

AGENCY FOR THE  
PROHIBITION OF NUCLEAR WEAPONS  
IN LATIN AMERICA



Distr.  
GENERAL

S/Inf. 284  
18th May, 1983

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SECRETARIAT  
Eighth Regular Session  
Kingston, Jamaica, May 16-19, 1983

STATEMENT BY THE UNITED STATES DELEGATE ASSISTANT SECRETARY  
HIS EXCELLENCY JAMES L. MALONE AT THE CLOSE OF THE EIGHTH  
REGULAR SESSION OF THE GENERAL CONFERENCE

With respect to comments made by a few Delegations this afternoon, I would like to restate a longstanding U.S. view—supported both in negotiating history of the Treaty of Tlatelolco and State practice—. That is that the United States believes that the Treaty and its Protocols do not affect the right to exercise freedom of navigation of the high seas, to undertake innocent passage through territorial waters, nor affect the sovereign right of the territorial States to grant or deny transit rights.

The United States does not believe that the actions of British naval forces in the South Atlantic were in any way inconsistent with its obligations under Protocols I and II. The Secretary-General's report in paragraph 16 states that the issue before this General Conference is in fact political rather than legal. It is important that this Conference not permit the lingering bitterness of the South Atlantic conflict to result in questioning the legal basis of the Treaty regime that has been established through the years with regard to freedom to navigate on the high seas and to transit rights.