

## DEVELOPING NUCLEAR LANDSCAPE IN THE ASIAN HEARTLAND: RISKS & PROSPECTS

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First of all I would like to thank the National University of Mongolia, International Institute for Asian Studies of Leiden University and others for organizing today's conference on "International Security and the Asian Heartland". With all the changes and shifts underway in this post Cold War era, it is timely to exchange views on where we are and where the world is moving to, on the objective and subjective factors that shape the world and international relations.

### **Changing strategic environment**

In the post Cold War decade, especially after the tragic September, 11<sup>th</sup> events of 2001, the international security environment has been substantially changing, including in the Asian heartland. Predominance of today's only hyper power is not only felt strongly in international relations, but is leaving its imprint on tackling the major international issues. As of today the predominant position of U.S. is indisputable. It has not yet been affected by the shifts that are underway in the world, including in Europe and Asia. Expansion of NATO to the East, expansion of the European Union and the steps undertaken to adopt a common EU Constitution that would coordinate even closer foreign, trade and economic policies of its members, are yet to make themselves felt in the Transatlantic relations. In the East, globalization and the rise of China as the regional pre-eminent power are forcing States to work closer politically and economically, with the Asian Regional Forum serving as their multilateral venue, but not as the negotiating or decision-making fora. As a result of the increasing American pre-eminence on the world stage, Russia and China are stressing the need to multipolarize the world and to that end have declared strategic partnership. However, the realities of power and imperatives of geo-economics demonstrate the limits of Russian-Chinese strategic collaboration, with each one following its economic interests and acceding to U.S. pressures.

The use of force to fight terrorism and introduction of the doctrine of pre-emptive strikes are raising legitimate questions as to where all this could lead and what, if any, role the United Nations Security Council is to play on questions pertaining to maintaining international peace and security. With these changes, security perceptions and policies of many States are undergoing reappraisals and substantial changes. At the strategic level, many States are making fighting terrorism at the regional and global level, if not their security, then foreign policy priority, with all the ensuing consequences. Ad hoc coalitions are formed to deal with emerging security related issues, while the existing UN based international security mechanism is being brushed aside.

In the field of nuclear security, U.S. is proceeding with its national missile defense and is lifting the ban on research on the so-called low-yield and bunker-busting nuclear



weapons that are designed specifically to attack conventional enemy forces and weapons of mass destruction (WMD) hidden deep underground. Many believe that this might fuel regional nuclear arms race and lower the threshold of the admissibility of the use of nuclear weapons, making thus the use of such weapons "thinkable". This in turn cannot but adversely affect nuclear non-proliferation.

At the regional level, the fight against terrorism in West Asia will surely result in changing of the regional strategic landscape with its broad geo-political implications for the Middle East and adjacent regions. The success of the Road Map depends on the political will of the parties concerned and on the developments in the region in general. In South Asia, the situation has not improved, with some glimmer of hope of resumption of bilateral negotiations to normalize the relations between India and Pakistan. On the other hand, Indian Prime Minister's recent visit to China has resulted in opening of wider opportunity for these two Asian giants to develop further their political and trade relations. Due to discovery of enormous oil reserves in the Caspian Sea region and global focus on Afghanistan and Iraq, the Central Asian region is acquiring greater strategic importance. In our Northeast Asian region, the hopes of further normalization of relations between the two Koreas have not been realized. On the contrary, the situation on the Korean peninsula is fraught with complications due to the question relating to DPRK's nuclear policy. The flurry of recent diplomatic activity, aimed at settling this question by diplomatic and political means, has yet to bring tangible results.

The above political and strategic developments demonstrate that international security and stability needs renewed efforts to halt vertical as well as horizontal proliferation (the so called second generation of proliferation) of nuclear weapons. However, much depends on the policies of nuclear-weapon States (NWSs), on the fulfillment of the solemn commitments undertaken in 1995 and 2000. Also non-nuclear-weapon States (NNWSs), constituting the overwhelming majority of the international community, have an important role to play in promoting nuclear non-proliferation through various international mechanisms and arrangements. As of today the NPT is the sole global mechanism in promoting and strengthening nuclear non-proliferation. However, the last few years have demonstrated that both NWSs and NNWSs need to take additional steps to strengthen the NPT regime by addressing its weaknesses and disbalances, and ensuring strict implementation of all the provisions of the Treaty. There is a growing realization that no one stands to benefit from the unraveling of the non-proliferation regime.

One of the still sensitive issues on the non-proliferation agenda is providing by NWSs of legally binding security assurances to NNWSs that are parties to NPT, i.e. going beyond the heavily conditional, half-hearted political assurances given by the five nuclear-weapon States in Security Council resolution 984 (1995). The "Principles and Objectives for Non-Proliferation and Disarmament", adopted at the 1995 NPT review and extension conference, widely recognized the need for further steps to assure the NNWSs party to the NPT against the use or threat of use of nuclear weapons and it pointed out that these steps could take the form of an internationally legally binding instrument.

Though negotiations on providing security assurances to NNWSs parties to NPT are slow, if not altogether stalled, they have been overtaken by events, especially by the changes in nuclear policies of some major nuclear-weapon States. Thus the new U.S. national strategy to combat WMD underlines that U.S. might retaliate with a nuclear strike in response not only to nuclear, but also chemical or biological attacks on the U.S., its



troops, or friends and allies. The above shift in nuclear policy, together with the doctrine of pre-emptive strikes, could make the use or the thought of using nuclear weapons more likely than any time before. Therefore the negotiations on providing security assurances to NNWSs need to be vigorously pursued so as not to weaken further the NPT regime. The leading role of NWSs is needed. Thus the assurance that a nuclear attack will not be launched on a nuclear-weapon State from a territory of a NNWS could be materialized if all NWSs pledge not to use nuclear weapons first. Such a measure could be coupled with withdrawal of all nuclear weapons from the territories of NNWSs or by excluding use of nuclear weapons from the protection given in any military alliance. It should be noted that all the above measures are within the exclusive power of NWSs which are the owners of nuclear weapons and some are leaders of military alliances. The de facto emergence of additional nuclear-weapon States such as Israel, India, Pakistan and DPRK (all in Asia) complicates the equation and underlines the urgency of addressing this question in all its seriousness.

Nuclear weapons cannot be des-invented, though the existing ones can be destroyed. The question of nuclear weapons would not go away; it can only be ignored at our own peril. Impossibility of des-invention places the need to restrain its proliferation, both vertical and horizontal. Vertical proliferation, which is continuing, is inducing some NNWSs to go-nuclear and is thus promoting horizontal proliferation.

### **Growing importance of NWFZs**

By their very nature, nuclear-weapon-free zones (NWFZs) are called upon to play an important supportive role in promoting non-proliferation.<sup>1</sup> They both parallel and complement the NPT. According to NPT, States parties have undertaken not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, not to receive the transfer of or control over such weapons and not to receive or seek assistance in their manufacture. On the other hand, the States forming part of NWFZs also undertake not to permit in their territory testing, use, storage, installation or deployment of nuclear weapons or nuclear explosive devices. If according to NPT a NNWS party to NPT can allow nuclear weapons to be stationed and deployed on its territory, and thus pose a security threat to other States, including to NWSs, the States parties to NWFZs cannot pose such a threat because of the total absence of nuclear weapons on their territory or on the territory of the zone. Moreover, the scope of the verification regime of NWFZs goes beyond the application of International Atomic Energy Agency (IAEA) safeguards, which is empowered to ensure only that NNWSs do not divert nuclear material to build nuclear explosives. The IAEA does not monitor such activities as clandestine import of nuclear weapons or the use of territory by third States for manufacture or test of nuclear weapons in NWFZs. On the other hand, the regional control mechanisms, set up in accordance with NWFZ treaties not only oversee and review the application of IAEA safeguards system, within their respective zones, but also provide additional control measures reflecting the specifics of the zone.

Today almost 2/3 of the members of the United Nations form part of nuclear-weapon-free regional arrangements as arms control measures. They cover the vast spaces of

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<sup>1</sup> As of July 2003 the combined areas of 109 States forming NWFZs make up almost 50% of the Earth's surface



the Southern Hemisphere, including Latin America, the entire continent of Africa, South-East Asia and the Pacific and have contributed to development of a body of norms of international law on keeping vast territories nuclear-weapon-free. This is a big achievement. However, still much more needs to be done to exclude vast territories of the planet from nuclear weapons, especially regions of tension or potential conflicts, including the Middle East, South Asia and the Korean peninsula.

### Asian nuclear challenges

There is probably no place in the world where nuclear proliferation concerns are more acute than Asia, the heartland and its so-called inner crescent. It is also home, of what S.B. Cohen, called the *shatterbelt* regions, i.e. large, strategically located regions with conflicting States that are also caught between conflicting interests of great powers. Asia is a continent which witnesses rivalries and lacks both regional arms-control mechanism and adequate transparency. The only existing regimes are the Rarotonga and Bangkok NWFZs, while the region is home to 2 *jure de* and 2 *de facto* nuclear-weapon States, to an aspiring State and a number of nuclear capable States. The questions of Iraqi WMDs or pertaining to Iranian nuclear-weapon program are in the center of attention. The recent developments on and around the Korean peninsula demonstrate the urgency of taking effective measures to contain nuclearization of the peninsula, which, if allowed to continue, could destabilize not only the peninsula, the Northeast Asia, but the entire non-proliferation regime.

When tackling the nuclear issue one should bear in mind its economic dimension and peaceful nuclear development. Thus the role of nuclear energy in Northeast Asia has the tendency to increase. If by mid 1990s the share of nuclear energy in ROK was 36%<sup>1</sup>, in Taiwan 28.8%<sup>1</sup>) and in Japan 33.8%<sup>1</sup>/0, it is estimated that by 2010 almost 1/3 of world's nuclear energy will be produced and consumed in this region. Along with the question of nuclear weapons, the questions of nuclear wastes and many other related nuclear questions will need to be addressed.

### Mongolia's case

The States that due to their geographical location cannot form part of regional NWFZs can nevertheless contribute to consolidation and expansion of NWFZs, and set positive precedents, especially in addressing nuclear and other security related issues simultaneously.

Throughout East-West and Sino-Soviet cold wars in the second half of the XX century Mongolia has been experiencing indirectly the pressures of nuclear threat. Because of its "alliance" standing and its geopolitical location, for three decades it faced the danger of involuntarily being drawn into a possible nuclear standoff, if not something more ominous. This cold war experience has prompted it in 1992, when the Soviets/Russians withdrew their troops and their weapons, to declare its territory a NWFZ<sup>2</sup>. When doing so,

<sup>2</sup> In 1976 a comprehensive study on the question of NWFZs in all its aspects, in accordance with UNGA resolution 3261 F, envisaged the possibility of creation of single-State zones. Thus the study in its first principle of creation of NWFZs underlined that the "obligations relating to the establishment of nuclear-weapon-free zones may be assumed not only by groups of States, including entire continents or large geographical regions, but by small groups of States and even individual countries".



Mongolia underlined that it would work for having that status internationally recognized and guaranteed. The importance of this initiative lay in the fact that by declaring its territory a nuclear-weapon-free zone, Mongolia was in fact saying that in future it would not take side with anyone of its neighbors and would not allow its territory be used by one against the other. By doing so it was in a way contributing to regional stability.

Bearing in mind Mongolia's policy of balanced relationship with its two immediate neighbors, in 1993 and 1994 Russia and China welcomed respectively Mongolia's nuclear policy. Also the other three nuclear-weapon States as well as the Non-Aligned Movement as a whole welcomed Mongolia's initiative. Nevertheless, political support, however broad it may be, cannot per se create a credible zone. Therefore, based on the wide political support received, Mongolia took steps within the United Nations to have the status defined and internationally recognized.

The negotiations that Mongolia held with the NWSs since 1992 on the ways and means of institutionalizing its status revealed that though the latter supported the initiative in general, nevertheless were cautious about setting a precedent for other States to set up single-State NWFZs, complicating thus the post-cold war geopolitical landscape, their nuclear calculations and undermining, as they saw, the incentives for States to create traditional regional zones. The negotiations also revealed that in order for a single-State zone to be viable, a broader approach to its security was needed.

As a result of negotiations it was agreed that Mongolia's unique geopolitical situation (which included its unique location, non-alignment with any of its neighbors or with any other major power, non-membership in any military alliance or bloc) required equally unique, innovative approach and solution. It was thus agreed that the NWSs would recognize and support Mongolia's unique status, but not as a zone in traditional sense. The NWSs also recognized and agreed that a broader approach to Mongolia's security was required for its status to be more credible and viable. That understanding formed the basis of the 1998 United Nations General Assembly resolution 53/77 D entitled "Mongolia's international security and nuclear-weapon-free status".

Being a compromise, the resolution deliberately did not define Mongolia's status, which was left for Mongolia itself to define, bearing in mind not only its national interests, but also international practice and the legitimate interests of its immediate neighbors. The resolution also reflected the need for a broader approach to Mongolia's security as a way to making the future status more credible and viable, and perhaps making the status an important element in future regional security arrangement or arrangements.

Mindful of its own role in defining the status, Mongolia has taken a unilateral step in defining the zone. Thus in February 2000 the State Great Khural (parliament) of Mongolia adopted a special legislation on Mongolia's status: a law and a resolution. The content of the law is to some extent similar to the basic provisions of international conventions and treaties on the creation of NWFZs.

In September 2000 in Sapporo a meeting of independent experts of Mongolia and the five NWSs to examine ways and means of further strengthening and consolidating the NWFZs and concluded that the best way to strengthen the status would be to conclude a trilateral or multilateral agreement with the participation of the two immediate nuclear neighbors, that would define the international status and the content of security assurances.



As a follow-up to those recommendations, in 2002 Mongolia approached its immediate neighbors and presented them the draft elements of possible future agreement.

### **Non-nuclear aspects of security**

In Mongolia's case the non-nuclear aspects of security is as important as its nuclear-weapon free aspect, since the former directly affects the latter's credibility and sustain ability. Implementation of resolution 53/77 D implies broadening of Mongolia's foreign relations and expanding its outreach. In recent years it joined the World Trade Organization, became dialogue partner of ARF, was admitted to the Council for Security Cooperation in the Asia-Pacific and is taking part in some of the working group meetings of the Asia-Pacific Economic Cooperation, pending its full membership. Bearing in mind its location and economic realities, measures are being taken to address Mongolia's economic vulnerability and ecological challenges. The two studies on these challenges are expected to be completed by mid-2004.

### **Mongolia's case in the regional context**

Mongolia is the world's first UN-recognized single-State NWFZ that also bans transit of nuclear weapons through its territory<sup>3</sup>. However it is not the first attempt by individual States to officially ban nuclear weapons on its territory. In the Asia-Pacific region, in early 1980's the Government of New Zealand adopted a legislation that banned nuclear weapons on its territory. However, no follow-up measures have been taken by New Zealand to institutionalize the status at the international level.

Elsewhere in the Asia-Pacific region, the Philippines is reflected in its Constitution the desire to be nuclear-weapon free. In 1970s Nepal tried to declare its territory a zone of peace, while Ceylon (Sri Lanka) proposed to turn the entire Indian Ocean into a zone of peace. Since mid-1970s some of the countries of the Middle East have been proposing to turn that volatile region, which is partly in Asia, into a NWFZ. The five Central Asian states are finalizing the draft treaty that would turn that vast region in the heart of Asia into a NWFZ. Proposals have also been made to create a NWFZ in South Asia. Studies are being undertaken on the possibility of creating a NWFZ for Northeast Asia (NWFZ-NEA)<sup>4</sup> or a Limited- Nuclear-Weapon-Free Zone for Northeast Asia (LNWFZ-NEA)<sup>5</sup>. In early 1990s in the Joint declaration on the Denuclearization of the Korean Peninsula, the two Koreas have pledged to denuclearize the Peninsula. All these testify to the growing interest of the States of the Asian heartland, like those of other parts of the world, to outlaw nuclear weapons on their territory or in their region.

<sup>3</sup> Sarah J. Diehl and James Clay Moltz. "Nuclear Weapons and Nonproliferation", 2002

<sup>4</sup> see Andrew Mack. A Northeast Asia Nuclear-Free Zone: Problems and Prospects ( in Nuclear Policies in Northeast Asia). 1990. Also Xia Liping. Nuclear-weapon-free zones: Lessons for non-proliferation in Northeast Asia. 2001

<sup>5</sup> Xia Liping, *ibid*.



Mongolia's case vividly demonstrates that given good will, determination and innovative approach, each State can make its contribution to the strengthening of non-proliferation and thus to regional security and stability. The broad political, open-minded and even-handed approach used in Mongolia's case, addressing simultaneously nuclear and non-nuclear aspects of security, could be useful in other "special" or "exceptional" cases, including when approaching the DPRK's nuclear problem.

### **Denuclearization of the Korean Peninsula**

The North Korean nuclear problem is an issue that can determine not only the geopolitical landscape of Northeast Asia and of the Asian heartland in general, but also the future and viability of the non-proliferation regime. Allowing the DPRK, which was party to NPT, but chose to withdraw from it, to develop nuclear weapons and nuclear capability would have serious consequences for regional arms race, including nuclear arms race. It would surely also affect the non-proliferation regime as the world knows.

The North Korean nuclear issue has a long history. One of the high points in the attempts to denuclearize the peninsula (i.e. to ban nuclear weapons) was the signing in January of 1992 of a joint North and South Korean declaration of the denuclearization of the Korean Peninsula. Adopted almost simultaneously with the "Agreement on Reconciliation, Non-Aggression and Exchange and Cooperation between the South and the North", it represented an important first step in turning the peninsula into a NWFZ. By its content, the joint denuclearization agreement went beyond the provisions of NPT and of creation of NWFZs, and was hailed as such. The agreement banned both sides from possessing uranium enrichment and plutonium reprocessing facilities, and as such was seen by the international community, if implemented, as substantially strengthening the non-proliferation regime. Mongolia, like many other countries, welcomed the agreement and expressed the hope that its full realization would be followed soon. The modality of verification, the role of "challenge inspections" and some other issues needed to be agreed upon. The ensuing events and complications have not permitted implementation of the joint agreement. DPRK's membership of NPT as well as implementation in full by all the parties of the 1994 Agreed Framework provide a concrete roadmap for denuclearizing. The grievances of the parties should be addressed. Acrimonious rhetoric will not help address the real issues but rather aggravate the situation.

The question of nuclear weapons and the threat that they pose to a region affects interests of all the States of that particular region and thus cannot be considered a bilateral issue. Withdrawal of DPRK from the NPT does not solve the proliferation problem, in fact it complicates it and could set a precedent for future would be proliferators. The only way out of the present situation is by political means, by focusing not only on the nuclear issues, but also the political context of denuclearization and addressing the non-nuclear aspects of security of North and South Korea in conjunction with the wider security issues. The negotiations would succeed only if they are accompanied by effective confidence-building measures.

## Conclusion

The nuclear landscape that the last quarter of the XX century was familiar with is changing. The NPT regime has not been able to freeze horizontal or vertical proliferation. If not addressed properly, the regime could gradually unravel. The danger of horizontal proliferation is present in the Asian heartland and needs to be addressed in a holistic manner, i.e. in conjunction with broader peaceful uses of nuclear energy and halting the vertical proliferation.

The Korean case demonstrates that the question of denuclearization of DPRK needs to be addressed in a broader regional security context and addressing DPRK's wider security needs and challenges. The issue is not a military one, but a political and legal. The challenge is to find such a solution that would be politically acceptable to all the parties concerned, but would at the same time discourage others from weakening the non-proliferation regime and halt vertical proliferation. The only way to do that is through negotiations. The questions of strengthening of the NPT regime and halting vertical proliferation should be duly addressed by the next NPT review conference in 2005.