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THE LATIN AMERICAN NUCLEAR-WEAPON-FREE ZONE

Alfonso García Robles

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PREFACE

The Stanley Foundation* publishes this Occasional Paper on the Latin American nuclear-weapon-free zone as part of a continuing effort to disseminate pertinent information about the vital issue of nuclear weapons proliferation. Several previous Occasional Papers have been published on the Non-Proliferation Treaty and on nuclear-weapon-free zones. In addition the Foundation has sponsored several Vantage Conferences on these topics and published the proceedings following each of them. The Foundation is pleased to present this essay by Ambassador García Robles, a revered statesman in the field of disarmament and, therefore, eminently qualified to address the subject.

Ambassador Alfonso García Robles is chairman of the Delegation of Mexico to the Committee on Disarmament and former Foreign Minister of Mexico. He received his Doctor of Law Degree *magna cum laude* from Paris University in 1936 and the Academy of International Law, The Hague, in 1938. Ambassador García Robles is widely considered the prime mover in events leading to the signing of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco) in 1967.

The Stanley Foundation Occasional Papers are policy-oriented essays concerning the improvement and development of international organization more adequate to manage international crises and global change or dealing with specific topical studies of US Foreign policy.

The views expressed in this paper are those of the author and are not necessarily the views of The Stanley Foundation.

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completion of the International Nuclear Fuel Cycle Evaluation (INFCE), the NPT Review Conference, the safeguard activities of the International Atomic Energy Agency (IAEA), and perhaps a conference on international cooperation in the peaceful uses of nuclear energy sponsored by non-aligned nations.

Perhaps in the long run it is not unrealistic to hope that the Latin American Treaty can be instrumental in stimulating, in the words of our author, "a gradual broadening of the zones of the world from which nuclear weapons are prohibited to a point where the territories of powers which possess these terrible weapons of mass destruction will be something like contaminated islets subject to quarantine."***

*This introduction represents the views of the editor, John R. Redick.

**Subsequently both countries ratified the Protocols.

***Alfonso García Robles, Speech before the United Nations (A/C.1/PEV2018 November 13, 1974, page 32.)

THE LATIN AMERICAN NUCLEAR-WEAPON-FREE ZONE

It seems advisable to point out from the outset that the Latin American nuclear-weapon-free zone has the privilege of being the only one in existence which covers densely inhabited territories. Outside it only in Antarctica and the Outer Space are similar prohibitions in force, based on treaties concluded in 1959 and 1967, respectively.

The official title of the treaty which established the Latin American zone and defined its statute is the "Treaty for the Prohibition of Nuclear Weapons in Latin America," but it is usually referred to as the "Treaty of Tlatelolco," employing the Aztec name for the district of the Mexican capital where the Ministry of Foreign Affairs of Mexico is located and where the treaty itself was opened to signature twelve years ago (1967).

The modest purpose of this study is to provide a synoptic view both of its genesis and of the most salient features which the analysis of its provisions may reveal.

I. Genesis of the Treaty of Tlatelolco

The first international document in the history of the events directly related to the genesis of the Treaty of Tlatelolco was the Joint Declaration of 29 April 1963. In this declaration the presidents of Bolivia, Brazil, Chile, Ecuador, and Mexico announced that their governments were willing to sign a Latin American multilateral agreement by which they would undertake not "to manufacture, store, or test nuclear weapons or devices for launching nuclear weapons."

Seven months later, the United Nations General Assembly, taking as a basis a draft resolution submitted by eleven Latin American countries (the five previously mentioned, plus Costa Rica, El Salvador, Haiti, Honduras, Panama, and Uruguay), approved on 27 November 1963 resolution 1911 (XVIII). In this resolution *inter alia* the General Assembly welcomed the initiative of the five Presidents for the military denuclearization of Latin America; expressed the hope that the States of the region would initiate studies "concerning the measures that should be agreed upon with a view to achieving the aims" of the joint declaration, and requested the Secretary-General of the United Nations to extend to the States of Latin America, at their request, "such technical facilities as they may require in order to achieve the aims set forth in the present resolution."

upon deposit of the declaration, or as soon as those requirements have been met which have not been expressly waived."

Moreover, the third paragraph of the same article stipulates:

"As soon as this Treaty has entered into force in accordance with the provisions of paragraph 2 for eleven states, the Depositary Government shall convene a preliminary meeting of those States in order that the Agency may be set up and commence its work."

As one can see, an eclectic system was adopted, which, while respecting the viewpoints of all signatory States, prevented nonetheless any particular State from precluding the enactment of the treaty for those which would voluntarily wish to accept the statute of military denuclearization defined therein.

The Treaty of Tlatelolco has thus contributed effectively to dispel the myth that for the establishment of a nuclear-weapon-free zone it would be an essential requirement that all States of the region concerned should become, from the very outset, parties to the treaty establishing the zone. The system adopted in the Latin American instrument proves that, although no State can obligate another to join such a zone, neither can one prevent others wishing to do so from adhering to a regime of total absence of nuclear weapons within their own territories.

Once the question of the entry into force of the treaty had been settled, at the fourth session of COPREDAL, the Preparatory Commission proceeded to settle, without major difficulties, the few other pending problems. On 12 February 1967, the Treaty for the Prohibition of Nuclear Weapons in Latin America was unanimously approved and two days later, at the solemn closing ceremony of the Commission's proceedings, it was opened to signature and subscribed to by the representatives of fourteen of its twenty-one members. As of November 1978, eleven and a half years later, the number of signatory states stands at twenty-five, of which twenty-two are already parties to the treaty.

Additional Protocol I which is open to the four States—United Kingdom, Netherlands, United States, and France—which are internationally responsible for territories lying within the limits of the geographical zone established in the treaty, has been signed and ratified by the United Kingdom and the Netherlands. The United States has also signed it and the ratification process is at present well advanced. As France, its President announced on 25 May 1978, in his statement before the General Assembly devoted to disarmament, that the French Government intends to adhere to it at an early date.

Four of the five nuclear-weapon States, the United Kingdom, the United States, France, and China, are already parties to Additional Protocol II which is destined for them. The fifth of those States, the

Soviet Union, has signed it on 16 May 1978, during the visit of the President of Mexico to the Soviet Union. In the light of the declarations made by the highest Soviet authorities on that occasion, it seems most probable that the ratification of the Protocol will be forthcoming.

As provided for in paragraph 3 of article 28 previously quoted, as soon as the treaty entered into force for eleven States, the Depositary Government convened a "preliminary meeting" of those States in order to set up the Agency for the Prohibition of Nuclear Weapons in Latin America, known by its Spanish acronym OPANAL. This preliminary meeting (REOPANAL) took place in late June 1969 and carried out successfully all the preparatory work necessary for the first session of the General Conference of OPANAL. The latter was inaugurated on 2 September 1969 in the presence of U Thant, the then Secretary-General of the United Nations, and Sigvard Eklund, the Director General of the International Atomic Energy Agency (IAEA). After seven working days the General Conference gave its approval to a series of basic juridical and administrative documents which provided the foundations for the Latin American Agency created by the treaty. To date the General Conference has held five regular sessions and two special sessions in accordance with the provisions of article 9.

II. Analytical Summary of the Treaty of Tlatelolco

As a complement to the above brief survey of the preparatory work leading to the conclusion of the Tlatelolco Treaty, the following paragraphs are intended to give a general idea of its contents and to carry out a brief analytical summary of some of its main provisions.

The treaty comprises a preamble, thirty-one articles, one transitional article and two additional protocols.

The preamble defines the fundamental aims pursued by the States which drafted the treaty by stating their conviction that:

"The military denuclearization of Latin America—being understood to mean the undertaking entered into internationally in this Treaty to keep their territories forever free from nuclear weapons—will constitute a measure which will spare their peoples from the squandering of their limited resources on nuclear armaments and will protect them against possible nuclear attacks on their territories, and will also constitute a significant contribution towards preventing the proliferation of nuclear weapons and a powerful factor for general and complete disarmament."

It is also worth noting that the Final Document approved by the special session of the UN General Assembly devoted to disarmament, which met May-June 1978, contains several declaratory statements of a striking similarity to those included in the eleven year old preamble of the Treaty of Tlatelolco:

The Latin American States, for instance, declared themselves convinced:

"That the incalculable destructive power of nuclear weapons has made it imperative that the legal prohibition of war should be strictly observed in practice if the survival of civilization and of mankind itself is to be assured,

"That nuclear weapons, whose terrible effects are suffered, indiscriminately and inexorably, by military forces and civilian population alike, constitute, through the persistence of the radioactivity they release, an attack on the integrity of the human species and ultimately even render the whole earth uninhabitable."

The United Nations, for its part, has just proclaimed:

"Mankind today is confronted with an unprecedented threat of self-extinction arising from the massive and competitive accumulation of the most destructive weapons ever produced. Existing arsenals of nuclear weapons alone are more than sufficient to destroy all life on earth...

"Unless its avenues are closed, the continued arms race means a growing threat to international peace and security and even to the very survival of mankind...

"Nuclear weapons pose the greatest danger to mankind and to the survival of civilization...

"Removing the threat of a world war—a nuclear war—is the most acute and urgent task of the present day. Mankind is confronted with a choice: we must halt the arms race and proceed to disarmament or face annihilation"

As to the articles of the treaty, their contents may be described briefly as follows:

Article 1 defines the obligations of the parties. The four following articles (2-5) provide definitions of some terms employed in the treaty: contracting parties, territory, zone of application and nuclear weapons. Article 6 deals with the "meeting of signatories," while articles 7-11 establish the structure and procedures of the "Agency for the Prohibition of Nuclear Weapons in Latin America" (OPANAL) created by the treaty, and state the functions and powers of its principal organs: the General Conference, the Council and the Secretariat. The five succeeding articles (12-16) and paragraphs 2 and 3 of article 18 describe the functioning of

the "control system," also established by the treaty. Article 17 contains general provisions on the peaceful use of nuclear energy and article 18 deals with peaceful nuclear explosions.

Article 19 examines the relations of OPANAL with other international organizations, whereas article 20 outlines the measures that the General Conference shall take in cases of serious violations of the treaty, such measures mainly involving simultaneous transmission of reports to the Security Council and the General Assembly of the United Nations. Article 21 safeguards the rights and obligations of the Parties under the Charter of the United Nations and, in the case of States members of the Organization of American States, under existing regional treaties. Article 23 makes it binding for the contracting parties to notify the Secretariat of OPANAL of any international agreement concluded by any of them on matters with which the treaty is concerned.

The settlement of controversies concerning the interpretation or application of the treaty is covered by article 24. Articles 22, 25-27, and 29-31 contain what is generally known as "final clauses" dealing with questions such as privileges and immunities, signature, ratification and deposit, reservations (which the treaty does not admit), amendments, duration and denunciation, and authentic texts and registration. The transitional article specifies that "denunciation of the declaration referred to in article 28, paragraph 2, shall be subject to the same procedures as the denunciation" of the treaty, except that it will take effect on the date of delivery of the respective notification and not three months later as provided in article 30, paragraph 2, for denunciation of the treaty. In paragraph 2 of article 26, the Government of Mexico is designated the "Depositary Government" of the treaty, whereas article 7, paragraph 4, stipulates that the headquarters of OPANAL "shall be in Mexico City." Finally, article 28 reflects in its text the compromise formula which, as already explained, overcame the most serious obstacle which confronted COPREDAL: the entry into force of the treaty.

As a complement to the preceding brief explanation of the contents of the treaty, it seems advisable to examine more closely a few of its most significant provisions: those dealing with the obligations of the parties, the zone of application of the treaty, the definition of "nuclear weapon," the system of verification and control and the use of nuclear energy for peaceful purposes. Some comments will also be in order with regard to the two additional protocols to the treaty.

As regards the *obligations* of the parties to the treaty, the Latin American States have drawn up a definition which is undoubtedly one of the most comprehensive ever produced on a world or regional level.

Under article 1 of the treaty, the contracting parties undertake to "use exclusively for peaceful purposes the nuclear material and facilities which

are under their jurisdiction and to prohibit and prevent in their respective territories" both "the testing, use, manufacture, production or acquisition by any means whatsoever of any nuclear weapons" and "the receipt, storage, installation, deployment and any form of possession of any nuclear weapons," by the parties themselves, directly or indirectly, on behalf of anyone else, by anyone on their behalf or in any other way.

The parties also undertake "to refrain from engaging in, encouraging or authorizing, directly or indirectly, or in any way participating in the testing, use, manufacture, production, possession or control of any nuclear weapon."

The provisions of article 4 of the treaty concerning its *zone of application* resulted from the procedure adopted in article 28 for the entry into force of the treaty. This procedure had as a consequence two possible interpretations of the term "zone of application": one entailing a moveable zone, in constant progression, and the other a fixed, clearly defined zone. These two different concepts are outlined, respectively, in paragraphs 1 and 2 of article 4.

The first of these paragraphs [establishing that "the zone of application of the Treaty is the whole of the territories for which the Treaty is in force"] has been used up to the present, and according to what was therein contemplated, the extension and population of the zone has grown gradually as the number of contracting States has increased.

The second paragraph states that, "upon fulfillment of the requirements of article 28, paragraph 1, the zone of application of this Treaty shall also be that which is situated in the western hemisphere within the following limits." Such limits are defined according to a series of geographical co-ordinates that can be easily consulted in the Treaty. It suffices to say that a zone so defined includes considerable areas of the high seas which, in the western part of South America, extend to hundreds of kilometers from the coasts, without naturally implying some pretension of sovereignty or jurisdiction over these sectors.

Moreover, in light of the fact that the northern-most loxodromic line of the zone corresponds to 35 degrees north latitude, the paragraph in which it is explained expressly excepts the continental part of the territory of the United States and its territorial waters. Had this area not been so specified, it would have been included in the Latin American nuclear-weapon-free zone, since it reaches south of the parallel mentioned above.

The definition of the term *nuclear weapon*, which the Preparatory Commission finally approved after considering and rejecting several drafts, is included in article 5 of the Treaty of Tlatelolco. It has the merit of being objective, precise and in accordance with the most recent technological advances. For the purposes of the treaty, "a nuclear

weapon is any device which is capable of releasing nuclear energy in an uncontrolled manner and which has a group of characteristics that are appropriate for use for warlike purposes." In addition, the treaty provides that "an instrument that may be used for the transport or propulsion of the device is not included in this definition if it is separable from the device and not an indivisible part thereof."

As previously mentioned, the provisions on *verification and control* appear in articles 12-16 and article 18, paragraphs 2 and 3. As UN Secretary-General U Thant emphasized in his message to the Preparatory Commission on February 1967, when the treaty was approved, those provisions mark the first time that an international treaty dealing with disarmament measures includes an effective control system with its own permanent organs of supervision. The system calls for the full application of the IAEA safeguards, but its scope is much greater. On the one hand, it is to be used not only to verify "that devices, services and facilities intended for peaceful uses of nuclear energy are not used in the testing or manufacture of nuclear weapons," but also to prevent any of the activities prohibited in article 1 of the treaty from being carried out in the territory of the contracting parties with nuclear materials or weapons introduced from abroad, and to make sure any explosions for peaceful purposes that might be carried out are compatible with article 18 of the treaty. On the other hand, the treaty assigns important functions of control to the three main organs of the Agency for the Prohibition of Nuclear Weapons in Latin America. Moreover, it also provides for the submission by the parties of periodic and special reports, for special inspections under certain circumstances, and for the transmission of the reports on those inspections to the UN Security Council and General Assembly.

From the beginning of the deliberations at the REUPRAL in November 1964, one of the fundamental concerns of the participating States was the use of nuclear energy for peaceful purposes. This was demonstrated by the fact that the first resolution adopted at that meeting applied to this question and spelled out that, "denuclearization" should be understood to mean the absence of nuclear weapons but not, of course, the rejection of the peaceful uses of the atom. On the contrary, in that very same resolution they emphasized the appropriateness of encouraging international co-operation in the peaceful uses of nuclear energy, particularly for the benefit of the developing countries.

Subsequently, the second and third sessions of the Preparatory Commission adopted similar texts which, with slight modifications, were to become one of the paragraphs in the preamble to the treaty, drafted in the following terms:

"...The foregoing reasons, together with the traditional peace-loving

outlook of Latin America, give rise to an inescapable necessity that nuclear energy should be used in that region exclusively for peaceful purposes, and that the Latin American countries should use their right to the greatest and most equitable possible access to this new source of energy in order to expedite the economic and social development of their peoples."

The treaty itself establishes the right, with no limitations other than those that may flow from the obligations assumed under the treaty, to use nuclear energy for peaceful purposes, and specifically provides, in article 17, that:

"Nothing in the provisions of this Treaty shall prejudice the rights of the Contracting Parties, in conformity with this Treaty, to use nuclear energy for peaceful purposes, in particular for their economic development and social progress."

It was precisely for the purpose of avoiding any misunderstanding concerning the scope of the treaty and to indicate clearly that what was intended was not civil denuclearization but only military denuclearization, that the Preparatory Commission decided, at its last session, to change the original name of the treaty from "Treaty for the Denuclearization of Latin America" to "Treaty for the Prohibition of Nuclear Weapons in Latin America."

The desire to encourage and promote the peaceful utilization of nuclear energy could not, however, have led the authors of the treaty to forget its primary object, which is set forth in clear, precise, and unambiguous terms in article 1 of the instrument, by which the contracting parties undertake, *inter alia*, "to refrain from engaging in, encouraging or authorizing, directly or indirectly, or in any way participating in the testing, use, manufacture, production, possession or control of any nuclear weapon."

Thus, when drafting the provisions which would later be included in article 18 dealing with nuclear explosions for peaceful purposes, special care was exercised to avoid any attempts to test or manufacture nuclear weapons under the pretext of carrying out such explosions for peaceful purposes, attempts which would completely negate the fundamental purpose involved, the very *raison d'être* of the treaty.

To this end, the first paragraph of article 18 contains the provision that the contracting parties may carry out explosions of nuclear devices for peaceful purposes, but only if they can show that such explosions are feasible without violation of "the provisions of this article and the other articles of the treaty, particularly articles 1 and 5." In the last analysis this means that the explosions in question may be carried out *directly* by the parties to the treaty only if they do not require the use of a nuclear weapon as defined in article 5 of the treaty.

An objective analysis of article 18 shows, therefore, that its paragraph 1, as the text reads, is clearly subordinated to articles 1 and 5 of the treaty. This means that for one of the contracting parties to carry out directly a peaceful nuclear explosion, it will have to show prior proof that a nuclear weapon will not be required for that explosion; that is to say, in accordance with the objective definition contained in article 5 of the treaty, it will not require "any device which is capable of releasing nuclear energy in an uncontrolled manner and which has a group of characteristics that are appropriate for use for warlike purposes."

Since the consensus of the experts is that this is at present impossible, it must obviously be concluded that the States parties to the treaty will not be able to manufacture or acquire nuclear explosive devices (even though they may be intended for peaceful purposes) unless and until technological progress has developed, for such explosions, devices which cannot be used as nuclear weapons.

There is nothing in the treaty, however, that prevents the States party to the treaty from accepting, as expressly provided in paragraph 4 of article 18, "the collaboration of third parties" (obviously meaning nuclear weapon States) in conducting explosions for peaceful purposes. Such collaboration is possible if States comply with the various obligations specified in paragraphs 2 and 3, which relate to advance information and acceptance of measures of observation, verification, and control to be carried out both by the General Secretary and the Council of OPANAL, and by the International Atomic Energy Agency.

The two *Additional Protocols* to the treaty have identical preambles. Their texts recall UN resolution 1911 (XVIII) and state the conviction that the treaty "represents an important step towards ensuring the non-proliferation of nuclear weapons." The texts also point out that the treaty "is not an end in itself but, rather, a means of achieving general and complete disarmament at a later stage," and finally express the desire to contribute "towards ending the armaments race." The operative parts of the protocols are naturally different from one another, although they have identical duration (the same as that of the treaty) and entry into force for the States which ratify each Protocol (the date of the deposit of the respective instruments of ratification).

Under article 1 of *Additional Protocol I*, those extra-continental States which, *de jure* or *de facto*, are internationally responsible for territories lying within the limits of the geographical zone established by the treaty would, upon becoming parties to the protocol, agree "to undertake to apply the statute of denuclearization in respect to warlike purposes as defined in articles 1, 3, 5 and 13 of the Treaty" to such territories.

One aspect which should be borne in mind is that this protocol does not give those States the right to participate in the General Conference or in

the Council of the Latin American Agency. But neither does it impose on those states any of the obligations relating to the system of control established in article 14 (providing for semi-annual reports), in article 15 (providing for special reports), and in article 16 (providing for special inspections). In addition, the prohibition of reservations included in the treaty's article 27 is not applicable to the protocol. Thus, in the protocol the necessary balance has been preserved between rights and obligations: although the rights are less extensive, the obligations are also fewer.

With regard to *Additional Protocol II*, the obligations assumed by the nuclear powers parties to the protocol are stated in its articles 1 through 3 in the following terms:

—Respecting “in all its express aims and provisions” the “statute of denuclearization of Latin America in respect of warlike purposes, as defined, delimited and set forth” in the Treaty of Tlatelolco.

—Not contributing “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.”

—Not using or threatening to use “nuclear weapons against the contracting parties of the Treaty.”

III. Conclusions

The importance of nuclear-weapon-free zones has been emphasized several times by the United Nations. The General Assembly in its resolution 3472 B (XXX) of 11 December 1975 stated that “nuclear-weapon-free zones constitute one of the most effective means for preventing the proliferation, both horizontal and vertical, of nuclear weapons and for contributing to the elimination of the danger of a nuclear holocaust.”

Subsequently, on 30 June 1978 the General Assembly, in the Programme of Action adopted by consensus at its Special Session devoted to disarmament, stressed the significance of the establishment of nuclear-weapon-free zones as a disarmament measure and proclaimed that “the process of establishing such zones in different parts of the world should be encouraged with the ultimate objective of achieving a world entirely free of nuclear weapons.”

The weight which the international community attaches to the Latin American nuclear-weapon-free zone was manifest from the very moment the Treaty of Tlatelolco was presented to the General Assembly. In its resolution 2286 (XXII) of 5 December 1967, the General Assembly welcomed it “with particular satisfaction” and declared that it “constitutes an event of historic significance in the efforts to prevent the proliferation of nuclear weapons and to promote international peace and security.”

Such weight has been once again evidenced when, in the general debate of the special disarmament Assembly, no less than forty-five States had supportive comments for the treaty.

The Treaty of Tlatelolco has shown the crucial importance of *ad hoc* preparatory efforts, such as those carried out for two years by COP-REDAL, in attaining the desired goal. Furthermore, the Latin American nuclear-weapon-free zone which is now nearing completion has become in several respects an example which, notwithstanding the different characteristics of each region, is rich in inspiration. It provides profitable lessons for all States wishing to contribute to the broadening of the areas of the world from which those terrible instruments of mass destruction that are the nuclear weapons would be forever proscribed.

APPENDIX

TREATY FOR THE PROHIBITION OF NUCLEAR WEAPONS IN LATIN AMERICA

Preamble

In the name of their peoples and faithfully interpreting their desires and aspirations, the Governments of the States which sign the Treaty for the Prohibition of Nuclear Weapons in Latin America,

Desiring to contribute, so far as lies in their power, towards ending the armaments race, especially in the field of nuclear weapons, and towards strengthening a world at peace, based on the sovereign equality of States, mutual respect and good neighbourliness,

Recalling that the United Nations General Assembly, in its Resolution 808 (IX), adopted unanimously as one of the three points of a coordinated programme of disarmament "the total prohibition of the use and manufacture of nuclear weapons and weapons of mass destruction of every type",

Recalling that militarily denuclearized zones are not an end in themselves but rather a means for achieving general and complete disarmament at a later stage,

Recalling United Nations General Assembly Resolution 1911 (XVIII), which established that the measures that should be agreed upon for the denuclearization of Latin America should be taken "in the light of the principles of the Charter of the United Nations and of regional agreements",

Recalling United Nations General Assembly Resolution 2028 (XX), which established the principle of an acceptable balance of mutual responsibilities and duties for the nuclear and non-nuclear powers, and

Recalling that the Charter of the Organization of American States proclaims that it is an essential purpose of the Organization to strengthen the peace and security of the hemisphere,

Convinced:

That the incalculable destructive power of nuclear weapons has made it imperative that the legal prohibition of war should be strictly ob-

served in practice if the survival of civilization and of mankind itself is to be assured,

That nuclear weapons, whose terrible effects are suffered, indiscriminately and inexorably, by military forces and civilian population alike, constitute, through the persistence of the radio-activity they release, an attack on the integrity of the human species and ultimately may even render the whole earth uninhabitable,

That general and complete disarmament under effective international control is a vital matter which all the peoples of the world equally demand,

That the proliferation of nuclear weapons, which seems inevitable unless States, in the exercise of their sovereign rights, impose restrictions on themselves in order to prevent it, would make any agreement on disarmament enormously difficult and would increase the danger of the outbreak of a nuclear conflagration,

That the establishment of militarily denuclearized zones is closely linked with the maintenance of peace and security in the respective regions,

That the military denuclearization of vast geographical zones, adopted by the sovereign decision of the States comprised therein, will exercise a beneficial influence on other regions where similar conditions exist,

That the privileged situation of the signatory States, whose territories are wholly free from nuclear weapons, imposes upon them the inescapable duty of preserving that situation both in their own interests and for the good of mankind,

That the existence of nuclear weapons in any country of Latin America would make it a target for possible nuclear attacks and would inevitably set off, throughout the region, a ruinous race in nuclear weapons which would involve the unjustifiable diversion, for warlike purposes, of the limited resources required for economic and social development,

That the foregoing reasons, together with the traditional peace-loving outlook of Latin America,

give rise to an inescapable necessity that nuclear energy should be used in that region exclusively for peaceful purposes, and that the Latin American countries should use their right to the greatest and most equitable possible access to this new source of energy in order to expedite the economic and social development of their peoples,

Convinced finally:

That the military denuclearization of Latin America being understood to mean the undertaking entered into internationally in this Treaty to keep their territories forever free from nuclear weapons—will constitute a measure which will spare their peoples from the squandering of their limited resources on nuclear armaments and will protect them against possible nuclear attacks on their territories, and will also constitute a significant contribution towards preventing the proliferation of nuclear weapons and a powerful factor for general and complete disarmament, and

That Latin America, faithful to its tradition of universality, must not only endeavour to banish from its homelands the scourge of a nuclear war, but must also strive to promote the well-being and advancement of its peoples, at the same time co-operating in the fulfillment of the ideals of mankind, that is to say, in the consolidation of a permanent peace based on equal rights, economic fairness and social justice for all, in accordance with the principles and purposes set forth in the Charter of the United Nations and in the Charter of the Organization of American States,

Have agreed as follows:

Obligations

ARTICLE 1

1. The Contracting Parties hereby undertake to use exclusively for peaceful purposes the nuclear material and facilities which are under their jurisdiction, and to prohibit and prevent in their respective territories:

- (a) The testing, use, manufacture, production or acquisition by any means whatsoever of any nuclear weapons, by the Parties themselves, directly or indirectly, on behalf of anyone else or in any other way, and

- (b) The receipt, storage, installation, deployment and any form of possession of any nuclear weapons, directly or indirectly, by the Parties themselves, by anyone on their behalf or in any other way.

2. The Contracting Parties also undertake to refrain from engaging in, encouraging or authorizing, directly or indirectly, or in any way participating in the testing, use, manufacture, production, possession or control of any nuclear weapon.

Definition of the Contracting Parties

ARTICLE 2

For the purposes of this Treaty, the Contracting Parties are those for whom the Treaty is in force.

Definition of territory

ARTICLE 3

For the purposes of this Treaty, the term "territory" shall include the territorial sea, air space and any other space over which the State exercises sovereignty in accordance with its own legislation.

Zone of application

ARTICLE 4

1. The zone of application of this Treaty is the whole of the territories for which the Treaty is in force.

2. Upon fulfilment of the requirements of article 28, paragraph 1, the zone of application of this Treaty shall also be that which is situated in the western hemisphere within the following limits (except the continental part of the territory of the United States of America and its territorial waters): starting at a point located at 35° north latitude, 75° west longitude; from this point directly southward to a point at 30° north latitude, 75° west longitude; from there, directly eastward to a point at 30° north latitude, 50° west longitude; from there, along a loxodromic line to a point at 5° north latitude, 20° west longitude; from there, directly southward to a point at 60° south latitude, 20° west longitude; from there, directly westward to a point at 60° south latitude, 115° west longitude; from there, directly northward to a point at 0 latitude, 115° west longitude; from there, along a loxodromic line to a point at 35° north latitude,

150° west longitude; from there, directly eastward to a point at 35° north latitude, 75° west longitude.

Definition of nuclear weapons

ARTICLE 5

For the purposes of this Treaty, a nuclear weapon is any device which is capable of releasing nuclear energy in an uncontrolled manner and which has a group of characteristics that are appropriate for use for warlike purposes. An instrument that may be used for the transport or propulsion of the device is not included in this definition if it is separable from the device and not an indivisible part thereof.

Meeting of signatories

ARTICLE 6

At the request of any of the signatory States or if the Agency established by article 7 should so decide, a meeting of all the signatories may be convoked to consider in common questions which may affect the very essence of this instrument, including possible amendments to it. In either case, the meeting will be convoked by the General Secretary.

Organization

ARTICLE 7

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", 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.

Organs

ARTICLE 8

1. There are hereby established as principal organs of the Agency a General Conference, a Council and a Secretariat.
2. Such subsidiary organs as are considered necessary by the General Conference may be established within the purview of this Treaty.

The General Conference

ARTICLE 9

1. The General Conference, the supreme organ of the Agency, shall be composed of all the Contracting Parties; it shall hold regular sessions every two years, and may also hold special sessions whenever this Treaty so provides or, in the opinion of the Council, the circumstances so require.
2. The General Conference:
 - (a) May consider and decide on any matters or questions covered by this Treaty, within the limits thereof, including those referring to powers and functions of any organ provided for in this Treaty.
 - (b) Shall establish procedures for the control system to ensure observance of this Treaty in accordance with its provisions.
 - (c) Shall elect the Members of the Council and the General Secretary.
 - (d) May remove the General Secretary from office if the proper functioning of the Agency so requires.
 - (e) Shall receive and consider the biennial and special reports submitted by the Council and the General Secretary.
 - (f) Shall initiate and consider studies designed to facilitate the optimum fulfilment of the aims of this Treaty, without prejudice to the power of the General Secretary independently to carry out similar studies for submission to and consideration by the Conference.
 - (g) Shall be the organ competent to authorize the conclusion of agreements with Governments and other international organizations and bodies.

3. The General Conference shall adopt the Agency's budget and fix the scale of financial contributions to be paid by Member States, taking into account the systems and criteria used for the same purpose by the United Nations.

4. The General Conference shall elect its officers for each session and may establish such subsidiary organs as it deems necessary for the performance of its functions.

5. Each Member of the Agency shall have one vote. The decisions of the General Conference shall be taken by a two-thirds majority of the Members present and voting in the case of matters relating to the control system and measures referred to in article 20, the admission of new Members, the election or removal of the General Secretary, adoption of the budget and matters related thereto. Decisions on other matters, as well as procedural questions and also determination of which questions must be decided by a two-thirds majority, shall be taken by a simple majority of the Members present and voting.

6. The General Conference shall adopt its own rules of procedure.

The Council

ARTICLE 10

1. The Council shall be composed of five Members of the Agency elected by the General Conference from among the Contracting Parties, due account being taken of equitable geographic distribution.
2. The Members of the Council shall be elected for a term of four years. However, in the first election three will be elected for two years. Outgoing Members may not be re-elected for the following period unless the limited number of States for which the Treaty is in force so requires.
3. Each Member of the Council shall have one representative.
4. The Council shall be so organized as to be able to function continuously.
5. In addition to the functions conferred upon it by this Treaty and to those which may be assigned to it by the General Conference, the Council shall, through the General Secretary, ensure the proper operation of the control system in accordance with the provisions of this Treaty and with the decisions adopted by the General Conference.

6. The Council shall submit an annual report on its work to the General Conference as well as such special reports as it deems necessary or which the General Conference requests of it.

7. The Council shall elect its officers for each session.

8. The decisions of the Council shall be taken by a simple majority of its Members present and voting.

9. The Council shall adopt its own rules of procedure.

The Secretariat

ARTICLE 11

1. The Secretariat shall consist of a General Secretary, who shall be the chief administrative officer of the Agency, and of such staff as the Agency may require. The term of office of the General Secretary shall be four years and he may be re-elected for a single additional term. The General Secretary may not be a national of the country in which the Agency has its headquarters. In case the office of General Secretary becomes vacant, a new election shall be held to fill the office for the remainder of the term.
2. The staff of the Secretariat shall be appointed by the General Secretary, in accordance with rules laid down by the General Conference.
3. In addition to the functions conferred upon him by this Treaty and to those which may be assigned to him by the General Conference,—the General Secretary shall ensure, as provided by article 10, paragraph 5, the proper operation of the control system established by this Treaty, in accordance with the provisions of the Treaty and the decisions taken by the General Conference.
4. The General Secretary shall act in that capacity in all meetings of the General Conference and of the Council and shall make an annual report to both bodies on the work of the Agency and any special reports requested by the General Conference or the Council or which the General Secretary may deem desirable.
5. The General Secretary shall establish the procedures for distributing to all Contracting Parties information received by the Agency from governmental sources and such information from non-governmental sources as may be of interest to the Agency.

6. In the performance of their duties the General Secretary and the staff shall not seek or receive instructions from any Government or from any other authority external to the Agency and shall refrain from any action which might reflect on their position as international officials responsible only to the Agency; subject to their responsibility to the Agency, they shall not disclose any industrial secrets or other confidential information coming to their knowledge by reason of their official duties in the Agency.

7. Each of the Contracting Parties undertakes to respect the exclusively international character of the responsibilities of the General Secretary and the staff and not to seek to influence them in the discharge of their responsibilities.

Control system

ARTICLE 12

1. For the purpose of verifying compliance with the obligations entered into by the Contracting Parties in accordance with article 1, a control system shall be established which shall be put into effect in accordance with the provisions of articles 13-18 of this Treaty.

2. The control system shall be used in particular for the purpose of verifying:

- (a) That devices, services and facilities intended for peaceful uses of nuclear energy are not used in the testing or manufacture of nuclear weapons,
- (b) That none of the activities prohibited in article 1 of this Treaty are carried out in the territory of the Contracting Parties with nuclear materials or weapons introduced from abroad, and
- (c) That explosions for peaceful purposes are compatible with article 18 of this Treaty.

IAEA safeguards

ARTICLE 13

Each Contracting Party shall negotiate multi-lateral or bilateral agreements with the International Atomic Energy Agency for the application of its safeguards to its nuclear activities. Each Contracting Party shall initiate negotiations within a period of 180 days after the date of the deposit of its instrument of ratification of this Treaty. These agreements shall enter into force, for each Party, not later than eighteen months after the

date of the initiation of such negotiations except in case of unforeseen circumstances or *force majeure*.

Reports of the Parties

ARTICLE 14

1. The Contracting Parties shall submit to the Agency and to the International Atomic Energy Agency, for their information, semi-annual reports stating that no activity prohibited under this Treaty has occurred in their respective territories.

2. The Contracting Parties shall simultaneously transmit to the Agency a copy of any report they may submit to the International Atomic Energy Agency which relates to matters that are the subject of this Treaty and to the application of safeguards.

3. The Contracting Parties shall also transmit to the Organization of American States, for its information, any reports that may be of interest to it, in accordance with the obligations established by the Inter-American System.

Special reports requested by the General Secretary

ARTICLE 15

1. With the authorization of the Council, the General Secretary may request any of the Contracting Parties to provide the Agency with complementary or supplementary information regarding any event or circumstance connected with compliance with this Treaty, explaining his reasons. The Contracting Parties undertake to co-operate promptly and fully with the General Secretary.

2. The General Secretary shall inform the Council and the Contracting Parties forthwith of such requests and of the respective replies.

Special inspections

ARTICLE 16

1. The International Atomic Energy Agency and the Council established by this Treaty have the power of carrying out special inspections in the following cases:

- (a) In the case of the International Atomic Energy Agency, in accordance with the agreements referred to in article 13 of this Treaty;

(b) In the case of the Council:

- (i) When so requested, the reasons for the request being stated, by any Party which suspects that some activity prohibited by this Treaty has been carried out or is about to be carried out, either in the territory of any other Party or in any other place on such latter Party's behalf, the Council shall immediately arrange for such an inspection in accordance with article 10, paragraph 5.
- (ii) When requested by any Party which has been suspected of or charged with having violated this Treaty, the Council shall immediately arrange for the special inspection requested in accordance with article 10, paragraph 5.

The above requests will be made to the Council through the General Secretary.

2. The costs and expenses of any special inspection carried out under paragraph 1, sub-paragraph (b), sections (i) and (ii) of this article shall be borne by the requesting Party or Parties, except where the Council concludes on the basis of the report on the special inspection that, in view of the circumstances existing in the case, such costs and expenses should be borne by the Agency.

3. The General Conference shall formulate the procedures for the organization and execution of the special inspections carried out in accordance with paragraph 1, sub-paragraph (b), sections (i) and (ii) of this article.

4. The Contracting Parties undertake to grant the inspectors carrying out such special inspections full and free access to all places and all information which may be necessary for the performance of their duties and which are directly and intimately connected with the suspicion of violation of this Treaty. If so requested by the authorities of the Contracting Party in whose territory the inspection is carried out, the inspectors designated by the General Conference shall be accompanied by representatives of said authorities, provided that this does not in any way delay or hinder the work of the inspectors.

5. The Council shall immediately transmit to all the Parties, through the General Secretary, a copy of any report resulting from special inspections.

6. Similarly, the Council shall send through the

General Secretary to the Secretary-General of the United Nations, for transmission to the United Nations Security Council and General Assembly, and to the Council of the Organization of American States, for its information, a copy of any report resulting from any special inspection carried out in accordance with paragraph 1, sub-paragraph (b), sections (i) and (ii) of this article.

7. The Council may decide, or any Contracting Party may request, the convening of a special session of the General Conference for the purpose of considering the reports resulting from any special inspection. In such a case, the General Secretary shall take immediate steps to convene the special session requested.

8. The General Conference, convened in special session under this article, may make recommendations to the Contracting Parties and submit reports to the Secretary-General of the United Nations to be transmitted to the United Nations Security Council and the General Assembly.

Use of nuclear energy for peaceful purposes

ARTICLE 17

Nothing in the provisions of this Treaty shall prejudice the rights of the Contracting Parties, in conformity with this Treaty, to use nuclear energy for peaceful purposes, in particular for their economic development and social progress.

Explosions for peaceful purposes

ARTICLE 18

1. The Contracting Parties may carry out explosions of nuclear devices for peaceful purposes—including explosions which involve devices similar to those used in nuclear weapons—or collaborate with third parties for the same purpose, provided that they do so in accordance with the provisions of this article and the other articles of the Treaty, particularly articles 1 and 5.

2. Contracting Parties intending to carry out, or to co-operate in carrying out, such an explosion shall notify the Agency and the International Atomic Energy Agency, as far in advance as the circumstances require, of the date of the explosion and shall at the same time provide the following information:

- (a) The nature of the nuclear device and the source from which it was obtained,

- (b) The place and purpose of the planned explosion,
- (c) The procedures which will be followed in order to comply with paragraph 3 of this article,
- (d) The expected force of the device, and
- (e) The fullest possible information on any possible radioactive fall-out that may result from the explosion or explosions, and measures which will be taken to avoid danger to the population, flora, fauna and territories of any other Party or Parties.

3. The General Secretary and the technical personnel designated by the Council and the International Atomic Energy Agency may observe all the preparations, including the explosion of the device, and shall have unrestricted access to any area in the vicinity of the site of the explosion in order to ascertain whether the device and the procedures followed during the explosion are in conformity with the information supplied under paragraph 2 of this article and the other provisions of this Treaty.

4. The Contracting Parties may accept the collaboration of third parties for the purpose set forth in paragraph 1 of the present article, in accordance with paragraphs 2 and 3 thereof.

Relations with other international organizations

ARTICLE 19

1. The Agency may conclude such agreements with the International Atomic Energy Agency as are authorized by the General Conference and as it considers likely to facilitate the efficient operation of the control system established by this Treaty.
2. The Agency may also enter into relations with any international organization or body, especially any which may be established in the future to supervise disarmament or measures for the control of armaments in any part of the world.
3. The Contracting Parties may, if they see fit, request the advice of the Inter-American Nuclear Energy Commission on all technical matters connected with the application of this Treaty with which the Commission is competent to deal under its Statute.

Measures in the event of violation of the Treaty

ARTICLE 20

1. The General Conference shall take note of all cases in which, in its opinion, any Contracting Party is not complying fully with its obligations under this Treaty and shall draw the matter to the attention of the Party concerned, making such recommendations as it deems appropriate.
2. If, in its opinion, such non-compliance constitutes a violation of this Treaty which might endanger peace and security, the General Conference shall report thereon simultaneously to the United Nations Security Council and the General Assembly through the Secretary-General of the United Nations, and to the Council of the Organization of American States. The General Conference shall likewise report to the International Atomic Energy Agency for such purposes as are relevant in accordance with its Statute.

United Nations and Organization of American States

ARTICLE 21

None of the provisions of this Treaty shall be construed as impairing the rights and obligations of the Parties under the Charter of the United Nations or, in the case of States Members of the Organization of American States, under existing regional treaties.

Privileges and immunities

ARTICLE 22

1. The Agency shall enjoy in the territory of each of the Contracting Parties such legal capacity and such privileges and immunities as may be necessary for the exercise of its functions and the fulfillment of its purposes.
2. Representatives of the Contracting Parties accredited to the Agency and officials of the Agency shall similarly enjoy such privileges and immunities as are necessary for the performance of their functions.
3. The Agency may conclude agreements with the Contracting Parties with a view to determining the details of the application of paragraphs 1 and 2 of this article.

Notification of other agreements

ARTICLE 23

Once this Treaty has entered into force, the Secretariat shall be notified immediately of any international agreement concluded by any of the Contracting Parties on matters with which this Treaty is concerned; the Secretariat shall register it and notify the other Contracting Parties.

Settlement of disputes

ARTICLE 24

Unless the Parties concerned agree on another mode of peaceful settlement, any question or dispute concerning the interpretation or application of this Treaty which is not settled shall be referred to the International Court of Justice with the prior consent of the Parties to the controversy.

Signature

ARTICLE 25

1. This Treaty shall be open indefinitely for signature by:
 - (a) All the Latin American Republics, and
 - (b) All other sovereign States situated in their entirety south of latitude 35° north in the western hemisphere; and, except as provided in paragraph 2 of this article, all such States which become sovereign, when they have been admitted by the General Conference.
2. The General Conference shall not take any decision regarding the admission of a political entity part or all of whose territory is the subject, prior to the date when this Treaty is opened for signature, of a dispute or claim between an extra-continental country and one or more Latin American States, so long as the dispute has not been settled by peaceful means.

Ratification and deposit

ARTICLE 26

1. This Treaty shall be subject to ratification by signatory States in accordance with their respective constitutional procedures.
2. This Treaty and the instruments of ratification shall be deposited with the Government of the Mexican United States, which is hereby designated the Depositary Government.

3. The Depositary Government shall send certified copies of this Treaty to the Governments of signatory States and shall notify them of the deposit of each instrument of ratification.

Reservations

ARTICLE 27

This Treaty shall not be subject to reservations.

Entry into force

ARTICLE 28

1. Subject to the provisions of paragraph 2 of this article, this Treaty shall enter into force among the States that have ratified it as soon as the following requirements have been met:

- (a) Deposit of the instruments of ratification of this Treaty with the Depositary Government by the Governments of the States mentioned in article 25 which are in existence on the date when this Treaty is opened for signature and which are not affected by the provisions of article 25, paragraph 2;
- (b) Signature and ratification of Additional Protocol I annexed to this Treaty by all extra-continental or continental States having *de jure* or *de facto* international responsibility for territories situated in the zone of application of the Treaty;
- (c) Signature and ratification of the Additional Protocol II annexed to this Treaty by all powers possessing nuclear weapons;
- (d) Conclusion of bilateral or multilateral agreements on the application of the Safeguards System of the International Atomic Energy Agency in accordance with article 13 of this Treaty.

2. All signatory States shall have the imprescriptible right to waive, wholly or in part, the requirements laid down in the preceding paragraph. They may do so by means of a declaration which shall be annexed to their respective instrument of ratification and which may be formulated at the time of deposit of the instrument or subsequently. For those States which exercise this right, this Treaty shall enter into force upon deposit of the declaration, or as soon as those requirements have been met which have not been expressly waived.

3. As soon as this Treaty has entered into force in accordance with the provisions of paragraph 2 for eleven States, the Depositary Government shall convene a preliminary meeting of those States in order that the Agency may be set up and commence its work.

4. After the entry into force of this Treaty for all the countries of the zone, the rise of a new power possessing nuclear weapons shall have the effect of suspending the execution of this Treaty for those countries which have ratified it without waiving requirements of paragraph 1, subparagraph (c) of this article, and which request such suspension; the Treaty shall remain suspended until the new power, on its own initiative or upon request by the General Conference, ratifies the annexed Additional Protocol II.

Amendments

ARTICLE 29

1. Any Contracting Party may propose amendments to this Treaty and shall submit its proposals to the Council through the General Secretary, who shall transmit them to all the other Contracting Parties and, in addition, to all other signatories in accordance with article 6. The Council, through the General Secretary, shall immediately following the meeting of signatories convene a special session of the General Conference to examine the proposals made, for the adoption of which a two-thirds majority of the Contracting Parties present and voting shall be required.

2. Amendments adopted shall enter into force as soon as the requirements set forth in article 28 of this Treaty have been complied with.

Duration and denunciation

ARTICLE 30

1. This Treaty shall be of a permanent nature and shall remain in force indefinitely, but any Party may denounce it by notifying the General Secretary of the Agency if, in the opinion of the denouncing State, there have arisen or may arise circumstances connected with the content of this Treaty or of the annexed Additional Protocols I and II which affect its supreme interests or the peace and security of one or more Contracting Parties.

2. The denunciation shall take effect three

months after the delivery to the General Secretary of the Agency of the notification by the Government of the signatory State concerned. The General Secretary shall immediately communicate such notification to the other Contracting Parties and to the Secretary-General of the United Nations for the information of the United Nations Security Council and the General Assembly. He shall also communicate it to the Secretary-General of the Organization of American States.

Authentic texts and registration

ARTICLE 31

This Treaty, of which the Spanish, Chinese, English, French, Portuguese and Russian texts are equally authentic, shall be registered by the Depositary Government in accordance with article 102 of the United Nations Charter. The Depositary Government shall notify the Secretary-General of the United Nations of the signatures, ratifications and amendments relating to this Treaty and shall communicate them to the Secretary-General of the Organization of American States for its information.

Transitional Article

Denunciation of the declaration referred to in article 28, paragraph 2, shall be subject to the same procedures as the denunciation of this Treaty, except that it will take effect on the date of delivery of the respective notification.

In witness whereof the undersigned Plenipotentiaries, having deposited their full powers, found in good and due form, sign this Treaty on behalf of their respective Governments.

Done at Mexico, Distrito Federal, on the Fourteenth day of February, one thousand nine hundred and sixty-seven.

ADDITIONAL PROTOCOL I

The undersigned Plenipotentiaries, furnished with full powers by their respective Governments,

Convinced that the Treaty for the Prohibition of Nuclear Weapons in Latin America, negotiated and signed in accordance with the recommendations of the General Assembly of the United Nations in Resolution 1911 (XVIII) of 27 November 1963, represents an important step towards ensuring the non-proliferation of nuclear weapons,

Aware that the non-proliferation of nuclear weapons is not an end in itself but, rather, a

means of achieving general and complete disarmament at a later stage, and

Desiring to contribute, so far as lies in their power, towards ending the armaments race, especially in the field of nuclear weapons, and towards strengthening a world at peace, based on mutual respect and sovereign equality of States,

Have agreed as follows:

Article 1. To undertake to apply the statute of denuclearization in respect of warlike purposes as defined in articles 1, 3, 5 and 13 of the Treaty for the Prohibition of Nuclear Weapons in Latin America in territories for which, *de jure* or *de facto*, they are internationally responsible and which lie within the limits of the geographical zone established in that Treaty.

Article 2. The duration of this Protocol shall be the same as that of the Treaty for the Prohibition of Nuclear Weapons in Latin America of which this Protocol is an annex, and the provisions regarding ratification and denunciation contained in the Treaty shall be applicable to it.

Article 3. This Protocol shall enter into force, for the States which have ratified it, on the date of the deposit of their respective instruments of ratification.

In witness whereof the undersigned Plenipotentiaries, having deposited their full powers, found in good and due form, sign this Protocol on behalf of their respective Governments.

ADDITIONAL PROTOCOL II

The undersigned Plenipotentiaries, furnished with full powers by their respective Governments,

Convinced that the Treaty for the Prohibition of Nuclear Weapons in Latin America, negotiated and signed in accordance with the recommendations of the General Assembly of the United Nations in Resolution 1911 (XVIII) of 27 November 1963, represents an important step towards ensuring the non-proliferation of nuclear weapons,

Aware that the non-proliferation of nuclear weapons is not an end in itself but, rather, a means of achieving general and complete disarmament at a later stage, and

Desiring to contribute, so far as lies in their power, towards ending the armaments race, especially in the field of nuclear weapons, and towards promoting and strengthening a world at peace, based on mutual respect and sovereign equality of States,

Have agreed as follows:

Article 1. The statute of denuclearization of Latin America in respect of warlike purposes, as defined, delimited and set forth in the Treaty for the Prohibition of Nuclear Weapons in Latin America of which this instrument is an annex, shall be fully respected by the Parties to this Protocol in all its express aims and provisions.

Article 2. The Governments represented by the undersigned Plenipotentiaries undertake, therefore, 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.

Article 3. The Governments represented by the undersigned Plenipotentiaries also undertake not to use or threaten to use nuclear weapons against the Contracting Parties of the Treaty for the Prohibition of Nuclear Weapons in Latin America.

Article 4. The duration of this Protocol shall be the same as that of the Treaty for the Prohibition of Nuclear Weapons in Latin America of which this Protocol is an annex, and the definitions of territory and nuclear weapons set forth in articles 3 and 5 of the Treaty shall be applicable to this Protocol, as well as the provisions regarding ratification, reservations, denunciation, authentic texts and registration contained in articles 26, 27, 30 and 31 of the Treaty.

Article 5. This Protocol shall enter into force, for the States which have ratified it, on the date of the deposit of their respective instruments of ratification.

In witness whereof, the undersigned Plenipotentiaries, having deposited their full powers, found to be in good and due form, hereby sign this Additional Protocol on behalf of their respective Governments.