

Special Declaration 16: Of the Community of Latin American and Caribbean States on the urgent need for a nuclear weapon free world

The Heads of State and Government of the Latin America and the Caribbean States gathered in Costa Rica, on the occasion of the III Summit of the Community of Latin American and Caribbean States (CELAC), on 28 and 29 January 2015,

1. Take pride of the formal proclamation of Latin America and the Caribbean as a "Zone of Peace" on the occasion of the Second CELAC Summit held in La Havana, Cuba, on January 29, 2014.
2. Highlight the importance and contribution of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) and its protocol to international peace and security, which established the first densely populated nuclear free zone in the planet. Stress our full support to the work of the Organization for the Prohibition of Nuclear Weapons in Latin America and the Caribbean and, in this regard, reaffirm the importance of the collaboration and cooperation between CELAC and OPANAL, the specialized body in the region for articulating common positions and joint actions on nuclear disarmament;
3. Reiterate once again our grave concern at the threat for humanity caused by the ongoing existence of nuclear weapons and its possible use or the threat of their use;
4. We reiterate our firm conviction and standing commitment to continue promoting full and verifiable nuclear disarmament, as a priority objective of the Community, and the urgent need to achieve total elimination of nuclear weapons. We are convinced that the only effective guarantee against the use or the threat to use of nuclear weapons is their complete elimination and prohibition.
5. We reaffirm once again our decision to join the efforts by the international community to advance towards the negotiation of a universal legally binding instrument prohibiting the possession, development, production, acquisition, testing, stockpiling, transfer, use and threat of use of nuclear weapons, and establishes its verified destruction, thus to contribute with general and complete disarmament and the strengthening of trust between nations.
6. Stress that the use or threat of use of nuclear weapons is a violation of the Charter of the United Nations, a crime against humanity, and at the same time a violation of International Law and of International Law, including Humanitarian Law, and recall that in this regard the International Court of Justice in its Advisory Opinion of 1996 unanimously called for negotiations to eliminate nuclear weapons;
7. Reaffirm once again the provisions of Resolution CG / 563 on the Urgent Need for General and Complete Nuclear Disarmament and 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, in the XXIII regular session of the OPANAL General Conference, on August 22, 2013 in Buenos Aires, Argentina.
8. Highlight in this regard, the need to advance in the corresponding Strategic Plan of the OPANAL, one of the key remaining mandates of the General Conference and other organs of the Agency; and to promote and coordinate the work of the CELAC and OPANAL, in defense of nuclear disarmament.
9. 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 not to

use or threat to use such weapons. CELAC Member States call for negotiating and adopting, as soon as possible, universal and legally binding instruments on negative security assurances;

10. Reiterate our call to all States, particularly Nuclear Weapon States to eliminate the role of nuclear weapons from their doctrines, security policies and military strategies and policies; in the sense of obligations under Article VI of the NPT and the commitments of the NPT review conference, as well as national policy statements. Likewise, we exhort those countries that have joined to extended nuclear deterrence policies in military alliances based on nuclear weapons to implement policies that enable them to eliminate their reliance on nuclear weapons of other States, in accordance with the objectives of the Charter of the United Nations and its obligations under the NPT;

11. Reaffirm our greatest concern about the catastrophic humanitarian consequences of vast proportions and global effects of any accidental or intentional nuclear detonation; 12. Congratulate Austria for hosting in Vienna the Third Conference on the Humanitarian Impact of Nuclear Weapons in December 2014, and Mexico for hosting in Nayarit the Second International Conference on this issue in February 2014. As has been demonstrated by the testimonies of survivors and evidence and scientific data, nuclear weapons constitute a serious threat to security, development of peoples and civilization in general. Being consistent with our declarations, in this purpose we reiterate our strong support to the call made in Vienna and Nayarit to initiate a diplomatic negotiation process of an internationally legally binding instrument for the prohibition of nuclear weapons;

13. Stress the importance of active participation by CELAC Member States in formulating concrete proposals to achieve general and complete nuclear disarmament, in accordance with a multilaterally agreed, clear, irreversible and verifiable timeframe.

14. We are committed to open negotiations, at the highest political level, for the prohibition and elimination of nuclear weapons through a legally binding instrument, so we welcome the proposal of Cuba aimed to achieving the adoption of a legally binding instrument on nuclear disarmament presented at the Third Conference on the Humanitarian Impact of Nuclear Weapons, held in Vienna 8 and 9 December 2014, and endorse the Austrian Pledge which was announced at the end of the Conference.

15. Almost 70 years after the attacks on Hiroshima and Nagasaki, the Community requires that nuclear weapons are not used again, under any circumstances for any actor.

16. Maintain our firm stance in favor of the full implementation of the three pillars of the NonProliferation of Nuclear Weapons Treaty (NPT): nuclear disarmament, non-proliferation, and the use of nuclear energy for peaceful purposes, without discrimination or double standards; and reiterate our concern that, while the objectives of the Treaty on NonProliferation and the inalienable exercise of peaceful use of nuclear energy have been implemented, the objectives of nuclear disarmament have not registered progress;

17. Reaffirm the importance of the Treaty on the Non-Proliferation of Nuclear Weapons – cornerstone of the disarmament and nuclear non-proliferation regime – and highlight the importance of its universality;

18. Reaffirm the States inalienable right to develop, produce and make 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;

19. Highlight the sovereign right of States to managing its energy sources, including nuclear energy for peaceful purposes.

20. Urge all Nuclear-Weapon States, to fulfill the commitments under Article VI of the NPT, and to negotiate effective measures that lead to prohibition and complete elimination of those weapons;

21. Noting that States possessing nuclear weapons continue investing large sums to maintain and modernize their nuclear arsenals, we declare that nuclear disarmament also represents a socioeconomic imperative for the international community, so we urge them to allocate more resources aimed at promoting peace and sustainable development, particularly to the least developed countries.

22. Highlighting that half of annual investment in nuclear arsenals would be sufficient to achieve the internationally agreed development goals for poverty reduction, including the Millennium Development Goals (MDG) by 2015, we stress that a world without nuclear weapons is not only rational economic measure, but also represents a necessary action to address the root causes of socioeconomic instability.

23. In this regard, we urge all NPT parties 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; recall that all the parties to it must fulfill the mandate to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control, as stipulated in Article VI of the NPT.

24. Regret the failure to convene the International Conference for the establishment of a Zone Free of Nuclear Weapons and other Weapons of Mass Destruction in the Middle East that should be celebrated in 2012, and remind that this commitment is an important and integral part of the commitments of the 1995 Review and Extension Conference and final outcome of the 2000 and 2010 NPT Review Conferences;

25. Remains strongly convinced that the establishment of said zone would represent a transcendental step toward a peace process in the Middle East region and urge for the convening and celebration of this Conference as soon as possible, provided the agreement by the States Parties to the Treaty of the Non-Proliferation of Nuclear Weapons (NTP) on 1995, 2000 and 2010.

26. Emphasize our condemnation 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;

27. 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;

28. Insist that all States must refrain from carrying out nuclear weapon test explosions, other nuclear explosions or any other non-explosive relevant experiment, including subcritical tests and those performed by supercomputers. Such actions are contrary to the objective and purposes of the CTBT, as well as to the spirit of the Treaty, thereby undermining the desired impact as a nuclear disarmament measure;

29. Declare our rejection to nuclear testing and all strategic concepts for the defense and security justifying the use or the threat of use of nuclear weapons, or based on the promotion and establishment of military alliances and policies based on nuclear weapons and on policies of nuclear deterrence.

30. Urge the Conference on Disarmament to show the political will in order to ensure the commencement without delay of its substantive work through the adoption and implementation of a balanced and comprehensive program of work that advances the agenda of nuclear disarmament. We stress the urgency to commence the multilateral negotiations to eliminate nuclear weapons in a non-discriminatory, irreversible and verifiable manner. We appreciate the contribution of disarmament initiatives undertaken at bilateral, regional, multilateral and universal levels as well as at all relevant forums where progress can be made, with the participation of Nuclear Weapon States;

31. 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;

32. Emphasize that the Treaty of Tlatelolco and the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (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, the experience of Tlatelolco, together with that of the other four existing NWFZs and Mongolia as a single State unilaterally declared free of nuclear weapons, constitutes an important political and legal heritage of the international community to inspire the establishment of new NWFZs, and advance towards the goal of a nuclear weapons free world;

33. Urge Nuclear Weapon States to withdraw all interpretative declarations to the Protocols I and II of the Treaty of Tlatelolco, which constitute factual reservations prohibited by the 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. Therefore, the Community reiterates its commitment to continue working, including through the proper OPANAL organs, with the Nuclear-Weapon States Parties to Protocols I and II, in order to achieve the removal of these interpretative declarations;

34. Welcome the High Level Meeting of the General Assembly on Disarmament held on 26 September 2013;

35. Highlight our 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 Nuclear Disarmament" ;

36. Welcome with appreciation the establishment of September 26 as the International Day for the Total Elimination of Nuclear Weapons, highlight the events around the world to commemorate the first observation of this day, and call on governments, parliaments and civil society to take further action annually to commemorate the day;

37. Welcome with appreciation the decision of the General Assembly to hold a High Level Conference no later than 2018 to identify measures and actions to eliminate nuclear weapons at the shortest possible term, aiming at adopting a treaty banning the development, production, procurement, testing, stockpiling, transfer, use or threat to use of nuclear weapons, and providing for their destruction within a multilaterally agreed timeframe;

38. Reiterate our call upon all Heads of State and Government to publically express the imperative to eliminate nuclear weapons at all appropriate venues in order to bring the issue to the highest political profile and generate political will sufficient to address the threat;