

No. 9068

MULTILATERAL :

Treaty for the Prohibition of Nuclear Weapons in Latin America (with annexed Additional Protocols I and II). Done at Mexico, Federal District, on 14 February 1967

Official texts: Spanish, French, English, Portuguese, Chinese and Russian. Registered by Mexico on 26 April 1968.

MULTILATÉRAL :

Traité visant l'interdiction des armes nucléaires en Amérique latine (avec, en annexe, les Protocoles additionnels I et II). Fait à Mexico (District fédéral), le 14 février 1967

Textes officiels espagnol, français, anglais, portugais, chinois et russe. Enregistré par le Mexique le 26 avril 1968.

No. 9068. TREATY ¹ FOR THE PROHIBITION OF NUCLEAR WEAPONS IN LATIN AMERICA. DONE AT MEXICO, FEDERAL DISTRICT, ON 14 FEBRUARY 1967

PREAMBLE

In the name of their peoples and faithfully interpreting their desires and aspirations, the Governments of the States which sign the Treaty for the Prohibition of Nuclear Weapons in Latin America,

Desiring to contribute, so far as lies in their power, towards ending the armaments race, especially in the field of nuclear weapons, and towards strengthening a world at peace, based on the sovereign equality of States, mutual respect and good neighbourliness,

Recalling that the United Nations General Assembly, in its Resolution 808 (IX), ² adopted unanimously as one of the three points of a coordinated programme of disarmament “ the total prohibition of the use and manufacture of nuclear weapons and weapons of mass destruction of every type ”,

Recalling that militarily denuclearized zones are not an end in themselves but rather a means for achieving general and complete disarmament at a later stage,

Recalling United Nations General Assembly Resolution 1911 (XVIII), ³ which established that the measures that should be agreed upon for the denuclearization of Latin America should be taken “ in the light of the principles of the Charter of the United Nations and of regional agreements ”,

Recalling United Nations General Assembly Resolution 2028 (XX), ⁴ which established the principle of an acceptable balance of mutual responsibilities and duties for the nuclear and non-nuclear powers, and

¹ In accordance with paragraph 2 of article 28, the Treaty came into force on 22 April 1968 as between Mexico and El Salvador, on behalf of which instruments of ratification, with annexed declarations wholly waiving the requirements laid down in paragraph 1 of the same article for the entry into force of the Treaty, were deposited with the Government of Mexico on 20 September 1967 and 22 April 1968, respectively. An instrument of ratification was also deposited, on 29 January 1968, by the Government of Brazil (not availing itself of the waiver provided in article 28, paragraph 2). See p. 422 of this volume for the texts of the declarations made upon ratification.

² United Nations, *Official Records of the General Assembly, Ninth Session, Supplement No. 21* (A/2890), p. 3.

³ United Nations, *Official Records of the General Assembly, Eighteenth Session, Supplement No. 15* (A/5515), p. 14.

⁴ United Nations, *Official Records of the General Assembly, Twentieth Session, Supplement No. 14* (A/6014), p. 7.

Recalling that the Charter of the Organization of American States proclaims that it is an essential purpose of the Organization to strengthen the peace and security of the hemisphere,

Convinced :

That the incalculable destructive power of nuclear weapons has made it imperative that the legal prohibition of war should be strictly observed in practice if the survival of civilization and of mankind itself is to be assured,

That nuclear weapons, whose terrible effects are suffered, indiscriminately and inexorably, by military forces and civilian population alike, constitute, through the persistence of the radioactivity they release, an attack on the integrity of the human species and ultimately may even render the whole earth uninhabitable,

That general and complete disarmament under effective international control is a vital matter which all the peoples of the world equally demand,

That the proliferation of nuclear weapons, which seems inevitable unless States, in the exercise of their sovereign rights, impose restrictions on themselves in order to prevent it, would make any agreement on disarmament enormously difficult and would increase the danger of the outbreak of a nuclear conflagration,

That the establishment of militarily denuclearized zones is closely linked with the maintenance of peace and security in the respective regions,

That the military denuclearization of vast geographical zones, adopted by the sovereign decision of the States comprised therein, will exercise a beneficial influence on other regions where similar conditions exist,

That the privileged situation of the signatory States, whose territories are wholly free from nuclear weapons, imposes upon them the inescapable duty of preserving that situation both in their own interests and for the good of mankind,

That the existence of nuclear weapons in any country of Latin America would make it a target for possible nuclear attacks and would inevitably set off, throughout the region, a ruinous race in nuclear weapons which would involve the unjustifiable diversion, for warlike purposes, of the limited resources required for economic and social development,

That the foregoing reasons, together with the traditional peace-loving outlook of Latin America, give rise to an inescapable necessity that nuclear energy should be used in that region exclusively for peaceful purposes, and that the Latin American countries should use their right to the greatest and most equitable possible access to this new source of energy in order to expedite the economic and social development of their peoples,

Convinced finally:

That the military denuclearization of Latin America — being understood to mean the undertaking entered into internationally in this Treaty to keep their territories forever free from nuclear weapons — will constitute a measure which will spare their peoples from the squandering of their limited resources on nuclear armaments and will protect them against possible nuclear attacks on their territories, and will also constitute a significant contribution towards preventing the proliferation of nuclear weapons and a powerful factor for general and complete disarmament, and

That Latin America, faithful to its tradition of universality, must not only endeavour to banish from its homelands the scourge of a nuclear war, but must also strive to promote the well-being and advancement of its peoples, at the same time co-operating in the fulfilment of the ideals of mankind, that is to say, in the consolidation of a permanent peace based on equal rights, economic fairness and social justice for all, in accordance with the principles and purposes set forth in the Charter of the United Nations and in the Charter of the Organization of American States,

Have agreed as follows :

OBLIGATIONS

Article 1

1. The Contracting Parties hereby undertake to use exclusively for peaceful purposes the nuclear material and facilities which are under their jurisdiction, and to prohibit and prevent in their respective territories :
 - (a) The testing, use, manufacture, production or acquisition by any means whatsoever of any nuclear weapons, by the Parties themselves, directly or indirectly, on behalf of anyone else or in any other way, and
 - (b) The receipt, storage, installation, deployment and any form of possession of any nuclear weapons, directly or indirectly, by the Parties themselves, by anyone on their behalf or in any other way.
2. The Contracting Parties also undertake to refrain from engaging in, encouraging or authorizing, directly or indirectly, or in any way participating in the testing, use, manufacture, production, possession or control of any nuclear weapon.

DEFINITION OF THE CONTRACTING PARTIES

Article 2

For the purposes of this Treaty, the Contracting Parties are those for whom the Treaty is in force.

DEFINITION OF TERRITORY

Article 3

For the purposes of this Treaty, the term "territory" shall include the territorial sea, air space and any other space over which the State exercises sovereignty in accordance with its own legislation.

ZONE OF APPLICATION

Article 4

1. The zone of application of this Treaty is the whole of the territories for which the Treaty is in force.
2. Upon fulfilment of the requirements of article 28, paragraph 1, the zone of application of this Treaty shall also be that which is situated in the western hemisphere within the following limits (except the continental part of the territory of the United States of America and its territorial waters) : starting at a point located at 35° north latitude, 75° west longitude ; from this point directly southward to a point at 30° north latitude, 75° west longitude ; from there, directly eastward to a point at 30° north latitude, 50° west longitude ; from there, along a loxodromic line to a point at 5° north latitude, 20° west longitude ; from there, directly southward to a point at 60° south latitude, 20° west longitude ; from there, directly westward to a point at 60° south latitude, 115° west longitude ; from there, directly northward to a point at 0 latitude, 115° west longitude ; from there, along a loxodromic line to a point at 35° north latitude, 150° west longitude ; from there, directly eastward to a point at 35° north latitude, 75° west longitude.

DEFINITION OF NUCLEAR WEAPONS

Article 5

For the purposes of this Treaty, a nuclear weapon is any device which is capable of releasing nuclear energy in an uncontrolled manner and which has a group of characteristics that are appropriate for use for warlike purposes. An instrument that may be used for the transport or propulsion of the device is not included in this definition if it is separable from the device and not an indivisible part thereof.

MEETING OF SIGNATORIES

Article 6

At the request of any of the signatory States or if the Agency established by article 7 should so decide, a meeting of all the signatories may be convoked to consider in common questions which may affect the very essence of this