



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

General Conference

XXVIII Session
3 November 2023
Agenda Item 15

CG/17/2023Corr.
Original: English/ Spanish

Need for a permanent headquarters for OPANAL¹

I. Establishment of the Agency

1. The Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) establishes in its Article 7 that:

“1. In order to ensure compliance with the obligations of this Treaty, the Contracting Parties hereby establish an international organization to be known as the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, hereinafter referred to as “the Agency”. Only the Contracting Parties shall be affected by its decisions.

2. The Agency shall be responsible for the holding of periodic or extraordinary consultations among Member States on matters relating to the purposes, measures and procedures set forth in this Treaty and to the supervision of compliance with the obligations arising therefrom.

3. The Contracting Parties agree to extend to the Agency full and prompt co-operation in accordance with the provisions of this Treaty, of any agreements they may conclude with the Agency and of any agreements the Agency may conclude with any other international organization or body.

4. The headquarters of the Agency shall be in Mexico City.”

2. OPANAL began its functioning immediately after the entry into force of the Treaty of Tlatelolco, on 29 April 1969, in accordance with Article 7 of the Treaty. On 2 September

¹ The present document has the same contents as the document Inf.40/2023Rev.

1969, the first Period of Regular Sessions of the General Conference was convened, in Mexico City.

3. The headquarters agreement between the United Mexican States and OPANAL was signed on 6 February 2003². That agreement does not determine that Mexico, as Host State, would provide the Agency with the necessary facilities to accommodate its headquarters. However, the Mexican Government has expressed on several occasions, particularly at meetings of the Council and at the General Conference of OPANAL, its intention and commitment to, jointly with OPANAL, identify a building in Mexico City that can serve as its permanent and own headquarters.
4. In its 54 years of mandate, OPANAL has never had its own permanent headquarters.
5. Since 1969, OPANAL has had its headquarters in six different facilities:
 - In 1969³, during the first months of mandate, the Agency was installed inside the Headquarters of the Ministry of Foreign Affairs of Mexico; at Av. Nonoalco No. 1, 16th floor, Col. Nonoalco-Tlatelolco, Mexico City;
 - As of March 1, 1970⁴, the Agency rented offices at Av. Morelos No. 110, office 506, Col. Juárez, Mexico City ("Morelos-Reforma" building);
 - From May 1976⁵, it was located in Temístocles number 78 in Colonia Polanco, also in a rented building;
 - As of April 1, 1998⁶ at Av. Sierra Tarahumara 715-A, Lomas de Chapultepec, 11000, Mexico D.F.

² Published on September 12, 2003 in the Official Gazette of the Federation.

³ CG/24, Annual Report of the Secretary-General. OPANAL/24 § 79, p.25. Available in http://www.opanal.org/wp-content/uploads/2015/12/CG01_024.pdf

⁴ CG/24, Annual Report of the Secretary-General. OPANAL/24 § 80, p.25. Available in http://www.opanal.org/wp-content/uploads/2015/12/CG01_024.pdf

⁵ C/PV/38, Verbatim record of the 38th Meeting of the Council, p.8

⁶ C/AR/167, Summary record of the 168th meeting of the Council, p. 3

- As of December 2001⁷, OPANAL leased the 5th floor of the building of the Embassy of the Bolivarian Republic of Venezuela located at Calle Schiller No. 326, Col. Polanco;
- From May 2015 to date, the property located at Calle Milton 61, Col. Anzures was leased. The lease agreement was signed on April 21, 2015 (building with land use permit for offices) and a modification agreement signed on July 18, 2017⁸, effective until June 30, 2021. (To see blueprint of the house, go to Annex I).
- On May 13, 2021, a modification agreement for the lease was signed, extending its effectiveness to June 30, 2022.
- In turn, on July 6, 2022, a modification agreement for the lease was signed, extending its effectiveness until June 30, 2024.

II. Need for a permanent, independent and visible Headquarters

6. A few months after assuming functions, the Secretary-General elaborated on the matter of the headquarters during the 287^o Meeting of the Council held on 10 April 2014. In agenda item 8 entitled Headquarters of OPANAL, *“Ambassador Macedo Soares said that he had the opportunity to speak broadly about this matter at the Meeting of the CCAAP since its nature is more administrative. He reiterated that the headquarters of the Agency is a very important in all aspects. He mentioned that he does not know how the Agency ended inside of the Embassy of Venezuela. He added that even though he feels very comfortable, the meeting room is very small to accommodate the representatives of the Member States with representation in Mexico. Also, he noted that it is necessary to improve the workspaces of the staff. Another aspect to consider, probably the most important, is the visibility of the Agency. It is very important to have a facility where everybody knows that OPANAL’s headquarters are located there. Other international organizations with headquarters in Mexico have their own facilities, which is not the case of OPANAL. Ambassador Macedo Soares expressed to be convinced of having full visibility, thus it would be good to place the bronze plaque in a visible spot. He also called the attention to the bust of the Nobel Peace Laurate Alfonso García Robles, which is not*

⁷ C/DT/77, Aide mémoire – Location of the Headquarters building, pp. 1 & 2.

⁸ S-542/2017, Amending Agreement to the Lease Agreement of the house located at Milton 61.

quite visible in the current location, hence it would need to be placed at the entrance of an own headquarters.”⁹

7. Although in 2015 it was possible to relocate the headquarters of OPANAL to a larger facility, this does not resolve the issue, since it does not provide the Agency with the security of permanency in that location considering it is still subject to the legal figure of tenant. An international body should not rely permanently on a lease.
8. An international organization requires a permanent, independent and visible facility with the proper space for its functioning thus it cannot be located inside the headquarters of another institution that may limit or condition the Agency’s functioning, whether it is inside a coworking space, government buildings or in a cluster of representation of international organizations. It is important to note that OPANAL must not be observed as a representation of international organization before the Mexican Government. OPANAL is an intergovernmental organization, not a representation.
9. It is politically inconvenient for its Member States that an intergovernmental organization does not have a permanent headquarter and its vulnerable to be evicted.
10. The Agency requires of 350 m2 to accommodate the institutional archives of the Treaty of Tlatelolco, a meeting room of 45 m2 that accommodates at least the 22 delegates of the Member States with representation in Mexico, spots for the President, the Secretary-General and occasional guests, and workspaces for its 8 staff members. (See Annex I and III)
11. Between mid-2000 and the end of 2001, the CCAAP and the Council addressed the matter pertaining to the permanent headquarters on several occasions. In the second half of 2000, the possibility to leave the facility indicated in paragraph 6, section 4 was discussed and to relocate to the building that had been the headquarters of GEPLACEA after the extinction of that body on loan, which would be granted to OPANAL by the Mexican Government.

At that time, the Mexican Government was in a six-year transition period, nonetheless, during the following year the matter continued to be addressed.

⁹ C/AR/287Rev.

Representatives of Mexico sometimes referred to the commitment of the Mexican State to provide the Agency with headquarters.

12. As it is noted in summary records and documents of the different bodies of the Agency, the Mexican representatives have reiterated in several occasions the intention of the government of providing the Agency with a proper facility to accommodate its headquarters. For example, in Resolution CG/E/Res.31910 of 1994, the General Conference “*resolves to thank again the Government of Mexico of the offering of surrendering a facility in order for OPANAL to accommodate its headquarters, without a payment whatsoever for the Agency.*”¹⁰
13. On 5 August 2011, through Note DNU-0005467, the Mexican Government presented a proposal to OPANAL of accommodating its headquarters at the ground-level offices of the “Edificio Triángulo” of the Ministry of Foreign Affairs. The space offered was 162.5m², insufficient to accommodate the Secretariat and its staff. After a series of conversations and visits to the facilities from the Secretary-General and the Council, it was concluded that these facilities were not adequate for the Agency’s correct functioning.¹¹ The Secretariat holds in its archives the blueprints and details of the area offered.
14. In 2019, the Secretary-General met with different government officials of Mexico in order to resume the matter, emphasizing the urgent need of a permanent, independent and visible headquarters for the Agency. The Secretary-General met with the Under Secretary for Multilateral Affairs and Human Rights of the Ministry of Foreign Affairs (30 January 2019), with the General Director to the United Nations (23 April 2019), with the General Coordinator of Advisers and International Affairs of Mexico’s City Government (7 May 2019) and with the Legal Advisor of the Ministry of Foreign Affairs (8 May 2019).
 - a) In January 28, 2021, representatives of the Secretariat, the Mexican Ministry of Foreign Affairs and the Government of Mexico City visited a building located on calle República del Perú in the Historic Center of Mexico City, in the Cuauhtémoc City Hall. The building, which was recovered and in the process of remodelling by

¹⁰ Summary records of the CCAAP meetings 19° (9 June 2000), 23° (20 September 2000), 25° (15 February 2001), 27° (7 May 2001), 29° (8 July 2001), 31° (3 October 2001); and Council Meeting 190° (31 July 2001).

¹¹ C/AR/266, Summary record of the 266° Meeting of the Council held on 29 March 2012.

the Historic Center Trust of Mexico City, offered a comfortable space for OPANAL, however, it did not meet the technical requirements for useful area and accessibility needed for the proper functioning of the Secretariat.

- b) Through Resolutions CG/Res.13/2021 and CG/E/Res.09/2022, the General Conference resolved:
- 1) To request the participation and support of all member states to ensure that OPANAL has permanent and independent headquarters.
 - 2) To instruct the Council to continue with the analysis and discussion of the considerations contained in document CG/14/2019, presenting a report to the General Conference at its next session.
- c) To acknowledge and thank the efforts of the Mexican Government, which, since July 2020, has been paying for the rent of the current headquarters of the Agency while managing the award of a property to establish the permanent headquarters.

III. International Organizations with headquarters in Mexico

15. The Secretariat has knowledge that three international organizations with headquarters in Mexico City are accommodated in facilities provided by the Mexican State: the Pan American Institute of Geography and History (IPGH, for the Spanish acronym), the Latin-American Institute for Educational Communication (ILCE, for the Spanish acronym), and the Inter- American Conference of Social Security (CISS, for the Spanish acronym). (See Annex IV).
16. Other international organization with headquarters in Pátzcuaro, Michoacán, with a facility provided by the Mexican State is the Center of Regional Cooperation for Adults' Education in Latin America and the Caribbean (CREFAL, for the Spanish acronym).
17. It is important to note that OPANAL, according to the Headquarters Agreement, has a legal status of International Organization (Article II) with headquarters in Mexico, which is different to that of the representations of International Organizations with offices in Mexico, some of which curiously have facilities provided by the Mexican Government (see Annex V).

- a) It is important to note that the Latin American and Caribbean Space Agency (ALCE) has its headquarters in the state of Querétaro, which was recently donated by the Mexican Government.

IV. Financial situation and related matters

18. In the 54 years of its existence, OPANAL has allocated a considerable amount of the annual budget for rent. In the period 2000-2019, the budget managed in this area at current prices is equivalent to approximately USD 1,430,251.31. In average, the amount of rent of the annual budget is of 14,78% (see Annex II).
19. The financial crisis that the Agency faced between 2006 and 2008, which originated from the low collection of contributions, put the matter of finding a permanent headquarters for the Agency in discussions again. After having being delayed in the rent payment for a few months, the then Deputy Secretary-General suggested to add an *Addendum*¹² to the Headquarters Agreement between Mexico and OPANAL stating the compromise of the Host State of surrendering a facility to the Agency for its permanent functioning. Unfortunately, that proposal did have any response or reaction.
20. The financial crises faced by the Agency were aggravated by the continuing obligation to pay rent, which impedes investing the resources in other initiatives and activities required by the Agency's busy agenda. For instance, educational courses, scholarship and funding for the internship program, seminars, publications, among others.
21. The contract lease of the house that the Agency is currently renting is valid until 2020, however, that lease has an adjustment provision in the month of July equivalent to the inflation index plus 3 percent.
 - a) The current agreement amending the lease of the property is effective until June 30, 2024. The current monthly value of the rent is MXN 89,426.93 (MXN 1,033,930.44 from January to December 2023).
 - b) Since July 2020, the rent of the Agency's headquarters is covered in its entirety by the support of the Mexican Government. The value deposited last year covers the rent until March 2024.

¹² S/Inf.971 of 25 March 2008.

- c) Since April 2022, the Mexican Government regularly provides equipped rooms at the headquarters of the S.R.E. for meetings of the Agency.

V. International Organizations with headquarters in other countries

22. Different International Organizations with the same legal personality as OPANAL were provided with a permanent headquarters by the State that hosts them. For instance:

- United Nations – the headquarters in New York City were built on donated land. The construction of the building was financed by the United States Government and subsequently paid by the United Nations¹³;
- Organization for the Prohibition of Chemical Weapons (OPCW) – The Government of the Netherlands provided a fully serviced building free of charge during the preparatory phase (5 years), while the permanent headquarters were being built. In accordance with the Headquarters Agreement between the Government of the Netherlands and the OPCW, the Organization received the permanent headquarters belonging to the Netherlands, but with the guarantee of not being dispossessed of the property;
- United Nations Educational, Scientific and Cultural Organization (UNESCO) - By decree dated 22 December 1952, the Government of France allocated land in the VII arrondissement to the Ministry of Foreign Affairs to make it available to UNESCO. The land remains the property of the French State, but is subject to a renewable lease for 1000 francs per year with a duration of 99 years. The agreement guarantees the Organization's permanence in Paris;
- International Atomic Energy Agency (IAEA) - The Government of Austria transferred to the United Nations the complex called "Vienna International Centre", which became the permanent headquarters of the IAEA and the United Nations Offices at Vienna (symbolic annual rent of one Austrian shilling).

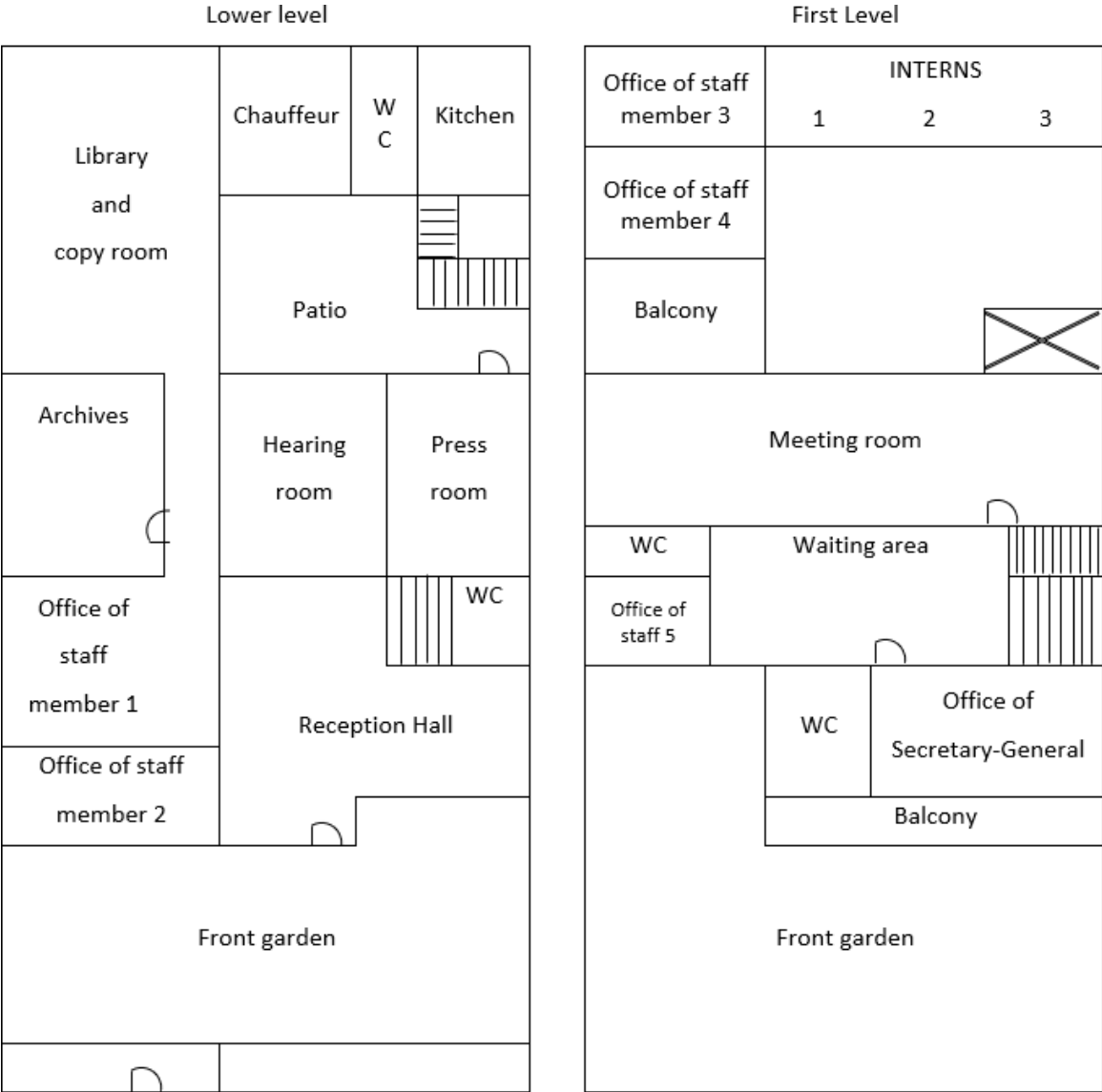
VI. Final considerations and proposed solutions

¹³ A/RES/169(II).

23. Taking into account that in 2023 OPANAL celebrated 54 years of exercising its functions, this situation must not continue. The solution to this problem depends on the support of all Member States in order to bring this issue forward.
24. It is all Member States best interest to obtain permanent headquarters for OPANAL under adequate and independent conditions.
25. The States of Latin America and the Caribbean rightly consider the Treaty of Tlatelolco to be a source of pride for the region.
26. Possible solutions include:
 - the donation of a property;
 - the loan of a property;
 - the Host State could donate land and execute construction as a loan, which the Agency would pay for monthly;
 - the reception of donations or contributions designated to purchase a property;
 - the purchase of a property through financing.
27. The first two proposals are the most feasible and for these the action of the Host State is essential to solve the problematic situation described; however, the participation of all Member States of OPANAL is not dismissed, at least theoretically.
28. The Secretariat has prepared a compilation of documents from the different bodies at OPANAL that have addressed the topic of the headquarters. That documentation is available to the Member States.

Annex I

Blueprint of the house located at Milton 61, col. Anzures, Miguel Hidalgo C.P. 11590, Mexico City



Annex II

Designated Budget to pay the rent of headquarters in the last 20 years

AÑO	MONTO DE LA RENTA USD EN EL AÑO EJECUTADO (a)	TC (b)	PRESUPUESTO ANUAL EJECUTADO EN USD (c)	MONTO DE LA RENTA MXN EN EL AÑO EJECUTADO (d)	% DE PRESUPUESTO QUE SE GASTÓ EN RENTA
1998	\$ 47,769.95	9.14	\$ 347,702.28	\$ 436,617.34	13.74
1999	\$ 49,872.18	9.56	\$ 348,850.66	\$ 476,778.04	14.3
2000	\$ 55,381.97	9.46	\$ 314,600.97	\$ 523,913.44	17.6
2001	\$ 48,155.09	9.34	\$ 260,395.11	\$ 449,768.54	18.49
2002	\$ 46,645.09	9.66	\$ 294,139.88	\$ 450,591.57	15.86
2003	\$ 47,089.51	10.79	\$ 317,450.00	\$ 508,095.82	14.83
2004	\$ 47,083.00	11.38	\$ 310,003.00	\$ 535,804.54	15.19
2005	\$ 35,413.00	10.9	\$ 206,205.00	\$ 386,001.70	17.17
2006	\$ 4,982.00	11.04	\$ 152,278.00	\$ 55,001.28	3.27
2007	\$ 6,677.29	10.9	\$ 199,181.09	\$ 72,782.46	3.35
2008	\$ 47,943.42	13.32	\$ 181,995.83	\$ 638,606.35	26.34
2009	\$ 47,644.91	12.92	\$ 191,236.78	\$ 615,572.24	24.91
2010	\$ 51,061.94	12.47	\$ 322,680.64	\$ 636,742.39	15.82
2011	\$ 48,865.19	13.61	\$ 332,053.78	\$ 665,055.24	14.72
2012	\$ 49,898.17	12.93	\$ 336,285.13	\$ 645,183.34	14.84
2013	\$ 49,735.14	13.11	\$ 354,794.00	\$ 652,027.69	14.02
2014	\$ 56,000.00	13.9	\$ 366,028.30	\$ 778,400.00	15.3
2015	\$ 48,399.99	16.59	\$ 365,320.37	\$ 802,955.83	13.25
2016	\$ 45,735.49	20.34	\$ 364,675.25	\$ 930,259.87	12.54
2017	\$ 51,639.95	18.53	\$ 956,692.04	\$ 956,888.27	13.6
2018	\$ 53,737.70	20.11	\$ 374,476.17	\$ 1,080,665.15	13.06
2019	\$ 56,115.61	19.03	\$ 360,955.09	\$ 1,067,880.06	15.55
2020	\$ 57,364.21	19.21	\$ 324,915.56	\$ 1,101,966.47	17.66
2021	\$ 53,732.72	20.42	\$ 371,015.96	\$ 1,097,222.14	14.5
2022	\$ 45,306.32	19.61	\$ 318,748.08	\$ 888,456.94	14.2
2023*	\$ 58,414.15	17.7*	\$ 416,989.00	\$ 1,033,930.46	14.01*

- (a) Annual Income data in USD were obtained from the Financial Statements, the reports of the corresponding auditors and presented at the General Conference of each year.
- (b) Exchange rate obtained from the Financial Statements of each year's audit reports.
- (c) The data of the annual Budget executed in USD were obtained from the Financial Statements of the corresponding auditors' reports and presented at the General Conference of each year.
- (d) Since July 2020, the rent of the Agency's headquarters is covered in its entirety by the support of the Mexican Government, the value deposited last year covers until March 2024.

Annex III

Measurements of the surface area of the current headquarters of OPANAL

According to the draft budget of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, financial exercise of 1969 and 1970 (REOPANAL/2), in which the following was agreed:

	<u>Area (2019)</u>	<u>To be needed</u>
Calculated space area		
Office of the Secretary-General	15.5 m2	15.5 m2
Waiting room for staff and guests	24.8 m2	24.8 m2
Office of the International Relations Officer	3.9 m2	8.5 m2
Office of the Research and Communications Officer	6.3 m2	8.5 m2
Office of the Research Officer	10.4 m2	8.5 m2
Office of the Programme Officer	8.5 m2	8.5 m2
Office of the Administration Officer	8.5 m2	8.5 m2
Office of the Driver and Courier/Usher	6.5 m2	6.5 m2
Archives	14.8 m2	30 m2
Library	12 m2	15 m2
Storage and copy room		12 m2
Area for three interns (students)	19 m2	20 m2
Meeting room	37.6 m2	45 m2
Reception Hall (flags)	42.4 m2	42.4 m2
Hearing room	14.4 m2	14.4 m2
Press room	14 m2	14 m2
Restrooms (3)	16.4 m2	16.4 m2
Kitchen and dining area	8 m2	10 m2
Total office area	263 m2	354 m2
Front garden	66 m2	66 m2
<u>Interior garden</u> (terrace)	34.7 m2	34.7 m2
Outdoor parking	4 spots	4 spots

The total area was thus 300 m2.

Current situation of OPANAL's headquarters – Secretariat

Calculated space area	<u>Area (2019)</u>	<u>To be needed</u>
Office of the Secretary-General	15.5 m2	15.5 m2
Waiting room for staff and guests	24.8 m2	24.8 m2
Office of the International Relations Officer	3.9 m2	8.5 m2
Office of the Research and Communications Officer	6.3 m2	8.5 m2
Office of the Research Officer	10.4 m2	8.5 m2
Office of the Programme Officer	8.5 m2	8.5 m2
Office of the Administration Officer	8.5 m2	8.5 m2
Office of the Driver and Courier/Usher	6.5 m2	6.5 m2
Archives	14.8 m2	30 m2
Library	12 m2	15 m2
Storage and copy room		12 m2
Area for three interns (students)	19 m2	20 m2
Meeting room	37.6 m2	45 m2
Reception Hall (flags)	42.4 m2	42.4 m2
Hearing room	14.4 m2	14.4 m2
Press room	14 m2	14 m2
Restrooms (3)	16.4 m2	16.4 m2
Kitchen and dining area	8 m2	10 m2
Total office area	263 m2	354 m2
Front garden	66 m2	66 m2
<u>Interior garden</u> (terrace)	34.7 m2	34.7 m2
Outdoor parking	4 spots	4 spots

Necessary requirements for OPANAL headquarters

Area of approximately calculated spaces	<u>To be needed</u>
Office of the Secretary-General	15.5 m ²
Office of the International Relations Officer	8.5 m ²
Office of the Research and Communication Officer	8.5 m ²
Office of the Research Officer	8.5 m ²
Office of the Programme Officer	8.5 m ²
Office of the Administration Officer	8.5 m ²
Office of the Driver	6.5 m ²
Archive (according to the requirements of the Historical Collection ¹⁴)	30 m ²
Library	15 m ²
Storage and copy room	15 m ²
Local for three interns (students)	20 m ²
Multimedia room (Annex VI room plan ¹⁵)	80 m ²
Reception room (flags)	42.4 m ²
Hearing room	14.4 m ²
Restrooms (3)	16.4 m ²
Kitchen and dining room	10 m ²
Wine cellar	6 m ²
Outdoor parking	4 spaces
Total office area	313.7 m ²
Outdoor parking	4 spaces

¹⁴ For archive

- Temperature: 18°C, with permissible variation between +/- 2°C.
- Relative humidity: 35%, with permissible variation between +/-5%.
- It is necessary to continuously monitor the conditions of temperature and humidity, this is done through the installation and review of Dataloggers, thermohygrometers, in order to avoid strong variations or fluctuations, because they directly affect the documents.
- Furniture: stainless steel, high temperature enamelled metal; Avoid wooden furniture.
- Lighting: controlled with motion sensors or turn on only when entering and off when leaving; prefer the use of Led lights, since they do not generate heat or emit UV rays that damage the documents.
- Storage systems: corrugated polypropylene boxes, acid-free paper folders.
- Placement of the documents inside the box: vertically ensuring that they hold each other, without being tight and without being loose to prevent them from deforming.

¹⁵ Multimedia room with capacity for the 33 Member States, the OPANAL Secretariat and the translation booths.

Annex IV

Photographs of the properties of other Intergovernmental Organizations with headquarters in Mexico

Inter-American Conference on Social Security (CISS) – Calle San Ramón S/N, Colonia San Jerónimo Lídice, Mexico City



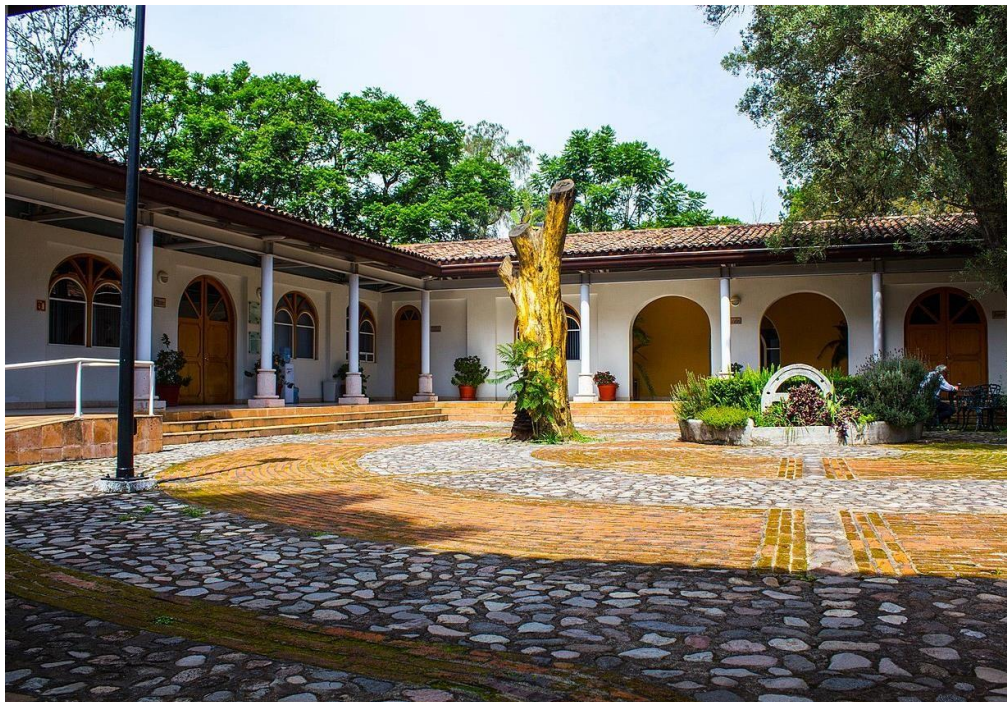
Latin American Institute of Educational Communication (ILCE) – Calle Del Puente No. 45, Colonia Ejidors de Huipulco, Mexico City



Pan American Institute of Geography and History (PAIGH) – Calle Ex arzobispado No. 29, Colonia Observatorio, Mexico City



Regional Cooperation Center for Adult Education in Latin America and the Caribbean (CREFAL) –
Avenida Lázaro Cárdenas No. 525, Colonia Revolución, city of Pátzcuaro, Michoacán, Mexico

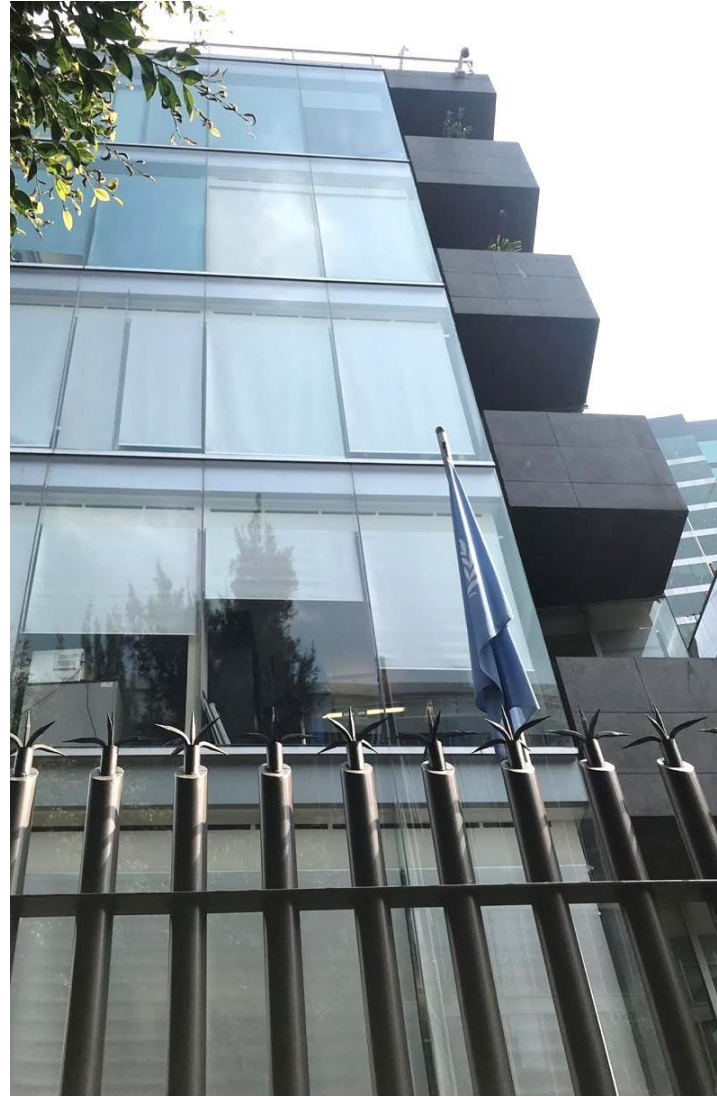


Annex V
Photographs of the properties of Representations of International Organizations with
headquarters in Mexico

International Labour Organization – Calle Comte No. 35, Colonia Anzures, Mexico City.



United Nations Mexico (Pan American Health Organization – PAHO/WHO, United Nations Development Program – UNDP) – Calle Montes Urales No. 440, Colonia Lomas de Chapultepec III Sección, Mexico City.



MULTIMEDIA ROOM

