



## General Conference

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### OPANAL relations with other nuclear-weapon-free zones

#### I. Introduction

As the first region to establish a nuclear-weapon-free zone (NWFZ) in a densely populated area, it is one of OPANAL's responsibilities to foster cooperation and share good practices, contribute to the institutionalization and strengthening of other existing NWFZs, as well as promote the establishment of new NWFZs.

In this regard, in recent years OPANAL has worked to establish direct contact with the agencies and countries in charge of NWFZs and to strengthen cooperation with them. The Secretariat has contributed to the work of the Working Group on the Establishment of the Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction in the Middle East. In addition, the Member States of OPANAL have discussed and prepared a draft resolution instructing the United Nations Secretary-General to prepare a new comprehensive study on the question of nuclear-weapon-free zones in all its aspects, to be adopted by the 79<sup>th</sup> General Assembly.

This document compiles OPANAL's activities in the field of cooperation with NWFZs.

#### II. OPANAL's cooperation with existing NWFZs

South Pacific Nuclear-Weapon-Free Zone. OPANAL and the Pacific Islands Forum (PIF) have had a cooperation agreement since 11 February 2003. The Agreement has led to greater cooperation and coordination between the secretariats of the two agencies, particularly in recent years.

In this regard, the agencies participated in the meetings of the States Parties. On December 15, 2020, the OPANAL Secretariat participated remotely in the First Meeting of the States Parties to the Treaty of Rarotonga, in which the Secretary-General of OPANAL delivered a statement. Likewise, on September 30, 2021, the Secretary-General of the PIF, Mr. Henry Puna, participated remotely in the XXVII Session of the General Conference of OPANAL and in its general debate.

The OPANAL Secretariat also participated in the outreach activities organized by PIF. On August 27, 2021, the Secretary-General of OPANAL participated, at the invitation of PIF, in the webinar "*From Nuclear testing to Nuclear-free – how can we secure our Blue Pacific future?*" on the occasion of the International Day Against Nuclear Tests.

On September 27, 2021, at the initiative of PIF, the Secretaries-General held a virtual meeting, in which Secretary-General Puna requested OPANAL's support to recommend potential experts independent scientists, who would work with PIF on the issue of the Advanced Liquid Processing System arising from the incident at the Fukushima-Daiichi nuclear power plant in 2011. Subsequently, the OPANAL Secretariat provided the requested information to the PIF.

African Nuclear-Weapon-Free Zone. At its 326<sup>th</sup> meeting, in order to strengthen OPANAL's relations with other NWFZs, the Council decided to create a Technical Group to negotiate the text of a Memorandum of Understanding to be presented to the agencies or countries that coordinate these zones. As a result, the agreed text was subsequently sent to the African Nuclear Energy Commission (AFCONE), in its capacity as the agency in charge of the African NWFZ; the Association of Southeast Asian Nations (ASEAN), as the agency in charge of the Southeast Asian NWFZ; and Kazakhstan, in its capacity of only Central Asian NWFZ Asia with representation in Mexico City.

AFCONE accepted OPANAL's proposal without amendments, and the XXVII Session of the General Conference of OPANAL, which was attended virtually by the then Executive Secretary, Mr. Messaoud Baaliouamer, who also gave a speech during the general debate, instructed the Secretary-General, through Resolution CG/Res.02/2021, to conclude the signing of the Memorandum of Understanding with the African counterpart.

On December 1, 2021, the Memorandum of Understanding between OPANAL and AFCONE was signed. On this occasion, the Secretary-General of OPANAL and the Executive Secretary of AFCONE issued a statement welcoming the formalization of cooperation between the two NWFZs<sup>1</sup>. Likewise, within the framework of the Memorandum of Understanding, on June 20, 2022, the Secretary-General of OPANAL and the Executive Secretary of AFCONE issued in Vienna a joint communiqué on the humanitarian consequences of nuclear weapons and the importance of the First Meeting of the States Parties to the Treaty on the Prohibition of Nuclear Weapons (TPNW), in which they participated.

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<sup>1</sup> Inf.46/2021

Southeast Asia Nuclear-Weapon-Free Zone. The ASEAN delegation attended, virtually, the XXVII Session of the General Conference of OPANAL held on September 30, 2021.

On November 18, 2021, the Secretary-General held a virtual meeting with the Secretary-General of ASEAN, Mr. Lim Jock Hoy, in which he presented the proposal for the Memorandum of Understanding between OPANAL and ASEAN. As a follow-up, on March 15, 2023, the secretariats of OPANAL and ASEAN held an informal meeting in which they discussed a series of possible joint activities that would eventually lead to the signing of the Memorandum of Understanding, including joint positions, the exchange of good practices and lessons learned on the universalization of additional protocols, among others.

Central Asia Nuclear-Weapon-Free Zone. On May 6, 2021, the Secretariat, through the Embassy of the Republic of Kazakhstan, sent the proposal of the Memorandum of Understanding for the consideration of the countries that are part of the NWFZ in Central Asia.

Within the framework of the XXVII Session of the General Conference held on September 30, 2021, Kazakhstan made an intervention on behalf of the countries that form part of the NWFZ in Central Asia, in which it expressed the interest of the mentioned region to sign a Memorandum of Understanding with OPANAL as soon as possible.

On 26 July 2022, the Permanent Mission of Kyrgyzstan in New York, in its capacity as Coordinator of the NWFZ in Central Asia, sent to the OPANAL Secretariat a counter-proposal of the Memorandum of Understanding, that included several changes and proposed amendments, so the Council at its 338<sup>th</sup> meeting, decided to renew the work of the Technical Group to negotiate the Memorandum of Understanding with the Central Asian NWFZ. In this regard, the Group met on two occasions, under the coordination of Argentina. As a result, on November 28, 2022, the Secretariat sent to the Permanent Mission of Kyrgyzstan in New York the counter-proposal of the Memorandum of Understanding, along with the justification for the changes proposed by OPANAL, and with the request for a virtual meeting with the representatives of the Central Asian NWFZ. The response to OPANAL's counterproposal is still pending.

It should be noted that the Secretary-General of OPANAL held a meeting with the then Minister of Foreign Affairs of the Republic of Kazakhstan, Mr. Mukhtar Tileuberdi, on the margins of the First Meeting of States Parties to the TPNW, in Vienna, in June 2022, in which the Minister not only informed on the support of the Central Asian NWFZ for the signing of the Memorandum of

Understanding with OPANAL, but also expressed Central Asia's interest in replicating OPANAL's experience in institutionalizing the NWFZ in Latin America and the Caribbean.

Mongolia. In the case of Mongolia, OPANAL has had discreet contact and exchange since Mongolia declared itself a nuclear-weapon-free State in 1998. The most recent interactions came in preparation for the Second Conference of NWFZs and Mongolia, as it hosted a meeting of focal points in Ulán Bator, Mongolia (27-28 April 2009); and its role as coordinator of the Fourth Conference of NWFZs and Mongolia in accordance with United Nations General Assembly resolution 73/71. Mongolia decided to leave the coordination of the Fourth Conference due to differences between two African states.

*Recommendations to the General Conference:*

- a) **To thank** the Member States of the Council for the work carried out, during 2022 and 2023, on cooperation with other nuclear-weapon-free zones, including the establishment of the Technical Group to discuss and agree on the drafting of the Memoranda of Understanding with the Association of Southeast Asian Nations and the Central Asia Nuclear-Weapon-Free Zone.
- b) **To instruct** the Secretary-General to redouble the efforts to conclude the negotiations on the Memoranda of Understanding with the Association of South-East Asian Nations and the Central Asian Nuclear-Weapon-Free Zone, for later approval by the General Conference.
- c) **To instruct** the Secretary-General to provide the necessary support to the Council in the consideration of measures for the institutionalization and strengthening of existing and future nuclear-weapon-free zones.

**III. Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction in the Middle East**

Bearing in mind the resolution of the United Nations General Assembly, first adopted in 1980, calling for the establishment of a zone free of nuclear weapons and other weapons of mass destruction in the Middle East, OPANAL has participated, in New York, when required, in the process for the establishment of a Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction in the Middle East.

*Recommendations to the General Conference:*

- d) **To instruct** the Secretary-General to continue sharing the experience and good practices of OPANAL for the creation of a zone free of nuclear weapons and other weapons of mass destruction in the Middle East, in accordance with the relevant resolutions of the United Nations General Assembly.

**IV. Fourth Conference of Nuclear-Weapon-Free Zones and Mongolia**

The proposal to create an International Conference of NWFZs is an initiative of OPANAL, that dates back to the XVI Session of its General Conference (Lima, Peru, 30 November – 1 December 1999), through Resolution CG/Res.388 "Strengthening of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL)", which determined: *"To request the Secretary-General of the Agency, with the approval of the Council, to prepare a proposal containing the specific objectives for the holding of an International Conference of the Parties to Nuclear-Weapon-Free Zones; and to establish contacts with the authorities of other NWFZs in order to convey to them the interest in holding such a Conference and to know their opinion [...]"*.

The NWFZs Conferences were designed as mechanisms to improve communication between States Parties and signatories to the nuclear-weapon-free zone treaties and Mongolia. They also seek to contribute to affirming the legitimacy of treaties and decisions establishing nuclear-weapon-free zones as valuable instruments for the nuclear disarmament and non-proliferation regime.

To date, three Conferences of NWFZs and Mongolia have been held. The first Conference was proposed by OPANAL and was held in Mexico, under the coordination of the Government of Mexico. The second and third, in 2010 and 2015, were held in New York one day before the NPT Review Conference and were coordinated by Chile and Indonesia, respectively.

<b>Past Conferences of Nuclear-Weapon-Free Zones and Mongolia</b>	
First Conference (Mexico City)	26 - 28 April 2005, coordinated by Mexico
Second Conference (New York)	April 30, 2010, coordinated by Chile
Third Conference (New York)	24 April 2015, coordinated by Indonesia

The Fourth Conference of NWFZs was convened by the United Nations General Assembly through resolution A/RES/73/71, adopted in December 2018. Among the most relevant aspects of the resolution are:

- It states that the Conference would be held on April 24, 2020, with a duration of one day and under the coordination of Mongolia.
- It invites *"all Member States and observer States of the United Nations that are States Parties and signatories to the treaties establishing nuclear-weapon-free zones and Mongolia to participate in the Conference"*.
- Decides that the central objective of the Conference is *"to consider ways and means of enhancing consultations and cooperation between the nuclear-weapon-free zones and Mongolia, the treaty bodies and interested States, in order to promote coordination and convergence in the implementation of the provisions of the treaties and in the strengthening of the nuclear disarmament and non-proliferation regime"*.

As a result of the global pandemic caused by the SARS-CoV-2 virus, the Fourth Conference of the NWFZs was postponed several times. By General Assembly decision 74/549 of 13 April 2020, the Fourth Conference of NWFZs and Mongolia was postponed to a period in 2021. By General Assembly decision 75/575 of 29 July 2021, the Conference was further postponed to a later date that would be decided by the General Assembly at its seventy-sixth session. In 2022, the General Assembly took the decision not to convene the fourth conference indefinitely, until the assembly itself decides otherwise.<sup>2</sup> Differences between two African states would be the foundations of the decision.

*Recommendations to the General Conference:*

- e) **To urge** the Member States to assume coordination and to convene the Fourth Conference of Nuclear-Weapon-Free Zones and Mongolia.
- f) **To instruct** the Secretary-General to provide the necessary support to the Council to consider effective measures to convene the Fourth Conference of Nuclear-Weapon-Free Zones and Mongolia

**V. Comprehensive study of the question of nuclear-weapon-free zones in all its aspects**

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<sup>2</sup> United Nations General Assembly decision A/76/L.79

In December 1974, the United Nations General Assembly adopted resolution 3261 F (XXIX) to "*undertake a comprehensive study of the question of nuclear-weapon-free zones in all its aspects*", which was prepared by "*a group of governmental experts*" within the framework of the then Conference of the Committee on Disarmament. The resolution further requested the Secretary-General of the United Nations "*to provide the services ... and assistance*" necessary for that purpose. As a result, in October 1975, the Conference of the Committee on Disarmament submitted to the General Assembly a special report A/10027/Add.1 containing the comprehensive study of the question of free zones in all its aspects.

To date, the 1975 comprehensive study represents one of the first efforts on NWFZs, despite the fact that Latin America and the Caribbean was the only one of such zones in force in a densely populated area.

In 2022, OPANAL Member States decided to establish a Working Group, under the coordination of Brazil, to prepare a draft resolution to request the United Nations Secretary-General to prepare a comprehensive study on the issue of NWFZs. The draft resolution was the result of the working group during 2022 and 2023, under the coordination of Brazil, which ultimately resulted in the consensus of OPANAL Member States on its content. The OPANAL Member States believe that a second comprehensive study will go a long way towards promoting the full implementation of the principles and objectives of existing treaties establishing NWFZs, as well as supporting the establishment of other zones in regions where they do not exist.

*Recommendations to the General Conference:*

- g) **To thank** also the Council for the establishment of the Technical Group to discuss and agree on the drafting of the resolution of the General Assembly of the United Nations that seeks to promote a new comprehensive study of the issue of nuclear-weapon-free zones in all its aspects.

## Annex

## Current status of existing ZLANs

Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean Treaty of Tlatelolco					
Opening for signature	Status of signatures and ratifications	Key Provisions	Coordination	Status of Additional Protocols	UNGA Resolutions / Decisions
February 14, 1967	Universal. Signatory States: 33 States Parties: 33	Definition of nuclear weapons.  Entry into force (individually for each State).  Establishment of Control System.  Set Zone of Application.	Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL)	<u>Additional Protocol I</u> (de jure or de facto territories in the Zone of Application of the Treaty). Signed and ratified by the United States, France, the Netherlands, the United Kingdom.  <u>Additional Protocol II</u> (Negative Security Assurances). Signed and ratified by the P5, with reservations.	Triennial. Next resolution at the 80th UNGA



South Pacific Nuclear-Weapon-Free Zone Treaty Treaty of Rarotonga					
Opening for signature	Status of signatures and ratifications	Key Provisions	Coordination	Status of Additional Protocols	UNGA Resolutions / Decisions
August 6, 1985	Universal. Signatory States: 13 States parties: 13	Prohibits any nuclear activity except exports for peaceful uses under the NPT and IAEA  Prohibits testing of nuclear explosive devices in the region (Additional Protocol III)	Pacific Islands Forum (PIF)	<u>Additional Protocol I</u> (de jure or de facto territories in the Zone of Application of the Treaty). Signed by France, United Kingdom, United States. Ratified by everyone except the United States.  <u>Additional Protocol II</u> (Negative Security Assurances). Signed by the P5. Ratified by all P5, except the United States.  <u>Additional Protocol III</u> (prohibition of nuclear tests). Signed by the P5. Ratified by the P5, except the United States.	1989 <sup>3</sup>

<sup>3</sup> United Nations General Assembly Resolution 44/119 (F)

<b>Southeast Asia Nuclear-Weapon-Free Zone Treaty Treaty of Bangkok</b>					
<b>Opening for signature</b>	<b>Status of signatures and ratifications</b>	<b>Key Provisions</b>	<b>Coordination</b>	<b>Status of Additional Protocols</b>	<b>UNGA Resolutions / Decisions</b>
December 15, 1995	Universal. Signatory States: 10 States Parties: 10	Prohibits the transit of foreign vessels or aircraft with nuclear content	Association of Southeast Asian Nations (ASEAN)	One Additional Protocol (negative security assurances) not signed or ratified by any of the P5.	Resolutions: 2007, 2009, 2011, 2013, 2015.  Decisions: 2017, 2019, 2021

African Nuclear-Weapon-Free Zone Treaty Treaty of Pelindaba					
Opening for signature	Status of signatures and ratifications	Key Provisions	Coordination	Status of Additional Protocols	UNGA Resolutions / Decisions
April 11, 1996	Signatory States: 51 States Parties: 43	Prohibits the dumping of radioactive waste  Prohibits attacks on nuclear facilities	African Nuclear Energy Commission (AFCONE)	<u>Additional Protocol I</u> (negative security assurances) signed by all P5. Ratified by the P5, except the United States.  <u>Additional Protocol II</u> (nuclear testing), signed by all P5. Ratified by the P5, except the United States.  <u>Additional Protocol III</u> (de jure or de facto territories in the Zone of Application of the Treaty). Signed and ratified by France. Signed but not ratified by Spain.	Annual

<b>Treaty on the Central Asian Nuclear-Weapon-Free Zone</b>					
<b>Opening for signature</b>	<b>Status of signatures and ratifications</b>	<b>Key Provisions</b>	<b>Coordination</b>	<b>Status of Additional Protocols</b>	<b>UNGA Resolutions / Decisions</b>
September 8, 2006	Universal. Signatory States: 5 States Parties: 5	<p>Obliges States Parties to sign and ratify the CTBT</p> <p>Recognizes the Tashkent Treaty (possible transit of Russian nuclear weapons through Kazakhstan)</p> <p>Obliges States parties to conclude a safeguards agreement and additional protocol with IAEA</p>	Rotating coordination among each State party	One Additional Protocol (negative security guarantees). Signed by the P5. Ratified by the P5, except the US.	Biennial