



GENERAL CONFERENCE  
Seventh Regular Session  
(Item 11 of the Agenda)  
Mexico City, April 21-24, 1981

RESOLUTION 141

Control System

Compliance with Article 13 of the Treaty of Tlatelolco

The General Conference,

Recalling that Article 13 of the Treaty of Tlatelolco establishes, for the State Parties to the same, the obligation to enter into, within the predetermined periods, agreements for application of the Safeguards System of the International Atomic Energy Agency to the nuclear activities of the State Parties;

Observing in the Secretary General's Memorandum, which appears in document CG/211, that the safeguards agreements to which Article 13 of the Treaty refers to have so far been formalized by the Governments of only eighteen Member States; and that negotiations of the remaining four Member States have either not been initiated or are still at a very preliminary stage;

Observing further that two of these four States (Barbados and Trinidad and Tobago) have not yet started negotiations on these agreements, and that the other two (Bahamas and Grenada) in spite of having started negotiations some time

ago, have not yet concluded them;

Considering that it is necessary to repeat the interpretation of Article 13 of the Treaty of Tlatelolco, insistently made by the General Conference, to the effect that expiration of the time limits established by it for undertaking negotiations or for concluding the corresponding agreements, does not eliminate the obligation to negotiate and enter into such agreements;

Considering likewise that, with respect to the failure to initiate negotiations by Trinidad and Tobago, it is pertinent to reaffirm the interpretation of said Article 13, made by the General Conference of OPANAL, and shared by the International Atomic Energy Agency, to the effect that the obligation to negotiate and enter into agreements also exists for the State Parties to the Treaty which do not yet have nuclear activities or programs in the field;

Considering finally that failure to negotiate and enter into the agreements constitutes non-compliance with the Treaty of Tlatelolco under the terms of Article 20.1 of the Treaty;

Keeping well in mind the good will shown by the International Atomic Energy Agency in granting all facilities for negotiations and concluding the safeguards agreements with which Article 13 of the Treaty is concerned, and

Being cognizant of its previous Resolutions 19 (I), of September 10, 1970; 31 (II), of September 9, 1971; 51 (III), of August 23, 1973; 81 (IV), of April 18, 1975; 99 (V), of April 21, 1977, and 115 (VI) of April 25, 1979, as well as the repeated resolutions in this area adopted by the Council in its Resolutions C-1 and C-2, of November 17,

1970; C-4, of August 16, 1972; C-5, of January 18, 1973; C-9 and C-10, of August 17 and November 22, 1974 respectively, and C-11, of January 29, 1976,

Resolves:

1. To reiterate its appreciation to the Governments of the Member States which have concluded the agreements with the International Atomic Energy Agency for the application of safeguards as specified by Article 13 of the Treaty of Tlatelolco.
2. To express its satisfaction to the Governments of the Member States which have covered the stage of negotiation of these agreements, urging them to proceed to formalize them as soon as possible.
3. To appeal to the Governments of the Member States which have not yet initiated or concluded negotiations of these same agreements with the International Atomic Energy Agency, to make every effort to comply with this stage in the very near future, so that they will be in full compliance with the obligations imposed upon them by Article 13 of the Treaty of Tlatelolco, obligations whose fulfillment is absolutely indispensable for the proper functioning of the Control System established by the Treaty.
4. To declare that failure to negotiate or formalize the agreements, after an excessive time has passed subsequent to the limits set by Article 13 of the Treaty of Tlatelolco, and despite repeated exhortations from the General Conference constitutes non-compliance with the Treaty as stipulated in Article 20, paragraph 1 of the same.
5. To take note of the fact that the Government of

the Argentine Republic, in view of its integration into the nuclear weapon free zone established by the Treaty of Tlatelolco, has initiated negotiations with IAEA leading to the conclusion of the safeguards agreement that would apply to that country, based on Article 13 of the Treaty.

6. To express to the Director General of the International Atomic Energy Agency its appreciation for the good will that he and the personnel of that Agency have shown in facilitating the negotiation of safeguards agreements with the Member States of OPANAL.

7. To express gratitude to the Secretary General for the help he has provided to various Governments of the Member States in negotiating these agreements, and to request him to continue providing such help until all the Governments have regularized their situation with respect to Article 13 of the Treaty.

(Adopted on the 41st Session,  
held on April 24, 1981).