



CONFERENCE ON AN ARCTIC NUCLEAR-WEAPON-FREE ZONE COPENHAGEN, 10-11 AUGUST, 2009

Arranged by the Danish Institute for International Studies, Parliamentary Network for Nuclear Nonproliferation and Disarmament, the Danish and Canadian National Groups of Pugwash Conferences on Science and World Affairs, the Swedish Branch of International Physicians for the Prevention of Nuclear War, and the International Association of Lawyers Against Nuclear Arms, with financial support from the Hermod Lannung Foundation.

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Strandgade 71, 1401 Copenhagen K**

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Parliamentarians for Nuclear Nonproliferation and Disarmament

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Towards an Arctic Nuclear-Weapon-Free Zone - Towards a Nuclear-Weapon-Free World

**Hon Matt Robson, New Zealand
Minister for Disarmament and Arms Control, 1999-2002
Committee Member of IALANA (NZ),
Honorary Member of PNND**

We live in an unbalanced world in terms of what humanity needs and what humanity gets. That means we live in a world of contradictions. Billions of our fellow citizens live without adequate, shelter, food or clothing. Over 2.5 billion human beings, 40% of the world's population, have to try and live on less than US\$ 2 per day. They lack adequate health care, if they get it all, and have little quality education. The great majority in this situation live in the so-called developing world. But a sizeable number who go without also live in the richest countries.

The world's richest individuals have a combined income greater than that of the poorest 416 million. Yet those whom Bob Dylan called the Masters of War have determined that rather than meeting these basic needs of humanity, that military spending will take priority and that that spending needs indeed to increase.

The internationally respected Stockholm International Peace Research Institute (SIPRI) reported in June 2008 as follows:

World military spending grew 45 percent in the past decade with the United States accounting for nearly half of all expenditure. Military spending grew 6 percent in 2007.

And that growth continues.

In 2007 \$1.338 trillion was spent on arms and other military expenditure, corresponding to 2.5 percent of global gross domestic product, or GDP - or US\$202 for each of the world's 6.6 billion people.

The United States spends by far the most toward military aims, officially dishing out \$547 billion last year, or 45 percent of global expenditure. Britain, China, France and Japan, the next group of big military spenders, lag far behind at just 4 to 5 percent of world military costs each. In 2008 eight nuclear weapon states possessed almost 10,200 operational nuclear weapons. Several thousand of these nuclear weapons are kept on high alert. When all nuclear warheads are counted - operational warheads, spares, those in

both active and inactive storage, and intact warheads to be dismantled, the nuclear armed states have 25,000 warheads.

So we know where the weapons of mass destruction that George Bush went looking for in Iraq are located. Those WMD's were right under the noses of George and Tony. They were not with rogue states and terrorist groups but in the military installations of the largest and most powerful states. And a number of them, alarmingly, are stored or deployed in the fragile ecosystem of the Arctic region.

SIPRI concludes that the 5 nuclear states defined by the NPT in 1968- China, France, Russia, the UK and the USA- were all in the process of deploying new nuclear weapons or had announced their intention to do so . The de facto nuclear weapon states of Israel, India and Pakistan, and probably North Korea, are proceeding apace to develop missile systems that can deliver nuclear weapons.

In the decade to 2008 military spending in Eastern Europe went up 62 percent. North America 65 percent, the Middle East by 62 percent, South Asia by 57 percent and Africa and East Asia by 51 percent each.

This escalation has of course been a bonanza for the merchants of death. Sixty Three of the hundred top weapons firms are in the USA and Western Europe. In 2006 their sales were \$292.3 billion. In the economic recession they are not reported as having any great financial problems.

Joseph Stiglitz and Linda Bilmes in their wonderful research in the "Three Trillion Dollar War", published in 2008, estimated that the USA had spent three trillion dollars on George Bush and Tony Blair's war against Iraq. They asked how this enormous sum could have been used beneficially in the USA and the wider world.

In the USA they state:

A trillion dollars could have built 8 million additional housing units, could have hired some 15 million additional public school teachers for one year; could have paid for 120 million children to attend a year of head start; or insured 530 million children for health care for one year; or provided 43 million students with four -year scholarships at public universities. Now multiply those numbers by three.

They then go on to calculate the effect if the money, or even a fraction of it, for the war had been devoted to development goals for the poorest countries:

For sums less than the direct expenditures on the war, we could have fulfilled our commitment to provide 0.7 percent of our gross domestic product to help developing countries -money that could have made an enormous

difference to the well-being of billions today living in poverty... Two trillion dollars would enable us to meet our commitments to the poorest countries for the next third of a century.

How to redress this imbalance of expenditure?

If a referendum was held of the world's peoples on whether military expenditure should be greatly decreased and whether nuclear weapons should be abolished and the funds redirected to the goals set out by Stiglitz and Bilmes, my money would be on the bet that a thumping majority would vote yes. Our task at this conference is to be part of a movement to mobilize humanity so that that referendum becomes a reality and a movement of solidarity across the globe grows and its voice becomes one that cannot be ignored.

Nuclear Weapon Free Zones are a vital tool in developing that voice so that that voice becomes a powerful political force. Creating an Arctic Nuclear Free Zone will be an important part of building that political force, will redress the imbalance with the Antarctic and will provide an important impetus to the goal of the total abolition of all nuclear weapons.

The Southern Hemisphere

When all the countries of Africa below the equator are committed to the treaty of Pelindaba, and that is almost complete, then every country in the Southern Hemisphere will be free of nuclear weapons.

This means the Pacific countries, those in Asia, Latin America and now Africa have committed themselves to rid not only their own territories of nuclear weapons but also to being part of the overwhelming number of countries committed to total abolition.

We in New Zealand, at government level, and among the people, have long supported the call not just for a Southern Hemisphere Nuclear Weapon Free Zone but one that incorporates adjacent areas as well.

We are well aware that the indigenous peoples of the Pacific, north and south, have led the way in our region to be nuclear free. It took a long time for New Zealand and other nations to respond to their call to end nuclear testing and storage in the Pacific. For too long we ignored those just demands and sided with the colonial powers who used them and their territories to develop weapons of mass destruction and to despoil the environment. Their territories and waters were the testing ground for the nuclear powers and they suffered terribly and continue to suffer.

But in the end their demand to be a NWFZ was victorious and has been emulated elsewhere.

Latin America, Central and South and the Carribean, is a nuclear weapons free zone.

And at the Antarctic, that area so important for the whole planet, a Nuclear Weapon Free Zone, a military free zone, has been in place since the Treaty of Antarctica of 1959. It is unimaginable now that humanity would accept nuclear weapons or any military activity in this precious heritage area for the earth. The Madrid Protocol of 1991 to the Treaty of Antarctica has reinforced the Antarctic's peaceful status by proclaiming that it is a natural reserve and the only activities permitted under international law are those devoted to peaceful purposes, scientific research and protection of the environment. Mining exploration is prohibited.

It is more than time, 50 years later, that Antarctica is balanced by its polar opposite at the Arctic, equally important for the survival of life on this planet. The Arctic must be declared a Nuclear Weapon Free Zone for the sake of humanity, for the sake of the world's ecosystem. The wheel does not have to be reinvented. The model to achieve this goal exists in the Treaty of Antarctica and over 50 years of adherence by the whole world to its provisions. And that NWFZ for the Arctic is what this conference will set its sights on

Checking in all nuclear weapons at the equator

Earlier this year I had an enforced stay in a hotel in Hong Kong. To pass the time I watched a John Wayne special - 5 westerns. In one of the B-grade (or possibly C-grade) films John Wayne as sheriff and Dean Martin as his deputy battled lawlessness in a frontier town. One of their key law-enforcement methods was to ensure that all and sundry at the precincts of the town handed in their guns. They could pick them up on the way out.

This reminded me of my suggestion as a Minister to the, inaptly named, Conference on Disarmament at Geneva in early 2000. Remembering the Westerns I had seen on so many Saturday afternoons as a child where they practised the John Wayne method, I suggested to the nuclear powers represented at the conference that it would be a big step forward for disarmament if they committed to checking in their nuclear weapons at the Equator before entering the Southern Hemisphere. Exactly how this would work in practice and how the weapons would be stored and safeguarded I had not worked out at that stage. But I am sure that those mere details could have been prescribed.

Needless to say my proposal did not receive a warm welcome from the 5

declared nuclear powers of the NPT, in particular the United States. One representative accused me of trying to undermine NATO with my proposal. I replied that I hadn't had that intention but now that he mentioned it I thought that was probably a good idea.

I can advise however, that in talks with the representative of China he did state that China would commit to such a policy and that China would respect the NWFZ status of the Southern Hemisphere on land , sea and air if all other countries did.

How do we get to our goal for the Arctic?

First of all we should remember what a step forward it would be to the goal of the NPT of abolishing all nuclear weapons , if the Arctic gained the status of Antarctica.

Then we should remember the patient building and mobilizing of public opinion that went into creating the NWFZ's that now exist , including the most recent one in 2006 in the Central Asian states.

The key to achieving the goal and helping to completing another part of the jigsaw puzzle of a world that is a total NWFZ, is mobilizing public opinion, by committed parliamentarians, peace groups, environmental groups and the mass organizations. Support can then be built nationally, regionally and internationally.

Modern technology, as recent events in Iran have demonstrated once again , can give the wings of Mercury to this movement. To say that someone was twittering was once an insult. Now it makes the most powerful politician quake to hear the word.

Enormous support is also building for such zones in Central Europe, East Asia and the Middle East.

In regard to the Arctic , the only Arctic states that are not already nuclear weapon free are the United States and Russia. That of course presents a huge obstacle.

These two super powers are expanding both their military, commercial and exploratory activity as global warming relentlessly frees up large areas that were previously frozen and made access difficult or impossible.

Norway's foreign minister was reported in the Guardian newspaper recently as saying that: The rise in temperature across the Arctic is twice the world average. Soon there will be no summer ice - that will open up new routes and new strategic issues for the world.

And those strategic issues include the greater military presence in the Arctic , including a nuclear armed presence on submarines, aircraft and bases,

as countries position themselves to take advantage of newly accessible mineral resources and a new sea route at the top of the world.

Fortunately we do not have to start from zero to try and make the call of the 2007 Canadian Pugwash group for an Arctic NWFZ a reality.

Already a seabed treaty forbids the stationing of nuclear weapons on the Arctic ocean floor. The majority of Arctic states are nuclear weapon free. The majority of states are trying to work cooperatively and have a number of agreements for environmental protection in place. But as an international lawyer Donald Rothwell has pointed out: “the current arctic environmental protection regime is based around a collection of customary international law, fragmented multilateral and bilateral legal instruments dealing with some arctic issues, and global international instruments that have an impact in the arctic. Currently there is no unifying connector for these various components of international law which have specific and general application in the arctic. Unlike Antarctica, there is no regional infrastructure based on international law to facilitate or promote cooperation and the development of new international law.”

Our job is to work towards getting that unifying connector and to develop that new international law.

We need to work closely with all the ecological activists , as so many of us do, who are highlighting the fragility of the Arctic, the disaster that is global warming and the need to give the Arctic the type of protection that Antarctica already has. The declaration that comes from this conference needs to be a mobilizing document that goes out by every conceivable means so that the twitter becomes a clarion call for action.

Our parliaments across the world, our mass organizations, our scientists and youth leaders and the organisations of indigenous people can take up this demand to add the Arctic, which is the heritage for all humanity and pivotal to the survival of life on the planet, to the existing and growing zones which are free of that blight on humanity and a threat to our very survival- nuclear weapons.

Some Personal Thoughts About Greenland and Nuclear Weapons

**Erik Gant, Acting Executive Secretary
Arctic Council Indigenous Peoples Secretariat**

I was very pleased to be given the opportunity to participate in this event dealing with the Arctic as a nuclear weapon free zone. I did not realize that the organizers of the conference expected me to give a presentation, and I have had very little time to prepare, so what I have come up with is not very original, but rather personal and anecdotal. I could not even think of a title or a headline. What I present here is nothing specialized or disciplined, and it is not traditional knowledge except in the sense that knowledge, I guess, is always a tradition of knowing something about something.

Still, I find it very intriguing to speculate about the Arctic, to relate to the concept and the discourse of the Arctic, to try and comprehend the coldness of a polar region with the coldness of a war, the whiteness of snow with the whiteness of spots on old maps of the world. It is not so long ago that, by way of scientific discovery, the concept of Greenland was determined with some degree of precision, I mean, when it was discovered, among other things, that it is an island. It meant that it was this insular entity, naturally separated from other Arctic territories by water and sea-ice, that the kingdom of Denmark claimed as its own.

To other nations, the Danish sovereignty over Greenland was by no means given as if by nature itself. The young country of Norway did not intend to let its centuries old stake slip out of its hands, nor did the Dominion of Canada find it self-evident that Greenland belonged to Denmark, rather than to its own Arctic Archipelago. Most importantly, to the United States, Greenland definitely looked American, that is, it appeared as nothing else than a North-easterly appendix to the continents within the hemisphere of the New World.

So Danish sovereignty, even if formally respected and set down in international treaties, was always of a precarious nature, with Greenland being in some respects clearly a Danish domestic affair, in other respects clearly falling within American foreign policy, as was to become abundantly clear in the post 2nd World War years. During the war, before the US joined the UK against the axis powers, a few outpost German-British engagements actually took place on the East coast of Greenland, violating the American neutrality and hands-off principle.

This principle originated in the so-called Monroe Doctrine of 1823 that, as far as I am informed, aimed at neutralizing all changes of power relations among the European colonial powers in so far as these changes threatened to

affect their colonies or former colonies in the New World. Before becoming an allied, the American State Department kept a watchful eye on anything that appeared to infringe on the American hemisphere. For example, British assaults on the Danish mercantile fleet were at one occasion termed, by President Roosevelt, a bit of low-grade English piracy and third rate commercial imperialism.

According to the American president, the only legitimate interests when it came to Greenland were the American and the Danish, as he explicitly traced the latter a thousand years back to the Norse settlements in Greenland. During the war, with the connections to occupied Denmark effectively severed, Greenlandic affairs were managed in a triangular arrangement consisting of the American administration, the exiled Danish diplomacy in the US, and the Danish colonial officials in Greenland.

This state of affairs, among other things, entailed the signing of a treaty by the US and the Danish diplomat Henrik Kauffmann, to the dismay of the paralyzed Danish Government in Copenhagen. Renewals of this treaty continues to form the foundation on which the American military presence in Greenland is based.

So it was with this proviso that, after the war, the Greenlandic card was dealt safely back in hands of its rightful owner, the descendants of my namesake, the Norse chief Erik. As a young boy I lived among two kinds of building ruins, Norse and Inuit. The former were often barely visible, low structures overgrown with turf, still you could sense the ground-plans of different kinds of buildings, living quarters, barns, churches, etc.

I sometimes visited and played among the partly excavated remnants of Erik the Red's settlement, Brattalid. In Greenlandic it is called Qassiarsuk, and from this place, just opposite of it on the other side of the fjord, you clearly see another kind of abandoned place, an American air base that, however, was taken over by Danish authorities many years ago, and is still functioning as a main gateway that connects South Greenland with the other parts of the country and with the outside world.

The remarkable thing is that, to this day, when you move about in Greenland, and when you enter and leave the country, you effectively use the aerial infrastructure set up by the USA in the course of its war efforts during the Second World War and subsequent wars, the Korean War and, indeed, the whole complex of historical sequences and military-industrial, propaganda, and deterrence mechanisms known as the Cold War.

My own family thus moved from the northernmost to the southernmost part of Greenland via present and former American air bases. I had lived with my family in a place called Dundas, right next to the Thule Air Base from 1962 to 1966, that is, in between two defining moments in the history of this

place. In 1953, the local population of Inughuit, who called this place by a very common Greenlandic place name, Ummannaq, meaning something shaped like a heart - in 1953, the Inughuit were relocated from here to a place some 65 miles to the North called Qaaanaaq, so as to not get in the way of the military activities on Thule Air Base.

Yet, it is a remarkable fact, that about the same time, almost coinciding with their being relocated, the Inughuit - the Arctic Highlanders, the proud, resilient descendants of people who had escorted Robert E. Peary to the North Pole, and Knud Rasmussen to Northeast Asia - were made Danish citizens, as were the rest of the native Greenlandic population, thanks to a revision of the Constitutional Law adopted by the Danish Parliament and approved by referendum. In this way, a hundred and some individuals, were removed from their village outside of civilized jurisdiction and transplanted into the warmth of national and international law.

This, I surmise, is very paradoxical, as there was nothing lawful about the coercive relocation of this group of people: they did not want to leave, they were not asked, and no one cared about what they wanted or did not want. Yet, strangely, at the same time, and as the Danish authorities took great care in explaining to the world, this move by the Danish authorities was aimed directly at delivering this little, overlooked band of people, to bring it in from the cold, a cold connoting not only their backwardness with respect to their arctic surroundings and stone age-like ways, but referring just as much to the legal no-man's-land of their status as a colonized people.

In short, when the Inughuit who where in 1953 removed from their home, allegedly it all happened for their own good, with a constant view to protecting them from evils of all kinds, to bring them out of harm's way and into the warmth of good, civilized, and democratic governance.

Which brings me to the other event, the other defining moment in the history of this place. I am speaking here of the accident that occurred in January 1968 when a B-52 bomber airplane with some of that stuff on board, as its load of nuclear weaponry was referred to in confidential reports of the time - when this B-52 fell out of the sky over Thule and down on the ice-covered sea.

It was as if skeletons came rattling out of the national wardrobe closet, and perhaps it is in the nature of this accident that the full extent of its damaging consequences - to people involved in cleaning up the crash site and to the natural environment, to the marine resources harvested by the Inughuit - that these damaging consequences must remain undetermined. It was a disastrous accident that was also a huge scandal surrounded by all sorts of unnameable circumstances, preventing the differently affected, military and civilian individuals from ever being fully recognized as victims

of the accident.

Thinking back on my Southern Greenland boyhood, I do not get any recollection of hearing anything at all about a plane crash in the opposite part of the country that we had left less than 2 years prior. We, me and my family, had lived in Thule in between what I have here called its two defining moment. I missed both of these moments, not only in the sense of not being present and directly affected by them, but even more importantly by not knowing anything about and not being aware of them at the time.

My childhood, you could say, was a nuclear weapon free zone in the sense that I did not know that, as a matter of fact it was anything but it. Much in the sense, perhaps, that Danish territory was nuclear weapon free territory in accordance with the official Danish policy of not allowing nuclear weapons anywhere within territory under Danish sovereignty. Much in the sense, that is, that nuclear-free at the time meant not wanting to know of, not wanting to acknowledge the presence of nuclear weapons.

You often hear said that knowledge is power. I like to question this by maintaining that not knowing is equally powerful. It might also be pointed out, I think, that sovereign power, the power to decide in accordance with international law and human rights, the determination and efforts to overcome the predicaments of colonialism and imperialism - it might be pointed out that all of this is a question of respect, respect of basic rights of peoples. But it is possibly also a question of realizing the extent to which knowing and not knowing are interweaved, as well as to realize the importance of the element of time, the time of not knowing and the time when you get to know.

This, I fear, is the closest I will get to anything resembling a conclusion regarding the subject of nuclear weapon free zones.

I thank you for your time and your patience.

A Nuclear-Weapon-Free Arctic: Arms Control ‘on the Rocks’

by Jan Prawitz¹

presented at the Conference on an Arctic Nuclear-Weapon-Free Zone in
Copenhagen on August 10th, 2009

The Arctic and the High North has for ages been generally inaccessible for others than a few explorers. Since the 1950ies, regular airlines passed the area above the surface, nuclear powered submarines passed under the ice and a few icebreakers occasionally passed through the ice.

In recent years, however, the average world surface temperature has raised a few centigrades followed by a shrinking polar ice. The reason for the global warming is widely believed to be a result of substantial human burning of coal and oil and a subsequent gross emission of a greenhouse gas, carbon dioxide (CO₂). The world is alarmed and various restrictive measures are discussed.

The very complex interplay between human activities and “natural variation” and their relative importance is currently not fully understood. But it is a fact that the polar ice has for a number of subsequent summers been melting more than before. According to many experts, the northern polar sea, now covered by ice year around, may in a not too distant future become open waters first in the summers, and eventually permanently.

Some consider such a possibility a “worst case scenario”. Others look forward to what they think is a “promising scenario”. Should the Arctic sea turn unfrozen the year around, substantial new opportunities of great economic value would be available. Shipping between harbours in the Atlantic and the Pacific oceans passing by the North Pole and through the Bering strait could grow to dimensions comparable to the traffic of today through the Suez and Panama canals and the Malacca strait. Sleeping oil and natural gas reserves matching those of the Middle East, now unreachable because of the harsh climate, could be available for exploitation. New areas would be opened up for large scale fishing.

No one knows, however, if such a scenario will become a reality after 20, 50, 100 years, or at all. But the mere possibility has prompted many countries to prepare themselves for acting in terms of territorial claims, research

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expeditions, and military presence just in case. The Arctic Sea littoral states, the European Union, NATO, and others, have declared ambitions and made claims. A race for territory, energy, and protein has begun.

The political geography

Back in the 1920ies, the Arctic Sea littoral states began claiming territory according to the so called “sector principle”. They claimed all land territory within sectors based on their coastline between the outermost limits towards neighbour states and straight longitude lines to the top at the North Pole²

But with the prospect for a warmer climate and the agreement in 1982 on the United Nations Convention on the Law of the Sea (UNCLOS)³, a new situation has emerged. At an historical meeting in Ilulissat (Jacobshavn) in Greenland on May 27-29, 2008, five littoral states - Canada, Denmark (Greenland), Norway, Russia, and the USA (Alaska) - agreed on the principles for future cooperation in the Arctic by negotiation, transparency, protection of the environment, and respect for the interests of local communities and indigenous populations. Their basic legal framework for future cooperation, territorial delimitation, and resolution of disputes and competing claims would be the UNCLOS. Among the five states, four are parties to UNCLOS. Only the USA is not but may now proceed to become a party.

The geographical concept of the Arctic could be and has in the past been defined in various ways for various purposes. For the purpose of negotiating Arctic arms control - a matter for sovereign states - it seems reasonable to adopt the membership formula of the Arctic Council. i. e. the core group of states involved would be those having territory north of the polar circle. They are eight states, Canada, Denmark (Greenland), Finland, Iceland, Norway, Russia, Sweden, and the USA (Alaska). Other states may become parties to Arctic arms control measures as appropriate. An example of the latter is the 1920 Treaty on the Spitzbergen archipelago, subject to Norwegian sovereignty, and also a demilitarized zone, today having some 40 parties.

The political geography of the Arctic is dominated by a large central area of high seas and exclusive economic zones (EEZ) of coastal states. Parts of

²For discussion of the “sector theory” and Arctic delimitation issues, see e. g. E. Franck, *Maritime Claims in the Arctic*, Martinus Nijhoff Publishers, 1993; and R. Churchill, G. Ulfstein, *Marine Management in Disputed Areas: The Case of the Barents Sea*, Routledge, 1992.

³*United Nations Convention on the Law of the Sea, UNCLOS* (UN Sales No. E.83.V.5, United Nations *Treaty Series*, vol. 1833, No. 31363), signed on 10 December 1982 and entered into force on 14 November 1994. As of 20 July 2009, 159 states were parties to UNCLOS and an additional 18 had signed. All major maritime states except the USA are parties.

the periphery of the area are land areas, islands and continental territories of littoral states. A process is going on delimiting the sea areas as well as the continental shelves between the littoral states in accordance with UNCLOS. When that process some time in the future is completed, large areas at sea and on the seabed shelf will remain outside national control and subject to UN management. Some boundaries were agreed in the past, some are disputed, while many remain to be defined. An overview of the current complex political geography of the Arctic was published in August 2008⁴.

In 1996, the Arctic Council was established by the eight states with territory north of the polar circle⁵. The council is a consensus organization “*founded on the principles of circumpolar cooperation, coordination and interaction to address the issues of sustainable development, including environmental protection, of common concern to Arctic states and northerners*”.

In addition to the eight states members of the Arctic Council, six international organizations representing Indigenous Peoples hold Permanent Participant Status within the Council and can thus extend influence on its decisions. The six are the Aleut International Association, the Arctic Athabaskan Council, Gwich'in Council International, RAIPON (representing 41 indigenous peoples living within the Russian Federation), the Inuit Circumpolar Council and the Saami Council. The Permanent Participants are supported by the Indigenous Peoples Secretariat in Copenhagen, Denmark. More organizations may be admitted as permanent participants in the future. Observer status is open to non-Arctic states, intergovernmental and interparliamentary organizations and non-governmental organizations.

While the decolonization process on southern latitudes resulted in the creation of a fair number of new independent states, there are currently no plans to establish national independence for the indigenous populations in the Arctic. Small populations, large territories and gigantic investment needs have prevented such independence. It should be noted, however, that Greenland - the world's largest island - with 57.000 inhabitants including 40.000 Inuits, have been granted home-rule autonomy within the Kingdom of Denmark further extended on 21 June 2009. 24.000 Inuits living in northeast Canada were also granted certain autonomy within the territory of Nunavut encompassing 21 percent of the territory of Canada.

Among the littoral states, all but Russia are members of NATO, none is a

⁴ *Maritime jurisdiction and boundaries in the Arctic*, International Boundaries Research Unit, Durham University. 15 August 2008.
<http://www.durham.ac.uk/resources/ibru/arctic.pdf>.

⁵ The Arctic Council was inaugurated on September 19, 1996, in Ottawa, Canada. The eight member-states of the Council are Canada, Denmark (Greenland), Finland, Iceland, Norway, the Russian Federation, Sweden and the United States (Alaska).

member of the European Union⁶, and all are participants in the Organization on Security and Cooperation in Europe (OSCE).

The political OSCE territory encompasses the territory of all its 56 participating states, i. e. all European states including all states derived from the former Soviet Union, plus Canada and the USA, ranging from “Vancouver to Vladivostok”⁷ and thus encompassing the whole Arctic basin sometimes referred to as the Arctic Mediterranean.

The zone experience up to now

The first proposal on regional limitation of nuclear weapons was introduced by the Soviet Union in the United Nations in 1956⁸. It referred to Central Europe and was proposed by one superpower directed towards its adversary superpower. One year later Poland proposed the so called Rapacki-plan on permanent absence of nuclear weapons from the entire territory of several states in Central Europe⁹. The latter proposal was thus made by one of the states within the prospective zone region.

At that time two different approaches to military denuclearization were pursued in parallel. One was the open-ended and global non-proliferation approach which started with the “Irish resolution”¹⁰ and finally lead to the adoption, in 1968, of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT)¹¹. The purpose of that treaty was to prevent the number of nuclear

⁶Since Greenland withdrew from the Danish membership in 1985. In July 2009, Iceland issued an application for membership of the European Union. The negotiations that will follow would probably last for some years.

⁷Or rather from Little Diomedede Island (N 65° 45', W 168° 45') eastwards around the globe to Ostrov Ratmanova/Big Diomedede Island (N 65° 46', W 169° 06'). Both islands are located in the Bering Strait.

⁸UN Document DC/SC.1/41

⁹UN Document A/PV. 697, also called the Rapacki-plan after the Minister for Foreign Affairs of Poland at the time. Mr Adam Rapacki (1906-1970) was Poland's foreign minister 1956-1968. This early proposal has recently been analyzed by Zoltán Marutzsa, *Denuclearization in Central Europe? The Rapacki Plan during the Cold War*, Öt Kontinens, Eötvös Loránd Tudományegyetem, Budapest, 2008.

¹⁰UN Document A/RES/1665 (XVI).

¹¹UN Documents A/RE373 (XXII) and S/RE55. The Treaty on the Non-Proliferation of Nuclear Weapons (UN Treaty Series, Vol. 729, No. 10485) was opened for signature on 1 July 1968 and entered into force on 5 March 1970. All states of the world but four (DPRK, India, Israel, Pakistan) are currently parties to the NPT. Two more states, Cook Islands and Niue in the South Pacific, did never sign the NPT nor are they members of the United Nations. However, as independent in free association with New Zealand, they could be considered bound by the adherence to the NPT by New Zealand. As members of the South Pacific Forum, they are ratified parties to the South Pacific Nuclear-Free Zone Treaty. DPRK became a party to the NPT in 1985 but withdrew from the treaty on 11 January 2003.

weapon states to grow beyond the five existing at the time. It was recognized that the risk of outbreak of nuclear war would grow dangerously larger, if the number of “fingers on the trigger” would be permitted to increase.

The other approach was the regional or zonal. An important difference between the two approaches is that while the NPT prohibits non-nuclear-weapon parties to “control” nuclear weapons but permits them to host nuclear weapons of others in their territories, zonal agreements prescribe the complete absence of nuclear weapons from the territories of a defined region whoever controls them.

The fact that today (August 1st, 2009), all states of the world but four, the five recognized nuclear-weapon states included, are parties to the NPT is a most important basis for the discussion of the prospects for the establishment of further nuclear-weapon-free zones in the future.

The first result of the zonal approach was the Antarctic Treaty agreed already in 1959 and declaring the White Continent a demilitarized zone and by implication also a zone free of nuclear weapons¹².

The first major achievement regarding a “densely populated” area¹³ was the agreement in 1967 by states in Latin America and the Caribbean to create a nuclear-weapon-free zone in their continent, the Treaty of Tlatelolco¹⁴.

A similar contribution was made in 1985, when the countries members of the South Pacific Forum agreed to establish a nuclear-free zone ranging from Latin America to the West coast of Australia and from the Antarctic area to the Equator, the Treaty of Rarotonga¹⁵.

In 1992, the Korean peninsula was declared denuclearized by the two Korean states¹⁶. That agreement has not yet been implemented, however.

An additional nuclear-weapon-free zone treaty was signed in Bangkok in December 1995 by the members and potential members of the Association of South-East Asian Nations (ASEAN)¹⁷.

¹²The Antarctic Treaty (*UN Treaty Series*, Vol. 402, No. 5778) entered into force in 1961. For an analysis of the demilitarization regime of Antarctica, see M. Jacobsson, *The Antarctic Treaty System - Erga Omnes or Inter Partes?*, Kluwer.

¹³The term “densely populated” area is frequently used to distinguish the Latin American and the South Pacific zones from the Antarctica which some states for political reasons prefer to designate as a “populated” area rather than the “unpopulated” place it is otherwise considered to be.

¹⁴The Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (*UN Treaty Series*, Vol. 634, No. 9068) was opened for signature in 1967, The entry into force process lasted for a long time and was fully completed in 2002.

¹⁵The South Pacific Nuclear Free Zone Treaty (*UN Treaty Series* No. 24592).

¹⁶Joint Declaration of South and North Korea on the Denuclearization of the Korean Peninsula, signed on 31 December 1991 and entered into force on 19 February 1992.

¹⁷Treaty on the South-East Asia Nuclear-Weapon-Free Zone (Treaty of Bangkok) signed

In April 1996 the Treaty of Pelindaba on a nuclear-weapon-free zone in Africa was signed in Cairo at a meeting of the Organization of African Unity (OAU)¹⁸.

In 1995, Mongolia declared itself a single state nuclear-weapon-free zone, and in 1999 adopted national legislation defining and regulating that status. In 2000, Mongolia got its nuclear-weapon-free status endorsed by the UN General Assembly¹⁹.

In 2006 five former Soviet republics now independent states - Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan - agreed to establish a nuclear-weapon-free zone in Central Asia (NWFZCA)²⁰. The zone is separated from Mongolia by a narrow corridor, only 40 kilometers wide, where the nuclear-weapon states of China and Russia meet.

A new idea was introduced in 1982 - during the Cold War - with the proposal for the creation of a corridor in Central Europe from which tactical or battlefield nuclear weapons would be withdrawn. Unlike earlier proposals, the area of application would be unrelated to national borders of the states involved and no security assurances would apply. The rationale of the proposed measure was reducing the risk of such weapons becoming immediately involved in any conflict or incident by geographically separating adversary tactical or battlefield nuclear weapons in the area.²¹ Today, however, the specific proposal for such a corridor in Central Europe has become irrelevant due to the dissolution of the Warsaw Pact and the reunification of Germany. This same development resulted, however, in a treaty provision that no nuclear weapons will be stationed in the territory of the former German Democratic Republic, in fact defining a nuclear-weapon-free corridor in central Europe²².

by ten member states and potential member states of ASEAN at a Summit meeting in Bangkok on 15 December 1995. The treaty entered into force in March 1997, no nuclear-weapon-states has so far signed the guarantee protocol. For text, see *SIPRI Yearbook 1996*, Oxford University Press, 1996, pp 601-609.

¹⁸The African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba) was opened for signature at an OAU meeting in Cairo on 11 April 1997, and entered into force on 15 July 2009. For text, see *SIPRI Yearbook 1996*, Oxford University Press, 1996, pp 593-601.

¹⁹UN Document RES/A/55/33 S.

²⁰The treaty entered into force 21 March 2009 when all five states had ratified. This zone project has been analyzed by Marco Roscini, *Something Old, Something New: The 2006 Semipalatinsk Treaty on a Nuclear-Weapon-Free Zone in Central Asia*, Chinese Journal of International Law (2008), Vol. 7 No.3, pp 593-624.

²¹*Common Security*. Report by the Independent Commission on Disarmament and Security Issues. Simon and Schuster. New York 1982. p 147. UN Document A/CN.10/38.

²²According to the Treaty on the Final Settlement with Respect to Germany, the so called 4+2 treaty on reunification of Germany, signed in Moscow on 12 September 1990, by the Federal Republic of Germany, the German Democratic Republic, France, the UK, the USA, and the USSR, the former DDR territory was designated as denuclearized (Article

Many treaties of an arms control nature applying in various parts of the world have been concluded since the 17th century²³ including a number of Demilitarised zones according to treaties concluded long ago, most of them before the atomic bomb was invented. Among such areas are a number of islands in the Mediterranean as well as in the Baltic and Arctic seas. By implication such areas should today be considered nuclear weapon free as well. Today, one such treaty is in force in the Arctic, i. e. the demilitarization regime of the Norwegian Arctic archipelago of Spitzbergen.

According to the Spitzbergen Treaty of 1920²⁴, the up-to-then no-man's-land of Spitzbergen in the Arctic was recognized as a land under Norwegian sovereignty, although citizens of the states parties would have equal rights, subject to Norwegian regulations, to presence, fishing, hunting, mining, trading and other economic activities. The treaty applies to all islands situated between longitudes East 10° to 35° and latitudes North 74° to 81°. This delimitation also covers the Bear Island south of the archipelago proper. It does not cover, however, the isolated island of Ostrov Viktorya (N 80° 10', E 36° 45') situated between the archipelagos of Spitzbergen (Norway) and Franz Josef Land (Russia). The size of the Spitzbergen area is 62700 km². It has a small mostly non-permanent population of some 2000 inhabitants.

The treaty's Article 9 prohibits the establishment of naval bases and fortifications in the area of application, "which may never be used for warlike purposes". Modern interpretation of this old-fashioned language implies that the Spitzbergen area should be considered a demilitarized zone and a nuclear-weapon-free zone, and that the area of application should be the treaty territory and its territorial waters. An issue unresolved so far is whether the treaty area's exclusive economic zone, as defined by UNCLOS, is exclusively Norwegian or if it should also be subject to the provisions of the Spitzbergen treaty.

A number of proposals which never materialized, however, have been made for the creation of nuclear-weapon-free zones in many other regions of the world, including South Asia, the Middle East, and various parts of Europe. For two proposed such zones, authoritative reports have been inter-

5:3).

²³Compare P. Subedi, *Land and Maritime Zones of Peace in International Law*, Clarendon, Oxford, 1996; H. Coutau-Bégarie, *Le Désarmement Naval [Naval Disarmament, In French]*, Economica, Paris, 1995; and C. Ahlström, *Demilitarised and Neutralized Territories in Europe*, The Åland Islands Peace Institute, 2004.

²⁴Treaty Concerning the Archipelago of Spitzbergen (League of Nations Treaty Series, Vol. 2) was agreed in 1920 and entered into force in 1925. Today, the treaty has some 40 parties. For a legal analysis of the Spitzbergen treaty, see G. Ulfstein, *The Svalbard Treaty: From Terra Nullis to Norwegian Sovereignty*, Scandinavian University Press, Oslo, 1995.

nationally endorsed, i. e. in the Middle East (1990)²⁵ and in Nordic Europe (1991)²⁶.

The possibility of including international sea areas in proposed nuclear-weapon-free zones has also been envisaged, such as the Baltic Sea, the Mediterranean, the Indian Ocean, the South Atlantic, and the circumpolar Arctic; such arrangements would require a special legal basis taking into account relevant provisions of international law.

Some zone proposals including major sea areas, i. e. the Indian Ocean and the South Atlantic, have been presented as elements in “zones of peace“, a wider concept than nuclear-weapon-free zone and including also regional cooperation in economic development and protection of the environment, general military restraint and political dialogue.

Two United Nations expert studies have contributed to establish the scope and the frame of the NWFZ concept²⁷. A thorough discussion within the United Nations Disarmament Commission 1997 - 1999 resulted in a set of recommendations for zone-making adopted on 30 April 1999 and later unanimously endorsed on 1 December that same year by the UN General Assembly²⁸.

In 1990, President Mubarak of Egypt proposed the establishment of a zone free of all types of weapons of mass destruction in the Middle East²⁹. This proposal expanded the scope of the NWFZ concept regarding the Middle East, a formula that afterwards have been used in relation to other regions as well.

Reference should finally be made to the possibility envisaged in the humanitarian laws of war to establish by agreement temporarily demilitarized

²⁵ *Towards a Nuclear-Weapon-Free Zone in the Middle East* (UN Document A/45/435). UN Sales No. E.91.IX.3.

²⁶ The studies on the Nordic zone proposal have been summarized in an official five-nation report *Nuclear-Weapon-Free Zone in the Nordic Area. Report from the Nordic Senior Officials Group*. Ministry of Foreign Affairs of Sweden. March 1991. The study of the group was based on preceding national studies.

²⁷ *Comprehensive Study on the Question of Nuclear-Weapon-Free Zones in all its Aspects*. United Nations Document A/10027/Add. 1 (UN Sales No. E.76.1.7); and *Study on the Question of Nuclear-Weapon-Free Zones*. The latter report was not entirely finalized but “exists” as an annex to a letter of 9 February 1985 from the Chairman of the expert group, Dr Klaus Törnudd of Finland, to the Secretary General. The formal status of this annex is subject to dispute. It is, however, very informative.

²⁸ Report of the Disarmament Commission’s substantial meeting 12-30 April 1999 (UN Document A/54/42), Annex I: *Establishment of nuclear-weapon-free Zones on the basis of arrangements freely arrived at among the States of the region concerned*. The report was later unanimously endorsed by the UN General Assembly (UN Document A/RES/55/56 A).

²⁹ UN Document CD/989, 20 April 1990.

zones³⁰.

All in all, the eight major nuclear-weapon-free zones established so far, cover more than half of the world's landmass (74 % of all land outside of nuclear-weapon state territory), including 99 % of the Southern Hemisphere land areas, while excluding most sea areas. They encompass 119 states (out of some 195) and 18 other territories. Some 1.9 billion people live in the zones.

The relevance of the experience of the implementation of these zones for establishing a new zone in the Arctic has been thoroughly covered by professor Hamel-Green in his contribution in this publication³¹. He also refers to the history of the Arctic NWFZ idea.

The legal situation

Some international treaties and agreements are relevant for establishing a nuclear-weapon-free zone in the Arctic. Basic is the Non-Proliferation Treaty (NPT) in force since 1970, defining two of the core states, Russia and the USA, as nuclear-weapon states, and the six others as non-nuclear-weapon states. The latter are prohibited from having their own nuclear weapons or control over such weapons. Also important are the security guarantees provided to NPT parties by the UN Security Council resolution S/RES/984 (1995) as well as the unilateral negative guarantees extended by the five nuclear-weapon powers.

The NPT permits stationing and deployment of nuclear weapons controlled by the five nuclear-weapon states in the territories of NPT parties and at sea. That permitted massive deployment of nuclear weapons in Europe during the Cold War despite the fact that most European states were parties to the NPT as non-nuclear-weapon states. However, it has been internally agreed within the NATO alliance that no nuclear weapons would be stationed in Greenland, Iceland and Norway in "peacetime" In addition, NATO declared that no nuclear weapons would be stationed in "new member states"³².

³⁰Protocol Additional to the Geneva Conventions of 12 August 1949 and Relating to the Protection of Victims of International Armed Conflict (Protocol I), Art. 60.

³¹Michael Hamel-Green, *Existing regional nuclear weapon free zones: Precedents that could inform development of an Arctic nuclear weapon free zone*.

³²At a summit meeting of NATO in Paris on May 27th, 1997, the NATO heads of state and government agreed with President Boris Yeltsin of the Russian Federation on the *Founding Act on Mutual Relations, Cooperation and Security between NATO and the Russian Federation* in which i. a. "the member States of NATO reiterate that they have no intention, no plan and no reason to deploy nuclear weapons on the territory of new members, nor any need to change any aspect of NATO's nuclear posture or nuclear policy

But in large areas of the world, included in nuclear-weapon-free zones (NWFZ), such stationing and deployment is now prohibited. Following the adherence success of the NPT, the establishment of more nuclear-weapon-free zones is now the dominating trend in promoting the non-proliferation regime. The establishment of NWFZs is indeed encouraged by the NPT itself (Article VII), repeated at the Extension and Review Conference of the parties to the NPT in 1995 as a matter of priority³³ and again at the 2000 review³⁴.

Also relevant is the 1963 Partial Test Ban Treaty to which all core states are parties. Among the nuclear weapon states, China and France are not. More important is the Comprehensive Test Ban Treaty (CTBT)³⁵ prohibiting all nuclear test explosions including all nuclear explosions for peaceful purposes for all time. That treaty's entry into force process is currently going on. Among the core states, all but the USA have become parties. Among the nuclear weapon states, France and the UK are parties. China and the USA are signatories.

Very relevant in the Arctic is the 1971 Sea-Bed Treaty³⁶ prohibiting the parties to emplace nuclear weapons on the sea-bed and the ocean floor and in the subsoil thereof. beyond 12 nautical miles from the baselines of that party. on the sea bed and the ocean floor regardless of any future delimitation of the Arctic shelves. At the third review conference of the parties to the treaty in 1989, a declaration was adopted to the effect that the application of the treaty's provisions would be extended to all waters (the shore to shore formula)³⁷. All core states and all nuclear weapon states but France are parties.

An important convention of possible relevance was opened for signature as

- and do not foresee any future need to do so. This subsumes the fact that NATO has decided that it has no intention, no plan, and no reason to establish nuclear weapon storage sites on the territory of those members, whether through the construction of new nuclear storage facilities or the adaptation of old nuclear storage facilities". The Founding Act is politically rather than legally binding.

³³Principles and Objectives for Nuclear Non-Proliferation and Disarmament [Document NPT/Conf. Document NPT/CONF. 1995/32 (Part I), 1995/32/DEC. 2.

³⁴Document NPT/CONF. 2000/28 Part I.

³⁵The Comprehensive Nuclear Test-Ban Treaty was opened for signature on 24 September 1996 but has not yet entered into force. As of 15 May 2009, it had 148 parties. An additional 33 had signed. For text, see UN Document A/RES/50/245.

³⁶Treaty on the Prohibition on the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof (The Sea-Bed Treaty; UN Document A/RES/2660 (XXV), Annex) entered into force on 18 May 1972. The treaty had as of 1 August 2009 97 parties including all recognised nuclear-weapon states but France and an additional 19 signatories.

³⁷Document SBT/CONF.III/15, part II, para 13.

recently as September 14th, 2005. It is the International Convention for the Suppression of Acts of Nuclear Terrorism³⁸. The provisions of the convention cover both nuclear explosive devices and “dirty bombs”.

NWFZ General Objectives and Measures

The accumulated knowledge of the zone issues is extensive enough to permit summarizing a “theory” of nuclear-weapon-free zones. “Nuclear-weapon-free zone” is a summary concept describing regimes for regional security, independently or as a complement to other - global as well as regional - arrangements. The concept has been relatively well researched. Geographical, political and other regional specifics related to nuclear-weapon-free zones would make different zones different. No such zone would be an exact copy of another. The term nuclear-weapon-free zone would, however, usually imply the fulfilment of certain objectives and the implementation of certain measures of arms control

The general objective for establishing a nuclear-weapon-free zone would be to relieve a zonal area from the threat of being involved in mass destruction war. The fulfilment of this objective would usually require cooperation both among prospective zonal states and between them and nuclear weapon states or other extra-zonal states. Negotiating such regimes is obviously complex.

A variety of further objectives for the establishment of such zones may be pursued in specific cases. Regarding proposed zones in Europe during the Cold War, geographical separation of the nuclear weapons of the major military blocks has been referred to as such a secondary important objective.

The fulfilment of such objectives shall also be considered as a process in time. History has shown that so far, establishment of zones is a process over decades rather than years. In addition, the creation of a nuclear-weapon-free zone could be considered a temporary step and a contribution to a process eventually leading to general nuclear disarmament.

There would be three measures of central importance for the achievement of the objectives of nuclear-weapon-free zones in the general case. These are

- non-possession of nuclear weapons by zonal States,
- non-stationing of nuclear weapons by any State within the geographical area of application of the zone, and

³⁸The text of the Convention is included in UN Document A/RES/59/290. It entered into force on 7 July 2007 the 30th day following the deposit of the 22nd instrument of ratification, acceptance, approval, or accession with the Secretary General of the United Nations. As of 7 August, 2009, the Convention had 54 parties including all core states but Russia.

- non-use or no threat of use of nuclear weapons throughout the zone or against targets within the zone.

The meaning of these measures might seem clear enough. However, their legal representation could be complicated, as shown, for instance, by the definition of “nuclear weapon” in the Tlatelolco Treaty (Art. 5).

The non-possession measure would apply to zonal states. Its codification could be much simplified if relying on the concepts of the NPT (Article II). If the zone encompasses only territories of states parties to the NPT, as would be the case in the Arctic, most of the non-possession requirement would be fulfilled. If the zone is to encompass states which are nuclear weapon states, a special regime must be defined. The same would be true in the special case that only a part of a state will be included in the zone. A process of establishing a NWFZ in the Arctic could at least theoretically result in a situation that only part of some of the participating states will be included in the zone.

Sometimes in the past, the circumstances were such that only part of a state was considered for inclusion in a zone. Five cases may be mentioned.

- One clear category is when a considerable part of a state is denuclearized while other parts are not, an example being the territory of the former German Democratic Republic now nuclear-weapon-free and part of unified Germany and NATO territory.
- Another category refers to dependencies of states being part of a zone while their mainland belongs to other regions. Protocols of the Tlatelolco, Rarotonga, and Pelindaba treaties apply to such cases.
- A third category refers to states belonging to a nuclear-weapon-free zone but a far away dependency does not. In the discussions on a Nordic European nuclear-weapon-free zone, Norway was considered an obvious part of the zone while its dependency in the South Atlantic, the Bouvet Island, was not.
- A fourth category refers to the case where a separate part of a country is a denuclearized or a demilitarized entity and the mainland is not. Examples are the demilitarized Spitsbergen and Aaland Islands archipelagos, dependencies of Norway and Finland respectively not parties to a zone.
- A combined zonal and non-zonal case is when an extra-zonal state has a military base in a zone, but the host country has no responsibility for the base. An example is the US base of Guantánamo in Cuba. Cuba is a party to the Latin American and Caribbean zone.

The non-stationing measure would primarily apply to the territories of zonal states with the exception that zonal states could not by agreement among themselves restrict or prohibit innocent passage (or transit passage) by vessels of nuclear-weapon states and other extra-zonal states with prohibited weapons onboard in their territorial and archipelagic waters.

Non-stationing measures applying to international land and sea areas would require special legal arrangements. An example in point is the Antarctica.

Related to the non-stationing measure is “transit” of prohibited weapons through zonal territory - an issue primarily related to nuclear weapons. The transit concept would include “innocent” transit over a limited period of time of otherwise prohibited weapons by an extra-zonal state, on land, by air or in internal waters including calls at ports by ships or landing of aircraft carrying such weapons.

The transit issue was extensively discussed when the nuclear-weapon-free zone in Latin America was negotiated. The problem was solved by not being solved. Transit was left to the individual zonal states to permit or deny in each case³⁹. The other nuclear-weapon-free zones have similar transit regimes.

A zonal treaty should prescribe if transit would be generally prohibited or arranged in a way similar to the Tlatelolco formula. Transit through zonal high sea areas or through territories which are dependencies of extra-zonal nuclear-weapon states could not be permitted without making the zonal regime of such areas an illusion⁴⁰.

While “innocent transit” has been considered tolerable under all zone regimes so far, “hostile transit” would probably not be accepted, i. e. passage of delivery vehicles with prohibited weapons across zonal territory towards targets beyond the zone. This rule would apply to sea borne and airborne manned or unmanned vehicles and to ballistic missiles in so far as they penetrate zonal air space, while crossing overhead zonal territory in international space could not be prohibited by agreement among the zonal states⁴¹.

³⁹Document COPREDAL/76 p. 8, or UN document A/6663.

⁴⁰The fact that three nuclear-weapon powers, France, the UK, and the USA, are parties to Protocol I of the Latin American zone treaty and to Protocol 1 of the South Pacific zone treaty, and that France is a party to Protocol III of the African zone treaty poses this problem which has not been raised or referred to politically, however.

⁴¹The problem of drawing a line between the territorial airspace, subject to national jurisdiction of the underlying state, and the international outer space where the underlying state would have no responsibility, has been on the agenda of the United Nation's Committee on the Peaceful Uses of Outer Space for very many years. Many difficult issues must be taken into account when defining such a line. Without a final solution, a reasonable assumption would be that the line would be drawn at approximately 100,000

The special transit issue of ships and aircraft which may carry nuclear weapons and call at ports or land at airports in zonal states has been particularly sticky because nuclear weapon powers usually “neither confirm nor deny the presence or absence of nuclear weapons on board specific ships or aircraft at specific times”⁴². A political problem of considerable dimension some years ago, the issue of neither confirming nor denying has lost most of its former importance following the withdrawal by nuclear-weapon powers of sub-strategic nuclear weapons from naval ships⁴³.

The non-use measure would be a commitment by states controlling nuclear weapons. Legally, this provision has been given the form of a separate protocol to existing zone agreements.

Consideration of the non-use measure should be made against the background of the UN Security Council resolution taking note of both existing negative nuclear assurances and the positive assurances where the five nuclear-weapon states undertake to provide “immediate assistance, in accordance with the UN Charter, to any non-nuclear-weapon state party to the NPT that is a victim of an act of, or an object of a threat of, aggression in which nuclear weapons are used” (Op. 7)⁴⁴.

So far, all discussion on nuclear security assurances assumes that the nuclear-weapon powers are the five recognized by the NPT (China, France, the Russian Federation, the United Kingdom, and the USA). After the nuclear test explosions of India and Pakistan in May 1998, both states identify themselves as nuclear-weapon states, a status that is not recognized by most other states of the world⁴⁵. But the issue of including them as guarantor

meters above sea level.

⁴²For an account of the consequences of these policies, see e. g. J. Prawitz, “The ‘Neither Confirming nor Denying’ Policy at Sea” in J. Goldblat, (Ed.), *Maritime Security: The Building of Confidence*. Document UNIDIR/92/89 (Sales No. GV.E.92.0.31).

⁴³Including primarily the Presidential Nuclear Initiative (PNI) simultaneously declared by the US and Soviet Presidents George Bush (Sr) and Michael Gorbachev in the fall of 1991, and confirmed by the Russian President Boris Yeltsin in January 1992. For the texts of the Bush, Gorbachev and Yeltsin statements, see e.g. SIPRI Yearbook 1992, Oxford University Press, 1992, pp 85-92.

⁴⁴UN Document S/RES/984 (1995).

⁴⁵India, Israel, and Pakistan are usually referred to as states on the “threshold” of becoming nuclear-weapon states. After the nuclear test explosions of India and Pakistan in May 1998, India in particular has tried to be formally recognized as a nuclear-weapon state; in vain, however. The 2000 NPT Review Conference of the parties to the NPT stated in its Final Document: “The Conference deplores the nuclear test explosions carried out by India and then by Pakistan in 1998. The Conference declares that such actions do not in any way confer a nuclear-weapon State status or any special status whatsoever.” (Document NPT/CONF. 2000/28 Part I, chapter on Article I and II and Preambular Paragraphs 1 to 3, para 9). Similar language is expressed in a resolution (New Agenda)

states is raised from time to time⁴⁶. Should they become widely recognized as nuclear-weapon states, however, they too would probably be recognized as legitimate guarantor states.

All five nuclear-weapon states have made unilateral declarations that they would not attack or threaten to attack with nuclear weapons states that do not possess such weapons themselves or host those of others on their territories. These declarations are not coordinated and include some conditions and reservations linked to the question of whether a state can be a member of a nuclear-weapon-free zone and be an ally or partner of a nuclear-weapon state simultaneously. Theoretically, that may be possible provided, however, that the two sets of commitments are not contradictory. Whether that would be politically desirable is another question.

Linked to the non-use measure has been the idea that this measure should be complemented by a “thinning-out” arrangement in areas adjacent to the proposed zone where nuclear weapons are deployed. The “thinning-out” idea implies withdrawal of such weapons that are targeted against the zone or that have short ranges and are deployed very close to the zone, thus making them usable primarily against the zone. If such weapons are not withdrawn, non-use commitments would be less credible⁴⁷.

Special provisions for sea areas

There is a significant difference between applying arms control in sea areas as compared to land areas because of different legal regimes. Almost all land is subject to the jurisdiction of one state, a well-known exception being Antarctica. As a consequence, adversary military forces on land are geographically separated from each other in peacetime. Naval forces of different states, on the other hand, may mix all over the sea, on the surface, in the water, under the ice, and on the sea-bed. Indeed, they frequently do so.

The very elaborate and detailed United Nations Convention on the Law

adopted by the 55th UN General Assembly (UN Document A/RES/55/33 C, Preambular paragraph 4).

⁴⁶Interestingly, the Tlatelolco Treaty as the only zone treaty includes a provision (Art.29:4) that if a new power possessing nuclear weapons arises after the full entry into force of the treaty, that fact “shall have the effect of suspending the execution” of the treaty for parties which request such suspension and that the treaty shall remain suspended for those parties until the new power adheres to the treaty’s guarantee protocol (Additional Protocol II).

⁴⁷The “thinning out” idea was first suggested by A. Thunborg in 1975 in relation to the proposed nuclear-weapon-free zone in the Nordic area, in “Nuclear Weapons and the Nordic Countries Today - A Swedish Commentary”, A Special Issue of *Ulkopolitiikka 1975*, pp 34-38.

of the Sea (UNCLOS) was agreed in 1982 and entered into force in 1994 and functions as the “constitution” of the sea areas covering more than 70 % of the surface of the earth. Many of its sovereignty related provisions are today considered customary law binding for all states whether parties to the convention or not. UNCLOS entitles all states to utilize the “freedom of the high seas”, mostly applicable also in the exclusive economic zones, including the freedom of navigation and the freedom of overflight⁴⁸. But the convention also prescribes that “the high seas shall be reserved for peaceful purposes”⁴⁹ and that “states shall refrain from any threat or use of force against the territorial integrity or political independence of any state, or in other manner inconsistent with the principles of international law embodied in the Charter of the United Nations”⁵⁰, implying that use of military force at sea must comply with the UN Charter⁵¹.

Coastal states have full jurisdiction over their internal waters only. Their jurisdiction also extends to their territorial seas and archipelagic waters, except that any flag state enjoys the right of innocent passage for its ships in such waters (there is a more liberal regime of transit passage through international straits)⁵². The provisions granting the right of innocent passage to men-of-war make no distinction between ships because of the types of weapon they may carry.

In exclusive economic zones or on the high seas, the coastal states have no jurisdiction related to nuclear weapons.

Zonal states would be obliged not to possess, deploy, or otherwise operate nuclear weapons anywhere including at sea, but they would have no right according to international law to limit by agreement among themselves the general right of flag states to navigate ships or fly aircraft in such waters which all states have the right to enter and use. Denuclearization of a sea area would require agreement in principle among all states of the world or at least among the nuclear weapon states to make the regime effective.

Zonal commitments applying to sea areas should, therefore, preferably be prescribed in a separate legal instrument or protocol linked to the main nuclear-weapon-free zone treaty and expressed in terms referring to the general law of the sea. The precise objective of such obligations must not nec-

⁴⁸UNCLOS, Art. 87.

⁴⁹UNCLOS, Art.88.

⁵⁰UNCLOS, Art. 301.

⁵¹In particular, use of military force in compliance with the Charter’s Arts. 2:4 and 51 would not be prohibited by UNCLOS.

⁵²The legal concepts of “innocent passage” and “transit passage” are defined in the United Nations Convention of the Law of the Sea (UNCLOS) Articles 17 - 33, 45, and 52, and Articles 38 - 44 respectively.

essarily coincide with those of the main zone treaty applying to the land areas of the zone. Maritime zonal commitments could be assumed by the zonal states, as well as by the nuclear weapon states and other extra-zonal states subject to invitation to sign special marine protocols. The restrictions could include all nuclear weapons, or only some, or only nuclear weapons with a regional role. Such restrictions could also include “thinning-out” and confidence-building measures. The formula to be chosen would respond to the relative importance in each case of restricting the zonal states, the nuclear-weapon states, and other extra-zonal states.

Of special interest for the Arctic zone case is that UNCLOS provides for special responsibilities and rights of control of coastal states in such exclusive economic zone areas with particularly severe climatic conditions or covered by ice most of the year⁵³.

Among existing nuclear-weapon-free zones, The Antarctic Treaty (Article VI) and the Rarotonga Treaty (South Pacific, article 2) include specific provisions that treaty obligations will not infringe upon freedoms of the sea within the zone perimeter. The Tlatelolco Treaty (Latin America and the Caribbean) - agreed before the NPT and the UNCLOS - defines the zonal area as including substantial parts of the Atlantic and the Pacific oceans, but nuclear weapon states parties to the guarantee protocol (Protocol II) have made statements of interpretation to the effect that they will not be restricted as regards freedoms of the sea in those areas.

Treaty design and negotiation

Establishing a nuclear-weapon-free zone in the Arctic would most probably require a long and elaborate diplomatic process. That region is unique and few parallels to other existing nuclear-weapon-free zones exist. The NWFZ concept is a very flexible one that beside general commitments could also accommodate a number geographical and political peculiarities in the region at hand. There would thus be a fair number of possible “solutions“ to the problem of designing a NWFZ treaty for the Arctic. What follows below is one possible solution that to this author seems simple geographically and politically, straightforward, to the point, and accommodating relevant regional facts.

The first issues to be determined to get negotiations started are the geographical scope of the prospective zone and the states to be invited to participate. One geographical outline of an Arctic zone would be all area north of the polar circle. That seems simple and relevant but the circle has

⁵³UNCLOS, Art. 234.

no distinct political meaning. Therefore, a strict delimitation along the circle would divide all the states with territory north of the circle in two parts, one part north of the circle and within the zone, and another part south of the circle and thus outside the zone. The management of such a zone would be rather complicated.

The eight states on the circle should be the original or core states of an Arctic NWFZ - Canada, Denmark (Greenland), Finland, Iceland, Norway, Russia, Sweden, and the USA (Alaska), which are also the members of the Arctic Council. Among the core states, two are nuclear-weapon states and six are non-nuclear-weapon states. Among the latter, four are members of the NATO alliance having a nuclear weapon role added to its strategic concept.

The theoretical approach to the zone delimitation could be the polar circle and the original core states. But the six non-nuclear zonal candidates could be invited to offer their whole territories as zonal territory and by that substantially facilitate the management of the zone. If the whole of Canada is included in the zone, it seems reasonable also to include in the zone the two islands of Saint-Pierre-et-Miquelon⁵⁴, dependencies of France, close to Canada's Atlantic provinces.

As regards the nuclear-weapon states on the circle, their participation in the zone would be politically very desirable. But their territories are mostly non-Arctic and to include the whole of them in the zone would be beyond reason.

The climate change and the possible turning of the Arctic from a mostly barren ice-desert into an attractive area for man has made international regulation of a number of issues urgently needed, e. g. security including conventional and non-conventional military matters, economic cooperation, exploitation of mineral resources, fishing, shipping, protection of the environment, and rights and participation of indigenous populations. International treaties covering these issues and possibly others will soon have to be negotiated. All such new agreements, an Arctic NWFZ included, should be coordinated and harmonized to avoid contradiction and overlap.

Negotiation of an Arctic NWFZ would have to adapt to such a context. Under an Arctic NWFZ treaty, non-nuclear-weapon core states, nuclear-weapon core states, other nuclear-weapon states, and other extra-zonal states will be requested to assume various obligations.

The organization that seems most fit to manage such a pattern of diplomacy regarding the Arctic region is the Organization of Security and Coop-

⁵⁴Saint-Pierre-et-Miquelon is located 25 kilometers south of Newfoundland. The two islands have an area of 242 km² and some 7000 inhabitants. They are the last remnant of the French colonies in North America.

eration in Europe (OSCE) with its long time experience, large international participation but still a regional focus. To undertake such a task, the OSCE will have to expand its current mandate, instituted to solve other problems in a partly different region at another time. As regards security issues, the OSCE mandate should be extended to include also dealing with the entire Arctic area, marine issues, and weapons of mass destruction.

The non-nuclear-weapon core states are all parties to the NPT. Their non-possession commitments could thus be based on the NPT, Art. II, with the requirement that they stay as NPT parties for the duration of the zone treaty. In addition, they will have to assume an obligation not to permit the presence in their territories of any nuclear weapons, although a transit formula may be considered. The nuclear-weapon core states are also parties to the NPT and committed not to share any nuclear weapons or control over such weapons with anyone⁵⁵.

However, the four non-nuclear-weapon states which are members of the NATO alliance - Canada, Denmark, Iceland, and Norway - must make sure that the zonal obligations take preference before the alliance commitments.

⁵⁵During the NPT ratification process in the USA in 1968, Secretary of State Dean Rusk explained to the US Senate that the NPT “*does not deal with arrangements for deployment of nuclear weapons within Allied territory, as these do not involve any transfer of nuclear weapons or control over them unless and until a decision were made to go to war, at which time the treaty would no longer be controlling*” (Documents on Disarmament 1968, p (478) 495). This statement, indicating an interpretation that the NPT would enter out of force in case of war, reflected a previously agreed position within the NATO alliance. However, in 1985, the third Review Conference of the NPT parties unanimously adopted a final declaration stating inter alia that “*the Conference agreed that the strict observance of the terms of Articles I and II remains central to achieving the shared objectives of preventing under any circumstances (emphasis added) the further proliferation of nuclear weapons and preserving the Treaty’s vital contribution to peace and security, including the peace and security of non-parties*” (Document NOT/CONF. III/64/I, Annex I), thus stating the opposite interpretation. This interpretation was repeated in the unanimously adopted Final Document of the NPT Review Conference in 2000 (Document NOT/CONF. 2000/28 Part I on Article I and II and Preamble Paragraphs 1 to 3, Para 5).

Obviously Mr Rusk’s statement in 1968 referred to the East-West conflict dominating at the time. But the end of the Cold War and the prospects for local wars in the future now makes the more restrictive 1985 interpretation the only reasonable one. In 1991, the UN Security Council did indeed confirm the 1985 approach in its resolution on Iraq. The opposite interpretation would be beyond reason - that Iraq’s involvement first in a war with Iran and later in the Gulf War would have entitled her to acquire nuclear weapons, or that India and Pakistan could accede to the NPT as non-nuclear-weapon states but continue their weapons programmes claiming that there is a war going on in Kashmir.

This issue has been comprehensively discussed by Martin Butcher, Otfried Nassauer, Tanya Padberg, and Dan Plesch in their report *Questions of Command and Control: NATO, Nuclear Sharing and the NPT*. PENN Research Report 2000.1 (ISBN 3-933111-04-08). March 2000.

They must demonstrate that they will not under any circumstances receive control over any nuclear weapons or accept in their territories the presence of any such weapons through the alliance and offer sufficient transparency of the alliance's nuclear command structure to make the implementation of those commitments verifiable. The four will therefore have to pursue a side-negotiation with the NATO alliance for exceptions from alliance obligations regarding nuclear weapons or preferably a general alliance accommodation of the zone in its strategic concept currently (2009) being subject to review.

Since long, the USA has in the past declared seven conditions for supporting NWFZs. They are:

1. NWFZ proposals should originate from states within the zone;
2. All relevant states should participate;
3. Adequate verification should exist;
4. **Zones should not interfere with existing security arrangements;**
5. All nuclear explosive devices should be prohibited in the zone;
6. **Zones should not infringe on rights recognized under international law, such as freedom of navigation and over flight;**
and
7. Zones should not effect the rights of individual parties to grant transit privileges, port calls, or over flights.

It is particularly condition number four that has so far prevented NATO member states from joining proposed NWFZs in Europe and condition number six that has prevented inclusion of significant sea areas in any NWFZs. To negotiate a change in these regards may take some effort although not entirely impossible.

The obligations to be assumed by the two nuclear-weapon core states - Russian Federation and the USA - would be more difficult to define. A general non-possession commitment is nonsense. A substantial non-presence obligation applying in the region would be very desirable, however. The details of such a measure would be closely related to the outcome of the bilateral negotiations on nuclear arms control going on between them. One difficulty is that Russia has a fair part of its strategic nuclear weapons stationed on board submarines home ported by the Kola Peninsula with few reasonable alternatives. Assuming a general support of the zone project by the two, one possibility could be to refer the issue of defining their zone commitments to bilateral agreement, including for instance complete absence of sub-strategic nuclear weapons north of the polar circle while permitting presence and transit of strategic nuclear weapons in their zonal area and at sea for some time to come. Their medium range weapons are already eliminated according to

the INF treaty⁵⁶ and their strategic weapons should imply no threat to Arctic targets. But the latter must not be launched from anywhere in the zonal area. Most of their sub-strategic weapons have already been withdrawn to “centrally located storages” following the Presidential Nuclear Initiatives in 1991⁵⁷.

The non-use and no-threat-of-use obligation would be a commitment primarily for all nuclear weapon powers of the world to adopt and therefore should be addressed in the same way as has been done regarding other NWFZs established in the past.

An issue different from what has been instituted in other NWFZs in the world, is how to manage a nuclear-weapon-free Arctic ocean - the major part of the prospective zone area.. The prime obligation applying in the water areas would be a non-presence formula including, eventually, no exception for transit of nuclear weapons applying in the entire ocean space from the sea-bed upwards to the airspace above.

As all states of the world have the right according to UNCLOS to enter and use those sea areas. Therefore, all states should be invited to subscribe to a special Arctic marine regime committing them to observe a nuclear non-presence obligation. Of course, the signatures of the nuclear-weapon states to such a measure would be most essential for making the Arctic ocean nuclear-weapon-free.

The negotiation of such an ocean regime is bound to be difficult less due to military considerations but more to the contradiction of principle between arms control restrictions and the several century long tradition of the freedom of the seas, and also the fact that so many parties would be involved. There is no historical precedent so far. In formal principle, it should be done at a special world conference of all states having access to the sea areas concerned. But practical purposes, it could be done in the same way as guarantee protocols, i. e. by zonal states versus nuclear-weapon states negotiations.

In addition to the basic provisions, an Arctic NWFZ treaty could also include confidence-building measures supporting the management of the ocean part of the zone. Such measures could be prescribed in the zone treaty itself or in other related OSCE agreements.

One possible such measure, proposed long ago⁵⁸ and complementary to the current law of the sea, would establish that passage through the terri-

⁵⁶ *The Treaty between the USA and the USSR on the Elimination of their Intermediate-Range and Shorter-Range Missiles* (INF Treaty) signed 8 December 1987 and entered into force 1 June 1988.

⁵⁷ See note 43.

⁵⁸ UN Documents A/CONF.13/C.1/L.21 (1958) and A/CONF.62/C.2/L.1 (1974).

torial waters of foreign states with nuclear weapons onboard could never be considered innocent implying prior notification and coastal state consent as a precondition for passage⁵⁹. The objective would be to grant coastal states improved seaboard security⁶⁰;

Another measure, also complementary to UNCLOS, could be to constitute a special legal category of warships in transit having nuclear weapons onboard which should distinguish themselves by flying an agreed special flag or bearing another agreed external mark. Such ships could then be subject to both precautionary restrictions and navigational privileges serving security and safety purposes. Furthermore, they could be given additional immunity protection to strengthen the non-proliferation regime⁶¹;

A separate safety measure could be to reactivate the proposal, originally put forward by Iceland, on measures to reduce radioactivity contamination and other risks connected with sea borne nuclear reactors, especially related to accidents at sea⁶². Nuclear propulsion is operated in submarines, some

⁵⁹Such a rule would imply an addition to the “innocence list” in UNCLOS Article 19:b. Compare J. Prawitz, *Application of CBMs to a Nuclear Naval Environment*, Disarmament (UN), Vol XIII No 4, 1990. p.105-112, and J. Prawitz, *Naval Confidence-Building Measures*, Disarmament Topical Papers 4. (United Nations, Sales No E.90.IX.10) 1990. p.117-123.

⁶⁰A UN report, *Study on the Naval Arms Race*, UN Document A/40/535 (Sales No. E.86.IX.3.) adopted by the UN General Assembly by Resolution 40/94 F, introduced a concept “seaboard security” (para 264), with the following wording: “*The principle of freedom of navigation on the world’s oceans makes a coastal state the neighbour across the sea of every other coastal state, including all significant naval Powers. While naval forces have the recognized legal right to cruise and operate off the coasts of foreign states, coastal states, particularly those which are small or medium in size, have on the other hand a legitimate claim for a reasonable ‘seaboard security’ and should not be subjected to power projection possibly originating from such activities. It should be noted in this regard that the Convention on the Law of the Sea includes balanced provisions which would meet security needs of both flag states and coastal states provided they are strictly implemented. It should also be noted that the security of both categories of states could be further enhanced by means of agreed confidence- and security-building measures in harmony with the Convention and customary international law.*”

⁶¹Such a rule would amount to an additional specification to UNCLOS Article 29 defining the special ship category of warships and to its Articles 30-32 prescribing privileges and restrictions for warships.

⁶²The issue of safety guidelines for seaborne nuclear reactors was raised by the Minister of Foreign Affairs of Iceland, Mr Jon Baldvin Hannibalsson, in the UN General Assembly on 4 October 1989 (UN Document A/44/PV.19) and again on 24 September 1990 (UN Document A/45/PV.4). The same issue was the subject of a joint Nordic initiative in the IAEA General Conference in September 1990; see IAEA Documents GC (XXXIV)/COM.5/84 and GC (XXXIV)/949. The issue was later referred to the International Maritime Organization in London. The issue is related to UNCLOS Art. 23, on nuclear-powered ships and ships carrying nuclear or other inherently dangerous or noxious substances.

naval surface ships, and a few icebreakers;

Two general purpose measures could be suggested that address naval forces in the Arctic Sea in order to contribute to more confidence, transparency, predictability, and seaboard security in the region. One relates to a system of information exchange that could amount to a joint sea area control of the ships cruising in the area; the other is a unified prevention of incidents regime for men-of-war in the area. Bilateral treaties on the prevention of incidents at sea were in the past agreed between the Soviet Union and a number of other primarily western states.

An “identification zone” could be instituted along the accesses to the Arctic sea on the Polar circle up to the rim of the permanent ice cover. The littoral states could establish a reasonable overview of the movement of ships on the surface. Presence of ships on the surface and aircraft can easily be established, while their identification might not be obvious. However, it should be possible to initiate, among the participating states, an information cooperation that would provide such identification and a sea traffic control system similar to what has been built up for air traffic control. This measure could be a collective modern version of the former prior notification practices. Patrolling that may be necessary for the implementation of such a regime could be shared among the parties. It should be noted, however, that a special problem would be identification of submarines passing submerged into and out of the zone.

Treaty structure

Legally, Arctic NWFZ provisions could be organized in terms of an umbrella treaty and several additional protocols. The umbrella should specify the objectives and general purposes of the zone regime, its geographical scope and core parties, and references to related Arctic international law. The umbrella should also outline general provisions for adherence to the zone regime, verification and complaints procedures, provisions for entry into force, duration and withdrawal, for administration and management, etc.

One additional protocol to be signed by the six non-nuclear-weapon core states would specify their obligations, referring also to an endorsement by NATO for its four member allies.

A second protocol to be signed by the Russian Federation and the USA would specify their obligations as worked out between them and endorsed by the six other core parties.

A third protocol to be signed by all five nuclear-weapon states to respect the integrity of the zone and to commit themselves not to use or threaten to use nuclear weapons against the entire zone area and not to launch such

weapon from anywhere in the zone towards extra-zonal targets. This protocol should also refer to the UN Security Council Resolutions on security assurances (S/RES/984,1995).

A fourth protocol to be signed by France would submit the islands of Saint Pierre and Miquelon into the zonal area.

A fifth protocol (on marine issues) to be signed by the core states, by the other nuclear-weapon states, and by other extra-zonal states as interested would prescribe the absence of nuclear weapons from the Arctic sea areas beyond national jurisdiction. This protocol should also refer to relevant OSCE confidence-building measures.

Again, the above sketchy pattern of legal provisions is only one out of many ways of organizing an Arctic NWFZ. It will, however, show the general scope of the issue.





An Arctic Nuclear Weapons Free Zone: A Norwegian Perspective

Torbjørn Graff Hugo - IPPNW Norway

Dear friends and colleagues,

Before I begin, let me express my gratitude, and that of the Norwegian anti-nuclear weapons organizations, to John Avery and the Danish Pugwash and DIIS for organizing this event, and for helping to bring the issue of an arctic NWFZ further up on the agenda.

For those of us who see NWFZs as important tools for both non-proliferation and disarmament, the prospect of an arctic zone is an appealing one; It would become another piece in the jigsaw puzzle we are working to construct all over the planet, in order to slowly strangle the rationale for maintaining nuclear weapons.

At first glance, therefore, I find the Arctic zone to be an attractive thought. Yet, a closer look quickly reveals that the establishment of such a zone is anything but simple. There are numerous strategic and political obstacles ahead.

While the more complicated aspects of an arctic zone have been, or will be touched upon by other more competent speakers, I thought my contribution to the concert could be in the form of some Norwegian reflections and perspectives. And I mean Norwegian mainly because I myself am Norwegian, but hopefully some of it will also reflect the thoughts of the NGO environment in Norway, as well as those of the Norwegian government.

In any case, in my attempt to provide such a perspective, I thought I would focus my remarks on three main pillars; first, a dive into history, and the proposal to establish a Nordic NWFZ; secondly, the Alliance - that is, NATO, and third; if time permits, some thoughts on process and timing.

The attempt at a Nordic zone.

As most of you would know already, the idea of a Nordic zone dates back quite a few decades. And the first proposal for such a zone was presented to the Nordic heads of government by the then Soviet premier, Nikolai Bulganin, as far back as in 1958.

The original proposal was for an isolated Nordic zone, though, and while President Kekkonen of Finland supported the idea, his colleagues from the other Nordic countries dismissed it as a threat to the stability and strategic balance between the eastern and western bloc. Kekkonen continued to promote it, but it took more than 20 years before the other Nordic leaders would take up the proposal in a serious manner.

In Norway, the question of a Nordic zone forced itself onto the political agenda in September 1980 when the Norwegian diplomat Jens Evensen suggested that Norway should take the lead in establishing such a zone. The Foreign Minister, Knut Frydenlund, was, as he writes in his memoirs, taken a bit by surprise - or taken in bed, as the saying goes in Norwegian, and literally speaking, that was indeed the case as he happened to be down with the flu the morning the news of this broke. Yet, the minister was not, as the media suggested, unfamiliar with the idea of a Nordic NWFZ. On the contrary, on the question of an isolated Nordic zone, he was profoundly opposed to it. Two years earlier, in 1978, he had dismissed the latest proposal by Kekkonen for the establishment of the zone.¹

But when Evensen pulled the plug on the idea in 1980, it appeared as a tangible alternative - something the Nordic countries could do by themselves, and it sparked a grand debate among the political parties in Norway, and particularly within the Labor party.

In her contribution to the 1982 book *Before it's too late*, Mrs. Gro Harlem Brundtland, having recently stepped down as Prime Minister for the Labor party, presented a pointed list of preconditions for supporting a Nordic zone:²

First, maintaining a low level of tension in the Nordic region was imperative. Second, it had to be based on mutual commitments and restraints, in a balanced manner. Third, the broader disarmament framework, such as the negotiations on the reduction of long range missiles, was to be given priority. The zone had to be seen as a part of the bigger picture. And fourth, solutions had to be found that could be accommodated into the NATO-cooperation, and that would result in less nuclear weapons both in the east and the west.

The amount of work put into exploring the prospect of the zone is actually quite impressive, in retrospect. From 1984-85, a bipartisan commission studied the feasibility of the zone and presented its recommendations to parliament. Then from 1987 til 1991, a Nordic Senior Officials Group also discussed the possibility of the zone.

Though the "end of history", in 1989, seemingly reduced the urgency of the matter, the Nordic council actually recommended the establishment of the zone as late as in 1993. What happened to that recommendation afterwards, I'm not really sure of. But it shows that the willingness was there, and it also underlines the fact that these issues have been discussed not too far back in time.

Even more recently, in the event of the NATO expansion in 1999, a renewed effort was put into promoting the zone by the NGOs, with the argument that NWFZs could help reduce the tension otherwise created by the expansion. Jan Prawitz' paper entitled 'A nuclear-weapon-free zone from the Black Sea to the Baltic Sea' was presented to the foreign minister, after

which we received a rather positive response. It also ended up as a debate in the newspapers. In Norway most of the political parties also retained the goal of a Nordic zone in their party platforms well into the 1990s. The Labor party didn't remove it until 2005, when it was replaced with the goal of a zone in the Middle East. And, of course, a zone in the Middle East is important - not to say crucial - for the overall nuclear disarmament, but at the same time, it appeared in the eyes of the NGOs in Norway as a something of a resignation.

Now, why am I telling you this story of the Nordic NWFZ? Obviously because, from a Norwegian point of view, the challenges and outright obstacles to the establishment of a Nordic zone seem relevant also for the debate on an Arctic zone. And it gives an indication of the political feasibility of it, at least from a Norwegian point of view.

And one thing we notice that keeps coming back to haunt us when we discuss the issue of zones is, of course, as Brundtland also mentioned in her fourth point, the relationship with NATO.

And this brings me to the second issue that I would like to raise with you - or the second pillar, if you will.

NATO and the Umbrella Problem

Norway does not allow any nuclear weapons on its territory, and this has been a unilaterally enacted policy since the late 1950s, or 1960. The case is similar to that of Denmark, perhaps with the added spice of a shared border with Russia. Alongside Turkey, Norway was the only NATO member to share a direct border with the Soviet Union, and this prompted a policy of caution and confidence-building measures. The self-imposed ban on nuclear weapons was therefore mainly a political tool for maintaining calm relations with the Soviet Union. And it seemed to work quite well. The Soviet Union trusted, at least officially, the Norwegian ban, and maintained normal relations with Norway despite our membership in the alliance.

Now, one could argue that the step from a nuclear weapons free Norway to joining a nuclear weapons free zone should be a small one. There are no weapons to remove, so to speak - at least that we know of... Yet, of course, the picture is, at least from the point of view of our politicians, not that simple. For one, the Norwegian ban on nuclear weapons is, strictly speaking, a peacetime ban. This means that if war breaks out, Norway would form an integrated part of the NATO command structure, and nuclear weapons could be stationed in Norway.

The question, therefore, becomes; how can the participation in a NWFZ be reconciled with the membership in an alliance with a nuclear umbrella?

And, I could add, does it have to be reconciled?

I believe the answers to this should be looked for both within NATO and outside. As we know, NATO's nuclear umbrella is not the only umbrella in existence, and there are other cases and regions from which inspiration and experience can be drawn. New Zealand could be one example, though Australia might be a better one, with its full membership in both ANZUS and the Rarotonga Treaty. The Semipalatinsk treaty presents a similar dilemma, with CSTO/Tashkent Treaty joining together Russia and the Central-Asian countries in a collective security organization.

My question is; does this render the Semipalatinsk and the Rarotonga treaties irrelevant? I believe the answer to this is 'no'. They are indeed relevant, but one could argue that it makes them weaker. The lack of guarantees from all the NWS, as is the case for the Central Asian zone, makes it harder to use the zone as a basis to claim negative security assurances, and the impact of the zone on disarmament and non-proliferation is, consequently, reduced.

In this perspective, NWFZs should perhaps be analyzed by their degree of efficiency, rather than by a dichotomous existence or non-existence. And in such a framework, an arctic zone could possibly serve a purpose even without the withdrawal from NATO's nuclear umbrella by the Nordic states and Canada. You would have a case similar to that of Australia in Rarotonga, and it would most likely strengthen the already existing unilateral bans. But in my opinion, this scenario would never be more than a second best.

I believe, therefore, that the lion's share of our efforts should be focused on how to answer the first question above, on finding a solution to the umbrella problem; how a country can withdraw from the nuclear posture without withdrawing from the collective defense of the alliance. The first thing that comes to my mind is that it would require a change in NATO's strategic concept, and this brings me to the third pillar. Process and timing In 2009 NATO is celebrating - if that is the word to use - its 60th anniversary. In addition it is also the 10th anniversary for the current strategic concept. And with the two coinciding, the SG of the alliance, Mr. Jaap de Hoop-Scheffer, has launched a process of reviewing the strategic concept, and to some extent, the debate surrounding this review has begun. Yet, it is a slow process, and few seem to believe that the work will be finished before the NPT Review Conference in 2010. The last estimates I have seen say the new concept will be ready for NATO's Lisbon summit in 2010 or 2011.

This could be fortunate... in a way, because a positive outcome of the review conference could potentially lay the ground for a bolder change in the nuclear doctrine. Yet there is no guarantee against the opposite happening either. Nevertheless, the process of changing the strategic concept provides

and opportunity for discussing how the umbrella problem can be solved and I believe it is an opportunity we should seize.

From the Norwegian government's point of view, NATO has a very high priority when it comes to nuclear disarmament, and Norway is now part of an initiative within the alliance, a group referred to as NATO 7, whose aim it is to push the disarmament agenda forward within the alliance. During this year's PrepCom in New York, the group presented a joint working paper in which the position on disarmament and non-proliferation stretched well beyond that of the presumed position of the alliance. It is hard say what the real position of the alliance is, since it does not behave as a unitary actor within the NPT. But for this reason as well, the NATO 7 working paper in May was, in my opinion, significant, as it provided a taste of a NATO role in the NPT.

Norway is, of course, not the only country looking at the 2010 RevCon as an important and decisive moment for the NPT. The positive development of the last few months, with the resumed talks between US and Russia, Obama's pledge to ratify the CTBT, the entry into force of the Semipalatinsk Treaty, the relatively positive outcome of the PrepCom, the breakthrough in the CD in Geneva. All this is of course encouraging, but it has also created high expectations for the 2010 conference. And I believe they should be high. The question is how we can maximize the chances of a positive outcome in which these expectations can be met. And this leads me to the question of timing.

In my opinion - and I'm just throwing this into the ring - the case for an Arctic NWFZ is a card that should be played out after the 2010 conference is concluded. For three reasons: first, the agenda up until the RevCon is quite full, and the additional focus on an arctic zone could, potentially, take attention off other processes. Governments, unfortunately, only have so much capacity.

Secondly, waiting until after the RevCon provides more options. If 2010 is a success, the Arctic zone could be a follow-up to strengthen the positive trend. And if it turns out to be a failure, countries could argue that then, more than ever, new initiatives will be needed, and with basis in article VII of the NPT, argue that a NWFZ should be established in the Arctic. Thus, no matter the outcome of the RevCon, it could be smart, the way I see it, to wait until after the 2010 before this is actively promoted. The outcome of the conference would simply help define the package and presentation of the case.

Third, it provides a timeframe and a deadline for figuring out a proper answer to what I believe is the most important question; reconciling the membership of a NWFZ with the membership of a nuclear umbrella. And

if a change in the nuclear posture is indeed necessary, then the coming year could be spent on advocating a change in the strategic concept to reduce as much as possibly possible NATO's reliance on nuclear weapons, and thereby, hopefully, opening up for the possibility of establishing NWFZs, not just in the arctic, but also in other parts of NATO - from the Black sea to the Baltic Sea, to paraphrase one of our colleagues here.

With that, I end my remarks and yield the floor to the next speaker.

Thank you for listening.

A nuclear weapons free zone in the Arctic. Climate consequences of a regional nuclear war.

**Gunnar Westberg, Goteborg, Sweden
Professor emeritus, Sahlgren's Academy of Medicine
Past President, IPPNW**

New studies on nuclear winter and nuclear darkness

The risk of a global nuclear war, using the main part of the 11,000 nuclear weapons that are deployed today, is probably lower now than it was during the Cold War. However, several of the nuclear power states maintain a large part of their nuclear arsenal at high alert status, ready for launch within minutes. This shows that the military leaders of these countries still fear an all out attack from another nuclear weapons state. It may be impossible to calculate the risk that a global nuclear war is started because of misunderstanding, but many wars have begun because of mistakes. The President of Russia or the President of the USA has at most 10 minutes to decide whether an alarm that a nuclear attack is under way is true or false. Humans make mistakes. Are we to trust that a mistake never will happen with nuclear weapons?

Today the risk of a "smaller" nuclear war increases because of the proliferation of nuclear weapons. The presence of nuclear weapons in the Arctic region would increase the risk of such a limited nuclear conflict.

In my presentation I will show that even such a "small" nuclear war would produce severe global environmental consequences. As an example of such a limited conflict I will describe the climate effect of nuclear war between India and Pakistan.

In the 1980-ies the concept of nuclear winter was brought into our discussions. It was shown that a large nuclear war in which a major part of the nuclear arsenal was used would result in a drop in global temperatures of 7-10 degrees Celsius for several years. Most of those who survived the war, anywhere on the globe, would die from starvation. That means that if a state "won" the war through a devastating first strike, the population of that state would also succumb. Victory would mean suicide.

In the last 25 years the nuclear arsenals have been much decreased. It has been argued that because of this decreased number of nuclear charges a nuclear winter would no longer be a consequence of a nuclear war. However, recent studies have shown the opposite. Observations after large forest fires show that the nuclear darkness would last longer than we previously thought.

In a large fire a dark cloud of soot rises rapidly up to about 10 km altitude. The news is that it does not stay there. The cloud is heated by the sun and then rises up to the stratosphere. As very little material from the stratosphere rains down, the soot stays there and is distributed around the globe in a year or two. The increased darkness of the stratosphere clouds will remain for many years ¹.

Extensive calculations using big computers and three-dimensional models of the atmosphere have been used to predict the development. Thus a large nuclear war between Russia and the US, when many of the nuclear weapons are brought to explode over populations centers, is expected to release 150 Tg of soot (teragrams, one Tg equals one million metric tons). Most of that material will end up in the stratosphere. The result would be a drop in global temperatures of 7-10 degrees Celsius over 5-10 years. A more limited exchange, using mainly the nuclear weapon carried on intercontinental missiles, of which some will not target areas close to large cities, might result in a release of 50 Tg of soot, resulting in a drop in global average temperature of around 4 degrees Celsius (Fig.1).

In both these scenarios we can expect that the global consequences will be devastating. Even the “victorious” country most if not all people will succumb to the secondary consequences of the nuclear war - radiation, famine, epidemics, social disintegration, and despair.

Global climate consequences of a regional nuclear war

A certain number of small weapons will have much greater consequences, both in the number of people killed from the explosions and in the amount of soot produced, than a smaller number of larger bombs with the same total explosive force². The new insights into the circulation of the atmosphere have also shown that a limited nuclear war, such a war between India and Pakistan when about 100 Hiroshima-size, 15 kt bombs are used, mostly over population centers, would result in the release of about 5 Tg of soot.. This soot, mostly from burning cities, would decrease the global temperature by about 1.25

¹Robock, Alan, Luke Oman, Georgiy L. Stenchikov, Owen B. Toon, Charles Bardeen, and Richard P. Turco, 2007a, *Climatic consequences of regional nuclear conflicts*. *Atm. Chem. Phys.*, 7, 2003-2012; Robock, Alan, Luke Oman, and Georgiy L. Stenchikov, 2007b, *Nuclear winter revisited with a modern climate model and current nuclear arsenals: Still catastrophic consequences*. *J. Geophys. Res.*, 112, D13107, doi:2006JD008235; Robock, Alan, 2008, *Nuclear winter*. In *Encyclopedia of Earth*. Cutler J. Cleveland, Ed. (Washington, D.C.: Environmental Information Coalition, National Council for Science and the Environment). [First published in the *Encyclopedia of Earth* July 21, 2008; Last revised July 22, 2008].

²Robock et al 2007a, *op.cit.*

degrees C, over 6-8 years. That is not nuclear winter, but the nuclear darkness will cause a deeper drop in temperature than at any time during the last 1000 years. The temperature over the continents would decrease substantially more than the global average. A decrease in rainfall over the continents would also follow. (Fig.2, 3)

The growing season would be shortened by 10 to 20 days in many of the most important grain producing areas in the world which might completely eliminate some crops that have insufficient time to reach maturity. (Fig.4). An accurate evaluation of the global decrease in food production has yet to be done, but there will be substantial deficits³. In earlier periods we have seen that a global decrease in grain production of 5% over a couple of years will bring about a sharp increase in prices and a starvation will increase in countries that normally are dependent on the import of food. The period of nuclear darkness will cause much greater decrease in grain production than 5%, and it will continue over many years. The reserves of the most important grains in the world have in recent years been less than corresponding to six weeks of consumption⁴.

There are currently more than 800 million people in the world who are chronically malnourished. Several hundred million more live in countries which are dependent on imported grain for their survival. In a situation of severe food shortage globally, can we expect that the wealthy countries will accept to tighten their belts to such an extent that the poor and undernourished survive these seven years of famine? If not, hundreds of millions of people in many continents, in particular Africa, will die from hunger⁵.

In the war zone, India and Pakistan, it can be expected that 20 million people will die from blast and fire, millions more from the radioactive fallout. Many tens of millions will flee the contaminated areas. and many will die from epidemics and hunger, maybe more than from the bombs. But the greatest number of fatalities will occur in countries far away, who will succumb from starvation because of the global nuclear darkness⁶.

³Helfand, Ira 2007: *An Assessment of the Extent of Projected Global Famine Resulting From Limited, Regional Nuclear War*. Royal Soc. Med, London, Oct 3 2007. Available at <http://www.ipnw.org/Events/Past/2007London/presentations.html>

⁴World Food Price Crisis 2007-2008, See Wikipedia; World hunger facts 2009 <http://www.worldhunger.org/articles/Learn/world%20hunger%20facts%202002.htm>

⁵Helfand 2007, *op.cit.*

⁶Toon, Owen B., Richard P. Turco, Alan Robock, Charles Bardeen, Luke Oman, and Georgiy L. Stenchikov, 2007, *Atmospheric effects and societal consequences of regional scale nuclear conflicts and acts of individual nuclear terrorism*. *Atm. Chem. Phys.*, 7, 1973-2002; Toon, Owen B., Alan Robock, and Richard P. Turco, 2008, *Environmental consequences of nuclear war.*, *Physics Today*, 61, No. 12, 37-42. PDF file

Severe ozone depletion

To make matters even worse, such amounts of smoke injected into the stratosphere would cause a huge reduction in the Earth's protective ozone (Mills et al 2008). A study published two years ago by the National Academy of Sciences, using a similar nuclear war scenario involving 100 Hiroshima-size bombs, shows ozone losses in excess of 20% globally, 25-45% at mid latitudes, and 50-70% at northern high latitudes persisting for five years, with substantial losses continuing for five additional years (Fig.5). The resulting increases in UV radiation would have serious consequences for human health. Here in Copenhagen we would be advised not to be outdoors for several hours around the middle of the day. The effects on the agriculture, on animals, on economy and on the human population from this unprecedented increase in ultraviolet radiation have not yet been evaluated. The effects would undoubtedly be serious.

A regional nuclear war would result in an unprecedented global catastrophe.

I have decided to present this material at this conference because it shows the global consequences of any nuclear war, even a war in which less than one half on one percent of the nuclear weapons are used. Nuclear proliferation is a threat to all of us. Nuclear weapons in the Arctic zone would increase the danger of a nuclear confrontation. And most importantly, it is not sufficient to decrease the number of nuclear weapons to a few hundred. They must be abolished.

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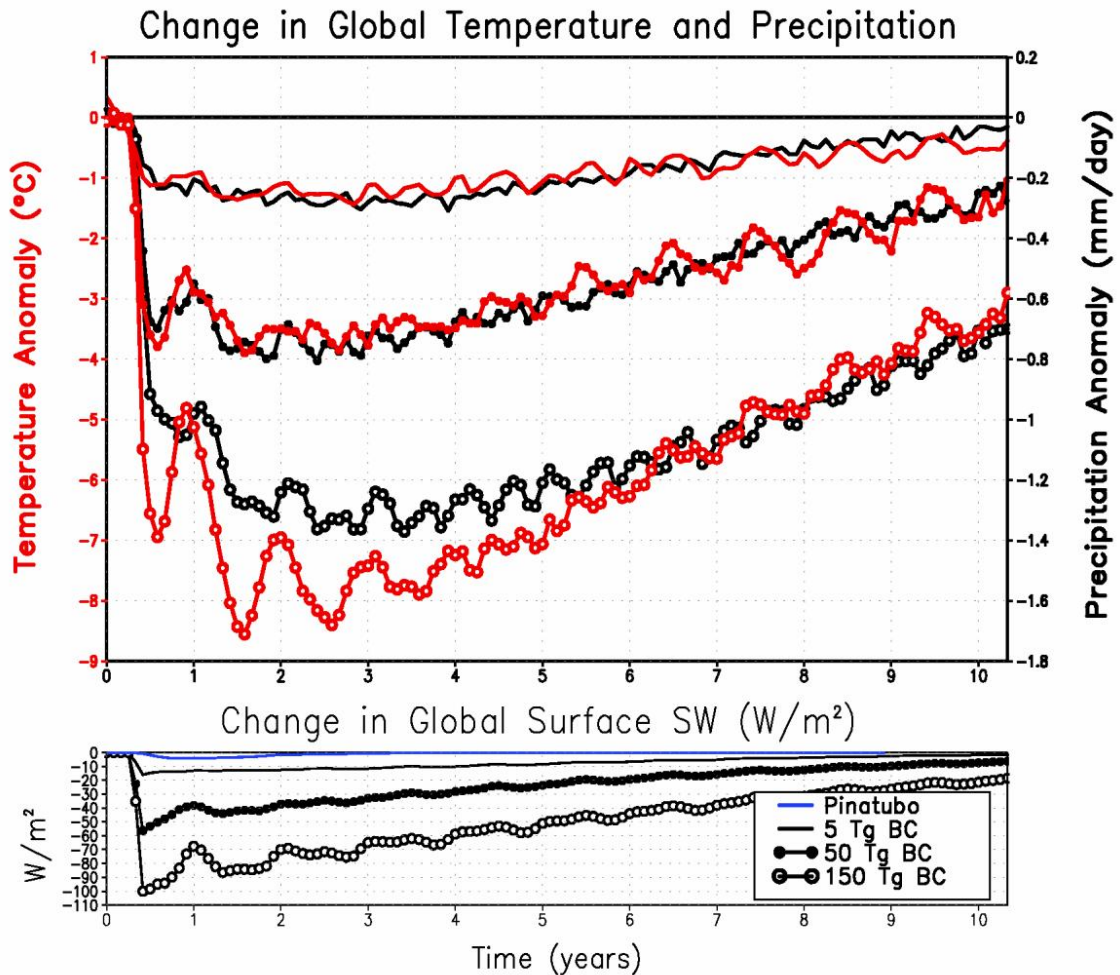


Figure 1: *Change of global average surface air temperature, precipitation, and downward shortwave radiation reaching the surface of the Earth for the 5 Tg [Robock et al., 2006], 50 Tg and 150 Tg cases. Also shown, in the lower panel, is for comparison the global average change in downward shortwave radiation for the 1991 Mt. Pinatubo volcanic eruption, the largest volcanic eruption of the 20th century, compared to the nuclear war scenarios*

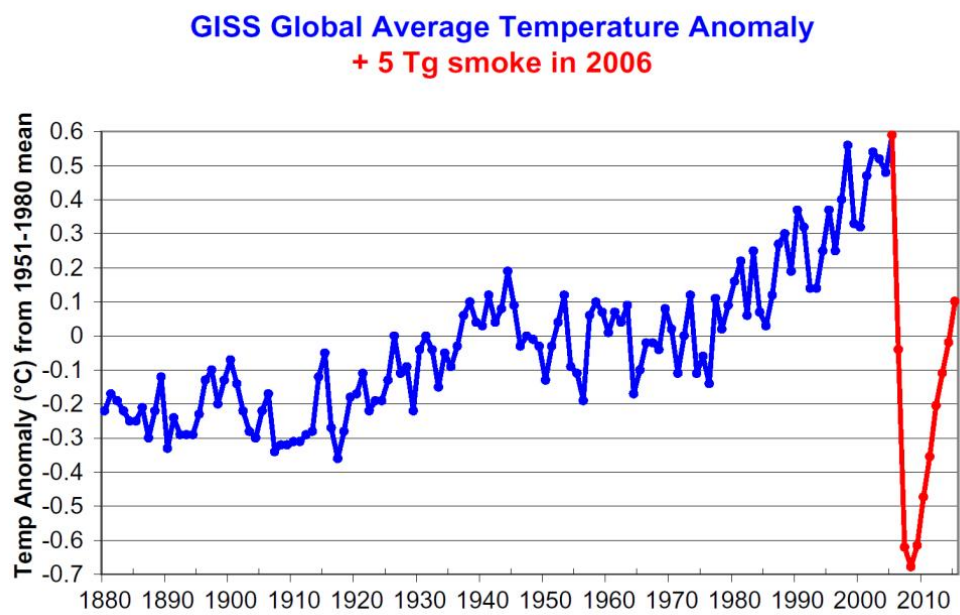


Figure 2: *The decrease in average global temperature after a regional nuclear war with 100 Hiroshima-sized nuclear weapons, compared to the development of the temperature over the recent century. The decrease in temperature over the continents will be much more pronounced (Robock et al 2007b).*

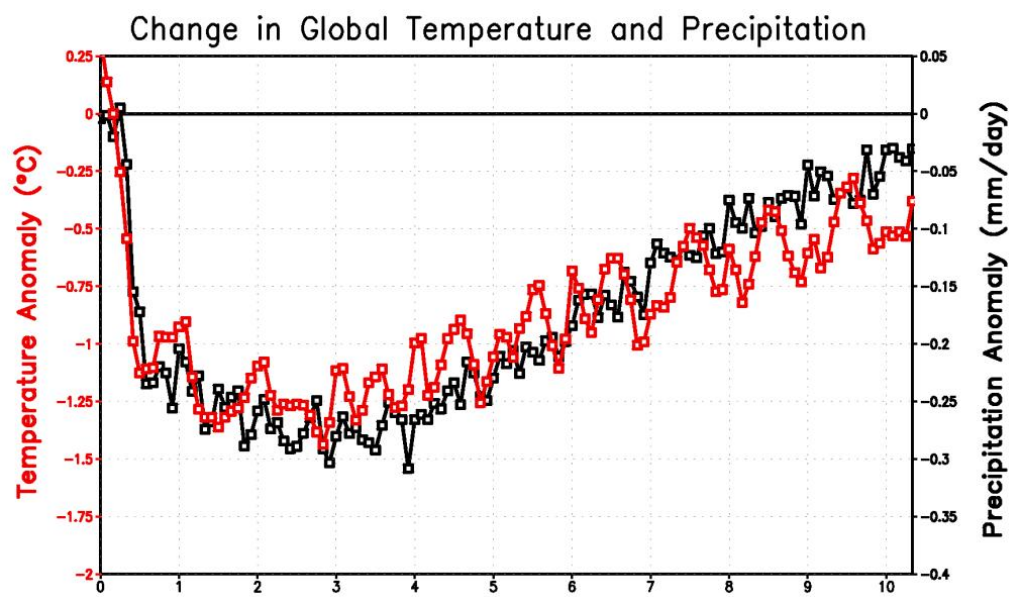


Figure 3: *Changes in global temperature and precipitation after a regional nuclear war using 100 Hiroshima-size nuclear weapons, producing 5 million tons of soot (Robock et al 2007b)*

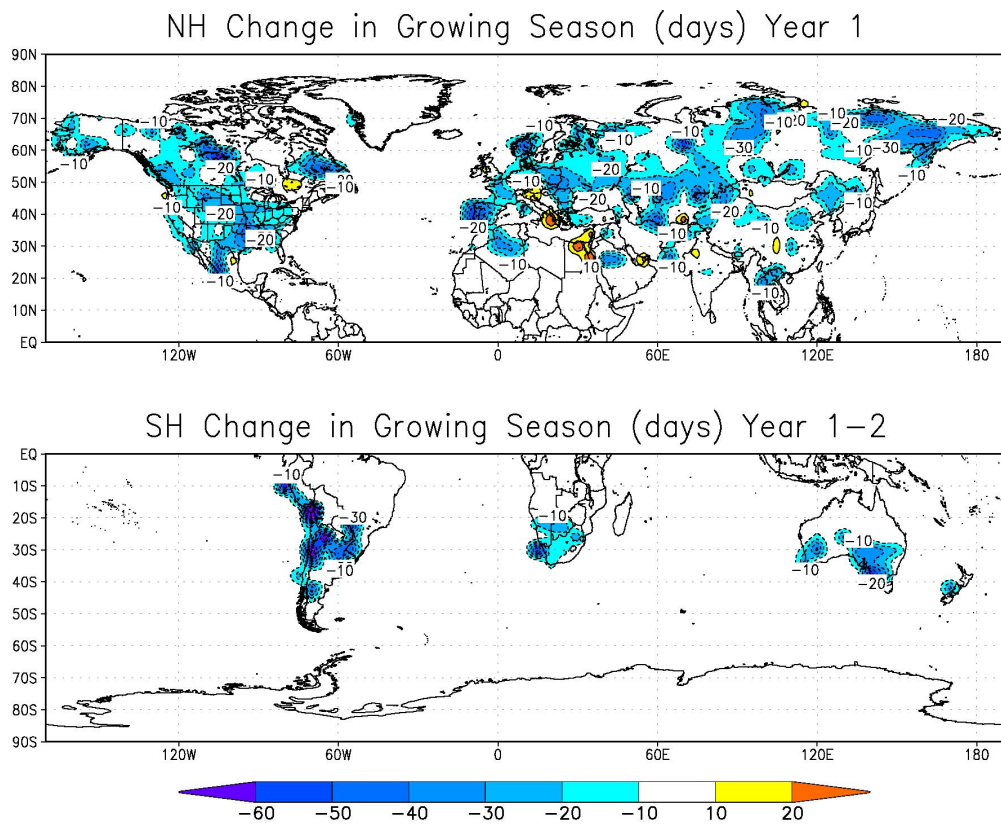


Figure 4: *Changes in the growing season - frost free days - in the northern and southern hemispheres in the first year after a regional nuclear war using 100 Hiroshima type nuclear weapons (After Robock et al 2007a)*

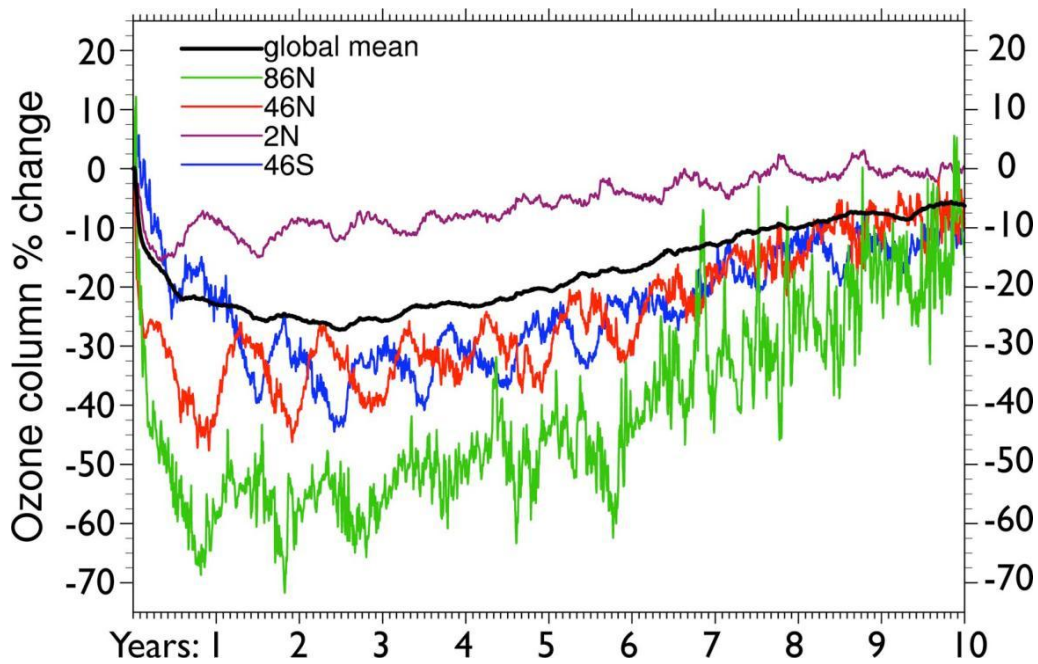


Figure 5: Time evolution of the total ozone column after a 5-Tg soot injection in the upper troposphere at 30°N latitude. Changes in ozone are given as a percent deviation of the integrated column from the control run, or baseline value, as a function of time since soot injection. The global-mean total ozone variation is shown along with zonal-average changes at four specific latitudes (as labeled). (Mills et al 2008)

Existing Nuclear Weapon Free Zones Precedents that could Inform Development of an Arctic Nuclear Weapon Free Zone

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At the end of the Cold War in 1989, there were unprecedented possibilities for major breakthroughs in arms control and disarmament. These opportunities were largely lost through a lack of political will on the part of the world leaders at the time, and the trenchant opposition to multilateralism on the part of a Republican controlled Congress under Clinton and a Republican Administration under George W. Bush. We are now at another turning point in history when the leadership in countries all over the world is beginning to appreciate better the need for global cooperation and multilateral action on a number of fronts, not least climate change and nuclear threats. We are also at a point where the accession of the Obama Administration in Washington, and the advent of a Democrat-controlled Congress more open to multilateral initiatives, opens a new window of opportunity for arms control.

The urgency of action on arms control and disarmament has been underlined over the past decade by the 1998 Indian and Pakistan nuclear tests, the 2006 North Korean nuclear test, the Iranian moves to acquire nuclear weapon capability through uranium enrichment programs, the expanding reach of missile defense systems serving to provoke escalating nuclear countermeasures, and nuclear modernization programs across all the nuclear powers. Like nature, military power abhors a vacuum, and tends to spread to any region, however remote, where there is no treaty or other binding legal regime to constrain it. The Antarctic is free of nuclear weapons and military activities precisely because five decades ago the leaders of the major powers and the Southern Ocean regional states had the vision and political will to enter into a binding treaty that ensured “the use of Antarctica for peaceful purposes only”, and established the world’s first effective nuclear-weapon-free zone (NWFZ). The Arctic region has long been the arena and casualty of great power transit and deployment of strategic nuclear weapons above and below the ice, nuclear weapon accidents, atmospheric and underground nuclear testing, and radioactive waste and fallout contamination (and associated health impacts for indigenous peoples), and displacement of indigenous peoples as result of military bases and infrastructure. If a comparable nuclear free zone treaty had been established as in the Antarctic, it is reasonable to assume that the Arctic might have been spared these deadly and unwanted

nuclear attentions.

The nuclear weapon free zone concept was first pioneered in 1956-57 by the Polish diplomat, Adam Rapacki, in the early phase of the Cold War as a way of defusing nuclear confrontation in Central Europe.¹ The basic idea was that the Central European states would establish a treaty that would ensure the total absence of nuclear weapons in the region, whether in the form of nuclear weapon stationing by a nuclear weapon state, or acquisition of such weapons by zone states; and that the zone would be given binding guarantees from the nuclear weapon states not to use nuclear weapons against the zone countries. The concept foundered at the time as a result of the NATO logic that the alliance needed forward deployment of nuclear weapons to counter numerically superior Warsaw Pact conventional forces.

The idea, however, found partial embodiment two years later, in 1959, with the multilateral negotiation of the Antarctic Treaty, which not only established the Antarctic as a zone “to be used exclusively for peaceful purposes” but also in Article V prohibited any nuclear explosions or disposal of radioactive waste material.² Coupled with its Article 1 prohibitions on “any measures of a military nature” (including military bases, maneuvers and weapons testing), and intrusive inspection provisions, the Treaty effectively established the world’s first nuclear weapon free zone.

Eight years later, in 1967, this was followed by the creation of the first fully-fledged nuclear weapon free zone in a highly populated region, Latin America. This was the Tlatelolco Treaty, which now has achieved almost universal adherence from Latin American states, and has secured nuclear non-use or threat-of-use guarantees from all five of the UN Security Council nuclear weapon states (P5 - China, France, Russia, UK and US).³ The zone was negotiated in response to concern over how close the region came to being engulfed in a nuclear holocaust at the time of the 1962 Cuban Missile Crisis. The Nobel Prize winning architect of the zone, the Mexican diplomat, Alfonso Garcia Robles, argued that such zones would not only contribute to preventing horizontal proliferation among the countries of a given region, but also contribute to wider global security by gradually expanding the areas of the world “from which nuclear weapons are prohibited to a point where the territories of the powers which possess these terrible weapons of mass de-

¹Hinterhoff, E., *Disengagement*, Stevens and Sons, 1959, pp.423-9; Saeter, M. ‘*Nuclear Disengagement Efforts 1955-80*’ in Lodgaard, S. and Thee M., *Nuclear Disengagement in Europe*, SIPRI/Pugwash/Taylor and Francis, 1983, p.59.

²UN Department of Political Affairs, *Status of Multilateral Arms Regulation and Disarmament Agreements*, Fourth Edition, v.1, UN, New York, 1993, pp.22-32.

³Ibid. pp.72-109.

struction will be something like contaminated islets subject to quarantine”.⁴

This, indeed, is what has been gradually happening in the subsequent decades, no doubt to the dismay of many nuclear weapon advocates and apparatchniks in the militaries of the nuclear weapon states. In 1985, the South Pacific states established the Rarotonga Treaty, a nuclear free-zone banning all stationing and testing of nuclear weapons in a broad ocean region that linked up with the boundaries of the Antarctic Treaty and the Tlatelolco Treaty. The zone is now recognized and guaranteed by all the P5 nuclear weapon states, although the US has so far only signed but not yet ratified the Treaty. In 1995, the Southeast Asian (Bangkok Treaty) was established by ASEAN, and, in 1996, the whole of the African continent (Pelindaba Treaty) followed suit. Ten years later, the first zone wholly in the Northern Hemisphere, the 2006 Central Asia Nuclear Free Zone (Semipalatinsk Treaty) was established. There are now nuclear weapon free zones preventing acquisition, testing, stationing and development of nuclear weapons (but not yet transit) in over 100 countries across the world, including the whole of the Southern Hemisphere. Not all have secured the required non-use or threat of use of nuclear weapons by external nuclear weapon states, but several are well on the way to doing so, assisted by international pressure in such forums as the UN General Assembly.

New zones have been proposed for such regions as Central Europe, Northern Europe, the Middle East, South Asia and Northeast Asia and the Korean Peninsula; and, last but certainly not least, the Arctic region.⁵ In the case of the Arctic, the first NWFZ proposal was advanced in 1964 by the “two Alexanders”, one Russian and one American, scientists writing in the *Bulletin of the Atomic Scientists*. The Arctic NWFZ proposal was taken up in various forms by the Inuit people’s organizations and councils, including the Inuit Circumpolar Conference (from 1974), regional and international peace organizations, academic peace researchers, and Arctic Region area specialists: Arctic NWFZ proponents include Hanna Newcombe (1981), Owen Wilkes (1984), Oran Young and Gail Osherenko (1989), Ronald Purver (1989) and more recently the Canadian Pugwash Group (2007), Ramesh Thakur (2007), Mike Wallace (2008), Jozef Goldblat (2008), Jayantha Dhanapala (2008), and PPND Canada (2007-9).⁶

⁴Alfonso Garcia Robles, speech before the United Nations, UN A/C.1/PEV2018, November 13, 1974, 32, cited in Alfonso Garcia Robles, Occasional Paper 19, *The Latin American Nuclear-Weapon-Free Zone* (Muscatine: The Stanley Foundation, 197

⁵For an analytical overview of both existing and proposed denuclearized zones, see Goldblat, Jozef, *Arms Control: the New Guide to Negotiations and Agreements*, PRIO/SIPRI/SAGE, London, 2002, Chapter 13 “Denuclearized Zones”, pp.196-219.

⁶For an overview of Arctic denuclearization proposals up to 1988, see Purver, Ronald,

The existing NWFZs are extraordinary testimony to the power of regional groupings of states to exert their control and influence over a policy and security sphere that has long been dominated by the nuclear weapon states (NWS). The NWS became accustomed during the Cold War - and to a large degree since - to put their own narrow military and strategic interests ahead of the needs for a cooperative security approach to reducing and eliminating the threat of a nuclear holocaust (which could well rearrange our climate far more abruptly and just as disastrously as global warming).

In the case of all the successfully established zones, there were critics and pessimists who suggested that such zones would never be agreed, or if agreed, never recognized by the nuclear weapon states. Certainly to have whole regions agree on such measures is a formidable challenge, especially when the nuclear weapon states themselves seek to apply pressure on alliance partners. However, in all the existing zones, a number of factors, including skilful diplomats and visionary leaders, and, in some instances, vigorous grassroots campaigns from non-government academics, peace movements and indigenous communities, have, successfully won out against traditional arms race advocates of nuclear-based deterrence and "security".

The question could be raised as to whether the more than 100 countries who have opted to become members of nuclear-weapon-free zones are less or more safe or secure than those which have opted for nuclearization. Is Israel, for example, more secure as a result of its 1967 decision to acquire nuclear weapons, thereby triggering a nuclear arms race with regional adversaries and the current denouement of potential Iranian acquisition of nuclear weapons, than if it had agreed to an internationally verified and guaranteed Middle East Nuclear Weapon Free or Weapon of Mass Destruction Free Zone as advocated by Egypt, Iran and the UN General Assembly from 1974 onwards? Is India now more secure as a result of its 1974 acquisition of nuclear weapons as a deterrent to China, and thereby triggering a nuclear arms race with Pakistan, than if it had negotiated an internationally verified and guaranteed South Asian Nuclear Weapon Free Zone arrangement, as proposed by the UN General Assembly during 1974-77 and the 2000 NPT Review Conference?

More broadly still, is the world a safer place as a result of the addiction of a relative few nation-states to nuclear weapons as an allegedly necessary part of their security arrangements? Even a relatively limited nuclear war in the regions concerned would be devastating in terms of loss of life and economic impacts, while simultaneously having catastrophic global economic, climate and refugee movement consequences.

¹'Arms Control Proposals for the Arctic: A Survey and Critique' in Mottola, Kari (ed.), *The Arctic Challenge*, Westview, Boulder, 1988, pp.183-219.

So what may be learned from the existing precedents in establishing nuclear weapon free zones in the contexts of renewed initiatives to establish an Arctic NWFZ.

The Antarctic Treaty is probably the most important precedent. This is not only because it relates to a polar region but also because it brings together a core group of geographically proximate and closely interested states including the US and Russia - which has parallels with the 8 Arctic Council states of Canada, Denmark, Finland, Greenland, Norway, Sweden, Russia and the US. It is also an valuable precedent because it embodies in the treaty itself, and in the wider Antarctic Treaty System (ATS) branching from the trunk of the main treaty, a very successful legally binding regime that regulates almost all nuclear, military, environmental, scientific and economic activities the region in a mutually agreed and cooperative way.⁷ All of these activities have their counterpart in the Arctic region, yet have only been regulated in a relatively ad hoc and non-binding way. The only Arctic nuclear and military activities to have been regulated are in the specific domains and activities covered by the Partial Test Ban Treaty of 1963 and the Sea Bed Treaty of 1971, and the limited 1920 demilitarization agreement relating to Norway's Svalbard Archipelago in the Greenland Sea.

The Antarctic Treaty negotiations were motivated by concern over potential territorial disputes between the various territorial claimants, a spirit of scientific cooperation fostered by the International Geophysical Cooperation Year of 1957-58 amongst the treaty countries, and concerns of the then Cold War adversaries, the US and USSR, to deny each other military hegemony over Antarctica. In the present context of the Arctic, with the prospect of summer melting of the Arctic ice cap and increased access to mineral and other resources, together with disputes over national jurisdictions over the 200-mile exclusive economic zones, and continued tension between NATO states and Russia over deployment of missile defense systems and radars on Russian borders, some of the same elements that prompted the Antarctic Treaty are very relevant for the Arctic. While the strategic nuclear submarine deployments of Russia and the US in the Arctic Ocean might seem an

⁷For detailed studies of the Antarctic Treaty System, see: Beck, Peter, *The International Politics of Antarctica*, Croom Helm, Beckenham, 1986 (especially chapter 4 'A Continent for Peace'); Francioni, Francesco and Scovazzi, Tullio, *International Law for Antarctica*, Kluwer Law International, The Hague, 1996; Jorgensen-Dahl, Arnfinn and Ostreng, Willy (eds.), *The Antarctic Treaty System in World Politics*, Macmillan/Frijtjof Nansen Institute, London, 1991; Rothwell, Donald, *The Polar Regions and the Development of International Law*, Cambridge University Press, Cambridge, 1996; and Stokke, Olav Schram and Vidas, Davor (eds.), *Governing the Antarctic: the effectiveness and legitimacy of the Antarctic Treaty System*, Cambridge University Press, Cambridge, 1996.

insuperable obstacle to establishing an Arctic NWFZ, in practice it might be in both states' interests to have a demilitarized buffer zone in the region. The prospective summer melting of the Arctic icecap may lessen the invisibility benefits of SSBN strategic submarine deployment in the Arctic Ocean; and the strategic benefits of such deployment were probably overestimated even under present conditions, owing to risks of under-ice collisions and the comparative safety from ASW monitoring in Russia's closer-to-home havens for submarine patrols.

The actual provisions of the Antarctic Treaty and its ancillary agreements hold many valuable precedents for a similar treaty in the Arctic.

The treaty, with its boundary set at 60 degrees South, includes both land and sea territory. This would also be the case for an Arctic Region zone (since the territorial and EEZ claims of Arctic coastal states would reach to the very center of the Arctic Ocean, as Russia's 2008 planting of the Russian flag on the seabed of the North Pole itself dramatically illustrated). The Antarctic Treaty's inclusion of what might be considered EEZs (under the frozen territorial claims of proximate treaty states) and high seas does pose questions of consistency with the subsequent 1982 Law of the Sea Treaty, which allows for nuclear weapon and military transit, but so far the Antarctic Treaty's non-nuclear provisions have been observed within the treaty boundaries. This issue would be more contentious in the Arctic Region where underwater deployment of nuclear armed attack and ballistic missile submarines has been an ongoing practice of both Russia and the US. However, it is feasible under protocols to a proposed Arctic NWFZ for Russia and the US to waive their UNCLOS rights of passage within the zone in the interest of establishing a stabilizing buffer zone between themselves, particularly in a context where both states have recently signalled their intention to substantially reduce their deployed nuclear warheads.

The Antarctic Treaty has very clear arms control prohibitions under Article 1 prohibiting military bases, maneuvers, and weapons testing, and Article 4 prohibiting nuclear explosions and radioactive waste dumping, all of which would be highly relevant for a similar zone in the Arctic, and currently apply to not only the land areas of Antarctica but also the ocean areas south of the 60 degrees South parallel.

It also has very effective verification machinery in the form of Article 7 which states the right of Parties to designate observers to carry out inspections with complete freedom of access in "any or all areas of Antarctica". Some 32 inspections had been carried out by 1995, including by teams from the US, Russia, Australia, Norway, Sweden, China, Brazil, Chile, Argentina, New Zealand and the UK, with the US carrying out approximately one third of all inspections (Giuliani, 1996). Undoubtedly, the inspection provisions

of the treaty have provided confidence and trust that all parties were fully complying with the treaty, and certainly warrant consideration in any comparable treaty in the Arctic.

The Antarctic Treaty has also served as an outstanding successful framework agreement for promoting further binding cooperative agreements on scientific research, environmental protection, and resource management. The Madrid Protocol of 1991 was particularly important in committing Antarctic Treaty members to comprehensive protection of the Antarctic environment, declared Antarctica to be a “natural reserve, devoted to peace and science”, and prohibited “any activity relating to mineral resources, other than scientific research”.

Arctic environmental specialists and legal experts, such as Pharand (1992), Koivurova (2008) and Rothwell (1996)⁸, have welcomed the formation of the Arctic Council to foster cooperation in the region in environmental and sustainable development (but specifically excluding military security) and the establishment of Working Groups in such areas as: flora and fauna; protection of the marine environment; emergency prevention and response; and Arctic monitoring and assessment. However, in the context of the flurry to open up the region to mineral exploitation and development, Arctic environmental experts are also drawing attention to the fact that current Arctic arrangements have no teeth, and that what is needed is a comparable treaty to that in the Antarctic. Pharand (1992) proposed a treaty very similar in spirit to the Antarctic Treaty, focussing on environment protection and regional cooperation to develop the Arctic “for peaceful purposes in the interest of all humanity”. More recently, Sands (2003) has noted that while the present “soft law” approach in the Arctic has been a good first step, “ultimately it will be necessary to establish appropriate institutional arrangements and substantive rules, perhaps similar to those applied in the Antarctic, to ensure that agreed obligations are respected and enforced”.⁹ More recently still, Rothwell (2008) has argued that the principles that should be taken from the Antarctic Treaty include “a sovereignty neutral regime, the guarantee of freedom of scientific research, a demilitarized/denuclearized region, flexibility to develop additional instruments, and a quasi international management

⁸Koivurova, Timo, ‘Alternatives for an Arctic Treaty - Evaluation and a New Proposal’, RECEIL 17, 1, 2008; Pharand, Donat, ‘The Case for an Arctic Region Council and a Treaty Proposal’, *Revue Generale de Droit*, 23, 1992, pp.163-195; Rothwell, Donald, *The Polar Regions and the Development of International Law*, Cambridge University Press, Cambridge, 1996.

⁹Sands, Philippe, *Principles of International Environmental Law*, 2nd Edn., Cambridge University Press, Cambridge, 2003, p731, cited in Koivurova, *op.cit.*

which retains a role for key states”¹⁰.

Looking back, the architects of the Antarctic Treaty, led by the US diplomat, Paul Daniels, might be pardoned for feeling highly satisfied with their 19 months of negotiation between June 1958 and December 1959 when the Treaty was signed, particularly in comparison with what has already happened in the Arctic. They have preserved a whole continent from a range of environment, military and nuclear threats for some fifty years; and facilitated the kind of scientific cooperation that has already produced important outcomes and benefits for the whole planet, not least in the fields of climate and atmospheric research, such as the 1985 Antarctic scientists’ discovery of the hole in the ozone layer, in turn leading to the 1987 Montreal Convention to control substances that deplete the ozone layer. It is not only the Emperor Penguins of the Antarctic who might flap their approval for those who had the vision, skill and will to negotiate the Antarctic Treaty, but people all over the world whose health and food supplies would be threatened if the ozone layer were to be permanently destroyed. A similar zone for the Arctic, if the Arctic littoral states can summon the courage, foresight and political will to bring it about, would no doubt earn the appreciation of the Inuit peoples and other Arctic dwellers for generations to come (not mention appreciative snorts from humpback whales and paw salutes from polar bears).

The previous US George W. Bush Administration was evidently worried about environmentalist and disarmament groups’ advocacy of the need for an Arctic Treaty similar to that of Antarctica. Having for many years refused to ratify the 1982 Law of the Sea Treaty (after very successfully seeking throughout its lengthy negotiations to weaken its provisions), and having, during the Bush Administration, tended to disparage and even tear up existing multilateral agreements (such as the ABM Treaty), the Administration apparently rediscovered the value of the Law of the Sea Treaty as the lesser of two evils, and announced its intentions to belatedly seek Congressional ratification of the Law of the Sea. John Bellinger, legal advisor to the then US Secretary of State, Condoleezza Rice, wrote:

Some nongovernmental organizations and academics say that we need an ‘Arctic treaty’ along the lines of the treaty system that governs Antarctica. Though it sounds nice, such a treaty would be unnecessary and inappropriate...So what should the United States do about the Arctic? For starters, it should do nothing to advance a new comprehensive treaty for the region. Instead, it should take full advantage of the existing rules by joining the Law of the Sea Convention. The convention, now before the Senate would codify

¹⁰Rothwell, Donald R., *A New Legal Regime for the Arctic?*, Presentation, 2008, accessed at www.arcticnet.ulaval.ca/pdf/talks2008/rothwellDon.pdf on 28/7/09.

*and maximize international recognition of United States rights to one of the largest and most resource-rich continental shelves in the world - extending at least 600 miles off Alaska.*¹¹

At one minute to midnight (or should it be sunrise?) on January 9th 2009, just before the inauguration of the Obama Administration, President George W. Bush issued a National Security Presidential Directive (NSPD 66) specifically on US Arctic Region Policy.¹² The policy affirmed long standing US policy about preserving US military vessel and aircraft mobility and transit throughout the Arctic region, including the Northwest Passage, and foreshadowed US developing “greater capabilities and capacity” in the Arctic Region to protect US borders. It calls upon the US Senate to accede to the Law of the Sea Convention “promptly, to protect and advance U.S. interests, including with respect to the Arctic”; “joining [the Law of the Sea] will serve the national security interests of the United States, including the maritime mobility of our Armed Forces worldwide. It will secure U.S. sovereign rights over extensive marine areas, including the valuable natural resources they contain”. While rejecting the idea of a comprehensive treaty, the Directive did, however, envisage consideration of “new or enhanced international arrangements for the Arctic to address issues likely to arise from expected increases in human activity in the region”, giving as examples, shipping, resource exploitation, energy development, and tourism. There seems, at present, no sign that the new Obama Administration is varying this policy. In April 2009, US Secretary of State Hilary Clinton said the Obama Administration is “committed” to ratifying the Law of the Sea as the best way for Arctic powers to resolve competing territorial claims over the Far North’s resource-rich seabed.¹³

If we turn from what the Antarctic Treaty can offer as a precedent to some of the other existing Nuclear Free Zone treaties, we might look briefly at each of the treaties in turn, beginning with the first fully-fledged zone to be negotiated in a heavily populated region, the 1967 Tlatelolco Treaty in South America.

The Latin American NFZ Treaty, like other NWFZ treaties in populated regions, does not seek to achieve comprehensive demilitarization as required by the Antarctic Treaty but rather denuclearization in the form of bans on

¹¹Bellinger, John B., *Treaty on Ice*, 23 June 2008, accessed on US State Department website July 28, 2009.

¹²The White House, President George W. Bush, *National Security Presidential Directive and Homeland Security Presidential Directive*, NSPD-66/HSPD-25, January 9 2009, accessed on US State Department website on 28/7/09.

¹³Alberts, Sheldon, ‘US supports Arctic treaty in turf battle over oil riches’, Canwest News Service, Edmonton Journal, 7/4/09

regional states acquiring, manufacturing or testing nuclear weapons, bans on external nuclear weapon states stationing nuclear weapons in the region (as happened in the lead up to the Cuban Missile Crisis), and guarantees from the nuclear weapon states not to use or threaten to use nuclear weapons against the zone.¹⁴ It does not, however, prevent nuclear weapons transit in EEZs and high seas within the zone. The zone has been valuable, in conjunction with the NPT and bilateral mechanisms, in helping prevent nuclear rivalries within the region (as in the past between Argentina and Brazil). It now has almost universal acceptance within the region, and has achieved negative security guarantees from all of the P5 nuclear weapon states.

One of the major contributions of the Tlatelolco Treaty was to demonstrate the viability and international credibility of a regional NWFZ established through the exercise of regional states' own sovereignty. Initially proposed by five Latin American states, Brazil, Mexico, Chile, Ecuador and Bolivia, in the wake of the 1962 Cuban Missile Crisis, it was negotiated over four years from 1964-7 with Mexico taking the lead in coordinating the negotiations. The US did not initially ratify the security guarantees but finally ratified the treaty's Protocol 2 in 1971, the first time that the US had entered into a legally binding agreement to restrict its use of nuclear weapons, an important breakthrough that paved the way for other nuclear powers to make similarly binding commitments.

The Treaty's basic denuclearization provisions and protocol mechanisms for locking nuclear weapon states into non-use guarantees have become an inspiration and starting point for the drafting of all of the other established NWFZs. These include its Article 1 prohibitions on the "testing, use, manufacture, production or acquisition by any means whatsoever of any nuclear weapons" and the "receipt, storage, installation, deployment and any form of possession of nuclear weapons, directly or indirectly, by the Parties themselves, by anyone on their behalf or in any other way", and on the Parties "engaging in, encouraging or authorizing, directly or indirectly, or in any way participating in the testing, use, manufacture, production, possession or control of any nuclear weapon". It has been argued that an Arctic NWFZ is not necessary since the non-nuclear Arctic littoral states are already members of the NPT and bound not to acquire nuclear weapons. However, one of the key elements of the Tlatelolco and other NWFZ treaties is that not only do they prevent the parties themselves from acquiring nuclear weapons but also prevent nuclear weapon states from stationing and permanently deploying nuclear weapons in the zone. This is very relevant to the Arctic where some nuclear weapon states already have military bases within the Arctic Circle,

¹⁴Goldblat, *op.cit.*, pp.198-202.

and where further military bases are planned. The Tlatelolco Treaty clearly underlines the role of such zones in constraining horizontal nuclear proliferation within the region, and vertical proliferation by nuclear weapon powers seeking to forward base nuclear weapon systems beyond their own territory (as occurred in the case of Soviet nuclear weapons deployed in Cuba, and US nuclear weapons deployed in Turkey and Germany).

Besides the quite rigorous denuclearization provisions of Article 1, all of which would also make sense in the Arctic context, the two Protocols of the Treaty have also become models for similar protocols in other NWFZ treaties. Protocol 1 requires external states with territories in the zone to apply the same Article 1 denuclearization provisions to these territories. Protocol 2 requires external nuclear weapon states to similarly respect Article 1, not to contribute to any violations of that article, and, most importantly, “not to use or threaten to use nuclear weapons against the Contracting Parties”. In the case of an Arctic NWFZ, an equivalent to Protocol 2 would require nuclear weapon states to provide non-use or threat of us guarantees to the non-nuclear Arctic region states. An equivalent to Protocol 1, would require denuclearization in the Arctic territories controlled by Russia and the United States - a relatively bigger task for Russia in view of its major Arctic submarine and military bases. This would probably only prove feasible in the context of bilateral arms control agreements forming part of the foreshadowed START 2 agreement, although at the time of Mikhael Gorbachev’s 1987 Murmansk initiative, proposing a “zone of peace in the Arctic”, Russia seemed prepared to entertain negotiations on partial demilitarization of the Polar Basin, including air and naval military restrictions in the North, Norwegian and Greenland Seas (eg. submarine and air stand-off zones, and ASW-free zones).¹⁵

A particularly strong feature of the Tlatelolco Treaty was its creation of a very effective implementation and compliance multilateral agency in the form of OPANAL - the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean. OPANAL was set up under Article 7 to ensure compliance with the treaty and to hold periodic consultations on treaty implementation. As one analyst has noted, OPANAL not only played a crucial role in gaining almost universal regional adherence to the zone, but also “proved particularly useful in dealing with the potential nuclear rivalry between Argentina and Brazil”.¹⁶ It has since gone on to organize major in-

¹⁵For a recent study of the Murmansk initiative, see Atland, Kristian, ‘Mikhael Gorbachev, the Murmansk Initiative, and the Desecuritization of Interstate Relations in the Arctic’, *Cooperation and Conflict*, 43, 289, 2008.

¹⁶Serrano, Monica, ‘Latin America - The Treaty of Tlatelolco’ in Thakur, Ramesh (ed.), *Nuclear Weapons-Free Zones*, Macmillan/St Martin’s Press, London, 1998, p. 46.

ternational conferences of countries that belong to nuclear weapon free zones, such as the 2005 Tlatelolco Conference, thereby contributing to wider disarmament strategies and the promotion of new NWFZs. While other NWFZs have preferred periodic consultations, the advantage of the OPANAL model, is that there is an ongoing organization to coordinate and implement implementation of the treaty, to monitor compliance, to retain commitment to the zone amongst the political leaderships of regional and nuclear weapon states, to promote cooperation with other zones in working to expand zones and move towards global elimination of nuclear weapons. The creation of a similar agency for an Arctic zone would be particularly important in view of the need to promote and secure enduring regional and international commitment to simultaneous efforts to address nuclear, environmental, resource and indigenous issues.

The 1985 Rarotonga Treaty establishing a nuclear free zone in the South Pacific also offers some valuable precedents for an Arctic zone.¹⁷ The initial impetus for the zone came from indigenous peoples and regional non-government organizations concerned about the impact of French, British and US atmospheric nuclear testing in the Pacific, including French testing at Moruroa and Fangataufa in French Polynesia, British testing at Maralinga in Australia and Christmas Island in Kiribati, and American testing at Bikini and Eniwetok Atolls in the Marshall Islands. The cumulative fallout from these tests raised regional alarm about long term health effects - not only for islanders and other indigenous people in close proximity to the test sites but for people all over the region as fallout began to be detected in food sources.

A 1975 Fiji Nuclear Free and Independent Pacific Conference launched and began promoting a Charter for a Nuclear Free Pacific, including a specific proposal for Pacific Nuclear Free Zone. The idea was taken up by peace movements and Labour Parties in both New Zealand and Australia, and by the South Pacific Forum, the main regional organization of independent South Pacific states. In 1983 the incoming Australian Labor Party Hawke Government led negotiations under the auspices of the South Pacific Forum to establish the zone. The final treaty, signed in 1985, embodies most of the key provisions of the Tlatelolco Treaty, including bans on development, acquisition and stationing of nuclear weapon. It had tighter provisions in the sense of banning “peaceful” nuclear explosions (a weak point in the Tlatelolco Treaty), but weaker provisions in other areas (such as the failure to establish

¹⁷Goldblat, *op.cit.*,pp.202-205. For a detailed study, including the historical and political aspects of the treaty, see Hamel-Green, Michael, *The South Pacific Nuclear Free Zone Treaty: A Critical Assessment*, Peace Research Centre, Research School of Pacific Studies, Australian National University, 1990; and a further study of its implementation in Thakur, *op.cit.*, ‘The South Pacific - The Treaty of Rarotonga’, pp.59-80.

an implementation and compliance organization like OPANAL).

There are several important precedents established by the Rarotonga Treaty. It was the first nuclear weapon free zone to be established as a result of grassroots campaigns, especially through the indigenous Pacific Islander network, the Nuclear Free and Independent Pacific. While the final treaty was not as comprehensive as Pacific Islanders and peace groups wanted (for example, continuing to permit nuclear weapons transit and nuclear weapon related communications bases), it did serve to interlock with the preceding Antarctic and Tlatelolco treaties in creating a zone throughout much of the Southern Hemisphere that prohibited any land-based stationing of nuclear weapons by external nuclear powers. It also contained an extra protocol for signature by nuclear powers that prohibited any testing of nuclear weapons in both land and ocean areas within the “picture frame” boundaries of the zone, encompassing all the South Pacific Islands, Australia, New Zealand, and ocean areas up to the boundaries of the Antarctic Treaty, the Tlatelolco Treaty, and the Equator (with some minor inclusions north of the Equator). The treaty is now signed and ratified by all the states in the region and by all the P5 nuclear weapon states, except for the US which has signed but not yet ratified the treaty. The treaty certainly serves to prevent any resumption of testing anywhere in the zone. A further innovation was to include a ban on radioactive waste dumping at sea anywhere in the same zone.

The way in which the zone was established - through the pressures on regional governments and regional bodies (like the South Pacific Forum) through grassroots coalitions of indigenous people’s organizations, peace groups and environmental NGOs (such as Greenpeace) - has particular resonance with the Arctic where there is a similar focus on regional denuclearization possibilities on the part of Inuit organizations and Councils, and the peace and environmental movements in many of the littoral states, particularly Canada and the Nordic states. This provides a comparable mobilizing basis to what proved relatively successful in the South Pacific region in a far more constrained Cold War era.

The inclusion of the high seas and EEZs in anti-testing and anti-waste dumping control regimes is also a valuable precedent. Similar provisions would add value to an Arctic Nuclear Free Zone Treaty and reinforce the need for such a treaty compared to reliance solely on the Law of the Sea, which has no such provisions.

The South Pacific NWFZ is also of relevance because it includes one country, Australia, that is a close friend and military alliance partner of a nuclear weapon state, the United States. Australia’s ANZUS alliance with the US has some parallels with some of the Arctic littoral states, such as Canada, Norway and Denmark, being similarly allied with the US through NATO.

The South Pacific experience serves to indicate that such alliances do not pose an insuperable obstacle to regional nuclear weapon free zone establishment, although the provisions of such zones may reflect some aspects designed to accommodate pre-existing military alliances. The Rarotonga Treaty, for example, does not prohibit nuclear weapon transit, nor US communication bases in Australia, nor the right of nuclear powers to fire nuclear weapons from the zone as distinct from firing at the zone.

The 1995 Southeast Asian Bangkok Treaty, negotiated through ASEAN, and relatively unconstrained by the need to accommodate alliance relationships with external nuclear powers, also contains useful precedents for an Arctic zone.¹⁸ It has defined the zone to include the Straits and Exclusive Economic Zones (EEZs) of the States belonging to the zone. The treaty locks the zonal states into the same prohibitions on development, acquisition, testing and stationing of nuclear weapons as the preceding Tlatelco and Rarotonga Treaties (a vital non-proliferation measure as some regional states contemplate developing a nuclear power industry, and Burma seems to be developing nuclear linkages with North Korea). At the same time, it puts pressure on the external nuclear weapon states to respect the nuclear free status of the region, including the EEZs and straits, by guaranteeing not to use nuclear weapons against the zone, or indeed, from the zone. The US has refused to sign the required security guarantees against using nuclear weapons against or in the zone on the grounds that it conflicts with its rights of passage under the 1982 Law of the Sea (even though it has so far itself refused to ratify the LOS, a characteristic example of “eating your treaty cake and having it too” on the part of the world’s exceptionalist superpower).

There are some obvious parallels between the Southeast Asian straits and EEZs, and the numerous passages and extensive EEZs in the Arctic region. Southeast Asian attempts to protect their straits and EEZs from becoming embroiled in nuclear conflicts not of their own making has a counterpart in proposals to denuclearize Canada’s Northwest Passage as a potential first step to wider denuclearization of the wider Arctic region. While nuclear weapon states may seek to insist on their full rights under the LOS, there is nothing to prevent their agreeing through binding protocols to respect specific maritime zones as denuclearized areas and waive their normal rights under the LOS. The nuclear weapon states frequently unilaterally declare “exclusion zones” in open waters for the purpose of missile testing, and continue to observe the ban on nuclear weapons in the open waters of the Antarctic Treaty zone. The possibility of denuclearization is enhanced by the reciprocal undertakings of the US and Russia not to deploy tactical nuclear weapons on ships and

¹⁸Goldblat, *op.cit.*, pp.206-208.

planes, and the proposed START 2 bilateral talks offer further possibilities for agreeing bilaterally on zones where nuclear weapons will not be deployed or transited, including Southeast Asia and the Arctic. Even for the nuclear weapon states, the benefits of supporting regional groups in arrangements that will prevent proliferation may well be greater than clinging to Cold War habits of clinging to every inch of maritime or land territory where nuclear weapons may be transited or deployed. Is it really in US interests for it to refuse support for an ASEAN NWFZ that prevents Burma from becoming a nuclear weapon equipped ally of North Korea on the basis that it needs to send nuclear-armed vessels through ASEAN waters at a time when it no longer deploys tactical nuclear weapons on such vessels, and when it is sharply reducing its strategic weapons in tandem with Russia?

The 1996 Pelindaba African NWFZ offers further precedents in that it was established on a continent when nuclear weapon testing had already occurred in the early 1960s when France carried out nuclear tests in the Sahara desert, and where one regional state, South Africa, during the Apartheid era, instituted a nuclear weapons program and produced a small number of nuclear weapons. The Treaty, now only one ratification away from coming into force, has special provisions for the dismantlement of existing nuclear weapon facilities under IAEA supervision, the dumping of nuclear waste anywhere in the zone, and armed attacks on nuclear power reactors. If Arctic territories of Russia and the US are included in an Arctic NWFZ, then similar provisions would be required; and even for the non-nuclear-weapon Arctic littoral states, provisions against attacks on civilian nuclear power plants and waste dumping would be important.¹⁹

The most recent zone is the 2006 Semipalatinsk Central Asia NWFZ established by the five Central Asia states, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan.²⁰ The treaty contains core provisions against nuclear weapon acquisition, development, testing and stationing that are similar to the other treaties. Its significance has been explained well by Jayantha Dhanapala, the former UN Undersecretary General for Disarmament: “This region once reportedly hosted 700 tactical nuclear weapons - not to mention the over 1,400 former Soviet strategic nuclear weapons that Kazakhstan returned to Russia before joining the NPT in 1995”.²¹ With abundant supplies of uranium, stockpiles of at least three metric tons of plutonium at a shutdown reactor in Kazakhstan, and considerable nuclear

¹⁹Goldblat, *op.cit.*, pp.208-212.

²⁰Goldblat, *op.cit.*, pp.212-214.

²¹Jayantha Dhanapala, former UN Undersecretary General for Disarmament Affairs, September 30, 2006, cited in Parish and Potter, ‘Central Asian States Establish Nuclear-Weapon-Free Zone Despite U.S. Opposition’

expertise within the region, it would seem particularly urgent to put in place binding denuclearization arrangements. In the context of the region's strategic location, currently hosting both Russian and US airbases, it would also seem urgent to prevent nuclear weapon stationing and rivalry by external nuclear states.

The zone is entirely land based, so might be considered to have less in common with the Arctic region. However, like the South Pacific NWFZ, it involves some states that are in military alliance with a nuclear weapon state., in this case the 1992 Tashkent Treaty between Russia and four of the zonal states: Kazakhstan, Kyrgyzstan, Tajikistan, and Uzbekistan. Unfortunately, this has resulted in the inclusion of the Article 12 provision that states: This Treaty does not affect the rights and obligations of the Parties under other international treaties which they may have concluded prior to the date of the entry into force of this treaty. The parties shall take all necessary measures for effective implementation of the purposes and objectives of this Treaty in accordance with the main principles contained therein." According to Roscini's recent detailed international legal analysis of the treaty:

The combined effect of the two paragraphs of Article 12 is that only those provisions of previous treaties that do not prejudice the effective implementation...of the Treaty are preserved...therefore, the Central Asian denuclearized States parties to the Tashkent Treaty still have an obligation to provide military assistance to the other parties (including Russia) in case of aggression, but this assistance cannot include the acceptance of nuclear explosive devices on their territory.²²

Despite this legal effect of the current wording, the Western nuclear states have chosen to refuse recognition to the zone on the grounds that the first paragraph of Article 12 may be interpreted as giving precedence to the Tashkent Treaty and thereby lead to an undermining of the zone if Russia were to deploy nuclear weapons in defense of any Central Asian state. This is despite the fact that the same Western powers have endorsed the South Pacific NWFZ in which Australia could presumably draw upon US nuclear weapons use as part of the ANZUS military alliance; and despite the fact that there are relatively simple legal solutions to this problem, including, as Goldbat suggests, agreeing on the application of Article 30 of the 1969 Vienna Convention on the Law of Treaties, or, possibly as a last legal resort, attaching appropriate reservations to ratifications of the non-use or threat of use protocol to the treaty.

²²Marco Roscini, 'Something Old, Something New: The 2006 Semipalatinsk Treaty on a Nuclear Weapon-Free Zone in Central Asia', *Chinese Journal of International Law* 7, no.3 (2008), 593-624

Innovative features of the Semipalatinsk Treaty that are also worthy of consideration in designing an Arctic NWFZ include: its prohibition on the “conduct of research” on nuclear weapons, something on which most of the other treaties (with the exception of the Pelindaba Treaty) have been weak or silent; and its incorporation of the more rigorous and intrusive IAEA Additional Protocol verification safeguards.²³

In conclusion, there are important precedents that will be valuable in Arctic NWFZ discussions and negotiations from all the existing treaties, most particularly from the Antarctic Treaty but also from each of the other treaties. The Antarctic Treaty relates to a region with no permanent human population, The other treaties all relate to populated regions. The Arctic region has a mix of both aspects, with its central Arctic Ocean basin, and populated areas north of the Arctic circle in the littoral states. It is therefore appropriate that any Arctic NWFZ treaty should take account of the experience and provisions of both the Antarctic Treaty and treaties for populated regions.

Aside from the specific precedents and processes that might be drawn from existing NWFZs, there is another more general political aspect of previous zone establishment that should be kept in mind. Debate and negotiations on NWFZs are sometimes closed off by simplistic assessments suggesting that if the major nuclear weapon states, particularly the US and Russia, are not in agreement with the zone, then NWFZ arrangements are doomed, or do not warrant efforts towards bringing them into being. If this assessment or advice had been followed, then none of the existing NWFZs in populated regions would have been established. They represent the determination of regional groupings of states (and sometimes single states, like Mongolia) to exercise their sovereign right to denuclearize their region even when the nuclear weapon states have been reluctant or unwilling to give their immediate support. Even in the case of the Tlatelolco Treaty, which greatly benefited the United States in establishing a Latin American denuclearized zone that would prevent nuclear weapons being deployed in America’s “back door” (as happened in Cuba in 1962), the US did not ratify the zone until four years after it was signed.

The 1968 Non Proliferation Treaty’s Article VII, binding on all the P5 nuclear powers, clearly states the right of regional groupings to establish NWFZs: “Nothing in this Treaty affects 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.”²⁴ In the case of the Arctic, it is

²³Roscini, *ibid.*

²⁴UN Department of Political Affairs, *Status of Multilateral Arms Regulation and Dis-*

feasible, if the two Arctic nuclear weapon states, Russia and the US, were initially reluctant to have their Arctic territories included, for the remaining non-nuclear Arctic region states to establish a NWFZ in their regions, and to exert continued diplomatic pressure for the remaining Arctic territories to be denuclearized under a separate protocol relating to Russian and US Arctic territory. This would be analogous to Protocol 1 in the Tlatelolco Treaty and Protocol 1 in the Rarotonga Treaty.

As the foremost international authority on NWFZs, Dr Jozef Goldblat, has noted:

In much of the discussion of Arctic issues, some say attention should focus only on the US and Russia. Yet if a group of countries decided to create such a zone, fine, the nuclear powers are not necessary - countries do have the right to agree not to allow nuclear weapons on their territories. There is, of course, a need to consult nuclear-weapon powers: this happened in Central Asia, but the regional states have no obligation to follow diktats of the great powers. The Central Asian treaty is valid even if nuclear-weapon-states do not ratify its protocol...Other advantages of a NWFZ exist: they create a different type of relations among countries of the region; they offer common forums and institutions; parties can discuss other matters including conventional disarmament; and they can advance their common environmental security interests.²⁵

We are at a new moment in arms control and disarmament with the advent of the Obama Administration in Washington, a Democrat-majority Congress, new bilateral talks between the US and Russia on strategic arms reductions, and the forthcoming 2010 NPT Review Conference at which many of the non-nuclear states are wanting to see substantive rather than token implementation of Article VI's requirement for "effective measures relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament".²⁶ We are also at a crucial watershed for the future of the Arctic region: whether it becomes a locus for deadly nuclear weapon system rivalries, conflicts over EEZs and resource extraction, and consequent environmental damage; or whether it becomes a crucial denuclearized buffer zone between the two major nuclear powers - the kind of zone of peace and international scientific cooperation that the Antarctic Treaty so successfully created.

armament Agreements, Fourth Edition, v.1, UN, New York, 1993, p.114.

²⁵Goldblat, Jozef, cited in *Arctic Security in the 21st Century Conference Report*, The Simons Foundation and the School of International Studies, Simon Fraser University, Vancouver BC, April 11-12 2008, Session II Military Security in the Arctic, pp. I-vii - I-viii.

²⁶UN Department of Political Affairs, *Status of Multilateral Arms Regulation and Disarmament Agreements*, Fourth Edition, v.1, UN, New York, 1993, p.114.

This moment has to be seized, both by the non-nuclear Arctic regional governments of Denmark, Greenland, Norway, Finland, Sweden, Iceland and Canada, and by Russia and the US. The same vision and determination that was in evidence at the time of the 1957-58 Antarctic Treaty negotiations (with several of the same players) needs to be revived and demonstrated again, both to avoid catastrophic threats to Arctic peoples and their environment, and to take one another step forward in rolling back region by region the scope for the use and deployment of nuclear weapons.

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30th July 2009

Future Climate of the Arctic

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Introduction

As the Arctic regions of the world enter into a period of unprecedented change, it would be well to plan now for policy and practice that will ensure and enhance the security of peoples, lands and oceans of the Arctic. The future is as near as tomorrow, next year, or decades from now, and to the end of this century and beyond.

Climate change in the Arctic has been surprising the experts who participated in the work of the IPCC¹ (Intergovernmental Panel on Climate Change) because the rate of change of average temperature is exceeding predictions. The paper draws on current publications and websites, scientific research papers and breaking news about the future climate of the Arctic. The year 2050 is the target year by which massive interventions are to be accomplished; the means of international cooperation to achieve this is to be discussed at the December 2009 Conference in Copenhagen. Denmark. The successor agreement that will commence when the Kyoto Protocol ends in 2012 will be drawn under the UN Framework Convention on Climate Change (UNFCCC).

The information in this paper has been acquired from many credible sources, but relies somewhat disproportionately on climate change effects noted and projected in the Canadian Arctic. Nevertheless, climate change is global so observations about changes in land, sea and ice will be applicable throughout the Arctic, perhaps with minor alterations to fit regional conditions.

The future climate of the Arctic is examined here by looking at the projected condition of the polar ice cap, and the climate changes associated with it. Then a survey of the consequences of the Arctic climate change gives a sense of the vast extent and effect of the new conditions in the Arctic. The inescapable conclusion is that significant international attention is required to bring governance and an orderly adaptation regime to the Arctic, now a new frontier for the planet. A sense of urgency is vital.

¹United Nations Intergovernmental Panel on Climate Change (IPCC), The Fourth Assessment Report (AR4) 2007



Figure 1: Average polar ice 1979-2007. (<http://eos-webster.sr.unh.edu>)

Melting of Polar Ice in the Arctic

The observations about polar ice cover lead to the prediction that the Arctic Ocean in summer will be mainly ice free before mid-century; forecasts and modeling peg this period anywhere from 2015 to 2040. Although the IPCC report of 2007 anticipated an eventual ice-free Arctic, the process is much more rapid than expected. The entire globe depends on the Arctic ice for moderating the climate, since it reflects heat, whereas the open sea absorbs sunlight, thus accelerating the warming.

Figure 2 shows the global polar region of the north, highlighting the annual ice cover as observed over the years 1979 - 2007. The light blue shows

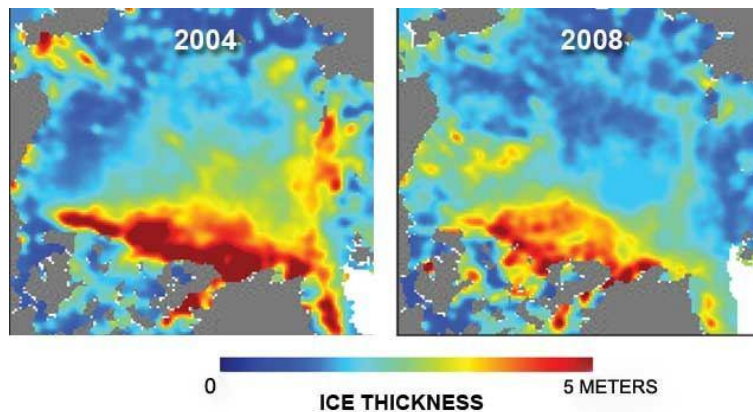


Figure 2: *ICESat measurements of the distribution of winter sea ice thickness over the Arctic Ocean in 2004 and 2008. Credit: Ron Kwok, NASA/JPL.*

the extent of ice, on average, as measured in the 21 years up to 2000. By 2005, much shrinkage has occurred; and by 2007, an even greater diminishment of ice cover is evident. Data on the annual ice cover shows little change between 2007 and 2008. However, satellite data on “cover” does not take into account the changes in the nature of the ice, and interpretation and integration of data from other sources such as aircraft and in-situ measurement is also important. There has been an even more notable decrease in the summers of the past decades. In the summer of 2008, Arctic sea ice shrank to more than 30 percent below the summer average. A greater proportion of the ice is now first-year ice, subject to melting in the summer season. Measured depth of ice has decreased, as has the extent of multi-year ice.

Dramatic Arctic Sea Ice Thinning

Arctic researcher Ola Johannessen, Nansen Environmental and Remote Sensing Center, Bergen, Norway has studied sea ice for decades². Many factors interact in climate change, and the integrated result is seen in sea ice changes. Sea ice measurement over a period of years is possibly the best scientific method of tracking the magnitude of the change in the Arctic. Johannessen reports that overall ice cover is decreasing at a rate of 3 - 5% per decade while the thicker multi-year ice is decreasing at a rate of 7 - 10% per decade.

By means of in-situ observations, aircraft, remote sensing technology and satellites, Arctic ocean data has been collected over the whole of the twenti-

²O. M. Johannessen; Arctic Climate , Present and Future Perspectives; Problems of Arctic Security in the 21st Century, Vancouver BC Canada, April 2008, Conference Report [abbreviated (ArcSec 21Vanc 08)]

eth century. Microwave-derived sea ice time series are now among the longest continuous satellite-derived geophysical records, extending over thirty years. The coupled ice-ocean-atmosphere regime has been analyzed for trends in salinity, seasonal variation, and the relative ice cap content of multi-year ice (MYI) and first year ice (FYI). Open water has different radiative properties than ice, and also radiative absorption differs between MYI and FYI. The negative trend in MYI is much greater than that in FYI, indicating an ice cover in transition. These are major factors in accelerated global warming. The ice cover is in also in transition due to natural variability, such as the North Atlantic Oscillation (NOA) and its coupling to regional sea ice fluctuations. Johannessen's statistical analysis has shown that 90% of the decreasing ice extent can be explained by increasing CO₂ in the atmosphere.

The years of accumulated data have made it possible for models to make revealing projections. The coupled global atmosphere-ice-ocean simulations using the ECHAM4 model from the Max-Planck Institute for Meteorology, as well as a dataset from the Arctic and Antarctic Research Institute in Russia, have enabled examination of warming cycles early in the 20th century as well as those late in the century. The late century global warming anomaly can only be simulated by including observed anthropogenic forcing. Current models ECHAM-4 and HadCM3 have made projections to 2100. In these models, both spatial and seasonal variability is projected. The ice extent is reduced even faster than the predictions from the IPCC Special Report on Emissions Scenarios, as modeled to 2050. The spatial variability due to ocean water exchanges and currents, and atmospheric movements (winds, for example) mean that ice cover will not be uniform and the modelling reveals that the Nordic Seas will be ice free in the summers of the late century. The last remaining ice in the 2081-2090 period will be in the Canadian Arctic archipelago and seas north of Greenland.

Consequences of sea ice changes are that open water allows for much more heat absorption, but at the same time it could become an important sink of atmospheric CO₂. The rapid changes in the Greenland ice sheet will impact both northern (and global) sea level rise, and the thermohaline circulation (the Gulf Stream). Great alterations in the climate of the Arctic and the adjacent regions in Europe are anticipated. The observation-prediction system needs to continue in support of the planning of the entire spectrum of societal and natural changes in the Arctic.

Ocean Dynamics and Sea Level Rise

A completely absent polar ice cap in the summer season, plus expansion of the ocean water due to increase of the average temperature of the oceans means

that coastal regions will be endangered by sea level rise. Coastal regions in the western Arctic are particularly vulnerable. With global warming, the air-water-land interface is massively changed so that more violent storms have already been experienced. Violent storms in coastal areas are anticipated to continue and could be increased in ferocity. Thus coastal flooding will make some presently inhabited areas temporarily or permanently uninhabitable.

With the Arctic melt, we have an additional ocean surface that is capable of being a sink for CO₂, which will be an (as yet unassessed) countervailing influence. While this seems, at first glance, to be positive, it introduces a major threat. CO₂ in seawater becomes carbonic acid. Marine life³ is very sensitive to pH changes- calcium carbonate in shells begins to dissolve; coral is further endangered; the whole food chain is interrupted. Nutrients of the ocean, which feed creatures as large as the whale, flourish in a very limited range of pH. Acidification of the ocean is measured to be proceeding much faster than anticipated. The oceans will not rise uniformly as the world warms, because of temperature and density differences. Ocean currents will change; at present the flow is from West to East. Differences in ocean dynamics are already being observed.

Until recently, the melting of the Greenland ice cap had not been modeled. The IPCC Report of 2007 anticipates that the Greenland ice cap will not cause serious sea level rise until after 2100, but present observations suggest that it will happen sooner than the turn of the century. Newly published NCAR (National Center for Atmospheric Research, USA) modeling results show that some locations will experience sea level rise that is larger than the global average⁴. Figure 4 illustrates the additional ocean level rise that would be experienced by coastal areas.

Melting of the Greenland ice sheet would cause 10 - 30 cm of additional water rise in cities in the northeast Atlantic ocean, placing a huge stress on already threatened cities such as New York, Boston and Halifax. The same effect is forecast for the far eastern section of the Russian Arctic coast. Over much of the Canadian Atlantic ocean coast, the sea rise is exceptional, compared to the rest of the world. In the Arctic Ocean, the areas that must anticipate additional sea rise are between Baffin Island and Greenland and in Hudson's Bay. The study noted that the sea level in the Northeast Atlantic is 71 cm lower than the North Pacific because the warm Atlantic water cools

³Nancy Macdonald; *An Ocean of Poison*, Maclean's, August 3, 2009, p. 36

⁴A computer simulation by the National Center for Atmospheric Research in Boulder, Colo., looked at what would happen by the end of the century if greenhouse gas levels were cut by 70%. The result: The world would still be a warmer world but by about 2 degrees instead of 4 degrees. Arctic sea ice would shrink but not disappear, and sea level would rise less.

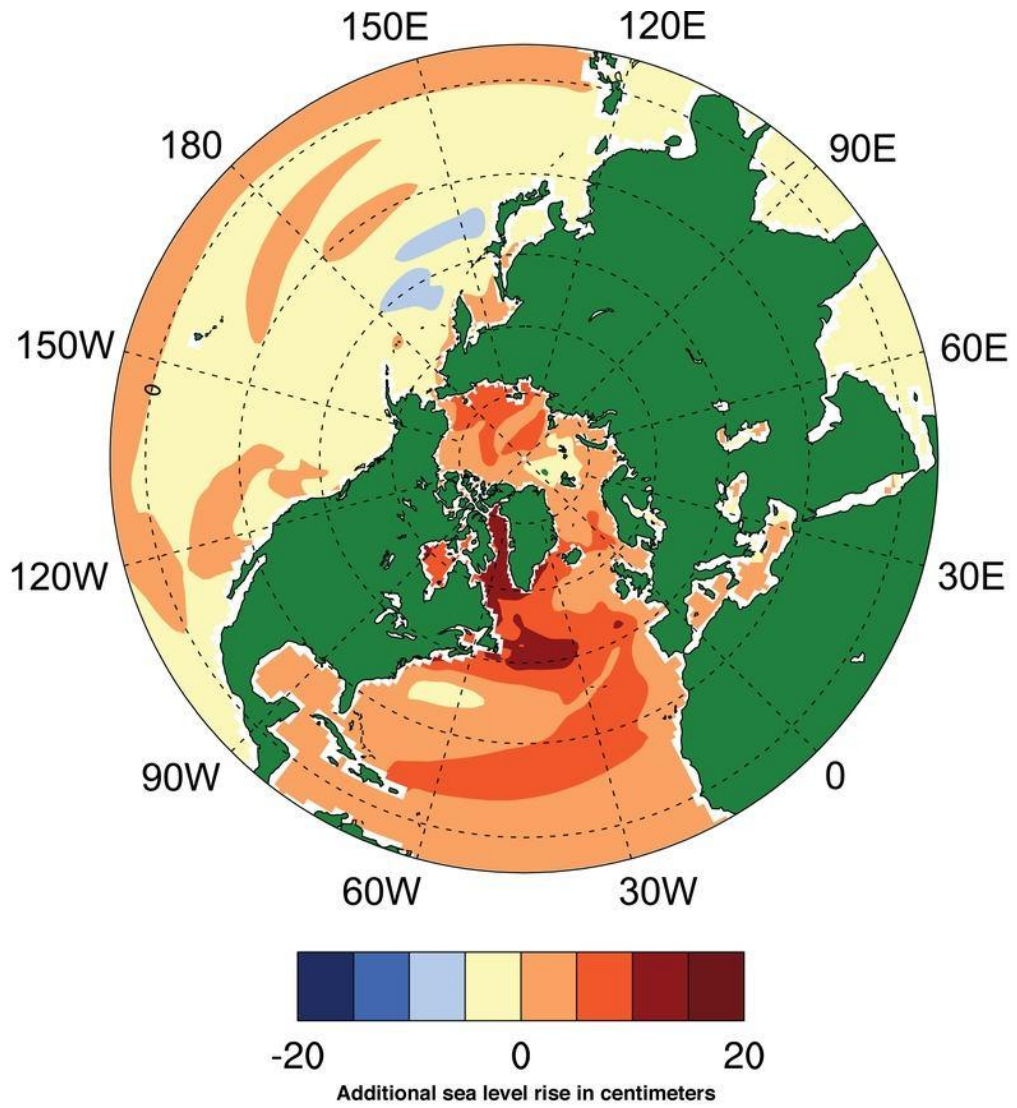


Figure 3: *Additional ocean rise upon melting of the Greenland ice sheet*

in the north and creates a (lower volume) dense layer of cold water. With the addition of freshwater from the Greenland melt, the net effect would be that the deep water would become warmer and less dense, thus elevating the surface of the ocean.

Even if the effect is more moderate and the Greenland ice sheet only shows increased melting of 3 percent yearly, it will change the present rate of addition of fresh water to the northward conveyor belt, which will weaken the oceanic circulation that pumps warm water to the North Atlantic. Many of the Arctic nations are included in the affected region.

Early in the 20th century, Nansen, a scientist-explorer, anticipated that conditions of the polar basin had much influence on the climate. His expedition explored the properties of the Trans-Polar Drift⁵, an oceanographic condition that caused ice to circulate around the north pole. With the change in polar ice, atmospheric conditions change, and it is likely that further changes in climate conditions worldwide will eventually be caused by changes in Arctic Ocean circulation.

Consequences of Arctic Climate Change

The impacts of climate change beyond the (average) 2°C threshold are projected to be extremely serious, possibly catastrophic, according to the 2007 Intergovernmental Panel on Climate Change report. Even if the global community achieves the limit-to-average-temperature-change of 2°C, this will be the best possible outcome. Nevertheless, the Arctic, which will experience a dramatic rise in temperature, requires a huge adaptation to the changed environment. Climate change and the loss of the polar ice cap are massive in their consequences. It is apparent that, in this situation, there is (a) reason for optimism regarding new opportunities and (b) concern re adaptation.

Navigation routes and ice cover changes

For the summer season, two major navigation routes (see Figure 2) will be available within the next few decades the Northwest Passage, passing through international, Canadian, U.S. and Russian sovereign waters and the Northern Sea Route, passing through international, Russian, and Norwegian sovereign waters

The economic and environmental benefit of saving 5000 - 7000 nautical miles in transport is compelling. At the same time infrastructure for the voyage is either absent or insufficient. The violent seas of the Arctic ocean,

⁵Clement Markham - The Lands of Silence A History of Arctic and Antarctic Exploration . Also see <http://npweb.npolar.no/english/articles/tara>

combined with remnant ice will make this a hazardous trip, requiring ports to service the traffic, navigation charts, coastal pilots, shipping controls and regulations, and the support of emergency services such as search and rescue. Deep-water ports are needed in the Arctic; such infrastructure is vital to shipping. The potential shipping route through the Arctic is going to be significantly more dangerous than traditional routes. An oil spill accident would be disastrous to the fragile Arctic ecosystem. Ice-capable ships, crews with Arctic expertise and surveillance of shipping conditions such as small icebergs will be vital.

A major challenge will be maintain these transits as environmentally benign and to keep the pristine Arctic Ocean and shores. Massive new infrastructure projects will be necessary. There may or may not be a net benefit to northerners through increased shipping in northern waters. Hazards will be present due to inexperience with northern conditions for offshore oil production and industrial transport, whether by land or sea.

National Sovereignty and International Law

One consequence of climate change for the Arctic can be summed up as a geo-economic shift to the North⁶. Its magnitude could be compared to the geo-political shift after the end of the Cold War, but this change has an economic motivation. Natural resources are the draw, not only for the five Arctic coastal states, but for other countries. All see the potential in participating for gain, even though is a great technical and human ingenuity challenge. Use and occupancy of Arctic lands, sea and ice by Arctic aboriginal people goes back thousands of years⁷, and must be included in any review of sovereignty claims and resource allocations.

The issues of sovereignty for the Arctic Ocean off-shore areas and beyond are not susceptible to solution by any individual sovereign state. To address the challenges, consider what international instruments are already agreed, and available to apply⁸. The United Nations Charter, Article 52 specifically recognizes the legitimacy of regional arrangements for international peace and security issues. The Seabed Treaty establishes a Nuclear Weapon Free Zone on the seabed and its subsoil.

For jurisdiction over the seas, the applicable legal regime is the United Nations Convention on the Law of the Sea (UNCLOS) which was signed in

⁶T. Vaahtoranta, Territorial Claims as an Example of the Geo-economic Shift to the North, **ArcSec 21Vanc 08**

⁷T. Pennikett, Political Climate Change in the Canadian Arctic, **ArcSec 21Vanc 08**

⁸Sergio Duarte, Keynote Address, **ArcSec 21Vanc 08**

1982⁹, and has been ratified by 154 States. The sovereign territory to be considered is shown in Figure 4. All countries that border the Arctic basin have ratified it, except the United States, (the matter is before the U. S. Congress, and is thought likely to pass). The extent of the continental shelf of each sovereign nation, as shown by existing, ongoing and future collections of scientific data, national and international, is the key source of information for decisions by the UN body on territorial claims.

Coastal effects

Sea level rise, with lack of ice cover will put several northern communities at risk of coastal erosion, especially in the western Arctic of Canada. For example, the Canadian town of Tuktoyaktuk is at the north end of a treeless tundra in the Mackenzie Delta. A relatively small rock breakwater is installed to alleviate flooding that is caused by severe seasonal storms. However, in recent years the barrier has proven insufficient and many residents have had to leave their homes for extended periods. This situation will get worse with climate change, and some communities will have to be abandoned, and the residents re-located. The chief cause of this new class of environmental refugee is not the rising sea level, although it is a contributing factor; instead more severe storms that are the result of changes in the air-land-ocean interface.

Environmental refugees

Many of the Arctic peoples have communities on the coast, in all the Arctic countries. Some coastal communities will have to be evacuated. It is highly preferable to re-locate small native communities coastally, since the food gathering methodology and the entire culture is centered around the water, the ice and the marine life there. Elders of traditional Inuit communities in Canada's north have spoken of their long history of adaptation and feel that they need not be overly concerned, and will move when the necessity arises. However, it cannot be denied that moving from a culture of the sea to a culture of the land, rivers and lakes will be a major upheaval for environmental refugees who must endure this type of change.

⁹H.J. Rajan, An International Legal Regime for the Arctic, **ArcSec 21Vanc 08** "Sovereignty under the Convention: Under the 1982 United Nations Convention on the Law of the Sea, coastal States are entitled to territorial sea, contiguous zone, exclusive economic zone, and continental shelf over which they have specific rights and jurisdiction. These zones have to be drawn from certain baselines, which is the low water line along the coast (normal baselines) or straight or archipelagic baselines defined by reference to lists of geographical coordinates of points. Waters on the land-ward side of the baseline are internal waters of the State or, in the case of archipelagic baselines, archipelagic waters."

Arctic peoples

To minimize suffering and maximize opportunity for adaptation, northerners must be fully engaged, and integrated into planning and scientific work. In summary, the consequences of warming in the Arctic requires extensive northern planning and this needs to intensify immediately. Issues to be considered are wide ranging¹⁰, including:

Rivers, lakes and coastlines are undergoing very rapid change Accumulation of Persistent Organic Pollutants (POP's) is a health issue. Mercury, a neurotoxin, from existing and new coal-fired electricity plants elsewhere in the world, will increase.

The European Environment Agency¹¹ has expressed concerns about a variety and complexity of environment issues that are affecting the Arctic, and calls for policy development and an action plan.

Models are Arctic-wide and are not usually applicable for revealing regional trends. Scientific data, over time, does not exist, and is not being collected.

Native northerners are accustomed to making their living from the ocean, and land. Traditional foods are fundamental to northern culture. As well as adaptation assistance, policies and strategies of adaptation need to be jointly developed, with more resources applied, between northerners and southerners.

Traditional knowledge of native peoples, embedded within their methodology of storytelling, have accumulated 1000 years of data on snow melt, and water nutrients, caribou herd size and migration, to give just a few examples from the Inuit Canadian culture. This is an important area of exchange of information with southerners, to supplement scientific data, and to add new data.

Youth are not being prepared for the nature of the new Arctic; learning models and their education must fit the needs of the north. Many of the new employment opportunities will require highly skilled personnel; but training of aboriginals for this work is insufficient or absent in the north.¹²

The climate change solution is extra-Arctic, but commencement of the Arctic adaptation work is urgent

¹⁰R. W. Macdonald, Consequences of Warming in the Arctic with Reference to Arctic Security, **ArcSec 21Vanc 08**

¹¹Arctic environment: European Perspectives - Why should Europe care? European Environment Agency, 2004

¹²A.M. Paperny, The search for a vision to match Arctic vastness, *The Globe and Mail*, August 1, 2009

Permafrost

Permafrost is the salient and normal condition of the northern landscapes, whether it be Siberia, Northern Scandinavia, Alaska or Canada, but that too is rapidly changing. Permafrost thaw is a huge problem for pipelines and infrastructure (e.g. sewage, roads, buildings). In the natural world, forest sections are devastated, huge landslides occur on mountains and hillsides. On the coastlines, the warming Arctic continues to warm the permafrost and large sections of land are lost to the ocean.

The melting of permafrost greatly accelerates the production of greenhouse gases, and thus becomes one of the major feedbacks into the climate system. Stored carbon is released as carbon dioxide, but even more onerous is the release of stored methane, long trapped in the permafrost, and over twenty times as potent a greenhouse gas as carbon dioxide. The enormous burden of release of the northern hemisphere's trapped carbon as a climate modifier is threatening to life and earth ecosystems as we know them. In the Mackenzie delta of Canada's western Arctic there are several lakes and ponds seeping methane¹³ at such a rate that three of the largest seeps are said to be sufficient to fuel 9000 automobiles.

In the oceans, there is another version of permafrost, namely the very large deposits of solidified methane on the ocean floor in the form of methyl hydrates. Much of this is in the Arctic Ocean. Scientists and engineers are presently exploring methods of using these deposits as energy sources. However, the opposite side of this same story is that the methyl hydrates might, in warming oceans, turn from solid into gases, and release huge amounts of methane into the atmosphere, already stressed with an overload of greenhouse gases.

The exact nature and quantity of release from the permafrost has not yet been modeled; nevertheless, it is sufficiently alarming that there has been widespread acceptance by governments (who will enter into negotiations in Copenhagen in December 2009) that the temperature rise from greenhouse gases/climate change must be limited to 2°C. However these same negotiators are expected to have serious difficulty agreeing on the severity of the required change to prevent warming that will release all permafrost.

Lakes, rivers and the ocean

Many northern communities, in Canada, are connected in winter by ice roads that cross the many lakes, streams and tundra that would be very difficult

¹³Ed Strusik, *The Big Thaw - Travels in the Melting North*, John Wiley and Sons Canada, 2009, Chapter 6

to connect by normal highways. Major delivery of supplies for construction for remote mining, for example, is provided through the ice road system. The season for the ice roads is becoming shorter, with subsequent economic consequences.

Rivers flowing north empty into the Arctic Ocean and have river delta and lake systems that are essential sources of livelihood to northern peoples, as well as to northern wildlife. Here too, unprecedented changes make familiar landscapes become unfamiliar, and the rate of change has probably been underestimated.

In many regions of the Arctic, many small shallow lakes, or ponds, are usual parts of the landscape. The ponds of the high Arctic at Cape Herschel on Ellesmere Island have been the subject of many years of observation by Professor John Smol¹⁴ and his research group. Paleolimnological data indicate that these have been permanent water bodies for millennia. Now the relative balance of evaporation and precipitation has been greatly altered and the result is the near disappearance of many of these ponds, to the detriment of the wildlife that depend on them. One example is shown in Figure 6. Smol points out that these dessicated ponds are “canaries in the coal mine” for the Arctic; changes in permanent water bodies throughout the Arctic indicate major ramifications for ecosystems.

Habitat Changes, Wildlife and Food Supply

Complex foodwebs will alter, in terms of availability of food and access to food. This applies to both the marine, animal and human populations. There will be invasive species and diseases, so that populations will be displaced or absorbed. The extent of changes in organic systems due to exposure to contaminants, such as POPs (persistent organic pollutants) and mercury is unpredictable, but certainly unfavorable. Food and water security are threatened by thawing of permafrost.

Another source of vulnerability is pH change in lakes and oceans (not just the Arctic). There is potential for ecosystem collapse; at the same time there is potential for new commercial harvesting of Arctic resources. Accurate assessment of these situations is vital.

¹⁴John P. Smol and Marianne S. V. Douglas; PNAS, July 24, 2007, o. 30 p. 12395

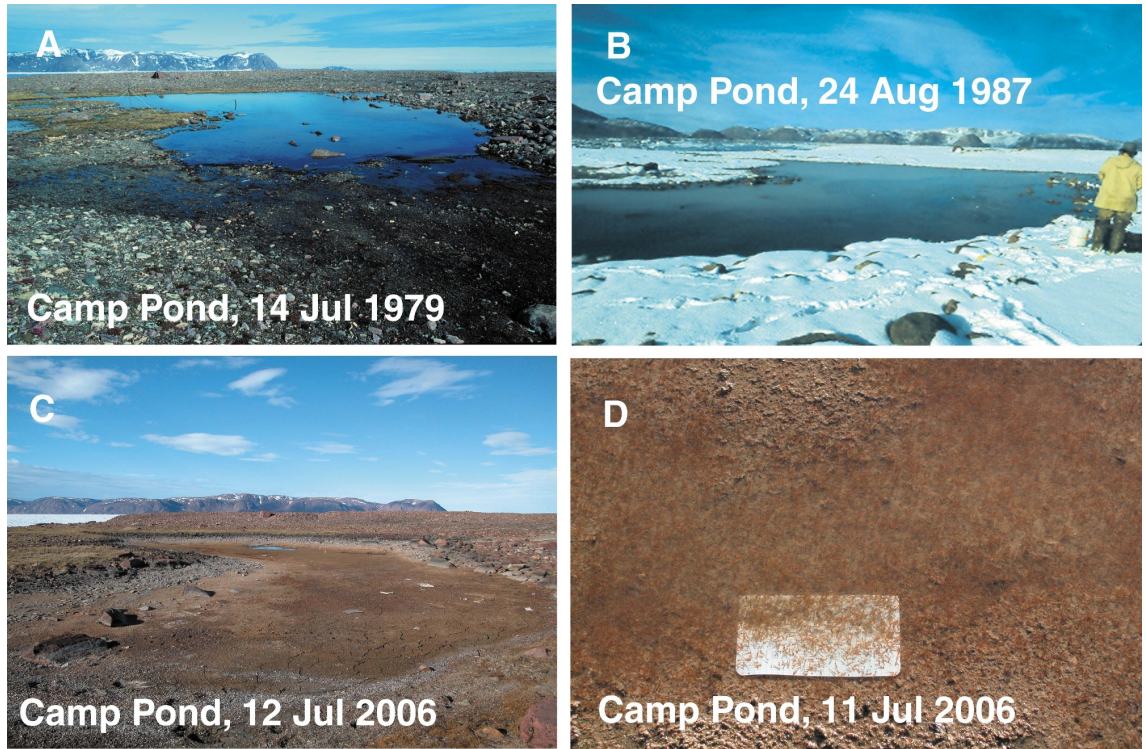


Figure 5: *John P. Smol, Professor, Canada Research Chair in Environmental Change, Queen's University, Canada, "Water and Ecological Governance: Catastrophic Effects of Climatic Warming in the Arctic"; at Roundtable on Freshwater - Emerging Threats and Urgent Priorities; Continuing program of the Global Issues Project; of Science for Peace and Canadian Pugwash; Trinity College, University of Toronto Toronto, Ontario, Canada; 7-9 November 2008 www.pugwashgroup.ca - Example of dessication of one Arctic pond between 1979 and 2006.*

Treeline

It is widely assumed that, with warming weather, forests will automatically advance northward. Forestation will be slow¹⁵, over centuries or more, rather than decades, as the soils do not exist. Nevertheless there will be pockets of forestation where soils permit. Thus, this alleviates a concern that major alterations and disappearance of tundra and wetlands would devastate breeding grounds for wildfowl, caribou and other species. Note the present treeline as shown in Figure 5.

Diseases, species adaptation and foreign species

The climate-changed Arctic flora and fauna in the future will have adapted to the diseases that had formerly been unknown in the north. Where foreign species enter, for example in the ocean, it is possible that existing marine species would be overcome, or would interbreed. Some land-based parts of the chain of life in the icefields of the Yukon in the western Arctic have been noted to change over the current periods of observation. The tiny mouse-like collared pika¹⁶ live in a hostile environment that is snow-free for only six weeks of the year. However, populations have been known to collapse in the face of atypical warmer weather, such as very wet snow or rain, which destroys their normal habitat and food sources. There are alarming decreases in the number of caribou in the Canadian north; the reasons are not fully understood but would include disruption of calving grounds and other habitat by nature and by human operations such as mining. The well-known habitat problems of the polar bears may cause them to become land-oriented since the ice will be inaccessible because it will be far out to sea. Many polar bears have already been observed in unexpected locations.

Fisheries, commercial fishing and ocean currents

Commercial fishing in the Arctic Ocean will be common as soon as ice conditions permit. The Arctic fishery overall is thought to have abundant stocks of fish, but is unassessed region by region. Nevertheless, the open Arctic will be accessed by all nations that operate fishing vessels. The Arctic is geographically very large, and after all sovereignty claims are settled there will be international waters accessible for fishing. What is unknown is how ocean currents will change in the ice-free Arctic. Presently there is an extremely

¹⁵Martin Hubbes, Professor (emeritus), Department of Forestry, University of Toronto, Canada, personal communication

¹⁶Ed Strusik, *The Big Thaw - Travels in the Melting North*, John Wiley and Sons Canada, 2009, Chapters 3 and 4

nutrient-rich west to east flow of Pacific water into the Bering and Chukchi seas. Canada and the United States are disputing sovereignty over a part of the Beaufort Sea¹⁷. Both nations are prudent in recognizing that fishery conservation is a goal, but are handling the issue with different policies. Climate change will impact the very important fisheries in the Nordic and Barents seas.

The air and ocean currents of the Arctic affect global weather. A pattern of atmospheric circulation known as the Arctic Oscillation, is included as a counterclockwise pattern in most models. Like the better known El Nino, worldwide effects of new Arctic atmosphere and ocean circulation are to be expected, in ways that might intensify droughts and hurricanes. If the Arctic warms, it is certain that the rest of the world is warming too. NOAA has reported that in June 2009, the world's ocean surface was the warmest since 1880.

Action

Scientific work and technology development

Each of the eight Arctic states has some measure of scientific research ongoing in their territories north of the Arctic Circle. In fact, scientific observations and data collection have been key sources of information that have led to present recognition that the Arctic ice will diminish and eventually disappear, at least in the summer months. When the ice climate is altered, there arises the possibility of abrupt change due to "surprise" feedbacks.¹⁸ The vast Arctic is still largely unknown, and much scientific work is still required. For example, the time series data that would show consequential trends for biological and geochemical systems, and thermohaline circulation are urgently required, but do not exist.

While satellite and aircraft research is still vital, many Arctic researchers are required for work on the land and sea. Researching effects on animal population is essential. For example Figure 7a, regarding studies of reindeer husbandry, can provide policy makers with the capability of making decisions about oil and gas or timber resource exploitation in those same regions. Figure 7b illustrates the necessity of ongoing in-situ studies of Arctic sea ice.

¹⁷Anna Mehler Paperny, Fisheries Conservation Stirs up the Waters, *Globe and Mail*, July 29, 2009

¹⁸R.W. Macdonald, Consequences of Warming in the Arctic with Reference to Northern Security, **ArcSec 21Vanc 08**



Figure 6: *Inger Marie Gaup Eira prepares for field work on EALAT, the Reindeer Herders Vulnerability Network Study, examining reindeer pastoralism in view of climate change. February, 2009 [from Environmental News Service Feb 25, 2009]*



Figure 7: *NPI (Norwegian Polar Institute) scientists participate in the scientific program on sea ice research.*

Decision making based on data

The necessity of information for decision making cannot be overemphasized. Yet in all the Arctic countries, it is a continuing theme that scientists are limited in their ability to formulate research plans and carry them out due to lack of funds. Circumpolar cooperation could relieve some of this shortfall. To maximize the use of data on the Arctic, and for accurate transmission of information, policy makers, media and scientists need better communication. There could be a Scientific Committee on Arctic Research, just as there is in the Antarctic. In addition, cooperative environmental protection is essential in the Arctic.

New technology

Scientific and technological innovation will provide solutions to seemingly intractable problems and open new opportunities. To accommodate the harsh environment, many existing technologies will require major adaptation. Both situations will generate new technological advances. A few examples of developments, some underway and some not yet conceived:

- A new generation of icebreakers
- A new generation of oil and gas drilling platforms
- Ice management at ports, for longest possible season of operation
- Buildings and roadways that withstand melting permafrost
- Local grids, renewable energy and infrastructure for rapidly growing communities
- Reliable supplies of clean water, and wastewater treatment and disposal
- Capture of methane as an energy source from melting permafrost
- Capture of methane from seabed methyl hydrates

Resources for Economic Development

As the Arctic opens to new economic activity, natural resources are the draw, not only for the five Arctic coastal states, but for other countries. Exploration on the land will be governed by the sovereign nations; whereas exploration and exploitation of the seabed will require the conclusion of UNCLOS allocations of undersea territory.

To handle the ramifications of climate change, the Arctic nations will need access to large funds for a variety of reasons. Financial benefits to multinational corporations and the world economy from exploitation of valuable Arctic resources must be tapped for building up the Arctic and for the many adaptations that are essential.

International cooperation

An early choice must be made whether to militarize the Arctic or to cooperate. That will set the stage for the future of the Arctic.

Now is the time for cooperation and a prime example is commercial shipping. Before it commences, major agreements need to be concluded on shipping, pollution, search and rescue, criminal activity, and international security. Cooperative solutions are needed for the many problems that arise in connection with about to be opened Arctic frontier.

Arctic Council

The mandate and origin of the Arctic Council is described in its website¹⁹, as follows:

The Ottawa Declaration of 1996 formally established the Arctic Council as a high level intergovernmental forum to provide a means for promoting cooperation, coordination and interaction among the Arctic States, with the involvement of the Arctic Indigenous communities and other Arctic inhabitants on common Arctic issues, in particular issues of sustainable development and environmental protection in the Arctic.

Member States of the Arctic Council are Canada, Denmark (including Greenland and the Faroe Islands), Finland, Iceland, Norway, Russian Federation, Sweden, and the United States of America.

In addition to the Member States, the Arctic Council has the category of Permanent Participants. This category is open equally to Arctic organizations of Indigenous peoples with a majority of Arctic Indigenous constituency representing: a single Indigenous people resident in more than one Arctic State; or more than one Arctic Indigenous people resident in a single Arctic State.

The category of Permanent Participation is created to provide for active participation of, and full consultation with, the Arctic Indigenous representatives within the Arctic Council.

The Arctic Council is an active, running entity with a permanent secretariat and a rotating chair (Denmark holds the chairmanship for 2009-2011). A number of working groups have been established; Arctic-specific problems are discussed; and regular ministerial and meetings are held. The Arctic Council must be empowered to expand its work, and to be an active player in the establishment of the new climate-changed north. Cooperative responses to the broad spectrum of climate change ramifications are necessary.

¹⁹<http://arctic-council.org/article/about>

The Arctic Council has accommodated more non-Arctic observers of late, some of whom are state representatives. These include China, United Kingdom, France, Netherlands, Italy, and Spain. In addition NGOs such as the World Wildlife Fund have been present, and the oil and gas industry is seeking a relationship. This could facilitate communication and add resources to the Council; however there is concern is that this may interfere with accomplishing urgent work of the Council.

Militarization, arms control and disarmament policies for the north

Franklyn Griffiths¹² points out that costs and risks of strategic rivalry work against collaboration, and cooperation could be permanently foregone. To the extent that increased military presence on sovereign territory aids in the opening of the new Arctic, it should be welcomed. Naval ports are likely to be shared by both military and civilian commercial operations. Search and rescue would be an important function for military and civilian cooperation. Nuclear weapons in the region present a multifaceted danger to the Arctic lands, seas and peoples, and preventive measures must be taken before it is too late. Land, sea, or undersea (see Figures 7 and 8) stationing of nuclear weapons is wrong. The creation of legal structures and procedures are already part of international discussions. It is important that nuclear weapons issues are put on that agenda; otherwise the status quo will become ingrained.

Cooperative security solutions will be needed. Although there is indication already that conflicts will arise over the continental shelf delineations, military confrontation is unlikely, but not impossible. It is to be hoped that parties realize that cooperation is the only way to keep the nations safe.

Means of Governance and the need for an Arctic Treaty

The challenges of opening the Arctic are unprecedented. Successful management of the changes brought about by climate change is a goal that would be furthered by negotiation of an Arctic Treaty. Providing an equitable governance regime calls for a high degree of international cooperation and a resolution of rivalries. There is much that needs setting of priorities, followed by immediate work. The governance regimes that enter into this work would be regional, national, pan-Arctic and international. Since achievement of a ratified international treaty, is usually a work of decades rather than years, our governments need to provide an additional framework. Franklyn Griffiths²⁰ has suggested that there could be agreements under the umbrella title

²⁰Griffiths, Franklyn “*Towards a Canadian Arctic Strategy*” Canadian International Council May 2009 www.canadianinternationalcouncil.org



Figure 8: *Usual military activity in the Arctic. Three polar bears approach a U.S. nuclear submarine, surfaced near the North Pole (U.S. Navy photo by Chief Yeoman Alphonso Braggs)*



Figure 9: *Russia's navy has 12 nuclear-powered ballistic missile submarines*

of Agreement on Basic Principles of Arctic International Relations. First steps might be bilateral, later multilateral.

An Arctic Treaty, and other international agreements, would provide an opportunity to embed the expectation of a NWFZ. Though there are many urgent priorities related to climate change, one of them is the creation of an Arctic NWFZ. It should be introduced conceptually in the near future, at all levels, so it could gradually gain support, and be taken as a given condition of the future of the Arctic. It would be a significant step toward disarmament, and would build confidence toward a nuclear weapon-free world.

Conclusion

Adaptation to climate change in the Arctic is a huge challenge with many facets. There is no place for conflict of a military nature. This paper has given only a partial indication of actions that are essential for governance and adaptation in the Arctic. Huge international resources must be brought forward to bring about a successful opening of the Arctic. Humanity does not possess the monetary or human resources to apply to both militarization and development of the Arctic. We must choose development and collaboration.

Steps Towards an Arctic Nuclear Weapon Free Zone

Steven Staples, President, Rideau Institute

Let me thank John Avery and the Danish National Pugwash Group for inviting me here today. Also I want to thank Michael and Adele for their excellent presentations and also Michael Wallace, who could not join us here today, for his input on these remarks.

Well, I don't know what more I can add to such thorough discussions - maybe a story, some dreary numbers and a few good ideas (mostly belonging to other people).

First the story.

On February 18th of this year, two Russian long-range strategic bombers, Tupelov 95Ms, also known as Bears, took off from Engels Airforce Base in Saratov Region, in the Russian Federation. The base is in the southwest of the country, and these long-range planes are intended to carry nuclear bombs and air-launched nuclear-tipped cruise missiles.

The training flight, likely unarmed, flew over the Arctic to the Beaufort Sea, where, according to an official of the Russian Federation Embassy in Ottawa, the planes came to within 200 kilometers of the Alaska/Yukon border - the Yukon being a Canadian Territory. Then they turned back home homewards.

Nine days later Canada's Defense Minister, Peter MacKay, held a press conference with the Chief of Defense Staff and the U.S. head of NORAD, to announce that the flight had occurred and a Canadian CF-18 Hornet had been scrambled to meet the Russian aircraft and force them to turn back. He strongly reprimanded the Russians for the flight. He pointed out that the incident occurred a day before U.S. President Barack Obama was to visit Ottawa.

The Prime Minister went further. Stephen Harper said, "I have expressed at various times the deep concern our government has with increasingly aggressive Russian actions around the globe and Russian intrusions into our airspace." (cbc.ca February 27, 2009)

The tough talk from the Canadian government conjured up the Cold War. But the sabre-rattling became somewhat embarrassing when it was clear that the Russian aircraft did not enter Canadian airspace at all.

Canadian military officials downplayed the incident, declaring it routine. Russia launched its own counterspin, declared the Canadian protests "a farce," and dispatched officials to explain that there was no violation of

Canadian sovereignty since the flight occurred in international airspace, and that NATO forces regularly make these flights toward Russian territory.

Even the U.S. commander of NORAD, General Gene Renuart, was unmoved by the purported Russian threat, saying: "The Russians have conducted themselves professionally; they have maintained compliance with the international rules of airspace sovereignty and have not entered the internal airspace of either of the countries."

But the incendiary talk illustrates what some have called Bear-baiting and Russophobia. Canada's former ambassador to Russia and former UN ambassador for disarmament Chris Westdahl says Canada "should stop picking fights where none need be, with Russia."

But Bear-baiting is good politics in Canada these days, as the government asserts Canadian sovereignty in the Arctic, and tries to defend its claim that the Canadian Arctic is not an archipelago of islands, and therefore the Northwest Passage is an internal waterway, not an international one.

Canada is becoming more aggressive, trying to brand itself as an Arctic Power. In fact, reporters have noticed increased use of the phrase "Arctic Power" in government communications.

Canada's Foreign Affairs Minister has said that "Canada will not be bullied," and met with Russia's Foreign Minister to request that Canada receive advance notice of future training missions.

The issue of advance notice of flights was raised in Parliament, as MPs questioned a Russian embassy official on the process. Canadian government officials claimed they had no advance notice, but the Russian official said that notice was given to the United States under the terms of the 1991 START agreement. START I expires on December 5th of this year.

Why Canadians did not know, given that we are partners in NORAD with the U.S., raises as many questions about information sharing with the Americans as with the Russians, in my view.

Testifying before the U.S. House Armed Services Committee, the Commander of U.S. Northern Command and NORAD said that in 2008, pairs of Russian TU-95 Bear-H aircraft flew into NORAD's Air Defense Identification Zone on seven separate occasions. All but one of these flights were unannounced, and foreign planes never violated North American airspace.

On another occasion, General Renuart told a Canadian audience that "from the end of the Cold War to 2006, there were 10 or 11 or 12 Russian patrols up in the Arctic region. Since 2007, there have been a total of 30."

The February aircraft incident, which evoked such a strong reaction from the Canadian government, stands in stark contrast to another incident involving nuclear forces and Canadian sovereignty.

Last August, a year ago, the Canadian Forces quietly scrambled to investigate a report of a foreign submarine sighting near the eastern entrance of the Northwest Passage. The sub sighting - what the military described as a reliable report from hunters - occurred near the northern end of Baffin Island on August 9, 2008.

The sighting was linked to a report a few days earlier of a mysterious explosion in the area, widely reported in the media. Another group of hunters heard the explosion, which was so large it shook their cabin. They emerged and saw a plume of black smoke some distance away.

But in the case of the explosion and sub sighting, the military commented only on the explosion, and rewrote planned responses to journalists, removing any reference to the submarine.

The difference in reactions, on the one hand bellicose pronouncements regarding a Russian training flight, on the other attempts to hide from the media the fact that a sub was sighted near the entrance of the Northwest Passage, is remarkable.

It is possibly due to the fact that bomber flights are clearly visible using radar and Canada has the ability to scramble fighters and meet the Russian aircraft. But we have no way of identifying or monitoring submarines, nor can we intercept them.

In fact, the sub could have belonged to one of our allies.

The government also wanted to avoid a repeat of the awkward visit of a U.S. nuclear attack submarine to the Arctic around the time of the Canadian federal election in 2005. The then Liberal government was embarrassed when it was revealed that the USS Charlotte had spent two weeks under the Arctic ice pack, surfaced at the North Pole, and possibly crossed into Canadian territorial waters.

When contacted at the time, a U.S. embassy spokesperson simply said the submarine did not need Canada's permission to travel through international waterways. The problem is that the U.S. does not recognize Canadian sovereignty claims beyond 12 nautical miles from the coast, and considers the Northwest Passage international waters.

In order to monitor traffic, the Canadian government has tried to build an underwater network of listening devices to track submarines along the eastern part of the Northwest Passage. An attempt in the 1990s fell apart because of a a hundred-million-dollar price tag. A second attempt, launched in 2007 by the current government to fulfill an election promise emanating from the USS Charlotte incident, has also been delayed. Listening devices and land-based sensors on Devon Island were installed in 2008 as part of the Northern Watch program. But reports published last month say that the program is in hiatus as scientists review the data collected.

Now come the dreary numbers.

During the Cold War, Russian and United States nuclear submarines played cat and mouse games in the Arctic waters, under the ice. The airspace above the Arctic was the transit route for the nuclear-armed bombers.

While NORAD has taken the Russian Arctic flights in stride, and the Canadian government has used them for political hyperbole, we shouldn't kid ourselves about what these pilots are actually training to do - that is, to launch a nuclear attack.

Russia maintains a fleet of 77 strategic bombers, including 14 TU-160 Blackjacks, supersonic bombers first deployed in 1987 and similar in design to the U.S. B-1 bomber. The remainder of the fleet consists of 63 propeller-powered Tu-95 Bears, introduced in 1984.

According to Robert Norris and Hans Kristensen, writing in the *Bulletin of the Atomic Scientists*, Russia deploys 856 nuclear weapons on these aircraft in the form of air-dropped bombs and cruise missiles, representing about a third of Russia's Strategic Offensive Forces. The aircraft have stepped up operations outside and inside Russian airspace during the past year, and have held long-range exercises in the North Atlantic and North Pacific.

Just like aircraft, where you have fighter planes and bombers, so there are attack submarines and large-missile submarines. In the Arctic only nuclear-powered submarines can stay submerged long enough to operate. The United States, Russia, Britain and France have nuclear-powered attack and missile submarines that can patrol in the Arctic.

According to Norris and Kristensen, Russia maintains a fleet of ten missile submarines, six Delta IVs and four Delta IIIs, which are equipped with 160 submarine-launched ballistic missiles, carrying 576 nuclear warheads. The Russian navy is modernizing the Delta IVs to carry a new missile, and has a new class of missile submarine, the Borey class, in development. Although delayed, when completed the submarines will carry the new Bulova nuclear-armed submarine-launched ballistic missile.

Today, Russian submarines carry only 20 per cent of the country's nearly 2,800 strategic warheads (nearly half the total number of warheads are on land-based intercontinental ballistic missiles, and the rest are on the bombers). But Norris and Kristensen predict that by 2020, even though the total number of warheads will drop to 1,954, the percentage deployed on missile submarines will more than double, to 45 per cent.

Submarine patrols have increased in recent years. Russian ballistic missile submarine patrols have increased from 3 in 2007 to 10 in 2008, though this is far less than the dozens of patrols conducted in the 1980s.

Unlike the Russians' focus on land-based nuclear weapons, the United States has taken submarines as the platform of choice. The U.S. operates

a fleet of 14 Ohio-class Trident missile submarines that carry an estimated 1,152 warheads, or 43 per cent of the operational U.S. arsenal, according to Norris and Kristensen.

Using documents obtained through the Access to Information Act, Kristensen found that the U.S. continues to operate its nuclear-armed submarines at rates similar to Cold War levels, and conducts more submarine patrol missions than the rest of the world combined. In 2008, Ohio class subs conducted 31 patrols, most of them from the west coast base at Bangor, Washington. The average patrol lasts 72 days submerged, and some missions have gone past 100 days.

As for the British and French, they too have come to rely on the submarine fleets to deploy their respective nuclear arsenals. Britain withdrew its last air-dropped nuclear bomb in 1998, and since then has a fleet of four Trident nuclear missile submarines, with one on patrol at all times. The fleet is closely integrated with the U.S. fleet, combining its D-5 nuclear missiles and approximately 200 warheads with the U.S. stockpile. The French fleet of three nuclear missile submarines, the fourth nearly completed, carries 240 of the country's 300 nuclear warheads.

All four of these countries can operate missile submarines in the Arctic. Although patrol routes are the most closely held secrets of the nuclear submarine powers, it's certain that the American and Russian nuclear-armed submarines are patrolling in the Arctic.

The fact is, the Arctic is becoming an zone of increased military competition. Russian President Medvedev has announced the creation of a special military force to defend Arctic claims. Russian General Vladimir Shamanov declared that Russian troops would step up training for Arctic combat, and that Russia's submarine fleet would increase its "operational radius." This week, two Russian attack submarines were spotted off the U.S. east coast for the first time in 15 years.

In January, on the eve of Obama's inauguration, President Bush issued a National Security Presidential Directive on Arctic Regional Policy. As Michael Hamel-Greene has pointed out, it affirmed as a priority to preserve U.S. military vessel and aircraft mobility and transit throughout the Arctic, including the Northwest Passage, and foresaw greater capabilities to protect U.S. borders in the Arctic.

The Bush administration's disastrous eight years in office, particularly its decision to withdraw from the ABM treaty and deploy missile defense interceptors and a radar in Eastern Europe, has greatly contributed to the instability we are seeing today. The Arctic has figured in this renewed interest in Cold War weapons systems, particularly the upgrading of the Thule Ballistic Missile Early Warning System radar for ballistic missile defense.

The Canadian government, as well, has put forward new military capabilities to protect Canadian sovereignty claims in the Arctic, including proposed ice-capable ships, a northern military training base and a deep water port.

Denmark last week released an all-party defense position paper that suggests the country should create a dedicated Arctic military contingent that draws on army, navy and air force assets with ship-based helicopters able to drop troops anywhere. Danish fighter planes could be patrolling Greenlandic airspace. Last year, Norway chose to buy 48 Lockheed F-35 fighter jets, partly because of their suitability for Arctic patrols. In March, that country held a major Arctic military practice involving 7,000 soldiers from 13 countries in which a fictional country called Northland seized offshore oil rigs. The manoeuvres prompted a protest from Russia - which objected again in June after Sweden held its largest northern military exercise since the end of the Second World War. About 12,000 troops, 50 aircraft and several warships were involved.

Jayantha Dhanapala, President of Pugwash and former UN Under-Secretary for Disarmament Affairs, summarizes the situation bluntly. He warns us that "From those in the international peace and security sector, deep concerns are being expressed over the fact that two nuclear weapon states - the United States and the Russian Federation, which together own 95 per cent of the nuclear weapons in the world - converge on the Arctic and have competing claims. These claims, together with those of other allied NATO countries - Canada, Denmark, Iceland, and Norway - could, if unresolved, lead to conflict escalating into the threat or use of nuclear weapons."

OK. Now come some good ideas.

The Canadian Pugwash Group issued a call in 2007 for an Arctic Nuclear Weapon Free Zone, which has been distributed and commented upon widely. While nuclear weapons are not the only threat to peace in the region, they are the most potent.

The proposal has served to spark the imagination of many people concerned about the militarization, or re-militarization, of the Arctic, and increased U.S.-Russian tensions. But it is also not without critics, as any serious proposal will be. The discussion it has provoked is welcome.

As my fellow Canadian Pugwash Executive member Michael Wallace has acknowledged, there are two main facts on the ground that make an Arctic Nuclear Weapon Free Zone impossible without additional, complementary disarmament measures. The first is that the two largest nuclear powers regularly deploy nuclear-capable submarines in the Arctic waters, and the second is that the largest and most important naval base for Russian ballistic missile submarines, Zapadnaya Litsa, is located on the Kola Peninsula north of the Arctic Circle.

As others have pointed out, all of the world's regional zones have prevented the acquisition of nuclear weapons by Non Nuclear-Weapons States and deployment of other states' nuclear weapons on their territory (the latter is permitted under the NPT, so long as the weapons are under the control of a Nuclear Weapons State).

Also, the transit of nuclear weapons, such as aboard submarines, are generally permitted in agreements.

Nuclear Weapons States that have signed the agreements pledge not to use or threaten to use nuclear weapons against countries in their respective zones. These are called negative security assurances.

So, as we can see an Arctic Nuclear Weapon Free Zone would be unique. It would be the first agreement to encompass the territory of nuclear weapons states, namely Russia and the USA. It would potentially require the denuclearization of the zone, rather than just preventing future actions. The zone would not cover entire states, but only regions of states. And, the negative security assurances required of the two nuclear weapons states would be especially problematic.

Nevertheless, as Michael Hamel-Greene reminds us, we should not quit before we even start. "In the case of all of the successfully established zones, there were critics and pessimists who suggested such zones would never be agreed on," he writes.

Many people have suggested some small steps that could be pursued as we move toward the larger goal.

Michael Wallace suggests Canada could consider declaring the Northwest Passage a nuclear weapon free zone. Since surface military ships and attack submarines of both the Russian and the American navies most certainly no longer carry nuclear weapons, and the shoals of the passage make it hazardous for submarine navigation, such a declaration would be a powerful, symbolic statement.

In order to acknowledge Russian concerns over such a zone's biased impact, a comprehensive set of nuclear disarmament measures could be put in place to "balance" the Russian strategic disadvantage. For instance, a follow-on treaty reducing weapons to 500 for each side could allow Russia to rely on land-based missiles, rather than submarine-based.

Adele Buckley, also a Canadian Pugwash Executive member, has suggested that all Arctic states presently non-nuclear agree to work together on a regional treaty, as allowed for in the Nuclear Non-Proliferation Treaty, to "assure the total absence of nuclear weapons from their respective territories." This would include Canada, Denmark, Norway, Sweden and Finland.

The Parliamentary Network for Nuclear Disarmament agrees, and suggests adding a protocol whereby nuclear weapons states would agree not to

deploy, threaten or use nuclear weapons in the entire Arctic zone.

Jozef Goldblat suggests that the difficult circumstances of the region, given the proximity of two nuclear powers, could build on the experience of other Nuclear Weapon-Free Zones: “However, certain new approaches would be needed to deal with the existing situation.” He suggests that “one could start by formally declaring the entire Arctic area a common legacy of mankind... The interest in creating a new regime in the Arctic would increase, if the denuclearization efforts were made in parallel, as well as in conjunction, with the scientific investigations related to climate change.”

We also cannot overlook the existing bodies and treaties that could be used to promote security and co-operation.

Christopher Westdal recently asked why we are not making the most of the NATO-Russia Council. For instance, “Why aren’t we promoting joint Arctic-security patrols flying wing to wing with those ancient Russian Tupelovs to prove the security of the northern Polar airspace, say, or rehearsing coordinated responses to potential aircraft hijackings in the North, practicing joint search and rescue drills?”

The UN High Representative for Disarmament Affairs, Sergio de Queiroz Duarte, reminds us that, “the Seabed Treaty of 1971 requires states parties, including all 8 states in the Arctic region, not to place on the seabed and the ocean floor and in the subsoil thereof, nuclear weapons or any other types of weapons of mass destruction, as well as structures, launching installations or any other facilities designed for storing, testing or using such weapons.” Extending the treaty to include a prohibition on the stationing of nuclear weapons anywhere else in the region would seem logical.

Rather than a single treaty, Duarte says he sees the gradual emergence of an eclectic Arctic security regime, consisting of various elements derived or adapted from other multilateral arrangements, and applied to the specific conditions of the Arctic region.

In conclusion, let me take a quote from a surprising source, Royal Dutch Shell (surprising because I have been boycotting shell since the days of Apartheid...).

Shell has produced what they call “Energy scenarios to 2050.” They were developed to help think about the future of energy, and the result is two scenarios that describe alternative ways it may develop: Scramble and Blueprints.

In the Scramble scenario, events outpace actions, and policy makers pay little attention to more efficient energy use until supplies are tight. Likewise, greenhouse gas emissions are not seriously addressed until there are major climate shocks. Will national governments simply Scramble to secure their own energy supplies?

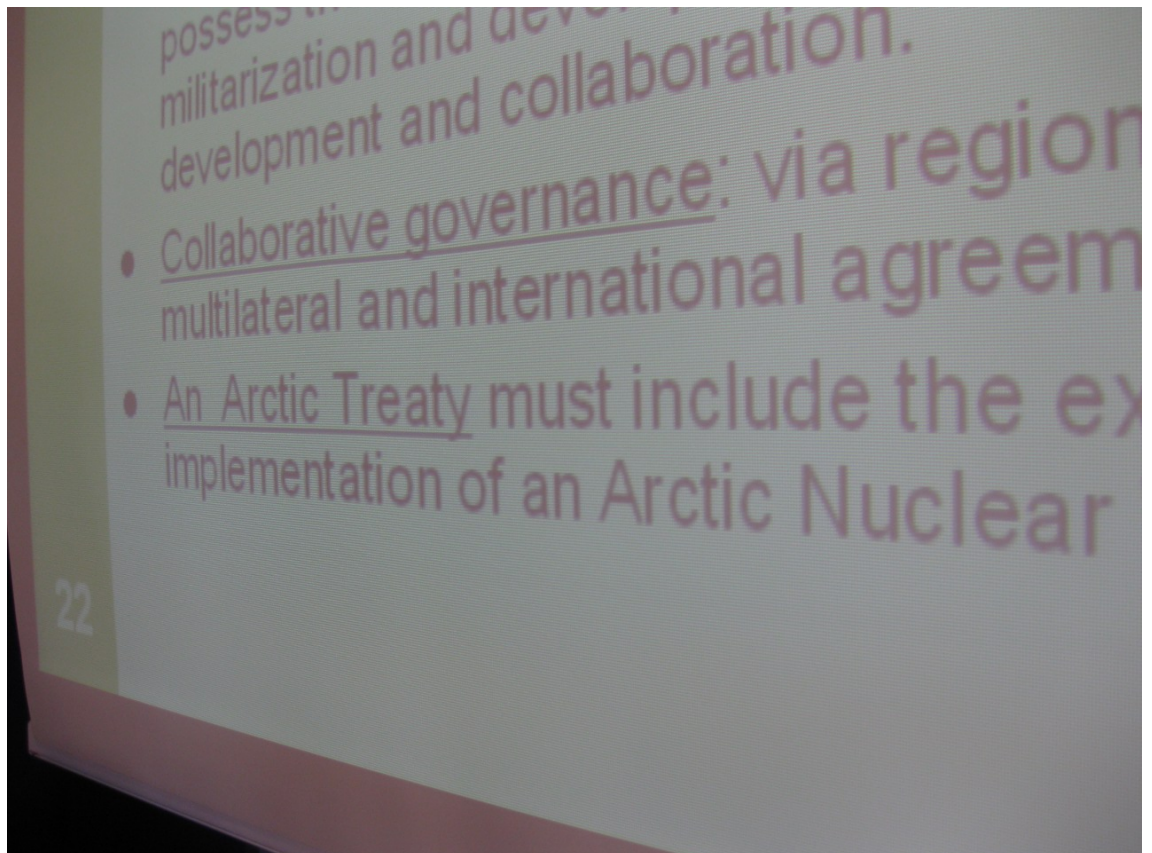
In the Blueprints scenario, actions outpace events. Growing local actions begin to address the challenges of economic development, energy security and environmental pollution. Blueprints emerge from coalitions between various levels of societies and government, ranging from the local to the international, that begin to add up to a new energy framework.

As climate change continues and energy demand rises, nations are looking to the Arctic as their next source of energy supply. In a nuclear armed Scramble, the risk of confrontation is too dangerous to tolerate.

Our task here is to see into the future, and act now. Blueprints can emerge from coalitions between various levels of societies and government, ranging from the local to the international, that begin to add up to a new energy, environmental and security framework.

That is everyone's challenge.

Thank you.





An Arctic Nuclear-Free-Weapon Zone

Holger K. Nielsen
Member of the Danish Parliament

I am very grateful to have been invited to give a statement at this conference, that seems to be extremely important and interesting. Because of the funeral of a good friend and colleague, the first vice-speaker in the Danish Parliament, I was not able to attend the conference yesterday. But I have read the papers, and it strikes me that they are brilliant, competent and relevant. They give a comprehensive and realistic picture of the problems, that confront us.

For Arctic policy - in particular Arctic security-policy - should have political top priority. Climate change gives new challenges - and problems. We will see an increase in ship-traffic and tourism, more fish resources, new opportunities of exploiting underground resources etc. All this is well described in the papers of the conference and I agree totally in the analysis of these.

It is well known, that lack of natural resources already today is a main reason for conflicts and wars. It is impossible to comprehend the war in Iraq and the patterns of conflict in the Middle East and the Caucasus-region without including the oil-aspect. The same is the case in Africa. This aspect will be stronger in the future. We know there is a limited life-time of natural resources. We know that global consumption of natural resources is increasing dramatically - also despite a financial crisis - and that it is a question of time, before they are exhausted. This will - of course - create conflicts and perhaps wars.

The Arctic is interesting in the sense, that there has until now not been a high exploitation of natural resources in the region. The climate has been too tough, the conditions too difficult and the prices have been too low to make exploitation profitable. This will change dramatically. The climate will get milder. The conditions of exploitation will get easier. The prices of natural resources will increase. The Arctic has all the obvious conditions of becoming a high tension area. And a dangerous one with the involvement of both US and Russia - and deployment of nuclear weapons of the two countries Therefore we must- already now - make efforts to prevent that tensions escalate to real conflicts and conflicts with military involvement.

The Arctic dimension plays a greater role in Danish security- and defense policy. Greenland is still a part of the Danish Kingdom although it has obtained a high degree of self-governance. No doubt Greenland at some time

will obtain full independence - it is up to the people of Greenland to decide when. But in the meantime Denmark has the obligation of securing and - if necessary - defending the territory of Greenland.

I was a member of the commission, which 5 months ago submitted a report about the future Danish defense policy. How to deal with the future challenges in Arctic played a quite important role in the discussions of the commission. The same is the case in the report submitted to the Nordic Foreign Ministers by Thorvald Stoltenberg on February 9th. about "Nordic cooperation on Foreign - and Security Policy" There are only a few sharp conclusions in these reports. It is too early to do so, therefore there is still space for a debate - not at least with the Greenlandic authorities and the people of Greenland.

Denmark now has the chair in the Arctic Council and the Danish government was quite active in the decision about the Ilulissat-declaration of may 2008 - adopted by US, Russia, Canada, Norway and Denmark together with Greenland.

This declaration is quite important and expresses positive steps in the direction of peaceful cooperation in the Arctic area. The cornerstone of the declaration is the acceptance of all partners of international law i.e the Law of Sea Convention in the case of territorial conflicts. In other words: there is an obligation of negotiations in accordance with international law. So far so good.

From a Danish perspective, however, it is a problem that the Danish government wants to stop here. All problems are said to be solved and there is no need for further initiatives. As the Danish foreign minister, Per Stig MÅller, wrote in the daily, Jyllands Posten, one month ago, "the race on the North Pole is cancelled". He sees no need of any Arctic Treaty and rejects to compare with the Antarctic treaty. As he writes: "Antarctic has always been unsettled - here reigns the Emperor's Penguin. Arctic has always been settled by human beings. And we don't need any new legal tool or new organization".

It is obviously an odd argument that here should be no need for a treaty in a region because it is settled. You should say the opposite: because of the fact that the region is settled by human beings, there is a real need of political and legal regulation. It is true that it is very difficult, but this can never be an argument for no political initiative. The whole purpose of politics is to overcome problems.

It is a fundamental challenge to prevent further militarization in the Arctic. I am not a supporter of Russian foreign politics - in particular not the Russian attitude and politics towards the former Soviet republics. But it is fundamental to stress that there is no Russian military threat to Europe

and America. This was also an assumption in the report from the Danish defense commission. It is immensely important that we do not build up military capacities in the Arctic which create an answer of further Russian militarization. We must instead make efforts to demilitarize the region.

The concept of a nuclear free weapon zone could become an important instrument in these efforts. I shall not repeat the historical experiences of nuclear free zones in other parts of the world which other speakers have mentioned. But despite of different problems the consequences of the efforts are positive. It will be a huge task to realize the goal of a nuclear weapon free zone in the arctic - with tremendous difficulties. On the other hand time might be working for this idea.

There is a serious obstacle in the military interests of US and Russia. Therefore the debate on a nuclear weapon free zone in the Arctic must be interrelated to the broader discussion on nuclear disarmament.

Barack Obama has put the vision of a nuclear-free world on his agenda. The agreement with Russia one month ago on strategic weapons could be a start - although not a breakthrough - of a new disarmament process. Still there is no solution on the Russian opposition to the missile defense. The missile defense should be cancelled: it is expensive, has no value and creates negative reactions from Russia. The result was modest, but yet a start. After the frozen period of the Bush-era it is a progress.

But it is absolutely crucial that there is developed a pressure for nuclear disarmament from European countries. Two issues shall here be mentioned: the revision of the NPT-treaty next year, the discussion on a new strategic concept in NATO.

With the possible achievement of nuclear weapons in failed states and among terrorist groups the non-proliferation regime gets more important but also more difficult to control. It is often forgotten among governments that the NPT-treaty not only shall prevent the uprising of new nuclear states - is also demands nuclear disarmament among the existing nuclear states. This has not been achieved. But a successful revision of the NPT-treaty should be on the top of the agenda of the European countries.

Within NATO the new general secretary has stressed the importance of a new strategic concept. The cold war is history and NATO has gone global. Nonetheless NATO maintains its nuclear weapon doctrine. The doctrine - however - is a child of the cold war. We were many who opposed it during this period, but one could argue that it during the cold war the doctrine at least had a military logic. But the doctrine makes no military sense in a future with peace-keeping missions, counter-insurgency and asymmetric warfare. If the NATO-countries are serious about changing the concept and strategy of the alliance it must have implications also for the nuclear weapon policy.

I know that the disarmament issue is in some way on the agenda within NATO - here Norway plays a remarkably progressive role. I think- however - that most NATO- countries should go into this discussion and that parliamentarians from the different NATO-countries become active in this process. It is very important that we have broad political debate on the strategic concept and it is important that the whole issue of the NPT-revision becomes an issue in our parliaments.

It has been mentioned that the issue of an Arctic nuclear weapon free zone should await the NPT-revision and that it after the results of this that could go in as a follow-up on the NPT-revision. It might be true and to be realistic it is not likely that the nuclear weapon free zone will become a serious point of the agenda until then. Yet we should make an effort to put it on the agenda already now. The natural place will here be the Arctic Council, where it should be connected to the proposal of an Arctic Treaty. The Law of Sea does not cover all aspects of problems to be solved in the Arctic. There is a need of a legal instrument to regulate all aspects related to environment, traffic, science, exploitation of natural resources, economic conditions and not at least the life of indigenous people. It is very important that this process takes place in cooperation with the people living there. There are several dark points in Danish relations to Greenland - some of them are to be discussed later on today. Such mistakes must not be repeated.

Thank you for your attention.





Speech at the University of Copenhagen H. C. Ørsted Institute

Jens Zinglersen

President, Association of Radiation-Affected Thule Workers

First of all, I want to thank the arrangers of this Conference for inviting me to speak here today. Secondly I would like to emphasize that I in the following will mention the USA and USAF many times. This has nothing to do with any feelings against USA or the Americans - on the contrary - but it is because we have received very much assistance from the USA and the American authorities have shown great openness towards us. All information that we in the past many years have obtained, comes from the United States of America.

I represent the Association of radiation afflicted Thule Workers, whose members in 1968 assisted the USAF in a huge clean-up operation after an accident involving a B52 bomber carrying 4 nuclear bombs of the type MK28 thermo nuclear. In 1968 as many as 1100 - 1200 civilian Danish workers worked at Thule Airbase as skilled and unskilled laborers, thereby relieving American soldiers, to other tasks. In those days there was a certain need for them in the Far East.

I myself have worked and lived in Greenland for 20 years, of which I lived and worked at Thule Air Base for 10 years

Our Association had - when we were biggest - 600 members, now we are 195 left. Our Association was created in 1988, due to the fact that a number of the former Thule workers experienced very rare skin diseases and many cancer incidents.

But let us turn our mind back to the Sixties. In those days the Cold War was on, and the US was at war in Vietnam. Since the late Forties the USSR and USA had built up very powerful nuclear strike-forces. In the USSR mainly based on long range intercontinental ballistic missiles and in USA mainly based on a long range bomber airplane namely the B52.

The whole idea of having this tremendous nuclear strike force was to show the opponent - the enemy - so much military muscle, that he would NOT dare to attack you.

One must say that it worked - the Cold War never turned hot.

The American strategy was to establish Operation Chrome Dome. Operation Chrome Dome was an airborne alert mission consisting of up to 12 B52s constantly flying 24 hours around the clock in the Arctic Area and over the sea of the North Pole - all of them combat ready. The same number of B52s were flying over the Mediterranean Area. Each airplane carried inter-

nally 4 nuclear hydrogen bombs of the type MK28, each with a yield of 1,5 megaton. A B52 could also at the same time carry 2 Hound Dog Missiles, one under each wing and with a yield of 4 megaton each.

So if the Cold War showed tendencies to grow warm, the airborne alert mission could be up to 12 B52s each armed with nuclear weapons with at yield of 14 megaton pr. aircraft. And as there were 12 the total yield of airborne nuclear weapons in the Arctic Zone would be 168 megaton. The same amount of nuclear yield would be airborne in the Mediterranean Area. So Ladies and Gentlemen 168 megaton is the same as 168.000.000 tons of ordinary explosives like TNT or Dynamite. As you can see we are on the American side talking of 336 megatons of airborne nuclear weapons.

Of course we must take into consideration, that the USSR nuclear strike forces had at least the same.

So I will here declare that around 700 megatons nuclear yield would have been released immediately in a nuclear battle - if the Cold war turned hot back in those days.

All of us here and there - were very very lucky that the Cold War NEVER turned hot.

If it had done so, we today would have no worries about CO2 and climate changes - It had already been taken care of.

With such a massive airborne alert mission, there will be many many chances for mishaps, incidents and accidents. Such one took place on the 21st of January 1968. One B52 aircraft of the airborne alert mission Chrome Dome had a special mission as a Thule Monitor. The Thule monitor had to fly in a butter-knife figure over Thule Air Base - to control by radio communication and by visual observations - that Thule Air Base was operational and undamaged. Because, at Thule Air Base was placed the Master Radar Station in the Ballistic Missile Early Warning System. This system would give USA a 20 minutes warning of a ballistic missile attack. Time enough for the fleet of airborne combat ready B52s to go to pre-designated targets in USSR and drop their bombs.

On the day of 21st of January 1968 the Thule Monitor caught on fire down in the navigator's compartment. A lot of smoke developed - the crew failed to fight the fire - the aircraft suddenly lost all electric power - it was near Thule Airbase and the crew could see the lights from the base, it was a cold clear Sunday afternoon with minus 38 degrees Celsius and arctic darkness.

The crew bailed out and the aircraft crashed - after it had made a 180 degree left turn passing over the base - it crashed on the sea ice some 11 kilometers due west of the base. Of the 7 crewmembers 6 was rescued and 1 was killed. The bombs, at least 3 of them, exploded in the impact together with the airplane. This explosion was due to that, each bomb has quite a

heavy load of ordinary chemical high explosives, which is the “match” to light up the nuclear process and the nuclear detonation. As the 4 weapons on board the aircraft were in an unarmed stage - it was NOT a nuclear detonation. But the explosion of the chemical high explosives together with the explosion of the aircraft itself and all its fuel - widely spread all the radioactive components of the bombs over the crash site and the nearby islands and land.

The bombs contained Plutonium 238, 239, 240, Americium 241 plus a lot of Uranium 235 and some Tritium. We do not know how many kilos of each kind - it is still a secret - here nearly 42 years after the accident. The bomb MK28 entered the US nuclear stock-pile in 1958 and was finally withdrawn in 1993. a total number of 4.500 was produced.

I would here like to draw your attention to Plutonium 238. Here in Denmark many people believe that plutonium is only 1 kind. That is not correct there are several isotopes of plutonium. Plutonium 239 is the isotope that we call weapon plutonium. It is rather stable and has a half lifetime of 24000 years. Plutonium 238 is rather unstable and has a half lifetime of 87 to 88 years and is between 200 and 300 times as radioactive as Plutonium 239. The bomb MK28 is the “mother” of all hydrogen bombs, but is also an early 1st generation of the hydrogen bombs and is a so called “dirty one”. I can here lay forward a report from Mats Eriksson and others as documentation.

Many Thule workers were involved the huge clean-up operation, which took place in the weeks and months after the crash. All contaminated debris from the aircraft was collected and transported by surface back to the base for storage and later shipment to USA in the summer, when the port of Thule Airbase is free of ice. Many cubic meters of contaminated snow and ice was scraped together loaded into containers and transported back to the base - also for later shipment to USA.

All this contaminated debris, snow and ice (that later melted into contaminated water), was stored on a so-called “Tank Farm”. Here it was loaded and reloaded several times to prepare it for shipment by sea back to USA (The Savannah River Plant).

It is during this handling of the contaminated snow, ice and debris, that the Thule workers have been exposed to radiation.

I can here lay forward to you an annotation from The Danish Institute for Radiation Protection. This paper describes and quotes a control list from the Control Post of the mentioned “Tank Farm”. A control list, that covers passage of in and outgoing traffic of the “Tank Farm” of Danish personnel. The Control Post was manned by military personal, Air Police. Outgoing personnel were always measured for radioactivity. The US military lower limit was 450 counts pr. minute. That control list shows that a great number

of Danish Thule workers have received rather massive doses of radiation. 1 person as much as up to 140.000 counts pr minute. The first part of the paper - the part describing the leader of the Royal Greenland Trade Department and his Eskimo-rescue team is a direct lie! I am the mentioned leader of the Royal Greenland Trade Department. The truth is that we all in the team were stripped naked to skin and had to go through showers, because we were heavily contaminated on our outer clothing. So heavily contaminated, that all our arctic fur gear was confiscated and send for cleaning to USA. It could not be cleaned and it never came back!. The USAF had to pay for a number of polar bear skins to be flown in from Copenhagen, so my Eskimo team could have new polar bear pants made. Without that type of equipment they can not manage their hunting and living in this far north area.

The Danish Institute for Radiation Protection denies us - the Association - and the public of who of the workers are listed on this list. The Danish Health System denies to supervise the health of the Thule workers even though The Danish Institute of Radiation Protection has registered, that a great number of the Thule workers have received massive doses of radiation.

I often wonder, who the Danish Institute of Radiation Protection, PROTECTS! It is definitely NOT the CITIZENS!

The fact, which my Association, have experienced over the last 20 years, is that this case is so INFECTED in Denmark - politically as well in the permanent administration system - that it is impossible to get justice here in this our own country.

Therefore we have turned to The European Union for assistance. First we went to the Petition Committee of the European Parliament and presented our case there. They treated our case very positively in form of a Report, which was laid forward on the 10th of May 2007 in the European Parliament. The European Parliament voted with a massive majority in our favor.

This political movement against the State of Denmark created absolutely NO reaction here in Denmark.

Right now we are preparing a case, which we are taking to the EU high-Court of Justice in Luxembourg. As of right now our case is in progress there and we are waiting for which result we eventually will obtain.

This whole long and difficult fight has solely been financed by the members of our Association. NO public money is involved.

So you can understand that I am very proud of being president and spokesman for such a group of determined men! THEY WILL NEVER GIVE UP!!

And at last Thank you all, very much for your patience and your ears and let me finish this contribution with the hope, that its content, shows the danger of nuclear weapons for the whole mankind - even in relative peaceful

times. And that this contribution will help convince all, that it is important to make The Arctic a Nuclear Weapon Free Zone.

In Aulum, Jutland, Denmark in July 2009.

Presentation in Copenhagen H. C. Ørsted Institute

Hugo Elmer

Vice-President, Association of Radiation-Affected Thule Workers

Dear Guests and Conference delegates,

I wish to make use of this opportunity to thank the Conference organizers for making it possible for me to stand here today, proving you with an overview about the Thule Case.

As the Vice President of the Thule Association for Radiation affected Thule workers, we believe that it is important, indeed essential, that all information and facts relating to the disaster are provided and made official to the widest extent possible. We believe quite strongly, that in the interest of everybody, this is very important.

However, I would like to point out that as it will be clear to all of you in this room today, it will not be possible for me to cover aspects of the case in this presentation. Additionally, it will not be possible for me to go into great detail about all that has transpired.

If I were to do that it would probably require several days of presentation and debate.

In view of this, I will restrict myself to presenting factual information about the accident and its consequences, including providing examples of how slow and uncooperative the Danish Authorities have been with regard to answering questions and providing information that our Association, our Members and even Members of the Danish Parliament have been asking and requested of the responsible Danish Authorities including members of the Danish Government.

Our President, Jens Zinglensen, having just provided an overview of the Thule Association Case, you already know what we are working on and what our objectives are.

Jens also provided an overview of the historical background to Thule Air Base's operation and the political situation at the time of the crash, including the constant presence of B-52 Bombers circling over the base carrying nuclear weapons.

The crash at Thule Air Base on January 21st, 1968 resulted in a number of long range changes, both in the operation of the base itself and for the many human beings who were working on the base. Not the least because of all the persons actively involved in the search for the crew members of the aircraft after it had crashed but to a high degree also because of the staff who

subsequent to the search were involved in the very significant and dangerous clean up operation.

Allow me to now cover the various stages of what happened after the B-52 Strategic Bomber had crashed, using specific headings.

The Rescue Operation:

The crew members of the B-52 left the aircraft by parachutes over or in the vicinity of the Base. As nobody knew exactly where they had landed a major search operation was put into operation.

Each crew member was eventually found alive with the exception of one who died while leaving the aircraft.

It is important to note that the search mission took place all over the Base area as well as the nearby mountain ranges and valleys and even on the ocean ice - and this rescue operation took place in the dark Arctic Night and minus 40 degrees.

The Consequences 1:

One of the consequences of the crash was that shortly after, the constant over flight missions were stopped. At the beginning the flying was moved westwards -away from Greenland - but shortly after the flying was stopped! There were no more flights after that.

This also means that the last remaining nuclear weapons were removed from Thule Air Base. Not only the nuclear weapons that had been stored at the base but also the nuclear weapons carried on board the B-52 Strategic Bombers that occasionally landed on the Base.

In 1968 there were still a number of activities on the base that were top secret. The same applies to areas which were restricted and treated as top secret, which Danish workers were not able to enter.

Politically, the Danish Government had for many years before this told the World that they had adopted the stance and attitude that no nuclear weapons were allowed on Greenland or on Danish soil, including stating that no aircraft carrying nuclear weapons were allowed over Danish and Greenlandic territory.

At the time the crash happened it can be stated today that a major and significant step had been taken against nuclear weapons on Greenland.

This resolution was taken by the American Military Authorities as a consequence of the significant publicity that resulted from the crash, neither because of the local Greenland Authorities nor the Danish Government.

In a round-about way it can be said that as a consequence of the crash this was one positive aspect.

However, this definitely does not apply to the way the workers who were there in January 1968 were treated subsequent to the crash.

In the following time there has been worked out some reports from Danish Scientists In which the radiation level always was estimated very low. Please notice that fact that no Danish report mention anything about the huge amounts of the highly radioactive U-235!

The Clean-up Operation:

As an introduction to this section, let me explain that the Danish personnel were asked to assist with the operation and without any hesitation agreed to do this. This has to be understood in the context that they were not asked individually but were simply allocated their tasks the same way as any other tasks they were given on a daily basis.

At no stage were they advised that any of the work they were requested to become involved with could be dangerous and that they could be exposed to radiation. As a result, none of the participating Danish workers or Greenlanders who helped had any knowledge of the real radiation risks, as we know it today.

Similarly, at no stage were steps taken to provide protective clothing to any of the employees required to work out on the ocean ice at the actual crash site, some 11 kilometers from the base itself. This means that the Danish workers and the Greenlanders were wearing their usual, normal clothing.

The representatives of the Danish Authorities (RISOE), who arrived at the base 4 days after the crash, did not advice of any radiation risks or any other risks caused by the constant exposure to radiation as a result of the crash. And that is very strange.

The fact is - that there was measured 2.000.000 CPM at the crash site.

On this basis the clean-up operation started with all Danish workers and Greenlanders ignorant of the risks and dangers they were being exposed to.

Later, a control point was established for persons moving out onto the crash site on the ocean site. However that was some time after the crash, and not from day 1. At this control point most of the persons who had been working at the crash site were checked with Geiger counters. Everybody who had high levels of radiation had all their clothing confiscated and they were required to take showers before being issued with fresh clothing.

But notice - even though at the earlier stages many persons were tested, had showers and were issued with fresh clothing, the trucks and other vehicles were not cleaned after returning to the base area.

The Americans kept a list of all the tests that were conducted. This includes measurements of radiation, the urine samples collected and the nasal swaps. These lists have never been made available to us.

Fact 1:

Even though Danish nationals were tested, to date we have not been able to obtain copies of the lists prepared by the USAF at the control points. Of course, the lists should show the level of radiation individuals had been exposed to on their return to the base after being at the crash site. It should be noted that smaller items with particularly high levels of radiation were immediately flown back to the States.

They should also show how many had received excess levels of exposure after being at the crash site, higher - maybe even considerably higher - than what by the American military would be considered as the maximum level acceptable. - - -

Fact 2:

The other list prepared at the so called Tank Farm, available to the Danish Authorities, has not been made available either. Information contained in these lists has not been made available to the persons concerned and whose names appear on the lists, either. They still remain in the secret files.

Fact 3:

The processes already outlined involved contamination at the crash site primarily related to persons and vehicles but also secondarily by distribution by wind, ventilation and drainage systems associated with washing of vehicles at the Base Motor Pool - but in effect the whole base area was exposed to contamination by people and vehicles moving around after returning from the crash site.

This means that even persons who had not been to the actual crash site were also exposed to radiation risks. In short, there were no systems in place that would provide effective protection for anybody on the base.

Fact 4:

The Danish Authorities' representatives on the base failed to plan or introduce ongoing or continuous examination or testing for radiation exposure of all workers who had been directly involved, or for that matter been exposed indirectly,

Consequence 2:

As outlined, all work involved took place without the workers participating having any knowledge of the risks of exposure to radiation or the consequences of larger levels of radiation and later impacts on the persons' health.

The fact that there were risks has been established later with many of the Thule workers and Greenlanders suffering a range of significant health problems.

For a long time the Danish Authorities did not acknowledge any understanding of the reason for so many reporting health problems and the reasons for them, such as that they must have been related to their involvement in the clean-up operation at Thule Air Base following the crash of the B-52. This extended to a lack of understanding of the sort of treatment that should be provided. Similarly, no information about treatment was provided by the Danish Authorities.

(Attention should be made to: Dr. Hugh Zachariae's report from 1990 entitled "Plutonium - Induced Mycosis Fungoides and Para psoriasis en plaques - A new Entity?" Published in "Current Problems in Dermatology", vol 19, pages, 81 to 89

This was one of the reasons the Thule Association was established.

Since then it has been a long fight with regard to trying to find information about the crash as well as the results of the exposure to radiation that so many of the persons affected are convinced they were exposed to.

Over many years, the Danish Authorities have refused to release information they have about the crash and its consequences on the health of the persons involved.

One cannot help but wonder how the authorities would react if a similar accident had happened in a location in Denmark!

As the Association has managed to find information this has on occasions resulted in a certain level of interest by the New Media and even from some Members of the Danish Parliament. However, the News media fail to follow up on the information and to seek clarification of the many unanswered questions. This has been the situation for many years.

The interest shown by some Members of Parliament has resulted in several questions being asked of various Ministers of the Crown, including the Prime Minister. However, in spite of answers being provided within the legally required time, the answers have not always contained the specific information required!

In spite of the Association having been in contact with several Members of Parliament in an attempt to develop a higher level of interest about our case,

no major progress has been made. The Members usually restrict themselves to asking questions in Parliament and one could be excused for believing that their only reason for doing this is to improve their public image. Not to help the victims of the crash.

In fairness, it should be mentioned that several of the younger Members of Parliament were not even born when the crash happened. As a result they have no knowledge of the crash from reading the News Reports and find it harder to understand what this is all about and what actually happened on January 21st - some 40 years ago.

But that cannot be said about the public servants working in the various Government Departments. They have access to all the relevant documents and it is their responsibility to provide advice to the Ministers and Members of Parliament about what happened, what the consequences are, etc. In spite of these people being responsible for developing replies for the use of the Politicians, unfortunately this does not always happen, as is evident from the answers provided by the Ministers to the various Members of Parliament.

We maintain that many of the answers provided are blatantly wrong - and maybe deliberately so.

Because of this the Association decided to change our Strategy. This means that we contacted various Parliamentary Committees directly.

The first was the Parliament's Health Committee. In preparation for the first meeting we sent detailed documents prepared by us and we were then granted an appearance where we had 15 minutes in which to explain our case.

They listened to us but in effect, that was the end of it. Nothing more has happened.

It is our observation and opinion that the Members of the Committee behaved in a highly arrogant manner and that they believed that what we presented was not important or of interest. As you can imagine, we found this amazing. It is our impression that the Members of Parliament attending the meeting had not even bothered to read the documents we had provided.

We make these observations to highlight and make you aware of the very considerable difficulties we have been experiencing for years getting through to the Health Authorities. In fact, we have not been successful in getting through to them and believe their actions are politically motivated, not the least as changing Governments have not seen a change in the way our case has been managed.

In 2008 the BBC prepared a TV program about the Missing Bomb at THULE!

Based on American documents now released, it is now clear that not all

four Hydrogen Bombs carried on the B-52 that crashed, have been found. A few years earlier the Association had been provided with access to 348 documents that had been released, also identifying this important fact. However, unfortunately we were not successful in making the News media and the Politicians show any interest in this important fact.

However, in 2008 the case was raised in a Committee dealing with Issues relating to Greenland. (The committee for Greenland affairs) On the basis of the BBC Documentary –several questions were asked of the Danish Minister for Internal Affairs as well as the Minister for Health and the Minister for Environment!

The reason for this was that the Committee believed that the information that had come to light was very serious and could have a significant impact on areas in the Northern part of Greenland. This means that the Ministers now had direct contact with the Committee regarding this case.

In relation to this the Minister for Foreign Affairs has promised that he will ask his Department to initiate an investigation into what new information the released documents contain. He seems to believe that with the new information combined with a previously released report relating to “Denmark during the Cold War” may assist.

It is important to emphasize the following from that report:

The section dealing with the Thule Accident only refers to the fact that there had been a crash and how the Danish Government had been advised of this; The report contains no information about the crash; The report does not say anything about the very high levels of radiation following the crash and the consequences to the workers affected, nor the environment in the Thule areas and in the North Western part of Greenland ;

The Committee has adopted an approach of going into the case much deeper than has been the case in the past. They have asked us many questions relating to the crash and the various issues surrounding the accident, the clean-up operation and the treatment of persons who in various ways participated in the clean-up.

As already mentioned, the Committee has also been in direct discussions with the Minister for Foreign Affairs - the Minister for Health and Prevention and the Minister for the Environment!

In total the Committee has asked 32 questions of the various Ministers, critically important questions covering many aspects of this case. In the papers you already have you can see an analytic result of those 32 questionings

The Committee work has resulted in that all the released documents have been given over to DIIS (Danish Institute for International Studies) for a closer analyzing. DIIS has some 8 days ago - finished a report about this!

It will be too much to come closer to the results of that report today. That we will have to do on another occasion!

But even though the Committee and its many initiatives has done a lot to obtain information about the missing bomb and about the case in general, we must note that the replies received today have been vague.

If we receive a reply at all.

It is a fact that 78% of replies received are vague, poor or deficient.

It is a fact that in 18-3/4% of replies received, no replies to the questions raised have been provided at all.

We believe that this demonstrates a clear lack of understanding of the case.

We also believe that the way questions are treated are in direct conflict with the Government's requirement to provide information to the Parliament and also in conflict with the Government's own promise that all information they have will be provided.

Based on the difficulty related to the replies provided by the Ministers, we have developed a report to be presented to the Committee with comments on each individual question. See shortly details in enclosure 1 / extension 1 (Bilag 1)!

I am not proposing to make any further comments on the specific details of the Thule case.

I have mentioned the treatment of the questions as they relate to the Committee, how hard it is to get answers about the case, even though the Government pretends something else to be the case.

The Danish Government has a lot to live up to in terms of achieving its stated objective - being that all information available will be made available.

Only time will tell if this will ever happen.

Finally I Thank you for your attention and for allowing me to make this important presentation about a real case - or -story from the arctic area. If your intension with this conference has been taken many years earlier - - - A story which we wish has never happened - would never happen!

Thank you.

Hugo Elmer FAST - July 2009

Notes and supplementary information

1. In the speech we talked about the DUPI-report. On the pages 451-484 in that report is written about the B-52 crash at the Thule air Base! But as already told the story does not tell anything about the crash only information about diplomatic activities.

2. The many questions about the Thule case; can be read in full text on the Danish parliament homepage under: www.ft.dk - under dokumenter / Udvalgsdokumenter/ Udvalget for Grønlandske forhold.
3. On the same address - as BILAG we do make your attention to the following documents and reports about this case - which is - The Thule case and the conditions and information about the arctic area and Northern Greenland!
 - (a) bilag 69 - Rapport fra Grønlands Naturinstitut om deformede moskusokseklove i Nordøstgrønland!
 - (b) Bilag 116 - Rapport fra FAST med kommentarer og bemærkninger til de af UGF stillede spørgsmål til ministrene om THULESAGEN!
 - (c) Bilag 115 - Rapport om Arctic Pollution - AMAP rapport.
 - (d) Bilag 114 - Rapport / Orientering om henvendelser til Selvstyret i Grønland.
 - (e) Bilag 100 - Rapport fra Mats Eriksson om indhold af radioaktive stoffer i bomberne ved flystyrtet ved Thule i 1968!
 - (f) Bilag 79 - Rapporter fra Arctic conference 31. march 2009. Presentation of Arctic areas - / Greenland
 - (g) Bilag 73 - Rapport fra "Foreningen B52" (Thule-Kanak-Grønland) vedrørende materiale fra mødet med udvalget d. 24.02-2009.
 - (h) Bilag 64 Rapport fra "Foreningen af Strålingsramte Thulearbejdere" fra mødet med "Udvalget - UGF" d. 24.02-2009! Emne: konklusioner om bomberne og radioaktivt stråling fra B52 -ulykken i jan. 1968!
 - (i) Bilag 61 Rapport fra "Foreningen af Strålingsramte Thulearbejdere" til "Udvalget - UGF" om indholdet i de frivillige 348 dokumenter (ca. 2000 sider) vedrørende amerikanernes eftersøgning af bl.a. bombedele fra B 52 ulykken i jan. 1968!
4. Finally we inform you about a book written by the Danish journalist Poul Brink, Where he systematic have tried to go through the Thule case."THULESAGEN"! All his research is in the book from 1997. The book has the title: "THULESAGEN - LØGNENS UNIVERS"

No one has since then tried to continue his work - finding answers - and there are still open questions!

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Conference Report

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The conference on making the Arctic a Nuclear Weapons Free Zone was held in Copenhagen August 10-11.

Many different views on making the Arctic a Nuclear Weapons Free Zone (NWFZ) were expressed over the two days. However there was a general consensus concerning the importance of getting the issue on the international agenda. In considering the rationale for creating an Arctic NWFZ participants came up with several arguments.

From an environmental angle, it was argued that making the Arctic a NWFZ is important, as the future climate of the Arctic is closely linked to the future of the global climate. Last year, summer ice in the area was 30 % less than the year before and scientists still face massive challenges with regards to predicting the future of the Arctic. It seems likely that we will face consequences that we until now have not imagined. And in the context of nuclear weapons, though the risk of a global nuclear war probably is lower today than during the Cold War, even a small nuclear war in any area of the world would have massive environmental consequences, especially in the Arctic.

It was equally argued that an Arctic NWFZ is a security issue. In some instances the European rhetoric that there is a need for nuclear weapons for protecting the continent is absurd, seeing that there currently is no real threat of a nuclear attack on Europe. Thus, it is unlikely that an Arctic NWFZ will make the world any less secure for any state. On the contrary, designing an Arctic NWFZ should be considered an important measure to be undertaken, also for security concerns. It seems that currently countries that have a connection to the North Pole are increasing their military spending and practice in the area. This is mainly due to unexploited resources. The Arctic Council estimates that the Arctic is considered to hold as much as 25 % of the world's undiscovered hydrocarbon potential. Until now there has been no exploitation of these resources but with the thinning of the ice, conditions for exploitation will become easier, making the Arctic region in the risk of becoming a high conflict area. Therefore, it was argued, steps have to be made for preventing tensions to escalate.

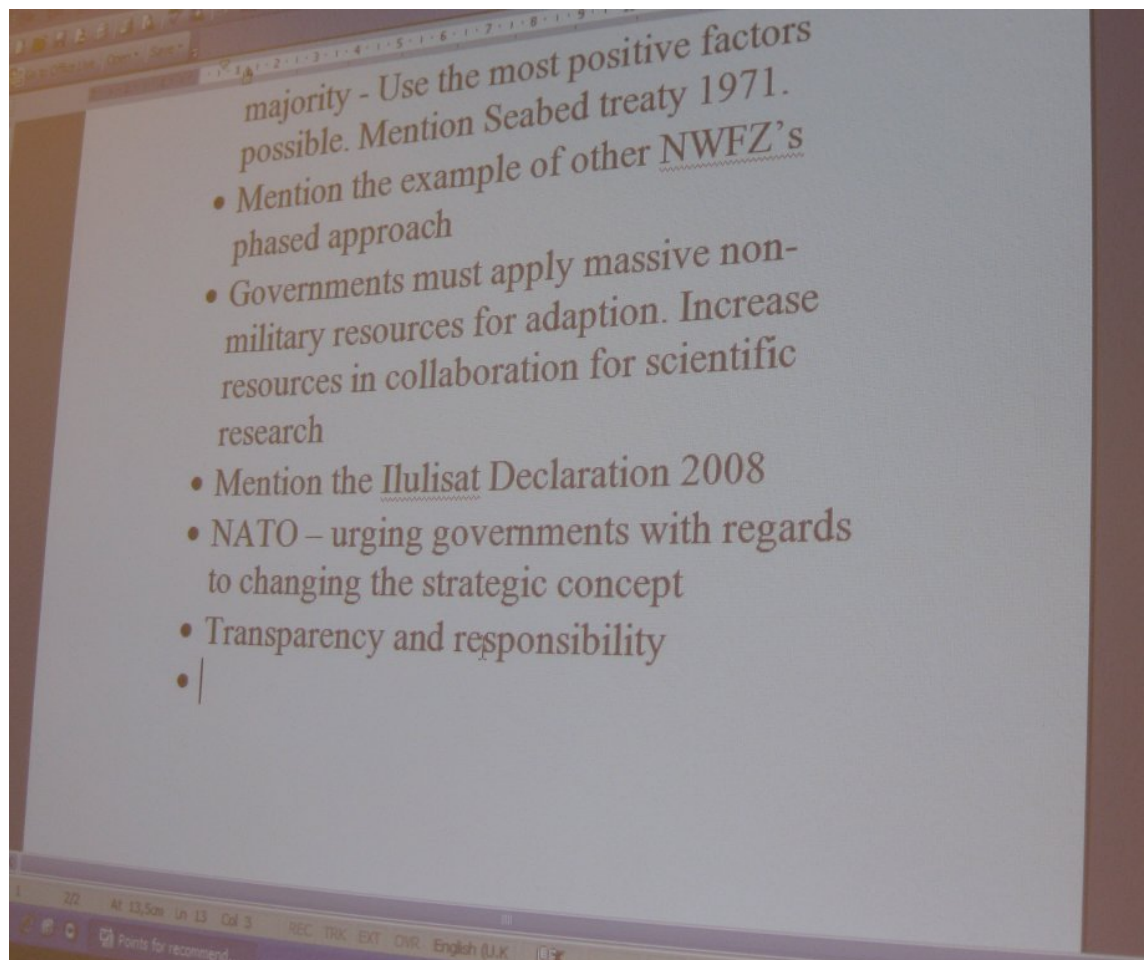
In discussing the steps towards making the Arctic a NWFZ many suggestions were made. Virtually all participants stressed the importance of getting the issue on the public agenda and various propositions were put forward for

fora suitable for bringing up the matter. Of those one can be mentioned the coming NPT review in 2010, the Copenhagen Climate Conference in December 2009 (COP15), NATO's new strategic concept and the Organization for Security and Cooperation in Europe (OSCE).

Additionally much of the discussion stressed the necessity of engaging indigenous peoples of the North, since making local people's voices be heard has great importance in a regional security perspective. It was pointed out that a focus on how existing NWFZ's were formed could be helpful and both the Antarctica and the South Pacific were mentioned. The case of the process towards making the South Pacific a NWFZ was mentioned several times as an example of a process where awareness and political will were build through telling the story about the way military forces were moving indigenous people, i.e. when the indigenous started working together, people started listening. These stories about the experiences could prove helpful making people conscious of the importance of an Arctic NWFZ. On this note one participant stressed the general importance of sharing information to advance the agenda and it was suggested to put together resource materials e.g. from Pugwash, PNND and other relevant stakeholders in a pool of op-ed articles, background articles and other resources that potentially can help build the case, move consensus forwards and educate civil society and the public in general. However it was also widely agreed that the matter of an Arctic NWFZ will show new challenges and cannot purely be based on previous experiences.

Another discussion with regards to raising the issue was that of creating new kinds of partnerships and alliances e.g. creative alliances and progressive parliamentary forces in relation to forming a legal basis for framework of future negotiations. In this context it was stressed by several participants that negotiation, transparency, environment and respect for the indigenous population are imperative issues as is the ability to adapt to changes and develop new technology in the area.





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Call for an Arctic Nuclear-Weapon-Free Zone

We the participants in the Conference on an Arctic Nuclear-Weapon-Free Zone, held in Copenhagen 10-11 August 2009:

Recognizing that polar-ice-cap melting, caused by climate change, increases the potential for greater human and economic activity as well as conflict in the Arctic region, making more urgent the establishment of non-military, co-operative mechanisms for environmental protection, adaptation and security;

Inspired by promising new opportunities and political momentum for the achievement of a nuclear-weapon-free world;

Believing that nuclear-weapon-free zones play an important role in building regional security and confidence in order to achieve a nuclear-weapon-free world;

Recognizing the value of international treaties as instruments for building mutually beneficial collaborative arrangements and ensuring verification and compliance;

Welcoming treaties prohibiting nuclear weapons in specific regions, including Antarctica (1959), Outer Space (1967), Sea-Bed (1971), Latin America and the Caribbean (1968), the South Pacific (1986), South East Asia (1995), Africa (1996), Mongolia (2000), and Central Asia (2006);

Encouraged by the April 2009 resolution adopted by the Inter-Parliamentary Union, representing 150 national parliaments, calling for the establishment of additional Nuclear-Weapon-Free Zones;

Welcoming international treaties which take additional steps to completely demilitarize geographic zones, such as the 1959 Antarctic Treaty;

Welcoming especially the 1971 Seabed Treaty which prohibits the placement of nuclear weapons on the ocean floor including in the Arctic region;

Recognizing that each region, including the Arctic, has its own unique security environment which requires creative, multifaceted negotiations in order to achieve the establishment of the desired Nuclear-Weapon-Free Zone;

Encouraged by the May 2008 declaration of Illulissat in which the Foreign Ministers of the littoral states of the Arctic region agreed to work together to promote peaceful cooperation in the Arctic region, on the basis of international law, including the 1982 United Nations Convention on the Law of the Sea.

Recommend:

1. That governments and relevant sectors of civil society collaborate in developing the modalities for establishing a nuclear-weapon-free and demilitarized Arctic region;
2. That such collaboration should include active participation of, among others, indigenous and northern peoples, inhabitants of the region, parliamentarians, scientists, health professionals and academics;
3. That the aim of a Nuclear-Weapon-Free Arctic should be promoted in relevant environmental and development forums;
4. That the aim should also be promoted in relevant national and international political forums including, but not limited to, the United Nations, Arctic Council, Organization for Security and Cooperation in Europe, Nordic Council, North Atlantic Treaty Organization, Cooperative Security Treaty Organization (Tashkent Treaty), Non Proliferation Treaty Review Conferences and the Conference on Disarmament;
5. That countries in nuclear alliances be encouraged to reduce the role of nuclear weapons in their security doctrines in order to better facilitate the establishment of Nuclear-Weapon-Free Zones involving these countries, including in the Arctic region;
6. That countries in the Arctic region not possessing nuclear weapons (Canada, Denmark, Finland, Iceland, Norway, Sweden) take initial steps towards a Nuclear-Weapon-Free Zone in close cooperation with the United States and the Russian Federation;
7. That governments undertake steps to increase transparency and to redress negative impacts on inhabitants and the environment from military activities in the Arctic region including those in the past.

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