

## Appendix E

### NUCLEAR-WEAPON-FREE ZONES

Regional non-proliferation arrangements such as nuclear-weapon-free zones (NWFZs) are increasingly perceived as supplementary elements of the non-proliferation regime. Even though adherence to the Nuclear Non-Proliferation Treaty (NPT) is now nearly universal, NWFZs politically reinforce NPT arrangements; they accommodate regional sensitivities and can be adapted incrementally.<sup>1</sup> From the perspective of the International Atomic Energy Agency (IAEA), NWFZs provide additional verification and assurance to the international community that non-proliferation is working.<sup>2</sup>

The growing role of NWFZs was reflected in the relevant section of the draft review document of the 1995 NPT Review and Extension Conference. It stated:

The establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned, particularly in regions afflicted with conflicts, enhances regional and global peace and security and contributes to the ultimate objective of achieving a world entirely free of nuclear weapons . . . such zones constitute an important disarmament measure which greatly strengthens the international non-proliferation regime in all its aspects.<sup>3</sup>

During the Cold War, the United States had little enthusiasm for NWFZs. Soviet proposals for the de-nuclearization of Central Europe and other areas failed to meet a set of U.S. criteria: that the zones actually limit the spread of nuclear weapons; that they not interfere with existing security arrangements; that they provide for adequate verification; that the initiative for them originate in the geographical area concerned; and that all states important to the de-nuclearization of the area participate.<sup>4</sup> The United States did support the initiative by Latin American countries to negotiate the Treaty on the Prohibition of Nuclear Weapons in Latin America (the Treaty of Tlatelolco), for example, but shied away from the South Pacific Nuclear-Free-Zone (SPNFZ) Treaty.

With the end of the Cold War, the nuclear-weapon states have been more willing to support NWFZ treaties. The United States and the other weapon states in 1996 signed the relevant protocols to the Treaties of Rarotonga and Pelindaba, establishing nuclear-weapon-free zones in the South Pacific and in Africa.<sup>5</sup>

**The Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean.** The 1967 Treaty of Tlatelolco, which was stimulated by the Cuban missile crisis, established a nuclear-weapon-free zone in the Latin America and Caribbean region.<sup>6</sup> Parties to the Tlatelolco treaty agree not to test, use, manufacture, produce, or acquire nuclear weapons; nor to receive, store, install, or deploy nuclear weapons on their territory, even if offered by other states. To verify

that these pledges are kept, adherents accept “full-scope” International Atomic Energy Agency (IAEA) safeguards (i.e., comprehensive IAEA inspections of all nuclear activities in the host state). The treaty also establishes a regional inspection organization, the Agency for the Prohibition of Nuclear Weapons in Latin America (OPANAL). Tlatelolco originally recognized the authority of both the IAEA and OPANAL, but an amendment of August 1992 designates the IAEA as the sole authority to carry out special inspections of Tlatelolco parties.<sup>7</sup>

The Tlatelolco treaty has two protocols intended to be binding on states outside the region. Protocol I requires that outside nations that still have territories in Latin America respect the treaty’s de-nuclearization requirements with respect to those territories. Protocol II prohibits nuclear-weapon states from threatening to use nuclear arms against treaty parties and pledges them to refrain from bringing nuclear weapons into the region. All nations with territories in the region—the United States, the United Kingdom, France, and the Netherlands—have signed and ratified Protocol I. All nuclear-weapon states have ratified Protocol II.

Under its entry-into-force provisions contained in Article 28, the treaty will become fully effective once all eligible states have signed and ratified the treaty and its two protocols and have concluded “bilateral or multilateral” safeguards agreements with the IAEA. However, a follow-on provision states that all signatories have the “right to waive, wholly or in part” these requirements and declare the treaty in force unilaterally. As of July 1997, 32 nations had ratified the accord and waived this provision so that the treaty would become effective for these countries.<sup>8</sup> By July 1997, the amended treaty was in force for Argentina, Barbados, Brazil, Chile, Guyana, Jamaica, Mexico, Paraguay, Peru, Suriname, Uruguay, and Venezuela.<sup>9</sup>

Cuba, which had earlier made approval of the treaty contingent upon U.S. withdrawal from the Guantanamo naval base, signed the treaty on March 25, 1995—the last state in Latin America to do so. In September 1995, the Cuban deputy foreign minister reported that Cuba was “studying ratifying” the Treaty of Tlatelolco.<sup>10</sup>

**The South Pacific Nuclear-Free-Zone Treaty.** The movement toward a South Pacific Nuclear-Free-Zone (SPNFZ) treaty was fueled by the decision of France to move its nuclear testing to its Pacific Ocean atolls following Algeria’s independence. Even before then, however, there was concern about weapons proliferation in the region stemming from the Cold War and about the prospect that the dumping of nuclear waste at sea would eventually contaminate the marine environment.<sup>11</sup>

The SPNFZ treaty (also known as the Treaty of Rarotonga) opened for signature on August 6, 1985, to establish a nuclear-weapon-free zone in the South Pacific—prohibiting the testing, manufacture, and stationing of nuclear weapons in the region as well as the dumping of radioactive wastes at sea.<sup>12</sup> The treaty control system requires all parties to apply full-scope IAEA safeguards in order to verify “the non-diversion of nuclear material from peaceful nuclear activities to nuclear explosive devices.”<sup>13</sup> It also provides for mandatory IAEA “special inspections,” if they are deemed necessary, to assure compliance.

According to Article 5, each party “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”—consistent with the rights under international law for freedom of navigation on the high seas and innocent passage through territorial waters.<sup>14</sup>

The first protocol to the treaty requires the United States, France, and the United Kingdom—three nuclear-weapon states with territories in the zone—to apply the treaty’s prohibitions to those territories. Under the second protocol, the five nuclear-weapon states are prohibited from using or threatening to use nuclear explosive devices against signatories of the treaty. The third protocol bans nuclear testing by the five nuclear-weapon states within the zone area.

The United States—not only concerned about the implications for its own freedom of naval movement but also sensitive to French interest in nuclear testing in the region—declined to sign the protocols for ten years. The French decision to resume testing in September of 1995 aroused protests by Pacific islanders and neighboring countries, forcing France to declare, in January 1996, that it would adopt a nuclear testing moratorium.<sup>15</sup> After this change in French policy, the United States and the United Kingdom joined France in signing the three protocols of the treaty on March 25, 1996.<sup>16</sup> Russia and China had become party to Protocols 2 and 3 in 1988 and 1989, respectively, but did not accede to Protocol 1 because neither had any territories within the zone.<sup>17</sup>

The Treaty of Rarotonga is in force for the following states: Australia, Cook Islands, Fiji, Kiribati, Nauru, New Zealand, Niue, Papua New Guinea, Solomon Islands, Tuvalu, Vanuatu, and Western Samoa.<sup>18</sup> Per Article 15, the treaty has been in force since December 11, 1986, the date of the eighth ratification.<sup>19</sup>

**The African Nuclear-Weapon-Free-Zone Treaty.** The African Nuclear-Weapon-Free-Zone (ANWFZ) Treaty, also known as the Treaty of Pelindaba, had its origins in the first summit of the Organization of African Unity (OAU) in Cairo in July 1964, when participants called for a treaty to ensure that Africa would be free of nuclear weapons.<sup>20</sup> The 32-year quest for a nuclear-free zone culminated in the signing of the Treaty of Pelindaba by more than 40 African nations at a Cairo ceremony on April 11, 1996. When the treaty

enters into force, it will prohibit the research, development, manufacture, stockpiling, acquisition, testing, possession, and control or stationing of nuclear weapons—as well as the dumping of radioactive wastes—within the treaty zone.<sup>21</sup>

The verification provisions require all parties to conclude comprehensive safeguards agreements with the IAEA to ensure the peaceful nature of their nuclear activities. The treaty also establishes a regional body, the African Commission on Nuclear Energy, as a complementary mechanism to verify compliance. Under Annex IV of the treaty, the Commission is responsible for implementing complaint procedures. However, if the Commission determines that there is sufficient evidence in a complaint to warrant a “special inspection,” it “may request the [IAEA] to conduct such [an] inspection as soon as possible.” The Commission may also designate its representatives to accompany the IAEA inspection team.

The treaty goes beyond earlier NWFZ models in a number of ways.<sup>22</sup> First, it calls for “the highest standards of security and effective physical protection of nuclear materials, facilities and equipment.”<sup>23</sup> Second, it prohibits “any action aimed at an armed attack by conventional or other means against nuclear installations” in the zone. Third, the treaty calls for the declaration and dismantlement of any clandestine nuclear weapons capabilities that have existed prior to the treaty’s entry into force (as was accomplished in the South Africa case).

Under Protocol I, the United States, France, the United Kingdom, the Russian Federation, and China are invited to agree “not to use or threaten to use a nuclear explosive device against” any party to the treaty or against any territory of a Protocol III party within the African nuclear-weapon-free zone. Under Protocol II, the United States, France, the United Kingdom, the Russian Federation, and China are invited to agree “not to test or assist or encourage the testing of any nuclear explosive device anywhere” within the zone. Protocol III is open for signature to states responsible for territories in the zone—specifically Spain and France—obligating them to observe the prohibitions of the treaty with respect to their territories.

China, France, the United Kingdom, and the United States signed the first two protocols to the treaty on the day it was opened for signature on April 11, 1996, in Cairo. France also signed Protocol III covering territories in the region. Both the United States and Britain argued, however, that neither the treaty nor its protocols apply to the military base on the island of Diego Garcia in the Indian Ocean—and thus do not prohibit the possible presence of U.S. nuclear weapons there.<sup>24</sup> Because Russia wanted to examine this U.S./U.K. position, it did not sign Protocols I and II until May 11, 1996.<sup>25</sup>

The treaty will enter into force upon its twenty-eighth ratification; the protocols will also enter into force at that time for those protocol signatories that have deposited their instruments of ratification. As of February 1998, 49 out of the 53 eligible African states

had signed the treaty—Botswana, Equatorial Guinea, Madagascar, and Somalia being the non-signatory states. As of that date, Algeria, Gambia, and Mauritius were the only states to have deposited their instruments of ratification; Spain had not yet signed Protocol III.<sup>26</sup>

Shortly after the treaty's protocols had been signed, statements from U.S. officials appeared to contradict the "negative" security assurances embodied in Protocol I. In signing the protocol, the United States pledged "not to use or threaten to use a nuclear explosive device against [any party to the treaty]." In a White House briefing statement on the same day, the U.S. Administration appeared to undercut the intent and meaning of the protocol by stating that it "will not limit options available to the United States in response to an attack by [a treaty] party using weapons of mass destruction."<sup>27</sup> The U.S. position appears to rely on a rule of international law known as the "doctrine of belligerent reprisals." Under this doctrine, the United States could reserve the right to use weapons that are considered illegal (as nuclear weapons would be if used against an ANWFZ party) in response to aggression with illegal weapons against U.S. forces or allies (e.g., chemical or biological weapons) if: (1) the response were proportional to the attack; (2) the U.S. use of nuclear weapons were in direct response to the attack; and (3) the U.S. use of nuclear weapons were necessary to end the attack.<sup>28</sup>

**The Southeast Asian Nuclear-Weapon-Free-Zone Treaty.** The seven member states of the Association of South East Asian Nations (ASEAN), as well as Burma, Cambodia, and Laos, met in Bangkok on December 15, 1995, to sign the Southeast Asian Nuclear-Weapon-Free-Zone (SEANWFZ) Treaty.<sup>29</sup> The treaty prohibits member countries from manufacturing, possessing, testing, or threatening to use nuclear weapons. SEANWFZ also bans the dumping of nuclear waste in Southeast Asian waters. Individual states may decide whether, in specific instances, to allow the "innocent passage" of nuclear-armed planes and ships of the five nuclear-weapon states through ASEAN territories.<sup>30</sup>

ASEAN also invited the five nuclear-weapon states to sign a protocol to the treaty acknowledging the nuclear-weapon-free zone. The United States and China indicated that they had concerns about signing the protocol, arguing it was too restrictive.<sup>31</sup> In June 1996, U.S. Ambassador Thomas Graham said that the United States was interested in becoming a party to the SEANWFZ Treaty, but that it could not do so unless U.S. security concerns were met. U.S. reservations centered on the treaty's application of a 200-mile exclusive economic zone, which could affect the free passage of nuclear-powered vessels through Southeast Asian waters and interfere with the U.N. Law of the Sea Convention.<sup>32</sup> In July 1996, ASEAN expressed its readiness to reconsider the protocol to the SEANWFZ Treaty in order to accommodate the United States and other established nuclear-weapon states.<sup>33</sup> Later in the year, ASEAN announced that it would negotiate with the five nuclear powers over legal issues and matters pertaining

to the exclusive economic zone.<sup>34</sup> At the 1997 PrepCom, the nuclear-weapon states restated their readiness "to work with the signatories of the South East Asian Nuclear-Weapon-Free-Zone Treaty to remove those obstacles currently preventing [them] from signing the Protocol to the Treaty."<sup>35</sup>

The SEANWFZ Treaty came into force on March 27, 1997, after both Cambodia and Singapore deposited their instruments of ratification. As of November 1, 1997, Indonesia and the Philippines were the only two treaty signatories that had not yet ratified the treaty.<sup>36</sup>

### **Prospects: Other Nuclear-Weapon-Free-Zone Discussions**

Several other regional groups have expressed interest in establishing nuclear-weapon-free zones—some of them decades ago—although as of December 1997 none of these had come to fruition.

**The Middle East and South Asia.** These two geographically and politically distinct regions have been the subject of separate NWFZ proposals. In the case of South Asia, NWFZ proposals date back to the 1960s but have been strongly opposed by India and therefore have never gathered momentum. NWFZ proposals for the Middle East also go back some time but have gathered more interest only in the last few years. Both regions have experienced considerable proliferation, however, and this may now be the most serious technical obstacle to actually designing and implementing a NWFZ. Deep rivalries in both regions also make the prospects politically less promising than in other regions.

**Central Europe.** Proposals for a Central European nuclear-weapon-free zone were occasionally raised during the Cold War, but a new proposal formulated by Belarus surfaced recently—partly as a reaction to the plans for the enlargement eastward of the North Atlantic Treaty Organization (NATO). Belarus's proposal failed to win broader regional support, particularly among former Warsaw Pact states. NATO has already removed all of its deployed ground-based nuclear forces from Western Europe and, in conjunction with enlargement, has adopted policies that would avoid stationing nuclear weapons in the territory of new members in Central Europe. As a practical matter, Central Europe has been free of nuclear weapons since the withdrawal of Soviet (Russian after the collapse of the USSR) nuclear forces from East Germany and the former Warsaw Pact states—a process that subsequently was extended to Belarus and Ukraine.

**Central Asia.** Prospects for a formal Central Asian nuclear-weapon-free zone are promising. Led by Kazakhstan and Uzbekistan, discussion has proceeded on a NWFZ proposal, and a meeting to discuss the proposal has been tentatively scheduled to take place in Bishkek, Kyrgyz Republic, in 1998. The Central Asian proposal provides for frequent consultation with the five established nuclear-weapon states, and has a good chance of winning their support.

## NOTES

<sup>1</sup>Mark G. McDonough, "Strengthening the Non-Proliferation Regime: Selected Analyses, Findings, and Recommendations," A summary report of the March 1992 Carnegie Endowment Non-Proliferation Conference (Washington, DC: Carnegie Endowment for International Peace, June 1992), p. 8.

Some proponents of NWFZs view them as an alternative to the NPT regime because of the latter's apparent weakness in exposing covert proliferants such as Iraq.

<sup>2</sup>Jan Priest, "The Role of the IAEA in Nuclear-Weapon-Free Zones and Its Relationship with the Brazilian-Argentine Agency for the Accounting and Control of Nuclear Materials," Proceedings from the February 1996 Carnegie Endowment Non-Proliferation Conference (Washington, DC: Carnegie Endowment for International Peace, June 1996), p. 1.

<sup>3</sup>Ibid. See also 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, April 17-May 12, 1995, "Decision 2: Principles and Objectives for Nuclear Non-Proliferation and Disarmament," NPT/CONF.1995/32/DEC.2, May 11, 1995.

At the 1997 PrepCom, in the Chairman's Paper, annexed to the PrepCom Report, Committee participants welcomed "the steps taken to conclude further Nuclear Weapon Free Zone Treaties since 1995 and [reaffirmed] the conviction that the establishment of internationally recognized nuclear-weapon-free zones freely arrived at among the States concerned, enhances global and regional peace and security." See Chairman's Paper, April 17, 1997, <http://www.basicint.org>.

<sup>4</sup>ACDA, "Treaty for the Prohibition of Nuclear Weapons in Latin America: Narrative," <http://www.acda.gov/treaties/latin.htm> (February 20, 1997). Also see Zachary S. Davis, "The Spread of Nuclear-Weapon-Free Zones: Building a New Nuclear Bargain," *Arms Control Today*, February 1986, p. 16.

<sup>5</sup>The five states have noted that their signing of these protocols was in line with security assurances they had provided in their national declarations and in U.N. Resolution 984. See Preparatory Committee for the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (PrepCom), First Session, New York 7-18 April 1997. Statement made by H. E. Mrs. Joelle Bourgois, Head of the French Delegation, on behalf of the delegations of France, the People's Republic of China, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America on Nuclear Non-Proliferation and Disarmament, April 8, 1997. See also ACDA, U.S. Statement by the Honorable Lawrence Scheinman to NPT Preparatory Committee Meeting, April 8, 1997. Both statements are on the BASIC web site (<http://www.basicint.org>). See also Evelyn Leopold, "Five Nuclear Powers Reaffirm Anti-Nuke Pledges," *Reuters*, April 8, 1997.

<sup>6</sup>The original title of the treaty was Treaty for the Prohibition of Nuclear Weapons in Latin America. As a result of the first amending of the treaty in July 1990, the phrase "and the Caribbean" was added to the title. See ACDA, *Arms Control and Disarmament Agreements: Texts and Histories of Negotiations* (Washington, DC: Government Printing Office, 1982), p. 59; ACDA, "Treaty for the Prohibition of Nuclear Weapons in Latin America: Narrative," op. cit.

The second amending of the treaty in May 1991 modified paragraph 2 of Article 25, in effect, to allow "nonautonomous territories" to become parties to the treaty once they attained their independence. In its original form the paragraph had excluded political entities "part or all of whose territory" was in dispute with "an extra-continental country and one or more Latin American States" prior to the date the treaty was opened for signature. ACDA, "Treaty for the Prohibition of Nuclear Weapons in Latin America: Narrative," op. cit., (the treaty text can be accessed at <http://www.acda.gov/treaties/latin2.htm>).

<sup>7</sup>ACDA, "Treaty for the Prohibition of Nuclear Weapons in Latin America: Narrative," op. cit.

<sup>8</sup>The treaty is in force for the following nations: Antigua and Barbuda, Argentina, the Bahamas, Barbados, Belize, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, St. Kitts/Nevis, St. Lucia, St. Vincent/Grenadines, Suriname, Trinidad and Tobago, Uruguay, and Venezuela. Communication with the Office of the Secretary General of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, September 4, 1997.

<sup>9</sup>ACDA, "Treaty for the Prohibition of Nuclear Weapons in Latin America: Narrative," op. cit.

<sup>10</sup>*Arms Control Reporter*, 1995, p. 452.B.169 and p. 452.B.175.

<sup>11</sup>Priest, "The Role of the IAEA in Nuclear-Weapon-Free Zones," op. cit., p. 3.

<sup>12</sup>See ACDA, "South Pacific Nuclear-Free-Zone Treaty," Factsheet, May 20, 1996, <http://www.acda.gov/factsheet/nwzf/spnwzf.htm> (February 20, 1997). For text see ACDA, "South Pacific Nuclear-Free-Zone Treaty: Text," <http://www.acda.gov/treaties/spnwzf.htm> (February 20, 1997).

<sup>13</sup>Priest, "The Role of the IAEA in Nuclear-Weapon-Free Zones," op. cit., p. 3.

<sup>14</sup>ACDA, "SPNFZ Treaty: Text," op. cit. Also see "White House Briefing by Robert Bell," *Federal News Service*, March 22, 1996.

<sup>15</sup>Davis, "The Spread of Nuclear-Weapon-Free Zones," op. cit., pp. 17, 18.

<sup>16</sup>"Nuclear Treaty," *Associated Press*, March 25, 1996.

The United States, France, and Britain announced in October 1995 that they would ratify the protocols of the Treaty of Rarotonga in the first half of 1996, as soon as France completed its nuclear test series in the area. See "Nuclear Free Zone to be Unveiled: France, Britain, U.S. to Sign Off on South Pacific Area," *Washington Times*, October 20, 1995.

<sup>17</sup>See ACDA, "South Pacific Nuclear-Free-Zone Treaty," Factsheet, op. cit.

<sup>18</sup>The Marshall Islands refused to sign the SPNFZ treaty stating that if it became a signatory it would have to continue living with nuclear waste since the treaty bans the transport and disposal of nuclear waste in the region. "Marshall Islands Refuses to Sign Nuclear-Free-Zone Treaty," *FBIS*, March 28, 1996.

Tonga signed the SPNFZ Treaty on August 2, 1996, but has not ratified it. Palau and Micronesia are the only other South Pacific nations not to have signed the treaty. ACDA SPNFZ Factsheet, <http://www.acda.gov/factsheet/nwzf/spnwzf.htm> (December 10, 1997).

The French Polynesia Parliament approved the SPNFZ treaty in July 1996. "French Polynesia: Parliament Approves Nuclear-Free-Zone Treaty," *FBIS*, July 12, 1996.

<sup>19</sup>ACDA, "SPNFZ Treaty Text," op. cit.

<sup>20</sup>The United States has supported the idea of such a treaty since the first United Nations General Assembly resolution on this issue in 1965. It has also made an important contribution to the drafting of the final text of the Treaty and each Protocol. See ACDA, "African Nuclear-Weapon-Free-Zone Treaty," Factsheet, May 1996, <http://www.acda.gov/factsheet/nwzf/whanwzf.htm> (February 24, 1997).

<sup>21</sup>For text see ACDA, "The African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba): Text," <http://www.acda.gov/treaties/afnwzf.htm> (November 1, 1997). Also see ACDA, "African Nuclear-Weapon-Free-Zone Treaty," Factsheet, op. cit.

<sup>22</sup>Priest, "The Role of the IAEA in Nuclear-Weapon-Free Zones," op. cit., p. 3.

<sup>23</sup>ACDA, "ANWFZ Treaty: Text," op. cit.

<sup>24</sup>*The Arms Control Reporter* 1996, p. 455.B.111.

<sup>25</sup>"Russia, Spain Refuse to Sign Pelindaba Treaty," *FBIS-NES*, April 15, 1996; *The Arms Control Reporter* 1996, p. 455.B.115.

<sup>26</sup>See ACDA, "The African Nuclear-Weapon-Free-Zone Treaty (The Treaty of Pelindaba): Signatories," <http://www.acda.gov/treaties/afnwzs.htm> (November 1, 1997).

<sup>27</sup>George Bunn, "Expanding Nuclear Options: Is the U.S. Negating Its Non-Use Pledges?" *Arms Control Today*, May/June 1996, p. 7. See also White House Briefing, *Federal News Service*, April 11, 1996.

In 1978, and again in 1995, the United States provided "negative" security assurances that it would not use nuclear weapons against non-nuclear-weapon states party to the NPT. However, since the 1991 Gulf War the United States appears to have staked out the option to use nuclear weapons to deter the use of WMD. This doctrine was reaffirmed by Secretary of Defense William Perry in his Senate testimony of March 28, 1996: "[As] we stated during the Gulf War, if any country were foolish enough to use chemical weapons against the United States, the response will be 'absolutely overwhelming' and 'devastating'" (William Perry, Prepared Statement, before the Senate Committee on Foreign Relations, March 28, 1996). When asked to clarify, Perry said,

"[w]e would not specify in advance what our response to a chemical attack is, except to say that it would be devastating. And we have a wide range of military capabilities to make good on that threat." Senator Pell asked if that range included conventional and nuclear weapons and Perry responded, "The whole range would be considered, that's correct." ("Hearing of the Senate Foreign Relations Committee," *Federal News Service*, March 28, 1996.) Also see Doctrine for Joint Nuclear Operations, Joint Chiefs of Staff Pub 3-12, April 29, 1993; Doctrine for Joint Nuclear Operations, Joint Chiefs of Staff Pub 3-12.1, February 9, 1996.

<sup>28</sup>Discussion with U.S. officials, Spring 1996. See also Bunn, "Expanding Nuclear Options," *op. cit.*, p. 9. George Bunn, a leading expert on security assurances, has criticized the apparent adoption by the United States of this doctrine, *inter alia*, because it makes a "mockery of existing and planned U.S. treaty commitments—which are now or will be legally binding—under a growing number of NWFZ treaties."

<sup>29</sup>ASEAN is currently made up of Indonesia, Malaysia, Singapore, Thailand, Brunei, Vietnam, and the Philippines.

<sup>30</sup>For treaty text, see ASEAN, "Treaty on the Southeast Asia Nuclear-Weapon-Free Zone," <http://www.asean.or.id> under "Political and Security Cooperation: Basic Political Documents" (May 29, 1997).

<sup>31</sup>Chris Johnson, "ASEAN to Modify Pact to Appease Nuclear States," *Reuters*, December 14, 1995.

<sup>32</sup>Thomas Graham Jr., Special Representative of the President for Arms Control, Non-Proliferation, and Disarmament, "U.S. Wants to Join Southeast Asian Nuclear-Zone Treaty," Press Conference in Kuala Lumpur, June 6, 1996. See also Davis, "The Spread of Nuclear-Weapon-Free Zones," *op. cit.*, p. 17.

<sup>33</sup>"Indonesia's Alatas: ASEAN 'To Reconsider' SEANWFZ Treaty," *FBIS*, July 22, 1996.

<sup>34</sup>"ASEAN Agrees to Submit Proposals to Nuclear Powers," *FBIS*, October 22, 1996.

<sup>35</sup>PrepCom, First Session. Statement made by H. E. Mrs. Joelle Bourgois, *op. cit.*

In April 1997 the Chinese foreign minister stated that China would support the Southeast Asian NWFZ treaty. "Nuclear Free Zone Treaty Gets Backing from China," *Thailand Times* (Bangkok), April 8, 1997.

<sup>36</sup>"Southeast Asia Becomes a Nuclear-Free Zone," *Jane's Defence Weekly*, April 9, 1997.