



XIX Regular Session of the General Conference
Agenda Item 15
Santiago, Republic of Chile, 7-8 November, 2005.

STRENGTHENING OF OPANAL
MEMORANDUM OF THE SECRETARY GENERAL

1. As a result of the universality of the Treaty of Tlatelolco in the region and with a view to reaffirming the functions of OPANAL and giving it new activities within the International Disarmament Agenda, the General Conference has been concerned about the Strengthening of OPANAL both institutionally and financially.

2. At its XVIII Regular Session on 5-6 November 2003, the General Conference approved Resolution CG/Res.448. The Secretary General has been reporting to the Council about the status of fulfillment of the mandate conferred upon him in the aforementioned resolution of the General Conference, which reads in its operative paragraphs:

“1. To request the Secretary General to continue the process of consultation with the Member States of OPANAL and the Regional Organizations directly involved in the promotion of Nuclear Weapons Free Zones taking in consideration the holding of an International Conference of Parties and Signatories of Treaties that establish NWFZ informing the Council and the next session of the General Conference.”

Previously, at a meeting held in May 2002, the Council had agreed that "...the Secretary General inform about his activities carried out for this Conference," and also established that he should present "...a document with the specific objectives for the holding of same..."

The Secretary General prepared document C/DT/55 entitled “An International Conference of the States Parties of the Nuclear-Weapon-Free Zones,” which contained 1) Background; 2) Concepts and Characteristics of the NWFZs; 3) The Four NWFZs; 4) The Contribution of the NWFZs to the Non-Proliferation Process; 5) The Contribution of the NWFZs to Peace and

International Security through Cooperation with the IAEA and the CTBTO; 6) Cooperation and Coordination among NWFZs: An International Conference of the States Parties of the NWFZs; 7) Activities Undertaken by the Secretary General of OPANAL to Convene an International Conference of the States Parties of the NWFZs; 8) Specific Objectives; 9) Agenda; 10) Participants and Observers; and 11) Notice of Meeting.

The Secretary General informed the XVIII Regular Session of the General Conference of the work and meetings held in order to promote the initiative and obtain the necessary support. (Doc. CG/564)

At the XVII Special Session, held in Mexico City in November 2004, the Representative from Mexico presented a new agenda item entitled: "Conference of the States Parties and Signatories of the Treaties that Establish Nuclear-Weapon-Free Zones" (Doc. CG/E/580), whose study led to the approval of Resolution CG/E/Res.460, which reads:

"The General Conference,

Bearing in mind Resolution 448 (XVIII) which requests that the Secretary General track the progress of the International Conference of the States Parties and Signatories to the Treaties Establishing Nuclear-Weapon-Free-Zones, not only during its preparatory phase but also during the Conference itself, providing any necessary assistance and informing the Council and the General Conference at its next session;

Taking note with satisfaction of the work conducted by the Permanent Missions of the Latin America and Caribbean Group to the United Nations Organization;

Recognizing with approval the offer of the Government of Mexico to host the Conference of the States Parties and Signatories to the Treaties Establishing Nuclear-Weapon-Free Zones, made on the occasion of the beginning of work of the Committee on Disarmament and International Security at the 59th Session of the UN General Assembly on October 4, 2004;

Considering the Memorandum presented by the Government of Mexico to this General Conference on the matter (Doc. CG/E/580);

Resolves:

1. **To welcome** the offer by the Government of Mexico to host the Conference of the States Parties and Signatories to the Treaties Establishing Nuclear-Weapon-Free Zones.

2. **To thank** the Government of Mexico for its invitation to the Secretary General of OPANAL, Ambassador Edmundo Vargas Carreño, to act as the Secretary of said meeting.
3. **To instruct** the Council to analyze and authorize the participation of the Secretary General of OPANAL as the Secretary of the Conference of the States Parties and Signatories to the Treaties Establishing Nuclear-Weapon-Free Zones.

In relation to this important matter, the Secretary General informed that he had prepared a "Draft Declaration of the States Parties of Nuclear-Weapon-Free Zone Treaties" (Doc. C/DT/60 Rev. 5), which after having been discussed at length by the Council, was approved and sent to GRULAC in New York in order to inform the Representatives of other NWFZs and prepare a Draft Joint Declaration to be adopted before the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

The Representative from Mexico on the Council, Minister Yanerit Morgan Sotomayor, informed the Secretary General on 1 November 2004, that at the monthly GRULAC meeting, held on 27 October in New York, under the direction of Mexico, the Draft Declaration of the Conference of the States Parties and Signatories of the Treaties that Establish NWFZs was approved, which was negotiated by the Delegations to GRULAC based on the document presented to the Council of OPANAL. The Representative from Mexico also informed that GRULAC had created a Committee made up of Brazil, Cuba, Mexico and one Representative from CARICOM responsible for ensuring that the approved text were presented to the Representatives of the other NWFZs in order to being the consultation process on the convening of the conference.

The Mexican Government presented notice of meeting for the Conference of the States Parties and Signatories of the Treaties that Establish Nuclear-Weapon-Free Zones with 26 April 2005 as the opening day of the Conference. The proceedings would take place in the Conference Area of the Mexican Secretariat of Foreign Relations. At its 214th Session, the Council took note of the Draft Agenda.

The States Parties and Signatories of the four NWFZs, Mongolia, a nuclear-weapon-free State, and representatives from the five nuclear powers were invited to the Conference. Special guests, like Representatives from the United Nations, the International Atomic Energy Agency, the Comprehensive Nuclear Test Ban Treaty Organization, and non-governmental organizations such as Mayors for Peace, were also invited as observers. Thirty-two States from the Treaty of

Tlatelolco, three from the Treaty of Rarotonga, 10 from the Treaty of Bangkok, and 12 from the Treaty of Pelindaba attended. There were also 32 Observer countries, 15 NGOs, and Civil Society Representatives. The Secretary General of OPANAL acted as Secretary of the Conference, which was inaugurated by the Mexican Secretariat of Foreign Relations.

The Conference was inaugurated on 26 April in the Conference Area of the Secretariat of Foreign Relations in Tlatelolco, Mexico City. The inaugural session included speeches by Representatives from the four NWFZs, the Director General of the IAEA, the President-designate of the 2005 NPT Review Conference, the President of the CTBTO, a message from the Secretary General of the United Nations read by the Chief of Regional Activities of the Disarmament Department, and comments made by the Mayor of the City of Hiroshima, Mr. Tadatoshi Akiba, President of Mayors for Peace. Dr Luis Derbez Bautista, Mexican Secretary of Foreign Relations, inaugurated the Conference.

The proceedings were fruitful. The participating States approved the Final Declaration, noting that it was the greatest contribution that the non-nuclear-weapon States had made to the cause of non-proliferation and general and complete disarmament.

The summary prepared by the President and adopted by the Conference reflects the main points of consensus:

“Reaffirm the need to strengthen Nuclear-Weapon-Free-Zone co-ordination mechanisms based on their common goals.

That this first Conference constitutes a landmark in establishing the co-ordination mechanism and the advisability of repeating it was reaffirmed, the most suitable date being 2010, prior to the Eighth Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons.

That within the purview of the mechanisms established by each of the treaties, those acting as coordinators be invited to their periodic meetings (conferences or general assemblies), in accordance with the mechanism established by those treaties.

That the mechanism for information exchange between the treaties be reinforced in order to step up the attainment of common goals.

Bearing in mind the different statements made, continue to study ways to apply the coordination mechanism in line with the progress achieved.

That in the initial stage, which could last two years, the Tlatelolco Treaty, through OPANAL, should carry out the necessary co-ordination for the implementation of the agreed measures to strengthen the co-ordination mechanisms.

That in the future, this responsibility should be rotated among the treaties.”

In light of the foregoing, the Secretary General considers fulfilled the mandate of the General Conference in this regard found in operative paragraph 1 of Resolution 448 (XVIII).

3. Operative paragraph 2 reads:

“**To entrust** the Secretary General with the formulation of a program that will continue to increase exchanges of information and experiences with other NWFZs in relation to areas of common interest, in particular the banning of nuclear tests, non-proliferation, nuclear disarmament and, if applicable, the establishment of cooperation programs in the sphere of the competences that the Treaty of Tlatelolco confers on OPANAL.”

The Secretary General presented Document C/DT/62 Rev. 1 "Need to Establish Coordination and Cooperation Mechanisms among the NWFZs" to the Council. During the NWFZ Conference, he invited representatives from the various zones attending the event to inform them of the need to strengthen ties among them. During the meeting it was agreed that an initial stage, which could last two years, the Treaty of Tlatelolco, through OPANAL, would carry out the necessary coordination to implement the agreed steps for strengthening ties between the zones, and that in the future this function should be rotated among the treaties. This commitment is found in the report of the Rapporteur.

4. Operative paragraph 3 reads:

“**To request** the Secretary General to design mechanisms for cooperation with the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean in order to carry out joint activities as part of the objectives defined in the Memorandum of Understanding signed on 29 April 2003.”

The Secretary General has kept in contact with the Director of the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (UNLIREC) both by telephone and at international meetings in which they have participated. However, due to circumstances beyond both his and the UNLIREC Director's control, it has not been possible to come any closer to reaching this objective.

5. Operative paragraph 4 reads:

“**To reiterate** to the Secretary General the formulation, as soon as possible, of a program for

strengthening the institution of OPANAL that includes the support of a small group of experts to increase the Agency's capacity for analysis in the area of nuclear disarmament and non-proliferation.”

While attending the UN and OAS General Assemblies, the Secretary General has met with Representatives of the Member States and international organizations since the disarmament professionals and specialists are found mainly in the Foreign Ministries and international organizations involved in disarmament. The Secretary General, as he has informed the Council and as set forth in his Report, has been in constant contact with the staff in charge of disarmament at several Foreign Ministries of the OPANAL Member States and with those at international organizations related to disarmament and non-proliferation, particularly the UN Department for Disarmament Affairs, UNLIREC, the IAEA, and the CTBTO, having obtained background and other information that may contribute to OPANAL's disarmament and non-proliferation analysis capabilities.

In addition, the Secretary General on various occasions has asked that the Council specify the mandate for the experts that would support the Secretariat, above all the financial implications of creating such a group. In light of the Agency's current financial situation and until it improves, it would be preferable to suspend this mandate in the immediate future.

6. Operative paragraph 5 reads:

“To establish even closer cooperation with the International Atomic Energy Agency (IAEA) and request the Secretary General to hold consultations with the authorities of that Agency with regard to the functioning of the Control System established by the Treaty of Tlatelolco in the light of its recent amendments and to submit to the Council a report of the advisability of updating the Cooperation Agreement between both parties signed in October 1972.”

During the IAEA General Conference, held in September 2004, the Secretary General, as he had done at previous general conferences, met with the main authorities of the IAEA and exchanged points of view regarding the functioning of the Control System of the Treaty of Tlatelolco. These meetings are interesting and useful. However, the Secretary General was obliged to inform the Council and the Committee on Contributions and Administrative and Budgetary Matters that would only attend the IAEA General Conference once every two years due to the economic situation of the Agency. Consequently, when he received the invitation to participate in the 2005 Conference, he explained that due to financial constraints he would not be able to

attend. The Secretary General was able to meet with IAEA Director General Dr. Mohamed El-Baradei during the NWFZs Conference.

The Secretary General has also kept in contact with other governmental organizations, especially with the CTBTO Secretariat during his trip to Vienna in 2004 and during the Conference of the States Parties and Signatories of the Treaties that Establish NWFZs, during which he spoke with both the President and other representatives regarding the situation of both Organizations.

7. Operative paragraph 6 reads:

“To urge the Secretary General to continue maintaining exchanges of information with non-governmental organizations linked to the field of disarmament, on topics of interest to OPANAL which, with the approval of the Council, he considers pertinent to present to the Member States of the Agency, in accordance with Article 11 (5) of the Treaty of Tlatelolco.”

The Secretary General has stayed in contact with several NGOs, of which the Council has taken note. He is in constant contact with many of them via e-mail. During the NWFZs Conference, the Secretary General met with Mr. Alyn Ware, Coordinator of the “Parliamentary Network for Nuclear Disarmament and Consultant-International of Lawyer’s Against Nuclear Arms,” an event held in conjunction with the Conference, and who had invited him to New Zealand to participate in the forum “Parliamentarians, the Nuclear Non-Proliferation Treaty and Nuclear Weapon Free Zones.” The Secretary General has also been in contact in Mexico with members of Soka Gakkai International and Desarmex, A.C. The Secretary General participated with the president of Desarmex, A.C., Ambassador Marin Bosch, in the Seminar "Peace and Disarmament, the Challenge for Citizens of the XXI Century" at the Soka Gakkai Cultural Center and in a session of the Senate of the Mexican Republic marking the 60th Anniversary of the tragedy of Hiroshima and Nagasaki.

8. Operative paragraph 7 reads:

“To entrust the Secretary General with the formulation of a work program to reinforce cooperation with other agencies of the region, such as the Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials (ABACC), on the basis of objectives in line with the aims of the Treaty of Tlatelolco and which take into account financial consequences for the budget of the Agency.”

OPANAL has an agreement in place with ABACC that was signed in 1993, and after the visit of the Secretary General to that organization's headquarters in Rio de Janeiro in 2002, he has remained in contact with the Secretary General of ABACC, Dr. José Mauro Estévez Dos Santos, who participated in the XVIII Regular Session of the General Conference in Havana, Cuba. On that occasion "...[he] renewed his desire to strengthen ties with this Agency, which coordinates the activities within the framework of the Treaty of Tlatelolco, demonstrating our commitment to nuclear non-proliferation in Latin America and the Caribbean in a transparent way before the entire international community."

The Secretary General informs that a policy has yet to be defined regarding the peaceful use of nuclear energy and that the Agency's relations with ARCAL will depend said definition.

9. Operative paragraph 8 reads:

"To urge the Secretary General to submit to the Council a detailed program with the objectives and aims of his participation in international forums and agencies, as well as the reports and results of same. His participation should be supported by objectives in line with the aims of the Treaty of Tlatelolco and which take into account financial consequences for the budget of the Agency."

In light of the Agency's financial situation, the Secretary General decided with the Council's approval that he would only attend the IAEA General Conference every two years, as can be observed in the Budget approved by the XVII Special Session of the General Conference for the year 2005. During the period covered by this report, the Secretary General only participated in the NPT Conference in New York, a meeting of the OAS Committee on Hemispheric Security in Washington, the OAS General Assembly in Fort Lauderdale, and the First Committee of the UN General Assembly.

10. Operative paragraph 9 reads:

"To invite the Secretary General to submit to the Council a program of activities in the medium and long terms that contributes to strengthening the relations of the Agency with other Nuclear-Weapon-Free Zones."

The Secretary General informed and presented the Council with document C/DT/62 Rev.1 on the "Need to Establish Coordination and Cooperation Mechanisms among the Nuclear-Weapon-

Free Zones." Paragraph 20 of the Declaration refers to cooperation among NWFZs. As reported previously, the Secretary General invited the representatives from Fiji, Laos, Indonesia, Egypt, New Zealand, South Africa, Brazil, and Mexico to a breakfast to have a friendly chat and propose a process for strengthening ties in order to establish coordination and cooperation mechanisms among the NWFZs. This initiative by the Secretary General is reflected in the Report of the Rapporteur of the Conference of the States Parties and Signatories of the Treaties that Establish NWFZs" held in Mexico City in April 2005.

In sum, within the limited budgetary possibilities--which are only worsening--the Secretary General considers he has fulfilled each and every one of the mandates entrusted to him in Resolution 448 (XVIII).