



# OPANAL GENERAL CONFERENCE

## XXIV Regular Session

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### **Fiftieth Anniversary of the Treaty of Tlatelolco Memorandum of the Secretary General**

#### **Introduction**

February 14, 2017, will mark the 50<sup>th</sup> anniversary of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean – the Treaty of Tlatelolco, and the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean – OPANAL. The Treaty covers the entire Region since the deposit of its ratification instrument by the last Member State, in 2002. International Law instruments are born with the opening for signature. That is why, this year 2015 we celebrate the birth of the United Nations, 70 years since the signing of the UN Charter.

OPANAL, having been created through Article 7 of the Treaty of Tlatelolco, is inseparable from the Treaty. It may be useful to recall briefly the reason for the creation of the Agency: the objective of OPANAL is “to ensure compliance with the obligations” in the Treaty and is the “*locus*” for periodic consultations amongst Member States.

Maintaining the Zone of application of the Treaty, as defined in Article 4, forever free from nuclear weapons, is a central objective; the attainment of which, during this half century, must be a cause for celebration. The States Party to the Treaty have fully met the obligations contained in Article 1 during this 50 year-period. Nevertheless, a nuclear-weapon-free zone, an institute of International Law that did not exist during the 22 years since the invention of the nuclear weapon, to be legally and politically efficient, would have to be respected by the Nuclear-Weapon-States. This is an achievement that we will also commemorate in 2017.

In the harrowing atmosphere of the 1960s, a time when the Cold War came to our shores, Tlatelolco was a demonstration of audacity, of political independence, of legal ingenuity. To gain a full understanding of the Treaty it is essential to read carefully the preamble. Therein lies the vision and the reason for the Treaty of Tlatelolco: security for the countries of the region, peace in a world without nuclear weapons.

Tlatelolco is a treaty that creates something rare – a new institute of International Law, later emulated in other regions: the “nuclear-weapon-free zone”. The Treaty and the zone it creates cannot be understood as a political declaration, which would need to be reaffirmed regularly. It’s a legal instrument and, as such, a source of obligations and rights, clearly defined in its scope and means of application. For this reason the negotiators understood the need for an institutional framework, the OPANAL.

OPANAL is the oldest Latin American and Caribbean Agency. The 33 Member States have been reinforcing their political discourse and OPANAL forms a natural component of this movement. Hence, the Community of Latin American and Caribbean States – CELAC, in choosing nuclear disarmament as one of its priority concerns as outlined in the Special Declarations issued at the 2014 and 2015 Summits, has identified OPANAL as “the specialized body in the region for articulating common positions and joint actions on nuclear disarmament”.

With this new political mandate, and more importantly, with the foundation provided by the Treaty of Tlatelolco, OPANAL seeks to put forward the positions of Latin America and the Caribbean to the world on all occasions and to all institutions wherein discussions are held on the grave risk posed by nuclear arms.

The 50<sup>th</sup> anniversary is thus an occasion and an instrument of great international political dimension, which the Member States of OPANAL will not squander.

#### **Commemorations – timing, form, and content.**

The date of the celebration itself must be on Tuesday, 14 February 2017. The appropriate setting should be the XXV Regular Session of the General Conference, the supreme organ of OPANAL. The seat for the session must be chosen during the XXIV Session of the General Conference, on 26 November 2015, so that preparation activities can be started as early as possible in 2016.

During the XXV session of the General Conference, on 14 February 2017, Member State delegations should be headed by representatives with ministerial rank.

The content of the commemoration should consist of:

- a) a political declaration adopted by the General Conference and,

- b) a high-level international seminar of academic and political nature. The list of participants as well as the content would be settled in the first half of 2016 in order to ensure adequate participation.

The international seminar would close with a solemn ceremony presided by the Head of State or Government hosting the General Conference with participation of other high-level authorities – United Nations General Secretary, leaders of other international organizations in the disarmament and non-proliferation field, leaders of other regional nuclear-weapon-free zones, such as the African Union, the Association of Southeast Asian Nations, the Pacific Islands Forum, and others.

The above is but an initial overview of the subject by way of example. The details of events will be shaped during the preparations in 2016. For example, the adoption of the Declaration of the General Conference would take place on Monday, 13 February, 2017. The representatives of Member States would hold a meeting on Friday, 10 February 2017, to finalize the draft Declaration.

### **Preparations for the Golden Jubilee**

The most appropriate Organ to conduct the planning and preparations should be the Council, acting under instructions from the General Conference pursuant to general instructions contained in the respective Resolution. The Council may appoint one or more working groups, preferably open to all Member States, to carry out preparations for the commemoration.

The commemoration will have budgetary implications which the Council would plan and submit to the Special Session of the General Conference during the second half of 2016.

The attached draft resolution (Doc. CG/L/09/2015) is hereby presented to the General Conference for its consideration and approval.