



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



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**Reply of the Agency for the Prohibition of Nuclear Weapons in  
Latin America and the Caribbean (OPANAL) to the request submitted by the  
United Nations Office of Legal Affairs in reference to resolution  
A/RES/68/70 (9 December 2013) entitled “Oceans and the law of the sea”**

The Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, also known as the Treaty of Tlatelolco, which was opened for signature on 14 February 1967 and entered into force on 25 April 1969, extends, in its Article 4, paragraph 2, its Zone of Application to an area within precise limits. Part of that space lies beyond the continental shelves of States Party and includes high seas. This extension is inherent to one of the aims of the Treaty, namely to protect its Parties “against possible nuclear attacks”. Negotiations have also considered the fact that the Treaty should cover the entire Caribbean Sea.

This extension of the Zone of Application to areas beyond national sovereignty or jurisdiction had important precedents in the region, such as the Declaration of Panama (3 October 1939), the Inter-American Treaty of Reciprocal Assistance (2 September 1947), and the Antarctic Treaty (1 December 1959).

It must be kept in mind that neither during its negotiation nor after its entry into force has the Treaty of Tlatelolco been associated with considerations or claims regarding sovereignty or jurisdiction over the marine space.

Moreover, until the negotiation of the United Nations Convention on the Law of the Sea, there was no general agreement on the area of the high seas, and the positions of Latin American and Caribbean countries at that time varied concerning the breadth of territorial sea and other areas in the marine environment under national jurisdiction.

Consequently, given the facts aligned above, there is nothing in the clause concerning the delimitation of the Nuclear-Weapon-Free Zone in Latin America and the Caribbean that could be construed as infringing upon International Law, including the United Nations Convention on the Law of the Sea.

This understanding is essential to the full respect of the status of nuclear-weapon-free zones in their whole extension from the part of all States.