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African Nuclear-Weapon-Free Zone Treaty

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for the Prohibition of Nuclear Weapons in Latin America
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tenth special session**

The risk of nuclear proliferation in the Middle East

Comprehensive Nuclear-Test-Ban Treaty

Letter dated 15 September 2010 from the Permanent Representative of Guatemala to the United Nations addressed to the Secretary-General

I have the honour to address you in my capacity as Coordinator of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) in New York in order to transmit herewith six resolutions adopted at the twenty-first regular session of the General Conference of OPANAL, held in Mexico City on 26 November 2009, and a resolution adopted by the Council of OPANAL in Mexico City on 21 April 2010 (see annex).

I should be grateful if the resolutions would be circulated as a document of the General Assembly under agenda items 89, 90, 93, 94, 95, 97, 98, 99, 100 and 103.

(Signed) Gert **Rosenthal**
Ambassador
Permanent Representative



Annex to the letter dated 15 September 2010 from the Permanent Representative of Guatemala to the United Nations addressed to the Secretary-General

CGRes. 513: “Strengthening of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL)”

CGRes. 514: “Second Conference of States Parties and Signatories of Treaties Establishing Nuclear-Weapon-Free Zones and Mongolia”

CGRes. 515: “Interpretative Declarations of the Nuclear Powers to Protocols I and II of the Treaty of Tlatelolco”

CGRes. 516: “2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons”

CGRes. 517: “Coordination with Other Nuclear-Weapon-Free Zones”

CGRes. 518: “Education for Peace, Disarmament and Non-Proliferation”

CRes. 54: “Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms”

RESOLUTION CG/Res. 513**STRENGTHENING OF THE AGENCY FOR THE PROHIBITION OF NUCLEAR WEAPONS IN LATIN AMERICA AND THE CARIBBEAN (OPANAL)**

The General Conference,

Bearing in mind Resolutions 339 (E-X-95), 368 (E-XII-97), 388 (XVI-99), 418 (XVII-01), 448 (XVIII-03) and 478 (XIX-05) relative to the mandate received by the Council and the General Secretariat of the Agency with the aim of continuing to further measures and actions intended to strengthen OPANAL;

Considering the advances in deliberations on this topic among the members of the Council of the Agency;

Having studied the Report of the Deputy Secretary General, presented to the General Conference,

Resolves:

1. **To request** the Secretary General of the Agency, with the approval of the Council, to follow up on the work for the holding of the Second Conference of States Parties and Signatories of Treaties establishing Nuclear-Weapon-Free Zones (NWFZs);
2. **To entrust** the Secretary General with continuing and increasing exchanges of information and experiences with other NWFZs, identifying areas of mutual interest and actions for the establishment of co-operation agreements within the sphere of competence that the Treaty of Tlatelolco assigns to OPANAL.
3. **To entrust also** the Council and the Secretary General with following up on the steps taken by the Agency so that the States Parties of the Additional Protocols to the Treaty of Tlatelolco withdraw or modify their interpretive declarations and take the corresponding actions to strengthen the integrity of the military denuclearization statute provided for in the Treaty.

4. **To urge** the Secretary General to continue OPANAL's contacts with the international agencies that act in the field of disarmament and non-proliferation.
5. **To request** the Secretary General to identify the possibilities of carrying out joint activities with the United Nations Regional Center for Peace, Disarmament and Development in Latin America and the Caribbean as part of the objectives defined in the Memorandum of Understanding signed on 29 April 2003.
6. **To urge** the Secretary General to present to the Council a programme on the objectives and purposes of his participation in international forums and agencies related to the topic of nuclear disarmament, and to submit reports on his participation in same.
7. **To authorize** the Secretary General to invite the States Parties to support the Agency, to the extent of their possibilities, with the designation of experts to increase the Agency's capacity for analysis in the field of disarmament and non-proliferation.
8. **To urge also** the Secretary General to follow up on the resolutions approved by the General Conference and authorize him to carry out activities and programmes in keeping with the objectives of the Treaty of Tlatelolco.
9. **To express** its highest appreciation of the work performed by the Deputy Secretary General in fulfillment of Resolution CG/Res.496 (XX-07).
10. **To request** the General Secretariat to inform the Member States of the contents of this Resolution.

(Approved at the 111th Session
held on 26 November 2009).

RESOLUTION CG/Res.514**SECOND CONFERENCE OF STATES PARTIES AND SIGNATORIES OF TREATIES
ESTABLISHING NUCLEAR-WEAPON-FREE ZONES AND MONGOLIA****The General Conference,**

Bearing in mind compliance with Resolution 478 (XVIII-05) which is gratified by the successful holding of the “First Conference of States Parties and Signatories of Treaties establishing Nuclear-Weapon-Free Zones” and which took place in Tlatelolco, Mexico, on 26 and 28 April 2005;

Recalling the Declaration of the First Conference of NWFZs which reaffirms the need to strengthen mechanisms of co-ordination and exchange of information among the States Parties and Signatories of these Treaties based on common objectives;

Recalling also that the holding of conferences of States Parties and Signatories of Treaties establishing NWFZs represents a unique opportunity to advance in the establishment and institutionalization of a mechanism for co-ordination and co-operation among the States Parties and Signatories of Tlatelolco, Rarotonga, Bangkok, Pelindaba, Semipalatinsk and the Free State of Mongolia;

Highlighting the efforts made by the Deputy Secretary General of OPANAL to initiate the work of co-ordination with a view to the holding of the Second Conference of States Parties and Signatories of Treaties establishing NWFZs;

Recognizing the support of the Presidents in turn of the Council (Argentina, Bolivia, Brazil, Chile and Mexico) to hold co-ordination meetings among the delegates of the Member States of OPANAL in New York;

Reaffirming the proposals contained in the document NPT/CONF.2010/PC.I/WP.71 “Nuclear-Weapon-Free Zones” presented at the First Session of the Preparatory Committee of the 2010 Review Conference of the Parties to the Treaty of Non-Proliferation of Nuclear Weapons;

Taking note of the “Declaration of the Chairman of the Meeting of Co-ordinators of Nuclear-Weapon-Free Zones and Mongolia” (Doc. NPT/CONF.2010/PC.III/8) delivered during the Third Session of the Preparatory Committee of the 2010 Review Conference of the Parties to the NPT of 7 May 2009;

Recognizing also the working document presented by the States Parties of the Treaty of Tlatelolco to the Third Session of the Preparatory Committee of the 2010 Review Conference of the Parties to the NPT entitled “Contributions of the States Parties of Latin America and the Caribbean in the Treaty of Tlatelolco (Doc. NPT/CONF.2010/PC.III/WP.32);

Underscoring the Resolution A/Res/64/52 of the General Assembly of the United Nations approved last 2 December, in which it is decided to hold the Second Conference of States Parties and Signatories of Treaties establishing NWFZs and Mongolia on 30 April 2010,

Resolves:

1. **To reiterate its appreciation** to the Government of the Republic of Chile for the co-ordination work for the holding of the Second Conference of States Parties and Signatories of Treaties establishing NWFZs.
2. **To highlight** the importance of the current nuclear-weapon-free zones and their contribution to international peace and security in order to promote greater co-ordination and co-operation among them and strengthen the disarmament and nuclear non-proliferation regime.
3. **To urge** the Secretary General to follow up on both the preparations and the results of the Second Conference of States Parties and Signatories of Treaties establishing NWFZs.
4. **To request** the General Secretariat that this resolution be made known to the Focal Points of the NWFZs and Mongolia.

(Approved at the 111th Session
held on 26 November 2009).

RESOLUTION CG/Res.515
INTERPRETATIVE DECLARATIONS OF THE NUCLEAR POWERS TO
PROTOCOLS I AND II OF THE TREATY OF TLATELOLCO

The General Conference,

Bearing in mind that the Zone of Application of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Tlatelolco Treaty) has acquired full force in all the States Parties and States Linked to the Treaty;

Recalling Resolutions 430 (E-XVI-02), 461 (E-XVII-04), 447 (XVIII-03) and 477 (XIX-05) which promote the modification or withdrawal of interpretative declarations formulated by some of the States Parties of the Additional Protocols to the Treaty of Tlatelolco at the time of signing or ratification;

Recalling also that the States Linked to the Treaty of Tlatelolco have pledged by means of the signing and ratification of its Additional Protocol II, to fully respect its objectives and express provisions and “not to use nuclear weapons and not to threaten with their use against the Contracting Parties of the Treaty for the Prohibition of Nuclear Weapons in Latin America”;

Underscoring that the Consultative Opinion of the International Court of Justice on the “Legality of the Threat or Use of Nuclear Weapons” of 1996 concluded that “The threat of or recourse to the use of force by means of nuclear weapons is illicit when the provisions of Paragraph 4 of Article 2 of the Charter of the United Nations are contravened and the requirements of Article 51 are not fulfilled”;

Underscoring also that the International Court of Justice decided that “The threat or use of nuclear weapons should also be compatible with the requirements of international law applicable to armed conflicts, particularly the principles and norms of humanitarian international law, as well as the particular obligations contracted by virtue of the treaties and other commitments that refer specifically to nuclear weapons”;

Considering that all the States of Latin America and the Caribbean are Parties to the Treaty on Non-Proliferation of Nuclear Weapons (NPT);

Considering also that all the States of Latin America and the Caribbean that form part of Annex 2 of the Comprehensive Nuclear Test Ban Treaty (CTBT) have signed and ratified said Treaty;

Resolves:

1. **To entrust** the Secretary General with renewing his negotiations with the States possessing nuclear weapons that are Parties to Additional Protocols I and II of the Treaty of Tlatelolco, so that they review the restrictive aspects contained in the declarations they issued on occasion of the signing or ratification of said instruments, with a view to withdrawing from those declarations that which could be interpreted as possible exceptions to the commitment not to use nuclear weapons in the zone of application of the Treaty of Tlatelolco.
2. **To reaffirm** that in the current state of international law, the use of nuclear weapons as a legitimate defense in response to an armed attack with conventional weapons cannot be endorsed by international law, since it dispenses with the requirement of need and is not proportional to the end sought with the defensive action recognized in the Charter of the United Nations in its Article 51.
3. **To request** the Council and the Secretary General to incorporate the topic of “Interpretative Declarations of the Nuclear powers to Protocols I and II of the Treaty of Tlatelolco” in the agendas of the agencies that deal with the topic of negative security guarantees.
4. **To urge** the States possessing nuclear weapons which, having ratified Protocols I and II of the Treaty of Tlatelolco, have done so with unilateral interpretations that affect the status of denuclearization established by the Treaty, to modify or withdraw said unilateral interpretations.
5. **To urge also** the General Secretariat to make this resolution known to the States Linked to the Treaty of Tlatelolco, the Focal Points of the Nuclear-Weapon-Free Zones and Mongolia, the

2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and the Conference of Disarmament.

(Approved at the 111th Session
held on 26 November 2009).

RESOLUTION CG/Res. 516

**2010 REVIEW CONFERENCE OF THE PARTIES TO THE TREATY ON THE
NON-PROLIFERATION OF NUCLEAR WEAPONS**

The General Conference,

Recalling the Declaration of the First Conference of Nuclear-Weapon-Free Zones which states "We reaffirm that the Treaty on Non-Proliferation of Nuclear Weapons (NPT) constitutes a fundamental instrument for nuclear disarmament and for the non-proliferation regime, and therefore we reiterate the validity of its set of principles, obligations and rights, particularly Articles III, IV, VI and VII";

Bearing in mind the contributions of the Member States of OPANAL to the work of the different sessions of the Preparatory Committee of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.2010/PC.I/WP.71 and NPT/CONF.2010/PC/III/WP.32);

Recalling also the Declaration of the Chairman of the Meeting of Coordinators of nuclear-weapon-free zones and Mongolia held on 27 and 28 April 2009 in Ulan Bator, Mongolia, which reaffirms that the NPT continues to be an essential instrument for nuclear disarmament and non-proliferation,

Resolves:

1. **To reiterate** that the existence of nuclear weapons constitutes a threat to the survival of humankind and that the only real guarantee against their use or threat of use is their total elimination and absolute prohibition.
2. **To urge** the States possessing nuclear weapons to comply immediately with the obligations contracted by means of Article VI of the NPT and to implement without delay the measures on nuclear disarmament adopted by the NPT Review Conferences of the years 1995 and 2000, particularly the 13 practical measures in the latter, which constitute an effective manner of advancing in nuclear disarmament.

3. **To demand** from the States possessing nuclear weapons that they provide negative security guarantees to the States that do not possess nuclear weapons that are Parties to the NPT, in addition to the commitments acquired within the framework of the Security Council, by means of a universal, unconditional and legally binding treaty in which they are assured that they will not be the object of the use or threat of use of nuclear weapons.
4. **To urge also** the States possessing nuclear weapons that are Parties to the Additional Protocols to the Treaty of Tlatelolco, to modify or withdraw the interpretative declarations they made at the time of signing or ratification of said Protocols, which affect the military denuclearization statute of the zone.
5. **To reiterate** its support for the establishment of new nuclear-weapon-free zones in the regions where they still do not exist, such as the Middle East and Southern Asia.
6. **To request** the General Secretariat that this resolution be made known to the President of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and to the Focal Points of the NWFZs and Mongolia.

(Approved at the 111th Session
held on 26 November 2009).

RESOLUTION CG/Res.517
CO-ORDINATION WITH OTHER NUCLEAR-WEAPON-FREE ZONES

The General Conference,

Recalling Resolution CG/Res. 478 (XIX-05) whose operative paragraph 1 entrusts "... the Secretary General with presenting to the Council a program that continues increasing the exchange of information and experiences with other NWFZs, in relation to areas of common interest, particularly on the prohibition of nuclear tests, non-proliferation and nuclear disarmament and, if applicable, on the establishment of co-operation programmes in the spheres of competence that the Treaty of Tlatelolco assigns to OPANAL";

Recognizing the work carried out in October 2008 during the General Assembly of the United Nations by the representatives of the NWFZs and Mongolia, as well as the Meeting of Focal Points of NWFZs and Mongolia held in Ulan Bator in April 2009;

Taking into consideration Resolution C/Res.47 approved by the Council of OPANAL on 17 April 2009, which welcomes with satisfaction the establishment of the Nuclear-Weapon-Free Zone in Central Asia, whereby a zone of this type is created in the northern hemisphere in an area where nuclear weapons previously existed;

Reaffirming the satisfaction of the Council of OPANAL for the approval of the Work Programme of the Conference of Disarmament for the 2009 session on 29 May last, which enables the only multilateral negotiation forum on disarmament to begin its work, especially the topics on its agenda (Doc. CD/1864 of 29/V/09);

Recalling also the Declaration on the Denuclearization of Africa formulated by the Heads of State and Government of the Organization for African Unity in its first regular session held in Cairo on 17-21 July 1964, where they pledged, by means of an international agreement which was to be concluded under the sponsorship of the United Nations, not to manufacture nuclear weapons or acquire control over them and which has become a reality with the entry into force of the Treaty on the

Nuclear-Weapon-Free Zone of Africa (Treaty of Pelindaba) on 15 July last (Resolution C/Res.52 of the Council of OPANAL).

Resolves:

1. **To welcome with satisfaction** the establishment of the nuclear-weapon-free zones of Central Asia (Treaty of Semipalatinsk) and the nuclear-weapon-free zone of Africa (Treaty of Pelindaba) which will allow us to approach the objectives of nuclear disarmament and non-proliferation.
2. **To urge** the General Secretariat of OPANAL to continue with co-ordination efforts and strengthen links with the different Focal Points of NWFZs and Mongolia in accordance with the economic possibilities of the Agency.
3. **To propose** that the Focal Points of the NWFZs should meet annually at the time they consider most favorable, as has been the case during the meetings of the General Assembly of the UN and the meetings of the NPT, to exchange information on matters of mutual interest and consider proposals that can contribute to strengthening the nuclear disarmament and non-proliferation regime.
4. **To request** that this Resolution be made known to the Focal Points of the Nuclear-Weapon-Free Zones and Mongolia.

(Approved at the 111th Session
held on 26 November 2009).

RESOLUTION CG/Res.518
EDUCATION FOR PEACE, DISARMAMENT AND NON-PROLIFERATION

The General Conference,

Recalling point 12 of the Declaration of Santiago approved during the Nineteenth Regular Session of the General Conference CG/Res.487 (XIX-05) which states: “... that education for disarmament and non-proliferation constitutes an important measure that can contribute to progress towards a world free of the nuclear threat and we therefore encourage all States to promote in their relevant educational and academic media, programmes for education in the values of peace, disarmament and nuclear non-proliferation”;

Recognizing that the Treaty of Tlatelolco, whose principal objective is nuclear disarmament and non-proliferation, constitutes a model for furthering the creation of other Nuclear-Weapon-Free Zones in the world and that this contribution of Latin America and the Caribbean to international peace and security has been recognized repeatedly by the United Nations;

Highlighting the “Declaration of the Chairman of the Meeting of Co-ordinators of Nuclear-Weapon-Free Zones and Mongolia” (Doc. NPT/CONF.2010/PC.III/8) of 7 May 2009, which points out: “Bearing in mind that education on disarmament and non-proliferation can contribute to advancing towards a world free of the threat of nuclear weapons, we encourage all States to promote programmes that instill the values of peace and disarmament”;

Highlighting also document NPT/CONF.2010/PC.III/WP.32, dated 7 May 2009, “Contributions of the States Parties of Latin America and the Caribbean to the Treaty of Tlatelolco” whose point 26 reads “...We express our interest in promoting initiatives aimed at strengthening national capacity and education in order to alert to the dangers involved in nuclear weapons and promote their total elimination”;

Recognizing likewise the holding of the first classroom course on “Nuclear Problem Areas” which the General Secretariat of OPANAL conducted to disseminate among the Member States, multilateral and regional efforts to confront the threat of nuclear weapons and their proliferation; the issue of peaceful uses of nuclear energy and the possibility of the reduction and total elimination of nuclear weapons by means of an international instrument;

Considering also the launching of the first online course on nuclear disarmament aimed at government officials, political advisors, legislators and members of the armed forces of the Member States of the Treaty of Tlatelolco, with the aim of offering a general overview of nuclear problem areas, training the persons responsible related to the topic and contributing to decision-making at national and regional levels;

Emphasizing with satisfaction the efforts made by the General Secretariat of OPANAL for the making of a documentary on nuclear disarmament in order to create awareness of the threat represented by nuclear weapons and the efforts of the international community for their elimination, aimed at Latin American and Caribbean students in primary and secondary education;

Sharing the criterion that now as never before education is necessary for disarmament and non-proliferation, especially with regard to weapons of mass destruction.

Resolves:

1. **To welcome with satisfaction** the work in the field of education for disarmament performed by the Council and the General Secretariat of OPANAL, as well as the academic co-ordination carried out by Ambassador Miguel Marín Bosch.

2. **To urge** the Member States to implement the recommendations contained in Resolution A/RES/63/70 approved by the General Assembly, entitled “United Nations Study on education for disarmament and non-proliferation.”
3. **To request** the next Secretary General to continue the work of dissemination of the Treaty of Tlatelolco among civil society and academic institutions, by promoting educational activities that contribute to education for peace, disarmament and nuclear non-proliferation among the Member States.
4. **To recognize** the efforts of the Council and the General Secretariat to translate the documentary on nuclear disarmament into the official languages of OPANAL and request the Members States of OPANAL to distribute it in their educational and academic institutions.
5. **To entrust** the General Secretariat with making this resolution known to the Secretary-General of the United Nations, as an expression of the will of the Member States of the Treaty of Tlatelolco to recognize and affirm the right to a culture of peace, disarmament and nuclear non-proliferation.

(Approved at the 111th Session
held on 26 November 2009).

RESOLUTION C/Res.54**TREATY BETWEEN THE UNITED STATES OF AMERICA AND THE RUSSIAN
FEDERATION ON MEASURES FOR THE FURTHER REDUCTION AND LIMITATION OF
STRATEGIC OFFENSIVE ARMS**

The Council,

Recalling the preamble of the Treaty of Tlatelolco in which States Parties declared that “the 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”;

Considering that the use or threat of use of nuclear weapons is a violation of international law and of the Charter of the United Nations;

Emphasizing the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, in accordance with commitments made under article VI of the Treaty on the Non-Proliferation of Nuclear Weapons;

Recognizing the complementarity of bilateral, plurilateral and multilateral negotiations on nuclear disarmament, and that bilateral negotiations can never replace multilateral negotiations in this respect;

Recognizing the role of the United Nations in the area of disarmament and international security, especially of the Conference on Disarmament as the single multilateral disarmament negotiation forum;

Reaffirming that nuclear disarmament and non-proliferation are substantively related and mutually reinforcing;

Convinced that there now exist conditions for the establishment of a world free of nuclear weapons, and **stressing** the need to take concrete, practical and irreversible steps towards achieving this priority goal;

Recognizing that an essential element to achieve nuclear disarmament is the firm political will of the States, especially of the nuclear-weapon States;

Reiterating that the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) is the cornerstone of nuclear non-proliferation and nuclear disarmament regime, and the necessity of achieving its universality and effective application;

Stressing the importance of a balanced implementation of the three pillars of the NPT: nuclear disarmament, non-proliferation and the right to the peaceful uses of nuclear energy;

Mindful of the importance of the 2010 Review Conference of the Parties to the NPT to achieve consensus about nuclear disarmament and non-proliferation;

Recalling the Final Document of the 2000 NPT Review Conference that establishes the thirteen steps for the systematic and progressive efforts towards the application of Article VI of the Treaty;

Resolves:

1. **To emphasize** that the existence of nuclear weapons constitutes a threat to the survival of mankind and to life on Earth, and that the only real guaranty against their use or threat of use, and against their proliferation is their total elimination and absolute prohibition.
2. **To welcome with satisfaction** all initiatives that promotes nuclear disarmament and non-proliferation.
3. **To call upon** the nuclear-weapon States to continue carrying out legally binding agreements for further reductions of their nuclear weapons in a irreversible, transparent and verifiable way, with a view to achieving the total elimination of these weapons in a specific period of time.
4. **To express the expectation** that the sign of the new Treaty Between the United States of America and the Russian Federation on Measures for the Further Reductions and Limitation of

Strategic Offensive Arms, that took place at Prague on 8 April 2010, will lead to advances in the goal of nuclear disarmament, in favor of peace and of international security.

5. **To express** the interest for the ratification of this new Treaty as soon as possible and that it could enter into force.
6. **To urge** to the United States of America and the Russian Federation to conclude new negotiations with a view to further reductions of strategic and tactical nuclear weapons.
7. **To recognize** that the reduction of nuclear arsenals is a measure that contributes to diminish the nuclear threat and, **to call** the nuclear-weapon States to implement the thirteen steps to achieve the objective of nuclear disarmament, as agreed to by the States parties in the 2000 TNP Review Conference.
8. **To entrust** the Secretariat General to deliver the text of this Resolution to the States Parties of OPANAL, to the States Linked to the Treaty of Tlatelolco, to the United Nations, to the Conference of Disarmament and to the Focal Points of the other Nuclear-Weapons-Free Zones.

(Adopted by the Council
on 21 April 2010)