposes. An instrument that may be used for the transport or propulsion of the device is not included in this definition if it is separable from the device and not an indivisible part thereof.

Meeting of Signatories

Article 6

At the request of any of the signatory States or if the Agency established by article 7 should so decide, a meeting of all the signatories may be convoked to consider in common questions which may affect the very essence of this instrument, including possible amendments to it. In either case, the meeting will be convoked by the Secretary-General.

Organization

Article 7

1. In order to ensure compliance with the obligations of this Treaty, the Contracting Parties hereby establish an international organization to be known as the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, hereinafter referred to as "the Agency". Only the Contracting Parties shall be affected by its decisions.
2. The Agency shall be responsible for the holding of periodic or extraordinary consultations among Member States on matters relating to the purposes, measures and procedures set forth in this Treaty and to the supervision of compliance with the obligations arising therefrom.
3. The Contracting Parties agree to extend to the Agency full and prompt co-operation in accordance with the provisions of this Treaty, of any agreements they may conclude with the Agency and of any agreements the Agency may conclude with any other international organization or body.
4. The headquarters of the Agency shall be in Mexico City.

Organs

Article 8

1. There are hereby established as principal organs of the Agency a General Conference, a Council and a Secretariat.
2. Such subsidiary organs as are considered necessary by the General Conference may be established within the purview of this Treaty.

The General Conference

Article 9

1. The General Conference, the supreme organ of the Agency, shall be composed of all the Contracting Parties; it shall hold regular sessions every two years, and may also hold special sessions whenever this Treaty so provides or, in the opinion of the Council, the circumstances so require.
2. The General Conference:
 - a. May consider and decide on any matters or questions covered by this Treaty, within the limits thereof, including those referring to powers and functions of any organ provided for in this Treaty;
 - b. Shall establish procedures for the control system to ensure observance of this Treaty in accordance with its provisions;
 - c. Shall elect the Members of the Council and the Secretary-General;
 - d. May remove the Secretary-General from office if the proper functioning of the Agency so requires;
 - e. Shall receive and consider the biennial and special reports submitted by the Council and the Secretary-General;
 - f. Shall initiate and consider studies designed to facilitate the optimum fulfilment of the aims of this Treaty, without prejudice to the power of the Secretary-General independently to carry out similar studies for submission to and consideration by the Conference;
 - g. Shall be the organ competent to authorize the conclusion of agreements with Governments and other international organizations and bodies.
3. The General Conference shall adopt the Agency's budget and fix the scale of financial contributions to be paid by Member States, taking into account the systems and criteria used for the same purpose by the United Nations.
4. The General Conference shall elect its officers for each session and may establish such subsidiary organs as it deems necessary for the performance of its functions.

5. Each Member of the Agency shall have one vote. The decisions of the General Conference shall be taken by a two-thirds majority of the Members present and voting in the case of matters relating to the control system and measures referred to in article 21, the admission of new Members, the election or removal of the Secretary-General, adoption of the budget and matters related thereto. Decisions on other matters, as well as procedural questions and also determination of which questions must be decided by a two-thirds majority, shall be taken by a simple majority of the Members present and voting.

6. The General Conference shall adopt its own rules of procedure.

The Council

Article 10

1. The Council shall be composed of five Members of the Agency elected by the General Conference from among the Contracting Parties, due account being taken of equitable geographic distribution.

2. The Members of the Council shall be elected for a term of four years. However, in the first election three will be elected for two years. Outgoing Members may not be re-elected for the following period unless the limited number of States for which the Treaty is in force so requires.

3. Each Member of the Council shall have one representative.

4. The Council shall be organized as to be able to function continuously.

5. In addition to the functions conferred upon it by this Treaty and to those which may be assigned to it by the General Conference, the Council shall, through the Secretary-General, ensure the proper operation of the Control System in accordance with the provisions of this Treaty and with the decisions adopted by the General Conference.

6. The Council shall submit an annual report on its work to the General Conference as well as such special reports as it deems necessary or which the General Conference requests of it.

7. The Council shall elect its officers for each session.

8. The decisions of the Council shall be taken by a simple majority of its Members present and voting.

9. The Council shall adopt its own rules of procedure.

The Secretariat

Article 11

1. The Secretariat shall consist of a Secretary-General, who shall be the chief administrative officer of the Agency, and of such staff as the Agency may require. The term of office of the Secretary-General shall be four years and he may be re-elected for

a single additional term. The Secretary-General may not be a national of the country in which the Agency has its headquarters. In case the office of Secretary-General becomes vacant, a new election shall be held to fill the office for the remainder of the term.

2. The staff of the Secretariat shall be appointed by the Secretary-General, in accordance with rules laid down by the General Conference.

3. In addition to the functions conferred upon him by this Treaty and to those which may be assigned to him by the General Conference, the Secretary-General shall ensure, as provided by article 10, paragraph 5, the proper operation of the Control System established by this Treaty, in accordance with the provisions of the Treaty and the decisions taken by the General Conference.

4. The Secretary-General shall act in that capacity in all meetings of the General Conference and of the Council and shall make an annual report to both bodies on the work of the Agency and any special reports requested by the General Conference or the Council or which the Secretary-General may deem desirable.

5. The Secretary-General shall establish the procedures for distributing to all Contracting Parties information received by the Agency from governmental sources and such information from non-governmental sources as may be of interest to the Agency.

6. In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any Government or from any other authority external to the Agency and shall refrain from any action which might reflect on their position as international officials responsible only to the Agency; subject to their responsibility to the Agency, they shall not disclose any industrial secrets or other confidential information coming to their knowledge by reason of their official duties in the Agency.

7. Each of the Contracting Parties undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.

Control System

Article 12

1. For the purpose of verifying compliance with the obligations entered into by the Contracting Parties in accordance with article 1, a Control System shall be established which shall be put into effect in accordance with the provisions of articles 13-18 of this Treaty.

2. The Control System shall be used in particular for the purpose of verifying:

a. That devices, services and facilities intended for peaceful uses of nuclear energy are not used in the testing or manufacture of nuclear weapons;

b. That none of the activities prohibited in article 1 of this Treaty are carried out in the territory of the Contracting Parties with nuclear materials or weapons introduced from abroad, and

c. That explosions for peaceful purposes are compatible with article 18 of this Treaty.

IAEA Safeguards

Article 13

Each Contracting Party shall negotiate multilateral or bilateral agreements with the International Atomic Energy Agency for the application of its safeguards to its nuclear activities. Each Contracting Party shall initiate negotiations within a period of 180 days after the date of the deposit of its instrument of ratification of this Treaty. These agreements shall enter into force, for each Party, not later than eighteen months after the date of the initiation of such negotiations except in case of unforeseen circumstances or force majeure.

Reports of the Parties

Article 14

1. The Contracting Parties shall submit to the Agency and to the International Atomic Energy Agency, for their information, semi-annual reports stating that no activity prohibited under this Treaty has occurred in their respective territories.
2. The Contracting Parties to the Treaty shall simultaneously transmit to the Agency a copy of the reports submitted to the International Atomic Energy Agency which relate to matters subject of this Treaty that are relevant to the work of the Agency.
3. The information furnished by the Contracting Parties shall not be, totally or partially, disclosed or transmitted to third parties, by the addressees of the reports, except when the Contracting Parties give their express consent.

Special reports requested by the Secretary-General

Article 15

1. At the request of any of the Contracting Parties and with the authorization of the Council, the Secretary-General may request any of the Contracting Parties to provide the Agency with complementary or supplementary information regarding any extraordinary event or circumstance which affects the compliance with this Treaty, explaining his reasons. The Contracting Parties undertake to co-operate promptly and fully with the Secretary-General.
2. The Secretary-General shall inform the Council and the Contracting Parties forthwith of such requests and of the respective replies.

Special inspections

Article 16

1. The International Atomic Energy Agency has the power of carrying out special inspections in accordance with article 12 and with the agreements referred to in article 13 of this Treaty.

2. At the request of any of the Contracting Parties and in accordance with the procedures established in article 15 of this Treaty, the Council may submit for the consideration of the International Atomic Energy Agency a request that the necessary mechanisms be put into operation to carry out a special inspection.

3. The Secretary-General shall request the Director General of the International Atomic Energy Agency to transmit to him in a timely manner the information forwarded to the Board of Governors of the IAEA relating to the conclusion of the special inspection. The Secretary-General shall make this information available to the Council promptly.

4. The Council, through the Secretary-General shall transmit this information to all the Contracting Parties.

Use of nuclear energy for peaceful purposes

Article 17

Noting 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.

Explosions for peaceful purposes

Article 18

1. 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 – or collaborate with third parties for the same purpose, provided that they do so in accordance with the provisions of this article and the other articles of the Treaty, particularly articles 1 and 5.

2. The Contracting Parties intending to carry out, or to co-operate in carrying out, such an explosion shall notify the Agency and the International Atomic Energy Agency, as far in advance as the circumstances require, of the date of the explosion and shall at the same time provide the following information:

- a. The nature of the nuclear device and the source from which it was obtained;
- b. The place and purpose of the planned explosion;
- c. The procedures which will be followed in order to comply with paragraph 3 of this article;
- d. The expected force of the device, and
- e. The fullest possible information on any possible radioactive fall-out that may result from the explosion or explosions, and measures which will be taken to avoid danger to the population, flora, fauna and territories of any other Party or Parties.

3. The Secretary-General and the technical personnel designated by the Council and the International Atomic Energy Agency may observe all the preparations, including the

explosion of the device, and shall have unrestricted access to any area in the vicinity of the site of the explosion in order to ascertain whether the device and the procedures followed during the explosion are in conformity with the information supplied under paragraph 2 of this article and the other provisions of this Treaty.

4. The Contracting Parties may accept the collaboration of third parties for the purpose set forth in paragraph 1 of the present article, in accordance with paragraphs 2 and 3 thereof.

Relations with the IAEA

Article 19

The Agency may conclude such agreements with the International Atomic Energy Agency as are authorized by the General Conference and as it considers likely to facilitate the efficient operation of the Control System established by this Treaty.

Relations with other international organizations

Article 20

1. The Agency may also enter into relations with any international organization or body, especially any which may be established in the future to supervise disarmament or measures for the control of armaments in any part of the world.

2. The Contracting Parties may, if they see fit, request the advice of the Inter-American Nuclear Energy Commission on all technical matters connected with the application of this Treaty with which the Commission is competent to deal under its Statute.

Measures in the event of violation of the Treaty

Article 21

1. The General Conference shall take note of all cases in which, in its opinion, any Contracting Party is not complying fully with its obligations under this Treaty and shall draw the matter to the attention of the Party concerned, making such recommendations as it deems appropriate.

2. If, in its opinion, such non-compliance constitutes a violation of this Treaty which might endanger peace and security, the General Conference shall report there on simultaneously to the United Nations Security Council and the General Assembly through the Secretary-General of the United Nations, and to the Council of the Organization of American States. The General Conference shall likewise report to the International Atomic Energy Agency for such purposes as are relevant in accordance with its Statute.

United Nations and Organization of American States

Article 22

None of the provisions of this Treaty shall be construed as impairing the rights and obligations of the Parties under the Charter of the United Nations or, in the case of States Members of the Organization of American States, under existing regional treaties.

Privileges and immunities

Article 23

1. The Agency shall enjoy in the territory of each of the Contracting Parties such legal capacity and such privileges and immunities as may be necessary for the exercise of its functions and the fulfilment of its purposes.

2. Representatives of the Contracting Parties accredited to the Agency and officials of the Agency shall similarly enjoy such privileges and immunities as are necessary for the performance of their functions.

3. The Agency may conclude agreements with the Contracting Parties with a view to determining the details of the application of paragraphs 1 and 2 of this article.

Notification of other agreements

Article 24

Once this Treaty has entered into force, the Secretariat shall be notified immediately of any international agreement concluded by any of the Contracting Parties on matters with which this Treaty is concerned; the Secretariat shall register it and notify the other Contracting Parties.

Settlement of disputes

Article 25

Unless the Parties concerned agree on another mode of peaceful settlement, any question or dispute concerning the interpretation or application of this Treaty which is not settled shall be referred to the International Court of Justice with the prior consent of the Parties to the controversy.

Signature

Article 26

1. This Treaty shall be open indefinitely for signature by:

a. All the Latin American and Caribbean Republics, and

b. All other sovereign States situated in their entirety south of latitude 35o north in the western hemisphere; and, except as provided in paragraph 2 of this article, all such States which become sovereign, when they have been admitted by the General Conference.

2. The condition of State Party to the Treaty of Tlatelolco shall be restricted to independent States which are situated within the zone of application of the Treaty in accordance with article 4 of same, and with paragraph 1 of the present article, and which were Members of the United Nations as of December 10, 1985 as well as the non-autonomous territories mentioned in document OAS/CER.P, AG/doc. 1939/85 of November 5, 1985, once they attain their independence.

Ratification and deposit

Article 27

1. This Treaty shall be subject to ratification by signatory States in accordance with their respective constitutional procedures.

2. This Treaty and the instruments of ratification shall be deposited with the Government of the Mexican United States, which is hereby designated the Depositary Government.

3. The Depositary Government shall send certified copies of this Treaty to the Governments of signatory States and shall notify them of the deposit of each instrument of ratification.

Reservations

Article 28

This Treaty shall not be subject to reservations.

Entry into force

Article 29

1. Subject to the provisions of paragraph 2 of this article, this Treaty shall enter into force among the States that have ratified it as soon as the following requirements have been met:

a. Deposit of the instruments of ratification of this Treaty with the Depositary Government by the Governments of the States mentioned in article 26 which are in existence on the date when this Treaty is opened for signature and which are not affected by the provisions of article 26, paragraph 2;

b. Signature and ratification of Additional Protocol I annexed to this Treaty by all extra-continental or continental States having de jure or de facto international responsibility for territories situated in the zone of application of the Treaty;

c. Signature and ratification of the Additional Protocol II annexed to this Treaty by all powers possessing nuclear weapons;

d. Conclusion of bilateral or multilateral agreements on the application of the Safeguards System of the International Atomic Energy Agency in accordance with article 13 of this Treaty.

2. All signatory States shall have the imprescriptible right to waive, wholly or in part, the requirements laid down in the preceding paragraph. They may do so by means of a declaration which shall be annexed to their respective instrument of ratification and which may be formulated at the time of deposit of the instrument or subsequently. For those States which exercise this right, this Treaty shall enter into force upon deposit of the declaration, or as soon as those requirements have been met which have not been expressly waived.

3. As soon as this Treaty has entered into force in accordance with the provisions of paragraph 2 for eleven States, the Depositary Government shall convene a preliminary meeting of those States in order that the Agency may be set up and commence its work.

4. After the entry into force of this Treaty for all the countries of the zone, the rise of a new power possessing nuclear weapons shall have the effect of suspending the execution of this Treaty for those countries which have ratified it without waiving requirements of paragraph 1, subparagraph c of this article, and which request such suspension; the Treaty shall remain suspended until the new power, on its own initiative or upon request by the General Conference, ratifies the annexed Additional Protocol II

Amendments

Article 30

1. Any Contracting Party may propose amendments to this Treaty and shall submit its proposals to the Council through the Secretary-General, who shall transmit them to all the other Contracting Parties and, in addition, to all other Signatories in accordance with article 6. The Council through the Secretary-General, shall immediately following the meeting of signatories convene a special session of the General Conference to examine the proposals made, for the adoption of which a two-thirds majority of the Contracting Parties present and voting shall be required.

2. Amendments adopted shall enter into force as soon as the requirements set forth in article 29 of this Treaty have been complied with.

Duration and denunciation

Article 31

1. This Treaty shall be of a permanent nature and shall remain in force indefinitely, but any Party may denounce it by notifying the Secretary-General of the Agency if, in the opinion of the denouncing State, there have arisen or may arise circumstances connected with the content of this Treaty or of the annexed Additional Protocols I and II which affect its supreme interests or the peace and security of one or more Contracting Parties.

2. The denunciation shall take effect three months after the delivery to the Secretary-General of the Agency of the notification by the Government of the signatory State concerned. The Secretary-General shall immediately communicate such notification to the other Contracting Parties and to the Secretary-General of the United Nations for the information of the United Nations Security Council and the General Assembly. He shall also communicate it to the Secretary-General of the Organization of American States.

Authentic texts and registration

Article 32

This Treaty, of which the Spanish, Chinese, English, French, Portuguese and Russian texts are equally authentic, shall be registered by the Depositary Government in accordance with article 102 of the United Nations Charter. The Depositary Government shall notify the Secretary-General of the United Nations of the signatures, ratifications and amendments relating to this Treaty and shall communicate them to the Secretary-General of the Organization of American States for its information.

Transitional Article

Denunciation of the declaration referred to in article 29, paragraph 2, shall be subject to the same procedures as the denunciation of this Treaty, except that it will take effect on the date of delivery of the respective notification. In witness whereof the undersigned Plenipotentiaries, having deposited their full powers, found in good and due form, sign this Treaty on behalf of their respective Governments.

Done at Mexico, Distrito Federal, on the Fourteenth day of February, one thousand nine hundred and sixty-seven.

Additional Protocol I

The undersigned Plenipotentiaries, furnished with full powers by their respective Governments, Convinced that the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, negotiated and signed in accordance with the recommendations of the General Assembly of the United Nations in Resolution 1911 (XVIII) of 27 November 1963, represents an important step towards ensuring the non-proliferation of nuclear weapons, 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 larger stage, and Desiring 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 mutual respect and sovereign equality of States, Have agreed as follows:

Article 1

To undertake to apply the statute of denuclearization in respect of warlike purposes as defined in articles 1, 3, 5 and 13 of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean in territories for which, de jure or de facto, they are internationally responsible and which lie within the limits of the geographical zone established in that Treaty.

Article 2

The duration of this Protocol shall be the same as that of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean of which this Protocol is annex, and the provisions regarding ratification and denunciation contained in the Treaty shall be applicable to it.

Article 3

This Protocol shall enter into force, for the States which have ratified it, on the date of the deposit of their respective instruments of ratification. In witness whereof the undersigned Plenipotentiaries, having deposited their full powers, found in good and due form, sign this Protocol on behalf of their respective Governments.

Additional Protocol II

The undersigned Plenipotentiaries, furnished with full powers by their respective Governments,

Convinced that the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, negotiated and signed in accordance with the recommendations of the General Assembly of the United Nations in Resolution 1911 (XVIII) of 27 November 1963, represents an important step towards ensuring the non-proliferation of nuclear weapons,

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 larger stage, and

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

Have agreed as follows:

Article 1

The statute of denuclearization of Latin America and the Caribbean in respect of warlike purposes, as defined, delimited and set forth in the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean of which this instrument is an annex, shall be fully respected by the Parties to this Protocol in all its express aims and provisions.

Article 2

The Governments represented by the undersigned Plenipotentiaries undertake, therefore, 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.

Article 3

The Governments represented by the undersigned Plenipotentiaries also undertake not to use or threaten to use nuclear weapons against the Contracting Parties of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean.

Article 4

The duration of this Protocol shall be the same as that of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean of which this Protocol is an annex, and the definitions of territory and nuclear weapons set forth in articles 3 and 5 of the Treaty shall be applicable to this Protocol, as well as the provisions regarding ratification, reservations, denunciation, authentic texts and registration contained in articles 27, 28, 31 and 32 of the Treaty.

Article 5

This Protocol shall enter into force, for the States which have ratified it, on the date of the deposit of their respective instruments of ratification. In witness whereof the undersigned Plenipotentiaries, having deposited their full powers, found to be in good and due form, hereby sign this Additional Protocol on behalf of their respective Governments.

Note

The Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean is also known as Treaty of Tlatelolco and it was opened for signature on 14 February 1967. The present document contains the revised version, made on 5 June 2018 by the Secretariat of OPANAL, of the text of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, and it includes the amendments approved as indicated below:

- a. Article 7: the words “and the Caribbean” were added to the official title of the Treaty (approved on 3 July 1990 by resolution 267 (E-V) of the General Conference of OPANAL).
- b. Paragraph 2 of article 25 (approved on 10 May 1991 by resolution 268 (XII) of the General Conference of OPANAL).
- c. Paragraphs 2 and 3 of article 14 (approved on 26 August 1992 by resolution 290 (VII) of the General Conference of OPANAL).
- d. Paragraphs 1 and 2 of article 15 (approved on 26 August 1992 by resolution 290 (VII) of the General Conference of OPANAL).
- e. Article 16 (approved on 26 August 1992 by resolution 290 (VII) of the General Conference of OPANAL).
- f. Article 19 (approved on 26 August 1992 by resolution 290 (VII) of the General Conference of OPANAL).
- g. Article 20 (approved on 26 August 1992 by resolution 290 (VII) of the General Conference of OPANAL).

The articles abovementioned correspond to the text of the Treaty amended by the General Conference. This document is presented by the Secretariat of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) after conducting a thorough and rigorous review based on the original text of the Treaty

for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, as opened for signature on 14 February 1967, which is deposited in the Ministry of Foreign Affairs of Mexico, in its capacity as “Depositary State”, and which was amended by the aforementioned resolutions. This document replaces document S/Inf.652Rev.4 of 21 November 2006.

Annex 2 Compliance of the Tlatelolco's control system 1970 - 1985

Country	Safeguards agreements with the IAEA (art. 13)		Reports on nuclear activities (art. 14)	Notification of other nuclear agreements (art. 24)		
	Negotiation	Conclusion	Bi-annual reports	Date	Partner country	Date of notification
Antigua and Barbuda						
Bahamas	Sept. 78		Dec. 82		No Agreements	Apr. 84
Barbados			Dec. 84		No Agreements	Apr. 84
Bolivia	Jun. 73	Aug. 74	Jun. 79	Mar. 70	Argentina	Sept. 81
Colombia	Feb. 78	Dec. 82	Dec. 84	Apr. 62	US	Jun. 73
Costa Rica	Sept. 72	Aug. 79	Dec. 82		No reported	
Ecuador	Jun. 73	Oct. 74	Dec. 83	Apr. 77 May. 77	Argentina Spain	Jul. 77 Jul. 77
El Salvador	May. 74	Apr. 75	Jun. 83		No Agreements	Jul. 79
Grenada	Aug. 75		Jun. 81		No Agreements	Sept. 80
Guatemala	Jun. 77	Feb. 82	Dec. 84		No Agreements	Mar. 84
Haiti	Jun. 73	Jan. 75	Jun. 79		No Agreements	Jul. 73
Honduras	May. 74	Apr. 75	Dec. 83		No reported	
Jamaica	Feb. 78	Sept. 78	Dec. 84	Jan. 84	Canada and US	Mar. 84
Mexico*		Sept. 68	Dec. 84	Oct. 65 – Mar. 79	15 Agreements	Oct. 1979 (Last report)
Nicaragua	Sept. 73	Feb. 75	Dec. 84		No Agreements	Mar. 84
Panama	Jun. 73	Feb. 77	Dec. 84		No report	
Paraguay	Jan. 78	Feb. 78	Dec. 84	Aug. 61 Jul. 67 Dec. 76	Brazil Argentina Chile	Jun. 73 Jun. 73 Aug. 79
Peru	Feb. 78	Mar. 78	Dec. 84	Jan. 56 Nov. 66 May. 73	US Brazil Argentina	Jul. 73 Jul. 73 Jul. 73

				Sept. 68 Jul. 75 Jun. 79 May. 78	OAS Mexico Argentina Argentina, US, IAEA	Jul.73 Aug. 75 Jul. 79 Nov. 79
				May. 78 Jun. 80 Jun. 80	IAEA US Brazil	Nov. 79 Mar. 82 Mar. 82
Dominican Republic		Apr. 73	Dec. 84		No reported	
Suriname	Mar. 78	Feb. 79	Jun. 84		No Agreements	Jul. 84
Trinidad and Tobago			Dec. 83		No Agreements	Apr. 84
Uruguay		Sept. 71	Dec. 81	Oct.72 Nov. 72 Mar. 79 Jul. 79 Aug. 79	Israel Argentina Spain Chile Argentina	Oct. 72 Jun. 73 Jul.79 Sept. 79 Mar. 80
Venezuela	May. 76	Mar. 82	Dec. 84	Oct. 68 Oct. 75 Feb. 79 Jul. 79 Aug. 79 Feb. 81 Oct. 83	US US Spain Brazil Argentina US and IAEA Italy	Nov. 71 Sept. 76 Sept. 79 Sept. 79 Sept. 79 May 81 Apr. 85
Netherlands (Netherlands Antilles)	(Protocol I)	Apr. 73				

* The list of agreements signed by Mexico can be observed in the subsection 4.1.1.2. -Implementation of the Treaty

Elaborated by the author. Sources: OPANAL, 1985c; OPANAL, 1985d.

Annex 3 Compliance of the Tlatelolco's control system 1986 - 2003

Country	Safeguards agreements with the IAEA (art. 13)		Reports on nuclear activities (art. 14)	Notification of other nuclear agreements (art. 24) (until 1999)		
	Negotiation	Conclusion	Bi-annual reports (until 1999)	Date	Partner country	Date of notification
Antigua and Barbuda	Jul. 86	Sept. 96	Jun.95	-		
Argentina		Mar. 94	Jun. 99	No update		Not reported
Bahamas	Sept. 78	Feb. 97	-	No update	(See Annex 2)	
Barbados		Aug. 96	-	No update	(See Annex 2)	
Belize		Mar. 97				
Bolivia	Jun. 73	Feb.95	Dec. 86	No update		
Brazil		Mar. 94	Jun. 99	No update		
Chile		Apr. 95	Jun. 99	Jul. 59 - Apr. 1984 Sept. 96	Past agreements reported CTBT	Sept.94 Sept. 96 Mar. 99
Colombia	Feb. 78	Dec. 82	Jun. 97	Jul. 79	IAEA	Jun. 94
Costa Rica	Sept. 72	Aug. 79	Jun. 92	-		
Cuba		Sept. 2003		-		
Dominica		May. 96		-		
Ecuador	Jun. 73	Mar. 75	Dec. 95	Dec. 88 Jul. 90 Dec. 94 Sept. 96	IAEA Brazil Chile CTBT	Mar. 98 Sept. 91 Mar. 98 Nov. 96
El Salvador	May. 74	Apr. 75	Jun. 92	63 – 72 93	Past agreements reported Chemical w.	Apr. 99 Apr. 99
Grenada	Aug. 75	Jul. 96	Jun. 81	No update	(See Annex 2)	

Guatemala	Jun.77	Feb. 82	Jun. 99	No update	(See Annex 2)	
Guyana		Feb 97		-		
Haiti	Jun. 73	Jan. 75	Jun. 96	No update	(See Annex 2)	
Honduras	May. 74	Apr. 75	Dec. 89	-		
Jamaica	Feb. 78	Nov. 78	Dec. 98	Jan. 84	Canada and EUA (update)	Mar. 96
Mexico		Sept. 73	Jun. 99	Jul. 90 Jul.90 Jul. 90 Feb. 92 Sept. 96 Mar. 99 Sept. 99	Cuba Cuba Cuba Australia CTBT Spain CTBT	Aug. 90 Aug. 90 Aug. 90 Oct. 92 May. 94 Sept. 96 May. 99 Oct. 99
Nicaragua	Sept. 73	Dec. 73	Dec. 84	No update		
Panama	Jun. 73	Mar. 84	Dec. 97	No update		
Paraguay	Jan. 78	Mar.79	Jun. 98	No update		
Peru	Feb. 78	Aug.79	Jun. 99	May. 90 Jan. 92 Feb. 92 Sept. 96 Jun. 98	Chile Uruguay India CTBT IAEA	Sept. 90 Sept. 91 Feb. 92 Mar. 92 Sept. 96 Mar. 99
Dominican Republic		Oct. 73	Jun. 98	No update		
Saint Kitts and Nevis	Feb. 97	May. 96		-		
Saint Vincent and the Grenadines		Jan. 92		-		
Saint Lucia	Feb. 96	Feb. 90		-		

Suriname	Mar. 78	Feb. 79	Dec. 93	-		
Trinidad and Tobago		Nov. 92	Dec. 83	-		
Uruguay		Sept. 76	Dec. 97	Nov. 91	Argentina	Nov. 91
Venezuela	May. 76	Mar. 82	Jun. 99	Aug. 57 – Sept. 83 Aug. 86	Past agreements reported IAEA	Jan. 98 Jan. 98
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France	Aug. 97	Sep. 2000				
Netherlands (Netherlands Antilles)		Apr. 73				
United Kingdom	Apr.89	Jan. 93				
United States		Feb. 89				

Elaborated by the author. Sources: OPANAL, 2003; OPANAL, 1999b.

Publications by the author on the topic

- 2021 **“The effectiveness of Nuclear-Weapon-Free Zones: Exploring the Latin American Case” Chapter 12.** Valeria Puga Alvarez, in: Radomir Compel and Rosalie Arcala-Hall (eds.). *Security and Safety in the Era of Global Risks*, pp. 215 – 239. London: Routledge. Available at: <https://www.routledge.com/Security-and-Safety-in-the-Era-of-Global-Risks/Compel-Arcala-Hall/p/book/9780367651879>.
- 2020 **“América Latina y sus aportes al régimen de no-proliferación nuclear” [Latin America and its contributions to the nuclear non-proliferation regime]**”, Valeria Puga Alvarez, *Acta Hispánica (Szeged University)*, Supplementum II, pp. 65 -75. Available at: <https://doi.org/10.14232/actahisp.2020.0.165-175>.
- 2019 **“Latin America and its contributions to the nuclear non-proliferation regime”**, Valeria Puga Alvarez, *Conference proceedings, The 1st International PhD Conference of the IR Multidisciplinary Doctoral School of CUB*, 31 May, Budapest, pp. 127 – 130.
- 2019 **“Desarmar al bárbaro: Occidente y la cruzada contra la proliferación nuclear en Oriente Medio” [Disarming the barbarians: the West and the crusade against nuclear proliferation in the Middle East]**”, Valeria Puga Alvarez, *Relaciones Internacionales (Universidad Autónoma de Madrid)*, N° 42 “Repensando el MENA desde lo internacional”, N° 42, pp. 197 – 217. Available at: <https://revistas.uam.es/index.php/relacionesinternacionales/article/view/relacionesinternacionales2019.42.011>
- 2018 **“Functional peace? The “first wave” of Nuclear-Weapon-Free Zones”**, Valeria Puga, *Grotius, A Budapesti Corvinus Egyetem Nemzetközi Tanulmányok Intézetének Tudományos Folyóirata*, 9 June, Budapest: Corvinus University of Budapest, 25 (p). Available at: <http://www.grotius.hu/publ/displ.asp?id=HRMOKQ>.
- 2018 **“The Bibliography of New Cold War History”**, second enlarged edition, Csaba Békés and Melinda Kalmár (eds.); Valeria Puga and Tsothe Tchanturia (coordinators), December. Budapest: Cold War History Research Center, Available at: http://www.coldwar.hu/main_pubs/FULLBIBLIOGRAPHY.pdf
- 2017 **“Students on the Cold War. New findings and interpretations”**, Csaba Békés and Melinda Kalmár (eds.); Lucia Pereszlényi, Valeria Puga, Tsothe Tchanturia and Tőke Márton (assistant co-editors), December, Budapest: Cold War History Research Center, Available at: http://www.coldwar.hu/main_pubs/Students_Cold_War.pdf.