



GENERAL CONFERENCE
Twelfth Special Session
Tlatelolco, Mexico City, 14 November 1997.

RESOLUTION CG/E/Res.368

**STRENGTHENING OF THE AGENCY FOR THE PROHIBITION OF NUCLEAR
WEAPONS IN LATIN AMERICA AND THE CARIBBEAN
(OPANAL)**

The General Conference,

Bearing in mind Resolution 358 (XV) of 10 July 1997, which instructed the Council of the Agency to continue studying the topic "Strengthening of OPANAL" on the basis of the Report of the ad-hoc Working Group;

Taking into consideration that the ad-hoc Working Group presented a Report (Doc. GTAH/DT/22 Rev.1);

Having studied the Memorandum of the Secretary General (Doc.CG/E/474),

Resolves:

1. **To instruct** the Council and the Secretariat of OPANAL to comply with the recommendations of the ad-hoc Working Group on the strengthening of OPANAL, on which there is a consensus for their application.

Said recommendations are:

a) Actions that do not require amendments to the Treaty of Tlatelolco:

- As the highest organ of the Agency, the General Conference will strengthen OPANAL's political role by continuing and stepping up exchanges between the Treaties of Tlatelolco and Rarotonga within the sphere of its competence, and extending them to the Southeast Asia Nuclear-Weapon-Free Zone Treaty and the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba), to foster common actions to favor the prohibition of nuclear tests, non proliferation and the possibility of carrying out cooperation programs with them. In accordance with Article 10 of the Treaty, the General Conference instructs the Council to follow up on these topics.

- The General Conference shall establish a program to strengthen OPANAL's institutional sphere. Among other aspects, this program shall provide for the strengthening of a small professional group in the Secretariat, the improvement of its documentation on non proliferation issues, the strengthening of its capacity to analyze matters concerning non proliferation and nuclear disarmament, and the updating of the Cooperation Agreement with the International Atomic Energy Agency (IAEA).
 - The General Conference shall seek to enter into cooperation with other regional agencies and in the region, such as ABACC.
 - In order to effectively safeguard the functioning of the Control System established by the Treaty, the General Conference shall strengthen the Secretariat and the Council's capacity for analysis through closer cooperation with the IAEA.
 - The General Conference shall develop and strengthen relations with the new international agencies created to supervise disarmament and arms-control measures, including weapons of mass destruction and conventional weapons, in accordance with Article 20 of the Treaty.
 - In the financial sphere, the General Conference shall study new sources for securing funds, other than the Member States, to carry out any activities and programs that may be agreed to.
- b) To instruct** the Council and the Secretariat, in reference to actions that require making amendments to the Treaty of Tlatelolco, to conduct a study of the following points proposed by the ad-hoc Working Group and include them as permanent items on the agenda until they are definitively settled:
- OPANAL should be provided with the legal instruments needed to take part in activities related to the peaceful use of nuclear energy.
 - Bearing in mind that the Treaty of Tlatelolco extends limited powers to OPANAL to address current international topics dealing with the spirit of the Treaty, it was proposed that the Council conduct studies of ways and means to provide OPANAL with the legal foundations needed for it to play a role in fields such as: transport and deposit of radioactive matter in the Zone of Application; prevention of radioactive contamination of the marine environment; the harmful effects on the region's environment of the use, storage and dumping of radioactive sources, substances, materials and technology; control of the production and/or marketing of fissionable matter; the safety of existing nuclear facilities in the Zone of Application, and others resulting from new advances in the field of nuclear science.
 - Provide OPANAL with the legal mechanisms to expand its sphere of cooperation in general, in matters regarding technology transfers and scientific research and training, both with the nuclear powers and with the countries with the greatest

nuclear technology development in the region, in areas beyond the Control System and disarmament established by the Treaty of Tlatelolco.

2. **To take note** that the nuclear explosions for peaceful purposes sanctioned in Article 18 of the Treaty of Tlatelolco should be viewed in terms of the process of consolidating the international legal regime of the Comprehensive Test Ban Treaty (CTBT).
3. **To stipulate** that the Council study and analyze these topics prudently, without this causing unnecessary delays in their treatment.
4. **To instruct** the Council of the Agency to communicate the results of their deliberations on these important topics to the other States Parties in a prompt manner and subsequently submit them to the next Regular Session of the General Conference of OPANAL.

(Adopted at the 87th Session,
held on 14 November 1997)