



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

General Conference

XXVI Session
7 November 2019
Agenda Item 14

CG/14/2019
Original: English/Spanish

Headquarters of 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. On 2 September 1969, the first Period of Regular Sessions of the General Conference was convened in Mexico City.
3. All international organization need its own physical space to be designated as its headquarters. Usually, an agreement between the organization and the Host State is signed. The Headquarters Agreement between OPANAL and the United Mexican States was signed on 6 February 2003.² That agreement does not determine that Mexico, as Host State, would provide the Agency with the necessary facilities to accommodate its headquarters.

¹ This document is an update of document C/12/2019.

² The Headquarters Agreement was published in the Federal Official Gazette on 12 September 2003.

4. In its 50 years of mandate, OPANAL has never had its own permanent headquarters.

5. Since 1969, OPANAL had to rent its headquarters in six different facilities:
 - **In 1969**,³ during the first months of mandate, the Agency was installed inside the Headquarters of the Ministry of Foreign Affairs of Mexico located in 1 Nonoalco Avenue, floor 16, Tlatelolco.

 - **As of 1 March 1970**,⁴ the Agency rented offices located in 110 Morelos Avenue, suite 506, Juarez, Mexico City.

 - **As of May 1976**,⁵ the Agency rented the house located in 78 Temistocles Street, Polanco.

 - **As of 1 April 1998**,⁶ the Agency moved to 715-A Sierra Tarahumara Avenue, Lomas de Chapultepec.

 - **As of December 2001**,⁷ the Agency rented the 5th floor of the Embassy of the Bolivarian Republic of Venezuela located in 326 Schiller Street, Polanco.

 - **As of May 2015**, the Agency is renting the house located in 61 Milton Street, Anzures. The lease agreement was signed in 21 April 2015 (building with land use permit for offices); a modification agreement⁸ was signed on 18 July 2017, valid until 30 June 2021. (To see blueprint of the house, go to Annex I)

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

⁵ C/PV/38, Verbatim Record of the 38^o Meeting of the Council, p.8

⁶ C/AR/167, Summary Record of the 168^o Meeting of the Council, p.3

⁷ C/DT/77, *Aide mémoire* – Situation of the headquarters' facilities, pp.1 &2.

⁸ S-542/2017, Modification agreement to the rent lease of the house located in 61 Milton Street.

II. Necessity of a permanent, independent and visible Headquarter

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 quite visible in the current location, hence it would need to be placed at the entrance of an own headquarters.”*⁹
7. Even though that in 2015 OPANAL could move to a much bigger facility, this does not mean that the issue is resolved since it cannot be guarantee the permanence in that facility as the Agency is subject to a contract 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 C/AR/28Rev.

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 m²¹⁰ 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 2000 and 2001, the Meeting of the CCAAP and the Council dealt with this matter in several occasions. During the fall of 2000, it was mentioned the possibility of moving out of the abovementioned location (paragraph 6 section 4) and relocate to the building of the former headquarters of GEPLACEA, which would be allegedly surrendered by the Mexican Government to OPANAL.

At this time, the Mexican Government was in a transitional period though the matter continued to be discussed the following year.

The representatives of Mexico referred in several occasions to the compromise of Mexico of giving the Agency a facility to accommodate its 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 instance, 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 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).

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).

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).

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

IV. Financial situation

18. During its 50 years of existence, OPANAL has allocated a considerable amount of the annual budget for rent. In the last 20 years, the Agency has paid in rent the total accumulated amount of 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 crisis that the Agency has faced in several occasions were aggravated by the constant obligation of paying 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.

¹² S/Inf.971 of 25 March 2008.

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 (UN) – the headquarters in New York City were built in the land donated. The construction of the facility was financed by the Government of the United States of America and payed by the United Nations afterwards.¹³

- Organization for the Prohibition of Chemical Weapons (OPCW) – the Government of the Netherlands provided a free facility with all utilities during the preparative stage (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, which belonged to the Netherlands, with the guarantee of not being deprived of that facility.

- United Nations Educational, Scientific and Cultural Organization (UNESCO) – through decree of 22 December 1952, the Government of France designated the land at the VII arrondissement to the Ministry of Foreign Affairs in order for them to provide it to UNESCO. The land is still property of the French State but is subject to a renewal contract lease of 1000 francs per year for a duration of 99 years, thus guaranteeing the permanence of the Organization in Paris.

- International Atomic Energy Agency (IAEA) – the Government of Austria transferred to the United Nations the complex called “Vienna International Center” which accommodates the headquarters of the IAEA and the United Nations Offices in Vienna. The lease has a symbolic value of one Austrian schilling per year (now 0.07 euros) for 99 years.

¹³ A/RES/169 (II)

VI. Final considerations and proposals for a solution.

23. Taking into account that in 2019 OPANAL had its 50^o anniversary of mandate, this situation must not continue. The solution of this problem depends absolutely of the Government of the United Mexican States, Host State and Depository of the Treaty of Tlatelolco.
24. Acquiring a permanent, visible, independent and proper facility to accommodate the Headquarters of OPANAL is a matter that concerns all Member States.
25. The States of Latin America and the Caribbean consider rightly so the Treaty of Tlatelolco as a significant milestone and pride for the region.
26. Among the possible solutions, there is also the possibility of:
 - a. The donation of a facility
 - b. The surrender of a facility
 - c. The Host State could donate the land and as a loan, carry out the construction that the Agency would pay afterwards.
 - d. The reception of donations or contributions designated for the acquisition of a facility.
 - e. The acquisition of a facility through loans and credits.

The most feasible solutions are the first two (a and/or b), thus the cooperation of the Host State is fundamental in order to solve this problematic situation. However, the participation of Member States is not rejected nor dismissed.

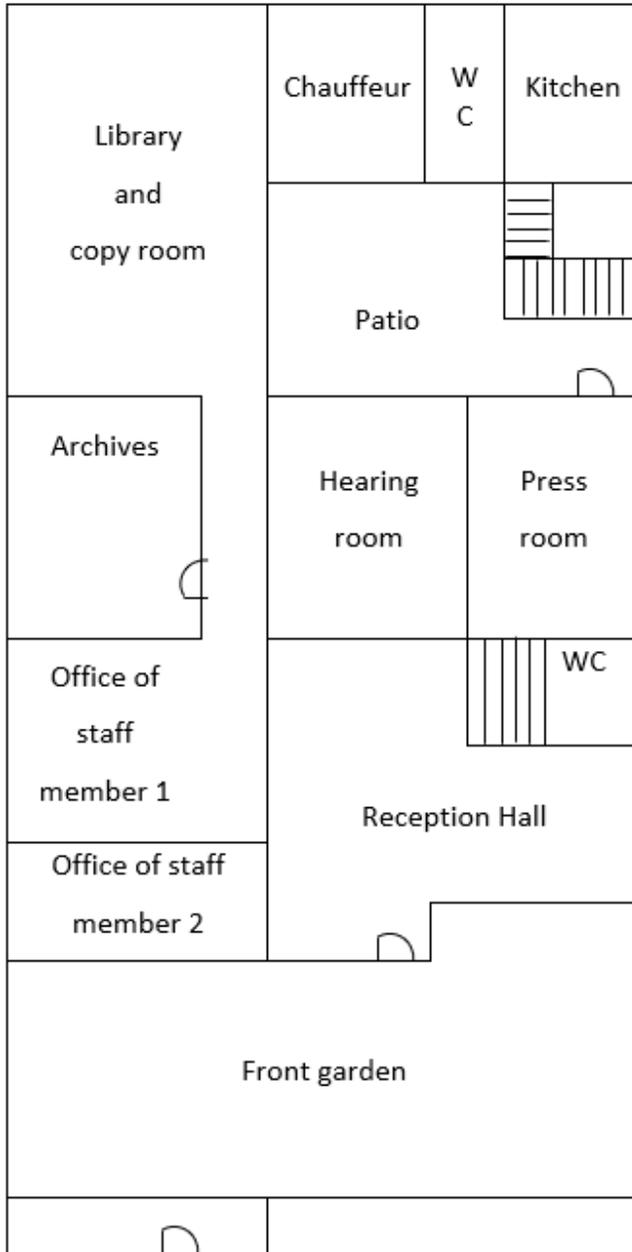
27. The Secretariat has prepared a recompilation of documents of the different bodies of the Agency that touch on this matter. That documentation is available for the Member States.

Headquarters of OPANAL

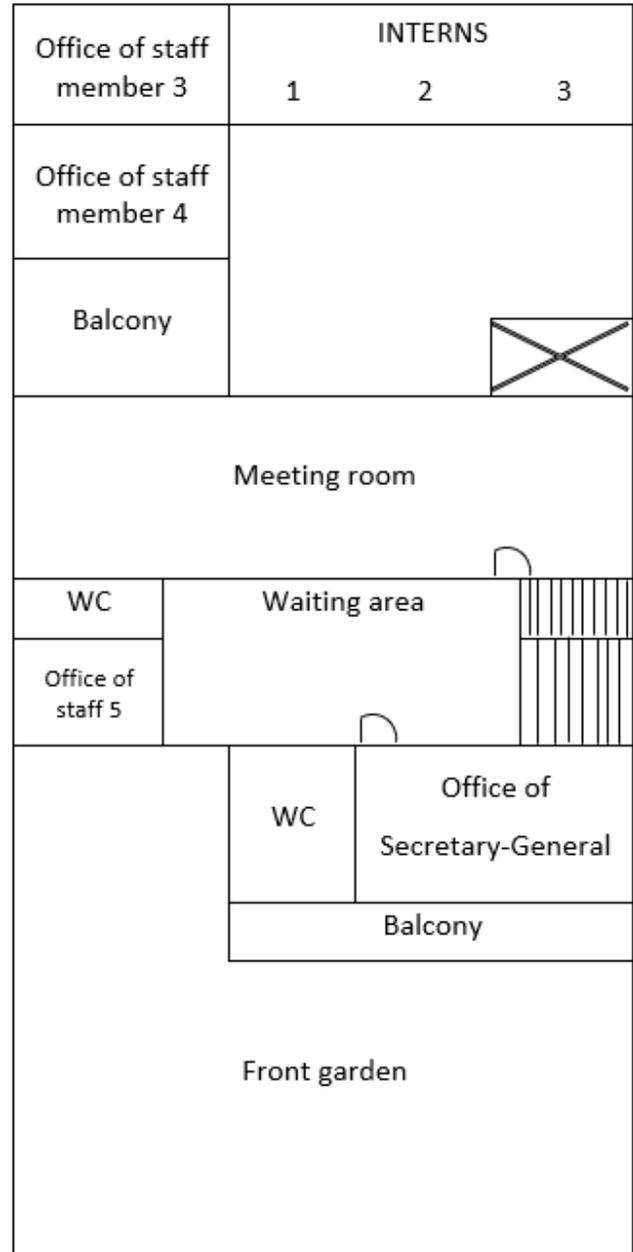
Annex I

Blueprint of the house located in
61 Milton Street, Anzures,
Mexico City 11590

Lower level



First Level



Headquarters of OPANAL

Annex II

Budget designated for paying the rent of the
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	MONTO DE LA RENTA EN MXN AL 2018 (e)	MONTO DE LA RENTA EN USD AL 2018 (f)
1998	47,769.95	9.13566	347,702.28	436,409.94	13.74	1,287,409.33	140,921.35
1999	49,872.18	9.56053	348,850.66	476,804.64	14.30	1,187,243.55	124,181.73
2000	55,381.97	9.45557	314,600.97	523,667.91	17.60	1,162,542.76	122,947.97
2001	48,155.09	9.34246	260,395.11	449,886.92	18.49	528,602.07	56,580.62
2002	46,645.09	9.65596	294,139.88	450,403.05	15.86	573,572.77	59,400.92
2003	47,089.51	10.79	317,450.00	508,095.81	14.83	934,896.30	86,644.70
2004	47,083.00	11.38	310,003.00	535,804.54	15.19	948,374.04	83,336.91
2005	35,413.00	10.9037	206,205.00	386,132.73	17.17	652,564.31	59,847.97
2006	4,982.00	11.0378	152,278.00	54,990.32	3.27	89,634.22	8,120.66
2007	6,677.29	10.8968	199,181.09	72,761.09	3.35	114,234.92	10,483.35
2008	47,943.42	13.3225	181,995.83	638,726.21	26.34	964,476.58	72,394.56
2009	47,644.91	12.9157	191,236.78	615,367.36	24.91	873,821.66	67,655.77
2010	51,061.94	12.4664	322,680.64	636,558.57	15.82	872,085.24	69,954.86
2011	48,865.19	13.61	332,053.78	665,055.24	14.72	871,222.36	64,013.40
2012	49,898.17	12.9268	336,285.13	645,023.66	14.84	812,729.82	62,871.69
2013	49,735.14	13.1101	354,794.00	652,032.66	14.02	795,479.84	60,676.87
2014	56,000.00	13.8956	366,028.30	778,153.60	15.30	910,439.71	65,520.00
2015	48,399.99	16.5856	365,320.37	802,742.87	13.25	907,099.45	54,691.99
2016	45,735.49	20.3352	364,675.25	930,040.34	12.54	1,023,044.37	50,309.04
2017	51,639.95	18.5262	379,594.54	956,692.04	13.60	1,023,660.48	55,254.75
2018*	54,442.21	18.2395	416,989.00	993,000.00	13.06	993,000.00	54,442.21
TOTAL 1998-2018	940,435.49		6,362,459.61	12,208,349.51	14.78	17,526,133.77	1,430,251.31

(a) Los datos de la Renta Anual en USD fueron obtenidos de los Estados Financieros de los informes de las auditorías correspondientes y presentados en la Conferencia General de cada año.

(b) Tipo de cambio obtenido de los Estados Financieros de los informes de las auditorías de cada año.

(c) Los datos del Presupuesto anual ejecutado en USD fueron obtenidos de los Estados Financieros de los informes de las auditorías correspondientes y presentados en la Conferencia General de cada año.

(d) Monto de la Renta en Monteda Nacional el cual deriva de Monto de la Renta en USD (a) * tc (b).

(e) La Renta en MXN al 2018 la obtuvimos tomando en cuenta la tasa de inflación promedio acumulado de los años correspondientes (datos obtenidos del Banco de Mexico).

(f) El Monto de la Renta en USD al 2018 es : Monto de la Renta en MXN al 2018(e) / TC utilizado cada año (b).

Headquarters of OPANAL

Annex III

Measurements of the area of the current headquarters of OPANAL

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

<u>TITLE II. FACILITIES, EQUIPMENT AND UTILITIES</u>	
<u>SECTION 4.- RENT AND MAINTENANCE OF THE FACILITIES</u>	
<u>Chapter 1. Rent of the facilities</u>	
i) <u>Rent of the Headquarters</u>	
Area needed for the facilities measured	<u>Provided Area in (1969)</u>
Office of the Secretary-General	42 m ²
Waiting room for staff and guests.....	25 m ²
Office of the Deputy Secretary-General.....	25 m ²
Office of the Administration Officer.....	25 m ²
Archives and Library.....	40 m ²
Area for three secretaries.....	30 m ²
Storage and copy room.....	30 m ²
Reception.....	25 m ²
Restrooms, hallways and other.....	58 m ²

The total area was thus 300 m².

CURRENT SITUATION OF THE HEADQUARTERS OF THE AGENCY - SECRETARIAT

Area of the facilities measured	<u>Area in 2019</u>	<u>To be needed</u>
Office of the Secretary-General	15.5 m ²	15.5 m ²
Waiting room for staff and guests	24.8 m ²	24.8 m ²
Office of the International Relations Officer	3.9 m ²	8.5 m ²
Office of the Investigation and Communications Officer	6.3 m ²	8.5 m ²
Office of the Investigation Officer	10.4 m ²	8.5 m ²
Office of the Program Officer	8.5 m ²	8.5 m ²
Office of the Administration Officer	8.5 m ²	8.5 m ²
Office of the Chauffeur	6.5 m ²	6.5 m ²
Archives	14.8 m ²	30 m ²
Library	12 m ²	15 m ²
Storage and copy room		12 m ²
Area for three interns (students)	19 m ²	20 m ²
Meeting room	37.6 m ²	45 m ²
Reception Hall (flags)	42.4 m ²	42.4 m ²
Hearing room	14.4 m ²	14.4 m ²
Press room	14 m ²	14 m ²
Restrooms (3)	16.4 m ²	16.4 m ²
Kitchen and dining area	8 m ²	10 m ²
Total area of facilities	263 m ²	354 m ²
Front garden	66 m ²	66 m ²
Terrace	34.7 m ²	34.7 m ²
Parking area	4 spots	4 spots

Headquarters of OPANAL

Annex IV

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

**Inter-American Conference of Social Security (CISS) – San Ramon Avenue, San Jeronimo
Lidice, Mexico City**



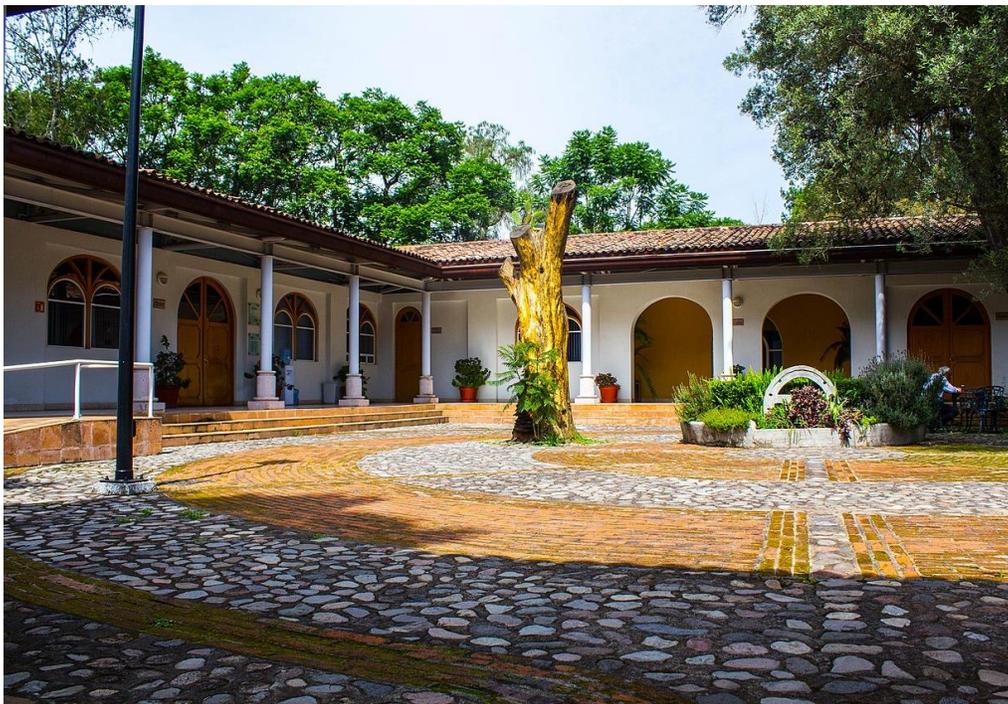
Latin-American Institute for Educational Communication (ILCE) – 45 Del Puente Street, Ejidos de Huipulco, Mexico City



Pan American Institute of Geography and History (IPGH) – 29 Ex arzobispado Street, Observatorio, Mexico City



Center of Regional Cooperation for Adults' Education in Latin America and the Caribbean (CREFAL)
– 525 Lazaro Cardenas Avenue, Revolucion, Patzcuaro, Michoacan.



Headquarters of OPANAL

Annex V

Photographs of the facilities of other Intergovernmental
Organizations with headquarters

International Labour Organization – 35 Comte Street, Anzures, Mexico City.



United Nations Mexico (Pan-American Health Organization – OMS/PAHO, United Nations Development Program – UNDP) – 440 Montes Urales Street, Lomas de Chapultepec III Section, Mexico City.

