Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Note verbale dated 7 May 2014 from the Permanent Mission of Costa Rica to the United Nations addressed to the Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

The Permanent Mission of Costa Rica to the United Nations, in its capacity as the pro tempore presidency of the Community of Latin American and Caribbean States (CELAC), presents its compliments to the Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and has the honour to attach the CELAC Declaration on Nuclear Disarmament, signed in Buenos Aires on 20 August 2013 (see annex I) and the CELAC Special Declaration on Nuclear Disarmament, signed in Havana on 28 and 29 January 2014 (see annex II).

CELAC kindly requests that the present note and its annexes be circulated as a conference document of the third session of the Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.
Annex I to the note verbale dated 7 May 2014 from the Permanent Mission of Costa Rica to the United Nations addressed to the Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

CELAC Declaration on Nuclear Disarmament

Buenos Aires, Argentina, August 20, 2013

The Senior Officials of the Community of Latin American and Caribbean States (CELAC), having met on August 20, 2013 in the city of Buenos Aires, Republic of Argentina, aware of the historical commitment of the Community towards nuclear disarmament, issued the following Declaration:

1. Highlighted the relevance and full validity of the Special Communiqué on the Complete Elimination of Nuclear Weapons adopted by the Heads of State and Government of the CELAC, on December 3, 2011 in Caracas, Bolivarian Republic of Venezuela. In this context, they reiterated their grave concern at the threat that the ongoing existence of nuclear weapons and their potential use or threat of use poses for mankind.

2. Highlighted also the full validity of the Declaration of the 33 Member States of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL), adopted in September 2011, reaffirming, inter alia, the urgent need to advance towards the primary goal of nuclear disarmament and achieve complete and general elimination of nuclear weapons, and in this regard, agreed to join the efforts of the International Community in making progress towards the negotiation of a universal and legally binding instrument banning nuclear weapons.

3. Reaffirmed that the region grants the highest priority to the achievement of a complete and verifiable nuclear disarmament and reiterated that the only guarantee against the use or threat of use of nuclear weapons is their complete elimination.

4. Reiterated that the use or threat of use of nuclear weapons constitutes a crime against humanity and a violation of international law, including international humanitarian law, and of the Charter of the United Nations.

5. Highlighted the importance of active participation by CELAC Member States in drafting concrete proposals to achieve universal nuclear disarmament, in accordance with a multilaterally agreed clear, irreversible, and verifiable timeframe.

6. Identified as a legitimate interest of non-nuclear-weapon States, which includes all CELAC Member States, the unequivocal and legally binding assurance by nuclear weapon States against the use or threat to use such weapons. CELAC Member States called for a start to the negotiation and adoption, as soon as possible, of a universal and legally binding instrument on negative security assurances.
7. Called on all States, in particular Nuclear Weapon States, to eliminate the role of nuclear weapons in their doctrines, military strategies and security policies or as a prospective approach for the management of conflicts in order to achieve the total elimination of this armament regardless of its type or geographical location.

8. Stressed that the establishment of Nuclear-Weapon-Free Zones strengthens international peace and security as well as the non-proliferation regime, and is an important contribution to nuclear disarmament.

9. Expressed Latin America and the Caribbean’s pride in being the first densely populated area in the world to be declared a Nuclear-Weapon-Free Zone (NWFZ), under the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco). Reaffirmed that the establishment of a NWFZ in the Latin American and Caribbean region has contributed to nuclear disarmament and non-proliferation, as well as to regional and global peace and security.

10. Emphasized that the Tlatelolco Treaty and the OPANAL have constituted a political, legal and institutional reference in the establishment of other Nuclear-Weapon-Free Zones (NWFZs) in different regions of the world. Today OPANAL's experience, together with that of the other four existing NWFZs and Mongolia as a single State unilaterally declared free of nuclear weapons, constitutes an important heritage of the international community to inspire the establishment of new NWFZs and advance towards the goal of a nuclear weapons free world.

11. Urged nuclear powers to withdraw all interpretative declarations to the Protocols I and II of the Tlatelolco Treaty that constitute actual reservations prohibited by this Treaty, thus contributing to eliminate the possibility of the use of nuclear weapons against the countries of the region. Expressed their commitment to continue working with those States Parties to the Protocols in order to convince them to withdraw or modify such declarations.

12. Regretted the failure to implement the agreement on the convening in 2012 of an International Conference for the establishment of a zone free of nuclear weapons and other weapons of mass destruction in the Middle East. Reiterated that the convening of this Conference is an important and integral part of the final outcome of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). Expressed that the outcomes of this Conference will be an important contribution to achieve the nuclear disarmament goal and reiterated their firm conviction that the establishment of said Zone would represent a significant step towards the peace process in the Middle East region. Urged the convening of this Conference as soon as possible.

13. Urged Nuclear-Weapon States to fulfill their commitments under Article VI of the NPT, and to advance towards the complete elimination of those weapons. Urged them to fully and immediately implement the thirteen (13) practical steps towards nuclear disarmament agreed at the 2000 NPT
14. Reaffirmed the inalienable right of States to develop research, production and peaceful use of nuclear energy without discrimination and in conformity with Articles I, II, III and IV of the NPT. Reiterated the commitment of all Parties to the Treaty to facilitate participation in the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful use of nuclear energy.

15. Expressed their total rejection to the enhancement of existing nuclear weapons and the development of new types of nuclear weapons, which is inconsistent with the obligation of complete nuclear disarmament.

16. Called on all States to refrain from nuclear weapon test explosions, other nuclear explosions or any other relevant non-explosive experiments, including subcritical experiments, for nuclear weapons development purposes. Such actions are contrary to the object and purpose of the Comprehensive Nuclear-Test-Ban Treaty (CTBT), its spirit, if not the letter, undermining its desired impact as a nuclear disarmament measure.

17. Reiterated the demand for a comprehensive nuclear test ban and urged those States in Annex II whose ratification are essential for the entry into force of the CTBT to accelerate the process of signing and/or ratifying this instrument, as a matter of priority and an indication of their political will and commitment to international peace and security.

18. Reaffirmed the importance of initiating negotiations for an international legally binding instrument banning nuclear weapons and commitment towards this primary goal.

19. Recalled that the First Special Session of the UN General Assembly on Disarmament (SSOD-I) established the Conference on Disarmament (CD) as the single multilateral negotiating body on disarmament. Urged the CD to demonstrate the necessary political will in order to ensure the commencement without delay of substantive work through the adoption and implementation of a balanced and comprehensive program of work that advances the agenda of nuclear disarmament.

20. Recognized the work of the Open-ended Working Group established by Resolution A/RES/67/56 of the United Nations General Assembly, with the mandate to put forward proposals to foster multilateral negotiations on nuclear disarmament, as well as the proposals and contributions made in this Group by the CELAC Member Countries.

21. Reiterated the firm commitment of the CELAC to work on convening an International High-Level Conference as soon as possible to identify ways and methods to eliminate nuclear weapons, aimed at agreeing on a phased program for the complete elimination of nuclear weapons within a specific timeframe. This program would ban the development, production, acquisition, testing, stockpiling, transfer, use or threat of use of nuclear weapons and stipulate their destruction.

22. Emphasized the intention of CELAC Member States to actively participate in the High-Level Meeting of the United Nations General
Assembly on Nuclear Disarmament to be held in New York on September 26, 2013, as well as in the Third Session of the Preparatory Committee for the Review Conference of the parties to the Non-Proliferation Treaty, to be held in New York in 2014.

23. Expressed their greatest concern at the humanitarian impact of vast proportions and global effects of any accidental or intentional nuclear detonation. Called upon the International Community to reiterate its concern on the humanitarian consequences of nuclear weapons whenever the debate on this type of weapons takes place. Welcomed the Oslo Conference on the Humanitarian Impact of Nuclear Weapons, held in March 2013, and, in this regard, called all States to participate in the Second International Conference on the Humanitarian Impact of Nuclear Weapons to be held in Mexico, on February 13-14, 2014.

24. Agreed to continue coordinating positions and contributing to the implementation of practical actions as a follow-up to the above mentioned High-Level Meeting of the General Assembly, including the adoption of a resolution on the matter in the First Committee, during the 68th regular session of the United Nations General Assembly.

25. Agreed to distribute this Declaration as an official document of the High-Level Meeting of the United Nations General Assembly on Nuclear Disarmament and as an official document of the OPANAL General Conference.

26. Expressed appreciation to the Government and People of the Republic of Argentina for the warm hospitality and the successful organization of the Meeting.
Special Declaration on Nuclear Disarmament

Havana, January 29, 2014

The Heads of State and Government of the Latin America and the Caribbean States gathered in Havana, Cuba, on the occasion of the II Summit of the Community of Latin American and Caribbean States (CELAC), on 28 and 29 January 2014,

1. Reiterate their grave concern at the threat that poses for Mankind the ongoing existence of nuclear weapons and their potential use or threat of use;

2. Highlight their strong support and commitment to the CELAC Declaration on Nuclear Disarmament adopted in Buenos Aires, Argentina, on August 20, 2013;

3. Reaffirm resolution CG/563 on the Urgent Need for General and Complete Nuclear Disarmament, as well as the strategic Agenda of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) both adopted by the 33 Member States during the Twenty-third Regular Session of the General Conference of OPANAL on August 22, 2013, in Buenos Aires, Argentina;

4. Stress that the use or threat of use of nuclear weapons is a violation of the Charter of the United Nations and a crime against humanity, constituting at the same time a violation of International Law and of International Humanitarian Law, and recall that the International Court of Justice in its advisory opinion of 1996 so determined unanimously;

5. Declare that a complete and verifiable nuclear disarmament is an important goal of this Community of States and reiterate that the only effective guarantee against the use or threat of use of nuclear weapons is its complete elimination and prohibition;

6. Reaffirm the urgent need to advance towards the primary goal of nuclear disarmament and achieve complete and general elimination of nuclear weapons, and their decision to join the efforts of the international community in making progress towards the negotiation of a universal and legally binding instrument banning nuclear weapons;

7. Identify as a legitimate interest of non-nuclear-weapon States, which includes all CELAC Member States, the unequivocal and legally binding assurance by nuclear weapon States against the use or threat to use such weapons. CELAC Member States call for negotiating and adopting, as soon as possible, a universal and legally binding instrument on negative security assurances;

8. Reiterate their call to all States, particularly nuclear weapons States to eliminate the role of nuclear weapons from their doctrines, security policies and military strategies and policies or as a prospective approach for addressing
conflicts with a view to achieving the complete elimination of these weapons, irrespective of their type and geographical location;

9. Express their greatest concern at the humanitarian impact of vast proportions and global effects of any accidental or intentional nuclear detonation. Call upon the International Community to reiterate its concern on the humanitarian consequences of nuclear weapons whenever the debate on this type of weapons takes place. Welcome the Oslo Conference on the Humanitarian Impact of Nuclear Weapons, held in March 2013, and, in this regard, call all States to participate in the Second International Conference on the Humanitarian Impact of Nuclear Weapons to be held in Mexico, on February 13 and 14, 2014;

10. Maintain their firm stance in favour of the full implementation of the three key pillars of the Non-Proliferation of Nuclear Weapons Treaty (NPT): nuclear disarmament, non-proliferation, and the use of nuclear energy for peaceful purposes. CELAC reaffirms the importance of the Treaty on the Non-Proliferation of Nuclear Weapons — cornerstone of the disarmament and nuclear non-proliferation regime — and highlights the importance of its universality. In this regard, urge States that have not done so, to adhere to the Treaty as Non-Nuclear States;

11. Reaffirm the inalienable right of States to develop research, production and peaceful use of nuclear energy without discrimination and in conformity with Articles I, II, III and IV of the NPT. Reiterate the commitment of all Parties to the Treaty to facilitate participation in the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful use of nuclear energy;

12. Urge Nuclear-Weapon States to fulfil the commitments under Article VI of the NPT, and to advance towards the complete elimination of those weapons. Urged them to fully and immediately implement the 13 practical steps towards nuclear disarmament agreed at the 2000 NPT Review Conference, as well as in the Plan of Action adopted at the 2010 Review Conference;

13. In this context, CELAC regrets the failure to implement the agreement on the convening of an International Conference for the establishment of a Zone Free of Nuclear Weapons and other Weapons of Mass Destruction in the Middle East. CELAC reminds that the convening of this Conference is an important and integral part of the final outcome of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT);

14. Besides being an important contribution to achieving the nuclear disarmament goal, CELAC is strongly convinced that the establishment of said zone would represent a transcendental step toward a peace process in the Middle East region. CELAC calls for the holding of the Conference at the earliest date possible, as agreed by the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons in 1995, 2000 and 2010;

15. Express their total opposition to the enhancement of existing nuclear weapons and the development of new types of nuclear weapons, which is inconsistent with the obligation of adopting effective measures towards nuclear disarmament;
16. Reiterate the importance of the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) and urge those States in Annex II of the Treaty whose ratification is essential for its entry into force to accelerate the process of signing and/or ratifying this instrument;

17. Call upon all States to refrain from carrying out nuclear weapon test explosions, other nuclear explosions or any other non-explosive relevant experiment, including subcritical experiments for the improvement of nuclear weapons. Such actions are contrary to the objective and purposes of the CTBT, as well as to the spirit of the Treaty, undermining the desired impact as a nuclear disarmament measure;

18. Recall that the First Special Session of the United Nations General Assembly on Disarmament (SSOD-I) established the Disarmament Conference as the single multilateral negotiation body on disarmament. Urge the Disarmament Conference to show the necessary political will to ensure, without further delay, the beginning of substantive work beginning by the adoption and implementation of an integral and balanced work program to make progress in the nuclear disarmament agenda;

19. Recognize the work of the Open-ended Working Group established under Resolution A/RES/67/56 of the United Nations General Assembly, with the mandate to put forward proposals to foster multilateral negotiations on nuclear disarmament, including the proposals submitted and contributions made in this Group by CELAC Member States;

20. Stressed that the establishment of Nuclear-Weapon-Free Zones strengthens international peace and security as well as the non-proliferation regime, and is an important contribution to nuclear disarmament;

21. Reiterate Latin America and the Caribbean’s pride in being the first densely populated area in the world constituted as a Nuclear-Weapon-Free Zone (NWFZ), under the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco). Reaffirm that the establishment of a NWFZ in the Latin American and Caribbean region has contributed to nuclear disarmament and non-proliferation, as well as to regional and global peace and security;

22. Emphasize that the Tlatelolco Treaty and the OPANAL have constituted a political, legal and institutional reference in the establishment of other Nuclear-Weapon-Free Zones (NWFZs) in different regions of the world. Today OPANAL’s experience, together with that of the other four existing NWFZs and Mongolia as a single State unilaterally declared free of nuclear weapons, constitutes an important heritage of the international community to inspire the establishment of new NWFZs, and advance towards the goal of a nuclear weapons free world;

23. Urge nuclear powers to withdraw all interpretative declarations to the Protocols I and II of the Tlatelolco Treaty that constitute actual reservations prohibited by this Treaty, and to respect the denuclearized character of the Latin American and Caribbean region, thus contributing to eliminate the possibility of the use of nuclear weapons against the countries of the region. Express their commitment to continue working with those States Parties to the Protocols in order to convince them to withdraw or modify such declarations;
24. Stress the importance of active participation by CELAC Member States in drafting concrete proposals to achieve general and complete nuclear disarmament, in accordance with a multilaterally agreed, clear, irreversible, and verifiable timeframe;

25. Reaffirm the importance of the link and cooperation between CELAC and OPANAL, the specialized regional body to harmonize a common stance and of the joint work to achieve nuclear disarmament;

26. Reiterate CELAC strong commitment to work for convening a High-Level International Conference to identify measures and actions to eliminate nuclear weapons at the shortest possible term, with a view to adopt a phased program for the complete elimination of nuclear weapons in an specific timeframe, banning the development, production, procurement, testing, stockpiling, transfer, use or the threat to use nuclear weapons and stipulate their destruction;

27. Highlight their intention to ensure proper follow-up to resolution A/RES/68/32 of the General Assembly entitled “Follow-Up to the 2013 High Level Meeting of the General Assembly on Disarmament” and actively participate in the Third Session of the Preparatory Committee of the Review Conference on NPT to be held in New York in 2014, which will be chaired by Peru.