

2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

15 November 2021

Original: English

New York, 4–28 January 2022

Recommendations for consideration

Working paper submitted by the States parties¹ to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)

1. The Treaty of Tlatelolco, the legal foundation of the nuclear-weapon-free zone in Latin America and the Caribbean, was opened for signature on 14 February 1967. The Treaty of Tlatelolco predates the Treaty on the Non-Proliferation of Nuclear Weapons. The Latin American and Caribbean States were the first to have legally instituted the prohibition, disarmament and non-proliferation of nuclear weapons. All of them are parties to the Non-Proliferation Treaty, the provisions of which they thoroughly comply with. Moreover, the nuclear-weapon-free zone in Latin America and the Caribbean has been an inspiration for the establishment of the other nuclear-weapon-free zones (South Pacific, South-East Asia, Africa and Central Asia).

2. The Latin American and Caribbean States, all parties to the Treaty of Tlatelolco and members of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, consider that all efforts must be exhausted to achieve the success of the tenth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and that the results achieved and commitments undertaken at the 1995 Review and Extension Conference and the 2000 and 2010 Review Conferences remain valid.

3. The States parties to the Treaty of Tlatelolco present the following elements that should be included in the final document of the tenth Review Conference:

(a) The use or threat of use of nuclear weapons is a violation of the Charter of the United Nations and a violation of international law, including international humanitarian law, and constitutes a crime against humanity;

¹ Antigua and Barbuda, Argentina, Bahamas, Barbados, Belize, Bolivia (Plurinational State of), Brazil, Chile, Colombia, Costa Rica, Cuba, Dominica, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Saint Lucia, Suriname, Trinidad and Tobago, Uruguay and Venezuela (Bolivarian Republic of).



(b) With its entry into force, the Treaty on the Prohibition of Nuclear Weapons is another milestone on the road towards the elimination of those weapons of mass destruction, along with the Treaty of Tlatelolco and the Non-Proliferation Treaty;

(c) These three treaties, as well as the Comprehensive Nuclear-Test Ban Treaty, once in force, establish norms of international law that are legally binding on the States that signed and ratified them; these legal instruments are not mere declarations of intention, nor can they automatically produce the disappearance of nuclear weapons. However, they are a suitable legal basis for the process aimed at eliminating all nuclear weapons forever;

(d) For the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty, it is urgent that all States included in annex 2 sign and ratify the Treaty; meanwhile, the moratorium on nuclear weapon test explosions should continue and be strictly observed;

(e) The Non-Proliferation Treaty, the cornerstone of the nuclear disarmament and non-proliferation regime, is vital to achieving nuclear disarmament and international security; in this regard, it is urgent that all States that are not parties to the Treaty adhere to it as non-nuclear-weapon States without further delay and without conditions;

(f) The obligation to conduct negotiations for nuclear disarmament established in article VI of the Non-Proliferation Treaty must be fulfilled by each party to the Treaty;

(g) Nuclear-weapon States must eliminate any role for nuclear weapons in their security doctrines and policies; non-nuclear-weapon States that are covered by extended nuclear deterrence policies by means of military alliances should seek alternative security policies;

(h) Nuclear-weapon States must cease the qualitative improvement of nuclear weapons and the development of new types of these weapons, which constitute actions inconsistent with the obligation to adopt effective measures towards nuclear disarmament and consequently contravene the spirit and objectives of the Non-Proliferation Treaty;

(i) The humanitarian impact and environmental consequences of any nuclear detonation, intentional or accidental, should continue to be a matter of concern for all States parties;

(j) It is necessary to take forward the negotiation and adoption, within the shortest possible term, of a universal and legally binding instrument on assurances against the use and threat of use of nuclear weapons against non-nuclear-weapon States (negative security assurances);

(k) Likewise, it is necessary to commence negotiations at the earliest time possible on a treaty banning the production of fissile material for nuclear weapons and other nuclear explosive devices, as well as the elimination of existing stockpiles of such materials;

(l) The proscription of nuclear weapons is a step on the road towards the total elimination of nuclear weapons;

(m) The nuclear-weapon-free zones promote peace and stability at the regional and international levels by prohibiting the possession, acquisition, development, testing, manufacturing, production, stockpiling, deployment and use of nuclear weapons. Moreover, they represent a legal and concrete achievement of the utmost importance in the field of nuclear non-proliferation and disarmament; therefore, the establishment of such regimes in new regions should be actively promoted;

(n) Nuclear-weapon-free zones established by means of arrangements freely arrived at among the States of the respective regions and recognized by the General Assembly must be respected by all States without any reservations or limitations;

(o) The States parties to additional protocols to the treaties establishing nuclear-weapon-free zones should seek, together with the States belonging to such zones, a solution to existing controversies created by declarations that harm the effectiveness of the zones in order to give full and unequivocal security assurances to the States belonging to nuclear-weapon-free zones;

(p) The establishment of a zone free of nuclear weapons and all other weapons of mass destruction in the Middle East, an integral and important part of the Final Document of the 2010 Review Conference, must remain a priority;

(q) The convening of periodic conferences of the States belonging to the nuclear-weapon-free zones and Mongolia is important for strengthening such zones and can contribute, thanks to the experience acquired by the States, to the creation of new nuclear-weapon-free zones, including in the Middle East;

(r) The full respect for the inalienable right of all States to develop, research, produce and use nuclear energy for peaceful purposes without discrimination must be reiterated, as recognized and provided for in article IV of the Non-Proliferation Treaty;

(s) The essential role of the International Atomic Energy Agency and its Safeguards System in the implementation of the Non-Proliferation Treaty is recognized;

(t) The implementation of programmes on education for peace, nuclear disarmament and non-proliferation is an effective contribution to the consolidation of international peace and security, and it should include the provision of funding and the undertaking of the démarches necessary for the implementation of such programmes;

(u) The valuable contribution of women to the promotion of disarmament, non-proliferation and arms control; and the need to promote the effective participation of women, as well as consideration of gender and diverse perspectives, in all disarmament and non-proliferation decision-making processes.
