

AGENCY FOR THE  
PROHIBITION OF NUCLEAR WEAPONS  
IN LATIN AMERICA



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GENERAL

CG/RES.167 (VIII)  
18th May, 1983

GENERAL CONFERENCE  
Eighth Regular Session  
Agenda Item 11  
Kingston, Jamaica, May 16-19, 1983

RESOLUTION 167 (VIII)

CONTROL SYSTEM

APPLICATION OF ARTICLE 13 OF THE TREATY OF TLATELOLCO

The General Conference,

Recalling that Article 13 of the Treaty of Tlatelolco establishes, for the States Parties to the same, the obligation to conclude, within a pre-determined period of time agreements for the application of the Safeguards System of the International Atomic Energy Agency to the nuclear activities of these States Parties;

Observing in the Report of the Secretary General, which appears in document CG/234, that the Safeguards Agreements referred to in Article 13 of the Treaty, have, to date, been formalized only by the Governments of 18 Member States; and that the negotiations of the four remaining Member States have not been initiated or are still at a very preliminary stage;

Observing similarly that of these four States, two, Barbados and Trinidad and Tobago, have not yet initiated the negotiation of the respective agreements and, the other two, Bahamas and Grenada, in spite of having begun negotiation some time ago, have not yet concluded it;

Considering that it is necessary to reiterate the interpretation of Article 13 of the Treaty of Tlatelolco, made insistently by the General Conference in the sense that the expiration of the period of time therein

established to initiate negotiations or to conclude the respective agreement, does not imply the end of the obligation to negotiate and conclude them;

Considering also that in view of the fact that Barbados and Trinidad and Tobago have not initiated negotiations, it is appropriate to reaffirm the interpretation of the aforementioned Article 13 made by the General Conference of OPANAL, and supported by the International Atomic Energy Agency, that the obligation to negotiate and conclude agreements, also exists for the States Parties to the Treaty which do not yet have nuclear activities nor programmes;

Considering finally that not to negotiate or conclude agreements constitutes a non-compliance of the Treaty of Tlatelolco under the terms of Article 20.1 of the Treaty;

Bearing in mind the goodwill demonstrated by the International Atomic Energy Agency in granting all the facilities for the negotiation and conclusion of the Safeguards Agreements referred to in Article 13 of the Treaty, and

Mindful of its earlier Resolutions 19 (I) dated September 10, 1970; 31 (II) dated September 9, 1971; 51 (III) dated August 23, 1973; 81 (IV) dated April 18, 1975; 99 (V) dated April 21, 1977; 116 (VI) dated April 25, 1979 and 141 (VII) dated April 24, 1981, as well as the repeated Resolutions on this item which the Council has adopted: C-1 and C-2 dated November 17, 1970; C-4 dated August 16, 1972; C-5 dated January 18, 1973; C-9 and C-10 dated August 17 and November 22, 1974, respectively, and C-11 dated January 29, 1976,

Resolves:

1. To reiterate its satisfaction to the Governments of Member States which have already concluded with the International Atomic Energy Agency the Agreements for the application of Safeguards established by

Article 13 of the Treaty of Tlatelolco.

2. To express its satisfaction to the Governments of the States Parties to the Treaty which have already completed the stage of negotiation of these Agreements, urging them to proceed to formalize them as early as possible.
3. To appeal to the Governments of Member States which have still not initiated or begun negotiation of these Agreements with the International Atomic Energy Agency, to make every effort to complete this stage in the very near future, in order to comply with the obligations which derive from Article 13 of the Treaty of Tlatelolco; the compliance of these obligations is obviously essential for the proper functioning of the Control System established by the Treaty itself.
4. To declare that negotiation or formalization of the Agreements, after the period of time stipulated in Article 13 of the Treaty of Tlatelolco, and in spite of repeated appeals from the General Conference, constitutes non-compliance with the Treaty according to the provisions of Article 20, paragraph 1.
5. To recall that the Government of the Argentine Republic informed the Seventh Regular Session of the General Conference that in view of its integration into the nuclear-free Zone established by the Treaty of Tlatelolco, already took steps with the International Atomic Energy Agency, leading to the conclusion of the safeguards agreement which would be applicable to that country based on Article 13 of the Treaty.
6. To acknowledge the goodwill of both the Director General of the International Atomic Energy Agency and its staff in facilitating the negotiation of Safeguards Agreements with Member States of OPANAL.
7. To thank the Secretary General for the collaboration which it has given to various Governments of Member States for the negotiation of these Agreements and to ask him to continue to do so until all Governments have regularized their situation in respect of Article 13 of the Treaty.

(Adopted on the Forty-sixth Session,  
held on May 18, 1983)