

# Conference on Disarmament

23 February 2017

English

Original: Spanish

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## **Note verbale dated 20 February 2017 from the Permanent Mission of Mexico addressed to the Secretary-General of the Conference on Disarmament transmitting the Declaration of the Member States of OPANAL on the Fiftieth Anniversary of the Conclusion of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean**

The Permanent Mission of Mexico to the United Nations Office and other international organizations in Geneva, in its capacity as the coordinator of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) in Geneva, presents its compliments to the Office for Disarmament Affairs, which serves as the secretariat of the Conference on Disarmament, and has the honour to refer to its note verbale OGE00506 of 16 February 2017.

In its capacity as coordinator of OPANAL, the Permanent Mission of Mexico has the honour to transmit herewith the final version of the Declaration of the Member States of OPANAL on the Fiftieth Anniversary of the Conclusion of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco), adopted by the General Conference of OPANAL on 14 February 2017, at its twenty-fifth session (document CG/03/2017), and requests that the text be registered and circulated as an official document of the Conference on Disarmament. The request contained in note verbale OGE00506 concerning the registration of the text should kindly be disregarded.

The Permanent Mission of Mexico to the United Nations Office and other international organizations in Geneva avails itself of this opportunity to convey to the Office for Disarmament Affairs, as the secretariat of the Conference on Disarmament, the renewed assurances of its highest consideration.

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## Annex

[Original: English]

### **Declaration of the Member States of OPANAL on the Fiftieth Anniversary of the Conclusion of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)**

The States of Latin America and the Caribbean, all of them Parties to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco), represented by their Ministers of Foreign Affairs, meeting on 14 February 2017 in Mexico City, in the XXV Session of the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL), on the occasion of the fiftieth anniversary of the conclusion of the Treaty of Tlatelolco:

*Conscious* that Latin America and the Caribbean, then living in a complex political situation that clearly showed the need for military denuclearization, was able to create a treaty unprecedented for international peace and security, which would guarantee the absence of nuclear weapons in the region and at the same time the use of nuclear energy exclusively for peaceful purposes, as is the case of research centres with, inter alia, medical and food components;

*Proud* of the historical responsibility of belonging to the “Zone of Peace”, proclaimed for the first time in Latin America and the Caribbean at the Second Summit of the Community of Latin American and Caribbean States (CELAC) held in Havana, Cuba, on 29 January 2014;

*Recalling* their decision to contribute to the consolidation of peace based on the sovereign equality of States, on mutual respect and good neighbourliness, on the peaceful settlement of disputes, on the non-use or threat of use of force, on the right of self-determination, on territorial integrity and on non-intervention in internal affairs;

*Reiterating* that militarily denuclearized zones do not constitute an end in themselves, but rather a highly relevant intermediary step towards the realization of nuclear disarmament and general and complete disarmament under effective international control;

*Reiterating* their conviction that the establishment of militarily denuclearized zones is closely related to the maintenance of peace and security in the respective regions and that the military denuclearization of vast geographical zones, adopted by sovereign decision of the States comprised therein, has exercised a beneficial influence on other regions;

*Recalling* that the United Nations General Assembly, through resolution 68/32, decided “to convene, no later than 2018, a United Nations high-level international conference on nuclear disarmament to review the progress made in this regard”;

*Recalling* also the commemoration of the International Day for the Total Elimination of Nuclear Weapons on 26 September as part of the global efforts to achieve the common goal of a world free of nuclear weapons, and urging governments, parliaments and civil society to take additional measures each year to commemorate this date;

*Again emphasizing* 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;

*Similarly recalling* the Conferences on the Humanitarian Impact of Nuclear Weapons held in Oslo in 2013, and in Nayarit and Vienna in 2014, which confirmed that nuclear weapons constitute a threat to humankind, by their mere existence, and by their possible use or threat of use, as well as by the potential damage that an accidental or intentional detonation could cause to global health, to food security and to climate, among other fields, and by the lack of capacity of the international community to face a humanitarian catastrophe of such magnitude;

*Acknowledging also* the efforts being pursued in the multilateral context in order to identify and seek effective measures, the adoption of which will be necessary to establish and maintain a world without nuclear weapons;

*Reiterating* that, although nuclear-weapon States have the ultimate responsibility of eliminating their nuclear arsenals, it is the responsibility of all States to prevent the humanitarian impact and all effects of nuclear weapons;

*Reaffirming* that the use and threat of use of nuclear weapons are a violation of the Charter of the United Nations, a violation of international law, including international humanitarian law, and constitute a crime against humanity;

*Also considering* that the only effective guarantee against the use or threat of use of nuclear weapons is their prohibition and elimination in a transparent, verifiable and irreversible manner, within clearly established time frames;

*Recalling* that the United Nations General Assembly, at its first session, adopted its first resolution 1(I) on 24 January 1946, which mainly addresses the peaceful uses of atomic energy and the elimination of nuclear weapons as well as other weapons of mass destruction;

*Celebrating* the adoption at the seventy-first session of the United Nations General Assembly of resolution 71/258, in which it was decided, inter alia, “to convene in 2017 a United Nations conference to negotiate a legally binding instrument to prohibit nuclear weapons, leading towards their total elimination”;

*Highlighting* the unveiling of a commemorative plaque, on 18 November 2016, that reads “Here in Tijuana, the most north-western municipality of all Latin America, begins the Nuclear-Weapon-Free Zone of Latin America and the Caribbean, which extends to the farthest southern extreme of the Continent. As established by the Treaty of Tlatelolco in 1967, within this 80-million square kilometre region there are no nuclear weapons nor will there ever be”;

The States Parties to the Treaty of Tlatelolco, all of them Members of OPANAL:

1. *Reiterate their deep concern* over the existence of nuclear weapons, as it continues to be an imminent threat to the peace and security of our planet; and therefore believe it is in the interest of all that under no circumstances nuclear weapons be used again;
2. *Recall* the role of OPANAL as the “specialized body in the region for articulating common positions and joint actions on nuclear disarmament”, which is stated in the special declarations on nuclear disarmament adopted by the Heads of State and Government at the Summits of the Community of Latin American and Caribbean States (CELAC) held in Cuba in 2014, in Costa Rica in 2015 and in Ecuador in 2016;
3. *Reiterate*, pending the achievement of nuclear disarmament, the legitimate interest of the non-nuclear-weapon States, among them all the States Members of OPANAL are included, to receive the unequivocal and legally binding guarantee of non-use or threat of

use of nuclear weapons against them from the part of the nuclear-weapon States; and also urge that efforts be made towards negotiating and adopting, within the shortest possible term, a universal and legally binding instrument on negative security assurances;

4. *Call* on nuclear-weapon States that issued interpretative declarations to Additional Protocols I and II to the Treaty of Tlatelolco which are contrary to the spirit of the Treaty, to examine them together with OPANAL with the objective of revising or eliminating them in order to provide full and unequivocal security assurances to the States forming the Nuclear-Weapon-Free Zone in Latin America and the Caribbean; and to respect the militarily denuclearized character of the region;

5. *Emphasize* that nuclear-weapon-free zones promote peace and stability at the regional and international levels by prohibiting the possession, acquisition, development, testing, manufacturing, production, stockpiling, deployment and use of nuclear weapons;

6. *Stress* that the Treaty of Tlatelolco, which created the first nuclear-weapon-free zone in a densely populated area, has served as a source of inspiration for four other regions in the world; and consider also that the Treaty and the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) are an important endowment of the international community and a political, legal and institutional reference for the creation of other nuclear-weapon-free zones, on the basis of agreements freely arrived at by the States of the concerned region;

7. *Regret* the failure to fulfil the agreement to celebrate the 2012 international conference on the establishment of a zone free of nuclear weapons and all other weapons of mass destruction in the Middle East and reiterate that the convening of the conference is an integral and important part of the Final Document of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT);<sup>1</sup> and therefore call for the convening of this conference as soon as possible, with the participation of all States in the Middle East, on the basis of agreements freely concluded between the States of the concerned region and with the full support and commitment of the nuclear-weapon States;

8. *Regret* the continued failure of nuclear-weapon States to comply with article VI of the NPT and with the commitments emanating from the NPT Review Conferences; and regret also that the 2015 Review Conference of the States Parties to the NPT concluded without the adoption of a final document;

9. *Condemn* the modernization of existing nuclear weapons and the development of new types of such weapons, which is inconsistent with the obligation to adopt effective measures towards nuclear disarmament; and, in this regard, demand the cessation by nuclear-weapon States of the development and qualitative improvement of nuclear weapons, their delivery systems, as well as related infrastructures;

10. *Welcome* the commemoration, in July 2016, of the twenty-fifth anniversary of the signing of the agreements through which Argentina and Brazil confirmed their unequivocal commitment to the use of nuclear energy for strictly peaceful purposes and thereby creating the Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials (ABACC); and therefore highlight that the successful Argentine-Brazilian experience and ABACC has been recognized internationally and that they constitute an example and source of inspiration for other regions around the world, particularly for those where nuclear-weapon-free zones do not yet exist;

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<sup>1</sup> Document NPT/CONF.2010/50, vol. I, part I, p. 30, para. 7 (a).

11. *Stress* the importance of cooperation among the States Parties to the Treaties of Rarotonga, Bangkok, Pelindaba and Central Asia, which established nuclear-weapon-free zones, and Mongolia;

12. *Stress once more that* a world free of nuclear weapons is indispensable for the fulfilment of the principal aims of humankind, namely, peace, security and development; and therefore consider that the immediate action must be that all Member States of the United Nations actively participate in the United Nations conference to negotiate a legally binding instrument to prohibit nuclear weapons, leading towards their total elimination, convened by United Nations General Assembly resolution 71/258.

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