

# Conference on Disarmament

15 January 2020

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**Note verbale dated 13 December 2019 from the Special Representation of Brazil to the Conference on Disarmament, in its capacity of President of the Council of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL), addressed to the Secretariat of the Conference on Disarmament transmitting the OPANAL Declaration on the International Day for the Complete Elimination of Nuclear Weapons and requesting issuance of this document as an official document of the Conference on Disarmament**

The Special Representation of Brazil to the Conference on Disarmament presents its compliments to the Conference on Disarmament Secretariat and has the honour to request, in its capacity of President of the Council of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL), that the OPANAL Declaration on the International Day for the Complete Elimination of Nuclear Weapons, 26 of September 2019 (full texts in Spanish and English are attached) be tabled as an official document of the Conference on Disarmament.

The Special Representation of Brazil to the Conference on Disarmament avails itself of this opportunity to renew to the Conference on Disarmament Secretariat the assurances of its highest consideration.



## Annex

### **Declaration of the Member States of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL).**

#### **International Day for the Total Elimination of Nuclear Weapons (26 September 2019)**

The member States of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL),

*Maintaining* their historic commitment to nuclear disarmament,

*Reaffirming* that a world without nuclear weapons is essential for the accomplishment of the priority objectives of humanity, those being peace, security, development, and the protection of the environment,

*Recognising* that to achieve and maintain a world free of nuclear weapons is a responsibility shared by all Member States of the United Nations,

*Reaffirming* that, in accordance with the Charter of the United Nations, States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State or in any other manner inconsistent with the purposes of the United Nations,

*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,

*Proud* to belong to Latin America and the Caribbean, the first densely populated region in the world that, by means of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)<sup>1</sup>, established a nuclear-weapon-free zone on 14 February 1967,

*Recalling* that the Treaty of Tlatelolco has been strictly complied with by its States Party for more than 50 years, relying on the permanent work of OPANAL, the only international intergovernmental organization specializing in non-proliferation and disarmament of nuclear weapons,

*Reiterating* the full validity of the declarations on nuclear disarmament adopted by the Community of Latin American and Caribbean States (CELAC) on 20 August 2013, in Buenos Aires; on 29 January 2014, in Havana; on 29 January 2015, in Belén; on 27 January 2016, in Quito; and on 25 January, in Punta Cana,

*Conscious* that the Treaty of Tlatelolco and OPANAL are political, legal and institutional references for the creation of other nuclear-weapon-free zones,

*Reiterating also* their conviction that the establishment of nuclear-weapon-free zones is closely related to the maintenance of international peace and security and that the prohibition of nuclear weapons in different regions, adopted by sovereign decision of States comprised therein, has a beneficial influence over other regions,

*Emphasising* their rejection of nuclear weapons, which, after more than 70 years of existence and use, continue to pose a risk to international peace and security and ultimately may even render the whole earth uninhabitable,

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<sup>1</sup> [http://www.opanal.org/wp-content/uploads/2015/08/Treaty\\_Tlatelolco.pdf](http://www.opanal.org/wp-content/uploads/2015/08/Treaty_Tlatelolco.pdf)

*Highlighting the importance* of the resolutions adopted by the United Nations General Assembly on 5 December 2018: 73/47 “Humanitarian consequences of nuclear weapons”<sup>2</sup>; and 73/68 “Ethical imperatives for a nuclear-weapon-free world”<sup>3</sup>, which represent important political advances towards the delegitimization of nuclear weapons,

*Convinced* that the Treaty on the Non-Proliferation of Nuclear Weapons (NPT)<sup>4</sup> continues to be the cornerstone of the nuclear disarmament and non-proliferation regime,

*Fully aware* of the obligation set forth in Article VI of the NPT and the unequivocal commitment of nuclear weapon States to negotiate effective measures relating to nuclear disarmament and to general and complete disarmament under strict and effective international control,

*Recalling* that the prohibition of nuclear weapons is a means to contribute to the elimination of nuclear weapons in a transparent, verifiable and irreversible manner within clearly established timeframes and that elimination is the only truly effective guarantee against the use or threat of use of nuclear weapons,

*Expressing* their appreciation for the work carried out by the Secretary-General of OPANAL, Ambassador Luiz Filipe de Macedo Soares, and for his valued direction at the Agency since 2014,

*The Member States of OPANAL,*

*Join* in the commemoration, on 26 September 2019, of the International Day for the Total Elimination of Nuclear Weapons, established by resolution 68/32 (2013)<sup>5</sup> of the United Nations General Assembly;

*Invite* the international community to commemorate once again this International Day as part of the global efforts towards achieving the common goal of a world free of nuclear weapons and urge governments, parliaments and civil society to take further action each year to commemorate this International Day;

*On this occasion, the Member States:*

1. *Reiterate their concern* over the existence of about fourteen thousand nuclear weapons that pose an unacceptable threat to humankind, a danger that becomes more serious by the day;
2. *Recall* that this concern is reflected in numerous resolutions of the United Nations General Assembly, such as Res. 1 (I) of 24 January 1946<sup>6</sup>; in the Final Document of the First Special Session of the United Nations General Assembly on Disarmament (SSOD-I), in 1978<sup>7</sup>; as well as in the preamble of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean of 1967; and in the preamble of the NPT of 1968; and in the preamble of the Treaty on the Prohibition of Nuclear Weapons, of 2017<sup>8</sup>;
3. *Firmly demand* that nuclear weapons not be used again, under any circumstances by any actor, which can only be assured by the prohibition and the subsequent transparent, verifiable and irreversible elimination of all nuclear weapons;
4. *Reiterate* the call upon all States, in particular nuclear-weapon States, to eliminate the role of nuclear weapons in their security and defence doctrines and policies and to comply

<sup>2</sup> A/RES/73/47: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N18/419/60/pdf/N1841960.pdf?OpenElement>

<sup>3</sup> A/RES/73/68: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N18/421/16/pdf/N1842116.pdf?OpenElement>

<sup>4</sup> <http://disarmament.un.org/treaties/t/npt>

<sup>5</sup> A/RES/68/32: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N13/441/37/pdf/N1344137.pdf?OpenElement>

<sup>6</sup> A/RES/1(1): <https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/032/52/IMG/NR003252.pdf?OpenElement>

<sup>7</sup> A/S-10/4: <https://s3.amazonaws.com/unoda-web/wp-content/uploads/2017/05/A-S10-4.pdf>

<sup>8</sup> <http://disarmament.un.org/treaties/t/tpnw>

fully with their legal obligations and unequivocal commitments to accomplish the total elimination of nuclear weapons without further delay;

5. *Firmly demand* that nuclear-weapon States cease the qualitative improvement of nuclear weapons arsenals, the development of new types of these weapons and of new scenarios and procedures for the development and employment of new types of such weapons, what is inconsistent with the obligation to adopt effective measures towards nuclear disarmament;

6. *Recall* the mutually reinforcing relationship of nuclear disarmament and non-proliferation treaties;

7. *Recall* their participation in the adoption of the Treaty on the Prohibition of Nuclear Weapons (which currently has 70 Signatories and 26 States Party), and that prohibits the possession, development, production, acquisition, testing, stockpiling, transfer, use or threat of use of nuclear weapons or other nuclear explosive devices;

8. *Consider* that the Treaty on the Prohibition of Nuclear Weapons, as well as the Comprehensive-Nuclear-Test-Ban Treaty<sup>9</sup>, once in force, will add to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) and the NPT on the path towards the elimination of these weapons of mass destruction;

9. *Express* their concern for the erosion of the treaty-based disarmament architecture and firmly support all bilateral, regional or multilateral instruments that contribute to achieve nuclear disarmament;

10. *Express also* their concern about the cessation of the 1987 Intermediate-Range Nuclear Forces Treaty (INF)<sup>10</sup>;

11. *Call upon* all States to refrain from carrying out nuclear weapon test explosions, or any other non-explosive experiment, including subcritical experiments for the improvement of nuclear weapons; such actions are contrary to the spirit and purposes of the Comprehensive Nuclear-Test-Ban Treaty<sup>11</sup>, thus undermining its desired impact as a nuclear disarmament measure;

12. *Urge* the States included in Annex 2 to the Comprehensive Nuclear-Test-Ban Treaty that have not ratified the Treaty to take the necessary measures to do so without further delay;

13. *Urge* all States not parties to the NPT to accede to it as non-nuclear-weapon States, without further delay and without conditions<sup>12</sup>;

14. *Underline* the responsibility of all States parties for the full implementation of the NPT, and *urge* the nuclear-weapon States to take immediate action for the full and effective implementation of article VI in compliance with their obligations;

15. *Stress* their determination to work for the success of the 2020 Review Conference of the Parties to the NPT and consider that the results of the 1995 Review and Extension Conference<sup>13</sup> and the 2000<sup>14</sup> and 2010<sup>15</sup> Review Conferences remain valid, taking into account the fiftieth anniversary of the Treaty's entry into force and the twenty-fifth anniversary of its indefinite extension;

<sup>9</sup> <http://disarmament.un.org/treaties/t/ctbt>

<sup>10</sup> <https://2009-2017.state.gov/t/avc/trty/102360.htm#text>

<sup>11</sup> The People's Republic of China, the Democratic People's Republic of Korea (DPRK), the Arab Republic of Egypt, the United States of America, the Republic of India, the Islamic Republic of Iran, the State of Israel, and the Islamic Republic of Pakistan.

<sup>12</sup> The Democratic People's Republic of Korea (DPRK), the Republic of India, the State of Israel, the Islamic Republic of Pakistan and the Republic of South Sudan.

<sup>13</sup> NPT/CONF.1995/32 (Part I)

<sup>14</sup> NPT/CONF.2000/28 (Parts I and II)

<sup>15</sup> NPT/CONF.2010/50 (Vol. I)\*

16. *Take note* of the work done during the III Preparatory Committee for the 2020 Review Conference of the Parties to the Treaty, held in New York, from 29 April to 10 May 2019; including the examination of the question of the nomination of the Presidency of the 2020 Conference of the Parties and the inclusion of inputs from the working paper submitted by the Member States of OPANAL<sup>16</sup> in the recommendations document by the Chair of the Preparatory Committee<sup>17</sup>, issued in his personal capacity;
17. *Recognize* the essential role of the International Atomic Energy Agency (IAEA) and of the safeguards agreements in the implementation of the NPT and the Treaty of Tlatelolco;
18. *Urge* that efforts are made to overcome the impasse of more than two decades of the Conference on Disarmament, in order to fulfill its mandate,
19. *Confirm* the inalienable right of all States to develop research, production and use of nuclear energy for peaceful purposes without discrimination;
20. *Urge* nuclear-weapon States that made interpretative declarations concerning Additional Protocols I and II to the Treaty of Tlatelolco which are contrary to the spirit of the Treaty, to examine the proposals made by OPANAL with the aim of resolving this problem, giving full and unequivocal security assurances to the States that comprise the Nuclear-Weapon-Free Zone in Latin America and the Caribbean, as well as to respect the militarily denuclearized character of the zone of application of the Treaty of Tlatelolco;
21. *Encourage* the establishment of new nuclear-weapon-free zones by means of arrangements freely arrived at among States of the regions concerned;
22. *Regret* the failure, after more than two decades, to comply with the resolution on the establishment of a zone free of nuclear weapons and other weapons of mass destruction in the Middle East<sup>18</sup>, an integral part of the commitments of the 1995 Review and Extension Conference of the Parties to the NPT, and of the Final Documents of the 2000 and 2010 Review Conferences of the Parties to the NPT;
23. *Reiterate* their commitment to continue to promote the dialogue and cooperation among Nuclear-Weapon-Free Zones, including Mongolia, through, inter alia, the convening, in 2020, of a fourth conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia, in accordance with the resolution 73/71, adopted by the United Nations General Assembly, on 13 December 2018<sup>19</sup>, and to contribute to its successful outcome;
24. *Welcome* the election of Ambassador Sacha Llorenti of the Plurinational State of Bolivia as President of the First Committee in the LXXIV Session of the United Nations General Assembly, which deals with issues of disarmament and international security, representing a recognition to the historic role of the region in such matters;
25. *Reiterate further* their conviction that the dissemination of information concerning the danger posed by nuclear weapons is essential so that the entire civil society may join the efforts for the elimination of nuclear weapons;
26. *Reaffirm* the importance of the “United Nations study on disarmament and non-proliferation education”<sup>20</sup>, adopted by the Resolution 57/60 of the United Nations General Assembly, in its LVII session (2002)<sup>21</sup> and *commit themselves* to continue working on the implementation of programmes of education on nuclear disarmament and non-proliferation,

<sup>16</sup> <https://undocs.org/NPT/CONF.2020/PC.III/WP.32>

<sup>17</sup> <https://undocs.org/NPT/CONF.2020/PC.III/WP.49>

<sup>18</sup> NPT/CONF.1995/32 (Part I), Annex.

<sup>19</sup> A/RES/73/71: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N18/421/38/pdf/N1842138.pdf?OpenElement>

<sup>20</sup> A/57/124: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N02/456/87/pdf/N0245687.pdf?OpenElement>

<sup>21</sup> A/RES/57/60: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N02/541/87/pdf/N0254187.pdf?OpenElement>

convinced that they are effective means to contribute to the consolidation of international peace and security;

27. *Reiterate* the commitment of the States of the region, endorsed in the Proclamation of Latin America and the Caribbean as a Zone of Peace,<sup>22</sup> to continue to promote nuclear disarmament as a priority objective and to contribute to general and complete disarmament in order to favour the strengthening of confidence among nations.

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<sup>22</sup> Declaration on Nuclear Disarmament adopted by the Community of Latin American and Caribbean States (CELAC) 29-29 January 2014.