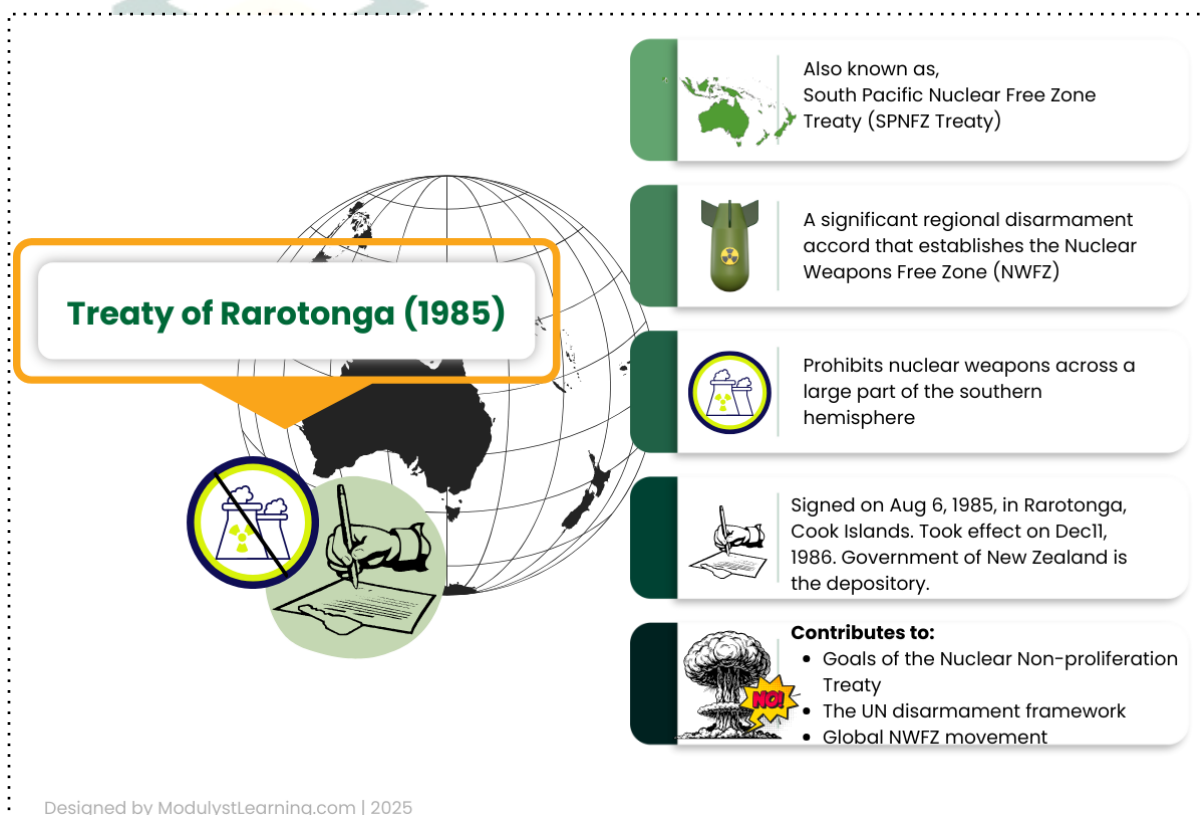


TREATY OF RAROTONGA (1985)

The Treaty of Rarotonga, officially known as the South Pacific Nuclear Free Zone Treaty (SPNFZ Treaty), is a significant regional disarmament accord that establishes the South Pacific Nuclear Weapon Free Zone (NWFZ). It prohibits nuclear weapons across a large part of the Southern Hemisphere.

Regarding backgrounds and context, the Cold War and Nuclear Anxiety encompass the period during the Cold War when the South Pacific experienced the following:

- France carried out atmospheric and underground nuclear tests at Mururoa and Fangataufa.
- Earlier US nuclear tests took place in the Marshall Islands, including Bikini and Enewetak.
- Regional ecological and health crises, including cancer clusters and displacement.
- Growing anti-nuclear civil movements in Australia, New Zealand, Fiji, Samoa, and the Polynesian



Regional Diplomacy

- The South Pacific Forum, now known as the Pacific Islands Forum (PIF), played a crucial role.
- Australia and New Zealand were prominent supporters.
- Inspired by the Treaty of Tlatelolco (Latin America NWFZ), the treaty's background is rooted in regional diplomacy efforts to establish nuclear-free zones, offering context that engages readers with its origins.

Adoption

- Signed on August 6th, 1985, in Rarotonga, Cook Islands.
- It took effect on December 11, 1986.
- Its depositary is the government of New Zealand.

Geographical Scope

The treaty encompasses the whole South Pacific area, including –

- Australia
- New Zealand
- Papua New Guinea
- Fiji
- Samoa
- Tonga
- Solomon Islands
- Cook Islands
- Kiribati
- Niue
- Vanatu
- Tuvalu
- Nauru
- Tokelau

US territories such as Guam and American Samoa are excluded because they did not sign.

Objectives of the Treaty

Prime Goal

Establish a Nuclear Weapon-Free Zone (NWFZ) in the South Pacific.

It bans –

- Manufacturing, possessing, stationing, and testing nuclear weapons

- The disposal of nuclear waste.
- Foster regional stability and peace.
- Support international norms for proliferation (NPT).

Important Provisions

Article 3 – Nuclear Explosive Devices

States parties are not permitted to – Manufacture, acquire, possess, control, or station any nuclear explosive device.

Article 4 – Testing Prohibition

Complete prohibition on nuclear weapon tests and peaceful nuclear explosions (PNEs).

Article 5 – Stationing and Deployment

States are not allowed to permit –

- Stationing
- Transportation
- Storage of nuclear weapons within their territories

Article 6 – Nuclear Waste

It prohibits –

- Disposal of radioactive waste
- Release of nuclear material into land, air, sea, or waterways

Article 7 – Peaceful Use of Nuclear Energy

- Allows the use of civilian nuclear energy.
- Requires strict safeguards in accordance with IAEA standards.

Article 8 – Verification

- Enforce the requirement to follow IAEA safeguards.
- Regional oversight via the SPNFZ Consultative Committee

Article 9 – Reporting

States must report nuclear materials, breaches of safeguards, and any suspicious activities.

Article 10 – Consultative Committee

It manages the implementation, conducts compliance reviews, and handles conflict resolution.

Protocols

The treaty includes three protocols aimed at the leading nuclear powers.

Protocol 1

Protocol 1 requires nuclear powers with territories in the region to:

- Extend the treaty to include those territories.
- US, UK, and France (note: the US has not ratified)

Protocol 2

Nuclear weapon states are required to – Refrain from using or threatening to use nuclear weapons against SPNZ states.

Signed by:

- China
- France
- Russia
- UK
- US (signed but not ratified)

Protocol 3

Nuclear-weapon states have the following requirements:

- Avoid testing nuclear explosive devices within the zone.

Signed and ratified by:

- China
- france
- Russia
- UK
- US (signed but not verified)

Significance

Regional Level

- Reinforces Pacific identity as a peaceful, nuclear-free region

- Reduces risks of –
 - Nuclear conflict
 - Nuclear accidents
 - Radioactive contamination
- Encourages environmental protection

Global Level

Contributes to:

- Goals of the Nuclear Non-Proliferation Treaty (NPT)
- The UN disarmament framework
- Global NWFZ movement

Compliance and Monitoring

Mechanisms

- IAEA safeguards
- Regional inspections
- Annual reporting
- Consultative Committee enforcement

Controversies

- France continued nuclear testing into the 1990s despite ratifying various protocols.
- United States –
 - Signed but never officially ratified the protocols.
 - Keeps nuclear-capable military bases in nearby territories, such as Guam

Relationships with Other Treaties

The Treaty of Rarotonga complements:

- Treaty of Tlatelolco (Latin America)
- Bangkok Treaty (SE Asia NWFZ)
- Pelindaba Treaty (Africa NWFZ)
- Central Asian NWFZ
- Mongolia's Nuclear Free Status

Together, these establish a nearly continuous zone across the Southern Hemisphere that is free of nuclear weapons.

India's Position

India:

- Supports International Efforts to Establish Nuclear-Weapon-Free Zones Worldwide
- Primarily supports zones that are established through regional consensus.
- Not a direct member (outside the zone), but has no objections.

Criticisms and Limitations

Major limitations

- The absence of US ratification undermines the goal of universal coverage.
- Cannot compel nuclear-armed states to disarm in the surrounding areas.
- No authority in international waters.
- Verification Challenges Encountered on Remote Islands

Environmental Limitations

Cannot reverse damage from –

- French tests (Mururoa)
- US tests (Marshall Islands)

Why is it named Rarotonga?

Since it was signed in Rarotonga, which is the capital of the Cook Islands.

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