

Nuclear-Weapon-Free Zones (NWFZs):

QUESTIONS & ANSWERS

NEGATIVE SECURITY ASSURANCES

CHARTS & MATRICES

Nuclear-Weapon-Free Zones

(comparative chart)

Southeast Asia NWFZ

(membership)

Latin America NWFZ

(membership)

African NWFZ

(membership)

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(membership)

NWFZ Protocol Signatories

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July 25, 1997

NUCLEAR-WEAPON-FREE ZONES (NWFZ): QUESTIONS & ANSWERS

1. **What is a nuclear-weapon-free zone (NWFZ)? What is the difference between a NWFZ and a nuclear-free zone (NFZ)?**

A NWFZ prohibits the development, manufacture, stockpiling, acquisition, possession, control, assistance in research on the development, manufacture, stockpiling or acquisition, or possession, of any nuclear explosive device within the zone of application by any contracting party. Peaceful applications and uses of nuclear energy, under appropriate IAEA safeguards, are allowed.

All of the existing zones call themselves nuclear-weapon-free zones or denuclearized zones except one which calls itself a nuclear-free zone. This one, the South Pacific zone, is not significantly different from the others. It and several of the other nuclear-weapon-free zones prohibit nuclear testing and dumping of radioactive wastes at sea or on land within the zone as well as the development and manufacture of nuclear explosive devices. None of the zones prohibits peaceful nuclear research or power generation reactors, except for the South Pacific which is a nuclear-free zone.

2. **What is the relationship between NWFZs and the nuclear Non-Proliferation Treaty?**

The first NWFZ to affect a major inhabited region applies to Latin America, and was open for signature in 1967, prior to the signing of the NPT. The impetus for it was the stationing of Soviet nuclear missiles in Cuba during the Cuban missile crisis of 1962. At first, the main difference between the non-nuclear-weapon state obligations under the NPT and those under nuclear-weapon-free zones was that the zones prohibited deployment of nuclear weapons belonging to a nuclear-weapon state (or anyone) whereas the NPT did not. Instead, it prohibited control, manufacture or acquisition of nuclear explosive devices by the non-weapon parties but not such deployment. None of the zones permit deployment.

Article VII of the NPT notes:

Nothing in this Treaty affects the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories.

The decision on “Principles and Objectives for Nuclear Non-Proliferation and Disarmament”, taken on May 11, 1995, at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, refers to NWFZs in its paragraphs 5–7:

Nuclear-weapon-free zones

5. The conviction that the establishment of internationally recognized nuclear-weapon-free zones, on the basis of arrangements freely arrived at among the States of the region concerned, enhances global and regional peace and security is reaffirmed.
6. The development of nuclear-weapon-free zones, especially in regions of tension, such as in the Middle East, as well as the establishment of zones free of all weapons of mass destruction, should be encouraged as a matter of priority, taking into account the specific characteristics of each region. The establishment of additional nuclear-weapon-free zones by the time of the Review Conference in the year 2000 would be welcome.
7. The cooperation of all the nuclear-weapon States and their respect and support for the relevant protocols is necessary for the maximum effectiveness of such nuclear-weapon-free zones and the relevant protocols.

3. What are the principal NWFZs?

The idea of strengthening regional security by establishing geographical zones in which nuclear weapons would be prohibited grew out of the German question in the 1950s and first found formal expression in the so-called Rapacki plan to de-nuclearize Central Europe. The NWFZ approach was also reflected in the Antarctic Treaty of 1959, the Outer Space Treaty of 1967, and the Seabed Treaty of 1971. Brief descriptions of the most significant NWFZs in existence today are provided below:

The Antarctic Treaty demilitarizes the Antarctic Continent. It was signed in Washington on December 1, 1959, and entered into force on June 23, 1961. There are 12 original signatories, 14 acceding states, and 16 non-consultative parties, for a total of 42. **Original signatories:** Argentina, Australia, Belgium, Chile, France, Japan, New Zealand, Norway, Soviet Union/Russia, South Africa, United Kingdom, and United States. **Acceding states:** Brazil, China, Ecuador, Finland, German Democratic Republic, German Federal Republic, India, Italy, Netherlands, Peru, Poland, Republic of Korea, Spain, Sweden, and Uruguay. **Non-consultative parties:** Austria, Bulgaria, Canada, Colombia, Czech Republic, Cuba, Democratic People’s Republic of Korea, Denmark, Greece, Guatemala, Hungary, Papua New Guinea, Romania, Slovak Republic, Switzerland, and Ukraine.

The **Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean** (also known as the *Treaty of Tlatelolco*) establishes a nuclear-weapon-free zone in that region. It was signed in Tlatelolco (a suburb of Mexico City) on February 14, 1967, and entered into force on April 22, 1968

The Treaty has been signed by 33 regional states and ratified by 32 (except Cuba). **Signatories:** Antigua and Barbuda, Argentina, Bahamas, Barbados, Belize, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominica, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Suriname, Trinidad and Tobago, Uruguay, and Venezuela. (All countries in the region except for Martinique have signed the Treaty.) **Additional Protocol I** calls on nations outside the Treaty zone to apply the denuclearization provisions of the Treaty to the territories in the zone “for which de jure or de facto they are internationally responsible.” All four powers having such territories have signed ? France, Netherlands, United Kingdom, and United States. **Additional Protocol II** calls on the nuclear weapon states (1) to respect the denuclearized status of the zone; (2) not to contribute to acts involving violation of obligations of the parties; and (3) not to use or threaten to use nuclear weapons against the contracting parties. All five nuclear weapon states have signed and ratified Additional Protocol II.

The **South Pacific Nuclear-Free Zone Treaty** (*Treaty of Rarotonga*) signed in Rarotonga (Cook Islands) establishes a nuclear-free zone in the South Pacific. It was signed in Rarotonga, in the Cook Islands, on August 6, 1985, and entered into force on December 11, 1986. The Treaty has 16 parties: Australia, Cook Islands, Fiji, Kiribati, Marshall Islands Republic, Federated States of Micronesia, Nauru, New Zealand, Niue, Palau, Papua New Guinea, Solomon Islands, Tonga, Tuvalu, Vanuatu, and Western Samoa. **Protocol I** calls on each party “in respect of the territories for which it is internationally responsible situated within the South Pacific Nuclear Free Zone, to apply the prohibitions” of the Treaty. France, United Kingdom, and United States have signed the Protocol and the Treaty therefore applies to American Samoa and Jarvis Island. **Protocol II** calls on the nuclear weapon states not to use or threaten to use nuclear explosive devices against any party to the Treaty or against each others territories located within the zone. China signed this protocol in 1967, the Soviet Union in 1986, whereas the remaining three nuclear weapon states signed it in 1996 (after France has ceased nuclear weapon testing in the zone). **Protocol III** calls on the nuclear weapon states not to test nuclear explosive devices within the zone established by the Treaty. China signed this protocol in 1967, the Soviet Union in 1986, whereas the remaining three

nuclear weapon states signed it in 1996 (after France has ceased nuclear weapon testing in the zone).

The Southeast Asia Nuclear Weapon-Free Zone Treaty (the Bangkok Treaty) establishes a nuclear-weapon-free zone in that region. It was signed in Bangkok on December 15, 1995 by the 10 member states of the Association of South-East Asian Nations (ASEAN), and will enter into force when the seventh signatory ratifies the Treaty. Signatories: Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand, and Vietnam—thus far no state has ratified. The Protocol to the Treaty calls on the nuclear weapon states not to use or threaten to use nuclear weapons against any party to the Treaty or to use nuclear weapons within the zone (which appears to include large areas of international waters)—no nuclear weapon state has yet signed the Protocol.

The **African Nuclear Weapon-Free Zone Treaty** (*Pelindaba Treaty*) establishes a NWFZ in Africa. It was opened for signature in Cairo on April 11, 1996, and has been signed by 52 of the 53 African states (except for Madagascar). Signatories: Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Comoros, Congo, Cote d'Ivoire, Djibouti, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Libya, Malawi, Mali, Mauritania, Mauritius, Morocco, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, Sudan, Swaziland, Togo, Tunisia, Uganda, Tanzania, Zaire, Zambia, and Zimbabwe. (Gambia, Liberia, and Mauritania have ratified.) **Protocol I** calls on the nuclear weapon states not to use or threaten to use a nuclear device against any party to the Treaty or any territory within the zone for which a state party to Protocol III is internationally responsible. **Protocol II** calls on the nuclear weapon states not to test or assist or encourage the testing of any explosive device within the zone. **Protocol III** calls on France and Spain to apply the provisions of the Treaty in respect of the territories situated within the zone for which they are de jure or de facto internationally responsible. All five nuclear weapon states have signed Protocols I and II, but only France has ratified. France, but not Spain, has signed and ratified Protocol III.

4. Are there any internationally agreed criteria defining the necessary requirements for a NWFZ?

United Nations General Assembly Resolution 3472 B (XXX), adopted on November 11, 1975, (based on a Mexican draft) defined a NWFZ as:

- I. Definition of the concept of a nuclear-weapon-free zone:
 1. A nuclear-weapon-free zone shall, as a general rule, be deemed to be any zone, recognized as such by the United Nations General Assembly, which any groups of states, in the free exercise of their sovereignty, have established by virtue of a treaty or convention whereby:
 - a. The statute of a total absence of nuclear weapons to which the zone shall be subject, including the procedure for the delimitation of the zone is defined;
 - b. An international system of verification and control is established to guarantee compliance with obligations derived from that statute.
- II. Definition of the principal obligations of the nuclear-weapon States towards nuclear-weapon-free zones and towards the States included therein:
 2. In every case of a nuclear-weapon-free zone that has been recognized as such by the General Assembly, all nuclear weapon States shall undertake or reaffirm, in a solemn international instrument having full legally binding force, such as a treaty, a convention or protocol, the following obligations:
 - a. To respect in all its parts the state of total absence of nuclear weapons defined in the treaty or convention which serves as the constitutive instrument of the zone;
 - b. To refrain from contributing in any way to the performance in the territories forming part of the zone of acts which involve a violation of the aforesaid treaty or convention;
 - c. To refrain from using or threatening to use nuclear weapons against States included in the zone.

The Final Document of the Tenth Special Session of the United Nations General Assembly (which coincidentally was also the First United Nations Special Session on Disarmament (UNSSOD I), adopted in 1978, states inter alia:

60. The establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned constitutes an important disarmament measure.
61. The process of establishing such zones in different parts of the world should be encouraged with the ultimate objective of achieving a world entirely free of nuclear weapons. In the process of establishing such zones, the characteristics of each region should be taken into account. The States participating in such zones should undertake to comply fully with all the objectives, purposes and principles of the agreements or arrangements establishing the zones, thus ensuring that they are genuinely free from nuclear weapons.
62. With respect to such zones, the nuclear-weapon States in turn are called upon to give undertakings, the modalities of which are to be negotiated with the competent authority of the zone, in particular:
 - a) To respect strictly the status of the nuclear-weapon-free zone;
 - b) To refrain from the use or threat of use of nuclear weapons against the states of the zone.

These criteria have six added elements:

1. The initiative for the creation of a NWFZ must come from the states located within the zone of application of treaty provisions;
2. The constitutive instrument of a NWFZ must be an internationally binding treaty;
3. The NWFZ must ensure the total absence of nuclear weapons within its zone of application;
4. A verification and control system should be established in the NWFZ;
5. The geographic zone of application must be clearly defined;
6. The NWFZ must be recognized as such by the General Assembly.

A “Comprehensive Study on the Question of Nuclear-Weapon-Free Zones in All its Aspects” (Special Report of the Conference on Disarmament, Thirtieth Session, Agenda Item 44, UN General Assembly, of October 8, 1975), identified a number of guiding principles for the establishment of NWFZs:

1. NWFZs may be established not only in entire continents or large geographical regions, but also by smaller groups of states and even individual countries;
2. The zone must be effectively free of all nuclear weapons;
3. The initiative for creating a NWFZ should come from states within the region concerned and participation must be voluntary;
4. All militarily significant states should be members of the zone in order to enhance its effectiveness;
5. The zone must contain an effective system of verification to ensure full compliance with the agreed obligations;
6. Arrangements for a zone should promote the economic, scientific, and technological development of the members through international cooperation on peaceful uses of nuclear energy;
7. The treaty establishing the zone should be of unlimited duration.

The United States strongly supports the establishment of nuclear weapon free zones on the basis of arrangements freely arrived at among the States of the region concerned. That support, however, is contingent upon the treaty meeting seven well-established criteria:

1. The initiative for the creation of the zone should come from the states in the region concerned;
2. All states whose participation is deemed important should participate in the zone;
3. The zone arrangement should provide for adequate verification of compliance with its provisions;
4. The establishment of the zone should not disturb existing security arrangements to the detriment of regional and international security or otherwise abridge the inherent right of individual or collective self-defense guaranteed in the UN charter;
5. The zone arrangement should effectively prohibit its parties from developing or otherwise possessing any nuclear device for whatever purpose;

6. The establishment of the zone should not affect the existing right of its parties under international law to grant or deny other states transit privileges within their respective land territory, internal waters and airspace to nuclear powered and nuclear capable ships and aircraft of non-party nations, including port calls and overflights; and
7. The zone arrangement should not seek to impose restrictions on the exercise of rights recognized under international law, particularly the high seas freedoms of navigation and overflight, the right of innocent passage of territorial and archipelagic seas, the right of transit passage of international straits, and the right of archipelagic sea lanes passage of archipelagic waters.

During the Cold War, the Soviet Union laid down two criteria for supporting a NWFZ:

1. The readiness of other nuclear powers to accept and honor the denuclearized status of the area; and
2. The completeness of obligations of the contracting powers and the extent to which they ensure the zone's denuclearized status.

In 1988, Soviet President Mikhail Gorbachev expressed strong support for NWFZs. Current Russian arms control policy includes "supporting the creation of nuclear-free zones and granting appropriate guarantees to the states which participate." The British, French, and Chinese positions have tended to examine each NWFZ on a case-by-case basis, with their positions evolving or changing in the light of different circumstances.

To sum up, the guiding principles for establishing a NWFZ are fairly demanding. In fact, few regions of the world have been able to meet them, despite the widespread declaratory support that the idea of NWFZs enjoys in deliberations on international peace and security.

5. What general characteristics are common to all NWFZs?

The following general characteristics are common to all existing NWFZs:

1. The recognized requirement of verifying that Contracting Parties are complying with the obligations incurred under the treaty, by ensuring that all nuclear material, facilities, and activities are subject to full-scope safeguards administered by the International Atomic Energy Agency (IAEA). The specifics of the "control systems" may vary from region to region but all states within the zone must implement IAEA safeguards.
2. The zone of application must be clearly and precisely defined and must include the entire territories of the Contracting Parties.
3. The obligations, rights, and responsibilities of the Contracting Parties should be clearly defined, both for non-nuclear-weapon states parties within the zone, as well as for nuclear-weapon states.
4. The NWFZs should recognize the right of Contracting States to use nuclear science and technology for peaceful purposes to promote economic and social development, both individually and collectively.

5. The NWFZ treaty should be of unlimited or indefinite duration.

In terms of the basic obligations they impose on their members, the NWFZs are similar in many respects to each other. These include a ban on manufacturing, possession, development, testing (with the exception of the Latin American zone, which allows peaceful nuclear explosions), and export of nuclear materials (except under a comprehensive IAEA safeguards system). What is especially noteworthy is that the more recent NWFZs appear to have made a conscious attempt not only to emulate past precedence, but also to move in some new directions. Thus, the African zone contains a number of innovations, such as a ban on research on nuclear explosives, and provisions against attack on nuclear installations. The Southeast Asia Treaty pays specific attention to nuclear accidents. The geographic coverage of the Southeast Asian zone is especially noteworthy and controversial, since it is unique in covering continental shelves and exclusive economic zones (EEZ)—extended coverage that nuclear weapon states, in particular the United States, are not prepared to recognize due to the inclusion of international waters.

6. What are the key definitions and usage of terms with respect to NWFZs:

Territory means the land territory, internal waters, territorial seas and archipelagic waters and the airspace above them as well as the sea bed and subsoil beneath;

Nuclear explosive device means any nuclear weapon or other explosive device capable of releasing nuclear energy, irrespective of the purpose for which it could be used. The term includes such a weapon or device in unassembled and partly assembled forms, but does not include the means of transport or delivery of such a weapon or device if separable from and not an indivisible part of it;

Stationing means implantation, emplacement, transport on land or inland waters, stockpiling, storage, installation and deployment;

Nuclear installation means a nuclear-power reactor, a nuclear research reactor, a critical facility, a conversion plant, a fabrication plant, a reprocessing plant, an isotope separation plant, a separate storage installation and any other installation or location in or at which fresh or irradiated nuclear material or significant quantities of radioactive materials are present;

Nuclear material means any source material or special fissionable material as defined in Article XX of the Statute of the International Atomic Energy Agency (IAEA) and as amended from time to time by the IAEA.

7. What is the “zone of application” of a NWFZ?

The zone of application of a NWFZ generally means the whole of the “territories” of the Contracting Parties within the defined region. Defining where the zone is applicable has often been a difficult negotiating task. The Latin American NWFZ at first defined the zone to include the territories of states that ratified, and, when all had ratified, the total region would be defined by describing lines on a map running from one geographic point to another, the points being described by longitude and latitude and including certain adjacent ocean areas—(these “adjacent ocean areas” however would *not* exclude the right of passage in the international waters within the zone markers of nuclear-powered or nuclear-armed vessels belonging to extra-zonal parties). The South Pacific zone provision on territory to be covered started with a similar description of the boundaries of the region. The African zone attached a map that simply displayed the land territories (and, by Treaty, national waters) for which the Treaty and Protocol provisions apply. (The Pelindaba Treaty map does not include or show international waters as within its zone of application or geographical delimitation, and thus avoids the possible misunderstanding that international waters are covered by NWFZ provisions.) The Southeast Asia zone simply says that it applies to the “territories, continental shelves [off-shore] and EEZ [exclusive economic zones in the ocean]” of the states that become parties. There are thus various ways of defining the region to be covered. All of the existing zones had to deal with ocean areas covered by the international Law of the Sea Treaty as well as land territories.

8. What “activities” are generally “prohibited” within a NWFZ?

NWFZs typically contain provisions pertaining to the:

1. Prohibition of nuclear explosive devices:
Each Party undertakes:
 - a) Not to conduct research on, develop, manufacture, stockpile or otherwise acquire, possess or have control over any nuclear explosive device by any means anywhere;
 - b) Not to seek or receive any assistance in the research on, development, manufacture, stockpiling or acquisition, or possession of any nuclear explosive device;

- c) Not to take any action to assist or encourage the research on, development, manufacture, stockpiling or acquisition, or possession of any nuclear explosive device.
2. Prohibition of stationing of nuclear explosive devices:
 - a) Each Party undertakes to prohibit, in its territory, the stationing of any nuclear explosive device.
 - b) Without prejudice to the purposes and objectives of the treaty, each party in the exercise of its sovereign rights remains free to decide for itself whether to allow visits by foreign ships and aircraft to its ports and airfields, transit of its airspace by foreign aircraft, and navigation by foreign ships in its territorial sea or archipelagic waters in a manner not covered by the rights of innocent passage, archipelagic sea lane passage or transit passage of straits.
3. Prohibition of testing of nuclear explosive devices:

Each Party undertakes:

 - a) Not to test any nuclear explosive device;
 - b) To prohibit in its territory the testing of any nuclear explosive device;
 - c) Not to assist or encourage the testing of any nuclear explosive device by any State anywhere.
4. Prohibition of armed attack on nuclear installations:

Each Party undertakes:

 - a) Not to take, or assist, or encourage any action aimed at an armed attack by conventional or other means against nuclear installations located within the zone of application.

(The prohibition of armed attacks against nuclear installations is unique to the Pelindaba Treaty.)

A NWFZ also may contain a provision regarding the:

5. Prohibition of dumping of radioactive wastes:

Each Party undertakes:

 - a) Not to take any action to assist or encourage the dumping of radioactive wastes and other radioactive matter anywhere within the nuclear-weapon-free zone;
 - b) To negotiate and implement a regional agreement banning the import into the zone of application, and control of transboundary movement and management of radioactive waste.

Further, a NWFZ treaty may require a declaration of dismantling, destruction or conversion of nuclear explosive devices and the facilities for their manufacture and testing:

Declaration of dismantling, destruction or conversion of nuclear explosive devices and the facilities for their manufacture and testing:

Each Party undertakes:

- a) To declare any capability for the manufacture of nuclear explosive devices;
- b) To dismantle and destroy any nuclear explosive device that it has manufactured prior to the coming into force of this Treaty;

- c) To destroy facilities for the manufacture and testing of nuclear explosive devices or, where possible, to convert them to peaceful uses;
- d) To permit the International Atomic Energy Agency to verify the processes of dismantling and destruction of the nuclear explosive devices, as well as the destruction or conversion of the facilities for their production and testing.

9. What are the key provisions of the existing NWFZs?

Existing NWFZ treaties contain four general features which can serve as the basis for a comparative analysis. These include: basic obligations; zone of application; mechanisms for control, compliance, and verification; and protocols.

I. Basic Obligations

Manufacturing, possession, development: In all cases, parties are required not to undertake, or allow other states to undertake within their territory, efforts to develop, manufacture, or otherwise acquire, possess or control, nuclear weapons. The African Treaty specifically forbids stockpiling, although this is only implied in the three other treaties. This Treaty also provides for the dismantling, destruction, or conversion of nuclear explosive devices and their manufacturing facilities.

Testing: All four treaties prohibit testing, although the Treaty of Tlatelolco (in Article 18) allows peaceful nuclear explosions (under conditions of transparency)—but peaceful nuclear explosions have been negated by the parties to the Non-Proliferation Treaty and Article I of the Comprehensive Test Ban Treaty prohibits all nuclear explosions—this provision thus no longer has any validity.

Accidents: The Southeast Asian Treaty is the only one to require early notification of nuclear accidents.

Nuclear Security: The African Treaty is unique in specifying obligations regarding the physical protection of nuclear materials and facilities and prohibiting armed attack on nuclear installations.

Research: The African Treaty is the only one to specifically prohibit research on nuclear explosive devices.

Transit: The Southeast Asian, South Pacific and African treaties leave it to the discretion of the parties to decide whether to allow visits by foreign ships and aircraft to ports and airfields within their zones of application. The Latin American Treaty is silent on this issue and therefore, considered to be more ambiguous.

Export of nuclear materials: Unlike the Latin American Treaty, the South Pacific Treaty bans the export of nuclear materials unless the recipient provides strict assurances of their use for exclusively peaceful purposes. The Southeast Asian and African treaties also ban supply of fissionable material or equipment for their production to any non-nuclear-weapon state unless subject to a comprehensive IAEA safeguards system. The Southeast Asian Treaty is somewhat more specific in covering exports to both nuclear-weapon states as well as to non-nuclear-weapon states.

Dumping: The dumping and disposing of nuclear and other radioactive material are specifically banned by the South Pacific, Southeast Asian and African treaties, but not by the Latin American Treaty. It should be noted that the anti-dumping provisions of the Southeast Asian Treaty cover both land and sea, while those of the South Pacific Treaty cover the sea only.

Peaceful nuclear explosions: These are allowed under the Latin American Treaty, but banned by the South Pacific, Southeast Asian and African treaties. The Latin American Treaty forbids “nuclear weapons” only, thereby allowing peaceful nuclear explosions with transparency but this controversial provision has been negated by NPT states; while the African Treaty bans all “nuclear explosive devices.” While the Southeast Asian zone uses the term “nuclear weapon”, its definition of the term is the same as in the case of the African Treaty and therefore covers all nuclear explosive devices.

II. Zone of Application

In the case of the Latin American, South Pacific and African NWFZ treaties, the zone of application is limited to the national territories of the parties, including their territorial sea and air space. The Southeast Asian zone is the only NWFZ to cover continental shelves and EEZs, a provision that has attracted much opposition from the nuclear powers.

The South Pacific Treaty covers a wide area, stretching from the western boundary of the Latin American zone to the east, to the border of the Antarctic demilitarized zone in the south, to a north-south extension of the Western Australian coast in the west, and to the equator in the north. But despite its claim to cover such a huge area, its provisions, such as the ban on the stationing of nuclear weapons, only apply to the territories of the South Pacific states, up to the 12-mile territorial sea limit.

III. Compliance, Control, and Verification

These mechanisms are designed to monitor all nuclear activities of zonal states to ensure that:

1. Peaceful nuclear activities are not diverted to the manufacture of nuclear weapons;
2. No nuclear weapons are present within the zone;
3. Nuclear weapons present in the zone are removed in conjunction with the entry into force of the zone agreement; and
4. Other measures associated with the zone agreement are implemented.

All four existing NWFZs rely on IAEA safeguards to ensure compliance and verification, but supplement safeguards with regional mechanisms and procedures. A party to these treaties is required to negotiate and conclude a safeguards agreement with the IAEA covering all fissionable material within its territory, allowing the IAEA to carry out routine, ad hoc, and special inspections of safeguarded nuclear facilities and materials. While relying on the IAEA system allows countries to take advantage of the IAEA's considerable experience in this area, as well as to save costs, the IAEA system does not cover all verification functions required by NWFZs. The IAEA safeguards system is geared to ensuring that non-nuclear weapon states do not divert nuclear material to build nuclear explosives. It does not monitor other possible violations of a NWFZ, such as clandestine import of nuclear weapons by a party, or the use of territory within the zone by an extra-regional country for the manufacturing or testing of nuclear weapons. Thus, the scope of the verification regimes of NWFZs goes beyond the full application of IAEA safeguards.

Regional control mechanisms created by NWFZs, such as the Organization for the Prohibition of Nuclear Weapons in Latin America (OPANAL), the Consultative Committee of the South Pacific Nuclear-Free Zone, the Commission for the Southeast Asia Nuclear-Weapon-Free Zone and its subsidiary organ, the Executive Committee, and the African Commission on Nuclear Energy, not only oversee and review the application of the IAEA safeguards system (including challenge inspections authorized by them, but carried out by IAEA inspectors) within their respective zones, but also provide for a number of additional control measures. Thus, in addition to the application of the IAEA system, the Latin American treaty provides for reports and exchanges of information, and special reports requested by OPANAL. A provision for special inspections contained in original draft of the Latin American Treaty has been removed as a result of amendments proposed by Brazil and Argentina.

The South Pacific zone's verification regime includes, in addition to IAEA safeguards, reports and information exchange, consultations, and a complaints procedure. The latter provides for special inspections using IAEA inspectors requested by any party and authorized by a Consultative Committee, the main regional verification body established by the treaty.

The Southeast Asian zone also supplements the IAEA safeguards system with report and exchange of information, requests for clarification, fact-finding missions, and a dispute settlement procedure. The Commission for the Southeast Asia Nuclear Weapon-Free Zone is responsible for overseeing the implementation of the treaty and ensure compliance with its provisions, while the Executive Committee is responsible for ensuring the proper operation of verification measures, including requests for clarification and fact-finding missions.

In the African zone, the control system supervised by the African Commission on Nuclear Energy includes the application of the IAEA safeguards system, as well as a regional system of reporting and exchange of information, consultations and conferences. The African treaty also provides for a complaints and dispute settlement mechanism, including technical visits and special inspections using IAEA inspectors.

It should be noted that so far there have been no reported case of special inspections carried out by the IAEA at the request of any of the four regional control bodies. This may have do with the relative newness of the Southeast Asian and the African NWFZs, as well as the absence of any serious effort by countries located within all the four zones to acquire nuclear weapons. In general, the regional control mechanisms have chosen to rely on the IAEA to carry out the technical aspects of verification, (without developing the technical expertise themselves), while retaining political control over the verification process. But this may stretch the resources of the IAEA too far; it is noteworthy that the IAEA does not appear yet to have developed substantial dedicated resources to fulfil its verification role in the NWFZs.

IV. Protocols

Protocols to the NWFZ treaties provide for the application of some of their provisions to non-regional states. These protocols fall into three main categories involving the provision by:

5. Nuclear-weapon states to provide negative security assurances to regional parties, including a commitment not to use or threaten to use nuclear weapons against regional state parties;
6. Non-regional states which may have jurisdiction over territories located within the zone of application (such as colonial possessions) to accept the basic obligations concerning nuclear weapons that are assumed by regional state parties; and
7. Nuclear-weapon states not to test within the zone of application.

The Latin American Treaty contains the first two types of protocols (there is no protocol covering testing), while the South Pacific Treaty has all three, two of which are identical to

those of the Latin American Treaty, while a third one specifically prohibits the testing of nuclear explosive devices “anywhere” within the zone. The three protocols to the African Treaty are similar to those of the South Pacific Treaty. The single protocol to the Southeast Asia Treaty seeks negative security assurances from the nuclear powers, but it is unique in requiring the latter to refrain from using and threatening to use nuclear arms not only against parties to the Treaty, but also anywhere within the zone, including continental shelves and exclusive economic zones of the Treaty parties.

10. What is the role of peaceful nuclear activities within such zones?

Nothing in NWFZ treaties prevents the use of nuclear science and technology for peaceful purposes and for economic and social development. To this end, Contracting Parties undertake to establish and strengthen mechanisms for cooperation at the bilateral, sub-regional, regional, and international levels. Contracting Parties may make use of the program of assistance available at the IAEA for technical cooperation in the peaceful uses of nuclear energy.

11. What are the provisions for dealing with environmental issues?

Generally speaking, other than prohibiting the dumping of radioactive wastes, manufacture, testing, and stationing of nuclear explosive devices, the NWFZ treaties in existence have *not* focused specifically on environmental measures, as the primary reason for concluding the zonal arrangements have been driven by nonproliferation, arms control and disarmament considerations. However, Contracting Parties may choose to include treaty provisions dealing with environmental measures, such as, clean up and restoration of facilities and territories affected by previous activities involving the manufacture, testing, stationing, or deployment of nuclear explosive devices, provided that there is no contradiction with the criteria noted above in paragraphs 4 and 5.

12. What administrative/institutional arrangements are necessary?

A NWFZ may have either a full-fledged, or a small secretariat-type, international Agency/Commission located at a city within the zone, such as that described below:

Organization

1. In order to ensure compliance with the obligations of this Treaty, the Contracting Parties may establish an international or regional organization (to be known as the “Agency/Commission for the Prohibition of Nuclear Weapons in

.....,” hereinafter referred to as “the Agency/Commission.” Only the Contracting Parties shall be affected by its decisions.

2. The Agency/Commission shall be responsible for the holding of periodic or extraordinary consultations among Member States on matters relating to the purposes, measures and procedures set forth in this Treaty and to the supervision of compliance with the obligations arising therefrom.
3. The Contracting Parties agree to extend to the Agency/Commission full and prompt cooperation in accordance with the provisions of this Treaty, of any agreements they may conclude with the Agency/Commission and of any agreements the Agency/Commission may conclude with any other international organization or body.
4. The headquarters of the Agency/Commission shall be in the city of

Organs

1. Parties may establish as principal organs of the Agency/Commission a General Conference, a Council and a Secretariat.
2. Such subsidiary organs as are considered necessary by the General Conference may be established within the purview of the Treaty.

The General Conference

1. The General Conference, the supreme organ of the Agency/Commission, shall be composed of all the Contracting Parties; it shall hold regular sessions every years, and may also hold special sessions whenever this Treaty so provides or, in the opinion of the Council, the circumstances so require.
2. The General Conference:
 - a) May consider and decide on any matters or questions covered by this Treaty, within the limits thereof, including those referring to powers and functions of any organ provided for in this Treaty.
 - b) Shall establish procedures for the control system to ensure observance of this Treaty in accordance with its provisions.
 - c) Shall elect the Members of the Council and the General Secretary.
 - d) May remove the General Secretary from office if the proper functioning of the Agency/Commission so requires.
 - e) Shall receive and consider the biennial and special reports submitted by the Council and the General Secretary.
 - f) Shall initiate and consider studies designed to facilitate the optimum fulfillment of the aims of this Treaty, without prejudice to the power of the General Secretary independently to carry out similar studies for submission to and consideration by the Conference.
 - g) Shall be the organ competent to authorize the conclusion of agreements with Governments and other international organizations and bodies.
3. The General Conference shall adopt the Agency/Commission’s budget and fix the scale of financial contributions to be paid by Member States, taking into account the systems and criteria used for the same purpose by the United Nations.

4. The General Conference shall elect its officers for each session and may establish such subsidiary organs as it deems necessary for the performance of its functions.
5. Each Member of the Agency/Commission shall have one vote. The decisions of the General Conference shall be taken by a two-thirds majority of the Members present and voting in the case of matters relating to the control system and measures, the admission of new Members, the election or removal of the General Secretary, adoption of the budget and matters related thereto. Decisions on other matters, as well as procedural questions and also determination of which questions must be decided by a two-thirds majority, shall be taken by a simple majority of the Members present and voting.
6. The General Conference shall adopt its own rules of procedure.

The Council

1. The Council shall be composed of five Members of the Agency/Commission elected by the General Conference from among the Contracting Parties, due account being taken of equitable geographic distribution.
2. The Members of the Council shall be elected for a term of four years. However, in the first election three will be elected for two years. Outgoing Members may not be reelected for the following period unless the limited number of States for which the Treaty is in force so requires.
3. Each Member of the Council shall have one representative.
4. The Council shall be so organized as to be able to function continuously.
5. In addition to the functions conferred upon it by this Treaty and to those which may be assigned to it by the General Conference, the Council shall, through the General Secretary, ensure the proper operation of the control system in accordance with the provisions of this Treaty and with the decisions adopted by the General Conference.
7. The Council shall submit an annual report on its work to the General Conference as well as such special reports as it deems necessary or which the General Conference requests of it.
8. The Council shall elect its officers for each session.
9. The decisions of the Council shall be taken by a simple majority of its Members present and voting.
10. The Council shall adopt its own rules of procedure.

The Secretariat

1. The Secretariat shall consist of a General Secretary, who shall be the chief administrative officer of the Agency/Commission, and of such staff as the Agency/Commission may require. The term of office of the General Secretary shall be four years and he may be re-elected for a single additional term. The General Secretary may not be a national of the country in which the Agency/Commission has its headquarters. In case the office of General Secretary becomes vacant, a new election shall be held to fill the office for the remainder of the term.
2. The staff of the Secretariat shall be appointed by the General Secretary, in accordance with rules laid down by the General Conference.

3. In addition to the functions conferred upon him by this Treaty and to those which may be assigned to him by the General Conference, the General Secretary shall ensure the proper operation of the control system established by this Treaty, in accordance with the provisions of the Treaty and the decisions taken by the General Conference.
4. The General Secretary shall act in that capacity in all meetings of the General Conference and of the Council and shall make an annual report to both bodies on the work of the Agency/Commission and any special reports requested by the General Conference or the Council or which the General Secretary may deem desirable.
5. The General Secretary shall establish the procedures for distributing to all Contracting Parties information received by the Agency/Commission from governmental sources and such information from non-governmental sources as may be of interest to the Agency/Commission.
6. In the performance of their duties the General Secretary and the staff shall not seek or receive instructions from any Government or from any other authority external to the Agency/Commission and shall refrain from any action which might reflect on their position as international officials responsible only to the Agency/Commission; subject to their responsibility to the Agency/Commission, they shall not disclose any industrial secrets or other confidential information coming to their knowledge by reason of their official duties in the Agency/Commission.
7. Each of the Contracting Parties undertakes to respect the exclusively international character of the responsibilities of the General Secretary and the staff and not to seek to influence them in the discharge of their responsibilities.

Control system

1. For the purpose of verifying compliance with the obligations entered into by the Contracting Parties, a control system shall be established which shall be put into effect.
2. The control system shall be used in particular for the purpose of verifying:
 - a) That devices, services and facilities intended for peaceful uses of nuclear energy are not used in the testing or manufacture of nuclear weapons, and
 - b) That none of the activities prohibited in article 1 of this Treaty are carried out in the territory of the Contracting Parties with nuclear materials or weapons introduced from abroad, and

13. What is the cost of such arrangements?

To be ascertained. Obviously a permanent secretariat will cost significantly more than an informal secretariat (which may be based on a rotating basis in consenting parties within a NWFZ).

14. What type of “control system” is required for the purpose of verifying compliance with the obligations of a NWFZ?

A typical provision is as follows:

Control system

1. For the purpose of verifying compliance with the obligations entered into by the Contracting Parties, a control system shall be established which shall be put into effect.
2. The control system shall be used in particular for the purpose of verifying:
 - a) That devices, services and facilities intended for peaceful uses of nuclear energy are not used in the testing or manufacture of nuclear weapons, and
 - b) That none of the activities prohibited in article 1 of this Treaty are carried out in the territory of the Contracting Parties with nuclear materials or weapons introduced from abroad, and

15. What is the role of IAEA safeguards within such zones?

The principal role of the IAEA within NWFZs is to implement NPT (and/or zonal) safeguards.

A typical verification of peaceful uses provision, is as follows:

Each Party undertakes:

- a) To conduct all activities for the peaceful use of nuclear energy under strict non-proliferation measures to provide assurance of exclusively peaceful uses;
- b) To conclude a comprehensive safeguards agreement with IAEA for the purpose of verifying compliance with the undertakings in subparagraph (a) of this article;
- c) Not to provide source or special fissionable material, or equipment or material especially designed or prepared for the processing, use or production of special fissionable material for peaceful purposes of any non-nuclear-weapon State unless subject to a comprehensive safeguards agreement concluded with IAEA.

Physical protection of nuclear materials and facilities:

Each Party undertakes to maintain the highest standards of security and effective physical protection of nuclear materials, facilities and equipment to prevent theft or unauthorized use and handling.

To that end each Party, inter alia, undertakes to apply measures of physical protection equivalent to those provided for in the Convention on Physical Protection of Nuclear Material and in recommendations and guidelines developed by IAEA for that purpose.

All four existing NWFZs rely on IAEA safeguards to ensure compliance and verification, but supplement safeguards with regional mechanisms and procedures. A party to these trea-

ties is required to negotiate and conclude a safeguards agreement with the IAEA covering all fissionable material within its territory, allowing the IAEA to carry out routine, ad hoc, and special inspections of safeguarded nuclear facilities and materials. While relying on the IAEA system allows countries to take advantage of the IAEA's considerable experience in this area, as well as to save costs, the IAEA system does not cover all verification functions required by NWFZs. The IAEA safeguards system is geared to ensuring that non-nuclear weapon states do not divert nuclear material to build nuclear explosives. It does not monitor other possible violations of a NWFZ, such as clandestine import of nuclear weapons by a party, or the use of territory within the zone by an extra-regional country for the manufacturing or testing of nuclear weapons. Thus, the scope of the verification regimes of NWFZs goes beyond the full application of IAEA safeguards.

In general, the regional (NWFZ) control mechanisms have chosen to rely on the IAEA to carry out the technical aspects of verification, (without developing the technical expertise themselves), while retaining political control over the verification process.

16. Could “special inspections” be carried out to verify compliance?

Under certain circumstances, as provided for in the Statute of the IAEA and in INFCIRC/153 Corr., “special inspections” may be carried out by the IAEA in performance of its safeguards functions within the territories of the Contracting Parties of a NWFZ. A typical special inspections provision under a NWFZ agreement is as follows:

Special inspections

1. The International Atomic Energy Agency and the Agency/Commission established by this Treaty have the power of carrying out special inspections in the following cases:
 - a) In the case of the International Atomic Energy Agency, in accordance with the agreements referred to in this Treaty;
 - b) In the case of the Agency/Commission:
 - i) When so requested, the reasons for the request being stated, by any Party which suspects that some activity prohibited by this Treaty has been carried out or is about to be carried out, either in the territory of any other Party or in any other place on such latter Party's behalf, the Agency/Commission shall immediately arrange for such an inspection.
 - ii) When requested by any Party which has been suspected of or charged with having violated this Treaty, the Agency/Commission shall immediately arrange for the special inspection requested.

The above requests will be made to the Agency/Commission through the General Secretary.

2. The costs and expenses of any special inspection carried out shall be borne by the requesting Party or Parties, except where the Agency/Commission concludes on the basis of the report on the special inspection that, in view of the circumstances existing in the case, such costs and expenses should be borne by the Agency/Commission.
3. The General Conference shall formulate the procedures for the organization and execution of the special inspections carried out.
4. The Contracting Parties undertake to grant the inspectors carrying out such special inspections full and free access to all places and all information which may be necessary for the performance of their duties and which are directly and intimately connected with the suspicion of violation of this Treaty. If so requested by the authorities of the Contracting Party in whose territory the inspection is carried out, the inspectors designated by the General Conference shall be accompanied by representatives of said authorities, provided that this does not in any way delay or hinder the work of the inspectors.
5. The Agency/Commission shall immediately transmit to all the Parties, through the General Secretary, a copy of any report resulting from special inspections.
6. Similarly, the Agency/Commission shall send through the General Secretary to the Secretary-General of the United Nations, for transmission to the United Nations Security Agency/Commission and General Assembly, for its information, a copy of any report resulting from any special inspection carried out.
7. The Agency/Commission may decide, or any Contracting Party may request, the convening of a special session of the General Conference for the purpose of considering the reports resulting from any special inspection. In such a case, the General Secretary shall take immediate steps to convene the special session requested.
8. The General Conference, convened in special session under this article, may make recommendations to the Contracting Parties and submit reports to the Secretary-General of the United Nations to be transmitted to the United Nations Security Council and the General Assembly.

It should be noted that so far there have been no reported case of special inspections carried out by the IAEA at the request of any of the four regional (NWFZ) control bodies. This may have do with the relative newness of the Southeast Asian and the African NWFZs, as well as the absence of any serious effort by countries located within all four zones to acquire nuclear weapons.

17. How does one deal with non-compliance?

As in paragraphs 13, 14, and 15 above. Further, compliance issues may be dealt by a complaints procedure and settlement of disputes. A typical provision is as follows:

1. A Party which considers that there are grounds for a complaint that another Party or a Party to the Treaty Protocols is in breach of its obligations under this Treaty shall bring the subject-matter of the complaint to the attention of the Party complained of and shall allow the latter thirty days to provide it with an explanation and to resolve the matter. This may include technical visits agreed upon between the Parties.
2. If the matter is not so resolved, the complainant Party may bring this complaint to the Agency/Commission.
3. The Agency/Commission, taking account of efforts made under paragraph 1 above, shall afford the Party complained of forty-five days to provide it with an explanation of the matter.
4. If, after considering any explanation given to it by the representatives of the Party complained of, the Agency/Commission considers that there is sufficient substance in the complaint to warrant an inspection in the territory of that Party or territory of a Party to the Protocols, the Agency/Commission may request the International Atomic Energy Agency to conduct such inspection as soon as possible. The Agency/Commission may also designate its representatives to accompany the IAEA's inspection team.
 - a) The request shall indicate the tasks and objectives of such inspection, as well as any confidentiality requirements;
 - b) If the Party complained of so requests, the inspection team shall be accompanied by representatives of that Party provided that the inspectors shall not be thereby delayed or otherwise impeded in the exercise of their functions;
 - c) Each Party shall give the inspection team full and free access to all information and places within each territory that may be deemed relevant by the inspectors to the implementation of the inspection;
 - d) The Party complained of shall take all appropriate steps to facilitate the work of the inspection team, and shall accord them the same privileges and immunities as those set forth in the relevant provisions of the Agreement on the Privileges and Immunities of the International Atomic Energy Agency;
 - e) The International Atomic Energy Agency shall report its findings in writing as quickly as possible to the Agency/Commission, outlining its activities, setting out relevant facts and information as ascertained by it, with supporting evidence and documentation as appropriate, and stating its conclusions. The Agency/Commission shall report fully to all States Parties to the treaty giving its decision as to whether the Party complained of is in breach of its obligations under this Treaty;
 - f) If the Agency/Commission considers that the Party complained of is in breach of its obligations under this Treaty, or that the above provisions have not been complied with, States Parties to the Treaty shall meet in extraordinary session to discuss the matter;
 - g) The States Parties convened in extraordinary session may as necessary, make recommendations to the Party held to be in breach of its obligations and may, if necessary, refer the matter to the United Nations Security Council;

- h) The costs involved in the procedure outlined above shall be borne by the Agency/Commission. In the case of abuse, the Agency/Commission shall decide whether the requesting State Party should bear any of the financial implications.
5. The Agency/Commission may also establish its own inspection mechanisms.

18. What is the dispute resolution mechanism?

This is described in the previous paragraph.

19. What is the role of the IAEA in NWFZs?

The IAEA role is described in part above in answers to questions 14, 15, and 16. The principal role of the IAEA within NWFZs is to implement NPT (and/or zonal) safeguards and to provide technical assistance (if requested). One formulation of zonal safeguards arrangements is as follows:

IAEA safeguards

Each Contracting Party shall negotiate multilateral or bilateral agreements with the International Atomic Energy Agency for the application of its safeguards to its nuclear activities. Each Contracting Party shall initiate negotiations within a period of 180 days after the date of the deposit of its instrument of ratification of this Treaty. These agreements shall enter into force, for each Party, not later than eighteen months after the date of the initiation of such negotiations except in case of unforeseen circumstances or force majeure.

Reports of the Parties

1. The Contracting Parties shall submit to the Agency/Commission and to the International Atomic Energy Agency, for their information, semi-annual reports stating that no activity prohibited under this Treaty has occurred in their respective territories.
2. The Contracting Parties shall simultaneously transmit to the Agency/Commission a copy of any report they may submit to the International Atomic Energy Agency which relates to matters that are the subject of this Treaty and to the application of safeguards.

Special reports requested by the General Secretary

1. With the authorization of the Council, the General Secretary may request any of the Contracting Parties to provide the Agency/Commission with complementary or supplementary information regarding any event or circumstance connected with compliance with this Treaty, explaining his reasons. The Contracting Parties undertake to co-operate promptly and fully with the General Secretary.

2. The General Secretary shall inform the Council and the Contracting Parties forthwith of such requests and of the respective replies.

20. What are the requirements of “entry into force”?

The Contracting Parties decide on the number of ratifications required for entry into force. Contracting Parties may decide to waive the entry into force provisions and for those States which exercise this right, the Treaty shall enter into force upon deposit of the declaration.

21. How is a NWFZ agreement amended after ratification or entry-into-force?

A typical amendment provision is as follows:

1. Any amendments to the Treaty proposed by a Party shall be submitted to the Commission, which shall circulate it to all Parties.
2. Decision on the adoption of such an amendment shall be taken by a two-thirds majority of the Parties either through written communication to the Commission or through a conference of Parties convened upon the concurrence of a simple majority.
3. An amendment so adopted shall enter into force for all Parties after receipt by the Depository of the instrument of ratification by the majority of Parties.

22. What are “additional protocols” to NWFZ agreements.

Additional Protocols provide for the obligations and rights of non-zonal parties and of the nuclear weapon states. Protocols may include negative security assurances to be given by nuclear weapon states to Contracting Parties within a NWFZ.

23. What types of security assurances are generally required by NWFZ parties, or given by nuclear-weapon states?

Nuclear-weapon states usually sign NWFZ Protocols subject to understandings as the one the one the United States issued on adhering to the Latin American NWFZ:

An “armed attack by a Contracting Party [to the NWFZ] in which it was assisted by a nuclear-weapon state would be incompatible with the Contracting Party’s corresponding obligations [not to possess nuclear weapons or encourage others to do so]. This means that, in the event of such an armed attack by a NWFZ party, the United States would feel free of the obligation not to use nuclear weapons.”

A typical Protocol includes the following provisions:

Each Protocol Party [nuclear-weapon state, *not* non-nuclear-weapon state] undertakes not to use or threaten to use a nuclear explosive device against:

- a) Any Party to the Treaty; or
- b) Any territory within the nuclear-weapon-free zone for which a State that has become a Party to Protocol III is internationally responsible.

Each Protocol Party undertakes not to contribute to any act that constitutes a violation of the Treaty or of this Protocol.

Each Protocol Party undertakes, by written notification to the Depositary, to indicate its acceptance or otherwise of any alteration to its obligation under this Protocol that may be brought about by the entry into force of an amendment to the Treaty.

This Protocol shall be open for signature by China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

This Protocol shall be subject to ratification.

This Protocol is of a permanent nature and shall remain in force indefinitely, provided that each Party shall, in exercising its national sovereignty, have the right to withdraw from this Protocol if it decides that extraordinary events, related to the subject-matter of this Protocol, have jeopardized its supreme interests. It shall give notice of such withdrawal to the Depositary twelve months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

This Protocol shall enter into force for each State on the date of its deposit with the Depositary of its instrument of ratification or the date of entry into force of the Treaty, whichever is later.

A typical provision for negative security assurances is a separate “protocol” to be signed by nuclear-weapon states promising not to threaten or use nuclear weapons against parties to a nuclear-weapon-free zone.

24. What are the benefits of establishing such zonal arrangements?

NWFZ agreements complement obligations undertaken under the NPT and enable the agreement and implementation of additional safeguards and nuclear safety measures. Such agreements serve as powerful confidence- and security-building measures, promote cooperation in the peaceful uses of nuclear energy, cooperation in nuclear safety and security, cooperation in dealing with environmental and other problems related to nuclear materials, facilities, and activities. Unlike the NPT, NWFZ agreements prohibit deployment of the nuclear weapons of a nuclear-weapon state on the territory of non-nuclear-weapon parties.

NWFZs contribute to global non-proliferation efforts by:

1. Providing concrete evidence that the participating states are fulfilling their obligations under Articles VI and VII of the NPT as well as their commitment to denuclearization reiterated at the time of the indefinite extension of the NPT;

2. Complementing the NPT by including in their fold countries which are non-parties to the NPT;
4. Inhibiting states from going for nuclear weapons in response to future security needs;
5. Providing valuable supplements to the NPT's verification structure and the IAEA safeguards system by demanding more extensive reporting by states and providing more elaborate and intrusive inspection measures than the NPT;
6. Providing a useful and convenient diplomatic framework for threshold nuclear states to give up their nuclear option;
7. Satisfying, by providing negative security assurances, a long-standing demand of non-nuclear-weapon states regarding the threat to their national security posed by the existence of nuclear weapons; and
8. Enabling states to concentrate on other non-proliferation issues including the creation of more comprehensive regional arms control and non-proliferation regimes such as weapons of mass destruction (WMD)-free zones.

25. What is the process for establishing a NWFZ?

A number of steps are usually required to generate regional and international support for the establishment of a NWFZ. Such steps could include inter alia:

1. Sub-regional or regional consultations.
2. Agreed Declaration on the desirability/feasibility of a NWFZ by interested parties.
3. Consultations with NPT parties.
4. Consultations with nuclear-weapon states.
5. Discussion of the concept of a NWFZ at the Preparatory Committee (sessions in 1997/1998/1999) for the NPT Review Conference in 2000.
6. Drafting, introduction, consideration of a draft resolution on the NWFZ at the First Committee of the UN General Assembly.
7. Adoption of a draft resolution on the NWFZ by the First Committee of the UN General Assembly.
9. Adoption of a resolution on the NWFZ by the UN General Assembly.
10. Drafting of a NWFZ treaty by the potential Contracting Parties.
11. Introduction of a draft treaty on a NWFZ at the First Committee of the UN General Assembly.
12. Welcoming of a draft treaty on the NWFZ by the UN General Assembly.
13. Convening of a Conference of the Contracting Parties (as well as the nuclear weapon states) to sign the NWFZ treaty.
14. Ratification.
15. Entry into force.

(Prepared by Tariq Rauf with comments by George Bunn of Stanford University, William Potter of the Monterey Institute of International Studies, and David Fite of the Subcommittee on Asia and the Pacific, Committee on International Relations, U.S. House of Representatives; and the Department of Foreign Affairs and International Trade (Canada). This document does not necessarily represent the views of any official, government, or international organization.)

(Monterey: Revised July 25, 1997)

NEGATIVE SECURITY ASSURANCES

United States (Dean Rusk letter to U Thant: June 30, 1962):

“The United States Government can and does offer the fullest assurances that it will never use any weapon, large or small, with aggressive intent. But the United States, like other free nations, must be fully prepared to exercise effectively the inherent right of individual and collective self defense as provided in the United Nations Charter.”

China (Statement on Nuclear Weapons: October 16, 1964):

“China will never at any time under any circumstances be the first to use nuclear weapons.”

United States (ACDA Statement to the Senate Foreign Relations Committee-Additional Protocol II to the Tlatelolco Treaty: September 22, 1970):

“Assessment of the non-use undertaking at the time the [Tlatelolco] Treaty was signed by the United States resulted in agreement within the government that it was acceptable in this particular case in view of: (a) the special historic relationship which the United States has maintained with hemispheric neighbours; and (b) the difficulty of conceiving of circumstances in which the United States would find it in its interest to use or threaten to use nuclear weapons against a Latin American party to the Treaty which was abiding by its obligations thereunder, as understood by the United States and clarified in the foregoing statement [the U.S. ‘understanding’].”

Treaty of Tlatelolco

President Carter signed Protocol I for the United States in 1977. In November 1981, the Senate completed its review of the Protocol and gave its advice and consent to ratification subject to certain understandings which were supported by the executive branch and are outlined below. President Reagan ratified Protocol I in November 1981, and the U.S. instrument of ratification was deposited in Mexico City on November 23, 1981. Senate advice and consent to ratification of Protocol I was made subject to three understandings:

- That the provisions of the Treaty made applicable by the protocol do not affect the rights of the contracting parties to grant or deny transport and transit privileges to their own or other vessels or aircraft regardless of cargo or armaments;

- That the provisions of the Treaty made applicable by the protocol do not affect the rights of the contracting parties regarding the exercise of freedom of the seas or passage through or over waters subject to the sovereignty of a State;
- That the understandings and declarations the United States attached to ratification of Protocol II apply also to its ratification of Protocol I.

In Protocol II, nuclear-weapon states undertake (1) to respect the denuclearized status of the zone; (2) not to contribute to acts involving violation of obligations of the parties; and (3) not to use or threaten to use nuclear weapons against the contracting parties. France, the United Kingdom, the United States, China, and the Soviet Union are parties to Protocol II.

The United States signed Protocol II on April 1, 1968. When President Nixon transmitted it to the Senate on August 13, 1970, he recommended that the Senate give its advice and consent subject to certain understandings and declarations. The Senate Foreign Relations Committee revised the statement slightly during its hearings on the Protocol in September 1970 and February 1971, and the full Senate made its consent to ratification, on April 19, 1971, subject to the revised statement. The President ratified the Protocol on May 8, 1971, and the United States deposited the instrument of ratification on May 12, 1971, subject to the following understandings and declarations:

- The Treaty and its protocols have no effect upon the international status of territorial claims.
- The Treaty does not affect the rights of the contracting parties to grant or deny transport and transit privileges to non-contracting parties.
- With respect to the undertaking in Article 3 of Protocol II not to use or threaten to use nuclear weapons against the Treaty parties, the United States would “have to consider that an armed attack by a Contracting Party, in which it was assisted by a nuclear-weapon state, would be incompatible with the Contracting Party’s corresponding obligations under Article I of the Treaty.”
- Considering the technology for producing nuclear explosive devices for peaceful purposes to be indistinguishable from that for making nuclear weapons, the United States regards the Treaty’s prohibitions as applying to all nuclear explosive devices. However, the Treaty would not prevent the United States, as a nuclear-weapon state, from making nuclear explosion services for peaceful purposes available “in a manner consistent with our policy of not contributing to the proliferation of nuclear weapons capabilities.”
- Although not required to do so, the United States will act, with respect to the territories of Protocol I adherents that are within the Treaty zone, in the same way as Protocol II requires it to act toward the territories of the Latin American Treaty parties.

United States (UNSSOD Statement by Vance: “U.S. Assurance on Non-Use of Nuclear Weapons”: June 12, 1978):

“The United States will not use nuclear weapons against any non-nuclear-weapons states party to the NPT or any comparable internationally binding commitment not to acquire nuclear explosive devices, except in the case of an attack on the United States, its territories or armed forces, or its allies, by such state allied to a nuclear-weapon state or associated with a nuclear-weapons states in carrying out or sustaining the attack.”

Memorandum on Security Assurances in Connection with Belarus / Kazakhstan / Ukraine’s Accession to the NPT (Russia, United Kingdom, United States), December 5, 1994 (paragraph 5) — also by France is a separate Statement:

[Russia, the United Kingdom, and the United States together] “reaffirm in the case of the Republic of Kazakhstan [/Belarus] [Ukraine], their commitment not to use nuclear weapons against any non-nuclear weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons, except in the case of an attack on themselves, their territories or dependent territories, their armed forces, or their allies, by such a state in association or alliance with a nuclear weapon state.”

United States (Statement by Christopher regarding a Declaration by the President of the United States on Security Assurances for NNWS Parties to the NPT, April 5, 1995):

“The United States reaffirms that it will not use nuclear weapons against non-nuclear weapon [NPT parties] except in the case of an invasion or any other attack on the United States, its territories, its armed forces or other troops, its allies, or on a State towards which it has a security commitment, carried out or sustained by such a non-nuclear-weapon State in association or alliance with a nuclear-weapon State.”

ICJ: Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion to the U.N. General Assembly, July 8, 1996 (p. 25):

- (a) a number of states [the five NWS] have undertaken not to use nuclear weapons in specific zones (Latin America; the South Pacific) or against certain other States (non-nuclear-weapon states which are parties to the Treaty on the Non-Proliferation of Nuclear Weapons);

- (b) nevertheless, even within this framework, the nuclear-weapon States have reserved the right to use nuclear weapons in certain circumstances; and
- (c) these reservations met with no objection from parties to the Tlatelolco or Rarotonga Treaties or from the Security Council [in the case of the NPT].

UNILATERAL NSA

China (June 7, 1978):

“China...wishes to reiterate that at no time and in no circumstances will it be the first to use nuclear weapons.”

China (April 28, 1982):

“As is known to all, the Chinese government has long declared on its own initiative and unilaterally that at no time and under no circumstances will China be the first to use nuclear weapons, and that it undertakes unconditionally not to use or threaten to use nuclear weapons against non-nuclear countries and nuclear-free zones.”

China (April 5, 1995):

1. China undertakes not to be the first to use nuclear weapons at any time or under any circumstances.
2. China undertakes not to use or threaten to use nuclear weapons against non-nuclear-weapon States or nuclear-weapon-free zones at any time or under any circumstances. This commitment naturally applies to non-nuclear-weapon States parties to Treaty on the Non-Proliferation of Nuclear Weapons or non-nuclear-weapon States that have entered into any comparable internationally-binding commitment not to manufacture or acquire nuclear explosive devices.

France (June 30, 1978):

“Furthermore, as regards paragraph 59 [of the Final Document of the Tenth Special Session] concerning assurances of the non-use of nuclear weapons against non-nuclear States, the delegation of France would recall that France is prepared to give such assurances, in accordance with arrangements to be negotiated, to States which constitute non-nuclear zones.”

France (June 11, 1982):

“For its part, it [France] states that it will not use nuclear arms against a State that does not have them and that has pledged not to seek them, except if an act of aggression is carried out in association or alliance with a nuclear-weapon State against France or against a State with which France has a security commitment.”

France (April 6, 1995):

“Firstly, it [France] reaffirms, and clarifies, the negative security assurances which it gave in 1982, specifically: France reaffirms that it will not use nuclear weapons against non-nuclear-weapon States Parties to Treaty on the Non-Proliferation of Nuclear Weapons, except in the case of an invasion or any other attack on France, its territory, its armed forces or other troops, or against its allies or a State towards which it has a security commitment, carried out or sustained by such a State in alliance or association with a nuclear-weapon State.”

Soviet Union/Russian Federation (May 26, 1978):

“From the rostrum of this special session our country declares that the Soviet Union will never use nuclear weapons against those States which renounce the production and acquisition of such weapons and do not have them on their territories.”

Soviet Union/Russian Federation (June 12, 1982):

[The Soviet Union assumes] an obligation not to be the first to use nuclear weapons. The USSR is also prepared to conclude bilateral agreements on guarantees with States which do not possess nuclear weapons and do not have them on their territory.”

Russian Federation (April 5, 1995):

“Russian Federation will not use nuclear weapons against non-nuclear-weapon States Parties to Treaty on the Non-Proliferation of Nuclear Weapons, except in the case of an invasion or any other attack on the Russian Federation, its territory, its armed forces or other troops, or against its allies or a State towards which it has a security commitment, carried out or sustained by such a non-nuclear-weapon State in association or alliance with a nuclear-weapon State.”

United Kingdom (June 28, 1978):

“Accordingly give the following assurance...to non-nuclear-weapon States which are parties to Treaty on the Non-Proliferation of Nuclear Weapons and to other internationally binding commitments not to manufacture or acquire nuclear explosive devices: Britain undertakes not to use nuclear weapons against such States except in the case of an attack on the United

Kingdom, its dependent territories, its armed forces or its allies by such a State in association or alliance with a nuclear-weapon State.”

United Kingdom (April 6, 1995):

“The United Kingdom will not use nuclear weapons against non-nuclear-weapon States Parties to Treaty on the Non-Proliferation of Nuclear Weapons, except in the case of an invasion or any other attack on the United Kingdom, its dependent territories, its armed forces or other troops, its allies or on a State towards which it has a security commitment, carried out or sustained by such a non-nuclear-weapon State in association or alliance with a nuclear-weapon State.”

United States (June 17, 1978):

“The United States will not use nuclear weapons against any non-nuclear-weapon States Party to the NPT or any comparable internationally binding commitment not to acquire nuclear explosive devices, except in the case of an attack on the United States, its territories or its armed forces, or its allies, by such a State allied to a nuclear-weapon State or associated with a nuclear-weapon State in carrying out or sustaining attack.”

United States (April 5, 1995):

“The United States reaffirms that it will not use nuclear weapons against non-nuclear-weapon States Parties to Treaty on the Non-Proliferation of Nuclear Weapons except in the case of an invasion or any other attack on the United States, its territories, its armed forces or other troops, its allies, or on a State towards which it has a security commitment, carried out or sustained by such a non-nuclear-weapon State in association or alliance with a nuclear-weapon State.”

Sources:

George Bunn, “The Legal Status of U.S. Security Assurances To Non-Nuclear Weapon States”, *The Nonproliferation Review* (Spring-Summer 1997), Vol. 4. No.3.

Programme for Promoting Nuclear Nonproliferation (PPNN), *Briefing Book-Volume II: Treaties, Agreements and Other Relevant Documents (Fifth Edition)*, compiled by Darryl Howlett and John Simpson.

U.S. Arms Control and Disarmament Agency.

Prepared by Tariq Rauf
Monterey: Revised, July 25, 1997

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NUCLEAR WEAPON-FREE ZONES

TREATY Signed Force Parties Duration	Zone of Application	Basic Prohibitions	Review Conferences/ Dispute Settlement	Enforcement	Significant Differences	Special Protocols for NWS	Negative Security Assurances from NWS ⁱ
Treaty of Antarctica 12/1/59 6/23/61 42 ⁱ indefinite	Antarctica, including ice shelves	No military use of Antarctica; no nuclear explosions (peaceful or otherwise); no nuclear waste storage	Meetings at "suitable intervals;" review after 30 years;" cooperative dispute resolution, then to the ICJ	Designated observers can inspect "any and all areas of Antarctica," including ships and planes in port	No military use, nuclear or otherwise; prohibits new claims to Antarctica	None	None
Treaty of Tlatelolco 2/14/67 4/22/68 33 ⁱⁱⁱ indefinite	Mexico, the Caribbean, Central America, and South America	No testing, use, manufacture, production, acquisition, receipt, storage, installation, or deployment of nuclear weapons; no encouraging the above	Biennial sessions; cooperative dispute resolution, then to the ICJ	Exchange of reports; IAEA safeguarding; violations reported to UN Security Council, UN General Assembly, OAS, and IAEA	Allows peaceful nuclear explosions with transparency, however this controversial provision has been negated by NPT states.	I: NWS with territories in the zone to accede, not including the continental United States; NWS will not contribute to violations; France, U.K. and U.S. ^{iv} have signed	II: NWS will not use or threaten to use nuclear weapons against Treaty Parties; all have ratified
Treaty of Rarotonga 8/6/85 12/11/86 16 ^v indefinite	Australia, New Zealand, and the South Pacific	No production, acquisition, possession, testing, or control of any nuclear explosive device; no encouraging the above; no fissile material or related equipment provided to NWS or NNWS unless under NPT and IAEA regulations; no radioactive dumping or storage	Regular reports, but meetings must be called by a Party; cooperative dispute resolution only	Exchange of reports; IAEA safeguarding; special inspections of any relevant area	Prohibits all nuclear activity, peaceful or otherwise, except export of equipment and materials for peaceful nuclear use under the NPT and IAEA	I: NWS with territories in the zone to accede; all three have signed; France has ratified; III: NWS will not test in the zone; all signed; U.K. and U.S. have not ratified	II: NWS will not use or threaten to use any nuclear explosive device against Treaty Parties or territories of states that have acceded to the Treaty; all have signed; U.K. and U.S. have not ratified
Bangkok Treaty 12/15/95 -- 10 ^{vi} indefinite	Southeast Asia	No production, acquisition, possession, testing, transporting, stationing, or control of nuclear weapons; no encouraging the above; no fissile material or related equipment provided to NWS or NNWS unless under NPT and IAEA regulations; no radioactive dumping or storage	Meeting concurrent with ASEAN sessions; 10 year review conference; cooperative dispute resolution, then refer problems to IAEA, UN Security Council, and UN General Assembly	Exchange of reports; IAEA safeguarding; fact-finding mandate	Allows peaceful safeguarded nuclear programs; states decide for themselves whether to allow foreign nuclear weapons passage through territory	None	I: NWS will not use or threaten to use nuclear weapons against any State Party, or in the zone; none has signed
Pelindaba Treaty 4/11/96 -- 52 ^{vii} indefinite	Africa, island OAU members	No research, development, production, acquisition, assistance, control, or testing of nuclear explosive devices; no assistance or encouragement of the above; mandates reversal of nuclear capabilities according to IAEA procedures; mandates IAEA physical protection procedures; prohibits armed attack of nuclear installations	Biennial sessions; cooperative dispute resolution, then referred to the ICJ	Exchange of reports, African Commission on Nuclear Energy	Specifically prohibits nuclear weapon research; mandates nuclear weapon program reversal	II: NWS will not test in the zone; all have signed; France has ratified; III: (France) will apply provisions to its territories in the zone; France has ratified	I: NWS will not use or threaten to use nuclear weapons against any Treaty Party or any territory in the zone belonging to a State Party to Protocol III; France has ratified

NOTE: The primary sources for this table are OPANAL, *Las Zonas Libres de Armas Nucleares, sobre la huella del Tratado de Tlatelolco*, 2/14/97; and the U.S. Arms Control and Disarmament Agency.

- i China has pledged not to use or threaten to use nuclear weapons against any Non-Nuclear Weapon State or Nuclear Weapon-Free Zone at any time or under any circumstances.
- ii There are five non-consultative parties.
- iii Two signatory states (Brazil and Cuba) are not full members, one of which (Brazil) has ratified.
- iv The U.S. reserves the right to make peaceful nuclear explosions available “in a manner consistent with” U.S. policy on the proliferation of nuclear weapons.
- v One state (Tonga) has signed but has not ratified.
- vi No state has ratified.
- vii Only Madagascar has not signed. Gambia, Liberia, and Mauritius have ratified.

*Prepared by Jason Pate.
Monterey: Revised, June 23, 1997.*

Treaty of Tlatelolco

President Carter signed Protocol I for the United States in 1977. In November 1981, the Senate completed its review of the Protocol and gave its advice and consent to ratification subject to certain understandings which were supported by the executive branch and are outlined below. President Reagan ratified Protocol I in November 1981, and the U.S. instrument of ratification was deposited in

Mexico City on November 23, 1981. Senate advice and consent to ratification of Protocol I was made subject to three understandings:

- That the provisions of the Treaty made applicable by the protocol do not affect the rights of the contracting parties to grant or deny transport and transit privileges to their own or other vessels or aircraft regardless of cargo or armaments;
- That the provisions of the Treaty made applicable by the protocol do not affect the rights of the contracting parties regarding the exercise of freedom of the seas or passage through or over waters subject to the sovereignty of a State;
- That the understandings and declarations the United States attached to ratification of Protocol II apply also to its ratification of Protocol I.

In Protocol II, nuclear-weapon states undertake (1) to respect the denuclearized status of the zone; (2) not to contribute to acts involving violation of obligations of the parties; and (3) not to use or threaten to use nuclear weapons against the contracting parties. France, the United Kingdom, the United States, China, and the Soviet Union are parties to Protocol II.

The United States signed Protocol II on April 1, 1968. When President Nixon transmitted it to the Senate on August 13, 1970, he recommended that the Senate give its advice and consent subject to certain understand-

ings and declarations. The Senate Foreign Relations Committee revised the statement slightly during its hearings on the Protocol in September 1970 and February 1971, and the full Senate made its consent to ratification, on April 19, 1971, subject to the revised statement. The President ratified the Protocol on May 8, 1971, and the United States deposited the instrument of ratification on May 12, 1971, subject to the following understandings and declarations:

- The Treaty and its protocols have no effect upon the international status of territorial claims.
- The Treaty does not affect the rights of the contracting parties to grant or deny transport and transit privileges to non-contracting parties.
- With respect to the undertaking in Article 3 of Protocol II not to use or threaten to use nuclear weapons against the Treaty parties, the United States would “have to consider that an armed attack by a Contracting Party, in which it was assisted by a nuclear-weapon state, would be incompatible with the Contracting Party’s corresponding obligations under Article I of the Treaty.”
- Considering the technology for producing nuclear explosive devices for peaceful purposes to be indistinguishable from that for making nuclear weapons, the United States regards the Treaty’s prohibitions as applying to all nuclear explosive devices.

However, the Treaty would not prevent the United States, as a nuclear-weapon state, from making nuclear explosion services for peaceful purposes available “in a manner consistent with our policy of not contributing to the proliferation of nuclear weapons capabilities.”

- Although not required to do so, the United States will act, with respect to the territories of Protocol I adherents that are within the Treaty zone, in the same way as Protocol II requires it to act toward the territories of the Latin American Treaty parties.

SEANWFZ

COUNTRY	Signed	Ratified
Brunei Darussalam	15 Dec 95	
Cambodia	15 Dec 95	
Indonesia	15 Dec 95	
Laos	15 Dec 95	
Malaysia	15 Dec 95	
Myanmar	15 Dec 95	
Philippines	15 Dec 95	
Singapore	15 Dec 95	
Thailand	15 Dec 95	
Viet Nam	15 Dec 95	
Membership Total:	10	

LANWFZ

COUNTRY	Signed	Ratified
Antigua and Barbuda	11 Oct 83	11 Oct 83
Argentina	27 Sep 67	31 Jan 94
Bahamas	29 Nov 76	26 Apr 77
Barbados	18 Oct 68	25 Apr 69
Belize	14 Feb 92	09 Nov 94
Bolivia	14 Feb 67	18 Feb 69
Brazil	09 May 67	29 Jan 68
Chile	14 Feb 67	09 Oct 74
Colombia	14 Feb 67	04 Aug 72
Costa Rica	14 Feb 67	25 Aug 69
Cuba	25 Mar 95	
Dominica	02 May 89	04 Jun 93
Dominican Republic	28 Jul 67	14 Jun 68
Ecuador	14 Feb 67	11 Feb 69
El Salvador	14 Feb 67	22 Apr 68
Grenada	29 Apr 75	20 Jun 75
Guatemala	14 Feb 67	06 Feb 70
Guyana	16 Jan 95	16 Jan 95
Haiti	14 Feb 67	23 May 69
Honduras	14 Feb 67	23 Sep 68
Jamaica	26 Oct 67	26 Jun 69
Martinique		
Mexico	14 Feb 67	20 Sep 67
Nicaragua	15 Feb 67	24 Oct 68
Panama	14 Feb 67	11 Jun 71
Paraguay	26 Apr 67	19 Mar 69
Peru	14 Feb 67	04 Mar 69
St. Kitts and Nevis	18 Feb 94	18 Apr 95
St. Lucia	25 Aug 92	02 Jun 95
St. Vincent and the Grenadines	14 Feb 92	14 Feb 92
Suriname	13 Feb 76	10 Jun 77
Trinidad and Tobago	27 Jun 67	03 Dec 70
Uruguay	14 Feb 67	20 Aug 68
Venezuela	14 Feb 67	23 Mar 70
Membership Total:	33	32

ANWFZ

COUNTRY	Signed	Ratified
Algeria	11 Apr 96	
Angola	11 Apr 96	
Benin	11 Apr 96	
Botswana	11 Apr 96	
Burkina Faso	11 Apr 96	
Burundi	11 Apr 96	
Cameroon	11 Apr 96	
Cape Verde	11 Apr 96	
Central African Republic	11 Apr 96	
Chad	11 Apr 96	
Comoros	11 Apr 96	
Congo	11 Apr 96	
Cote d'Ivoire	11 Apr 96	
Djibouti	11 Apr 96	
Egypt	11 Apr 96	
Equatorial Guinea	11 Apr 96	
Eritrea	11 Apr 96	
Ethiopia	11 Apr 96	
Gabon	11 Apr 96	
Gambia	11 Apr 96	03 Sep 96
Ghana	11 Apr 96	
Guinea	11 Apr 96	
Guinea-Bissau	11 Apr 96	
Kenya	11 Apr 96	
Lesotho	11 Apr 96	
Liberia	09 Jul 96	09 Jul 96
Libyan Arab Jamahiriya	11 Apr 96	
Madagascar		
Malawi	11 Apr 96	
Mali	11 Apr 96	
Mauritania	11 Apr 96	19 Apr 96
Mauritius	11 Apr 96	
Morocco	11 Apr 96	
Mozambique	11 Apr 96	
Namibia	11 Apr 96	
Niger	11 Apr 96	
Nigeria	11 Apr 96	
Rwanda	11 Apr 96	
Sao Tome and Principe	09 Jul 96	
Senegal	11 Apr 96	
Seychelles	09 Jul 96	
Sierra Leone	11 Apr 96	
Somalia	11 Apr 96	
South Africa	11 Apr 96	
Sudan	11 Apr 96	
Swaziland	11 Apr 96	
Togo	11 Apr 96	
Tunisia	11 Apr 96	
Uganda	11 Apr 96	
United Rep. of Tanzania	11 Apr 96	
Zaire	11 Apr 96	
Zambia	11 Apr 96	
Zimbabwe	11 Apr 96	
Membership Total:	52	3

SPNFZ

COUNTRY	Signed	Ratified
Australia	06 Aug 85	11 Dec 86
Cook Islands	06 Aug 85	28 Oct 85
Fiji	06 Aug 85	04 Oct 85
Kiribati	06 Aug 85	28 Oct 86
Marshall Islands	*	*
Micronesia (FS)	*	*
Nauru	17 Jul 86	13 Apr 87
New Zealand	06 Aug 85	13 Nov 86
Niue	06 Aug 85	12 May 86
Palau	*	*
Papua New Guinea	16 Sep 85	15 Sep 89
Solomon Islands	29 May 87	27 Jan 89
Tonga	02 Aug 96	*
Tuvalu	06 Aug 85	16 Jan 86
Vanuatu	16 Sep 95	09 Feb 96
Western Samoa	06 Aug 85	20 Oct 86
Membership total:	16	16

NUCLEAR WEAPON-FREE ZONES: PROTOCOL SIGNATURES

COUNTRY	TLATELOLCO	RAROTONGA	ANWFZ	SEANWFZ
China	21 Aug 73	10 Feb 87	11 Apr 96	
France	18 Jul 73	25 Mar 96	11 Apr 96	
Russian Federation	18 May 78	15 Dec 86	11 Apr 96	
United Kingdom	20 Dec 67	25 Mar 96	11 Apr 96	
United States	01 Apr 68	25 Mar 96	11 Apr 96	
Netherlands	15 May 68	NA	NA	NA
Spain	NA	NA		NA