

UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/8653
12 January 1972
ENGLISH
ORIGINAL: SPANISH

Twenty-seventh session

IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 2830 (XXVI)
CONCERNING THE SIGNATURE AND RATIFICATION OF ADDITIONAL
PROTOCOL II OF THE TREATY FOR THE PROHIBITION OF NUCLEAR
WEAPONS IN LATIN AMERICA (TREATY OF TLATELOLCO)

Letter dated 5 January 1972 from the Permanent Representative of Mexico
to the United Nations addressed to the Secretary-General

I request you to arrange for the distribution, as a General Assembly document, of the note dated 23 November 1971, from Mr. Antonio González de León, in his capacity as Deputy General Secretary of the Agency for the Prohibition of Nuclear Weapons in Latin America (OPANAL), addressed to His Excellency U Thant, and of the annex to that note, which contains the text of the resolutions adopted by the General Conference of the Agency during its second session, held in Mexico City from 7 to 9 September 1971.

(Signed) Ambassador Alfonso GARCIA ROBLES
Permanent Representative of Mexico

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AGENCY FOR THE PROHIBITION OF NUCLEAR WEAPONS
IN LATIN AMERICA

New York, 23 November 1971

Sir,

I have the honour to transmit to you five copies of the document of the Agency for the Prohibition of Nuclear Weapons in Latin America (OPANAL) containing the resolutions adopted by the General Conference of the Agency during its second session, held in Mexico City in September of this year.

In accordance with past practice, I request you, if it can be arranged, to have the text of the attached document reproduced as a General Assembly document in pursuance of General Assembly resolution 1911 (XVIII).

I should like to thank you in advance for your attention to this matter, and take the opportunity of renewing the assurances of my highest consideration.

(Signed) Antonio GONZALEZ DE LEON
Deputy General Secretary

U Thant
Secretary-General of the United Nations
New York

/...

AGENCY FOR THE PROHIBITION OF NUCLEAR WEAPONS IN LATIN AMERICA

(OPANAL)

RESOLUTIONS

ADOPTED BY THE GENERAL CONFERENCE AT ITS SECOND SESSION

7 to 9 September 1970

OFFICIAL DOCUMENTS OF THE GENERAL CONFERENCE
SECOND SESSION

OPANAL

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GENERAL CONFERENCE

Second session

(7-9 September 1971)

NOTE

This document is basically a compilation of all the resolutions and other decisions adopted by the General Conference in the period between 7 September 1971, when the second session was opened, and 9 September 1971, the closing date of the session.

For the resolutions adopted by the General Conference between 2 and 9 September 1969, and between 7 and 11 September 1970, please refer to General Conference documents OPANAL/S/1 and OPANAL/S/3.

The Arabic and Roman numerals identifying each resolution indicate, respectively, the number assigned to it by order of adoption and the session at which it was adopted.

The document also contains the agenda of the second session, a list of the officers of the General Conference and of the two Main Committees and lists of delegations, Observers from States parties to the Treaty, Observers and a compilation of the resolutions adopted.

In addition to the 10 chapters of the document containing the above material, there is an appendix containing the addresses and statements made at the inaugural meeting of the second session.

CHAPTER I

RESOLUTIONS ADOPTED WITHOUT REFERENCE TO A MAIN COMMITTEE

RESOLUTION 34 (II)

Status of the Treaty and of its Additional Protocols

The General Conference,

Bearing in mind its resolutions 1 (I), 12 (I), 13 (I), 25 (I), 26 (I) and 27 (I),

Having noted with satisfaction United Nations General Assembly resolution 2666 (XXV),

Noting that, despite the repeated appeals made in the above-mentioned resolutions, not all the States situated in the zone of application of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco) have become Parties to the Treaty;

Noting also that not all States having de jure or de facto international responsibility for territories situated in the zone of application of the Treaty or possessing nuclear weapons have acceded to Additional Protocols I and II,

Having noted the ratification of the Treaty by Panama, with the waiver provided for in article 28, paragraph 2, of the Treaty, and

Having also noted, the ratification of Additional Protocol I by the Kingdom of the Netherlands and of Additional Protocol II by the United States of America,

Decides:

A.

1. To express its satisfaction concerning the entry of the Republic of Panama as an accredited member of the Agency;

2. To repeat once again its invitation to States situated in the zone of application of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco) which are not yet Parties to the Treaty to make every effort to overcome any obstacle which may have prevented them from becoming full Parties to the Treaty through signature and ratification and waiving the requirements laid down in article 28, paragraph 2, of the Treaty, so that there shall continue to exist in the entire zone a statute of total absence of nuclear weapons, which would preserve it from the danger and the vicissitudes entailed by the existence in the territory of those States of such terrible instruments of mass destruction.

/...

B

1. To express its appreciation of the fact that Additional Protocol I of the Treaty of Tlatelolco, which had already been ratified by the United Kingdom, has also been ratified by the Kingdom of the Netherlands;
2. To appeal once again to the other two States which, de jure or de facto, have international responsibility for territories situated in the zone of application of the Treaty to sign and to ratify Additional Protocol I of the Treaty of Tlatelolco so that the peoples of those territories are not deprived of the benefits deriving from the Treaty, which are summarized in its Preamble.

C

1. To express its satisfaction for the fact that Additional Protocol II of the Treaty of Tlatelolco, which had already been ratified by the United Kingdom, has also been ratified by the United States of America;
2. To request the other three nuclear-weapon States to heed, without further delay, the repeated appeals addressed to them by the United Nations General Assembly in resolutions 2286 (XXII), 2456 B (XXIII) and 2666 (XXV) to sign and ratify Additional Protocol II of the Treaty of Tlatelolco as soon as possible.

(Adopted at the 11th meeting on 9 September 1971)

RESOLUTION 35 (II)

Report of the Committee of Good Offices on Guyana's
application for membership

The General Conference,

Considering that the basic purpose of the Treaty of Tlatelolco is to achieve the total absence of nuclear weapons in the geographical zone defined in the Treaty,

Recalling that the United Nations General Assembly stressed the need for the Treaty of Tlatelolco to have the widest possible application and made an urgent appeal to the States lying within the area covered by the Treaty to strive to do everything in their power to ensure the speedy and fullest implementation of the Treaty,

Taking note with satisfaction of the report of the Committee of Good Offices,
and

Stressing the urgency of settling the dispute concerning the interpretation of the Treaty of Tlatelolco which unfortunately has arisen between Guyana and Venezuela,

/...

Decides:

To renew the mandate of the Committee of Good Offices, as defined in OPANAL resolution 17 (I), which it should carry out particularly through contacts with both Governments.

(Adopted at the 12th meeting on 9 September 1971)

RESOLUTION 36 (II)

Report of the Committee of Good Offices on Guyana's
application for membership

The General Conference,

Considering that the basic purpose of the Treaty of Tlatelolco is for a statute of total absence of nuclear weapons to exist in the geographical area defined in the Treaty,

Recalling that the United Nations General Assembly stressed the need for the Treaty of Tlatelolco to have the widest possible application and made an urgent appeal to the States lying within the area covered by the Treaty to strive to do everything within their power to ensure the speedy and fullest implementation of the Treaty, and

Also taking note of the existence of a Committee of Good Offices established by OPANAL resolution 17 (I),

Decides:

1. That without prejudice to the basic terms of the mandate entrusted to the Committee of Good Offices in resolution 17 (I), that mandate shall be broadened in order to enable the Committee to assist States members of OPANAL, in whatever form it considers most appropriate, in any other situation which may require such assistance, in any negotiations aimed at the entry of the States of the region which are not yet members of the Agency and in ensuring the accession to Additional Protocols I and II of the Treaty of those States to whose signature and ratification the Protocols are open;

2. To request the Committee of Good Offices to submit a report on the results of its work to the third regular session of the General Conference;

3. To include in the agenda of the third session of the General Conference an item entitled "Membership and functions of the OPANAL Committee of Good Offices".

(Adopted at the 12th meeting on 9 September 1971)

RESOLUTION 37 (II)

Status of the Convention on the Privileges and Immunities of the Agency

The General Conference,

Recalling its resolution 9 (I), by which it adopted the Convention on the Privileges and Immunities of the Agency for the Prohibition of Nuclear Weapons in Latin America, and

Mindful that the Agency's activities may increase, as is to be hoped, in accordance with the aims and purposes of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco),

Decides:

To appeal to all Member States which have not yet done so to approve and ratify the Convention on the Privileges and Immunities of the Agency as soon as possible in order to facilitate the exercise of the functions entrusted to the Agency.

(Adopted at the 11th meeting on 9 September 1971)

RESOLUTION 38 (II)

Use of nuclear energy for peaceful purposes

The General Conference,

Bearing in mind its previous resolutions 2 (I), 22 (I), 23 (I), and 24 (I) concerning the use of nuclear energy for peaceful purposes, and

Having considered the comments submitted by the General Secretary in document CG/53 and the regrettable lack of voluntary contributions to the Special Fund for the use of nuclear energy for peaceful purposes,

Decides:

1. To authorize the General Secretary, drawing upon the resources available in the Special Fund, to initiate the fellowship programme for the training of staff in the inspection and verification measures provided for in the control system established by the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco);

2. To urge the States members of OPANAL and the States which have acceded to the Additional Protocols of the Treaty to consider the possibility of contributing, within the limits of their resources, to increasing the Special Fund for the purpose of implementing the programme referred to in operative paragraph 1 and the other proposed activities for the promotion of the peaceful uses of nuclear energy.

(Adopted at the 11th meeting on 9 September 1971)

RESOLUTION 39 (II)

Urgent need to cease all nuclear weapons tests

The General Conference,

Considering that the preamble to the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco) states in the name of the people of Latin America and faithfully interpreting their desires and aspirations, that the States signing the Treaty must contribute, in 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,

Deeply concerned by the nuclear weapons tests which unfortunately are still being conducted,

Recalling that the General Assembly of the United Nations, in its resolution 1762 (XVII) expressly condemned "all nuclear weapons tests" without exception,

Decides:

1. To endorse resolution 17 (III), adopted on 4 May 1966 by the Preparatory Commission for the Denuclearization of Latin America, in which it addressed a solemn appeal to the nuclear Powers to cease nuclear weapons tests of all kinds and expressed the hope that new nuclear tests which might endanger the health of the peoples of Latin America or harm its maritime and other natural resources would not be conducted;

2. To express the hope that the commitment referred to in the preceding paragraph will be fulfilled for the benefit of all the peoples of the world;

3. To urge the nuclear Powers to cease immediately all the nuclear weapons tests they have been conducting.

(Adopted at the 12th meeting, on 9 September 1971)

RESOLUTION 40 (II)

Report of the Council

The General Conference,

Having considered the report of the Council, reproduced in document CG/44,

Decides:

To take note with satisfaction of the report.

(Adopted at the 11th meeting on 9 September 1971)

RESOLUTION 41 (II)

Report of the General Secretary

The General Conference,

Having considered the report of the General Secretary, reproduced in document CG/45,

Decides:

To take note with appreciation of the report.

(Adopted at the 11th meeting on 9 September 1971)

CHAPTER II

RESOLUTIONS ADOPTED ON THE REPORT OF THE FIRST COMMITTEE

RESOLUTION 31 (II)

Implementation of article 13 of the Treaty of Tlatelolco

The General Conference,

Considering that article 13 of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco) states that "Each Contracting Party shall negotiate...agreements with the International Atomic Energy Agency for the application of its safeguards to its nuclear activities",

Bearing in mind that the said article 13 of the Treaty specifies the time-limits within which these negotiations are to be initiated and the respective agreements are to be concluded and that those time-limits unfortunately could not be met by the majority of the States members of the Agency,

Noting that article 13 does not make the initiation of negotiations or the conclusion of the respective agreements conditional on the existence at the present time of nuclear activities in the territory of the member States, but merely establishes the immediate need for such negotiations and agreements,

Having considered the report of the Council, which appears in document CG/44, and the report of the General Secretary contained in document CG/45,

Recalling its previous resolutions 11 (I) and 19 (I) of the first session and the Council's resolution C-2 of 17 November 1970, which reiterated recommendations to the Governments of the member States to initiate the negotiation of safeguards agreements with the International Atomic Energy Agency as soon as possible in pursuance of article 13 of the Treaty, and

Mindful that the majority of the member States have not yet initiated the above-mentioned negotiations,

Decides:

1. To reiterate once more the appeal to the Governments of member States, made in resolutions 11 (I) and 19 (I) of the first session and in the Council's resolution C-2, to initiate those negotiations and to conclude agreements with the International Atomic Energy Agency as soon as possible for the application of its safeguards system to its nuclear activities, in compliance with article 13 of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco);

2. To extend that appeal to States in whose territory nuclear activities are being carried out and to States which are not yet in that position;

3. To request the Governments of the member States, when concluding the agreements with the International Atomic Energy Agency referred to in this resolution, to ensure that they clearly state that they are being concluded in compliance with the provisions of article 13 of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco);

4. To request the General Secretary, in consultation with the International Atomic Energy Agency and for the benefit of member States, to prepare a document describing the objectives of the safeguards system and of the procedures for concluding agreements for its application.

(Adopted at the 11th meeting on 9 September 1971)

RESOLUTION 32 (II)

Implementation of article 14 of the Treaty of Tlatelolco

The General Conference,

Mindful of the provisions contained in article 14 of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco),

Considering that the implementation of those provisions is indispensable for the proper functioning of the control system established by the Treaty,

Noting that a number of member States have so far been unable to comply with those provisions, and

Bearing in mind that the Council, in resolution C-3 of 17 November 1970, invited member States to comply with the terms of article 14 of the Treaty for the Prohibition of Nuclear Weapons in Latin America,

Decides:

To reiterate the invitation extended by the Council to the Governments of member States to take the necessary steps to fulfil the requirements laid down in paragraphs 1 and 2 of article 14 of the Treaty.

(Adopted at the 11th meeting on 9 September 1971)

RESOLUTION 33 (II)

Consideration of article 23 of the Treaty of Tlatelolco

The General Conference,

Considering that article 23 of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco) provides that "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",

Noting the importance of providing the Agency with the fullest possible information on the use of nuclear energy by member States in their respective territories, and

Noting also that the provisions of the Treaty constitute an organic whole, and that, in the final analysis, the proper functioning of the Agency depends on compliance with those provisions,

Decides:

1. To request the Governments of member States, as soon as possible, to provide the Secretary-General, for registration and notification to the other member States, with the text of bilateral or multilateral pacts, agreements or other types of arrangement concerning nuclear co-operation, concluded among themselves or with third party States which, by their nature, did not require registration with the United Nations in accordance with the provisions of the United Nations Charter;

2. Calls upon the Governments of member States to notify the Secretary-General in future, and for the same purposes of the conclusion of any agreement similar to those referred to in the preceding operative paragraph.

(Adopted at the 11th session on 9 September 1971)

CHAPTER III

RESOLUTIONS ADOPTED ON THE REPORT OF THE SECOND COMMITTEE

RESOLUTION 42 (II)

Accounts of the Agency

The General Conference,

Having considered the information submitted by the General Secretary in his note on the accounts of the Agency for the Prohibition of Nuclear Weapons in Latin America,

Decides:

To accept the accounts of the Agency for the period 1 September to 31 December 1970 contained in document CG/49.

(Adopted at the 12th meeting on 9 September 1971)

RESOLUTION 43 (II)

Collection of contributions and advances to the Working Capital Fund
for the biennium 1969-1970

The General Conference,

Having considered the note by the General Secretary on the collection of contributions and advances to the Working Capital Fund of the Agency, and

Considering the General Secretary's warning that unless the Agency immediately receives income from contributions due from States members, it will shortly face a serious financial crisis,

Decides:

1. To take note of the note submitted by the General Secretary concerning the collection of contributions and advances to the Working Capital Fund of the Agency for the two-year period 1969-1970 contained in document CG/50;

2. To request the General Secretary to intensify his efforts to ensure adherence as soon as possible to the time-table for the collection of contributions from member States;

3. To urge member States to co-operate with the General Secretary in achieving the objectives referred to in the preceding paragraph.

(Adopted at the 12th meeting on 9 September 1971)

RESOLUTION 44 (II)

Budget of the Agency

The General Conference,

Having considered the budget estimates for the two-year period 1972-1973 submitted by the General Secretary,

Decides:

1. That, for the financial biennium 1972-1973, appropriations shall amount to a total of 3,923,000 Mexican pesos, distributed as follows: 1,831,500 pesos for 1972 and 2,091,500 pesos for 1973.

2. That the said appropriations shall be used with the flexibility requested by the General Secretary in order to effect transfers between the sections of the budget for the following purposes specified in document CG/51 and its annex.

PART I Staff

Section 1.1	Salaries	2,265,200.00
Section 1.2	Common costs	480,600.00
Section 1.3	Allowances	<u>140,000.00</u>
	Estimated appropriations:	2,885,800.00

PART II Premises, furnishings, equipment and services

Section 2.1	Premises and services	350,000.00
Section 2.2	Furnishings and equipment	<u>197,200.00</u>
	Estimated appropriations:	547,200.00

PART III General expenses

Section 3.1	Travel and removal costs	240,000.00
Section 3.2	Social costs	40,000.00
Section 3.3	Information materials and library	80,000.00
Section 3.4	Office costs	120,000.00
Section 3.5	Miscellaneous costs	<u>10,000.00</u>
	Estimated appropriations:	490,000.00

Total estimated appropriations: 3,923,000.00

3. That these appropriations shall be financed by the contributions of member States apportioned according to the scale established by the General Conference, taking into account the adjustments resulting from the admission of new member States.

(Adopted at the 12th meeting on 9 September 1971.)

RESOLUTION 45 (II)

Scale of assessments for the apportionment of the expenses
of the Agency for the period 1972-1973

The General Conference,

Having considered the draft scale of assessments for the apportionment of the expenses of the Agency for the period 1972-1973 submitted by the General Secretary in document CG/52,

Decides:

That the scale of assessments of member States for the apportionment of the expenses of the Agency for the financial biennium 1972-1973 shall be as follows:

<u>Member State</u>	<u>Percentage Contribution</u>
Barbados	1.95
Bolivia	1.95
Costa Rica	1.95
Dominican Republic	1.95
Ecuador	1.95
El Salvador	1.95
Guatemala	2.44
Haiti	1.95
Honduras	1.95
Jamaica	2.44
Mexico	42.44
Nicaragua	1.95
Panama	1.95
Paraguay	1.95
Peru	4.87
Uruguay	4.40
Venezuela	21.96
	<hr/>
	100.00

2. That, pursuant to article 5, paragraph 9, of the Financial Regulations, new member States shall make a contribution for the calendar year in which they enter the Agency;

/...

3. That these contributions shall be established in accordance with the criterion used for determining the contributions of the other member States;

4. That the contributions of new member States shall cover only the full months which have elapsed from the date of their entry up to 31 December of the year in question;

5. That payments made to the Agency by new member States shall serve to adjust the amount of assessments of other member States.

(Adopted at the 12th meeting on 9 September 1971)

CHAPTER IV

OTHER DECISIONS

Election of the President and of the two Vice-Presidents of the Conference

The General Conference elected Mr. Alfonso Benavides Correa (Peru), President, and Mrs. Emilia Arosemena Vallarino (Panama) and Mr. Manuel Gill Morlis (Paraguay) Vice-Presidents.

Adoption of the agenda

The provisional agenda appearing in document CG/42 was adopted as the agenda of the second session.

Allocation of items to the plenary Conference and the two Main Committees

The General Conference allocated the following agenda items to the plenary Conference: item 6, Election of members of the Council; item 7, Election of the External Auditor; item 8, Status of the Treaty and its Additional Protocols; item 9, Report of the Committee of Good Offices on the application for membership of Guyana; item 10, Status of the Convention on the privileges and immunities of the Agency; item 18, Use of nuclear energy for peaceful purposes; item 19, Report of the Council; and item 20, Report of the General Secretary.

The following items were allocated to the First Committee, on political and legal questions: item 11, Control system: (a) Implementation of article 13; (b) Implementation of article 14; (c) Consideration of articles 15, 16, 18 and 20; item 12, Consideration of article 23; and item 13, Co-operation between the Agency and the International Atomic Energy Agency.

The following items were allocated to the Second Committee, dealing with technical, administrative and budgetary questions: item 14, Accounts of the Agency; item 15, Collection of contributions and advances to the Working Capital Fund; item 16, Budget estimates of the agency for the biennium 1972-1973, and item 17, Draft scale of contributions for the apportionment of the expenses of the Agency for the biennium 1972-1973.

Participation by observers

The General Conference welcomed the participation in the second session of Observers from all States which had requested permission to send Observers.

Election of members of the Council

The General Conference elected Jamaica, Peru and Venezuela for a period of four years to replace Ecuador, Haiti and Uruguay whose two-year terms as members of the Council had expired.

Election of the External Auditor

The General Conference appointed Mr. Juan Rodríguez López, whose candidature was submitted by the Government of Uruguay, to the post of External Auditor. It was agreed that his fees, travel expenses and per diem should be paid in accordance with established international practice, adapted to the particular situation and characteristics of the Agency.

Co-operation with the International Atomic Energy Agency

On the recommendation of the First Committee under agenda item 11, "Co-operation between the Agency and the International Atomic Energy Agency", the General Conference decided to authorize the General Secretary to pursue negotiations with the Director-General of IAEA with a view to reaching an agreement for the development of such co-operation. It was understood that, before he formally concludes the agreement, the General Secretary would obtain the final approval of the Council.

Consideration of articles 15, 16, 18 and 20 of the Treaty

The Conference decided that the Council should consider those articles of the Treaty which were included in the agenda under item 11 (c) in the light of the development of the Treaty itself and that it should report to the General Conference at its third regular session.

Declaration by Peru concerning French nuclear explosions

The General Conference decided to take careful note of the following declaration by the Peruvian delegation:

"Considering that, in its Preamble, the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlateloloco) in the name of their peoples and faithfully interpreting their desires and aspirations, states that the States which sign the Treaty should 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 neighbourliness,

"Bearing in mind that the Preamble recalls that the United Nations General Assembly, in its resolution 808 (IX), adopted unanimously as one of the three points of a co-ordinated programme of disarmament the total

prohibition of the use and manufacture of nuclear weapons and weapons of mass destruction of every type, and that militarily denuclearized zones are not an end in themselves, but rather a means for achieving general and complete disarmament at a later stage; further 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 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,

"Noting that the Preamble also states that the Governments of the States signatory to the Treaty are 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 and 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 and 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,

"Confirming 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 people, 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,

"Acknowledging finally that in article 1 the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco) imposes on the Contracting Parties the obligations not only of using nuclear material and facilities under their jurisdiction exclusively for peaceful purposes and prohibiting and preventing the activities set forth in paragraph 1 (a) and (b) in their respective territories, but also in paragraph 2 of the same article,

the solemn undertaking of the Governments of the States signatories to the Treaty to refrain from engaging in or encouraging the manufacture, production, possession, control and use of any nuclear weapon and expressly obligates the Contracting Parties to refrain from authorizing, directly or indirectly, the testing of any nuclear weapon,

"Having considered that, as a corollary, those obligations entitle signatory States to require compliance not only with the regulations of the Treaty in respect of the territorial sea, air space and any other space over which such States exercise sovereignty in accordance with their own legislation but also to require compliance with other obligations such as those arising from international law concerning the high seas,

"Bearing in mind that, among other regulations of this specific nature, the United Nations Conference on the Law of the Sea, held at Geneva from 24 February to 27 April 1958, adopted provisions such as those contained in articles 1, 2, 24 and 25, which were signed on 30 October of the same year by France, duly represented with full powers by Mr. G. Georges-Picot,

"Recalling that, after stating in article 1 that "high seas" means all parts of the sea that are not included in the territorial sea or in the internal waters of a State, the Geneva Convention on the High Seas states that the high seas being open to all nations, no State may validly purport to subject any part of them to its sovereignty and that freedom of the high seas is exercised under the conditions laid down by the relevant article and by the other rules of international law,

"Considering that since article 2 of the aforementioned Geneva Convention states that in the exercise of freedom of the high seas, no State may validly purport to subject any part of them to its sovereignty and that, both for coastal and non-coastal States such freedom comprises freedom of navigation, fishing, the laying of submarine cables and pipelines and flight over the high seas, it is clear that the French Government's nuclear explosions on the Mururoa Atoll in the Pacific Ocean, which have been temporarily suspended but have not been cancelled definitively, constitute a violation of this article,

"Reaffirming that, after enumerating the freedoms of the high seas, rejecting the concept of 'mare clausum' as an attempt by certain Powers to rule the seas and endorsing the concept of 'mare liberum', which precludes all occupation or appropriation since the sea is not a 'res nullius' (property of no-one) but a 'res communis' (common property of all States, the last part of article 2 of the Geneva Convention states that said freedoms shall be exercised by all States with reasonable regard to the interests of other States in the exercise of the freedom of the high seas,

"Acting in accordance with the solemn pledge effectively to safeguard the interests of States and in keeping with articles 24 and 25 respectively of the Geneva Convention, which proclaim the duty of every State to prevent pollution of the seas by the discharge of oil and the dumping of radio-active

waste and the pollution of the air space above resulting from any activities with radio-active materials or other harmful agents;

"Mindful that this principle is similar both to the principle calling for the prevention of the contamination of celestial bodies by micro-organisms from the earth in the operation and use of space craft and to prevent the transmission of micro-organisms from such celestial bodies to earth, and also to the principle of international law governing outer space which absolutely prohibits the launching of any kind of armed craft from outer space,

"Recognizing the possibility that nuclear explosions may result in genetic imbalance, cancer, leukaemia and defects in human beings and damage to fish, livestock feed and forage and may even set off seismic movements, various reports indicate that at the present time the air of Lima and other cities in Peru contains indestructible radio-active particles released by the thermonuclear tests conducted by the Government of France facing the shores of Peru and that they contain a dangerous and powerful contaminant,

"Noting that the use of the Mururoa Atoll, where the "Dindon" and "Denisse" test ranges are located, and of the Fauga Taufa Atoll, which is the site of the "Fregate" launching centre in the Pacific, as the proving grounds for the 44 French tests including the explosion of a one megaton H-bomb in the fifth nuclear series has aroused strong and justified protests by the Nationalist and Revolutionary Government of the Armed Forces of Peru and also by the Governments of Chile, Ecuador, Colombia, Australia, New Zealand, the Philippines and Japan,

"Observing that although for the time being France has yielded to those protests, reports from reliable sources indicate that protests against the French nuclear test series have led to a suspension which is only 'a pause'; thus, despite the common interests of France and Peru and the friendly relations between them, it may justifiably be feared that the series of tests planned for 1972 will be held,

"Taking into account that under international law the rejection by a State of the means of peaceful settlement in favour of the use of force or "nuclear diplomacy" constitutes indirect armed aggression,

"Recalling that, as was proclaimed at the Conferences of Non-Aligned countries in Bandung in 1955, Belgrade in 1961 and Cairo in 1964, disarmament and the prohibition of the production, testing and use of nuclear and thermonuclear weapons of war are imperative in order to preserve humanity and civilization from fear and the prospect of total destruction,

"Taking note of the fact that, in an eloquent and encouraging decision adopted in the Political Committee of the Inter-Parliamentary Conference now being held in Paris, 46 countries have just condemned nuclear tests in the Pacific by unreservedly supporting the Chilean motion that such tests are not only harmful to the fishing resources of such countries as Chile, Ecuador and Peru but primarily to the health of the populations of those countries, and lastly,

/...

"Considering that since paragraph 2 (a) of article 9 of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco) provides that, as the supreme organ of the international Agency called "OPANAL" established in order to ensure compliance with the obligations of the Treaty, the General Conference, composed of all the Contracting Parties, may consider and decide on any matters or questions covered by the Treaty,

"1. Condemns the nuclear tests conducted by the French Government facing the shores of Peru, Ecuador and Chile because they have a dangerous potential for contamination and not only seriously damage the fishing resources of these countries and adversely affect the health of their populations but also jeopardize the sovereignty of those countries and the right of all peoples by hampering their freedom of navigation and exposing them to various risks which disturb the maintenance of peace and security, violate the spirit and the letter of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco), the Convention on the High Seas and similar multilateral conventions such as the Treaty for the Non-Proliferation of Nuclear Weapons and the Treaty banning nuclear weapons tests in the atmosphere, in outer space and under water;

"2. Reiterates the legitimate protest made by the Nationalist and Revolutionary Government of the Armed Forces of Peru against such tests in the interests of the health, security and survival of its people and to prevent damage to its flora, wildlife, marine resources and territories and the territories of other coastal States on the Pacific Ocean, such as Chile and Ecuador, in view of the clearly prejudicial effect of the radio-active fall-out from the nuclear tests being conducted by the French Government in the Mururoa Atoll;

"3. Urges the Government of France, in view of the fact that its experiments in no way contribute to the efforts for peace, economic development and social progress which are becoming increasingly necessary throughout the world, to reconsider its encouraging but inadequate decision temporarily to suspend its explosions for the remainder of the current year and definitively to cancel such explosions in the South Pacific;

"4. Recommends the United Nations Scientific Committee on the Effects of Atomic Radiation to investigate the contamination released by those explosions in the sea, air, territory and among the population of the nations imperiled and affected by the nuclear tests in South America, Asia and Polynesia;

"5. Requests the General Secretary to transmit the text of this Declaration to the States Parties to the Treaty for the Prohibition of Nuclear Weapons in Latin America or to either of its two Additional Protocols, to the States which de jure or de facto have an international responsibility for territories lying within the limits of the geographical zone established in the Treaty and to the United Nations and the International Atomic Energy Agency".

Working groups

The Conference decided, on the basis of the considerations submitted by the General Secretary in his report (Doc. CG/45) to authorize him to request the co-operation of representatives of State members with a view to analysing, in one or more working groups, items of relevance to the Treaty such as the relationship between the Treaty and other international instruments of a general nature, or the role which OPANAL could play in the promotion of the peaceful uses of nuclear energy.

Opening of the third regular session

In accordance with article 1 of its rules of procedure, the General Conference decided to open the third regular session on the third Tuesday in August 1973.

CHAPTER V

AGENDA

1. Opening of the second session
 2. Adoption of the agenda
 3. Election of the President and the two Vice-Presidents
 4. Participation of Observers
 5. Organization of work
 6. Election of members of the Council
 7. Election of the External Auditor
 8. Status of the Treaty and its Additional Protocols
 9. Report of the Committee of Good Offices on the application for membership from Guyana
 10. Status of the Convention on the Privileges and Immunities of the Agency
 11. Control system:
 - (a) Implementation of article 13
 - (b) Implementation of article 14
 - (c) Consideration of articles 15, 16, 18 and 20
 12. Consideration of article 23
 13. Co-operation between the Agency and the International Atomic Energy Agency
 14. Accounts of the Agency
 15. Budget estimates of the Agency for the biennium 1972-1973
 17. Draft scale of contributions for the apportionment of expenses of the Agency for the biennium 1972-1973
 18. Use of nuclear energy for peaceful purposes
 19. Report of the Council
 20. Report of the General Secretary
 21. Other business
- /...

CHAPTER VI

OFFICERS OF THE GENERAL CONFERENCE
AND OF THE TWO MAIN COMMITTEES

GENERAL CONFERENCE

President:

Mr. Alfonso Benavides Correa (Peru)

Vice-Presidents:

Mrs. Emilia Arosemena Vallarino (Panama)

Mr. Manuel Gill Morlis (Paraguay)

FIRST COMMITTEE

POLITICAL AND LEGAL QUESTIONS

Chairman:

Mr. René Atilio Martínez Angulo (El Salvador)

Vice-Chairman:

Mr. Manuel Tello Macías (Mexico)

Rapporteur:

Mr. Carlos Moreno Velázquez (Costa Rica)

SECOND COMMITTEE

TECHNICAL, ADMINISTRATIVE AND BUDGETARY QUESTIONS

Chairman:

Gen. Carlos Soto Tamayo (Venezuela)

Vice-Chairman:

Mr. Adolfo Donamarí Ilarraz (Uruguay)

Rapporteur:

Mr. Manuel Salomón Roldán Morales (Guatemala)

CHAPTER VII

DELEGATIONS OF STATES MEMBERS

Barbados

Bolivia Representative: Mr. Rodolfo López del Solar Elio

Costa Rica Representative: Mr. Carlos A. Moreno Velázquez

Dominican Republic Representative: Mr. Gustavo F. Gómez Ceara

Ecuador Representative: Mr. Rafael Arízaga Vega

El Salvador Representative: Mr. René Atilio Martínez Angulo
Alternate: Colonel Fernando Sigui Olivares

Guatemala Representative: Mr. Carlos Rodil Machado
Alternates: Mr. Manuel Solomón Roldán Morales
Mr. Angel Alberto Gaitán Hernández

Haiti Representative: Mr. Pierre Gousse
Alternates: Mr. Jean Dominique Daphnis
Mr. Guy Dumesle

Honduras Representative: Mr. Hernán López Callejas
Alternate: Mr. Julio O. Mejía

Jamaica Representative: Mr. Thomas Alvin Stimson
Alternate: Mr. G.H. Scott

Mexico Representative: Mr. Alfonso García Robles
Alternates: Mr. Manuel Tello Macías
Mr. Sergio González Gálvez
Mr. Santiago Meyer Picón
Mr. Francisco Roux López

Nicaragua

Representative: Mr. Alfonso Ortega Urbina
Alternates: Mr. Edgar Escobar Fornos
Mr. Sandino Arellano
Advisers: Mr. Silvio Morales Ocón
Captain G.N. Humberto José
Arguello Fonseca

Panama

Representative: Mrs. Emilia Arosemena Vallerino
Alternate: Mr. Jorge Ramírez Méndez

Paraguay

Representative: Mr. Manuel Gill Morlis
Alternate: Mr. Hugo Couchonnal

Peru

Representative: Mr. Alfonso Benvides Correa
Alternate: Mr. Armando Lecaros de Cossío

Uruguay

Representative: Mr. Adolfo Donamarí Ilarraz
Alternate: Mr. Juan D. Podestá Piñón

Venezuela

Representative: Gen. Carlos Soto Tamayo
Alternate: Mr. Eugenio Omaña Murillo

CHAPTER VIII

OBSERVERS FROM STATES ASSOCIATED WITH THE TREATY OF TLATELOLCO

<u>Argentina</u>	Mr. Alberto F. Dumont
<u>Brazil</u>	Mr. Geraldo de Carvalho Silos Mr. Carlos Henrique Paulino Prates
<u>Colombia</u>	Mr. Fabio Lozano Simonelli
<u>Chile</u>	Mr. Hugo Vigorena Ramírez Mr. Luis A. Castellón Cruz
<u>Netherlands</u>	Mr. H.A.F. Heidweiller, Minister Plenipotentiary Mr. J.A.M. Verdonk Mr. C.W.A. De Groot
<u>Trinidad and Tobago</u>	
<u>United Kingdom</u>	Mr. Denzil I. Dunnet, C.M.G., O.B.E. Mr. J.L.Y. Sanders Mr. W.G. Doherty
<u>United States of America</u>	Mr. Robert Henry McBride Mr. David E. Zweifel

CHAPTER IX

OBSERVERS

<u>Austria</u>	Mr. Johann Plattner
<u>Belgium</u>	Mr. Jan Hollants Van Looche
<u>Canada</u>	Mr. Saul F. Rae Mr. T.A. Williams
<u>Denmark</u>	Mr. Eigil Pedersen
<u>Federal Republic of Germany</u>	Mr. Hans H. Marré
<u>Finland</u>	Mr. Pentti Petäjä
<u>Indonesia</u>	Mr. Nana Sutresna S.
<u>Israel</u>	Mr. Shlomo Argov Mr. Ariele Tenneh
<u>Italy</u>	Mr. Francesco Ripandelli Mr. Ludovico Ortona
<u>Japan</u>	Mr. Yuichi Fayashi Mr. Teresuke Terada
<u>Norway</u>	Mr. Rolf Berg
<u>Philippines</u>	Mr. Fernando C. Flores Mr. Constantino L. Alvarado
<u>Poland</u>	Mr. Ryszard Majchrzak Mr. Walenty Daszkiewicz
<u>Republic of China</u>	Mr. Manuel Lent Mr. Ming-hai Wong
<u>Sweden</u>	Mr. Nils G. Revelius Mr. Lars-Erik Wingren
<u>Switzerland</u>	Mr. Luciano Mordasini

Turkey

Mr. Sakin Bayaz

United Arab Republic

Mr. Mohamed Hamdi Abouzeid

Mr. Salah Eldein Amin Fzzat

Yugoslavia

Mr. Emil Durini

Mr. Samuilo Protić

United Nations

Mr. Roberto F. Guyer, Under-Secretary-General
for Special Political Affairs

IAEA

Mr. Reinhardt Rainer, Adviser, Legal Department

CHAPTER X

LIST OF RESOLUTIONS ADOPTED

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APPENDIX

STATEMENTS MADE AT THE INAUGURAL MEETING OF THE SECOND SESSION
OF THE GENERAL CONFERENCE

Address by the President of the first session of the General
Conference, Ambassador Alfonso García Robles

Almost eight years have elapsed since the United Nations General Assembly, in its resolution 1911 (XVIII) of 27 November 1963, noted with satisfaction the initiative for the denuclearization of Latin America taken in the joint declaration of five Latin American Presidents issued on 29 April of the same year, and expressed the hope that the States of the region would achieve the aims of the said declaration.

It is worth recalling those aims. As was stated at that time at the plenary meeting of the most representative body of the world Organization and was to be restated in the Preamble of the Treaty of Tlatelolco, those aims were to contribute towards enabling our children to grow up free from the terror of the threat of a nuclear war; to prevent any part of Latin America from becoming a proving ground for nuclear weapons tests, whatever the environment or the space in which they might be conducted; to eliminate any possibility of the initiation in the region of 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; to ensure that the nuclear-weapon States undertake to apply strictly the statute of denuclearization in respect of warlike purposes, and to take appropriate steps to ensure that the Latin American countries are in a position to use their right to the greatest and most equitable possible access to the new source of energy which is nuclear energy, the peaceful use of which can bring about incalculable benefits. Today, nearly eight years later, an analysis of those aims will undoubtedly lead to the conclusion that they are still entirely valid. There is nothing reassuring in the knowledge that the thermonuclear weapon which is now considered "normal" is the 20-megaton bomb - that is, the bomb that is equivalent to twenty million tons of dynamite - which has an explosive force a thousand times greater than that of the bomb dropped on 6 August 1945 over Hiroshima; to learn that, according to reliable estimates made by the Stockholm International Peace Research Institute, known by the acronym SIPRI, so many of these and other bombs are currently in the stockpiles of the nuclear Powers, that they are now of the incredible magnitude of approximately 15 tons of dynamite per inhabitant of the earth, or about 60 tons per person assuming the distribution is limited to nationals of the NATO and Warsaw Pact countries; to realize that, despite the prohibitions of the Moscow Treaty, nuclear weapons tests, though conducted mainly underground, instead of decreasing in number have increased considerably, since the annual average between 1945, when the first one was conducted, and August 1963, when the Treaty was signed, was 27.9, whereas between October 1963, when that instrument entered into force, and 1970, it rose to 45.5; to read reliable reports that the money squandered throughout the world for military purposes, which in 1962 amounted to about \$120,000 million, has been estimated for 1970 at about \$204,000 million, which means that in less than 10 years such expenditures rose by 70 per cent.

In the light of these developments the message by the Secretary-General of the United Nations to the Preparatory Commission for the Denuclearization of Latin America (COPREDAL) on 12 February 1967, on the occasion of the adoption of the Treaty of Tlatelolco, becomes even more significant. Among other things, he said that the nations of Latin America could be justifiably proud of what they have achieved through their own initiative and their own efforts.

It is therefore understandable that in its resolution 2286 (XXII) of 5 December 1967 the United Nations General Assembly should have welcomed with "special satisfaction" our Treaty and stated that it constituted "an event of historic significance in the efforts to prevent the proliferation of nuclear weapons and to promote international peace and security", while at the same time establishing "the right of Latin American countries to use nuclear energy for demonstrating peaceful purposes in order to accelerate the economic and social development of their peoples".

Thus U Thant, speaking in the auditorium of this very building at the inaugural meeting of the First Session of the General Conference, two years ago, on 2 September 1969, emphatically stated that:

"In a world that all too often seems dark and foreboding, the Treaty of Tlatelolco will shine as a beacon light. It is a practical demonstration to all mankind of what can be achieved if sufficient dedication and the requisite political will exist.

"The Treaty of Tlatelolco is unique in several respects.... The Treaty of Tlatelolco is unique in that it applies to an important inhabited area of the earth. It is also unique in that the Agency which is being established at this session will have the advantage of a permanent and effective system of control with a number of novel features.... The Treaty of Tlatelolco preceded the Treaty for the Non-Proliferation of Nuclear Weapons by more than a year and exceeds it in the scope of its prohibitions and its control features. Both Treaties have a similar goal, but the former Treaty goes beyond the latter in also prohibiting the use or threat of use of nuclear weapons in the area of the nuclear-free zone....

"The States of Latin America, which also include the States of the Caribbean Sea, have laboured hard and built well in erecting the edifice of the Agency for the Prohibition of Nuclear Weapons in Latin America. Perhaps history will record that they, too, 'builded better than they knew'. And now OPANAL has come to life. I am confident that it has the good wishes of the Members of the United Nations. As the Agency proceeds with its work for security, for peace and for progress, I feel sure it will continue to have the encouragement and support of the United Nations."

Since then, international developments have been highly encouraging for the efforts undertaken by Latin America. I shall mention only the following examples: the adoption, on 7 December 1970, by an impressive vote of 104 to none, of General Assembly resolution 2666 (XXV), which incorporates almost word for word a large

portion of resolution 1 (I), adopted by this General Conference on 5 September 1969 and which, after reaffirming the Assembly's previous appeals to the nuclear-weapon States to sign and ratify Additional Protocol II of the Treaty of Tlatelolco as soon as possible, calls on them not to delay any further their compliance with those appeals; the fact that in the same resolution the Assembly decided, in order to emphasize its permanent interest in the matter, to include in the provisional agenda of its twenty-sixth session - which, as is well known, will begin in two weeks - an item on the Status of the implementation of General Assembly resolution 2666 (XXV) and requested the Secretary-General to inform it "of any measure" adopted by the nuclear-weapon States in order to implement the resolution; the repeated expressions of praise for the Treaty of Tlatelolco at the Conference of the Committee on Disarmament in Geneva, for which I can personally vouch since I attended the meetings in the last few weeks, and the whole-hearted plaudits which the Treaty received last month from some 300 internationally-minded young people from about 50 different countries at the Hague Academy of International Law, where I had the honour of being invited to give five lectures on the meaning and scope of the prohibition of nuclear weapons in Latin America.

All this is only natural: since our last meeting, a year ago, the number of States Parties to the Treaty - and, ultimately of members of OPANAL - reached 17 with the accession of Panama, which is 70 per cent of the total number of countries for which the instrument was intended. Additional Protocol I has been ratified by one more State, the Netherlands; it had already been ratified by the United Kingdom. Additional Protocol II, which had also already been ratified by the United Kingdom, has now also been ratified by no less a Power than the United States of America, which is considered as one of the two nuclear super-Powers.

As for the size and population of the militarily denuclearized zone, it now covers an area of about 7 million square kilometres, with a population of about 120 million.

That brief sketch of developments seems to justify a reasonable degree of optimism. If, both in this forum, the supreme body of OPANAL, and in the wider one of the United Nations General Assembly, we continue to stress with patience and perseverance - these attributes were the key to the success of the work of the Preparatory Commission - the need for the States concerned to take such measures as they are in duty bound to take in order to ensure that both the Treaty and its two Protocols may soon have the widest possible application, I am certain that our final goal will slowly but surely be reached and that, as Dr. Leopoldo Benites Vinuesa so aptly says in the very thorough report he has submitted to the Conference in his capacity as General Secretary of the Agency, time and circumstances, which seem to be steadily improving, will inspire States that have not yet ratified the Treaty of Tlatelolco subject to a waiver declaration, to do so in order to become Parties with full rights and obligations.

All this makes it even more difficult to understand the reasons behind the present deplorable situation with regard to the collection of contributions and advances to the Working Capital Fund and to the implementation, which is not actually such a difficult task, of the provisions of articles 13 (agreements for the application of IAEA safeguards) and 14 (semi-annual and other reports) and

with regard to the signature and ratification of the Convention on Privileges and Immunities. This situation is described in the report of the General Secretary which I have just mentioned, reproduced in document CG/45. I am therefore fully confident that all the delegations participating in this second session of the General Conference will make special efforts to adopt effective decisions with a view to finding a prompt solution to the problems enumerated in the section of that report entitled "Conclusions".

However difficult some of those problems may seem at first sight, we must realize that they are minor compared with the problems that had to be settled during the four sessions of the Preparatory Commission in order to bring the Treaty of Tlatelolco into being.

Furthermore, we must always bear in mind that the Treaty - and OPANAL is one of its basic elements - has placed Latin America in a place of honour on the world map of nuclear disarmament. There was good reason for the statement made, when the Treaty was opened to signature, to the effect that it represented a partial realization of the old dream of Latin American solidarity that so obsessed the visionary, Simón Bolívar.

In 1963, when the United Nations adopted resolution 1911 (XVIII), it was rightly said that our undertaking represented a challenge to the capacity of the Latin American States to work together and achieve results that would reflect their desire for peace and bore witness to the fact that Latin America had reached maturity and was able correctly to interpret the genuine wishes of its peoples.

Now, 75 per cent of the road has been travelled. In the highest international forums the Latin American undertaking has been and continues to be enthusiastically praised as a major contribution to disarmament, as an incentive and an example, and as an accomplishment of pioneers which is so important that it goes beyond the boundaries of Latin America and offers an incomparable experience for all those countries which see in the establishment of nuclear-weapons free zones an effective means of strengthening international peace and security.

It would be not only inconceivable, but truly unforgivable, if we should, out of passivity or inertia, have to blame ourselves for the decline of an Agency which is just taking its first steps and which we have ample reason to believe will not only guarantee the total absence of nuclear weapons in our territories, but will also accelerate the development of the equitable utilization of nuclear energy for the economic development and social progress of our peoples.

I hold the firm conviction that this will not happen and that, quite the contrary, the Treaty of Tlatelolco, its two Additional Protocols, and the Agency for the Prohibition of Nuclear Weapons in Latin America will continue their forward march for the good of America and of the world.

Message from the Secretary-General of the United Nations to the General Conference at its second session, transmitted by Mr. Roberto E. Guyer, Under-Secretary-General for Special Political Affairs

It is my privilege to transmit the message which the Secretary-General of the United Nations, U Thant, wishes to convey to this General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America, to which he attaches the greatest importance. Here is his message:

"I have the honour to convey my greetings and good wishes to the delegations participating in the second session of the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America.

"As it is well known, the United Nations has an unassailable record of consistent support and encouragement for the creation of nuclear-free zones in Latin America as well as in other regions of the world - a course of action fully in accordance with the principles and objectives of the Charter.

"The 1967 Treaty of Tlatelolco, which established a nuclear-free zone in Latin America and which was signed in Mexico as a result of the commendable initiative of the Government of that country, is one of those important international instruments in the field of disarmament which seek to establish tangible limits for the nuclear arms race, to ensure that nuclear energy serves peaceful purposes only, and thereby to open larger scope for man's peaceful endeavour. While this objective still, regrettably, eludes the international community, the Treaty for the Prohibition of Nuclear Weapons in Latin America has provided the much-needed impetus to the search for the early conclusion of further agreements on arms limitation, reduction of armaments and disarmament everywhere, particularly in the nuclear field, with the participation of all nuclear Powers, and, at the same time, has specifically promoted the peaceful application of the atom for the economic and social betterment of all Latin America.

"The pioneering approach by the States of Latin America to the question of control under the Treaty warrants the highest praise and admiration of the entire international community. The practical application of the novel ideas in this field, effectively precluding violations through a system of reports and International Atomic Energy Agency safeguards, sets a pattern which clearly commends itself for future disarmament measures in other parts of the world. Therefore, it is my ardent hope that all the nuclear-weapon Powers, responding to the invitations addressed to them by the General Assembly, would demonstrate at an early date their intention to respect the Treaty's 'lofty principles and noble aims'.

"As the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America meets in its second session, it is faced with an extensive agenda that includes a number of questions of far-reaching importance for the future operation of the Treaty. I am fully confident that the Conference will cope with this task in a most praiseworthy fashion.

"I feel sure that the Conference will resolutely accept the challenge to continue and accelerate the encouraging progress made in the first year of the Disarmament Decade. During the Decade significant steps must be taken in halting and reversing the arms race, making concrete progress towards the achievement of the final goal - general and complete disarmament under effective international control.

"I extend to all delegates attending this Conference and to the host Government my most sincere wishes for the continued success of their efforts."

Statement by the Representative of the International Atomic
Energy Agency, Mr. Reinhardt Rainer

This second session of the General Conference of OPANAL will be dealing, as may be inferred from the documents, with important questions relating to the implementation of the Treaty of Tlatelolco. The International Atomic Energy Agency, which is the organization I have the honour of representing, continues to be substantially interested in these questions, as it has been since the preliminary preparatory stages of the Treaty.

This interest is particularly although not exclusively directed to the question of safeguards. The safeguards system makes provision for controlling and accounting for nuclear materials in order to ensure that they are not diverted for the manufacture of nuclear weapons.

The role envisaged for IAEA in article 13 of the Treaty of Tlatelolco should be considered, of course, in the over-all context of international efforts to halt the proliferation of nuclear weapons in accordance with the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

Last year I had the honour to inform this Conference of the progress achieved within IAEA towards the development of an efficient, technically sound and internationally acceptable safeguards system, to be implemented in accordance with the Non-Proliferation Treaty. This task was completed after 82 meetings of the Safeguards Committee of the Board of Governors of IAEA in which nearly 50 States actively participated. The Board of Governors approved the Committee's recommendations unanimously. Agreement has also been reached on financial arrangements aimed at transferring some of the costs of the safeguards for the developing States to the economically developed States, and these arrangements will be submitted to the General Conference of IAEA, which will be held in two weeks, for its final approval. Tremendous technical ability, good will, flexibility and compromise have gone into this system. It was not necessary to vote once, despite the difficult and often highly polemical matters discussed.

The safeguards system seems to be equally applicable to the implementation of article 13 of the Treaty of Tlatelolco, which ensures the application of international and uniform criteria to situations which, from the standpoint of the safeguards, are practically identical. The IAEA is also pleased to note that OPANAL has accepted an invitation to be represented, for the first time, by an official observer at the IAEA General Conference to be held this year in Vienna. We hope this will give us another opportunity to discuss matters of mutual interest.

In conclusion Mr. President, allow me to extend to the Conference the best wishes of IAEA for a harmonious and fruitful session which will bring us closer to achieving the aims of the Treaty of Tlatelolco.

Address by the General Secretary, Mr. Leonoldo Benites Vinueza

I consider it not only a unique honour but a special pleasure that this Second Session of the General Conference of OPANAL should have been inaugurated by one of the men who lavished more faith, perseverance, intelligence and wisdom than anyone else on the efforts which culminated in the signing of the Treaty of Tlatelolco. I am, of course, referring to the great Mexican diplomat, Ambassador Alfonso García Robles. I also wish, Mr. President, to welcome and congratulate the new President, who expressed the hope that our work will be highly successful under his leadership.

I also wish to thank the Conference for having allowed me to make a statement before the debate begins. I have found it necessary, in my capacity as General Secretary, to explain certain ideas, clarify some misunderstandings, rectify some errors and present with extreme candour certain situations on which the Conference is in duty bound to reflect before taking its decisions.

Let me tell you a brief anecdote. A few days ago, at an official dinner, I overheard the explanation which a wealthy banker and industrialist was giving to a distinguished lady regarding the meaning of OPANAL. Although the lady had not asked, he explained to her that OPANAL was the abbreviation for the very long name of an agency whose purpose was to remove nuclear weapons from a continent where they did not exist. If this viewpoint were an isolated one and had not, so to speak, gained currency in present-day thinking, it could be shrugged off as a bad joke. Unfortunately, however, the idea that OPANAL is a useless agency which is trying to prevent Latin America from becoming nuclearized for military purposes when in fact no Latin American State can or wishes to become a nuclear-weapons State, has become so prevalent that it has even found converts among persons closely connected with the Agency.

This viewpoint reveals a total ignorance of the nature and history of OPANAL.

It must not be forgotten that in 1962 the most powerful nuclear weapons had already been developed and that bombs with an explosive force ranging in the megatons, i.e., millions of tons of TNT, were being exploded in the atmosphere, under water and in outer space. In 1962 there was a crisis because nuclear bases were alleged to exist in a Latin American country. It was precisely in order to seek a solution to that crisis that the Government of Brazil, joined by those of Bolivia, Chile and Ecuador, first introduced the idea of denuclearizing Latin America in the United Nations General Assembly. From the beginning, in 1962, the basic purpose of those of us who have worked in this field has been, not just to prevent the manufacture of nuclear weapons in Latin America - which was still a very remote possibility - but primarily to prevent the establishment of nuclear bases by any Power or the use of the territories under the de jure or de facto administration of foreign Powers as proving grounds for the terrible tests which

were at that time threatening the very existence of mankind. A year later, the illustrious President of Mexico, Mr. Adolfo López Mateos, who honoured me with his friendship, clearly realized that even though the crisis had been weathered, it was imperative for Latin America to remain free of the atomic horror. No one can claim that a man of so brilliant a mind was playing the futile game of removing nuclear weapons from a place where they did not exist. President López Mateos was joined by President Goulart of Brazil, President Paz Estenssoro of Bolivia, President Alessandri of Chile and President Arosemena of Ecuador. Nor could it be said that they were trying to get Latin America to give up something it did not have. The lofty purpose of the letter dated 29 April 1963 was to prevent the establishment of nuclear bases in Latin America and its use as a proving ground for the terrible devices that were terrorizing mankind. That letter was an invitation to the Latin American Heads of State to pool their efforts to make Latin America a denuclearized zone.

Nor was the idea of establishing denuclearized zones a romantic dream or a psychopathic fantasy: the plan for the denuclearization of the Mediterranean, the Rapacki Plan for the denuclearization of Central Europe, the 1961 African proposal for the denuclearization of that continent, all provided sufficient precedents to justify the lofty purpose of the Latin American Presidents. Four years after the Presidents' letter and three years after President López Mateos' invitation to hold talks in Mexico City (REUPRAL), constant, patient and difficult effort resulted in the elaboration of the Treaty for the Prohibition of Nuclear Weapons in Latin America, which transformed this continent into a militarily denuclearized zone. From the watchtower of the world - the United Nations - I witnessed the enthusiasm this Treaty aroused, the hopes that were placed in it and the plaudits it inspired, not only in that hectic world forum but also in the quiet and subdued atmosphere of European universities. U Thant greeted the Latin American effort with warmth, again expressed his enthusiasm a few months ago in the Assembly of the Organization of American States and has honoured us now by sending a message through his representative, Mr. Roberto Guyer, Under-Secretary-General for Special Political Affairs.

In OPANAL we constantly receive requests from scholars in many universities throughout the world for information and documents to help them in their studies of the Treaty of Tlatelolco, which has created the only inhabited area of the world that has voluntarily undertaken not to manufacture or receive nuclear weapons from third parties for any purpose whatsoever. Nevertheless, sceptics have emerged right here on this continent, where the ignorant preach dogma and where OPANAL is pictured as a sort of psychopathic institution dedicated to removing what does not exist and giving up what we do not have.

The essence of the Treaty of Tlatelolco and the raison d'être of OPANAL are to prevent the establishment of nuclear bases or proving grounds in Latin America and to prevent States from receiving weapons from third parties, which would be certain to create not only military but political risks. Thus we are preserving the life, the physical and mental health, and perhaps even the right to self-determination of the inhabitants of this part of the world, which has been called the continent of hope.

The Treaty of Tlatelolco was signed by 22 States with a total area of more than 20 million square kilometres and a population of over 240 million. Even those States which have not yet become members of OPANAL - for reasons we will not go into now - but whom we will always welcome, are morally bound to observe the provisions of the Treaty by virtue of the juridical doctrine according to which the signatories of a treaty are obligated, even if they have not ratified it, not to do anything to contravene it. Furthermore, every single Latin American State has declared that it will not manufacture nuclear weapons; this is logical because, given the present level of development in Latin America, the manufacture of nuclear weapons would be tantamount to starving the peoples and would create the danger of a military-political hegemony that would seriously threaten peace on the continent.

I would like to address myself squarely to the theory that there may come a time - and I hope this will never happen - when, since modern warfare is essentially based on nuclear power, armies will not be able to afford to mortgage their future by a ban on the manufacture of nuclear weapons.

In this respect, I would like to point out that although nuclear warfare would indeed be the primary tactic in the event of a world conflict, nuclear military power is based on three assumptions: first, the existence of fusion or thermonuclear devices in the megaton range; secondly, the existence of long-range vehicles which can be rapidly transported, if possible with a multiple warhead capability; and, thirdly, the existence of mobile bases or bases located in carefully selected areas in order to produce maximum damage in a minimum time-period. No Latin American country is in a position to meet those three conditions at the moment and we probably will not be for the remainder of the century. Should Latin America wish to plunge its peoples into dire poverty the most it could produce would be fission bombs in the kiloton range, no more powerful, in all likelihood, than those possessed by the United States in 1945. Such a weapon would have no international significance and could only be used for internal conflicts within Latin America.

One frequent source of misunderstanding is the argument that the control system instituted by the Treaty of Tlatelolco, the implementation of which is the responsibility of the Council and the General Secretary, hampers or might hamper the development of atomic energy for peaceful purposes. A careful study of the Treaty, particularly article 12, which is related to articles 13-18, will clearly show that the only limitation placed on the use of nuclear materials in technical, scientific and research work is that they should not be used for other than peaceful purposes or, in other words, that they should not be used in contravention of article 1 of the Treaty.

Article 1 obligates the Parties "to use exclusively for peaceful purposes the nuclear material and facilities which are under their jurisdiction"; this is precisely the purpose of the safeguards system of the International Atomic Energy Agency (IAEA). Furthermore, the same article prohibits and prevents in the Latin American States, "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 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." Clearly, there are two types of provisions, one permitting the use of nuclear material exclusively for peaceful purposes and the other, prohibiting the acquisition or production of nuclear weapons by any means whatsoever, and their maintenance in the territory, in any way whatsoever, whether they be manufactured by the State or received from third parties. There is nothing in these provisions, therefore, that would prohibit the peaceful use of radioactive materials; this is in fact expressly confirmed in article 17.

The OPANAL control system and the IAEA safeguards system are thus so closely related that they could be said to be identical. This becomes more evident when it is borne in mind that article 13 obligates all States Parties to the Treaty of Tlatelolco and all members of OPANAL to enter into agreements with IAEA regarding safeguards.

Perhaps the only difference, even though they are in any case to act in co-operation, is with reference to explosions for peaceful purposes. If, from what we know to date, all nuclear explosions set off a chain reaction, i.e., are tantamount to a fission bomb, it is clear that the Treaty of Tlatelolco, which allows explosions for peaceful purposes, must exercise the strictest control over them, since it is really tantamount to controlling a nuclear weapon. In the case of peaceful explosions, there is really no technical distinction between a warlike and a non-warlike purpose; rather, the difference is simply one of intention. An explosion for peaceful purposes, as the Treaty states, may involve "devices similar to those used in nuclear weapons" (article 18), i.e., real nuclear weapon explosions which, instead of being used for military purposes, are used for peaceful purposes. Control must therefore be extremely strict.

We must admit, however, that the Treaty placed too much emphasis on the negative aspect and did not create sufficient means for international co-operation in respect of the peaceful use of nuclear energy. OPANAL is not expressly authorized by the Treaty to promote the development of nuclear energy for peaceful purposes in Latin America. This is a fact which can be explained if it is borne in mind that the Treaty of Tlatelolco originated with the letter of the Presidents, dated 29 April 1963, which was signed at the time when thermonuclear bomb tests were constantly being conducted in the atmosphere, producing a radioactive fall-out which had reached such dangerous limits that, according to technical reports, their continuation could not only have destroyed human life but could have resulted in genetic mutations capable of producing generations of monsters. Worldwide consternation was such that on 5 August of the same year, a few months after the letter by the five Presidents, the Treaty banning nuclear weapons tests in the atmosphere, in outer space and under water was signed. The essential concern was therefore military denuclearization. Furthermore, it must be recognized that between 1964, when the preparations for the Preliminary Meeting (REUPRAL) began, and 1967, when the Treaty was signed, the peaceful uses of atomic energy were not as fully developed as they are now and therefore played a minor role.

I have dealt with this issue at length in my report and I shall not belabour it here. I only wish to point out that I have a deep personal conviction that it is possible to find a way to transform OPANAL not only into a zealous guardian against any possibility of the warlike use of nuclear energy in Latin America, whether through production in the countries themselves or through third parties, but into a co-ordination centre for Latin American integration, with due respect, of course, for the right of all States to enter into bilateral or multilateral nuclear agreements.

I believe that the prohibition of nuclear weapons in Latin America has been one of the greatest contributions this area has made to the world. It has meant the strengthening of its peace-loving tradition, its respect for the rule of law, its constructive universalism. It has presented the world with the difficult example of a voluntary renunciation of the most frightful means of destruction and death created since the beginning of man's existence on the earth. This example is still being studied with a view to creating new zones. New ideas based on the idea of creating a non-nuclear club, which originated with former Foreign Minister of Sweden, Oster Unden, have been put forward, studied and further developed. In 1963, Finland had already taken the lead by suggesting that the Nordic countries should form a nuclear-weapons-free zone along the original lines proposed by Unden; that idea has always been most attractive to the President of Finland, Mr. Mr. Urho Kekkonen. El Sol de México, of 3 September, reports on the Disarmament Conference, where Alva Myrdal, that distinguished lady who is so devoted to the cause of peace, proposed the creation of a denuclearized zone.

Nothing great can be accomplished without the zealous efforts of persistent people, the loyalty of men capable of defending their ideals and, I would even say, without the understanding of the "little people", the timid and the weak. This is true of OPANAL. It was created as an ideal; we must defend it as a hope; and we must make it a reality. the time has come for us to say: "to be or not to be", for the status of collections of contributions from member States has placed us on the verge of a fatal crisis. As things stand now, there will only be enough to meet the payroll of OPANAL staff for a few months. Furthermore, the Agency needs the membership of some States and we fervently hope they will decide to ratify the Treaty and deposit their waiver declaration in order to become member States of OPANAL.

I would like to point out, on the other hand, that in the short time in which I have had the honour to perform the duties of General Secretary, our sister Republic of Panama has become a member of OPANAL and, at the initiative of the illustrious Foreign Minister of Colombia, the Senate of that Republic has authorized ratification of the Treaty. The United States of America has ratified Additional Protocol II and the Government of the Netherlands has ratified Additional Protocol I. During the visit of the Committee of Good Offices to the Republic of Venezuela, I gathered the impression that that country would soon be able to adopt a constructive and positive approach to the problem which has so far kept Guyana outside of the Agency, although it has not made any commitment in that regard.

Mr. President, distinguished representatives, at this crucial moment in the life of the Agency, its destiny is in your hands.

Statement by the representative of the United Kingdom, Mr. J.L.Y. Sanders

It is an honour for me to be the first representative of the United Kingdom to address this General Conference.

The United Kingdom has followed with interest and sympathy the growth of the movement for the creation of a denuclearized zone in Latin America and the development of the purposes and principles embodied in the Treaty of Tlatelolco. My Government is proud that the United Kingdom should have been the first State to sign and ratify the Protocols to this Treaty, the conclusion of which has been a source of great satisfaction and encouragement.

The United Kingdom had two reasons for becoming a Party to the Protocols. In the first place, it felt that the action of the Latin American States in taking such an important initiative deserved a prompt and practical expression of full support. In the second place, it felt that this action was in the interest of the United Kingdom itself. My Government is happy to note that its example has been followed by others. Considering the position of the United States of America as a geographical region of this hemisphere and its vast nuclear capacity and active participation in the maintenance of international peace and security, my Government notes with particular satisfaction, as must all the members of this organization, that the United States has completed the process of ratification of Additional Protocol II.

This is a very significant and satisfying step, which should materially advance the aims of the Agency. My Government has also noted with satisfaction the ratification of Additional Protocol I by the Netherlands. This will have the important effect of broadening the area covered by the Treaty.

Of equal if not greater importance is the increase in the number of full members of the Agency since the last meeting of this General Conference. This indicates the growing awareness of all Latin American countries that it is in their interest for the Treaty to apply to the largest possible area. We must all hope that each of those countries will soon take steps to become full members of the Agency and that any impediments to their entry will soon be removed. It is also to be hoped that the nuclear-weapons States that have not yet done so will sign and ratify the Protocols without further delay.

The United Kingdom, for its part, will continue to give its full moral support to the Agency and its aims. It will also endeavour to participate fully in the Agency's activities in respect of the peaceful uses of nuclear energy. In this regard, member States will no doubt have taken note of the reply of the United Kingdom to the invitation extended in resolutions 23 (I) and 24 (I) of the General Conference, which was transmitted to the distinguished General Secretary on 18 January of this year.

My Government sincerely believes that the Agency will continue its operations, thus providing an example for other regions of the world of a significant and practical means of controlling nuclear weapons. This means is of such a nature

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that it can be initiated without relying on the consent and good will of the nuclear-weapon States. Its initiation depends on the individual States. It is now a matter of history that such action, when taken jointly by a significant number of States within a certain region, is not disregarded by the nuclear-weapon States and in fact has considerable influence on them. My Government only regrets that in some cases this influence has only evoked cautious expressions of sympathy and support, which are purely verbal and even conditional. My Government sincerely hopes that the ratification of Additional Protocol II by the United States of America, following the example of the United Kingdom, will provide the necessary stimulus so that those States will follow up their expressions of sympathy by taking practical and positive steps to demonstrate their full and effective support for this Agency.

Statement by the representative of the Netherlands, Mr. H.A.F. Heidweiller

I should like to express my appreciation of the opportunity to address this august Agency.

It is an honour and a great satisfaction for me to find here, as General Secretary, Ambassador Leopoldo Benites Vinueza, who for so many years has so effectively served his country and the United Nations as Permanent Representative to that world Organization. It is not an exaggeration to say that Ambassador Benites Vinueza has been one of the most brilliant men in the United Nations.

I would also like to thank all those who co-operated with my delegation when it was participating as an Observer in the meetings of the Preparatory Commission and of OPANAL.

Allow me to mention Ambassador Alfonso García Robles, whose abilities are well known and with whom my delegation has a long-standing friendship.

As the General Secretary has mentioned in his report, the Kingdom of the Netherlands ratified Additional Protocol I on 26 July of this year. As a result, Surinam and the Netherlands Antilles are included within the area of application of the Treaty of Tlatelolco. The ratification of the Treaty has a historic and existential significance for these autonomous parts of the Kingdom, which are also integral parts of Latin America.

At present, OPANAL still does not represent the entire Latin American continent. Additional Protocol I has not yet been ratified by all the Powers that have de jure or de facto international responsibility over territories situated within the zone of application of the Treaty. Three nuclear-weapon States have not yet signed or ratified Additional Protocol II of the Treaty. This circumstance creates not only an ambiguous situation but a delicate one for all the countries of the continent.

We cherish the hope that in the not-too-distant future those Powers will be more favourably inclined not only in the interest of the Latin American continent, but also in the interest of world peace.

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Statement by the representative of the United States of America,
Mr. Robert Henry McBride

On 5 April 1971, the United States Senate advised and consented to the ratification by my Government of Additional Protocol II of the Treaty of Tlatelolco. Therefore, the United States Government is pleased to be able to associate itself with this great effort on behalf of world peace being carried out by the Latin American Governments.

By ratifying Additional Protocol II, the United States Government undertook to respect the aims and procedures established in the Treaty. Moreover, this ratification obligates the signatory not to violate the Treaty and not to use or threaten to use nuclear weapons against any Latin American State for which the Treaty is in force.

I consider it an exceptional honour to have been able to deposit the instrument of ratification of the United States with the Ministry of Foreign Affairs of Mexico. This ceremony took place on 12 May 1971. The member Governments were subsequently informed of this action on the part of the United States Government.

I feel it is truly a privilege to be here at this opening meeting of the General Conference. Allow me to take this opportunity to wish you all the greatest success in your deliberations.
