



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

RESOLUTION CG/Res.477

**INTERPRETATIVE DECLARATIONS OF THE NUCLEAR POWERS TO ADDITIONAL
PROTOCOLS I AND II TO THE TREATY OF TLATELOLCO**

The General Conference,

Recalling Resolutions 430 (E-XVI) of November 2002, 447 (XVIII) of November 2003, and 461 (E-XVII) of November 2004, which promote the review of the interpretative declarations made by some States Parties to Additional Protocols I and II to the Treaty of Tlatelolco when they signed or ratified said Protocols;

Observing with satisfaction the total consolidation of the Zone of Application of the Treaty for the Prohibition of Nuclear Weapons in Latin American and the Caribbean (Treaty of Tlatelolco) by the Member States and those States associated with it;

Considering that none of the Latin American or Caribbean States possess nuclear weapons, or seeks to possess them, therefore rendering nonexistent any possibility that they could use nuclear weapons against another State;

Bearing in mind the devastatingly destructive capacity of nuclear weapons, the irreparable effects they have on people, and the damage they cause to the environment, whose preservation is the responsibility of all nations;

Having examined the responses of the nuclear powers to the letters sent by the Secretary General in which at the request of the General Conference, he requests the modification or withdrawal of the interpretative declarations made at the time of signature or ratification of Additional Protocols I and II to the Treaty of Tlatelolco, declarations that affect the integrity of the

denuclearization statute provided for by the Treaty;

Recalling the importance of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) for the strengthening and creation of nuclear-weapon-free zones, non-proliferation, and nuclear disarmament and therefore for the consolidation and keeping of international peace and security;

Having considered the Memorandum of the Secretary General (Doc.CG/594),

Resolves:

1. **To acknowledge** the efforts of the Secretary General and the Council to conduct an occasional study of the responses to the diplomatic notes sent on 16 July 2003, 16 July 2004, and 22 September 2005, requesting that the nuclear powers revise or withdraw the Declarations made at the time of signature or ratification of Additional Protocols I and II of the Treaty.
2. **To thank** the Ambassador of Mexico in France and the Chargé d'Affaires of Cuba in France for meeting with the Deputy Director General for Political Affairs and Security of the Ministry of Foreign Affairs, Mr. Frédéric Du Laurens, in order to encourage the French Government to respond to the notes sent by the Secretary General on 16 July 2003, and 16 July 2004.
3. **To thank also** the joint efforts of the Ambassadors of Brazil, Cuba, Guatemala, and Mexico, the Chiefs of Chancery of Chile and Ecuador, and the Chargé d'Affaires of the Embassy of Peru to meet with staff members from the Ministry of Foreign Affairs and the Ministry of Defense of the United Kingdom to express the interest of the OPANAL Council member countries in maintaining a dialogue on this important matter and reiterating the request that the British Government respond to the notes sent by the Secretary General.
4. **To take note** of the responses received from the Governments of China, the United States, the Russian Federation, the French Republic, and the United Kingdom of Great Britain and Northern Ireland to the Secretary General's notes of July 2003 and 2004.
5. **To express** that under current international law, the use of nuclear arms in self-defense in response to an armed attack with conventional weapons cannot be backed up by international

law because it does not satisfy the requirement of need nor is it proportional to the end pursued with the defensive action recognized by Article 51 of the United Nations Charter.

6. **To instruct** the Council and the Secretary General to continue studying the responses of the nuclear powers regarding the interpretations that make reference to the use of nuclear weapons in self-defense or in the event of an act of aggression supported by a nuclear State.
7. **To further instruct** the Council and the Secretary General to continue with the informal dialog with the nuclear powers to express again the concern of the countries of the region regarding the importance of strengthening the denuclearization regime established in the Treaty of Tlatelolco.
8. **To urge** the nuclear-weapon states that, having ratified Protocols I and II to the Treaty of Tlatelolco, have done so with unilateral interpretations that affect the denuclearization statute established by the Treaty to modify or withdraw said unilateral interpretations.
9. **To entrust** the Secretary General with requesting the opinion of all of the Member States regarding this matter and maintaining the Council and the General Conference apprised of the results of his efforts, as well as the possibility of conducting studies, seminars or other complementary activities to raise awareness about this important matter and promoting the idea in academic circles and civil society that nuclear weapons may not be used under any circumstances, not even to repel an armed attack with conventional weapons.

(Adopted at the 107th Session
held on November 8, 2005)