DETLA	OPANAL Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean	
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Contribution of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean to the report of the Secretary-General

United Nations General Assembly resolution 75/239 of 31 December 2020, entitled "Oceans and the law of the sea".1

" $Additional\ Protocol\ II^{\,5}$ is directed towards the five nuclear-weapon states

with action 9 of the Final Document of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT),⁸ reaffirming and recognizing the legitimate interests of the States that comprise the nuclear-weapon-free zone in Latin America and the Caribbean in receiving full and unequivocal security assurances from nuclear-weapon States.

In 2015, the General Conference of OPANAL accepted an action plan elaborated by the Secretary-General. This action consisted in proposing Adjustments, alongside with explanatory memoranda, to those States having made interpretative declarations to Additional Protocols I and II. On the reservations concerning the zone of application of the

II. Recent developments

The Secretariat of OPANAL has regularly submitted information regarding the zone of application¹¹ of the Treaty of Tlatelolco and its main challenges. Due to the SARS COV-2 pandemic, no relevant developments were reported in 2020. In spite of the aforementioned, the Member States of OPANAL have agreed to pursue a renewed strategy in order to revitalize this pending issue in 2021.

To that end, earlier this year, the Council of OPANAL established an open-ended technical group in charge of discussing and implement possible strategies for rapprochement and dialogue with all four nuclear armed states that made interpretative declarations to Protocols I and II to the Treaty of Tlatelolco, including France and the Russian Federation which declarations have a direct impact on the zone of application of the Treaty.

It is envisaged that the General Conference of OPANAL, to be held on 30 September 2021, will continue to revisiting the issue of interpretative declarations, in accordance with the resolutions CG/E/Res.02/2017 ¹², CG/E/Res.01/2018 ¹³ and CG/Res.12/2019¹⁴, and approve an action plan to engage in further discussions with all four armed states in order to reach an initial dialogue and understanding.

¹¹ 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).