

The perspective of Mexico and Latin-America on the NPT

The growing role of intermediate industrialized countries in the non-proliferation process

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First of all, I want to thank the organizers of this conference not for inviting me, but for inviting Mexico: a country that has an outstanding tradition in non-proliferation matters and the cradle of a prestigious diplomacy still dedicated to create alternatives towards an effective and total disarmament.

This is my central message. Countries like Mexico have still something to do. Countries like Mexico, not so small considering that in 2004 it is going to be the 10th contributor to the U.N., have something to say when trying to build a renewed perspective in the field of nuclear weapons at this confusing and decisive moment.

I must concentrate on presenting the initiatives upheld by Mexico regarding disarmament which feed a renewed and pragmatic national view, although it represents a complex and even dualistic approach to nuclear weapons subjects.

Nevertheless, that approach could not be explained unless I present some previous statements.

It is important to understand that “armamentism” and its opposite, “non-proliferation” (as we know them), are both elements of an outdated way to understand and even simplify world order. You can name it Cold War mentality, but the important idea is that nowadays there is a new situation regarding the nuclear threat, but strategies and mentalities are still those of the Cold War.

Peripheral nations and the perpetuation of regional conflicts have been the means to throw light on this phenomenon. Geopolitics has come back with regional features affecting the stability of the world. The idea that the demise of the Cold War era would bring about ‘the end of history’ was a false exit based on the supposition that eliminating the East-West ideological conflict would solve all international problems. Today we not only know that history did not end, but also that the international community lost at least one of its options to give it a happy ending.

But history once again demonstrated its endurance and complexity. One of its peculiarities is the pre-eminence of geopolitics: the enormous array of nuances and stratagems countries use to serve their interests. Today world stability is being affected by regional conflicts, some of them highly localized, that regrettably take an old-style shape, or at least arise because of the particular interest of their actors as conflicts with an image that immediately recalls that of the Cold War.

We should remember that nuclear armamentism is a particularly reductive ideology, due to its clear-cut nature. It functions also in direct relation to dissuasion strategies, but most important for some smaller countries, nuclear weapons are capable of utterly overcoming the need to have (conventional) forces equivalent to those of the adversary. It allows to immediately eliminate differences.

Correspondently, the Non-Proliferation Treaty (NPT) can be seen as the result of a tacit Cold War logic: it divides countries in “haves” and “have-nots”, includes very relative gains for non-nuclear countries just not getting involved in a Cold War summit scenario, and supposedly fosters cooperation in the field of nuclear technology for peaceful purposes. The NPT establishes as prohibitions for the nuclear States handing over of nuclear weapons and devices and providing other countries with basic or fissionable materials, weapons or war equipment. On the other hand, States without nuclear capabilities are bound to reject transfers of nuclear weapons and equipment to develop them and to observe specific IOAE safeguards to prevent the mishandling of nuclear materials with peaceful purposes and their use in weapons and war equipment. In general, the NPT is an inequitable treaty, as nuclear States bear the lightest weight: that of abstaining without coercion.

There Mexico feels impelled to reinforce its multilateral activity. Why is that? Because the experience of participating as non-permanent members of the Security Council during extraordinary moments makes us believe that there is, in reality, a window of opportunity to push a new comprehensive agenda on non-proliferation.

We can call that the struggle of the non-usual players. In that sense, I bring into mind the example of the capital discussions over Iraq since August 2002. Mexico's eventual vote for a resolution that would have meant war under Chapter VII of the UN Charter was going to be (one way or the other) the 8th or the 9th in such a decisive matter. That meant a lot of pressure and responsibility. But that meant also a new dimension of veto power (less in evidence) and the worth of legitimacy by majority in Council's decisions. Thus, one can be active and creative if one is also serious.

As opinions can not be so easily encapsulated in a bi-polar struggle any longer, they can be forcefully presented. In this sense, countries have much to win in terms of respect and dignity. Countries are not obliged to align their opinions because of ideological blocs. Any balance presented to the only extant superpower (the US) responds to a case-by-case logic, in which a country can propel initiatives on the grounds of an analysis of each subject. Furthermore, objectives today are clearer and often produce general consensus; what is confusing is the way to achieve them. So, with an earnestly and clearly aimed policy, creativity has a place.

Imagine for a moment Mexico-U.S. relations. It is difficult to mention a richer and more complex scenario. It would be difficult to mention a country under greater demands by a single relationship. We Mexicans have sometimes mainly disagreed with the US in *how* to solve things in the multilateral arena, but we have constructed a better relationship.

Nevertheless, it is important to underline some elements in the Security Council debate on the Iraq conflict that contributed to make it so exemplary and complex. There was a critical mass of participation by its membership dealing with a historical issue like never before. The importance of support by a majority where different positions were calling for the vote of all the members of the Council represented the source of a new dimension for decision making. Probably this legitimacy became such an important factor because the so-called pre-emptive war can have enormous implications for multilateral order.

With all those elements in mind, Mexico could not have shied away from contributing with creativity in the Iraq case, proposing mechanisms to pursue consensus and searching many alternative ways to pressure Iraq's regime. It is important to consider that the Iraq question became such a difficult and threatening conflict in the world because the multilateral system, particularly the Security Council, does not have a realistic formula to enforce decisions.

For many years the Iraq regime defied many Security Council resolutions. But that is not the only case. Almost 450 resolutions have been taken by the Security Council just for Iraq, the Middle East, Western Sahara and Cyprus. That is too much for a small number of regions. And 10% have not been complied with, as if they were optional. That represents a new and important task: that is to fight the lack of creativity, even though the multilateral system is, under its present shape, a hard and dry field to sow it.

The actions of Mexico for the NPT regime future rest over six pillars:

The first is to raise to a second generation level the Nuclear-Weapons-Free Zones. Not because of tradition, but because of their effectiveness. All Mexicans are proud of the role played by our diplomacy starting and steering the negotiations for the 1968 Tlatelolco Treaty in Latin-America, the one that establishes the first highly populated nuclear-free zone in the world.

In this panel, a representative of Cuba, the Latin-American country that fully completed the Treaty last year, is sharing the table backing up the importance of this kind of initiatives. Tlatelolco may be understood as a strategy coming out from an ironic idea: it could be called a negotiation approach conducted by anti-bluffing. In a world of images like that of the Cold War, the straightforward and

clear position of the Tlatelolco Treaty signatories became useful. A group of countries incapable of possessing nuclear weapons promise that what is impossible shall remain so...

Today Free Zones have achieved a unique new role. They are the strategy with the "regional element" within, in a world where regional conflicts are the constant. Free Zones offer a mechanism of concentric circles to address conflicts under authentic and regulated preventive backgrounds.

The milestone of free zones agreements today is the organization of an International Conference of the States belong to the NWFZ; an idea that came out in the 51st period of sessions of the General Assembly of the United Nations, subsequently to the opening of the Bangkok and Pelindaba Treaties for signature.

The Agency for the Proscription of Nuclear Weapons in Latin America and the Caribbean (OPANAL) produced initiatives in the same direction, and the resolution "South Hemisphere and Adjacent Areas Free of Nuclear Weapons", presented by Brazil and New Zealand to the General Assembly of the United Nations since 1996, put the issue forward because of its implications for the international seas regime in the Southern hemisphere.

The first initiative to establish an International Conference of States Signatories of NWFZ was achieved through Resolution 57/73 (November, 1996) and included a reference to international seas. That caused a furious vote against by the Nuclear Weapons States because it could be contrary to the International Law and unacceptable to the delegations engaged by the Law of Sea Convention. It would affect navigation freedom, fly-over, fishing, laid-out of cables and underwater tubing, artificial construction of islands and other installations, as well as scientific research.

Considering that International Law has already exceptions to that freedom related to nuclear detonation of explosions, Mexico presented a pragmatic proposal to bring substantive initiatives to the Conference of Revision of the NPT of 2005, at least in matters of cooperation and coordination mechanisms between NWFZ without any reference to international seas.

With that proposal, Mexico is working to solve the problem of international seas regime taking advantage of the expectations and recognition in the Tlatelolco, Rarotonga, Bangkok and Pelindaba Treaties in such a way that it becomes really fruitful to create an enlarged zone dedicated to nuclear non-proliferation and nuclear disarmament. It also takes advantage of the statements of the States with nuclear weapons in the sense that they have made it very clear that their vote does not represent any objection to the establishment of that kind of agreements and that they can foster them

The second pillar are the Guarantees of Security, which are the core of the New Agenda Group Strategy. We are trying to nourish this old aspiration with juridically binding instruments and even with important suing possibilities. At the same time, we have to be flexible in the negotiation process in the case of non-nuclear states that could be linked by some security instrument to a nuclear state; those cases must be treated as exemptions. This strategy must also consider that the full obedience of the NPT must be established as a requirement for any received guarantee.

The case of Guarantees of Security guides us to two very important issues. One is to propel as much as possible the so-called *positive guarantees*, which mean assistance. If a country is affected by an attack or even in the case of just a threat, those guarantees would aim at substantial support.

The second is not encouraging but it makes us think about the future of non-proliferation: it is a bad taste irony that the only available means to oblige to offer support in the case of a nuclear aggression would be the Security Council. And the Council's first-class members are the five countries officially accepted as the ones with the capabilities to start that kind of attack, and they have the veto power in their hands.

That takes us immediately to the third pillar, an essential one: a genuine reform of the multilateral system. I am grateful that Ambassador Nobugasu Abe, yesterday at lunch, talked about that. There will not be a non-proliferation process that brings results and confidence if we do not have an adequate multilateral system for our time.

The international community has wasted time and energy talking about a reform focused only on the “who” of the membership. But we should concentrate on “how” multilateralism works, its mechanisms. But maybe today we have an opportunity to start a deeper deliberation on that reform -Mexico is calling for that.

The fourth pillar is a list of measures that we must not forget. They are many: transparency, irreversibility, verification, treaties on fissible material, to impel the adhesion of India, Pakistan and Israel, etc. I would ask why, for example, we have forgotten the 13 resolutions of 2000 NPT review. Some of them may not be as urgent and vital as they seemed three years ago, but their spirit and their importance to give balance to the NPT must prevail.

We cannot forget that the only real defense against nuclear weapons is their elimination; anything else calls for a renewed armamentist race. And, in that sense we must be careful if the States with nuclear weapons keep on bumping up the floor of negotiation in such a way that we preserve indefinitely the traditional shape of international order, divided in States with nuclear weapons and States without them. NPT has a future only if its Article VI is not forgotten and total disarmament prevails as its final objective.

Today, scheduling total elimination would be a very positive message from the States with nuclear weapons, a message that would revert the whole perception over the nuclear race. That could be done taking into account that the use of these arsenals is not anymore a feasible alternative for a democratic State defense. But their operation is a true alternative for a terrorist. We could ask whether the armaments competition would be against terrorists. That would not make sense. So, what really makes more sense today is the total elimination of nuclear arsenals.

I also underline that it is extremely important to foster the advantage of being a non-nuclear State. Cooperation for peaceful purposes must be increased. Otherwise we could be calling States to think about the possibility of pushing for privileges (like in the case of North Korea) just by standing on the brink of being in breach of the NPT. Pakistan, India and Israel have explored the idea of a NPT reform that would make possible their adhesion to NPT as States with nuclear weapons. The original spirit of the Treaty is total elimination of the danger of nuclear weapons -not at all to allow an advantageous position for some States over others. Such an inclusion of these three countries as nuclear States would and should be accompanied with the elimination of their arsenal under Article VI statues.

We can see that there is another worry regarding the ambiguous role of the State in the new non-proliferation context that demands so much from it and limits its actual set of capabilities. In some cases that situation is becoming dramatic, prompting ‘absolutist’ states to deploy strategies to materialize the possible profits of becoming a danger.

Let’s just recall a keen statement we can find in yesterday’s newspaper. As Rouzbeh Pirouz and Mark Leonard have just written, “the danger with America’s muscular approach -as evidenced by the branding of Syria (and Iran) as a ‘rogue nation’ on the last day of the war in Iraq- is that it gives the impression that states have already forfeited the right to reform. The Bush administration’s decision to treat the whole Iranian regime as irredeemable, breaking with the Clinton administration’s policy of encouraging ‘reformists’ within the government, will lead to fatalism among those in Tehran trying to champion reform”. That calls again for huge efforts by multilateral creativity.

The fifth pillar is, of course, non-strategic weapons. We share this with two countries, Austria and Sweden, which also think that this must be a high priority because those weapons are the useful ones in a new world reality.

This strategy concentrates on information verification under a well-preserved, secure flow of data, security measures and physical protection. The idea is to produce binding instruments to substitute the political declarations (as the only asset we have up until now) in a binding non-strategic nuclear

disarmament regime. The acceptance of a total prohibition of the type of weapons already eliminated has become extremely urgent.

Mexico considers that the role of disclosure in this subject, as well as the transparency principle, can be the path to raise consciousness on non-strategic weapons and their danger. It is important to reestablish the START process towards a START III dialogue that would include this type of weapons, specially to define limits for deployment and prohibitions for artillery and short-range ballistic missiles.

Finally, I come upon the most important pillar. We believe that nothing will substantially change the current trends unless there is an enormous civil society pressure. So we recognize the importance of this conference, and we are supporting similar activities.

Although this is a key element, since it responds to the general feeling that no one wants to live under the danger of nuclear weapons, we see a huge problem. Civil society action with results must be mainly taken in industrialized countries, particularly those with nuclear arsenals. Nevertheless, much of the propaganda broadcast nowadays through mass media, specially in those countries, is contradictory and the mass media are stronger. A limited idea of security based only on defense activities brings a simplification of the feeling of being protected. In that simplification, nuclear weapons regrettably have a place.

My final message would be:

Diplomacy is like a doctor, as it has been stated in this same Conference, and conflicts and violence are like illnesses. So we must remember that, as in modern medicine, the clue is fortifying the patient (that means empowering people, their liberties and their capacity for organization) and not escalating antibiotic shots against unknown or uncertain illness; shots, which sometimes hide geopolitical strategies to further some particular interest.

Strengthening the patients means finding better systems of rules and then giving countries capacity of performance under democracy and human rights promotion. A world of certainty in its multilateral and universally accepted rules, especially those aimed at security and development, is a requirement for that performance.