



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

General Conference

XXVI Session
7 November 2019
Agenda Item 7

CG/Res.12/2019
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Resolution

**Interpretative declarations made by States Party to the Additional Protocols I and II
to the Treaty of Tlatelolco**

The General Conference,

Recalling with satisfaction that all Latin American and Caribbean States are Parties to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean - Treaty of Tlatelolco;

Bearing in mind that Article 4 of the Treaty of Tlatelolco establishes the delimitation of the Zone of Application of the Treaty;

Taking into consideration that the relationship of Additional Protocols I and II to the Treaty of Tlatelolco is clearly defined in Article 29 of the Treaty;

Considering that all the States to which Additional Protocols I and II are addressed have signed and ratified them;

Highlighting that the States Party to Additional Protocols I and II to the Treaty of Tlatelolco have legally committed themselves “*not to contribute in any way to the performance of acts involving a violation of the obligations of Article 1 of the Treaty in the territories to which the Treaty applies in accordance with Article 4 thereof*” and likewise “*not to use or threaten to use nuclear weapons against the Contracting Parties of the Treaty*”;

Recalling that, upon signing and ratifying Additional Protocols I and II to the Treaty of Tlatelolco, four States Party to the Additional Protocols issued interpretative declarations, which contain specific points that constitute reservations;

Considering that the United Nations General Assembly, through Resolution 71/27, on 5 December 2016, adopted without a vote, “*Encourages once again States parties to Additional Protocols I and II to the Treaty of Tlatelolco to review their interpretative declarations thereto, in accordance with action 9 of the Final Document of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, reaffirming and recognizing the legitimate interests of the States that comprise the nuclear-weapon-free zone in Latin America and the Caribbean in receiving full and unequivocal security assurances from the nuclear-weapon States.*”;

Reiterating Resolution 2028 (XX) by the United Nations General Assembly, mentioned in the preamble of the Treaty of Tlatelolco, “*which establishes the principle of an acceptable balance of mutual responsibilities and duties for nuclear and non-nuclear powers*”;

Reaffirming that Latin American and the Caribbean, through full compliance with its obligations to the Treaty of Tlatelolco, remains a political and legal reference for the nuclear non-proliferation regime and a source of inspiration to achieve the common goal of the total elimination of nuclear weapons worldwide;

Reaffirming the Special Declarations of the Community of Latin American and Caribbean States (CELAC) on nuclear disarmament, in which OPANAL Member States have requested, *inter alia*, that the militarily denuclearized character of Latin America and the Caribbean be respected and that nuclear-weapon States withdraw the interpretative declarations to Protocols I and II to the Treaty of Tlatelolco that are incompatible with the objective and purpose thereof;

Considering General Conference Resolutions CG/E/Res.430 of 26 November 2002; CG/Res.447 of 6 November 2003; CG/E/Res.461 of 23 November 2004; CG/Res.477 of 8 November 2005; CG/Res.515 of 26 November 2009, CG/Res.536 of 17 November 2011; CG/Res.554 of 22 August 2013; CG/E/Res.568 of 19 November 2014; CG/E/Res.03/2016 of 10 November 2016, CG/E/Res.02/2017 of 28 September 2017 and CG/E/Res.01/2018 of 15 November 2018, which instructed the Council and Secretary-General to study and review, together with States Party to the Additional Protocols, the interpretative declarations made by them that constitute reservations;

Recalling further that, through resolution CG/E/Res.568, adopted on 19 November 2014 during its XXIII Special Session, the General Conference instructed the Secretary-General to “*submit to the Member States, for consideration and adoption, an action plan with a view to the*

States Parties to the Additional Protocols to the Treaty of Tlatelolco reviewing or suppressing the Interpretative Declarations that they have made regarding such instruments”;

Taking into account document CG/05/2015Corr. presented during the XXIV Session of the General Conference held on 26 November 2015, in which the Secretary-General proposed an action plan aimed at reviewing together with the States Party to the Additional Protocols, the specific points of their interpretative declarations that constitute reservations.

Taking note of the report of the Secretary-General contained in document **CG/08/2019** on the démarches carried out by the States Members of the Council with the United States of America, the Russian Federation, the French Republic and the United Kingdom of Great Britain and Northern Ireland.

Resolves:

1. **To reiterate** the validity of Resolution CG/Res.03/2015 and, therefore, of the action plan presented by the Secretary-General in document CG/05/2015Corr.
2. **To take note and thank** the Member States of the Council for the work carried out during 2019, in order to continue démarches before the Governments of the Russian Federation and the French Republic, reiterating the interest of engaging in a constructive dialogue regarding the Memoranda and the proposals of Adjustment on the interpretative declarations made by those States that configure reservations.
3. **To invite** the Council to follow up the démarches made in 2016 before the Governments of the Russian Federation and the French Republic in order to present, before the end of 2019, the joint notes of the Council Member States that reiterate the interest of engaging in a constructive dialogue with both countries regarding the Memoranda and the proposals of Adjustment on interpretative declarations.
4. **To invite** the Council to renew joint démarches before the Governments of the United States of America and the United Kingdom of Great Britain and Northern Ireland.