
2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Memorandum from the General Secretariat of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean prepared for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons*

1. Pursuant to the request of the Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the General Secretariat of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) presents a description of the most relevant political developments that have taken place since the Review Conference of 2005.

States acceding to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)

2. The universality of the Treaty of Tlatelolco in the region has been achieved.
3. To date, all 33 States in the Latin American and the Caribbean region have signed and ratified the Treaty of Tlatelolco and are now full parties to the Treaty.
4. There are two Additional Protocols to the Treaty of Tlatelolco:
 - Additional Protocol I establishes the status of military denuclearization of territories within the treaty's zone of application that are under the administration of States that, de jure or de facto, are responsible for them. This protocol has been signed and ratified by France, the Netherlands, the United Kingdom of Great Britain and Northern Ireland and the United States.
 - Additional Protocol II requires the nuclear powers to commit to not using nuclear weapons against any of the States parties to the treaty. It is directed at the nuclear weapon States officially recognized by the international community and has been signed and ratified by China, France, the Russian Federation, the United Kingdom and the United States.

* Official documents of OPANAL are available at <http://www.opanal.org>.

5. At its twenty-first regular session, held in Mexico City in November 2009, the General Conference of OPANAL adopted resolution CG/Res.515, entitled “Interpretative declarations of the nuclear powers to Protocols I and II of the Treaty of Tlatelolco”, in which the Conference urged the States possessing nuclear weapons which, having ratified Protocols I and II to the Treaty of Tlatelolco, have done so with unilateral interpretations that affect the status of denuclearization established by the Treaty, to modify or withdraw those unilateral interpretations.

Amendments to the Treaty of Tlatelolco

6. First amendment (resolution 267 (E-V)), which adds to the official title of the Treaty the words “and the Caribbean”:

- Signed by Bahamas, Bolivia (Plurinational State of), Dominican Republic, Haiti, Honduras, Nicaragua and Saint Kitts and Nevis;
- Ratified by Argentina, Barbados, Belize, Brazil, Chile, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Jamaica, Mexico, Panama, Paraguay, Peru, Suriname, Uruguay and Venezuela (Bolivarian Republic of).

7. Second amendment (resolution 268 (XII)), which replaces paragraph 2 of former article 25 of the Treaty:

- Signed by Bolivia (Plurinational State of), Dominican Republic, Grenada, Haiti, Honduras, Nicaragua and Saint Kitts and Nevis;
- Ratified by Argentina, Barbados, Brazil, Chile, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Guatemala, Guyana, Jamaica, Mexico, Panama, Paraguay, Peru, Suriname, Uruguay and Venezuela (Bolivarian Republic of).

8. Third amendment (resolution 290 (E-VII)), which amends articles 14, 15, 16, 19 and 20 of the Treaty:

- Signed by Bolivia (Plurinational State of), Haiti, Honduras and Saint Kitts and Nevis;
- Ratified by Argentina, Barbados, Belize, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Suriname, Uruguay and Venezuela (Bolivarian Republic of).

International Atomic Energy Agency (IAEA) international nuclear safeguards

9. Article 13 of the Treaty of Tlatelolco states that “Each Contracting Party shall negotiate multilateral or bilateral agreements with the International Atomic Energy Agency for the application of its safeguards to its nuclear activities”. In fulfilment of that mandate, the following States have concluded agreements with IAEA:

- Haiti in March 2006.

10. To date, all 33 States members of OPANAL have signed safeguards agreements with IAEA.

11. Chile, Colombia, Cuba, Ecuador, El Salvador, Guatemala, Haiti, Jamaica, Nicaragua, Panama, Paraguay, Peru and Uruguay have ratified the Additional Protocol to the IAEA Safeguards Agreements. Costa Rica, Dominican Republic, Honduras and Mexico have signed the Additional Protocol to the IAEA Safeguards Agreements.

12. In April 2006, the Secretary-General participated in the IAEA regional seminar on the theme “Verifying compliance with nuclear non-proliferation commitments: strengthened safeguards, small quantities protocols and additional protocols”, held in Quito.

13. The Deputy Secretary-General participated in the IAEA regional seminar on the theme “About the application of the IAEA safeguards system in the States of Central America and the Caribbean with limited nuclear material and activities”, which was held in Santo Domingo in July 2008.

Strengthening of OPANAL

14. The topic of the strengthening of OPANAL has been under continuous review by the General Secretariat, the Council, the General Conference and member States of OPANAL.

15. At its nineteenth regular session, held in Santiago in November 2005, the General Conference adopted resolution CG/Res.478 on the strengthening of OPANAL, which clearly defines the future activities of OPANAL and of the General Secretariat and establishes the need to increase the participation of OPANAL in international forums and organizations and its cooperation with other regional and international agencies.

16. **Santiago de Chile Declaration.** At its nineteenth regular session, the General Conference adopted resolution CG/Res.487, approving the Santiago de Chile Declaration, in which it reaffirmed the importance of strengthening OPANAL as an appropriate political and legal forum for ensuring complete respect for the Treaty of Tlatelolco in its zone of application, and encouraged cooperation with international organizations responsible for disarmament and non-proliferation, as well as with other nuclear-weapon-free zones. In a similar vein, resolution CG/Res.513 entitled “Strengthening of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean” was adopted at the twenty-first regular session of the General Conference, held on 26 November 2009.

17. In December 2006, the Council of OPANAL adopted resolution C/Res.42 on the strengthening of OPANAL, in which it called upon member States to establish campaigns for the dissemination of information about the Treaty of Tlatelolco and OPANAL.

18. Taking into account the issue of the strengthening of OPANAL, the General Conference designated by acclamation Ambassador Perla Carvalho Soto as Deputy Secretary-General for the period from 1 January 2008 to 30 November 2009 (see CG/Res.496).

19. At its twenty-first regular session, held in Mexico City in November 2009, the General Conference elected by acclamation Ambassador Gioconda Úbeda Rivera

from Costa Rica as Secretary-General for the period from 1 February 2010 to 31 December 2013 (see CG/Res.524).

20. Also at that session, the General Conference elected Costa Rica and Guatemala to replace Argentina and Mexico as members of the Council for the 2010-2013 term. With these new members from Central America, OPANAL searches to increase the participation of countries from all parts of the continent (see CG/Res.519).

21. Taking into account the issue of the strengthening of OPANAL, and in compliance with resolution CG/Res.479 (XIX/05) entitled "Education for peace, disarmament and nuclear non-proliferation", adopted in Santiago, the General Secretariat of OPANAL organized, in March 2009, a course entitled "Nuclear Issues", with the objective of providing an overview of the nuclear issue, for representatives of member States. The course was offered online in September 2009 for the first time, and was designed especially for civil servants, political advisers, legislators and members of the armed forces of all member States.

22. At its twenty-first regular session, the General Conference adopted resolution CG/Res.518, entitled "Education for peace, disarmament and nuclear non-proliferation", in which it reiterated the importance of continuing the dissemination of the Treaty of Tlatelolco among civil society and academic institutions, by promoting activities that contribute to education for peace, nuclear disarmament and non-proliferation. As part of that effort, the General Secretariat has programmed two additional courses online entitled "Nuclear Issues", for the personnel of the member States. The first course will be offered in English so that it can reach a wider audience in the Caribbean States.

23. The General Secretariat coordinated the production of a documentary on nuclear disarmament, especially created for use in primary and secondary schools in member States. The objective of the documentary is to create an awareness in children between 10 and 14 years of age of the importance of nuclear disarmament.

Treaty of Tlatelolco and Treaty on the Non-Proliferation of Nuclear Weapons

24. To date, all 33 Members of OPANAL are parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

25. The States parties to the Treaty of Tlatelolco, represented at the first session of the Preparatory Committee for the 2010 Review Conference, which was held in Vienna from 30 April to 11 May 2007, submitted a working paper (NPT/CONF.2010/PC.I/WP.71). The document contained eight concrete proposals aimed at promoting closer cooperation among the various nuclear-weapon-free zones.

26. OPANAL submitted a working paper on the contributions of the Latin American and Caribbean States parties to the Treaty of Tlatelolco for the third session of the Preparatory Committee for the 2010 Review Conference, which was held in New York, from 4 to 15 May 2009 (NPT/CONF.2010/PC.III/WP.32).

27. At its twenty-first regular session, the General Conference adopted resolution CG/Res.516, entitled "2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons", in which it stated that the only real

guarantee against the use or threat of use of nuclear weapons is their total elimination and absolute prohibition. It urged the States possessing nuclear weapons to comply immediately with the obligations set forth in article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and to implement without delay the measures on nuclear disarmament adopted by the 1995 and 2000 Review Conferences, in particular the 13 practical measures, which constitute an effective means of advancing nuclear disarmament. It requested the States possessing nuclear weapons to provide negative security guarantees to the States parties to the Treaty that do not possess nuclear weapons, in addition to the commitments entered into within the framework of the Security Council, by means of a universal, unconditional and legally binding treaty.

Nuclear testing and the Comprehensive Nuclear-Test-Ban Treaty

28. Article 18 of the Treaty of Tlatelolco permits, under very strict conditions, nuclear explosions for peaceful purposes. Nevertheless, the fact that the Latin American and Caribbean States have signed and ratified the Treaty of Tlatelolco and are therefore full parties to that Treaty, which definitively prohibits the parties from developing or possessing nuclear weapons, may be interpreted as a prohibition of nuclear testing.

29. The General Secretariat of OPANAL has promoted the signature and ratification of the Comprehensive Nuclear-Test-Ban Treaty among the member States. The Secretary-General participated in the seminar on the theme “Promotion of the ratification of the Comprehensive Nuclear-Test-Ban Treaty in the Caribbean region”, held in Mexico City, and organized by Canada, Mexico and the Comprehensive Nuclear-Test-Ban Treaty Organization, in October 2006.

30. To date, the following Latin American and Caribbean States have signed and ratified the Comprehensive Nuclear-Test-Ban Treaty: Antigua and Barbuda, Argentina, Bahamas, Barbados, Belize, Bolivia (Plurinational State of), Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Grenada, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Uruguay and Venezuela (Bolivarian Republic of).

31. The General Secretariat of OPANAL condemned the nuclear test conducted by the Democratic People’s Republic of Korea in 2006 (see Declaration on the nuclear explosion conducted by the Democratic People’s Republic of Korea, S/Inf.961).

32. The Council of OPANAL, as the political organ of the Agency, condemned the nuclear test conducted in May 2009 by the Democratic People’s Republic of Korea. The Council also reaffirmed its firmest disapproval of the conducting of all kinds of nuclear weapon testing in any part of the world (see C/Res.50).

Nuclear-weapon-free zones

33. Since 2005, the General Secretariat of OPANAL has maintained regular contact with other nuclear-weapon-free zones to increase cooperation and exchange information in the subject of nuclear disarmament.

34. The General Secretariat of OPANAL participated in the Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia, which was held from 26 to 28 April 2005 and was chaired by Mexico, with the participation of the States parties and signatories to the treaties of Tlatelolco (1967), Rarotonga (1985), Bangkok (1995) and Pelindaba (1996), which established nuclear-weapon-free zones, and Mongolia, for the purpose of strengthening the nuclear-weapon-free zone regime and contributing to the disarmament and nuclear non-proliferation processes. The meeting concluded with the Declaration of Tlatelolco (CZLAN/CONF/5).

35. The Council of OPANAL adopted resolution C/Res.41 entitled “Central Asia Nuclear-Weapon-Free Zone”, in which it welcomed the establishment of the Nuclear-Weapon-Free Zone in Central Asia and congratulated the Governments of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan for entering into the commitment.

36. The Deputy Secretary-General of OPANAL convened an informal meeting of the States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones, which was held on 8 October 2008 in New York, to consolidate a coordination mechanism for the preparation of the Second Conference of the States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia prior to the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

37. The Council of OPANAL adopted resolution C/Res.47, entitled “Treaty on a Nuclear-Weapon-Free Zone in Central Asia”, in which it welcomed the entry into force of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia.

38. OPANAL was represented by the Deputy Permanent Representative of Brazil to the Conference on Disarmament at the meeting of focal points of Nuclear-Weapon-Free Zones and Mongolia, which was held on 27 and 28 April 2009 in Ulaanbaatar. It discussed the issues of the implementation of the Tlatelolco Declaration of 2005 as well as preparations for the Second Conference of the States Parties and Signatories of Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia.

39. The Council of OPANAL adopted resolution C/Res.52, entitled “Treaty on a Nuclear-Weapon-Free Zone in Africa”, in which it welcomed the entry into force of the Treaty on a Nuclear-Weapon-Free Zone in Africa.

40. At its twenty-first regular session, the General Conference adopted resolution CG/Res.514, entitled “Second Conference of the States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones”, in which it recognized the work of the Government of Chile in the coordination of the Second Conference of the States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia, to be held in April 2010 in New York, and requested the General Secretariat of OPANAL to be aware and to inform all member States of the preparations and results of the meeting.

41. At its twenty-first regular session, the General Conference also adopted resolution CG/Res.517, entitled “Coordination with other nuclear-weapon-free zones”, in which it established that the General Secretariat must continue with the coordination efforts with the different nuclear-weapon-free zones and Mongolia, and strengthen the bonds with the focal points.

Relations and activities with institutions and international organizations

42. OPANAL signed a cooperation agreement with Malaga University in October 2005, which provides for the development of cooperation programmes and joint studies, the exchange of information, cooperation in teaching and research in the area of nuclear disarmament and the proscription of weapons of mass destruction (S/Inf.930).

43. OPANAL signed a cooperation agreement with the Latin American Parliament in November 2005, which provides for the exchange of information, in order to increase cooperation, the formulation and execution of plans, programmes, projects and specific activities in fields of common interest and the contribution of both bodies to the development and integration of Latin America (S/Inf.950).

44. OPANAL signed a cooperation agreement with the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean establishing that both agencies would work together on the promotion of academic and non-academic activities to foster education for nuclear disarmament and non-proliferation.

45. On the occasion of the fortieth anniversary of the opening for signature of the Treaty of Tlatelolco and under the co-sponsorship of the Government of Mexico, the General Secretariat of OPANAL convened an academic seminar, which was held on 14 and 15 February 2007, in Mexico, with the participation of renowned international speakers, who emphasized the importance of the Treaty of Tlatelolco.

46. On the occasion of the forty-first anniversary of the opening for signature of the Treaty of Tlatelolco, the General Secretariat of OPANAL organized a seminar on the subject "The Treaty of Tlatelolco", which was held on 14 February 2008, with the participation of renowned experts in the field of nuclear disarmament and the peaceful uses of nuclear technology.

47. The Deputy Secretary-General participated in the regional seminar on the theme "Towards the year 2010: the role of the African Nuclear-Weapon-Free Zone Treaty in the strengthening of NPT disarmament objectives", which was held on 31 March and 1 April 2008, in Pretoria.

48. On 4 and 5 September, the international seminar on "The nuclear challenge", organized by the Latin American Faculty for the Social Sciences, in collaboration with the Norwegian Ministry of Foreign Affairs and the Chilean Ministry of Foreign Affairs was held in Santiago. The Deputy Secretary-General participated in the panel discussion on the theme "Promoting non-proliferation and disarmament of nuclear weapons: the role of international regimes and organizations" (see S/Inf.981).

49. The Deputy Secretary-General participated in the regional seminar on the strengthening of the IAEA safeguards system in the States of the Greater Caribbean with limited nuclear material and activities, sponsored by IAEA, which was held from 21 to 24 July 2008 in the Dominican Republic.

50. The General Secretariat of OPANAL was represented by Brazil in its capacity as the current Chair of the Council at the meeting of the Committee on Hemispheric Security of the Organization of American States, on the topics "Inter-American

support for the Comprehensive Nuclear-Test-Ban Treaty” and “Disarmament and Non-proliferation Education”, which was held in Washington, D.C., on 28 January 2010.

51. The General Secretariat participated in 2006, 2007, 2008 and 2009 in the special session of the Committee on Hemispheric Security on the subject “Consolidation of the regime established in the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)”, in fulfilment of the commitments entered into by the States of the region in resolution AG/2245 (XXXVI-0/06) and in the Declaration on Security in the Americas, relative to the non-proliferation of nuclear weapons.

52. The Council of OPANAL adopted resolution C/Res.51 entitled “Programme of work of the Conference on Disarmament for the 2009 session”, in which it welcomed the adoption of the programme of work of the Conference on Disarmament for the 2009 session on 29 May. The programme of work enabled the only multilateral disarmament negotiating forum to begin its work on all items of its agenda.

53. On 4 August 2008, the General Secretariat and the Council of OPANAL held an extraordinary session in the Ministry of Foreign Affairs of Mexico for the purpose of welcoming the Secretary-General of the United Nations. During his visit, the Secretary-General spoke about the importance of the Treaty of Tlatelolco as the pioneer in the establishment of a nuclear-weapon-free zone.

54. On 10 September 2009, the General Secretariat and the Council held an extraordinary session for the purpose of welcoming the United Nations High Representative for Disarmament, Sergio de Queiroz Duarte, and the Mayor of Hiroshima, Tadatoshi Akiba, to OPANAL headquarters. In their statements, both officials made reference to the encouraging moment the world is experiencing with respect to the issue of nuclear disarmament, and spoke of the need to redouble efforts and work diligently to achieve nuclear disarmament.