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## **Contribution of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean to the UN Secretary-General's report on "Oceans and the law of the sea".**

The Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) presents herewith its contribution to the report of the United Nations Secretary-General pursuant to paragraph 389 of the resolution 77/248 of 30 December 2022.

The Secretariat of OPANAL has regularly submitted information regarding the zone of application<sup>1</sup> of the Treaty on the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) and its main challenges, among them, the issue of the interpretative declarations to Additional Protocols I and II.

At the time of signature and/or ratification of the Additional Protocols I and II, some of the States Parties to such instruments issued declarations. Two of them, France and the Russian Federation, issued declarations containing reservations to the zone of application of the Treaty. For this reason, the Member States of OPANAL have proposed the establishment of a mechanism to revitalize the dialogue with the States Parties, including France and the Russian Federation.

Following the decision of the XXVII Special Session to the General Conference of OPANAL, held on 17 November 2022, through the resolution [CG/E/Res.03/2022](#), the Member States of the Council have the mandate to "*engage in a constructive dialogue with the States Party to Additional Protocols I and II to the Treaty of Tlatelolco*" in order to achieve a mutually agreed solution regarding their interpretative declarations.

Currently, the Council has started dialogue with three of the four States Parties to the Additional Protocols I and II to the Treaty of Tlatelolco, after a hiatus caused by the pandemic, which is considered by the Member States of OPANAL as the beginning of a more permanent and sustainable interaction which will allow to further review specific points of the interpretative declarations, including those containing reservations to the zone of application of the Treaty.

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<sup>1</sup> In accordance with article 4 of the Treaty of Tlatelolco the zone of application is "the whole of the territories for which the Treaty is in force". The term "territory", as defined in article 3, includes, "the territorial sea, air space and any other space over which the State exercises sovereignty in accordance with its own legislation". Thus, the zone of application straddles areas defined in articles 55 (Specific legal regime of the exclusive economic zone) and 86 (Application of the provisions of high seas) of the 1982 Convention on the Law of the Sea (United Nations, Treaty Series, vol. 1833, No. 31363).