Freeing the Poles of Nuclear Conflicts? Time for an Arctic Nuclear Weapon Free Zone!

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The Antarctic (South Pole) was made a Nuclear Weapon Free Zone (NWFZ) in 1959 as part of the Antarctic Treaty. Since then NWFZs have spread to encompass most of the Southern Hemisphere. The trend is also picking up in the Northern Hemisphere with NWFZs established in Central Asia and Mongolia, and other ones proposed for North East Asia, Central Europe, and the Middle East. With climate change opening up the Arctic region - bringing with it the possibility of increased resource competition, territorial disputes and militarization - perhaps now is the time to establish an Arctic NWFZ similar to the one covering Antarctica, thus freeing both the north and south poles from nuclear weapons and helping to build a more cooperative security environment in the North.



The arctic at sunset Photo by Ken Tape

The Arctic - a changing environment

In October 2007 the National Snow and Ice Data Center reported that Arctic sea ice has plummeted to the lowest levels since satellite measurements began in 1979. This could soon allow commercial ship navigation through Arctic waters, and much easier access to seabed resources.

This is leading to a flurry of legal claims and counterclaims regarding transit rights and ownership of valuable seabed resources. There is a growing possibility of serious disputes over these, leading to increased militarization and possibly even triggering armed conflict.

On 2 August, for example, a Russian submarine planted their national flag on the seabed under the North Pole claiming it as part of the north Russian continental shelf. This provoked a stern rebuke from Canadian foreign minister, Peter MacKay: "This isn't the 15th century. You can't go around the world and just plant flags and say: 'We're claiming this territory'." Canadian Prime Minister Harper followed a few days later by announcing plans to construct two new military facilities in the High Arctic region adjacent to the Northwest Passage sea route.



There are also a range of environmental issues that could create tensions and conflict in the region. These include the threats of environmental contamination from decommissioned Russian nuclear submarines scuttled in the area (with their nuclear reactors onboard), threats to the homes and hunting grounds of indigenous arctic peoples from climate change, and the possibility of oil slicks from shipping accidents if the Northwest Passage opens up.

Nuclear tensions and deployments

The US and Russia currently deploy nuclear weapons on strategic submarines that transit the Arctic waters. In addition, Russia maintains strategic naval bases in the region. These create some tension between these two nuclear powers. Since the end of the Cold War such tensions have waned, especially with the removal of tactical nuclear weapons by both powers from surface ships and attack submarines. However, tensions could increase again if ice-cap depletion leads to increased submarine deployment, or if the US proceeds with the development of Ballistic Missile Defences including the possible deployment of missiles or support facilities in the territories of Arctic allies such as Canada or Denmark.

NWFZ negotiations as part of building cooperative security

Some of these emerging conflicts could be dealt with in existing forums such as the Law of the Sea Tribunal, the International Court of Justice and the Arctic Forum. However, none of these are designed to address security issues in a cooperative manner. The LOS Tribunal and the ICJ are forums for determining legal rights not for negotiations, while the Arctic Forum deals primarily with environmental and habitat issues. As happened with the Antarctic Treaty, the commencement of negotiations for an Arctic NWFZ could create a forum where wider security issues could also be addressed. At the very least, the establishment of an Arctic NWFZ would be a confidence-building measure that could assist in the promotion of peace and security in the region.

What type of NWFZ?

NWFZs come in many varieties designed and negotiated to suit the specific geo-political conditions of the region involved. The Latin American, South Pacific, South-East Asian, African, and Central Asian NWFZs prohibit the possession of nuclear weapons by States Parties (all non-nuclear weapon States) and the deployment of nuclear weapons on any territories within the zones. They also include protocols for signature by the Nuclear Weapon States (NWS) who agree to respect the zones by not deploying nuclear weapons on the territories of States parties, and to not use or threaten to use nuclear weapons against the zones.

The Antarctic Treaty does not prohibit the possession of nuclear weapons by States Parties, some of which are the NWS. However, it prohibits the deployment of nuclear weapons in the Antarctic, and also any measures of a military nature, such as the establishment of military bases and



fortifications, the carrying out of military maneuvers, as well as the testing of any type of weapons in the Antarctic.

An Arctic NWFZ could theoretically follow the Antarctic Treaty model. In this case, all the States in the region would be parties to the treaty – including Russia, USA, Canada, Norway, Denmark, Iceland, Sweden and Finland – and nuclear weapons would be prohibited from all territories within the Arctic Circle.

However, it is most unlikely that Russia or the USA would agree to such a treaty as that would require Russia closing its naval nuclear bases in the region, open the US to intrusive inspection of planned Ballistic Missile deployments in Alaska, and require both USA and Russia to forgo the option of deployment of nuclear weapons on part of their own territory. Even if neither country has any intention of deploying land-based nuclear weapons in the Arctic Circle, they would not welcome this precedent seeing it as an intrusion on their sovereignty.

A more feasible approach is one based on the other five regional NWFZs. This would entail a treaty negotiated by the non-NWSs in the region – Denmark, Canada, Finland, Norway and Iceland – prohibiting nuclear weapons on their territories. The treaty would include protocols whereby the NWS agree not to deploy nuclear weapons on those territories – something they are not doing anyway – and not to threaten or use nuclear weapons against States Parties to the treaty.

The advantage of this model is that it could be established even without the agreement of Russia, the US or the other NWS. This has happened with many of the other regional NWFZs. It has often taken some time after the zones have been established to persuade the NWS to sign the protocols.

The treaty could also include a protocol requiring NWS not to deploy, threaten or use nuclear weapons in the **entire** Arctic Zone. While the NWS would be even less likely to sign such a protocol in the short term, it would provide a political and legal aspiration for a comprehensive NWFZ in the Arctic which would generate pressure for nuclear disarmament.

A third possible model, proposed by Pugwash Canada, is a limited NWFZ prohibiting passage of nuclear weapons through the North West Passage. According to Pugwash navigation of the North West Passage by strategic submarines will continue to be unfeasible - even with further melting of the ice cap - and this might make it possible for the NWS to agree to such a prohibition. On the other hand, it is unlikely that the NWS would bind themselves to such a precedent as it could be used by other regional NWFZs to prohibit passage of nuclear vessels through their territorial waters or EEZs. The US, France and UK, for example, refuse to sign the protocols of the South East Asian NWFZ for this reason.

Parliamentary action

Unlike proposals for NWFZs in the Middle East, North East Asia and Central Europe, the proposal for an Arctic NWFZ is very new and has not been explored in much detail by governments, academics or NGOs. Thus, a first step for parliamentarians would be to encourage or initiate studies or inquiries into the proposal. Given the challenging and changing geo-political conditions of the Arctic, it would be useful to include a wide range of expertise in such studies and inquiries. This could include drawing from the experience gained in the establishment of NWFZs in other regions, all of which had to overcome political hurdles to come to fruition.