



AGENCY FOR THE PROHIBITION OF NUCLEAR WEAPONS IN
LATIN AMERICA AND THE CARIBBEAN

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**2015 Review Conference of the Parties to the
Treaty on the Non-Proliferation of Nuclear Weapons (NPT)**

Memorandum of the Agency for the Prohibition of Nuclear Weapons in
Latin America and the Caribbean (OPANAL)

20 February, 2015
Mexico City

Pursuant to the decisions on background documentation adopted by the Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the Secretary-General of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) presents a memorandum regarding the Agency's activities related to the NPT that have taken place since the 2010 Review Conference.

Control System of the Treaty of Tlatelolco and regional and external activities of OPANAL

I. Compliance with obligations established by the Control System of the Treaty of Tlatelolco

Under Article 14 of the Treaty of Tlatelolco, Contracting Parties are obliged to submit semi-annual reports to the Agency stating that no activity prohibited under the Treaty has occurred in their respective territories. The dates of the latest reports submitted by OPANAL Member States are shown in **Annex I**.

The Secretary-General will continue to encourage all Contracting Parties to submit their reports in compliance with Article 14 twice a year as stipulated by the Treaty.

While Article 24 is not strictly part of the Control System, it is another important obligation contracted by States Parties. Under Article 24, States are required to inform the Agency of any international agreements they conclude on matters with which the Treaty is concerned. Unlike Article 14, Article 24 does not establish a specific periodicity for States to submit their reports in this regard (**Annex II**).

II. Community of Latin American and Caribbean States (CELAC)

Since the creation of CELAC on 3 December 2011 (Caracas, Venezuela) the Heads of State and Government have given great importance to the Region's political stand on nuclear disarmament. They issued a "[Special communiqué on the Total Elimination of Nuclear Weapons](#)" confirming that "Latin America and the Caribbean is proud to be the first densely populated area in the world to be declared a Nuclear-Weapon-Free Zone, by means of the Treaty of Tlatelolco" (Par. 2).

In the final [Declaration of the First CELAC Summit](#) (Santiago, January 2013), the Heads of State and Government reaffirmed the commitment of their States to the Non-proliferation Treaty and their support to legally binding instruments for effective, irreversible and verifiable nuclear disarmament (Par. 47).

One year later, the [final Declaration of the Second Summit](#) (Havana, January 2014) "reaffirm[ed] the importance of the collaboration and cooperation between CELAC and OPANAL, the specialized body in the region for articulating common positions and joint actions on nuclear disarmament" (Par. 72). During this Summit, a "[Special Declaration on Nuclear Disarmament](#)" was issued, where CELAC also reaffirmed "the importance of the link and cooperation between CELAC and OPANAL, the specialized regional body to harmonize a common stance and of the joint work to achieve nuclear disarmament" (Par. 25).

Through the [Political Declaration of the Third CELAC Summit](#) (Costa Rica, January 2015) the Heads of State and Government reiterated "that complete, transparent, irreversible and verifiable nuclear disarmament is an important goal of this community of states and that the only effective guarantee against the use or threat of use of nuclear weapons is its [sic] total elimination and prohibition. In this context, Member States of the Community support the negotiation of a universal legally binding instrument proscribing nuclear weapons with a multilaterally agreed timetable" (Par. 62). As in the II Summit, during the III CELAC Summit, States adopted a [Special Declaration: "on the Urgent Need for a Nuclear Weapons Free World"](#) reiterating that OPANAL is the specialized body of CELAC for nuclear disarmament.

III. External relations of OPANAL

OPANAL has maintained relations with several international organizations and civil society organizations.

The Agency has participated in the general debate of the First Committee of the UN General Assembly. Secretary-General Macedo Soares is promoting that OPANAL joins a relevant panel during the thematic discussion of the First Committee. Moreover, OPANAL Secretary-General has taken part in the NPT Preparatory Committee sessions and will be at the IX Review Conference to be held between April and May 2015.

The Secretariat has provided information for UN SG's reports as requested on topics related to OPANAL's work.

OPANAL has actively participated and promoted the three Conferences of states Parties and Signatories of Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia, the first two coordinated by Mexico (2005) and Chile (2010), respectively.

OPANAL has maintained an important relation with the International Atomic Energy Agency (IAEA), as provided for in Articles 13 and 19 of the Treaty of Tlatelolco. On November 2011 former Secretary-General Ubeda participated at the IAEA's "Forum on Experience of Possible Relevance to the Creation of a Nuclear-Weapon-Free Zone (NWFZ) in Middle East". As well, Director General Yukiya Amano participated in OPANAL's International Seminar: "The Experience of the Nuclear-Weapon-Free Zone in Latin America and the Caribbean and the perspective towards 2015 and beyond" on 14 and 15 February 2012.

Furthermore, the former OPANAL Secretary-General participated on 16 June 2011 in the Plenary Meeting of the Conference on Disarmament in Geneva and Secretary-General Macedo Soares is planning to participate on March 2015.

OPANAL Secretary-Generals over the last five years have also participated in several seminars and workshops about nuclear disarmament and non-proliferation organized by Ministries of Foreign Affairs and other institutions from the following Member States: Argentina, Brazil, Chile, Costa Rica, Ecuador, Mexico, Peru and Uruguay.

OPANAL has maintained a close relation with the Organization of American States (OAS). In 2010 former Secretary-General Ubeda attended the XXXIX Special Session of the OAS General Assembly. Pursuant to OAS GA Resolution “Consolidation of the Regime established in the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)” ([Doc. AG/RES. 2624 \(XLI-O/11\)](#)), which is adopted by the Committee on Hemispheric Security (CHS) on a regular basis, OPANAL Secretary-Generals addressed the CHS in 2013 and 2014.

The Agency has also had bilateral meetings with the Secretary of the Brazilian-Argentine Agency for Accounting and Control of Nuclear Weapons (ABACC) and the Executive Secretary of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO). All this high-profile representatives, together with the UN High Representative for Disarmament Affairs, participated in the International Seminar “The Experience of the Nuclear-Weapon-Free Zone in Latin America and the Caribbean and the perspective towards 2015 and beyond”.

Concerning OPANAL’s relations with civil society organizations, since 2010 OPANAL Secretary-Generals have met with representatives from organizations such as: Mayors for Peace, Parliamentarians for Nuclear Non-Proliferation and Disarmament (PNND), Soka Gakkai International, Non-Proliferation for Global Security Foundation (NPS Global), International Campaign to Abolish Nuclear Weapons (ICAN), Global Security Institute, Global Consortium on Security Transformation and the World Future Council.

On 23 October 2013, the Treaty of Tlatelolco was chosen among 24 nominated policies as the winner of the [2013 Future Policy Gold Award](#) presented by the World Future Council, UNODA and the Inter-Parliamentary Union (IPU).

OPANAL continues to promote an interactive relation with several academic institutions such as the James Martin Center for Nonproliferation Studies (CNS) from the Monterey Institute for International Studies, the Latin American Institute for Educational Communications (ILCE), as well as different Universities in Latin American countries.

**OPANAL views, positions and resolutions concerning matters related to the NPT and to
the Final Document of the 2010 Review Conference of the Parties
with special reference to Actions contained in the section entitled
Conclusions and recommendations for follow-on actions
(Doc. NPT/CONF.2010/50 (Vol.I))**

I. Nuclear Disarmament

Actions 3-6: Qualitative improvement of nuclear weapons.

During its XXIII Regular Session held in Buenos Aires, Argentina (21-22 August 2013), the General Conference of OPANAL adopted Resolution [CG/Res.563](#) entitled “Urgent need for general and complete nuclear disarmament”, which demanded “the cessation of development and qualitative improvement of nuclear weapons” (Paragraph 4).

In October 2014, during the 69th Session of the First Committee of the United Nations General Assembly (UNGA), the Permanent Representative of Ecuador to the UN in New York circulated the “Declaration of the Member States of OPANAL on the occasion of the International Day for the Total Elimination of Nuclear Weapons” (UN [Doc. A/C.1/69/2](#)), in which they called on the Nuclear-Weapon States (NWS) to cease “the development of new types of nuclear weapons” (Par. 4).

Actions 3-7: Legally-binding instrument prohibiting nuclear weapons.

Doc. A/C.1/69/2 above mentioned affirmed “the pressing need to begin negotiations for the prompt conclusion of a universal and legally binding instrument prohibiting the possession, development, production, acquisition, testing, stockpiling, transfer, use or threat of use of nuclear weapons and providing for their destruction in a transparent, irreversible and verifiable manner under a multilaterally agreed timetable” (Par. 2).

Action 5. Article VI of the NPT.

In the 2011 Declaration of Member States of OPANAL (UN [Doc. A/C.1/66/2](#)), it was stated that “It is a responsibility of all States, particularly of nuclear-weapon States, from whom we

expect improvements in their commitment to accelerate concrete progress on measures aimed to achieve nuclear disarmament, established in Measure 5 of the Final Document of the 2010 Non-Proliferation Treaty Review Conference, towards a full entry into force of the provisions of Article VI of this Treaty” (Par. 20).

Action 5(c): Role of nuclear weapons in security policies.

The Member States of OPANAL, in their 2014 Declaration on the occasion of the International Day for the Total Elimination of Nuclear Weapons (Doc. A/C.1/69/2), called on “all States, in particular nuclear-weapon States, to eliminate the role of nuclear weapons in their doctrines, security policies and military strategies” (Par. 3).

Security Assurances

Actions 6-7: Conference on Disarmament.

General Conference Resolution CG/Res.563, adopted on 22 August 2013, entitled “Urgent need for general and complete nuclear disarmament” urged the Conference on Disarmament “to demonstrate the necessary political will in order to ensure the commencement without delay of substantive work through the adoption and implementation of a balanced and comprehensive program of work that advances the agenda of nuclear disarmament” (Par. 7).

Actions 7-8: Threat or use of nuclear weapons.

In the Declaration adopted by the 33 Member States of OPANAL in September 2011 (Doc. A/C.1/66/2), they reaffirmed that “the use of or threat to use nuclear weapons is a violation of the Charter of the United Nations and a crime against humanity” (Par. 4).

Action 9: Negative Security Assurances.

In the 2011 Declaration of Member States of OPANAL (Doc. A/C.1/66/2) it was affirmed that “It is a legitimate interest of non-nuclear-weapon States to be given unequivocal, legally binding guarantees from nuclear-weapon States not to use or threaten to use such weapons against them” (Par. 5).

Action 9: Interpretative Declarations of Nuclear-Weapon States to Additional Protocols of the Treaty of Tlatelolco.

During its 65th Session, on 8 December 2010, the UNGA adopted without a vote [Resolution 65/40](#) entitled “Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)”, which encouraged “States that have ratified the relevant Protocols to the Treaty of Tlatelolco to review any reservations in this regard, in accordance with action 9 of the Final Document of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons” (Par. 3).

Furthermore, on 5 December 2013, the General Assembly adopted [Resolution 68/26](#) with the same title and content of the former Resolution.

In Press release [Doc. S/BP/63](#), issued on 26 June 2014, OPANAL Member States welcomed the signature of the Protocol to the Treaty of the Nuclear-Weapon-Free Zone in Central Asia by the five Nuclear-Weapon States on 6 May 2014 in New York City. Member States expressed that “the signing of the Protocols to NWFZ Treaties by the NWS is essential to the full consolidation of these Zones. In this respect, they express that any restrictions to the terms and scope of such protocols would be detrimental to the goal and purpose of the NWFZ Treaties” (Par. 4).

Action 9: Establishment of permanent bodies in Nuclear-Weapon-Free Zones (NWFZ).

In the 2011 Declaration of Member States of OPANAL (Doc. A/C.1/66/2), they called upon all other NWFZ “to consider the establishment of permanent bodies similar to the ones created by the Treaties of Tlatelolco and Pelindaba” (Par. 10).

Action 9: Establishment of further NWFZ.

In their 2011 Declaration (Doc. A/C.1/66/2), OPANAL Member States expressed their support to negotiations for “the creation of new nuclear-weapon-free zones, such as the ones suggested in North-East Asia and the Middle East” (Par. 13).

Nuclear testing

Action 10: Nuclear-Test-Ban Treaty (CTBT).

The 2011 Declaration of Member States of OPANAL (Doc. A/C.1/66/2), reiterates their “demand for the binding cessation of all nuclear-weapons-test explosions, as well as the need to achieve universal adherence to the Comprehensive Nuclear-Test-Ban Treaty from all nuclear-weapon States in particular, and the States mentioned in Annex 2 of the Treaty” (Par. 17).

On January 12, 2012 Guatemala ratified the CTBT, becoming the 31st OPANAL Member State to do so. Cuba and Dominica have neither signed nor ratified it yet; however, because they are not part of Annex 2 of the CTBT they do not prevent its entry into force.

On April 2013, OPANAL Council Resolution [C/Res.55](#) reiterated “its strongest condemnation against the conduct of any nuclear tests anywhere in the world” (Par. 1). Resolution C/Res.55 exhorted the Government of the Democratic People’s Republic of Korea “to rejoin the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) as non-nuclear-weapon state, and to adopt without delay a moratorium on nuclear tests explosions or any other nuclear explosions” (Par. 2).

Other measures in support of nuclear disarmament

Action 19: Cooperation with other existing NWFZ.

At its XXIII Regular Session held in Buenos Aires, Argentina (21-22 August 2013), the General Conference of OPANAL adopted Resolution [CG/Res.554](#) entitled “Strategic Agenda of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean”, which expressed that “cooperation with other Nuclear-Weapon-Free Zones, relevant International Organizations and instances of Civil Society is indispensable to implement concrete measures towards nuclear disarmament” (13th preambular par.).

UNGA Resolution 65/40 encouraged OPANAL Member States “to continue the activities and efforts of the Agency with a view to implementing the agreements reached at

the first and second conferences of States parties and signatories to treaties that establish nuclear-weapon-free zones” (Par. 4).

II. Nuclear non-proliferation

Action 26: Non-proliferation of nuclear weapons.

All 33 Member States of OPANAL are Contracting Parties to the NPT and have concluded their specific safeguards agreements with the International Atomic Energy Agency complying with Article III of the NPT and Article 13 of the Treaty of Tlatelolco.

III. Peaceful uses of nuclear energy

Action 47. Peaceful uses of nuclear energy.

In the 2014 Declaration on the occasion of the International Day for the Total Elimination of Nuclear Weapons (Doc. A/C.1/69/2), OPANAL Member States confirmed “the inalienable right of all States, according to the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), to conduct research, production and use of nuclear energy for peaceful purposes without discrimination” (Par. 6).

Statement by the Secretary-General of OPANAL delivered at the Third Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

“Four issues could concentrate the attention of next year’s Conference. **The first** is the reinforcement of the Zones, for which it is essential to exchange information among them about their peculiar situations and problems they face.

The second concerns the question of negative security assurances which are crucial for the Zones. Their Member States have assumed legally-binding assurances vis-à-vis all the other States including the nuclear-weapon States. It is morally, politically and legally

indispensable that a reciprocal undertaking under the form of a treaty is accepted by nuclear-weapon States.

A third and urgent issue is the establishment of a zone free of nuclear weapons and other weapons of mass destruction in the Middle East. No one can ignore the obstacles that the States in the region face to achieve this goal universally desired. Let's not use the obstacles as an excuse not to make progress in that direction.

When, some 50 years ago, Latin American and Caribbean countries started the negotiation of what came to be the Treaty of Tlatelolco, the political conditions and the strategic situation in our region, including the incidence in it of the cold war competing superpowers, could not be more adverse to such an endeavor. In a large part of the region the prevailing political regimes and the low level of confidence among many States were not conducive to a strategic understanding among them” (OPANAL [Doc. S/Inf.1115](#), p. 2-3).

Annex I

Status of compliance with Article 14 of the Treaty of Tlatelolco

Member State	Reports received by the first half of 2010	Reports received by the second half of 2014
Antigua and Barbuda	30-Jun-1995	31-Jan-2015
Argentina	30-Jun-2010	30-Jun-2014
Bahamas	30-Jun-2010	30-Jun-2010
Barbados	31-Dic-1984	31-Dec-1984
Belize**		30-Jun-2014
Bolivia	30-Jun-2009	15-Nov-2011
Brazil	30-Jun-2010	31-Dec-2014
Chile	31-Dec-2009	31-Dec-2013
Colombia	30-Jun-2010	30-Jun-2014
Costa Rica	30-Jun-2009	22-Jul-2014
Cuba	30-Jun-2010	31-Dec-2014
Dominica	12-Jun-2010	16-Aug-2013
Dominican Republic	31-Dec-1999	29-Mar-2013
Ecuador	30-Jun-2010	30-Jun-2014
El Salvador	30-Jun-2009	30-Jun-2014
Grenada	30-Jun-1981	31-Jan-2014
Guatemala	30-Jun-2009	31-Dec-2013
Guyana*		15-Dec-2014
Haiti	30-Jun-1996	31-Dec-2013
Honduras	31-Dec-1989	31-Dec-1989
Jamaica	30-Jun-2010	31-Dec-2013
Mexico	30-Jun-2010	31-Dec-2014
Nicaragua	30-Jun-2005	31-Dec-2013
Panama	30-Jun-2001	30-Jun-2011
Paraguay	30-Jun-1998	1-Jul-2013
Peru	30-Jun-2008	31-Dec-2013
Saint Kitts and Nevis*		30-Jun-2014
Saint Lucia*		25-Jul-2013
Saint Vincent and Grenadines	31-Dec-2007	31-Jul-2014
Suriname	31-Dec-1993	30-Jun-2011
Trinidad and Tobago	31-Dec-2005	24-Jul-2013
Uruguay	30-Jun-2008	30-Jun-2014
Venezuela	31-Dec-2009	31-Dec-2013

* Complied with Article 14 for the first time in 2012

** Complied with Article 14 for the first time in 2013, when finally all Member States had sent their reports.

Annex II

Status of compliance with Article 24 of the Treaty of Tlatelolco

Member State	Reports received by 16 February 2014
Antigua and Barbuda*	3-Feb-2015
Argentina*	22-Oct-2014
Bahamas	10-May-2007
Barbados	10-Apr-1984
Belize	
Bolivia*	23-Nov-2011
Brazil	23-Sep-2013
Chile	25-Feb-2005
Colombia*	2-Apr-2014
Costa Rica	
Cuba*	8-Jan-2014
Dominica*	12-Sep-2012
Dominican Republic	7-Aug-1987
Ecuador	25-Aug-2014
El Salvador	22-Sep-2010
Grenada	13-Sep-1980
Guatemala	2-Dec-2010
Guyana	16-Sep-2010
Haiti	31-Jul-1973
Honduras	8-Nov-2010
Jamaica	9-Aug-2013
Mexico	31-Dec-2014
Nicaragua	27-Aug-2010
Panama	4-Feb-1986
Paraguay*	1-Jul-2013
Peru	20-Jan-2014
Saint Kitts and Nevis*	6-Jun-2014
Saint Lucia*	25-Jul-2013
Saint Vincent and Grenadines	
Suriname	16-Sep-2010
Trinidad and Tobago	25-Jul-2013
Uruguay*	1-Sep-2011
Venezuela*	14-Jan-2014

* Complied with Article 24 for the first time between November 2010 and February 2015