
THE CENTRAL ASIAN NUCLEAR-WEAPON-FREE ZONE (CANWFZ)

Opened for signature: 8 September 2006

Entered into force: The treaty has been ratified by all 5 signatories. The last ratification occurred on 11 December 2008 and the last instrument of ratification was deposited on 20 February 2009. The treaty entered into force on 21 March 2009.

Number of signatories: 5 (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan).

Number of ratifications: 5 (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan,).

Duration: Unlimited.

Depositary: Kyrgyzstan.

Organs: None.

Treaty Text

Background: The idea of a CANWFZ dates back to the 1992 initiative by [Mongolia](#) declaring itself a nuclear-weapon-free zone (NWFZ), in which Mongolia also called for a regional NWFZ. The first formal CANWFZ proposal was made by Uzbek President Islam Karimov at the 48th session of the UN General Assembly in 1993. Additional proposals by Uzbekistan and Kyrgyzstan followed in 1994-1996, but none made any headway owing to a lack of regional consensus on the issue. However, the crucial step was taken on 27 February 1997, when the five presidents of the Central Asian states issued the Almaty Declaration endorsing the creation of a CANWFZ. Experts from all five Central Asian states (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan) agreed on the text of a treaty establishing a Central Asian nuclear-weapon-free zone (CANWFZ) at a meeting held in Samarkand in Uzbekistan from 25-27 September 2002. The agreement concluded five years of talks that began in 1997. On 8 February, 2005, the five Central Asian states adopted a final draft of the treaty text at a meeting in Tashkent, Uzbekistan.

Basic Provisions: Under the treaty, Central Asian states undertake not to research, develop, manufacture, stockpile, acquire, possess, or have any control over any nuclear weapon or other nuclear explosive device, not to seek or receive assistance in any of the above, or assist in or encourage such actions. The receipt, storage, stockpiling, installation, or other

form of possession of any nuclear weapon or nuclear explosive device on the territory of the member states is not allowed. Each party pledges not to carry out nuclear weapon tests or any other nuclear explosion and prevent any such nuclear explosion at any place under its control. Member states undertake to conclude with the [International Atomic Energy Agency \(IAEA\)](#) and bring into force a Safeguards Agreement and Additional Protocol within 18 months after the treaty's entry into force. Parties must also introduce export controls under which they will not provide source or any special fissionable material or related equipment to any non-nuclear weapon state (NNWS) that has not concluded an IAEA comprehensive safeguards agreement and Additional Protocol. Further, the states undertake to maintain standards of physical protection of nuclear material, facilities, and equipment that are at least as effective as those outlined in the IAEA recommendations and guidelines and called for by the [Convention on Physical Protection of Nuclear Material \(CPNMM\)](#). The treaty does not affect rights and obligations of the parties under other international treaties concluded prior to the entry into force of the CANWFZ. This clause has become a point of contention between the Central Asian states and some of the nuclear weapon states (NWS). The treaty may be amended by consensus.

Verification and Compliance: The terms of the Treaty itself buttress the nonproliferation regime as they oblige the Central Asian States to accept enhanced [International Atomic Energy Agency \(IAEA\)](#) safeguards on their nuclear material, and require them to meet international standards securing nuclear facilities. The CANWFZ draft Treaty does not provide for the establishment of an organization/commission to oversee implementation and compliance/verification as do [Bangkok](#), [Pelindaba](#), and [Tlatelolco](#), Treaties which establish NWFZs, or "control systems" as in the case of the Bangkok, [Rarotonga](#) and Tlatelolco Treaties. It does, however, provide for annual consultative meetings to review compliance, but no direct linkage exists between this function and IAEA safeguards. The agreement between the Central Asian states is also the first of the NWFZ treaties to require its members to comply fully with the [Comprehensive Nuclear-Test-Ban Treaty \(CTBT\)](#).

Developments:

2009: On 20 February, Kazakhstan became the fifth country to submit the instruments of ratification.

According to the provisions of the article 15 of the treaty, the CANWFZ entered into force on 21 March 2009, 30 days after the date of deposit of the fifth instrument of ratification. The UN Secretary General [welcomed the entry into force](#) of the CANWFZ and, in order to ensure the effective implementation of the treaty, urged the states concerned to address any outstanding issues. The IAEA Director General also [welcomed the entry into force](#) of the treaty and noted with appreciation the obligation of the CANWFZ member states to conclude an [Additional Protocol](#).

In accordance with [article 10 of the treaty](#), the state parties will hold annual compliance review and implementation meetings. The rules of procedure for the implementation of article 10 specify that the first annual consultative meeting will take place in Dushanbe, Tajikistan, no later than 2 months after the treaty's entry into force.

2008: On 19 April, Turkmenistan ratified the CANWFZ.

On 17 October, the [UNGA](#) First Committee adopted draft resolution [A/C.1/63/L.37](#) on the establishment of an NWFZ in Central Asia. The resolution welcomed the ratification by Kyrgyzstan, Turkmenistan, and Uzbekistan, noted the readiness of the Central Asian countries to continue consultations with the nuclear-weapon States on a number of provisions of the Treaty, welcomed a conference to be held in 2009 in Bishkek, and decided to include in the agenda for the next meeting an item dealing with the CANWFZ. The resolution [was adopted](#) 129 in favor, 3 against, and 36 abstentions. France, the United Kingdom, and the United States voted against the resolution. Russia and China voted in favor.

On 12 November, Tajikistan ratified the CANWFZ. According to Tajik legislation, the law entered into force after the parliament's approval. On 26 November, the Kazakh lower house of the parliament (Majlis) approved the ratification of the CANWFZ. Ratification of the Central Asian Nuclear-Weapon-Free-Zone Treaty was completed on 11 December after action by the upper house (Senate) of the parliament of Kazakhstan.

2007: On 22 March, Kyrgyzstan deposited the first instrument of ratification for the CANWFZ. Just

weeks later, Uzbekistan deposited the second instrument of ratification necessary for entry into force of the CANWFZ on 2 April.

2006: The treaty establishing the Central Asian nuclear-weapon-free zone was signed by the five states on 8 September 2006 in Semipalatinsk, Kazakhstan. Foreign ministers of Kazakhstan, Kyrgyzstan, and Uzbekistan, and foreign ministry officials from Tajikistan and Turkmenistan attended the ceremony in the city of Semipalatinsk near the former [Soviet nuclear weapons test site](#) with the same name. The United States, Great Britain, and France objected to the signing of the treaty because of concerns that previous security agreements may take precedence over the provisions of the CANWFZ treaty. In particular, the P-3 are concerned that, under the 1992 Tashkent Collective Security Treaty, Russia will still be able to transport nuclear weapons through Central Asia or deploy them in the region in the future. The Kazakh foreign minister commented that the issue remained open to interpretation. On 1 September 2006, the C-5 sent a note to the NNWS, indicating their willingness to continue the consultations. The Protocol to the treaty has not yet been opened for signature by the P-5.

The United Nations was represented by the UN resident coordinator in Kazakhstan who delivered a statement on behalf of the secretary-general. The UN Department for Disarmament Affairs was represented by the director of the Regional Centre for Peace and Disarmament in Asia and the Pacific, Mr. Ishiguri.

On 30 October 2006, the [UNGA](#) First Committee adopted draft resolution [A/C.1/61/L.54/Rev.1](#) on the establishment of an NWFZ in Central Asia. The resolution welcomes the establishment of the CANWFZ and recognizes it as an important step toward strengthening the nuclear nonproliferation regime, promoting cooperation in the peaceful uses of nuclear energy and in the environmental rehabilitation of territories affected by radioactive contamination, and enhancing regional and international peace and security. It also states that the establishment of the zone is an effective contribution to combating international terrorism and preventing non-state actors from acquiring nuclear materials and technologies. The resolution notes the readiness of the Central Asian states to continue consultations with NWS on a number of provisions of the treaty. It does not, however, note the readiness of the P5 to continue consultations, nor does it call on the NWS to sign and ratify the protocol and provide negative security assurances. Due to the controversy surrounding the treaty, the draft reso-

lution was adopted by a vote rather than consensus (128 in favor, 3 against, and 36 abstentions).

The Conference of States parties and Signatories of Treaties that Establish Nuclear Weapon-Free Zones in Tlatelolco, Mexico, took place April 26-28, 2005. At this general meeting, which is intended for all states of all nuclear-weapon-free zones, the Central Asian states were commended in their effort to agree upon and sign the treaty. Uzbekistan issued a statement discussing the significance of the agreement, emphasizing the fact that member state Kazakhstan once possessed the fourth-largest nuclear arsenal in the world.

2005: On 7-9 February 2005, the group met in Tashkent, Uzbekistan, where they adopted the text of a treaty establishing a nuclear-weapon-free zone. The treaty will be opened for signature in Kazakhstan. A signature date has not been finalized, but may take place as early as July. The depositary selected will be located in Kyrgyzstan. The countries will gather for their first official meeting in Tajikistan after the treaty opens for signature.

The final draft of the text is almost identical to the text agreed upon at the Samarkand Meeting, containing only a few minor changes. Included in the text is an additional clause to allow the transportation of low- to medium-level radioactive waste in accordance with IAEA guidelines. In addition, a clause allowing for the extension of the treaty to neighboring states was removed. There was no change to the text to answer the criticism that this NFWZ might conflict with treaties already enacted between the member states and other states.

2002: On 8-19 April, at the 2002 [NPT](#) PrepCom, the five Central Asian States submitted a Working Paper calling on the Preparatory Committee to reflect in its report the progress made in the process of drawing up and agreeing on a draft treaty on the establishment of a CANWFZ. The Working Paper also noted the support provided to the Central Asian States by the UN, in particular the Secretary-General, the Department for Disarmament Affairs, the UN Regional Center for Peace and Disarmament in Asia and the Pacific, and the [International Atomic Energy Agency \(IAEA\)](#), in drafting the document. This progress was acknowledged in the 2002 NPT PrepCom Chairman's Summary, which states that "support was expressed for the efforts among the Central Asian countries to establish a NWFZ in their region."

On 27 September 2002, at the UN-sponsored Expert Group meeting held in Samarkand, Uzbekistan, diplomats from the five Central Asian states agreed on

the text of the Treaty and concluded five years of talks that began in 1997.

On 8 October 2002, the UN Department for Disarmament Affairs organized the first consultative meeting between the five NWS and the five Central Asian states on the CANWFZ Treaty in New York. The purpose of the meeting was to facilitate the agreement by the NWS on the Protocol annexed to the Treaty regarding negative security assurances.

On 25 October, 2002, the 57th session of the [UN General Assembly \(UNGA\)](#) adopted Resolution A/RES/57/69 by consensus welcoming "the decision by all five Central Asian States to sign the Central Asian Nuclear-Weapon-Free Zone Treaty as soon as possible." It also invites "all five Central Asian States to continue consulting with the five nuclear-weapon States on the draft treaty and its protocol for the establishment of a nuclear-weapon-free-zone in Central Asia."

2000: On 20 November, 2000, the 55th UNGA session adopted Resolution 55/33W on the establishment of a NWFZ in Central Asia. In the resolution, the UN Member States expressed their conviction that the establishment of a NWFZ was conducive to the achievement of general and complete disarmament and welcomed the desire of all five Central Asian States to finalize work on the establishment of the regional NWFZ and the concrete steps that they had taken to prepare the legal groundwork for the initiative. The resolution called upon all five Central Asian States to continue their dialogue with the five NWS on the establishment of the regional NWFZ. Prior to this resolution, the UNGA had adopted by consensus Resolutions 52/38S (1997) and 53/77A (1998) in support of the CANWFZ initiative. The initiative was also endorsed in the Final Document of the 2000 NPT Review Conference.

1999: On 5-8 October, 1999, and from 3-6 April, 2000, the UN Regional Center for Peace and Disarmament in Asia and the Pacific and the Japanese government sponsored expert group meetings held in Sapporo, Japan to further discuss and negotiate the draft text of the CANWFZ.

1998: On 9-10 July, an expert working group meeting, held in Bishkek, Kyrgyzstan and attended by representatives from the five Central Asian States, the five NWS, the UN and IAEA, issued the Bishkek Communique. The Communique, issued at the conclusion of the meeting, recognized that the Central Asian States had made some progress in drafting the legal document on a NWFZ and that working consultations on basic elements of the future NWFZ were

necessary. The five Central Asian States submitted a document entitled “Basic elements of the Treaty on a Nuclear-Weapon-Free Zone in Central Asia.” At the meeting, the participants exchanged opinions on the document and considered further steps towards establishing a NWFZ in Central Asia. The Central Asian States also acknowledged that continued consultations of experts from the NWS on the establishment of a NWFZ would be very useful.

1997: On 27 February 1997, the Presidents of the five Central Asian States issued the Almaty Declaration endorsing the creation of a CANWFZ. They agreed to call on all States concerned, on the eve of the 50th anniversary of the former Soviet Union nuclear weapons test site at Semipalatinsk, Kazakhstan, to support the idea of proclaiming Central Asia a nuclear-free zone. The declaration placed the establishment of the NWFZ in the context of the environmental challenges faced by all five Central Asian States.

On 7-18 April 1997, at the session of the NPT Preparatory Committee, five Central Asian States (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan) agreed to form a working group of foreign ministry officials to coordinate activities related to creating a CANWFZ. The group has held meetings in Almaty, Bishkek, Geneva, New York, Sapporo, and Tashkent. These meetings resulted in preparation of a draft text of the Treaty for a NWFZ in Central Asia.

On 14-16 September, an international conference on “Central Asia—A Nuclear Weapon Free Zone” was held in Tashkent, Uzbekistan. The Tashkent conference, arranged by the five Central Asian States and attended by experts from the four existing NWFZs, considered lessons learned during the creation of these zones, which may be useful for the drafting of a CANWFZ treaty. Following the meeting, the Foreign Ministers of the five Central Asian States issued the Tashkent Statement, reaffirming their commitment to the establishment of a NWFZ and requested that the specialized agencies of the UN establish a group of experts, with the participation of experts from the region, to elaborate the forms and elements of preparation and implementation of an agreement on the establishment of a NWFZ in Central Asia.