

## **Canadian Pugwash Call for an Arctic Nuclear-Weapon Free Zone**

24 August 2007

### ***Introduction***

The inexorable progress of global warming is leading to a rapid shrinking of the polar ice cap, and scientists predict this trend will continue and even accelerate<sup>1</sup>. The process will affect the global environment and will have destructive environmental and ecological implications for the Arctic region<sup>2</sup>.

Rapid Arctic warming also has profound political and economic implications. The shrinkage of the icecap 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<sup>3</sup>. Because the legal regime governing these claims is ambiguous and incomplete<sup>4</sup>, states with legal claims and economic interests in the region may be tempted to create “facts on the ground” by establishing or reinforcing a military presence above the Arctic Circle. On August 10, 2007, Canadian Prime Minister Harper announced plans to construct two new military facilities in the High Arctic adjacent to the Northwest Passage sea route<sup>5</sup>.

Ecological damage caused by global warming in the Arctic would be compounded by further militarization. Competitive militarization could lead to increasing tensions and hostility. The best way to foreclose that possibility would be to strengthen and expand the legal regime regulating activities in the Arctic and remove ambiguities in dispute resolution processes as they apply to that region<sup>6</sup>. Although exercising control over the Arctic seas is agreed, by the 1982 UN Convention on the Law of the Sea<sup>7</sup>, to depend on formation of the continental shelf, there is insufficient supporting scientific data. We urge the international community to cooperate in examining ways and means of acquiring a full seabed data set and then to implement a program to correct these deficiencies cooperatively.

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<sup>1</sup> National Snow and Ice Data Center, Boulder, CO: August 2007  
[http://nsidc.org/news/press/2007\\_seaiceminimum/20070810\\_index.html](http://nsidc.org/news/press/2007_seaiceminimum/20070810_index.html)

<sup>2</sup> National Resources Defense Council, Washington, DC: November 2005  
<http://www.nrdc.org/globalWarming/qthinice.asp>

<sup>3</sup> <http://www.cbc.ca/news/background/cdnmilitary/arctic.html>  
<http://www.thestar.com/sciencetech/Ideas/article/245440>  
<http://www.cbc.ca/canada/north/story/2007/07/27/arctic-claim.html>

<sup>4</sup> [http://nrf.is/Open%20Meetings/Oulu%20Lulea%202006/Position%20Papers/Leukacheva\\_4th%20NRF%20PP.pdf](http://nrf.is/Open%20Meetings/Oulu%20Lulea%202006/Position%20Papers/Leukacheva_4th%20NRF%20PP.pdf)

<sup>5</sup> <http://www.pm.gc.ca/eng/media.asp?category=1&id=1784>

<sup>6</sup> *op. cit.*, note 4

<sup>7</sup> 1982 UN Convention on Law of the Sea and the Commission on the Limits of the Continental Shelf.

### ***A Nuclear Weapons-Free Zone in the Arctic***

Overhauling the body of international law governing activities in the Arctic Basin promises to be a lengthy and complex process. But it is vital to begin preventing the militarization of conflicting interests. Multilateral “confidence-building measures” could retard the pace of militarization while the Arctic legal regime is bolstered. One important step would be the declaration and multilateral ratification of a Nuclear Weapons Free Zone Treaty covering the Arctic. An Arctic NWFZ would retard the pace of Arctic militarization. Since two of the states contending for Arctic resources are nuclear powers (the US and Russia), the declaration of a NWFZ would help move the world towards the exclusion of all weapons of mass destruction from the Arctic and will be a step towards demilitarization.

- ***For these reasons, the Canadian Pugwash Group calls for the creation of a nuclear weapons free zone comprising the territory and waters north of the Arctic Circle.***
- ***As a first step, we call for the establishment of a NWFZ in the waters of the Northwest Passage. From there, the territory covered by the NWFZ should expand until it covers the total land and waters north of the Arctic Circle.***

There is ample precedent for such a NWFZ Treaty. There are already a number of such regional treaties in force around the world, covering Central and Latin America, Southeast Asia, Africa, and Central Asia<sup>8</sup>. Each commits the state parties not to deploy, construct, receive, or test nuclear weapons on its territory. Nuclear weapons state parties commit to provide negative security assurances to NNWS parties<sup>9</sup>. Two other treaties are particularly relevant to the Arctic case: the Antarctic Treaty of 1959<sup>10</sup>, prohibiting all nuclear activity on that continent, and the 1971 Seabed Treaty<sup>11</sup> prohibiting the stationing of nuclear weapons or support facilities on the seabed outside territorial waters<sup>12</sup>.

An Arctic NWFZ could be built upon these precedents and foundations. But each proposed NWFZ comes with its own particular set of difficulties and problems to be negotiated<sup>13</sup>.

### ***Challenges facing the implementation of an Arctic NWFZ***

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<sup>8</sup> <http://www.opanal.org/NWFZ/NWFZ's.htm>

<sup>9</sup> [http://www.ippnw.ch/content/pdf/monte\\_veritas/AlynWare1.pdf](http://www.ippnw.ch/content/pdf/monte_veritas/AlynWare1.pdf)

<sup>10</sup> <http://www.opanal.org/NWFZ/Antartico/antartica.htm>

<sup>11</sup> [http://www.nuclearfiles.org/menu/library/treaties/seabed/trty\\_seabed\\_1972-05-18.htm](http://www.nuclearfiles.org/menu/library/treaties/seabed/trty_seabed_1972-05-18.htm)

<sup>12</sup> An excellent descriptive map of all these legal instruments can be found at: [http://www.pacificpeace.net/publications/nwzf\\_map.pdf](http://www.pacificpeace.net/publications/nwzf_map.pdf)

<sup>13</sup> <http://www.pacificpeace.net/publications/briefing0404.pdf>

The main obstacle to making the Arctic a nuclear weapons free zone is the fact that during the Cold War, the region served as a key arena of the US-Russian military standoff. Regrettably, this legacy of the Cold War remains. The U.S. and the Russian Federation routinely conduct nuclear-powered submarine patrols in the Arctic, including patrols under the ice. Both states consider submarine operations highly classified, and the U.S. Navy has a long-standing and inflexible policy of refusing to confirm or deny the presence of nuclear weapons on its warships. Both nations have nuclear-capable aircraft that can over fly the Arctic. While the number of these patrols dropped off at the end of the Cold War, Russian bombers have once again begun Arctic overflights close to the coasts of Canada and the U.S.

In recent years Russian leaders have been attaching growing importance to the role of the Arctic as a strategic area crucial to Russia's ability to maintain a nuclear deterrent vis-à-vis the United States. Russia's Northern Fleet, based in the Arctic and equipped with nuclear weapons, is regarded by the Russian government as the country's most important naval asset vital to its national security. Russia is reported to be planning a new generation of submarines and ballistic missiles to be based at its Arctic ports<sup>14</sup>.

It is obvious that an effective and enforceable Arctic NWFZ will require a sea change in the nature of US-Russian relations, including their demilitarization. The looming expiration of the START treaty requires that the parties meet no later than December 5, 2008 to consider further bilateral action<sup>15</sup>, so this presents an opportunity to include Arctic issues into the negotiations for a new START III treaty. While substantive negotiations may no doubt await leadership transitions in both countries, it is not too soon to bring the campaign for an Arctic NWFZ to governments and civil society in all the Arctic nations, as well as other like-minded states. It is vital for the world community as a whole to understand that changes in the Arctic climate will exert a global impact, and a stable treaty regime in the Arctic region is in the interests of all.

There is one last military-related obstacle to an Arctic NWFZ. Apart from Russia, all Arctic states are members of NATO and by treaty obligation subscribe to NATO nuclear doctrine which holds that nuclear weapons play an "essential" role in the security of its members. It has been persuasively argued that the extended deterrence provided by NATO's three Nuclear Weapon States (NWS) is obsolete and counterproductive to cooperative security in the post-Cold war world, and that NATO's NNWS must take the initiative to change this situation<sup>16</sup>. A more pessimistic appraisal might be that only substantial progress in U.S.-Russian arms control talks will create the conditions for doctrinal change. Regardless, NATO nuclear doctrine could be an obstacle to an Arctic NWFZ.

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<sup>14</sup> [http://www.cdi.org/program/document.cfm?DocumentID=4004&from\\_page=../index.cfm](http://www.cdi.org/program/document.cfm?DocumentID=4004&from_page=../index.cfm)

<sup>15</sup>

[http://www.cdi.org/program/document.cfm?DocumentID=4038&StartRow=1&ListRows=10&appendURL=&OrderBy=D.DateLastUpdated&ProgramID=32&from\\_page=index.cfm](http://www.cdi.org/program/document.cfm?DocumentID=4038&StartRow=1&ListRows=10&appendURL=&OrderBy=D.DateLastUpdated&ProgramID=32&from_page=index.cfm)

<sup>16</sup> Erika Simpson, "New Threats to the Alliance's Security and Strategies to Reform NATO," *The Transatlantic Quarterly*, Winter 2004/Spring 2005.

### ***Treading in Mighty Footsteps***

The foregoing obstacles should not dampen efforts to negotiate an Arctic NWFZ. Although it is seldom publicized, 113 nations – a healthy majority of UN members – have signed or ratified NWFZ treaties, and 50 percent of the world’s land area (including Antarctica) is now governed by these treaties<sup>17</sup>. Extending this regime to the Arctic sets no new precedents, but would reflect precedents that have already been set for decades. The Canadian Pugwash Group’s call for an Arctic NWFZ is an extension of this existing treaty regime to include the lands and waters north of the Arctic Circle<sup>18</sup>.

- ***Specifically, an Arctic NWFZ would:***

- 1) Prohibit the development, testing, manufacture, production, possession, stockpiling, and transportation of nuclear weapons anywhere within the zone.
- 2) Prohibit the use or threat of use of nuclear weapons against nations and areas within the zone.
- 3) Establish a permanent organization to ensure compliance with the treaty.

In calling for an Arctic NWFZ treaty, Canadian Pugwash is fully aware of the magnitude of the effort needed to achieve it, and of the historic compromises that would be required. The deflation and abandonment of nuclear arms control around the world since 2001 has created a crisis that threatens the continued existence of our species. We are now presented with a stark choice: the effortless, slippery slope of expediency leading to disaster or rugged climb of necessity towards a world free of nuclear weapons.

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<sup>17</sup> <http://www.pacificpeace.net/publications/briefing0404.pdf>

<sup>18</sup> *ibid.* A useful “template” for a NWFZ treaty may be found at: [http://www.pacificpeace.net/publications/peds\\_model\\_treaty.html](http://www.pacificpeace.net/publications/peds_model_treaty.html)