



OPANAL

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

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Elements proposed for consideration of the III Preparatory Committee for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, with the objective of their inclusion in the Final Document of the 2020 Review Conference

Working paper submitted by the States Parties¹ to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)

I

1. The Treaty of Tlatelolco, legal foundation of the Nuclear-Weapon-Free Zone in Latin America and the Caribbean, opened for signature on 14 February 1967, predates the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). The Latin American and Caribbean States were the first to have legally instituted the prohibition, disarmament and non-proliferation of nuclear weapons. All of them are Parties to the NPT, the provisions of which they thoroughly comply with. Moreover, the Nuclear-Weapon-Free Zone in Latin America and the Caribbean has been an inspiration for the establishment of the other Nuclear-Weapon-Free Zones (South Pacific, Southeast Asia, Africa and Central Asia).
2. The Latin American and Caribbean States, all of them Parties to the Treaty of Tlatelolco and Members of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL), have a special interest in the success of the 2020 NPT Review Conference and consider that the results of the Review and Extension Conference of 1995 and of the Review Conferences of 2000 and 2010 remain valid.

¹ Antigua and Barbuda, Argentina, Bahamas, Barbados, Belize, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominica, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Saint Lucia, Suriname, Trinidad and Tobago, Uruguay and Venezuela.

3. OPANAL Member States, through the “Communiqué on the 2015 NPT Review Conference” (S/BP/64) issued on 15 June 2015, expressed their concern for the lack of results of the 2015 Review Conference and consider that all efforts must be exhausted to achieve a successful conference in 2020.

II

The States Parties to the Treaty of Tlatelolco present the following elements that should be included in the Final Document of the 2020 NPT Review Conference:

1. The use and threat of use of nuclear weapons are a violation of the Charter of the United Nations, a violation of International Law, including International Humanitarian Law, and constitute a crime against humanity.
2. The Treaty on the Prohibition of Nuclear Weapons, as well as the Comprehensive Nuclear-Test-Ban Treaty (CTBT), once in force, will join the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) and the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) on the road towards the elimination of these weapons of mass destruction.
3. Note that these four Treaties establish norms of International Law that are legally-binding on the States which signed and ratified them; these legal instruments are not mere declarations of intention, nor can they automatically produce the disappearance of nuclear weapons; however, they are a suitable legal basis for the process aimed at eliminating all nuclear weapons forever.
4. For the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty, it is urgent that all States included in its Annex 2 complete their ratification processes; meanwhile, the moratorium on nuclear weapon test explosions should continue and be strictly observed.
5. The Treaty on the Non-Proliferation of Nuclear Weapons, the cornerstone of the nuclear disarmament and non-proliferation regime, is vital to achieve nuclear disarmament and international security. In this regard, it is urgent that all States that are not parties to the Treaty adhere to it as non-nuclear-weapon States, without further delay and without conditions.

6. The obligation to conduct negotiations for nuclear disarmament established in Article VI of the NPT must be fulfilled by each Party to the Treaty.
7. Nuclear-weapon States must eliminate any role for nuclear weapons in their security doctrines and policies; non-nuclear-weapon States that are covered by extended nuclear deterrence policies by means of military alliances should seek alternative security policies.
8. The qualitative improvement of nuclear weapons and development of new types of these weapons must cease, as these constitute actions inconsistent with the obligation to adopt effective measures towards nuclear disarmament and contravene the spirit and objectives of the NPT.
9. The consideration of the humanitarian impact and environmental consequences of any nuclear detonation, intentional or accidental, in all their aspects, should continue to be pursued.
10. It is necessary to take forward the negotiation and adoption, within the shortest possible term, of a universal and legally binding instrument on assurances against the use and threat of use of nuclear weapons against non-nuclear-weapon States (negative security assurances).
11. The proscription of nuclear weapons is a step in the road towards the total elimination of nuclear weapons.
12. The Nuclear-Weapon-Free Zones promote peace and stability at the regional and international levels by prohibiting the possession, acquisition, development, testing, manufacturing, production, stockpiling, deployment and use of nuclear weapons. Moreover, they represent a legal and concrete achievement of the utmost importance in the field of nuclear non-proliferation and disarmament; therefore, the establishment of such regimes in new regions should be actively supported.
13. Nuclear-Weapon-Free Zones established by means of arrangements freely arrived at among States of the respective regions and recognized by the United Nations General Assembly must be respected by all States without any reservations or limitations.

14. The States Parties to additional protocols to the treaties that establish Nuclear-Weapon-Free Zones should seek, together with the States Parties to such zones, the solution to existing controversies created by declarations that harm the effectiveness of the Zones in order to give full and unequivocal security assurances to the States belonging to Nuclear-Weapon-Free Zones.
15. It remains a priority to convene the international conference on the establishment of a zone free of nuclear weapons and all other weapons of mass destruction in the Middle East, an integral and important part of the Final Document of the 2010 NPT Review Conference.
16. The convening of periodic conferences of the States belonging to the Nuclear-Weapon-Free Zones and Mongolia is important for the strengthening of such Zones and can contribute, due to the experience acquired, to the creation of new Nuclear-Weapon-Free Zones, including in the Middle East.
17. The full respect for the inalienable right of all States to develop, research, produce and use of nuclear energy for peaceful purposes without discrimination is reiterated, as recognized and provided for in Article IV of the NPT.
18. The implementation of programmes on education for peace, nuclear disarmament and non-proliferation is an effective contribution to the consolidation of international peace and security, and it includes the provision of funding and the undertaking of the necessary démarches for the implementation of such programmes.
19. The support of international organizations with experience in the field of nuclear disarmament and the non-proliferation of nuclear weapons, including through financial means, is needed in order to implement related education programmes.
20. Recognition of the essential role of the International Atomic Energy Agency and the Safeguard Agreements in the implementation of the NPT.