

# LEARN ABOUT NUCLEAR WEAPONS

## *How to become an NWFZ*

If states can be convinced that neighboring states do not have their own or other states' nuclear weapons deployed in their territories, no state should feel the need to acquire their own nuclear weapons. In this way, Nuclear Weapons Free Zones (NWFZs) function to prevent the proliferation of nuclear weapons. Groups of states that include a whole continent or a particular large region, or even single states or small groups of states can establish an NWFZ. The initiative should come from states within the region and participation must be voluntary. All powerful states in the region should participate, and there must be some sort of verification mechanism to guarantee compliance with the treaty. A common characteristic for all NWFZs is that states in the zone have agreed to refrain from production, testing, stockpiling, and acquisition of nuclear weapons. They cannot have nuclear weapons deployed in their territories – neither their own nor weapons belonging to another state.

## *The acceptance of nuclear weapon states*

The five NPT nuclear weapon states (the US, Russia, the UK, France, and China) have to sign a protocol laying out negative security assurances and respect for the NWFZ. The nuclear weapon states have dealt with this requirement in different ways, and sometimes have made reservations about the use of nuclear weapons in the region under certain circumstances. For example, the US signed the protocol for an NWFZ in Africa in April 1996, but declared the right to respond with all measures available – which includes nuclear weapons – to a possible attack with chemical or biological weapons by a state in the region. None of the nuclear weapon states has signed the protocol for an NWFZ in Southeast Asia, as they fear this would limit their right to move freely with naval vessels and airplanes through international waters and airspace. The nuclear weapon states do not officially announce which of their vessels carry nuclear weapons and when.<sup>1</sup>



## *NWFZs today*

Today there are NWFZs in Latin America and the Caribbean, the southern Pacific, Southeast Asia, Central Asia, and Africa. More than 50 % of the Earth's surface today comprises NWFZs (99 % of all land in the Southern Hemisphere). 119 of the world's approximately 195 states belong to an NWFZ, as well as 18 other areas. 1.9 billion people live in NWFZs.

The first regional zone, the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (**Treaty of Tlatelolco**) was opened for signature in 1967 and brought into force in 1968. Cuba, which has signed the treaty, remains the only country left to ratify. The treaty's two protocols have been fully ratified.

The South Pacific Nuclear Free Zone Treaty (**Treaty of Rarotonga**) opened for signature in 1985 and entered into force 1986. The treaty has been signed and ratified by all but three countries in the region. The United States, though it has signed the two additional protocols, remains the only country that has not ratified the protocols. The Rarotonga Treaty differs from Tlatelolco in that it includes an unequivocal ban on nuclear explosions and explosive devices for peaceful purposes, and prohibits its members from dumping nuclear waste into the zone's waters.

The South East Asian Nuclear-Weapon-Free- Zone Treaty (**Treaty of Bangkok**) opened for signature in 1995 and came into force in 1996. No NWS has signed the additional protocol, which calls for respect for the Treaty and negative security assurances. This may be due, in part, to the fact that the zone includes the continental shelves and Exclusive Economic Zones of the member states and that the protocol prohibits threat or use of nuclear weapons within the zone.

The African Nuclear Weapon Free Zone Treaty (**Treaty of Pelindaba**) opened for signature in 1996 and has still not come into force. The Treaty's additional protocols I & II prohibit the parties from aiding violation of the treaty, using or threatening to use nuclear weapons against the zone, or testing nuclear weapons within the zone. These protocols have been signed by all nuclear weapon states and ratified by France and China. Spain has not signed Protocol III with regard to its territories within the zone. The treaty uniquely bans any attack on a nuclear facility within the zone.

A treaty establishing a Nuclear Weapon Free Zone in **Central Asia** opened for signature in 2006 and has not yet entered into force. This will happen when the remaining three states that have signed the treaty ratify it: Kazakhstan, Tadjikistan, and Turkmenistan. Kirgizistan and Uzbekistan have already ratified. No protocols have so far been ratified by the nuclear weapon states.

The **Sea Bed Treaty** (1971), the **Outer Space Treaty** (1967) and the **Antarctic Treaty** (1959), which specifically prohibits nuclear explosions of any kind, as well as the disposal of radioactive waste materials in Antarctica, are additional multilateral treaties aimed at preventing the spread of nuclear weapons into specific areas.

National legislation, declarations, or constitutional mandates can create Single-State Zones. Some countries, such as Mongolia and Austria, have declared their nuclear weapon free status in the absence of any regional treaty while others, such as New Zealand and the Philippines, have used domestic means to go beyond the obligations of the regional treaty to which they are a party.

Mongolia and Austria have both declared their nuclear weapon free status through enacting domestic legislation, Austria in 1999 and Mongolia in 2000. Both acts prohibit the manufacturing, storage, transport, and testing of nuclear weapons within their territory. Mongolia's legislation also prohibits the transportation, dumping and storage of weapons grade nuclear waste within its territory, and obligates the National Security Council of Mongolia to co-ordinate the international institutionalizing of its NWF status. Single nation zones lack formal agreements from NWS respecting their NWF status. Mongolia, however, is seeking to achieve such international recognition as well as some negative security assurances from NWS.

New Zealand's Nuclear Free Zone domestic legislation prohibits any foreign ship that is nuclear powered or is carrying nuclear weapons from entering its internal waters, and likewise prohibits any foreign aircraft carrying nuclear weapons from landing in its territory. This goes beyond New

Zealand's obligations under the South Pacific Nuclear Free Zone Treaty, which permits port visits of nuclear ships. The Philippines, a member of the South East Asian Nuclear Weapon Free Zone, has declared its territory free of nuclear weapons through a change in its constitution.

In January 1992, the Republic of Korea (South) and the Democratic People's Republic of Korea (North) signed a Joint Declaration on the Denuclearization of the Korean Peninsula. Under this declaration the two countries agree not to test, manufacture, produce, receive, possess, store, deploy, or use nuclear weapons; not to possess nuclear reprocessing or uranium enrichment facilities; and to use nuclear energy solely for peaceful purposes. The entry into force of this declaration has been delayed indefinitely since neither state has fulfilled its undertaking to establish a bilateral inspection program to control nuclear development in both states.<sup>2</sup> The DPRK announced its withdrawal from the NPT in 2003 and conducted its first nuclear test in 2006.

### ***Challenges and problems***

The establishment of NWFZs must be seen as one of the most promising disarmament mechanisms to date. Still, many challenges remain. One of these challenges is to get all states in a region to sign and ratify the treaty establishing the NWFZ. The Pelindaba Treaty, establishing an African NWFZ, has not yet entered into force, lacking the ratification of a number of states. Finding a system for verifying all states' compliance with the treaties is another challenge. Though the Treaty of Tlatelolco specifies a nuclear-free region in Latin America, for instance, there has been debate among nations in the region over whether fissile material can be transported through the zone by nuclear-weapon states.<sup>3</sup>

### ***NWFZ in the Middle East***

The issue of establishing an NWFZ in the Middle East has long been discussed within the international community. A peace conference in Madrid in 1991 established a multinational mechanism for a nuclear weapons free Middle East. For many years, the UN General Assembly has adopted a resolution calling for a Middle East NWFZ, but so far without results. With nuclear weapons in Israel, dubious nuclear activities in Iran, the war in Iraq, and the protracted conflict between Israel and Palestine, it should be an interest of all actors to prevent a nuclear arms race in the region. A treaty establishing a zone free from nuclear weapons or weapons of mass destruction, in the Middle East would increase security in all countries in the region. A precondition for commencement of negotiations on an NWFZ in the Middle East is that Israel allows for IAEA (International Atomic Energy Agency) inspections of its nuclear facilities.

Mohamed ElBaradei, Director of the IAEA, called on Iran and Israel in particular to enter into serious negotiations to create a nuclear-weapon-free zone in the Middle East – a zone in which both Israel and Iran would be members. He spoke on 15 April 2007, following talks in Jordan with King Abdullah II. Jordan, caught between Iraq and growing tensions between Israel and Palestine, has been trying to play a more active role of regional peacemaker. ElBaradei said, “This is the last chance to build security in the Middle East based on trust and cooperation and not the possession of nuclear weapons.” He stressed that a peace agreement between Israel and its Arab neighbors “must be reached in parallel with a security agreement in the region based on ridding the region of all weapons of mass destruction.”<sup>4</sup> Today, however, an NWFZ in the Middle East seems far away.

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1 <http://www.armscontrol.org/factsheets/nwfz.asp>

2 [http://www.nti.org/e\\_research/profiles/SKorea/](http://www.nti.org/e_research/profiles/SKorea/)

3 [http://www.un.org/Pubs/chronicle/2004/webArticles/081204\\_nwfz.asp](http://www.un.org/Pubs/chronicle/2004/webArticles/081204_nwfz.asp)

4 <http://yaleglobal.yale.edu/display.article?id=9186>