



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

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**United Nations conference to negotiate a legally binding instrument
to prohibit nuclear weapons, leading towards their total elimination**

Statement *by*

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Secretary-General of OPANAL

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New York

Madame President,

Please receive the warmest congratulations from the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean on your election as President of this Conference, a historic endeavor of the United Nations to fulfill the objectives contained in the Charter. We are proud that a distinguished diplomat from our region assumes this high responsibility. I wish you every success and offer OPANAL's full co-operation.

Madame President,

The Member States of the United Nations overwhelmingly consider that there is a legal gap in International Law since nuclear weapons, unlike other weapons of mass destruction, are not subject to a universal prohibition.

This Conference is not a deliberating meeting. The objective of the Conference is clearly stated in its very title. The General Assembly's intention is to establish the illegality of nuclear weapons by means of a binding instrument of International Law.

According to Resolution 72/258 the legally binding instrument should be conceived as leading towards the total elimination of nuclear weapons. This is an important clarification, otherwise nuclear weapons would be made illegal or prohibited, but their existence would be authorized and their total elimination would not be foreseen.

The General Assembly separated the two stages but made it clear that prohibition should ensue the elimination of nuclear weapons.

It is important not to confuse prohibition with elimination. If the two stages were to be negotiated at the same time in a single document, the probabilities of failure would increase dramatically. The prohibition is an essential foundation for the elimination. The first should not be hostage to the latter.

The Secretariat of OPANAL submitted to this Conference a working paper which contains seven essential elements that the legally binding instrument to prohibit nuclear weapons should include, taking as a basis the achievements in legal as well as in practical terms of the treaties establishing nuclear-weapon-free zones. This technical paper, meant as a contribution to the negotiation ahead of us, has been circulated as document A/CONF.229/2017/WP.1.

It could seem to some delegations that our seven elements are a too timid approach to reach our objective. Of course, we do not have the intention of writing off other possible important aspects. But we wish to stress that we can provide the international community with a legal instrument that will effectively make nuclear weapons illegal. Then we shall proceed to their total elimination by means of the necessary measures to be negotiated.

Nuclear-weapon-free zones stem from legally binding instruments that prohibit nuclear weapons. They represent legal and political achievements paving the way to a global prohibition and subsequent elimination of nuclear weapons.

In particular, the experience of the Latin America and the Caribbean countries, that negotiated 50 years ago the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco), is of special relevance. In other words, our region has experience in this kind of negotiation and can make a special contribution to this Conference.

Madame President,

Some States have expressed concern that a treaty banning nuclear weapons would undermine the Treaty on the non-proliferation of nuclear weapons (NPT). It would be difficult to understand how prohibition could provoke proliferation. The NPT, of which the virtual totality of States is party, is the cornerstone of the non-proliferation regime but it cannot be said it is the cornerstone of nuclear disarmament.

It is equally incongruous to assert that the ban on nuclear weapons would weaken international security. This is a typical example of conferring reality to one's fears and phantasms. No doubt those that for long years have detained the tools of total destruction will certainly feel insecure the moment their nuclear weapons become illegal. We believe however that reason will triumph over fear.

We believe that public opinion and political forces will eventually understand the advantages of not living on the brink of global suicide, of total annihilation.

These general considerations should now give space to the actual hard work of negotiation. We have the foundation. Let's start building the shelter that will protect us.

Under your guidance and with the bona fide and expertise of all representatives of States and the civil society.

Thank you.