

## **SPECIAL DECLARATION 21: on the commitment to advance in the multilateral negotiations on nuclear disarmament.**

The Heads of State and Government of Latin America and the Caribbean, gathered in Quito, Ecuador, on occasion of the 4<sup>th</sup> Summit of the Community of Latin American and Caribbean States (CELAC), on January 27<sup>th</sup>, 2016:

1. Reaffirming our commitment to the consolidation of Latin America and the Caribbean as a “Zone of Peace” proclaimed during the Second CELAC Summit held in La Havana, Cuba, on January 29<sup>th</sup>, 2014, where it was declared the continuous obligation of the States in the region to promote nuclear disarmament as a primary objective and to contribute to the complete and general disarmament as well as to strengthening trust among nations;
2. Reiterate the validity and relevancy of the CELAC Declaration on Nuclear Disarmament adopted in Buenos Aires, Argentina, on August 20<sup>th</sup>, 2013; the Havana Special Declaration on Nuclear Disarmament, of January 29<sup>th</sup>, 2014; as well as the CELAC Special Declaration on the urgent need of a Nuclear Weapon Free World, issued in Belen, Costa Rica, on January 29<sup>th</sup>, 2015;
3. Reiterate the value and contribution to international peace and security of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) and its protocols, which established the first Nuclear Weapon Free Zone in a densely populated area, and we express, again, our full support to the efforts of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL), and in that regard, we reaffirm the importance of collaboration and cooperation between CELAC and OPANAL, specialized body of the region, in order to articulate common positions and joint work on nuclear disarmament. We celebrate the twenty fifth anniversary of the Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials -ABACC- and stress the importance and pioneering of this initiative of transparency and confidence building;
4. Identify as a legitimate interest of the non-nuclear-weapons States, that nuclear weapons States give unambiguous and legally binding guarantees to not use nor threaten to use such weapons. We urge to adopt, as soon as possible, a universal and legally binding instrument regarding negative security assurances. We urge nuclear weapons States to withdraw the interpretative declarations to Protocols I and II of the Treaty of Tlatelolco and to respect the denuclearized status of Latin America and the Caribbean;
5. 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;

6. Recall our deep concern for the threat to humanity caused by the ongoing existence of nuclear weapons, their use or the threat of their use, due to the potential damages on health, food security, climate change, among others, as well as the lack of capacity of countries and organizations to face a humanitarian catastrophe of such magnitude. We recall the results of the Conferences on the Humanitarian Impact of Nuclear Weapons held in Oslo, Nayarit and Vienna and we declare that such weapons must not be used again, under any circumstances, and that the use or threat of use of nuclear weapons constitutes a violation of the United Nations Charter, a violation of International Law and International Humanitarian Law, and a crime against humanity; and, thus, the only effective guarantee against the use or the threat of use of nuclear weapons is their total prohibition and elimination in a transparent, verifiable and irreversible manner and within a clearly defined timeframe. We also recall that the International Court of Justice expressed itself in this regard in its Advisory Opinion of 1996;
7. In this regard, we note that during the Community Summit held in Belén, Costa Rica, on January 28<sup>th</sup> and 29<sup>th</sup>, 2015, the Heads of State and Government of CELAC endorsed the Austrian Pledge, now the Humanitarian Pledge. We welcome its endorsement by 121 States and, therefore, CELAC urges States that have not endorsed the Humanitarian Pledge to do so;
8. We are committed with the beginning of a multilateral diplomatic process for the negotiation of a legally binding instrument for the prohibition and elimination of nuclear weapons in a transparent, irreversible and verifiable manner, within a multilaterally agreed timeframe, as it was proposed in the Third Conference on the Humanitarian Impact of Nuclear Weapons, held in Vienna in December 2014. Such instrument is a necessary measure on nuclear disarmament and would fulfill the obligation of States Parties to the NPT, as stated in Article VI of the Treaty. It is the intention of the CELAC Member States to start exploring concrete and practical ways in which this instrument could be negotiated and adopted as soon as possible;
9. Regret the continued non-fulfillment of the obligations of the nuclear-armed States relating to nuclear disarmament under Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the commitments of the NPT Review Conferences. We recall that the NPT does not establish any right to the indefinite possession of nuclear weapons by any state, but recognizes a transitional status, subject to compliance with Article VI;
10. Reiterate, on the twentieth anniversary of the Comprehensive Nuclear-Test-Ban Treaty (CTBT), the vital importance and urgency of the entry into force of that Treaty and urge those countries listed in Annex II that have not done so, to sign or ratify this important international instrument as soon as possible. We also underline the urgent need for progress on this and other effective measures of nuclear disarmament, so to give effect to Article VI of the NPT;

11. In this regard, we welcome the establishment of the Open Ended Working Group in accordance with resolution A/RES/70/33 approved on December 7<sup>th</sup> by the United Nations General Assembly, which will convene in Geneva in 2016, and we pledge to work in said forum in an active and constructive manner, in accordance with the Latin American and the Caribbean political and moral leadership on this subject, in order to contribute towards the fulfillment of the Group's mandate to substantively address effective and concrete measures, dispositions and legal regulations that will be necessary to adopt with a view to the urgent approval of a comprehensive convention providing for the prohibition and total elimination of nuclear weapons and to establish and maintain a nuclear free world.

Quito, January 27<sup>th</sup>, 2016.