



OPANAL
Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean
Secretariat

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Statement *by*

Ambassador Eric Anderson Machado

Coordinator of the Agency for the Prohibition of Nuclear Weapons
in Latin America and the Caribbean (OPANAL) at the International Atomic Energy Agency
(IAEA)
and

Permanent Representative of the Republic of Peru to the
to the IAEA and other International Organizations based in Vienna

On behalf of

Ambassador Luiz Filipe de Macedo Soares

Secretary-General of OPANAL

21 September 2018

Vienna, Austria

Mme Chair,

In my capacity as Coordinator of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) at the International Atomic Energy Agency , and on behalf of the Secretary-General of OPANAL, Ambassador Luiz Filipe de Macedo Soares, I express the warmest congratulations for your election to conduct a successful 62nd session of the General Conference of the IAEA.

Mme Chair,

Latin America and the Caribbean was the first region in the world undertake, by means of an international legal instrument, to use nuclear energy exclusively for peaceful purposes and to declare itself free of nuclear weapons. The Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) was opened for signature on 14 February 1967.

The Treaty of Tlatelolco represents an innovation in International Law that inspired four other regions to follow that path. Nuclear-weapon-free zones are today one of the key elements in the multilateral treatment of questions related to peaceful uses of nuclear energy, non-proliferation and disarmament of nuclear weapons. It is always important to stress the legal nature and the political reality of the Nuclear-weapon-free zones, which today involve 116 countries.

Among the five treaties establishing the Zones, the Treaty of Tlatelolco is the only one that maintains in operation an international organization: the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL).

It is important to keep in mind the dual characteristic of OPANAL in accordance with the Treaty of Tlatelolco.

The first element is the role of OPANAL in keeping fully operational the Control System established by the Treaty so that its area of application be effectively and verifiably free of nuclear weapons. In accordance with article 14 of the Treaty, States Party declare biannually to OPANAL their compliance to the Treaty by means of reports stating that no activity prohibited under this Treaty has occurred in their territories.

The second element is the role of OPANAL as a political intergovernmental organization in which the States Party hold periodic consultations on the purposes, measures, and procedures set forth in the Treaty of Tlatelolco.

Mme Chair,

The effectiveness of the Treaty of Tlatelolco is guaranteed by the constant contact of States Party within OPANAL. However, the Control System, that ensures compliance with the obligations of the Parties would not be effective without the participation of the IAEA.

The Treaty of Tlatelolco attributes to the IAEA an important role as stated in its articles 13 to 18, defining the Control System established in order to ensure the appropriate application of the Treaty.

In accordance with article 13, the Parties to the Treaty of Tlatelolco undertake to negotiate multilateral or bilateral agreements with the IAEA for the application of safeguards to their nuclear activities. All the 33 States Party to the Treaty of Tlatelolco have concluded safeguards agreements with the IAEA with the objective of guaranteeing that nuclear energy is exclusively used for peaceful purposes.

In accordance with article 12 and 16 of the Treaty of Tlatelolco, and in conformity with the safeguards agreements concluded by the Parties, the IAEA has the power to carry out special inspections at the request of any Party to the Treaty of Tlatelolco through the Secretary-General of OPANAL, with the authorization of the Council of OPANAL.

The specific role of OPANAL and the IAEA, as well as their coordination and cooperation, is essential for the functioning of the Nuclear-Weapon-Free Zone in Latin America and the Caribbean. Since October 1972, OPANAL and the IAEA signed a cooperation agreement in accordance with article 19 of the Treaty of Tlatelolco

Mme Chair,

In order to ensure that a region is effectively free of nuclear weapons, it is essential that the nuclear-weapon States, recognized as such in the Treaty on the Non-Proliferation of Nuclear Weapons, assume a legal obligation to respect that Nuclear-weapon-free zone. Moreover, it is also essential that the extra-regional States that possess, *de jure* or *de facto*, territories within the Zone respect its statute of military denuclearization. This is the object of the two Additional Protocols to the Treaty of Tlatelolco.

In the case of the Treaty of Tlatelolco, the two Additional Protocols have been ratified by all the States concerned. However, it happens that some Parties to the Additional Protocols to the Treaty of Tlatelolco made interpretative declarations that amount to reservations thus reducing the effectiveness of the Nuclear-weapon-free zone in Latin America and the Caribbean.

For several decades the interpretative declarations which constitute reservations have been a preoccupation for States belonging to Nuclear-weapon-free zones. OPANAL is now trying to eliminate this problem by means of Adjustments proposed to the relevant States Party to the Additional Protocols. Those Adjustments to the Protocols aim at clarifying those reservations and reaching a common understanding that would eliminate the misunderstandings.

Mme Chair,

As the creators of the first legally binding instrument that prohibited nuclear weapons in a densely populated region, the Latin America and Caribbean States will maintain their commitment to strengthen the international regime on the non-proliferation and disarmament of nuclear weapons. For this, we look forward to maintain a strong relationship between the IAEA and OPANAL.

Thank you.