

Strengthening a Nuclear-Free Pacific Region

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The Asia-Pacific Leadership Network for Nuclear Non-Proliferation and Disarmament (APLN) is a network of political, military, and diplomatic leaders from countries across the Asia-Pacific tackling security and defence challenges with a particular focus on addressing and eliminating nuclear weapon risks.

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Cover Photo: Adoption of the South Pacific Nuclear Zone Treaty by the Forum 23 November 1985.
Photo Courtesy: Pacific Islands Forum



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Abstract

The strong groundswell of region-wide opposition, and protests by peace activists, indigenous people and governments of Pacific Small Islands Developing States (PSIDS), Aotearoa-New Zealand, and Australia in the 1970s and early 1980s resulted in the adoption in 1985 of the South Pacific Nuclear-Free Zone (SPNFZ) Treaty or the Rarotonga Treaty by 13 member states of the South Pacific Forum (now the Pacific Islands Forum). This paper examines the state of the South Pacific Nuclear Free Zone (SPNFZ) Treaty against the backdrop of renewed geopolitical competition in the region. Initially designed to protect the Pacific from nuclear threats, recent developments such as the AUKUS agreement and Japan's plan to discharge treated nuclear wastewater are challenging its effectiveness. Undermining its prohibition of nuclear waste pollution is the threat posed by the leaching of radioactive materials from the Runit Dome with rising sea level. The paper assesses the Treaty's weaknesses and considers ways in which it can be strengthened. Amidst the interests of major powers, the Pacific Islands must work to keep the Pacific nuclear-free. Advocacy by regional organizations and civil society is crucial in navigating this geopolitical landscape and preserving the SPNFZ Treaty's integrity.

Introduction

For nearly four decades, the South Pacific region has been “nuclear free”¹ but recent events are exposing Oceania to new threats of nuclear weapons related militarisation and radioactive pollutants once again. The South Pacific Nuclear Free Zone (SPNFZ) Treaty, endorsed by thirteen South Pacific Forum member states in Rarotonga, the Cook Islands in 1985 (hence, known as the Rarotonga Treaty) sought to make the region free of nuclear weapon explosions and dumping of radioactive materials. The Treaty came in force on 6 August 1986 – the chosen date, a reminder of the day when Hiroshima was subjected to the devastating atomic bomb. None of the signatories possess nuclear arms or used nuclear energy for electricity generation.

¹ The South Pacific Nuclear Free Zone (SPNFZ) Treaty was signed in 1985. However, France ended its nuclear tests in the Pacific in 1996.

The provisions of the Treaty are, however, currently threatened by the increasing geostrategic competition evident by the AUKUS (Australia-United Kingdom-United States) trilateral agreement and the establishment and upgrading of military bases in Darwin, Australia and the broader Asia-Pacific. The growth of China's influence in the region has triggered a geostrategic contestation between Washington (and its allies) and Beijing, which has in turn escalated militarisation of the region. The second threat is Japan's flushing out of millions of litres of treated radioactive water from the damaged Fukushima nuclear power plants into the Pacific Ocean. A third source of risk is the leaching of nuclear waste materials stored in the Runit Dome in the Marshall Islands by rising sea level.

This paper comprises five parts: first, it provides the context of the SPNFZ Treaty and its significant provisions as well as its weaknesses; the second section highlights how these gaps are being exploited by Australia, in particular in its commitment to the US Indo-Pacific strategy and the AUKUS agreement, and its implications; third, it scrutinises the Japanese plan to release treated radioactive water and responses of the Pacific Small Islands Developing States (PSIDS) via the Pacific Islands Forum; the fourth section, discusses the implications of radioactive leakage from the Runit Dome in Marshall Islands; and finally, it considers ways in which the SPNFZ Treaty can be strengthened. In this regard, the advocacy by inter-governmental regional organisations, Pacific leaders' numerous calls for the United States to ratify SPNFZ Treaty, their support for the Treaty on the Prohibition of Nuclear Weapons (TPNW), and the role of social movements to keep the South Pacific nuclear free are pivotal. Beyond individual action taken by PSIDS to ban the visits by nuclear armed and/or powered vessels, a number of collective regional actions through the Forum are suggested.

Context of the South Pacific Nuclear Free Zone

Before discussing the SPNFZ Treaty, it is useful to provide some context to its adoption. This contextualisation shall clearly establish the strength of feelings in the region against nuclear weapons-related activities. Given the hundreds of nuclear weapons tests in the Pacific since 1946, British-American author and journalist Simon Winchester labelled the Pacific Ocean the "Atomic Ocean" and the "Thermonuclear Sea."² About 317 major tests and hundreds of minor trials were conducted by three nuclear weapon states, the United States (103 tests), the United Kingdom (21) and France (193) (with underground tests after 1974) in the Pacific and Oceania.³

² Simon Winchester, *Pacific: Silicon Chips and Surfboards, Coral Reefs and Atom Bombs, Brutal Dictators, Fading Empires, and the Coming Collision of the World's Superpowers* (New York: Harper, 2016).

³ APLN, "Nuclear Tests in the Pacific," Asia-Pacific Leadership Network (APLN), <https://www.apln.network/projects/voices-from-Pacific-island-countries/infographic-nuclear-tests-in-the-Pacific>

A number of these tests had immediate harmful consequences for indigenous people, military, and civilian personnel within the proximity of the test sites, as well as for the environment. Two atmospheric tests were especially destructive and harmful – the US “Castle Bravo” thermonuclear test conducted on 1 March 1954 over Bikini atoll which had an explosive yield of 15 megatons and 1,000 times the destructive power of the Hiroshima bomb, and the “Centaur” test in Moruroa, the largest weapons test conducted by the French on 17 July 1974. The former destroyed whole islands and reefs and resulted in toxic radioactive fallout over 100 square miles affecting residents of numerous atolls and islands, particularly Bikini, Enewetak,⁴ Rongelap, and Utirik.⁵ The latter, contaminated nearly all French Polynesia, affecting 110,000 people, including 80,000 inhabitants of Tahiti.⁶ In addition, the American tests in the Pacific also affected hundreds of Japanese fishing vessel crew.⁷

Indigenous Pacific protests calling for an end to the American nuclear weapons tests began in the 1950s with a formal petition to the UN Trusteeship Council submitted on 20 April 1954.⁸ Twenty years later, Fiji and Papua New Guinea supported New Zealand’s call at the United Nations (UN) for a South Pacific Nuclear Free Zone.⁹

Pacific-wide anger and protests against French nuclear tests increased in the 1970s, beginning with civil society movements and extending to governments of the region. A recent special issue of the *Journal of Pacific History* comprises articles that record both the history of the tests and widespread indigenous islanders protests against them.¹⁰ The first article provides detailed coverage of Fiji’s role as a new member of the United Nations advocating against French nuclear tests, and the government’s cooperative ties with anti-nuclear activists in the country. The second paper describes the “transgressive spirit, critical flair, and cultural power” of the grassroots anticolonial and anti-nuclear activism through a montage of creative and pedagogic campaigns documented in audio documentaries of the ATOM (Against Tests on Moruroa) and NFIP (Nuclear Free

4 Lucy Sherriff, “Endless fallout: the Pacific idyll still facing nuclear blight 77 years on,” *The Guardian*, August 25, 2023, <https://www.theguardian.com/environment/2023/aug/25/endless-fallout-marshall-islands-pacific-idyll-still-facing-nuclear-blight-77-years-on>

5 “Castle BRAVO at 70: The Worst Nuclear Test in U.S. History,” *National Security Archive*, accessed February 29, 2024, <https://nsarchive.gwu.edu/briefing-book/nuclear-vault/2024-02-29/castle-bravo-70-worst-nuclear-test-us-history>

6 “French Nuclear Tests in the Pacific: The Hidden Fallout That Hit Tahiti,” *Disclose*, March 11, 2021, <https://disclose.ngo/en/article/french-nuclear-tests-in-the-pacific-the-hidden-fallout-that-hit-tahiti>. See also, Sebastian Philippe and Tomas Stadius, *Toxique: The Aftermath of French Nuclear Testing in the South Pacific* (Paris: Presses Universitaires de France, 2021), <https://www.youtube.com/watch?v=DAoYZIjbrYo>

7 Sebastian Philippe and Tomas Stadius, *Toxique: The Aftermath of French Nuclear Testing in the South Pacific*.

8 Nic Maclellan, “MANUSCRIPT XLIII: Petition to the United Nations Trusteeship Council from the Marshallse People, 20 April 1954,” *The Journal of Pacific History* 59, no. 1 (2024): 106-112, <https://www.tandfonline.com/toc/cjph20/59/1>

9 Dimity Hawkins, “‘We will not Relax our Efforts’: The Anti-Nuclear Stance of Civil Society and Government in Post-Independence Fiji,” *The Journal of Pacific History* 59, no. 1 (2024), <https://www.tandfonline.com/doi/full/10.1080/00223344.2023.2293730>, 17-36

10 *The Journal of Pacific History* 59, no. 1 (2024), <https://www.tandfonline.com/toc/cjph20/59/1>

and Independent Pacific) era. The third article provides an account of Maori indigenous activists' interactions with indigenous Pacific islanders in the NFIP movement in the period 1980-85. The final paper traces the solidarity that emerged between Kanak and Ma'ohi Nui anti-nuclear and anti-colonial activists, as well as ties with rural *Lo Larzac* in southern France, which became a hub for anti-colonial and anti-nuclear struggles.

A major international conference organised by ATOM at the University of the South Pacific in 1975 was attended by peace and disarmament groups from New Zealand, Australia, and Japan, anti-nuclear and political independence movement activists from New Hebrides (now Vanuatu), French Polynesia, New Caledonia, the US Trust Territories of the Northern Pacific (subsequently the Republics of Palau and Marshall Islands, the Federated States of Micronesia, and the Commonwealth of the Northern Mariana Islands), indigenous sovereignty and land rights movement activists from New Zealand, Australia, and Hawaii, as well as church leaders and leaders of trade unions. The aim of the conference was to end French nuclear tests and colonialism, in particular "nuclear colonialism." It gave birth to the NFIP movement.

Two years earlier, in 1973, Australia and New Zealand began proceedings against the French in the International Court of Justice (ICJ) for the atmospheric tests it was conducting. Fiji supported this court action. The proceedings sought to ban the tests. The ICJ interim ruling to cease the tests were, however, ignored by France. Having conducted its 1974 series of atmospheric tests in French Polynesia, and having informed the ICJ about it, in December 1974, the court declared that it was "not called upon to give any decision" on the case since "the objective of Australia and New Zealand had been achieved."¹¹

France continued its nuclear weapons tests underground for another twenty-two years until 1996, by which time the protests in Pacific had escalated to direct confrontations. In anticipation of the next test, flotillas of boats including warships belonging to Australia and New Zealand began arriving in the proximity of the test site. Among the noteworthy and tragic incidents during these years was the French government's terrorist bombing and sinking of "Rainbow Warrior" on 10 July 1985. This flagship of the Greenpeace fleet was preparing to lead the protests in the vicinity of Moruroa when French agents placed underground explosives to sink the vessel. This French state terrorism resulted in the tragic death of the Greenpeace photographer, Fernando Pereira.¹² Besides galvanising widespread sympathy and support for Greenpeace, the incident led to even bigger protests.

11 "Nuclear Tests (New Zealand v. France)," *International Court of Justice*, accessed May 9, 2024, <https://www.icj-cij.org/case/59>

12 Nick Young, "Murder in the Pacific: The Bombing of the Rainbow Warrior and What Happened Next," Greenpeace, March 2, 2023, <https://www.greenpeace.org/aotearoa/story/murder-in-the-Pacific-the-bombing-of-the-rainbow-warrior-and-what-happened-next/>
See also, David Robie, *Eyes of Fire: The Last Voyage of the Rainbow Warrior* (Auckland: Lindon Publishing, 1986).

The NFIP Movement expanded and held periodic international conferences which deliberated on decolonisation, ending the nuclear tests, reparations for the victims of past tests, and contemporary peace-related issues. At its 1983 conference in Vanuatu, the movement proclaimed, “The People’s Charter for a Nuclear Free and Independent Pacific.”¹³ It read:

The charter’s vision of independence and genuine self-determination for Pacific nations was supported by 300 delegates from 180 civil society organisations around the Pacific. It challenged the domination of Pacific nations by larger powers and rebuffed the advancement of their militaries and interests over the region.

The non-binding Charter maintained that the “superpowers” had exploited Pacific peoples and environments, and that nuclear weapons tests, besides being detrimental to them, also contributed to the armaments race. The Charter expressed the belief that political independence was necessary for a nuclear free Pacific. Article 1 of the Charter demanded that the South Pacific bounded by Tlatelolco (Latin America), Antarctic, Indian Ocean, and ASEAN zones, and including all of Micronesia, Australia, the Philippines, Japan, and Hawai’i be declared a Nuclear Free Zone.

The second article of the Charter stipulated the following restrictions:

- all tests of nuclear explosive devices including those described as ‘peaceful;’
- all nuclear weapon test facilities;
- all tests of nuclear weapon delivery vehicles and systems;
- all storage, transit, deployment, or any other form of presence of nuclear weapons on land or aboard ships, submarines, and aircraft within the zone;
- all bases carrying out command, control, communication, surveillance, navigation, and other functions which aid the performance of a nuclear weapon delivery system;
- all nuclear power reactors, excepting very low-capacity experimental units, all nuclear-powered satellites, surface and sub-surface vessels and all transit, storage, release or dumping of radioactive material;
- uranium mining, processing, and transport.¹⁴

13 The Peoples’ Charter for a Nuclear Free and Independent Pacific, Nuclear Free and Independent Pacific Movement Conference, Vanuatu, 1983, <https://ipan.org.au/wp-content/uploads/Peoples-charter-for-a-Nuclear-free-Pacific-1983.pdf>

14 *The Peoples’ Charter for a Nuclear Free and Independent Pacific*, 1983.

Other articles and protocols of the Charter urged Pacific peoples and governments to take action to end defence alliances with nuclear states, immediate decolonisation in the zone, and to “respect all the prohibitions on activities and installations associated with nuclear war and nuclear power as established in The Peoples’ Charter for a Nuclear Free and Independent Pacific.”¹⁵

In 1984, responding to the heightened demands for a nuclear free Pacific, leaders of eleven Pacific Island countries and Australia and New Zealand agreed, at their meeting in Funafuti, Tuvalu, to establish a working committee to draft the contents for a nuclear free zone in the region. Australia, as chair of the working committee, influenced the compilation of the draft treaty which was discussed at the Rarotonga Forum in December 1985. The SPNFZ Treaty was adopted that year and came into force in December 1986. The thirteen states parties are obliged not to manufacture, possess, or control nuclear explosive devices within and outside their territories, not to assist in the acquisition of such devices by other states, and not to provide fissile materials to non-nuclear states. The visits by aircraft and ships that carried nuclear weapons were left to individual state discretion. This provision was shepherded by Australia and New Zealand who were mindful of the interests of their ANZUS partner, the United States.¹⁶

In one of the earliest assessments of the Treaty, Greg Fry pointed to the fact that the non-comprehensive treaty contents were essentially the preference of Australia in contrast to the preferences of Vanuatu, the Solomon Islands, Papua New Guinea and even New Zealand. He noted that the SPNFZ contributed to disarmament but was not strictly nuclear weapons free and did not ban the peaceful use of nuclear materials for instance in medical research. Although there were communication and surveillance facilities in Pine Gap, Nurrungar and Northwest Cape in Australia that served United States strategic military interests, these facilities were not included in the ambit of the treaty. Peace activists in Australia described the SPNFZ Treaty as “Mickey Mouse zone”, “a joke”, “a farce” and “a folly”.¹⁷ However, Fry notes that Australia committed itself to not acquiring nuclear weapons and thereby consolidated its membership of the Non-Proliferation Treaty group, and that both Indonesia and Malaysia were reassured by this commitment and Australia’s willingness to subject itself to verification. Both these countries welcomed the Rarotonga Treaty and there were signs that they were promoting such a concept in Southeast Asia.¹⁸

15 “The Peoples’ Charter for a Nuclear Free and Independent Pacific,” accessed May 9, 2024, <http://www.apc.org.nz/pmapacchar.htm>

16 De Jong and Mangioni, “Where to Now for a Nuclear Free and Independent Pacific?”

17 Greg Fry, “The South Pacific Nuclear Free Zone: Significance and Implications”, *Critical Asian Studies*, Vol 18/ No 2, 1986, p 67.

18 Greg Fry, “The South Pacific Nuclear Free Zone: Significance and Implications”, p 68.

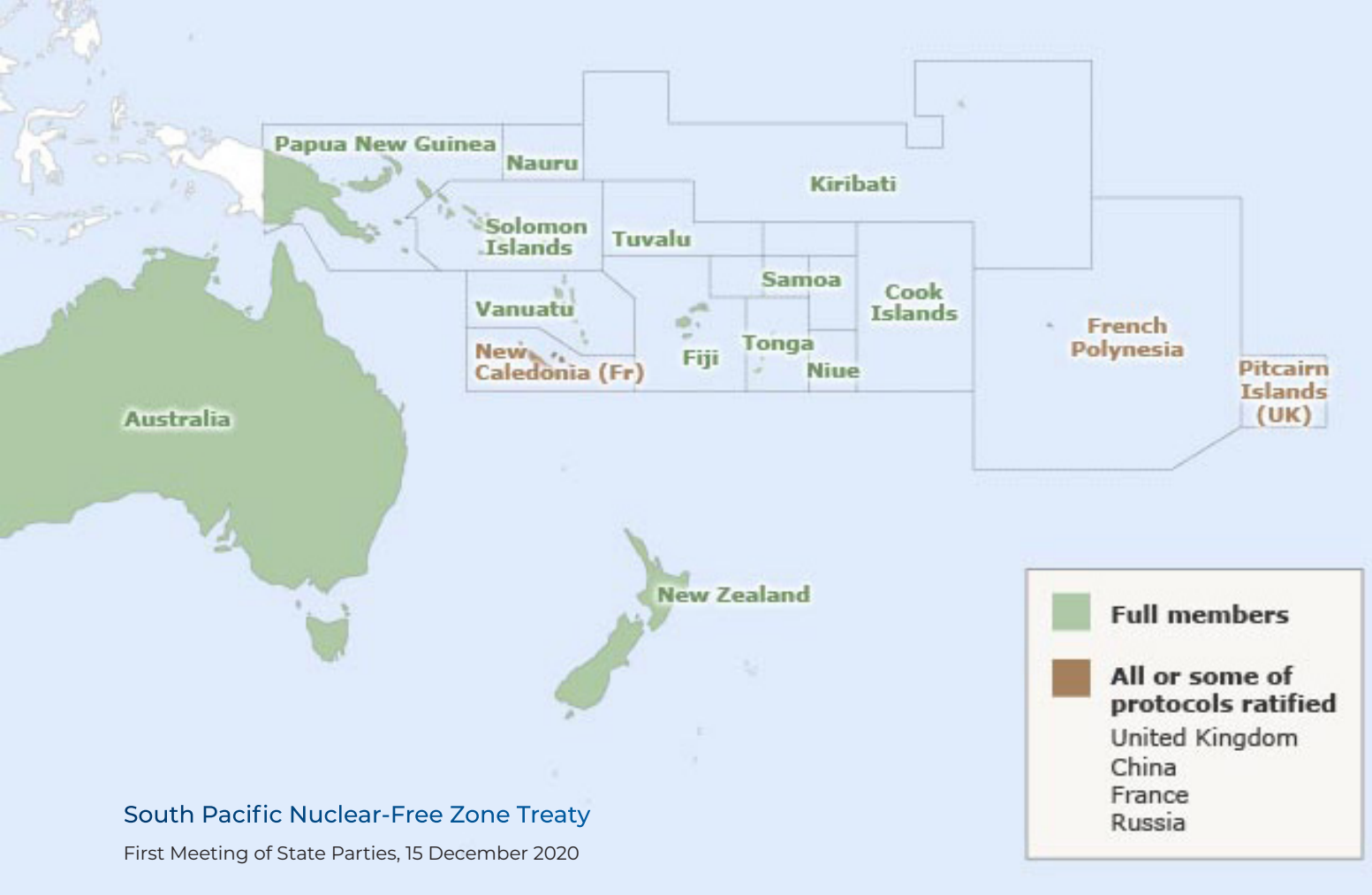


Figure 1: Map Source: *Te Ara - The Encyclopedia of New Zealand*¹⁹

Weaknesses of SPNFZ Treaty

Both the SPNFZ Treaty and The Peoples’ Charter for a Nuclear Free and Independent Pacific banned the testing of nuclear weapons, the possession of such weapons, and the dumping of nuclear waste materials in the region. Unlike the Charter, however, the SPNFZ Treaty did not proscribe the visits by nuclear weapons’ carrying ships and aircrafts visiting member states’ ports and airports, nor did it prohibit the transiting of nuclear weapon carrying vessels and the shipment of uranium across the zone. The SPNFZ Treaty made no restriction regarding military bases that had anything whatsoever to do with surveillance and nuclear weapons delivery systems.²⁰

Although the Treaty is “narrow,” not all nuclear weapons states that have tested nuclear weapons in the Pacific and/or have security interests in the region have ratified it. SPNFZ Treaty protocols require nuclear weapons states, namely France, Britain, and the United States to apply the treaty to their territories in the zone and not to use nuclear weapons against the treaty parties or their territories as well as not to test nuclear explosive devices in the area covered by the treaty. Shortly after

¹⁹ “South Pacific Nuclear-Free Zone Treaty,” *Te Ara*, accessed May 9, 2024, <https://rb.gy/clidzr>

²⁰ De Jong and Mangioni, “Where to Now for a Nuclear Free and Independent Pacific?”

its entry into force in 1986, Russia and China signed and ratified the protocols of the treaty. In 1996, France, Britain, and the United States signed the treaty. France ratified the treaty protocol in September of that year, followed by Britain a year later. The United States has not ratified the treaty protocol.²¹

Pacific leaders in recent years (2020 and 2022) have repeatedly requested that the United States ratify the SPNFZ protocols, but it has not done so. Meanwhile, ten Pacific states have ratified the Treaty on the Prohibition of Nuclear Weapons (TPNW), “worried by the failure of nuclear weapons states to meet their disarmament obligations under Article 6 of the Nuclear Non-Proliferation Treaty (NPT).”²² Aotearoa-New Zealand has also ratified TPNW, making the South Pacific total of eleven countries.

Geopolitical Contestation, Militarisation and Nuclearisation Challenges to the SPNFZ Treaty

In 1990, following the collapse of the Soviet Union, the United States left the South Pacific region for Australia and Aotearoa-New Zealand to manage. The latter countries, closely allied to the United States, were delegated the responsibility of ensuring a close purview of PSIDS through aid, diplomacy, and security ties. Australia has been seen as the deputy sheriff of the United States, and questions have been asked if Aotearoa-New Zealand is its constable in the region.²³

From 2000 onwards, China’s diplomatic and economic ties increased in the PSIDS. The relatively low level of strategic interest of the “five eyes” countries,²⁴ because of the ‘end of the Cold War’ and the focus on Iraq, rapidly changed in 2013 with the advent of China’s Belt and Road Initiative (BRI) coupled with its Marine Silk Road Initiative (MSRI). Chinese capital, amongst other things, built the deep-water port in Santo, Vanuatu as well as roads and other facilities in several Pacific Island countries. Overtures were made by China to upgrade port facilities in several countries as well as the upgrading of the runway on Kanton Island (also known as Canton Island) in the Phoenix atolls, part of Kiribati. The Chinese engagement in the reconstruction of the airport infrastructure caused disquiet as the geographical location of Kanton borders on sea lanes from the United States to Australia and Aotearoa-New Zealand.²⁵ Similar concerns exist about other sea lanes to Asia.

21 Nic Maclellan, “Time for the United States to Ratify the SPNFZ Protocols,” *Australian Outlook*, Australian Institute for International Affairs, March 3, 2023, <https://www.internationalaffairs.org.au/australianoutlook/time-for-the-united-states-to-ratify-the-spnfz-protocols/>; See also, De Jong and Mangioni, “Where to Now for a Nuclear Free and Independent Pacific?”

22 Maclellan, “Time for the United States to Ratify the SPNFZ Protocols.”

23 Thomas Manch, “If Australia is America’s sheriff, could NZ be its constable?,” *The Post* (1 February, 2024) <https://www.thepost.co.nz/politics/350163605/if-australia-americas-sheriff-could-nz-be-its-constable>

24 Five Eyes is the security surveillance partnership of Australia, Canada, New Zealand, United Kingdom, and the United States.

25 Phil Mercer, “Plan to Upgrade WWII-era Pacific Ocean Airstrip Sparks Unease,” *VOANews*, June 10, 2021, https://www.voanews.com/a/east-asia-Pacific_plan-upgrade-wwii-era-Pacific-ocean-airstrip-sparks-unease/6206844.html

Responding to the growing Chinese competition the United States declared its Indo-Pacific Strategy combined with a “Pacific Pledge,” Australia launched its Pacific “Step Up” programme and Aotearoa-New Zealand, its Pacific Reset diplomacy.²⁶ AUKUS is a new alliance of Australia, the United Kingdom, and the United States, which entails providing Australia with nuclear-powered submarines,²⁷ estimated to cost A\$368 billion (US\$239 billion).²⁸ To ensure that their influence in the Pacific islands remains dominant, aid flows to the region have increased, along with new security initiatives. Japan, India, and France have also joined the United States in this jostling for power and influence.²⁹ A new “Quad” group has been formed comprising the United States, Australia, India, and Japan to counter growing Chinese influence in the Indo-Pacific.³⁰

Even though they may appear as small dots in the ocean, Pacific islands hold considerable strategic value for the big powers outside the region.³¹ Access to deep water seaports and airports in these islands can ensure that transport and communication among the powerful Pacific Rim countries is secured. Digital connectivity and intelligence gathering are also likely to be enhanced by close ties with Pacific states and territories as greater ease of communication and information flows will be facilitated.

Inseparable from their strategic value are marine resources (especially tuna fisheries) and terrestrial resources such as minerals, natural gas, and timber. More recently, there is growing interest among governments and private-entities in deep sea mining (DSM) of polymetallic nodules containing cobalt, copper, gold, zinc, manganese, phosphorus, and rare earth minerals, which have enormous commercial and strategic (military) value.³²

26 “All That Blue: Re-sourcing, Ports and Geopolitics in the Pacific,” PANG, 2022, Suva: A Pacific Network on Globalisation Working Paper (October 2022), <https://static1.squarespace.com/static/631e7e482f2ed14cbe31c1ac/t/635602eaa667d879afab4b3a/1666581232162/All+That+Blue+Briefing+Paper.pdf>

27 Patrick Wintour, “What is the AUKUS Alliance and What are its Implications?” *The Guardian*, September 16, 2021, <https://www.theguardian.com/politics/2021/sep/16/what-is-the-aukus-alliance-and-what-are-its-implications>; See also, Melissa Zhu, “Aukus Alliance: What is it, What Does it Have to Do with China, and Why is France Angry?” *South China Morning Post*, October 10, 2021, <https://www.scmp.com/news/china/diplomacy/article/3151700/aukus-alliance-what-it-what-does-it-have-do-china-and-why>

28 Mick Hall, “Opening the Devil’s Door in Asia-Pacific”, Consortium News, April 17, 2024, <https://consortiumnews.com/2024/04/17/opening-the-devils-door-in-asia-Pacific/>

29 Ibid.

30 Jonathan Barrett, “Exclusive: Pacific Island Turns to Australia for Undersea Cable After Spurning China,” June 24, 2021, <https://www.reuters.com/world/asia-Pacific/exclusive-Pacific-island-turns-australia-undersea-cable-after-spurning-china-2021-06-24/>

31 Charles Edel, “Small Dots, Large Strategic Areas: US Interests in the South Pacific,” *The Interpreter*, April 3, 2018, <https://www.lowyinstitute.org/the-interpreter/small-dots-large-strategic-areas-us-interests-south-Pacific>

32 “Seafloor Minerals,” *US Geological Survey*, accessed May 9, 2024, https://www.usgs.gov/natural-hazards/coastal-marine-hazards-and-resources/science/seafloor-minerals?qt-science_center_objects=0#qt-science_center_objects

In a contrary direction to the spirit and letter of the SPNFZ Treaty, the geopolitical competition of the United States and its allies with China has engendered increasing militarisation in the region, and even harboured the danger of the presence of more nuclear powered and nuclear weapons carrying military aircrafts and ships. Any potential conflict between nuclear weapons states in the region will have serious negative consequences, including loss of lives, livelihoods, and damage and destruction.

As noted earlier in this paper, Australia and Aotearoa-New Zealand heavily influenced the SPNFZ Treaty negotiations, facilitating their ANZUS partner, United States' military and strategic interests. According to Marco de Jong & Talei Mangioni, "When the treaty was drafted in the 1980s, Australian prime minister Bob Hawke and Aotearoa-New Zealand prime minister David Lange put pressure on Pacific nations to word it in a way that would allow the US to sign. They argued that the US was better in than out."³³ Among the loopholes in the Treaty are the discretion given to state parties to decide on aircraft and ships, with nuclear weapon carrying capacity, to visit their ports and airports, and the right of such vessels to tranship nuclear weapons and radio-active substances such as uranium yellow cakes across the "high seas" as well as through state parties' EEZs. advantage of these loopholes for AUKUS.³⁴

Although the SPNFZ Treaty covers the South Pacific region, the threat of increased militarisation and the use of nuclear arms linked to American bases in the northern Pacific and in Darwin, Australia are very real with the heightened geopolitical contestation with China. Evidently, the United States has been deploying aircrafts with nuclear weapons carrying capacity on its bases in Guam and Darwin, Australia. Maclellan has stated that this is part of the United States "gearing up for conflict with China." The Tindall air base, jointly operated by the American and Australian air forces, is being expanded "to allow for a B-52H bomber task force on permanent rotation." He also adds,

Of the 87 B-52H bombers currently operated by the USAF, 46 are nuclear-capable, with the ability to carry up to 20 nuclear-armed cruise missiles. Given the US maintains a 'neither confirm nor deny' policy on nuclear weapons, can Australia guarantee that nuclear-tipped missiles won't be stationed on planes at Tindal for lengthy periods, in breach of SPNFZ?³⁵

Although Australia has maintained that these bombers are only present in "transit," as part of the AUKUS pact which will provide it with 3 to 5 "Virginia Class"

33 De Jong and Mangioni, "Where to Now for a Nuclear Free and Independent Pacific?"

34 Daniel Hurst, "A Four-Decade-Old Pacific Treaty was Meant to Preserve the 'Peaceful Region' Now Experts Say it is Being Exploited," *The Guardian*, November 18, 2023, <https://www.theguardian.com/world/2023/nov/19/a-40-year-old-Pacific-treaty-was-meant-to-maintain-the-peaceful-region-now-experts-say-its-being-exploited>

35 Nic Maclellan, "Strengthening the Pacific Nukes-Free Zone," *Islands Business*, November 8, 2023, <https://islandsbusiness.com/20-latest-magazine-articles/strengthening-the-Pacifcs-nuclear-free-zone/>

nuclear powered submarines, there are deepening concerns regarding the region being exposed to nuclear weapons threats. At the 52nd Pacific Islands Forum meeting, Australia shared information relating to AUKUS and reassured members that it was adhering to SPNFZ Treaty. De Jong and Mangioni noted that,

It also appeared that an 'update' from Australia on AUKUS, given during a closed plenary session, has received an official thumbs-up. This is borne out by the Forum communiqué issued at the end of the summit, highlighting the 'transparency of Australia's efforts, and commitment to compliance with international law.'³⁶

Pacific Forum leaders' acceptance of Australia's explanation reflects the extent of Australian dominance over the organisation as the major donor country in the Pacific. That in itself, however, does not mean that governments and citizens of Pacific Island states are comforted by the AUKUS pact. There is a strong sense that AUKUS has increased insecurity in the region, instead of enhancing it. The bellicosity between the United States and China is seen as spilling over into the Asia-Pacific region with Aotearoa-New Zealand, Philippines, Japan, Canada, and South Korea becoming willing "Pillar II" partners in AUKUS. They will be given access to "artificial intelligence, underwater drones, quantum computing and hypersonic missiles." This extension of the AUKUS alliance is perceived by some Pacific Island states, critical scholars in Australasia, and civil society organisations as attempts to encircle and contain China as tensions increase in the South China Sea, and as Chinese influence grows in the Pacific. In reaction to Aotearoa-New Zealand's new government expressing interest in joining AUKUS, the Chinese ambassador to Aotearoa-New Zealand noted that AUKUS Pillar II is a violation of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) as there are strong links with Pillar I of the pact providing conventionally armed, nuclear-powered submarines to Australia. The ambassador stated that "The sole purpose of Pillar II is to support and serve Pillar I, either financially or technologically."³⁷ Although Aotearoa-New Zealand's former Labour-led government was prepared to explore the possibilities of joining AUKUS as a second-tier partner, the current government appears to be committed to being a Pillar II member. It is likely that there will be strong opposition to such a decision in the nuclear free country.³⁸

On the issue of foreign military bases in the Pacific region, while Australian politicians³⁹ and media⁴⁰ have accused China of planning to build military bases,

36 Nic Maclellan, "Strengthening the Pacific Nukes-Free Zone," *Islands Business*, November 8, 2023, <https://islandsbusiness.com/20-latest-magazine-articles/strengthening-the-Pacifics-nuclear-free-zone/>

37 Hall, "Opening the Devil's Door in Asia-Pacific"

38 Heather du Plessis-Allan, "Let's talk more about Aukus," *The New Zealand Herald*, April 21, 2024, <https://www.nzherald.co.nz/nz/lets-talk-more-about-aukus-heather-du-plessis-allan/P4UZYTH2KJFE3O6IDMRQUTZZTE/>

39 "Australia is Edgy About China's Presence on its Doorstep," *The Economist*, April 20, 2018, <https://www.economist.com/asia/2018/04/20/australia-is-edgy-about-chinas-growing-presence-on-its-doorstep>

40 David Wroe, "The Great Wharf from China, Raising Eyebrows Across the Pacific," *The Sydney Morning Herald*, April 11, 2018, <https://www.smh.com.au/politics/federal/the-great-wharf-from-china-raising-eyebrows-across-the-Pacific-20180411-p4z8yu.html>

particularly with the construction and expansion of the port in Santo, Vanuatu, Australia recently funded the upgrade of the former Lombrum naval base on Manus Island, Papua New Guinea costing up to A\$175 million.⁴¹ This base will be used by Papua New Guinean, Australian, and American naval forces. Australia has also funded two significant military base developments in Fiji – in Nadi and in Suva, costing over A\$100 million. The Blackrock Camp near the Nadi International Airport is for the training of peacekeeping forces and for disaster relief and humanitarian assistance. The Lami Base will cost A\$83 million and will be the “Maritime Essential Services Centre” set to enhance Fiji’s naval capabilities, and for training, security, and rescue.⁴² Beyond this justification, the Fiji bases are likely to be used by the Australian Defence Force for its own strategic military goals. It has been pointed out that in September 2023, Exercise Cartwheel 23 was undertaken by the AUKUS partners, Aotearoa-New Zealand, and the Republic of Fiji Military Forces. This entailed jungle warfare training as well as training in the use of mortars and powerful machine guns. It is envisaged that more such joint exercises will be held in the future.⁴³

Australia has also allocated \$A1.9 billion as aid for the Pacific, \$A1.4 billion of which is “earmarked for defence initiatives” including “proposals to develop standing armies in the Solomon Islands and Vanuatu.”⁴⁴

In this context of growing militarisation in the Pacific, Prime Minister of Fiji Sitiveni Rabuka’s plea for a Pacific “zone of peace” requires critical examination. First mentioned in August 2023 at the Melanesian Spearhead Group meeting, it was again articulated at UNGA a month later as a contribution of the Pacific region to world peace. Rabuka subsequently claimed in Australia that the “ocean of peace” has spiritual and familial connotations deeply ingrained in Pacific islanders. The adoption of this notion by other Pacific states and territories would be informal and voluntary. According to the Pacific international relations scholar, Professor Sandra Tarte, there are three elements in the zone of peace concept: (i) non-alignment (“friends to all”), (ii) advancing cooperation between the major powers (mainly, United States and China), and (iii) Pacific Way diplomacy (via dialogue and consensus building). She also suggests that a priority for Fiji would be to advocate this idea as a regional security framework in Phase One of the 2050 Blue Pacific implementation plan.⁴⁵

41 Marian Faa, “Australian Defence Force to Fund \$175 Million Major Upgrade for Papua New Guinea’s Naval Base on Manus Island,” *ABC News*, June 15, 2021, <https://www.abc.net.au/news/2021-06-15/major-naval-base-on-png-manus-island-lombrum-adf/100216040>

42 Kyle Evans and Annika Burgess, “Lami Locals Voice Concern Over Australian-funded Fiji Defence Facility Being Built in Residential Area,” *ABC News*, August 19, 2022, <https://www.abc.net.au/news/2022-08-19/fiji-lami-naval-maritime-facility-australian-funded/101341428>

43 De Jong and Mangioni, “Where to Now for a Nuclear Free and Independent Pacific?”

44 Ibid.

45 Sandra Tarte, “Advancing Regional Stability in an Era of Geopolitical Competition and Tension: The Role of Fiji,” *Asia-Pacific Leadership Network* (APLN), April, 2024, https://cms.apln.network/wp-content/uploads/2024/04/Fiji-Paper_Sandra-Tarte_V4.pdf

Rabuka was aware of the need to mediate geo-strategic contestation in the region that has divided the countries of the region in their alignments,⁴⁶ as well as growing conflicts within some of the countries. Being involved in the formulation and adoption of the 2050 Strategy for the Blue Pacific, which incorporates the theme of peace and security, the Fijian Prime Minister sought to enhance the 2018 Boe Declaration in pushing for the mediation of intra-state conflicts, and divisions between PSIDS over their ties with the “West” and with China.⁴⁷

However, unlike the Boe Declaration that emphasised climate change as the biggest “security threat”, the “zone of peace” is about promoting cordial relations between countries and within them. The concept is not accompanied by concrete proposals but appears to seek the resolution of conflict through dialogue and Pacification. De Jong and Mangioni criticise the concept for it does not speak to or oppose the militarisation and exposure of the region to nuclear weapons-related activities. Specifically, they say that, “It doesn’t deal with the new nuclearism in the Pacific, brought on by AUKUS and the Fukushima discharge.”⁴⁸ In fact, Rabuka has endorsed AUKUS on an individual basis⁴⁹ and as a member of the PIF (Pacific Islands Forum), and has also expressed his support for the Japanese dumping of treated nuclear wastewater in the Pacific.⁵⁰ Fiji’s agenda, according to De Jong and Mangioni, is to enhance its military’s role as peacekeepers in the region. In summation, the “zone of peace” idea does not add to the SPNFZ.

The Fukushima Wastewater Dumping

There has been widespread anxiety among PSIDS about the Japanese government’s plan to dump wastewater from the Fukushima nuclear plant, over a 30-year period in the Pacific Ocean.⁵¹ Twelve years after its meltdown, the Japanese government has started releasing radioactive water from these damaged reactors into the Pacific Ocean, despite the collective opposition of the PSIDS. It is envisaged that 1.33 million tons of the wastewater, currently stored in

46 This division is reflected in the increased number of PSIDS that recognise PRC rather than Taiwan, and in the national politics of the Solomon Islands between the government that has fostered diplomatic and security ties with Beijing and those who are opposed to them.

47 Patrick Kaiku and Faith Hope Boie, “A Pacific ‘Zone of Peace’ – and What it Will Entail?,” *The Interpreter*, November 21, 2023, <https://www.lowyinstitute.org/the-interpreter/Pacific-zone-peace-what-will-it-entail>

48 De Jong and Mangioni, “Where to Now for a Nuclear Free and Independent Pacific?”

49 Steven Dziedzic, “Fijian Prime Minister Sitiveni Rabuka Tells Anthony Albanese that he Backs AUKUS Deal,” *ABC News*, March 15, 2023, <https://www.abc.net.au/news/2023-03-15/fiji-pm-rabuka-tells-anthony-albanese-he-backs-aukus-deal-/102098028>

50 Christina Persico, “Fiji’s PM Satisfied Japan’s Nuclear Wastewater Release is Safe,” *RNZ*, August 4, 2023, <https://www.rnz.co.nz/international/Pacific-news/495120/fiji-pm-satisfied-japan-s-nuclear-wastewater-release-is-safe>

51 Following the 2011 massive earthquake and tsunami in northern Japan, sea water had been used to cool the melt down of three reactors at the Fukushima Daiichi Nuclear Power Plant.

1000 large steel tanks, will be gradually pumped out.⁵² Given the Pacific's nuclear legacy, there is widespread concern about the discharge of tritium and carbon 14 contaminated water into the ocean.⁵³

Although the International Atomic Energy Agency's nuclear scientists have said that the treated water meets international safety standards,⁵⁴ other scientists, including those in the panel of experts commissioned by the Pacific Islands Forum, have disagreed, pointing to the presence of "tritium and possibly other radioactive traces" or harmful radioactive isotopes—also called radionuclides.⁵⁵ Strong protests against the release of the treated radioactive water have come from Fukushima prefecture residents and fishermen, Japanese environmental groups, China, South Korea, and the leaders of the PIF.

Addressing Pacific Island states, then Secretary General of the Forum Henry Puna spoke of the very special obligation that the SPNFZ Treaty placed on PSIDS to "Prevent Dumping" (Article 7) because of the long-term consequences for Pacific peoples' "health, environment and human rights."⁵⁶

Pacific states, he said, have a legal obligation "to prevent the dumping of radioactive wastes and other radioactive matter by anyone" and "not to take any action to assist or encourage the dumping by anyone of radioactive wastes and other radioactive matter at sea anywhere within the South Pacific Nuclear Free Zone."⁵⁷ Puna also stated,

*Forum engagement on the present unprecedented issue signifies that for our Blue Pacific, this is not merely a nuclear safety issue. It is rather a nuclear legacy issue, an ocean, fisheries, environment, biodiversity, climate change, and health issue with the future of our children and future generations at stake. Our people do not have anything to gain from Japan's plan but have much at risk for generations to come.*⁵⁸

52 Mari Yamaguchi, "Fukushima Daiichi nuclear plant starts 3rd release of treated radioactive wastewater into the sea," *Associated Press*, November 3, 2023, <https://apnews.com/article/japan-fukushima-water-release-efe6d5b02b29622707d0a220cdb78b20>

"Pacific Islands Forum Chair Confident in the Safety of Japan's Release into Ocean," *PINA*, July 14, 2023, <https://pina.com.fj/2023/07/14/Pacific-islands-forum-chair-confident-in-safety-of-japans-release-into-ocean/>

53 Navin Singh Khadda, "The science behind Fukushima wastewater release," *BBC*, August 26, 2023, <https://www.bbc.com/news/world-asia-66610977>

54 Lesley M.M. Blume, "Japan releases nuclear wastewater into the Pacific. How worried should we be?" *National Geographic*, August 24, 2023, <https://www.nationalgeographic.com/premium/article/fukushima-japan-nuclear-wastewater-Pacific-ocean>

55 Ibid.

56 "Statement: Pacific Islands Forum Secretary General Henry Puna On the Fukushima Treated Nuclear Wastewater," *Pacific Islands Forum*, June 26, 2023, <https://forumsec.org/publications/statement-Pacific-islands-forum-secretary-general-henry-puna-fukushima-treated-nuclear>

57 Ibid.

58 Ibid.

This call was backed by civil society organisations which petitioned their opposition to the Fukushima nuclear wastewater dumping into the Pacific Ocean. The Pacific Collective on Nuclear Issues comprising thirteen national, regional, and global civil society organisations called for a halt to Japan's plan to discharge the radioactive contaminated water into the Pacific Ocean. The Collective cited the findings of the five independent scientists commissioned by the Forum who questioned the reliability of the claims of Tokyo Electric Power Company (TEPCO) and the Japanese government that the treated water to be released into the Pacific Ocean met international safety standards. The Collective maintained that if the water was safe then it should be stored and used in Japan. It also condemned Japan's use of its ODA to influence the views of individual PSIDS.⁵⁹

The Japanese government tried to assuage PSIDS, China, South Korea, and those opposed to dumping of the wastewater through direct communication and increased aid. For instance, it convinced the President of the Federated States of Micronesia, David Panuelo that the nuclear wastewater release was safe.⁶⁰ Three other Pacific leaders, namely Prime Minister of Papua New Guinea James Marape,⁶¹ Prime Minister of Fiji Sitiveni Rabuka,⁶² and the Prime Minister of the Cook Islands and new chair of the Pacific Islands Forum, Mark Brown⁶³ voiced their support for Japan's treated nuclear wastewater dumping.

The Runit Dome and Climate Concerns

A significant concern for PSIDS is climate change and sea level rise intersecting with the legacy of nuclear weapons test of the Runit Atoll. Sea level rise is an existential threat to all low-lying atoll states with Kiribati, Marshall Islands, and Tuvalu being directly affected. Larger island states are also affected as most of their inhabitants reside in coastal plains and river valleys that are generally 1-3 metres above sea level. King tides and ocean surges lead to the inundation of these low-lying areas and atolls, impacting livelihoods.

More frequent extreme weather events such as cyclones cause massive devastation in affected Pacific countries. Usually, more than one country suffers

59 Youngsolwara Pacific, "Pacific Groups Condemn Japan's Attempts to Dismantle Pacific Solidarity Against Fukushima Nuclear Waste Plans," *Pasifika Environews*, July 5, 2023, <https://pasifika.news/2023/07/Pacific-groups-condemn-japans-attempts-to-dismantle-Pacific-solidarity-against-fukushima-nuclear-waste-plans/>

60 Lydia Lewis, "We Trust in the Govt of Japan' says FSM President on Pacific Nuclear Waste Dump," *RNZ*, February 7, 2023, <https://www.rnz.co.nz/international/Pacific-news/483746/we-trust-in-the-govt-of-japan-says-fsm-president-on-Pacific-nuclear-waste-dump>

61 Scott Waide, "Marape Supports Japan's Nuclear Wastewater Dumping," *RNZ*, June 13, 2023, <https://www.rnz.co.nz/international/Pacific-news/491877/marape-supports-japan-s-nuclear-wastewater-dump>

62 Christina Persico, "Fiji PM Satisfied Japan's Nuclear Wastewater Release is Safe," *RNZ*, August 4, 2023, <https://www.rnz.co.nz/international/Pacific-news/495120/fiji-pm-satisfied-japan-s-nuclear-wastewater-release-is-safe>

63 "Pacific Islands Forum Chair Confident in the Safety of Japan's Release into the Ocean," *PINA*, July 14, 2023, <https://pina.com.fj/2023/07/14/Pacific-islands-forum-chair-confident-in-safety-of-japans-release-into-ocean/>

the brunt of extremely strong winds, rain, and accompanying floods. In March 2015, Severe Tropical Cyclone Pam impacted Vanuatu, Fiji, Kiribati, Solomon Islands, Tuvalu, New Caledonia, and Aotearoa-New Zealand. In February 2016, Severe Tropical Cyclone Winston devastated parts of Vanuatu, Fiji, Tonga, and Niue. Cyclone Harold in 2020 affected Solomon Islands, Vanuatu, Fiji, and Tonga. Vanuatu was severely affected by back-to-back category 4 cyclones Judy and Kevin in March 2023.⁶⁴

As pointed out by Milla Vaha in her recent report for the Asia-Pacific Leadership Network,⁶⁵ climate change and sea level rise intersect with radioactive materials left on the islands where tests were conducted some sixty years ago. With sea level rise and accompanying tidal surges, more and more radioactive materials are being leached into the neighbouring seas. This is particularly disturbing with regards to the Runit Dome where, “[t]he U.S. Army bulldozed more than 100,000 cubic yards of contaminated soil and debris into a bomb crater and capped it with hundreds of 18-inch-thick concrete slabs.”⁶⁶

While radiation levels are higher in Bikini and Rongelap atolls of Marshall Islands, the Runit Dome holds radioactive plutonium which is likely to seep into the Pacific Ocean with rising sea levels. According to Ken Buesseler, a leading expert on marine radioactivity,

*As long as the plutonium stays put under the dome, it won't be a large new source of radiation to the Pacific Ocean. But a lot depends on future sea-level rise and how things like storms and seasonal high tides affect the flow of water in and out of the dome. It's a small source right now, but we need to monitor it more regularly to understand what's happening, and get the data directly to the affected communities in the region.*⁶⁷

This seepage is of serious concern to the Marshallese who are dependent on fishing for their livelihood, and on fish and other seafood for consumption. The export of Marshall Island fish is likely to be endangered by the increased leaching of radioactive materials. The seepage of increasing amounts of radioactive materials with rising sea level is of concern to all Pacific peoples. The 52nd Pacific Island Forum has called for immediate action to stop the leakage of radioactive substances from the dome.

64 Pita Ligaiula, “Back-to-Back Cyclones in Vanuatu – Stories of Survival Emerge,” *PINA*, March 6, 2023, <https://pina.com.fj/2023/03/06/back-to-back-cyclones-in-vanuatu-stories-of-survival-emerge/>

65 Milla Vaha, “The Pacific’s Nuclear Legacy in the Context of the Climate Crisis,” *Asia-Pacific Leadership Network* (APLN), March 15, 2023, <https://www.apln.network/projects/voices-from-pacific-island-countries/the-pacifics-nuclear-legacy-in-the-context-of-the-climate-crisis>

66 Evan Lubofsky, “Putting the ‘Nuclear Coffin’ in Perspective,” *Oceanus*, October 20, 2020, <https://www.whoi.edu/oceanus/feature/putting-the-nuclear-coffin-in-perspective/>

67 Ibid.

Strengthening the SPNFZ Treaty

There are a number of measures that can be taken by the SPNFZ Treaty state parties, beginning with stronger reiteration of the demand for the United States to ratify the treaty protocols. In December 2020, the first Ministerial Conference of the State Parties to the SPNFZ Treaty in Suva called on the United States to ratify the treaty. Similar calls have been made at each one of the Forum leaders' subsequent meetings and even though senior American officials, including Presidents Obama and Biden have endorsed its ratification, this has not happened.

The Forum, the apex regional political body must take firmer leadership on this matter. Under the subheading of "Rarotonga Treaty and nuclear testing legacies," the Communique of the 52nd Pacific Islands Forum states:

*Leaders **reiterated** Forum Leaders' invitation to remaining non-Party Forum Members to accede to the Treaty, and **urged** the United States to ratify the Treaty Protocols, as soon as possible, and in accordance with the latest call made under the 2nd US – Pacific Islands Forum Statement on Reaffirming US-Pacific Partnership of 25 September 2023.*⁶⁸

The US ratification is crucial in ensuring that all nuclear weapons states that directly impinge on SPNFZ area undertake to respect the protocols of the treaty. In the context of the geo-political competition, there have been a number of overtures, both by the United States and China, to forge closer ties with PSIDS. It is incumbent on Pacific leaders individually, and together, to demand the ratification by setting a time frame for the United States to do so if closer ties are to be formed. There is also scope for lobbying with political leaders in Hawaii, Guam, FSM, RMI, and Palau to canvass support for ratification by the US Congress and Senate.

Second, this ratification should include the extension of the geographical scope of the treaty to north Pacific to include the Republic of Marshall Islands, Federated States of Micronesia, and the Republic of Palau that are Compact of Free Association (COFA) states with the United States. Currently, these states have observer status regarding SPNFZ Treaty.⁶⁹ As mentioned above, the leaders of these states can help canvass support among American politicians to endorse ratification of the treaty.

68 "Fifty-Second Pacific Islands Forum Communique, Rarotonga, Cook Islands," *Pacific Islands Forum*, November 6-10, 2023, <https://forumsec.org/sites/default/files/2024-03/52nd%20Pacific%20Islands%20Forum%20Communique%2020231109.pdf>; See also Nic Maclellan, "Forum outcomes cover environment, security and gender," *Pacific News Service*, November 11, 2023, <https://pina.com.fj/2023/11/11/forum-outcomes-cover-environment-security-and-gender/>

69 Ema Tagicakibau, "The South Pacific Nuclear Free Zone Treaty: 35 Years On," *Devpolicy Blog*, January 22, 2021, <https://devpolicy.org/the-south-Pacific-nuclear-free-zone-treaty-35-years-on-20210122->

Third, it is recommended that the SPNFZ is bolstered by inter-regional collaboration between Pacific Islands Forum and other regional bodies responsible for the Treaty of Tlatelolco (1967, Latin American Nuclear-Weapon-Free Zone), the Treaty of Pelindaba (1996, African Nuclear-Weapon-Free Zone), and the Treaty of Bangkok (1995, Southeast Asian Nuclear Weapon-Free Zone). Maclellan has suggested that Mexico City be the centre for the co-ordination of the Latin American treaty area which has been proposed as a possible secretariat for the Southern Hemisphere nuclear free zones. This secretariat can be utilised for information exchange between the cooperating regions, to enhance practical partnerships, and also organise periodic meetings among them.⁷⁰

Fourth, PSIDS can engage more closely with a range of international and regional conventions such as the United Nations Convention on the Law of the Sea (UNCLOS, 1982), the Convention for the Protection of the Natural Resources and Environment of the South Pacific Region (1986, SPREP or Noumea Convention), and the Convention to Ban the importation into Forum Island Countries of Hazardous and Radioactive Wastes and to Control the Transboundary Movement and Management of Hazardous Wastes in the South Pacific Region (Waigani Convention, 2001) can be used to reinforce the objectives of the SPNFZ.

Fifth, as noted earlier, civil society organisations and social movements have played a significant part in the formation of Pacific wide networks to generate awareness about colonialism, nuclear imperialism, nuclear weapons tests, and their intergenerational impacts on the natural environment and on human health.⁷¹ They have worked with governments to end nuclear weapons testing. The role of the NFIP Movement has been noted. There is considerable scope for these organisations and social movements to cooperate with groups that are “fighting” climate change and its impacts, including at the intersection with Runit Dome. They include Pacific Islands Climate Action Network, Youngsolwara Pacific, Climate Warriors, Pacific Island Feminist Alliance for Climate Justice, Pacific Collective on Nuclear Issues, and 350 Climate Warriors.

In the panel discussion on “Strengthening a Nuclear Free Region” organised by APLN at the UN in November 2023, Bedi Racule, a Marshallese activist, emphasised on the important role that Pacific faith-based organisations have played since the 1960s, including more recently by calling on regional and nuclear powers to ratify the TPNW.⁷² The pan-Pacific Pacific Conference of Churches and

70 Maclellan, “Strengthening the Pacific’s Nukes-Free Zone.”

71 Vijay Naidu and Claire Slatter, “Significant Regional Social Movements in Oceania,” in *Handbook of Civil Society and Social Movements in Small States*, ed. Lino Briguglio, Michael Briguglio, Sheila Bunwaree, and Claire Slatter (London: Routledge, 2023): 314-331.

72 Bedi Racule, Dimity Hawkins, Maima Koro, and Tarcisius Kabutaulaka, “Strengthening a Nuclear-Free Pacific Region,” Second Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons (TPNW2MSP), New York, November 28, 2023, <https://www.apln.network/events/past/strengthening-a-nuclear-free-pacific-region>

several other regional networks have continued to monitor nuclear weapon states activities in the region and advocacy against militarisation and nuclearisation of the region. It is recommended that civil society organisations committed to keeping the region nuclear free and peaceful should reach out to similar entities in Southeast Asia and Latin America to share pertinent information and to broaden advocacy. Sixth, Professor Michael Hamel-Green, having noted the possible violation of both the spirit and letter of SPNFZ Treaty by the longer-term stationing of aircrafts and ships with nuclear capabilities (and not confirming or denying carrying nuclear weapons), suggested that Pacific islands states could seek clarification regarding the “meaning of innocent passage” in their EEZ using the Convention on the Law of the Sea (UNCLOS): “These include prior notification of transit, restriction of transiting vessels to defined sea lanes, prohibition of military exercises, restriction in mode of transit (for example, submarines must surface), and limits on numbers of transiting vessels.”⁷³

Seventh, the demands for the support of the TPNW by elected representatives of the French colonial territories in the Pacific should be escalated and publicised in the region. These elected representatives have expressed their support for both the NFIP Movement and SPNFZ. It was reported that in September 2023, the Assembly of French Polynesia had unanimously voted their support for the TPNW, recognising the nuclear ban treaty as as “a new norm of international law.”⁷⁴ Likewise, in the midst of the emerging political crisis in New Caledonia over electoral reforms that are likely to dilute the power of indigenous voters, questions are being asked by elected Kanak leaders of the Kanak Socialist National Liberation Front (FLNKS) about the Indo-Pacific strategy and the close emerging bilateral ties between Australia and France which reflect the former’s support for a continuation of French colonisation and militarisation. Australia’s increasingly contradictory stance in relation to both decolonisation and militarisation is becoming apparent for all to see.⁷⁵

Eighth, individual Pacific states such as Palau (1979), Vanuatu (1982), the Solomon Islands (1983), Aotearoa-New Zealand (1987), Fiji (1987) have declared themselves to be nuclear free. Fiji's nuclear free position was overturned by military dictatorship. Realm countries of Aotearoa-New Zealand such as Cook Islands, Niue, and Tokelau may also be nuclear free. Civil society organisations can

73 Cited in Maclellan, “Strengthening the Pacific’s Nukes-Free Zone.”

74 Ibid.

75 Nic Maclellan, “As Protests Grow in New Caledonia, Australia Backs France’s Indo-Pacific Strategy,” *Devpolicy Blog*, April 22, 2024, <https://devpolicy.org/as-protests-grow-in-new-caledonia-australia-backs-frances-indo-pacific-strategy-20240422/>. In May 2024, there have been a week long violent protests in the French colony as Paris voted to change the local electoral rolls to allow French nationals who have resided in Kanaky New Caledonia for ten years to vote. Since 1998, 40,000 French citizens have arrived in the colony. The change was opposed by pro-independence political parties and the majority of the indigenous Kanaks. France has deployed more than 2,000 police and military personnel to quell the protests and remove numerous road blocks. See, “Why are protests against France raging in New Caledonia?” *Al Jazeera*, May 16, 2024, <https://www.aljazeera.com/news/2024/5/16/why-are-protests-against-france-raging-in-new-caledonia>

help strengthen SPNFZ by urging their political leaders to declare their countries to be nuclear free.

Conclusion

The SPNFZ Treaty was negotiated among the thirteen states parties but its scope was diluted at the outset by Australia and Aotearoa-New Zealand, ANZUS partners of the United States. The narrower and more limited SPNFZ Treaty that has existed for four decades is currently being challenged by geo-political competition brought on by the advent of growing Chinese influence, and the US-led Indo-Pacific strategy. It is also apparent that the big-Pacific powers such as Australia, Japan, and the United States have used bilateral and multilateral relations with PSIDS to influence decisions regarding militarisation and nuclear wastewater dumping. The initially strong Pacific Islands' opposition to AUKUS and the Fukushima nuclear wastewater release was subsequently subdued as indicated by weak diplomatic language.

Several PSIDS have endorsed the TPNW, reflecting their commitment for disarmament and non-proliferation of nuclear weapons but more needs to be done to keep the South Pacific region free of such weapons.

A number of recommendations and suggestions have been made in the paper to revitalise the SPNFZ Treaty given the changing geo-political situation in the Pacific region. Besides their support for NPT and TPNW at the global level, regional and national actions can be taken to strengthen the SPNFZ. However, the big question is whether Pacific states will collectively rally against the big powers which are bent on militarising the region and exposing it to nuclear warfare or succumb to the wishes of their powerful donor partners. It is pivotal that civil society organisations and social movements maintain their pressure on Pacific leaders and their governments so that more countries sign on to TPNW, and the commitments to SPNFZ remain unwavering.

About APLN

The Asia-Pacific Leadership Network for Nuclear Non-Proliferation and Disarmament (APLN) is a Seoul-based organisation and network of political, military, and diplomatic leaders and experts from across the Asia-Pacific region working to address global security challenges, with a particular focus on reducing and eliminating nuclear weapons risks.

The mission of APLN is to inform and stimulate debate, influence action, and propose policy recommendations designed to address regional security threats, with an emphasis on nuclear and other WMD (weapon of mass destruction) threats, and to do everything possible to achieve a world in which nuclear weapons and other WMDs are contained, diminished, and eventually eliminated.



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