



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

General Conference

XXVI Special Session
15 November 2018
Agenda item 13.2

CG/E/13/2018
Original: Spanish/English

**Measures for some Member States to overcome their situation of non-compliance
with the financial obligations established by the Treaty of Tlatelolco**

1. The Secretary General, since the beginning of his administration, has drawn attention to the importance of all Member States fully comply with the obligations established in the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco), including financial obligations (Article 9, paragraph 3).
2. Unfortunately, three Member States - El Salvador, Haiti and Saint Vincent and the Grenadines - have not complied with the obligation established in Article 9, paragraph 3 of the Treaty of Tlatelolco, since they ratified the Treaty.
3. On several occasions, options have been explored, that these Member States overcome their political and legal situation of non-compliance.
4. On November 26, 2015, the XXIV Session of the General Conference adopted the Resolution CG/Res.12/2015 which included payment programmes proposed to seven Member States that had not met their financial obligations after they ratified the Treaty. Three States out of seven – those being Grenada, Dominica and the Dominican Republic – responded to the payment plans proposed and overcame their situation of non-compliance with their financial obligations to the Agency.

5. On November 10, 2016, the XXIV Special Session of the General Conference, decided to renew and update, through Resolution CG/E/Res.06/2016, the payment programme proposed in 2015¹, in an attempt to once again solve the legal and political problem of non-compliance with Article 9 of the Treaty of Tlatelolco in which four Member States find themselves – El Salvador, Haiti, Saint Lucia and Saint Vincent and the Grenadines.
6. In 2017, Saint Lucia responded favorably to the payment plan defined in Resolution CG/E/Res.06/2016 and paid its arrears to the Agency as of 2015. Saint Lucia also paid its assessed contributions for years 2016 and 2017, and now has a credit balance to be used in future financial years.
7. On September 28, 2017, the XXV Special Session of the General Conference, decided again to renew and update, through Resolution CG/E/Res.08/2017, the payment plan proposed since 2015², in order to try once more that the three remaining Member States - El Salvador, Haiti and Saint Vincent and the Grenadines-, overcome their situation of non-compliance with the Treaty of Tlatelolco.
8. In 2018, the Representation of El Salvador in the Committee on Contributions and Administrative and Budgetary Matters (CCAAP) and in the Council³, informed that the question was brought to its Foreign Ministry, following-up the conversation, on August 8, 2018, between the Ambassador of El Salvador, Hon. Mr. Juan Ramón Carlos Enrique Cáceres Chávez and the Secretary General of OPANAL. However, no concrete response, nor payment has yet been received.
9. Haiti and Saint Vincent and the Grenadines, unfortunately, have not yet responded to the payment plans proposed in 2015, 2016 and 2017.
10. The arrears of El Salvador, as of 2018, amount to US \$ 126,906.50; the arrears of Haiti, as of 2018, amount to US \$ 127,851.92 and the arrears of Saint Vincent and the Grenadines, as of 2018, amount to US \$ 36,319.88.

¹ Resolution CG/Res.12/2015.

² *Ibidem*.

³ 136^o Meeting of the CCAAP, August 23, 2018. Doc. CCAAP/21/2018, pp. 15. 315^o. Meeting of the Council, August 9, 2018. Doc. C/19/2018 pp. 22 and 23.

11. The arrears of these three Member States, including their contributions for 2018, amount to US \$291,078.30.

12. The formula used in the last three years has not worked with the aforementioned Member States. The Secretariat proposes the examination of the question, bearing in mind the following objectives:
 - a) to solve the legal and political situation in which those States find themselves;
 - b) to guarantee compliance to the Treaty of Tlatelolco;
 - c) to ensure the effectiveness of the annual budgets and corresponding collection of financial contributions;
 - d) to make possible the continuity of the functioning of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean – OPANAL.

13. The Secretary-General proposes, through draft Resolution CG/E/L.10/2018, to consult the three aforementioned States, the way in which they might or would be ready to solve their situation of non-compliance with its financial obligations. This new way of treating the problem would allow that, the interested Members States should consider the problem and to present their own proposals.