***Time to untap the full potential of NWFZs***

***Growing importance of NWFZs***

Nuclear-weapon-free zones (NWFZ) are recognized as important regional practical measures of non-nuclear-weapon states (NNWS) in promoting the goals of nuclear non-proliferation and strengthening confidence among states. At present the sea-bed, Antarctica and the outer space are considered as uninhabited NWFZs. There are also five NWFZs in in inhabited areas: in Latin America and the Caribbean, the South Pacific, Southeast Asia, the entire African continent and Central Asia that include 115 states. As a result, 84 mln km2 of world’s landmass and 39% of the world’s population are already part of NWFZs, making up 60% of United Nations membership.

Definition of NWFZs is based on the first comprehensive study of NWFZs in all its aspects and is reflected in 1975 UNGA resolution 3472 B (XXX): total absence of nuclear weapons in the zone and the five nuclear weapon states (P5) undertaking in an international legal instrument to respect that status of the zone and refraining from using or threatening to use nuclear weapons against the states of the zone. Currently under discussion is establishing a NWFZ in the Middle East[[1]](#footnote-1) and informal discussions to establish such zones in Northeast Asia and the Arctic.

Due to NATO nuclear doctrine, establishing such a zone in Europe or any part thereof is at present politically not ripe for formal discussions, though originally the idea of establishing such zones came from Europe in mid-1950s. However, the latest events in and around Ukraine clearly show that neutrality with nuclear security assurances, i.e. establishing a single-State nuclear-weapon-free zone even Europe is not an inconceivable issue any more.

***Mongolia’s nuclear neighborhood***

During the cold war Mongolia was ally of the Soviet Union and as such endured double cold wars: East-West and Sino-Soviet and witnessed in its vicinity over 500 nuclear weapons tests, at times finding itself as a downwind country. Both of its neighbors were nuclear-weapon states. In 1967, as a result of Sino-Soviet dispute, the Soviets have set up in Mongolia, with the agreement of its government, its military bases[[2]](#footnote-2) consisting of several divisions that included dual missiles known in the West as SS-4 or Sandal with a yield of 1.1 to 2.2 megatons (i.e. almost 100 times stronger than the Hiroshima bomb) and a range of 2.000 kms, some along Mongolian-Chinese border.

***Lesson learned I***

In 1969, when the Sino-Soviet ideological dispute turned into a military standoff that lead to border clashes along some parts of their common border and resulted in more than 1000 casualties, there was a risk of a possible Soviet pre-emptive strike against Chinese nuclear facilities and installations with all the ensuing devastating military and political consequences. The Soviets not only hinted about possible surgical strikes to their Warsaw pact allies, but also sounded out possible US reaction to such a strike. The US response at that time was that such Soviet action would lead to World War III. Had the US indicated that it would remain “neutral” or look the other way to such a strike, the 1962 Cuban missile crisis would have been a footnote in history compared to the possible Sino-Soviet conflict. Mongolia, hosting Soviet bases nearest to the Chinese political center and its nuclear military infrastructure, would have surely turned from the eastern “strategic bridgehead” of the Soviet bloc alliance to an actual battlefield of the two immediate communist rivals as well as US intervention. The lesson learned from the 1969 incident was that hosting of military bases, especially which had dual use purpose weapons meant that Mongolia was a legitimate nuclear target and that had nuclear weapons been used by both or by all three sides, it would have become “trampled and irradiated grass”.

Mindful of its past foreign policy that sided with one great power against others as well as the lesson learned in 1969, Mongolia, following the adage that duck is calm when the lake is calm, has decided not to be a mere observer of international relations or consumer of international security but be, to the extent possible, a contributor to over-all security based on its comparative advantage. Thus when Russian bases were being withdrawn from its territory, Mongolia re-examined the basis of its foreign and security policies and regarding nuclear weapons it turned its attention to the emerging concept and practice of NWFZs. However, the concept of NWFZs recognized only group zones and said nothing about individual states. Thus the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) in 1968 in its Article VII stated that “nothing in the treaty affected the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories”. This group approach to NWFZs is known as traditional approach though the materials of the first comprehensive study also had noted that NWFZs could be established on entire continents and that even by individual countries.[[3]](#footnote-3) However, since there was no proposal to establish a single-State nuclear-weapon-free zone (single-State zone), the issue was not pursued at conceptual nor on practical levels until 1992.

***Nuclear-weapon-free initiative***

Bearing in mind its historical lesson as well as the gap in the concept and practice of NWFZs, in 1992 Mongolia in pursuit of its own vital interest and to contribute to disarmament and trust in its region, has declared its territory a single-State zone and pledged to have that status internationally guaranteed. That was a novelty in international relations. The international community, including the P5, welcomed the initiative. However, the latter were sensitive that the initiative might set a precedent for others to follow. Hence after some talks and negotiations, the P5 have agreed to recognize Mongolia as a state with unique nuclear-weapon-free status until the concept of SS-NWFZ is internationally agreed and accepted.

***Implementing the initiative***

Based on that political understanding, in 1998 United Nations General Assembly (UNGA) adopted resolution entitled “Mongolia’s international security and nuclear-weapon-free status”[[4]](#footnote-4) in which it welcomed Mongolia’s initiative and invited member states, including the P5, to cooperate with Mongolia in consolidating and strengthening its status. In line with that resolution Mongolia adopted in 2000 a national legislation[[5]](#footnote-5)that criminalized acts that would violate that status. Mindful of the importance of the issue, the law allowedbesides the proper national authorities, ***NGOs*** and even individual persons, within the mandate provided by the legislation, to exercise public oversight of the implementation of the law and submit proposals thereon to relevant national authorities. That was also a novelty in national legislations relating to nuclear issues.

It took more than 80 meetings with the P5 (bilateral, trilateral and with the P5 as a group) when they agreed and signed a Joint declaration on Mongolia’s nuclear-weapon-free status[[6]](#footnote-6) whereby they welcomed the passage of Mongolia’s legislation and pledged to respect the status and not to contribute to any act that would violate it. Mongolia welcomed the P5 Joint declaration as a step towards accepting in practice single-State zones and believed that such an outcome was its contribution to regional confidence-building and a demonstration that pro-active policies of even small states can contribute to the common good.

***Lessons learned II***

Mongolia’s two decades of talks with the P5 showed that perseverance, persistence and clear articulation of one’s interest, looking at larger pictures, timing, underlining of the relevance of the issue for others are factors that can lead to agreements. As to small states, they should not underestimate themselves, address the challenges as opportunities and leverage their comparative advantages for the common good. It has demonstrated that optimistic approach to issues is important since the power of positive thinking provides energy and search for sustainable credible solutions.

***Single-State zone and its importance***

It is not a purely academic issue, but has practical implications since there are nearly a dozen states, if not even more, that cannot be part of traditional NWFZs due to their geographical location or for some valid political or legal reasons, including neutrality policy, as the current situation in Ukraine clearly demonstrate or the policy of Belarus caution.

When addressing NWFZ definition in 1975 and in 1999, the General Assembly conceded that it was based on the non-exhausted list of generally accepted observations and available experiences. However, so far the status of individual states has not been defined in any international document. In 1970s, when the concept of NWFZs was being developed and promoted the main focus, understandably, was on groups of states to form NWFZs. Following the NPT approach to NWFZs, the 1975 UNGA definition of NWFZs accepted the traditional approach agreeing that NWFZs should be established on the basis of arrangements freely arrived at among the States of the region concerned[[7]](#footnote-7), though it also agreed that the definition “in no way impaired the resolutions which the General Assembly had adopted or may adopt with regard to specific cases of NWFZs or the rights emanating for the Member States form such resolutions. This part of the definition needs to be clarified if not the definition itself be redefined. The 1999 UNGA guidelines for establishing additional zones[[8]](#footnote-8) followed the same traditional group approach only despite Mongolia’s proposal to focus as well on the status of individual states that cannot form part of traditional zones. However, because of that a political vacuum and international legal loopholes are now emerging regarding individual states, including in South Asia, parts of Eastern Europe and the western Pacific at a time when great power rivalry is on the increase. In today’s interconnected world security of an individual state is connected with the security of others of that region if not even beyond it. The current situation around the Korean peninsula and the Ukraine crisis clearly demonstrate that. Development of contemporary international law and international practice should not bypass any state since that would only weaken international peace and stability, while the non-proliferation regime and nuclear weapon-free world that we all trying to establish would be only as strong as its weakest link(s).

A question may be asked of the P5, that are Permanent members of United Nations Security Council and are entrusted with the primary responsibility for the maintenance of international peace and security, what is more important, recognizing single-State zones that would eliminate blind spots or grey areas or knowingly allow for such blind spots and grey areas and thus weaken international peace and security. The answer seems obvious.

***Conclusion***

All the above stated shows that a second comprehensive study of NWFZs in all their aspects needs to be undertaken without delay that would be based on the nearly half a century rich international practice of establishing NWFZs, as it has been suggested by Mongolia in 2013 at the United Nations. This would be useful in establishing second generation zones, i.e. in conflict regions where great powers have direct geopolitical interests and stakes, such as in the Middle East, Northeast Asia or the Arctic. It should also address the issues of single-State zones that conform to the principles of sovereign equality of states, including equal security, respect for neutralityand foreclose any exception to the non-proliferation regime. The content of P5 security assurances needs to reflect its originally intended goal without distorting it by making reservations or unilateral interpretations that in fact serve as indirect warnings on the possible use of nuclear weapons. The study should also address the sensitive political issues and taboos as the effects of double standards as well as the status of the ***de facto*** nuclear weapon states and their role, if any, in the region concerned. In short Blue Banner believes that un-tapping of the full potential of NWFZs would benefit all and it is high time to do so.

Blue Banner NGO

Ulaanbaatar, Mongolia

1. Known now as weapons of mass destruction free zone in the Middle East [↑](#footnote-ref-1)
2. At that time 60-75.000 troops, including two tank and two motorized rifle divisions plus unspecified air force units we stationed there. [↑](#footnote-ref-2)
3. Official Records of the General Assembly, Thirtieth Session, Supplement No. 27A (A/10027/Add.1) [↑](#footnote-ref-3)
4. A/RES/53/77 of December 4, 1998 [↑](#footnote-ref-4)
5. A/55/56 - S/2000/160 of 29 February 2000 [↑](#footnote-ref-5)
6. A/67/393 – S/2012/721 of 26 September 2012 [↑](#footnote-ref-6)
7. See UNGA resolution 3472 (XXX) B of 11 December 1975 [↑](#footnote-ref-7)
8. A/CN.10/1999.CRP.4, annex [↑](#footnote-ref-8)