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Agenda item 93

STATUS OF THE IMPLEMENTATION OF GENERAL ASSEMBLY
RESOLUTION 2456 B (XXIII) CONCERNING THE SIGNATURE
AND RATIFICATION OF ADDITIONAL PROTOCOL II OF THE
TREATY FOR THE PROHIBITION OF NUCLEAR WEAPONS IN
LATIN AMERICA (TREATY OF TLATELOLCO)

Report of the First Committee

Rapporteur: Mr. Zdenek CERNIK (Czechoslovakia)

1. By a letter dated 10 July 1970 (A/7993), Bolivia, Costa Rica, Ecuador, El Salvador, Guatemala, Jamaica, Mexico and Uruguay, later joined by Barbados and Nicaragua (A/7993/Add.1) and Honduras (A/7993/Add.2), requested the Secretary-General to include in the provisional agenda of the twenty-fifth session of the General Assembly the item entitled "Status of the implementation of General Assembly resolution 2456 B (XXIII) concerning the signature and ratification of Additional Protocol II of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco)".
2. At its 1843rd plenary meeting, on 18 September 1970, the General Assembly, on the recommendation of the General Committee, decided to include this item in the agenda and to allocate it to the First Committee for consideration and report.
3. At its 1726th meeting, on 3 October, the First Committee decided to hold a combined general debate on all seven agenda items relating to disarmament allocated to it, namely:
 - (1) Question of general and complete disarmament: report of the Conference of the Committee on Disarmament (item 27);
 - (2) Question of chemical and bacteriological (biological) weapons: report of the Conference of the Committee on Disarmament (item 28);

(3) Urgent need for suspension of nuclear and thermonuclear tests: report of the Conference of the Committee on Disarmament (item 29);

(4) Implementation of the results of the Conference of Non-Nuclear-Weapon States: report of the Secretary-General (item 30);

(5) Establishment, within the framework of the International Atomic Energy Agency, of an international service for nuclear explosions for peaceful purposes under appropriate international control: report of the International Atomic Energy Agency (item 31);

(6) Status of the implementation of General Assembly resolution 2456 B (XXIII) concerning the signature and ratification of Additional Protocol II of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco) (item 93);

(7) Economic and social consequences of the armaments race and its extremely harmful effects on world peace and security (item 94).

4. The general debate on these seven agenda items took place at the 1748th to 1762nd meetings, from 2 November to 16 November 1970.

5. On 30 October, Barbados, Bolivia, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Paraguay, Peru, Uruguay and Venezuela submitted a draft resolution, later sponsored also by Trinidad and Tobago (A/C.1/L.522). The representative of Mexico introduced the draft resolution on behalf of its sponsors at the 1758th meeting, on 12 November. Later at the 1764th meeting, on 18 November, the same representative introduced a revised text (A/C.1/L.522/Rev.1).

6. At the 1764th meeting, the First Committee adopted the revised eighteen-Power draft resolution by a roll-call vote of 71 to none, with 11 abstentions (see paragraph 8 below). The voting was as follows:

<u>In favour:</u>	Afghanistan, Argentina, Australia, Austria, Belgium, Brazil, Burma, Cambodia, Canada, Chile, China, Colombia, Cyprus, Denmark, Ecuador, El Salvador, Ethiopia, Finland, Ghana, Greece, Guatemala, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Lebanon, Liberia, Libya, Madagascar, Malaysia, Mali, Malta, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Peru, Philippines, Portugal, Romania, Rwanda, Senegal, Sierra Leone, Singapore, Spain, Sweden, Togo, Trinidad and Tobago, Tunisia, Turkey, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Yugoslavia, Zambia.
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Against: None.

Abstaining: Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, France, Guyana, Hungary, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

7. Later at the same meeting the representatives of Paraguay and South Africa stated that had they been present during the voting their delegations would have voted in favour of the revised eighteen-Power draft resolution (A/C.1/L.522/Rev.1).

RECOMMENDATION OF THE FIRST COMMITTEE

8. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

Status of the implementation of General Assembly resolution 2456 B (XXIII) concerning the signature and ratification of Additional Protocol II of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco)

The General Assembly,

Recalling its resolution 1911 (XVIII) of 27 November 1963, in which it expressed its confidence that the States that possess nuclear weapons would give their "full co-operation" for the effective realization of the initiative aiming at the military denuclearization of Latin America,

Recalling also its resolution 2286 (XXII) of 5 December 1967, in which it welcomed "with special satisfaction" the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco) and declared that the Treaty "constituted an event of historic significance in the efforts to prevent the proliferation of nuclear weapons and to promote international peace and security",

Bearing in mind that the Treaty has an Additional Protocol II, which was opened for signature by States possessing nuclear weapons on 14 February 1967,

Noting that the Conference of Non-Nuclear-Weapon States, in its resolution B,^{1/} expressed the conviction that "for the maximum effectiveness of any treaty establishing a nuclear-weapon-free zone, the co-operation of the

^{1/} Official Records of the General Assembly, Twenty-third Session, agenda item 96, document A/7277, p. 5.

nuclear-weapon States is necessary and that such co-operation should take the form of commitments likewise undertaken in a formal international instrument which is legally binding, such as a treaty, convention or protocol",

Considering that accession to that Protocol only entails the following obligations for the nuclear-weapon States:

(a) To respect, "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,

(b) "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",

(c) "Not to use or threaten to use nuclear weapons against the contracting parties of the Treaty",

Convinced that these obligations are entirely in conformity with the general obligations assumed in the Charter of the United Nations, which every Member of the Organization has solemnly undertaken to "fulfil in good faith", as set forth in Article 2 of the Charter,

Noting that, despite the appeals that the General Assembly has addressed to them on two occasions, in resolutions 2286 (XXII) of 5 December 1967 and 2456 B (XXIII) of 20 December 1968, and the appeals they have received from the Conference of Non-Nuclear-Weapon States, in resolution B, and from the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America, in resolution 1 (I), only two of the States that possess nuclear weapons have so far signed Additional Protocol II and only one has ratified it,

Noting also that the Treaty of Tlatelolco, which has been signed by twenty-two Latin American States, is already in force for sixteen of them,

Bearing in mind the repeatedly stated declarations of the nuclear-weapon States to the effect that nuclear-weapon-free zones established on the initiative of the States within the zone should be supported,

Noting that the Treaty of Tlatelolco is the only one it has been possible to conclude for the establishment of one such zone in a densely populated area and that as a result of the Treaty there already exists a statute of total absence of nuclear weapons covering an area of 6.6 million square kilometres with a population of approximately 117 million,

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Noting also that the Agency for the Prohibition of Nuclear Weapons in Latin America has been duly established in conformity with the Treaty and became operative on 2 September 1969,

1. Reaffirms the appeals it has addressed to the nuclear-weapon States, in its resolutions 2286 (XXII) and 2456 B (XXIII), to sign and ratify Additional Protocol II of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco) as soon as possible;

2. Notes with satisfaction that one of those States has already signed and ratified the Protocol and that another has signed it and is now actively engaged in the ratification process;

3. Deplores that not all nuclear-weapon States have as yet signed the Protocol;

4. Decides to include in the provisional agenda of its twenty-sixth session an item entitled "Status of the implementation of General Assembly resolution... (XXV) concerning the signature and ratification of Additional Protocol II of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco)";

5. Requests the Secretary-General to arrange for transmittal of the present resolution to the nuclear-weapon States and to inform the General Assembly at its twenty-sixth session of any measure adopted by them in order to implement it.
