

March 7, 1992

Cable from Brazilian Foreign Ministry to Embassy in Washington

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Summary:

Barbara Tobias, scientific attaché to the US embassy in Brasília, visited the Brazilian Foreign Ministry to discuss Brazil's inclusion in the list of countries subjected to a rigorous system of exports control ("validated license"). Tobias explained that the decision was not made by consensus and that it was largely a demand of the American Congress.

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Reference cables 1375 and 1509 Counsellor Barbara Tobias, Head of the Science and Technology section of the Embassy of the United States, was at DCS to bid farewell. She is going to head one of the divisions of the Department of Politico-Military Affairs of the Department of State.

2. Counsellor Tobias took advantage of the occasion to refer to two points:

- the requests for assurances of final destination of under examination
- the inclusion of Brazil in the list of countries that will be subject to more rigorous export controls (validated license) of exports of science- related products and equipment.

3. The interlocutors did not dwell long on the first point, since the procedure of examination has been following a normal course. There is a longstanding request relating to war material that should be re-exported from Korea but the Army already indicated that it is not currently interested in its acquisition.

4. Counsellor Tobias dwelt upon the second issue and stressed a few points:

- that the decision was internal dispute in the government and that the inclusion of the specific note with regard to Brazil showed that the Brazilian case was peculiar;
- that it was important to keep in mind that the initiative represented an initial reaction to requests from Congress;

That in her opinion the entry into force of the Safeguards Agreement with the IAEA could be the additional element necessary for reversing the picture;

That she understood the difficulties that the decision could bring about and the eventual negative impact on bilateral contacts.

5. The Head of DCISA said that the government had not yet adopted an official position on the decision of the United States since the matter required evaluation by several organs. He stressed his expectation that the American decision would not affect negatively the current bilateral contacts, which have been positive and have been leading to an unequivocal increase in the mutual confidence. He indicated, however, that the inclusion of Brazil in a list of that kind might have negative internal repercussions, a fact that could be seen in press reports. He also pointed out that the effort of the government to ensure a more comprehensive and efficient export control regime was a consolidated policy. He said he understood this measure by the United States as a unilateral decision which although linked to MTCR controls, was not a direct requirement of the regime, a view corroborated by the fact that other members of the regime did not adopt a similar posture. He also recalled the visit of representatives of four member States of the Group, when it was clarified that the control guidelines were applicable erga omnes and not directed to specific countries.

6. At this point Counsellor Tobias herself intervened to mention that she was aware of the Brazilian restrictions to the NPT, due to its discriminatory character, and acknowledged that the elaboration of the relevant list might lend similar characteristics to the application of the MTCR by the United States.

7. Finally, the specific note regarding Brazil was mentioned, which although devoid of practical effect, somehow softened the question, by differentiating Brazil from the other countries included in the list.

EXTERIORES