

June 11, 1992

Cable from Brazilian Embassy in Washington to Foreign Ministry, 'Brazil-USA. Access to advanced technology. MTCR. Supplementary regulation on missile technology exports.'

Citation:

"Cable from Brazilian Embassy in Washington to Foreign Ministry, 'Brazil-USA. Access to advanced technology. MTCR. Supplementary regulation on missile technology exports.'", June 11, 1992, Wilson Center Digital Archive, Folha Transparência/Itamaraty Historical Archive <https://wilson-center-digital-archive.dvincitest.com/document/121365>

Summary:

This cable, sent from the Brazilian Embassy in Washington to Brasília, reports Brazil's inclusion in the list of countries that might manufacture rockets. The inclusion was in the supplement number 6 section 778 of the "Export Administration Regulations." The US administration's report on the list also notes the importance of the Brazilian government's recent steps towards non-proliferation and that its inclusion in the list is due to its rocket programs and the development of its SLV.

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Contents:

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DE: BRASEMB WASHINGTON
 MSG OF01309A 11/06/92 23:43
 DISTRIBUICAO : DCIA/DMAE/DNU/DCS
 DESCRITOR : XCOI
 CONFIDENCIAL CONFIDENCIAL CONFIDENCIAL

CRUSABREM 12/06/92 02:47
 PARA : EXTERIORES
 MINUTA: URGENTE

NBR704 077BSJ/MADG
 OD BRASSTEC
 .USABREM 111627 OF01309A TEKA 11

DE BRASEMB WASHINGTON PARA EXTERIORES EM 11/06/92 (HTO-/-)

~~XIEX - Lφφ - G14~~

~~XCOI L00 G14~~
 CONFIDENCIAL URGENTE

DCIA/DMAE/DNU/DCS/
 BRASIL-EUA. ACESSO A TECNOLOGIA AVANÇADA,
 MTCR. REGULAMENTACAO SUPLEMENTAR SOBRE
 EXPORTACAO DE TECNOLOGIA DE MISSEIS.

DESCLASSIFICADO

DE ACORDO COM O DEC.
 5.301, DE 09/12/2004

1309 51840 - REFCIRCTEL. 19.403, DE 8/5/92. SEGUNDO INFORMACAO VEICULADA PELA IMPRENSA E CONFIRMADA POR FUNCIONARIOS DOS DEPARTAMENTOS DE ESTADO E DO COMERCIO, DEVERAH SER PUBLICADA PELO "FEDERAL REGISTER", NA PROXIMA SEMANA, REGULAMENTACAO SUPLEMENTAR AA SECAO 778 DAS "EXPORT ADMINISTRATION REGULATIONS" (EAR), A RESPEITO DE CONTROLE DE EXPORTACAO NO AMBITO DO "MISSILE TECHNOLOGY CONTROL REGIME" (MTCR).

2. A REFERIDA REGULAMENTACAO, INTITULADA "EXPANSION OF FOREIGN POLICY CONTROLS, MISSILE TECHNOLOGY DESTINATIONS", DECORRE DA "ENHANCED PROLIFERATION CONTROL INITIATIVE" (EPCI), DE 13 DE DEZEMBRO DE 1990, E TEM POR OBJETIVO EXPLICITAR OS PAISES PARA OS QUAIS SERAH APLICADO O REGIME DE "VALIDATED LICENSE" SEMPRE QUE UM EXPORTADOR NORTE-AMERICANO SOUBER QUE ITENS A SEREM EXPORTADOS SERAO UTILIZADOS NA CONCEPCAO, DESENVOLVIMENTO, PRODUCAO OU EMPREGO DE MISSEIS., CONTEM LISTA DE PROJETOS DE TECNOLOGIA DE MISSEIS, PAISES E REGIOES (SUPLEMENTO N' 6, SECAO 778 DAS EAR).

3. COMO E DO CONHECIMENTO DE VOSSA EXCELENCIA, EM ABRIL ULTIMO, O ENBAIXADOR REGINALD BARTHOLOMEW, UNDER SECRETARY FOR INTERNATIONAL SECURITY AFFAIRS, JAH HAVIA ANUNCIADO A REGULAMENTACAO DO MTCR E A INCLUSAO DO BRASIL NA LISTA DOS PAISES QUE DESENVOLVEREM TECNOLOGIA DE MISSEIS. (CF. CIRCTEL 19.403, PARAGRAFOS 3' E 4'). EMBORA O TEXTO AINDA NAO TENHA SIDO PUBLICADO, A VERSAO OBTIDA JUNTO AO "PUBLIC INSPECTION OFFICE" (ORGAO VINCULADO AO "FEDERAL REGISTER"), CONFIRMA A INFORMACAO ADIANTADA POR BARTHOLOMEW. O SUPLEMENTO 6, INTITULADO "MISSILE TECHNOLOGY PROJECTS", LISTA OS SEGUINTE PAISES E RESPECTIVOS PROJETOS : BRASIL (SONDA III, SONDA IV, SS-300, SS-1000, MB/EE SERIES MISSILE, ULS SPACE LAUNCH VEHICLE),

CONTINUA NA 2A PARTE

DE: BRASEMB WASHINGTON
 MSG OF01309B 11/06/92 23:44
 DISTRIBUICAO : DCIA/DMAE/DNU/DCS
 DESCRITOR : XCOI
 CONFIDENCIAL CONFIDENCIAL CONFIDENCIAL

CRUSABREM 12/06/92 02:52
 PARA : EXTERIORES
 MINUTA: URGENTE

NBR705 079BSL/MADG
 OB BRASSTEC
 .USABREM 111628 OF01309B TEKA 11

DECLASSIFICADO

DE ACORDO COM O DEC.
 5.301, DE 09/12/2004

DE BRASEMB WASHINGTON PARA EXTERIORES EM 11/06/92 (MTO-)

XCOI L00 G14/CONFIDENCIAL URGENTE/DCIA/DMAE/DNU/DCS/SEGUNDA PARTE
 DO TEL 1309/BRASIL-EUA. ACESSO A TECNOLOGIA AVANÇADA. MTCR. REGULA-
 MENTACAO SUPLEMENTAR SOBRE EXPORTACAO DE TECNOLOGIA DE MISSEIS,

...LAUNCH VEHICLE),

CHINA, INDIA, IRAN, ORIENTE MEDIO, COREIA DO NORTE, PAQUISTAO E
 AFRICA DO SUL. O ORIENTE MEDIO, DE ACORDO COM A SECAO 770.2 DAS EAR,
 COMPREENDE OS SEGUINTE PAISES : BARRAIN, EGITO, IRAQUE, ISRAEL,
 JORDANIA, KUWAIT, LIBANO, LIBIA, OMAN, QATAR, ARABIA SAUDITA, SIRIA,
 EMIRADOS ARABES UNIDOS E IEMEM.

4. O TEXTO QUE PODERAA SOFRER REVISAO AINTES DA SUA
 PUBLICACAO CONTEM A SEGUINTE NOTA : 'ONE OF THE COUNTRIES LISTED IN
 SUPPLEMENT N° 6 TO PART 778 IS BRAZIL. IT IS OF PARTICULAR IMPORTANCE
 TO NOTE THAT ALTHOUGH US FOREIGN POLICY DOES NOT PERMIT EXPORTS IN
 SUPPORT OF ANY MISSILE OR SPACE LAUNCH VEHICLE (SLV) PROGRAM OF
 BRAZIL, SEVERAL POSITIVE DEVELOPMENTS IN THE FIELD OF NON-
 PROLIFERATION HAVE TAKEN PLACE, REDUCING THE POSSIBILITY OF
 PROLIFERATION FROM THIS COUNTRY. BRAZIL, TOGETHER WITH ARGENTINA AND
 CHILE, SIGNED THE MENDOZA DECLARATION IN SEPTEMBER 1991, DECLARING
 THEIR INTENT TO BECOME ORIGINAL CONTRACTING PARTIES TO THE CHEMICAL
 WEAPONS CONVENTION, AND AGREEING TO BAN THESE WEAPONS WITHIN THEIR
 TERRITORIES AND TO PROHIBIT EXPORTS OF CHEMICAL WEAPONS AS AN INTERIM
 MEASURE. IN DECEMBER 1991, BRAZIL SIGNED A FULL-SCOPE NUCLEAR
 SAFEGUARDS AGREEMENT WITH THE INTERNATIONAL ATOMIC ENERGY AGENCY
 (IAEA) THAT REQUIRES IAEA SAFEGUARDS ON ITS NUCLEAR EXPORTS. IT HAS
 ALSO EXPRESSED INTEREST IN THE MISSILE TECHNOLOGY CONTROL REGIME
 (MTCR), AND A TEAM REPRESENTING THE MTCR VISITED BRASIL IN APRIL
 1992. IN ADDITION, BRAZIL RECENTLY ANNOUNCED ITS INTENT TO TRANSFER
 ALL SPACE-RELATED ACTIVITIES, INCLUDING THE SLV PROJECT, TO A NEW
 CIVILIAN AGENCY. A BRAZILIAN GOVERNMENT INTERMINISTERIAL COMMISSION

CONTINUA NA 3A PARTE

CRUSABREM 12/06/92 02:55

DE: BRASEMB WASHINGTON

PARA : EXTERIORES

MSG OF01309CX 11/06/92 23:45

MINUTA: URGENTE

DISTRIBUICAO : DCIA/DMAE/DNU/DCS

DESCRIPTOR : XCOI

CONFIDENCIAL

CONFIDENCIAL

CONFIDENCIAL

DESCLASSIFICADO
DE ACORDO COM O DEC.
5.301, DE 09/12/2004

NBR706 081BSN/DOM

QP BRASTEC

.USABREM 111628 OF01309C

DE BRASEMB WASHINGTON PARA EXTERIORES EM 11/06/92 (MTO-/-)

XCOI L00 G14/CONFIDENCIAL URGENTE/DCIA/DMAE/DNU/DCS/TERCEIRA PARTE FINAL DO TEL 1309/BRASIL-EUA. ACESSO A TECNOLOGIA AVANÇADA. MTCR. REGULAMENTACAO SUPLEMENTAR SOBRE EXPORTACAO DE TECNOLOGIA DE...

...INTERMINISTERIAL COMMISSION

RECENTLY COMPLETED DRAFT LEGISLATION ESTABLISHING A LEGAL FRAMEWORK FOR A DOMESTIC EXPORT CONTROL REGIME, WITH LEGISLATIVE ACTION EXPECTED IN 1992.''

5. TAO LOGO PUBLICADA, ENVIAREI COPIA DA REGULAMENTACAO EM APRECO.

SERGIO ANARAL

From: Embassy in Washington
MSG OF 01309A 06/11/92

To: Exteriores

URGENT

CONFIDENTIAL

From Brasemb Washington to Exteriores 11/06/92

XIEX - L00 - G14

DCIA/DMAE/DNU/DCS/

Brazil-USA. Access to advanced
technology. MTCR. Supplementary
regulation on missile technology
exports.

1309 51840 - Reference circular cable 19.403, dated 5/8/92. According to press reports and confirmed by officials from the Departments of State and Commerce, the Federal register shall publish next week a supplement to section 778 of the "Export Administration Regulations" (EAR), on export controls related to the Technology Control Regime (MTCR).

2. The above mentioned regulation, entitled "Expansion of Foreign Policy Controls; Missile Technology Destinations", derives from the "Enhanced Proliferation Control Initiative" (EPCI), of December 13, 1990, whose purpose is to spell out the countries to which the regime of "validated license" shall be applied, whenever the American exporter learns that the items to be exported will be used in the conception, development, production or use of missiles. It contains a list of projects of missile technology, countries and regions (Supplement no. 6, section 778 of the EAR).

3. As Your Excellency knows, last April, Ambassador Reginald Bartholomew, Undersecretary for International Security Affairs, had already announced the regulations of MTCR and the inclusion of Brazil in the list of countries that might develop missile technology (Cf. Circular cable 13.403, paragraphs 3 and 4). Although the text has not yet been made public, the version obtained from the Public Inspection Office (an agency linked to the Federal Register) confirms the information advanced by Bartholomew. Supplement 6, entitled "Missile Technology Projects", lists the following countries and their respective projects; Brazil (Sonda III, Sonda IV, SS-300, SS-1000, MB/EE series missile, VLS Space Launch Vehicle), China, India, Iran, Middle East, North Korea, Pakistan and South Africa. According to Section 778.2 of the EAR, the Middle East encompasses the following countries: Bahrein, Egypt, Iraq, Israel, Jordan, Kuwait, Lebanon, Libya, Oman, Qatar, Saudi Arabia, Syria, United Arab Emirates and Yemen.

4. The text, which may be revised before publication, contains the following note: "One of the countries listed in Supplement N'6 to Part 778 is Brazil. It is of particular importance to note that although U.S. foreign policy does not permit exports in support of any missile or space launch vehicle (SLV) program of Brazil, several positive developments in the field of non-proliferation have taken place, reducing the possibility of proliferation from this country. Brazil, together with Argentina and Chile, signed the Mendoza Declaration in September 1991, declaring their intent to become original contracting parties to the Chemical Weapon Convention, and agreeing to ban these weapons within their territories and to prohibit exports of chemical weapons as an interim measure. In December 1991, Brazil signed a full scope nuclear safeguards agreement with the International Atomic Energy Agency (IAEA) that requires IAEA safeguards on its nuclear exports. It has also expressed interest in the Missile Technology Control Regime (MTCR), and a team representing MTCR visited Brazil in April 1992. In addition, Brazil recently announced its intent to transfer all space-related activities, including the SLV project, to a new civilian agency. A Brazilian government interministerial commission recently completed draft legislation establishing a legal framework for a domestic export control regime, with legislative action expected in 1992".

5. I shall transmit a copy of the above-mentioned regulation as soon as it is

published.

SERGIO AMARAL