



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



**International Atomic Energy Agency
58th General Conference**

Statement *by*

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On behalf *of*

Ambassador Luiz Filipe de Macedo Soares

Secretary-General of OPANAL

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Mr. President,

I would like to begin by congratulating you on your election as President of the 58th regular session of this General Conference and wish you every success in this important task. Additionally, I would like to compliment the Director General and the IAEA on behalf of the Secretary General and the Member States of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL).

Mr. President,

The relationship between the International Atomic Energy Agency (IAEA) and the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean is at the core of the Treaty of Tlatelolco which created the Nuclear-Weapons-Free Zone of Latin America and the Caribbean. In effect, one of the requisites for the Treaty of Tlatelolco to enter into force, in accordance with its Article 29 was the conclusion of bilateral or multilateral agreements on the application of the Safeguards System of the International Atomic Energy Agency by each Contracting Party.

The role of the IAEA is essential for the fulfilment of the first obligation contained under Article 1 of the Treaty of Tlatelolco by which: "The Contracting Parties hereby undertake to use exclusively for peaceful purposes the nuclear material and facilities which are under their jurisdiction [...]". Thus, in 1967, ten years after the founding of the IAEA, the Treaty of Tlatelolco established its Control System (Articles 12-19 and 24): the first international monitoring and verification system to ensure compliance with disarmament and non-proliferation obligations, where it granted a fundamental function to the Agency.

As explained in Article 12 of the Treaty, the Control System was established "for the purpose of verifying:

- a. That devices, services and facilities intended for peaceful uses of nuclear energy are not used in the testing or manufacture of nuclear weapons,
- b. That none of the activities prohibited in Article I of this Treaty are carried out in the territory of the Contracting Parties with nuclear materials or weapons introduced from abroad [...]"

Mr. President,

The Control System depends on the organic relationship between both our agencies in which the negotiating Parties made sure to acknowledge the purpose and mission of the IAEA within the Treaty of Tlatelolco, later reinforcing the Agency's functions after the 1992 amendments made to the Treaty.

Four articles of the Treaty refer to the important role bestowed upon the IAEA. Article 13 sets forth the obligation of each Contracting Party to "negotiate multilateral or bilateral agreements with the

International Atomic Energy Agency for the application of its safeguards to its nuclear activities [...]”. As of today, all of the 33 Member States of OPANAL have safeguards agreements in force, 19 of them have also signed additional protocols to the safeguards agreements— 18 of which are already in force – and 2 of them have a special Quadripartite Agreement (Argentina-Brazil-ABACC-IAEA).

Although it is not included in the Treaty of Tlatelolco, the Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials (ABACC) can also be considered part of the Control System, which established a unique and effective mechanism of “neighbours watching neighbours”.

Article 14 (Par. 1) contemplates the submission – both to OPANAL and IAEA – of “semi-annual reports stating that no activity prohibited under this Treaty has occurred in their respective territories.” In this regard, the Secretariat can confirm that all Member States have complied with sending these reports at some point, and that as of 23 September, 8 Member States have sent their reports for the first semester of 2014, 11 States informed up to the second semester of 2013, and 8 States for the first semester of 2013. This means that 81% of OPANAL Member States are relatively up to date in compliance with this obligation. The same article provides that Contracting Parties shall simultaneously transmit to OPANAL a copy of the reports submitted to the IAEA which relate to matters subject of the Treaty of Tlatelolco that are relevant to OPANAL’s work.

Perhaps, the most important provision established by the Treaty of Tlatelolco in terms of the NWFZ’s relation with the IAEA is contained under Article 16 which gives the IAEA the power to carry out special inspections in accordance with Article 12 and with the safeguards agreements concluded by the Parties at the request of any Contracting Party, with the authorization of the Council of OPANAL and through the Secretary General. Up until now, these inspections have never been conducted, but they are an important mechanism to be used if necessary.

Article 19 foresees that OPANAL may conclude such agreements with the IAEA as authorized by the General Conference in order to facilitate the efficient operation of the System. On 3 October 1972 both agencies signed the “Cooperation Agreement between the IAEA and the OPANAL” which entitles OPANAL to “be invited to the regular annual sessions of the General Conference of the IAEA” (Article II, Par. 2.), and allows me the honour of addressing you today.

This agreement has been a framework for the relation between both agencies permitting them to act in close cooperation with each other and to consult the other organization with a view of harmonizing their efforts in the light of their respective world-wide and regional responsibilities. Both Agencies have been mutually represented in their respective General Conferences and they have had relevant participations in activities coordinated by the other, the most recent being the IAEA “Forum on Experience of Possible Relevance to the Creation of a Nuclear-Weapon-Free Zone in the Middle East” (21-22 November 2011) and OPANAL’s International Seminar “The Experiences of the NWFZ of Latin America and the Caribbean and the perspective towards 2015 and beyond” within the context

of the Commemoration of the 45th Anniversary of the Signing of the Treaty of Tlatelolco (14 February 2012).

Mr. President,

OPANAL's *raison d'être* is essentially "to ensure compliance with the obligations of this Treaty [...]" (Article 7 Par. 1), and the Control System itself was envisaged "for the purpose of verifying compliance with the obligations entered into by the Contracting Parties [...]" (Art. 12. Par. 1). The role of OPANAL in assuring compliance with the Control System involves its three main organs. The General Conference establishes procedures for the Control System to ensure observance of the Treaty. The Council, through the Secretary General, ensures the proper operation of the Control System. The Secretary General, at the request of any of the Contracting Parties and with the authorization of the Council, may request any Party to provide complementary or supplementary information regarding any extraordinary event or circumstance affecting compliance with the Treaty.

In this way, the Treaty foresees the involvement of the three organs in ensuring the effectiveness of the Control System itself. All Member States are aware of the relevance of this Control System, and they constantly continue to comply with maintaining and promoting the denuclearized status of the region. Moreover, Additional Protocol I signed by France, the Netherlands, the United Kingdom and the United States – in their capacity, *de jure* or *de facto*, as internationally responsible countries for territories within the Zone of Application of the Treaty – made it necessary for its signatories to have safeguards agreements in force. This is another way to ensure that the NWFZs is covered by the Control System in all of its extension.

Latin America and the Caribbean has always been at the forefront of nuclear disarmament and non-proliferation, having established the first NWFZ in a permanently populated area. All of the 33 OPANAL Member States are parties to the NPT, and in accordance with the obligation set forth by the Treaty of Tlatelolco of prohibiting the testing of nuclear weapons, 31 of them have signed and ratified the "Comprehensive Nuclear-Test-Ban Treaty".

During its almost 6 decades of existence, the IAEA has played a vital role in the continued viability of the five existing NWFZs to ensure, in an internationally verifiable way – through comprehensive safeguards – the commitment of these countries to adequately and safely use nuclear energy for peaceful purposes only.

OPANAL will continue to work together with the IAEA in the promotion of their common objectives until the day the world becomes a single nuclear weapons free zone where nuclear energy is merely another mechanism to promote the well-being and advancement of mankind.

Thank you very much.