

A NUCLEAR WEAPONS FREE ZONE IN CENTRAL AND EASTERN EUROPE: A UKRAINIAN PERSPECTIVE



As NATO moved toward a decision in July 1997 to enlarge eastward, Russia sought at first to prevent any enlargement and then to bargain over its conditions. One of the attempted approaches to stopping it - as well as a chip in the bargaining process - was a nuclear weapons free zone (NWFZ) in Central and Eastern Europe.

But the notion of an NWFZ in this area also deserves consideration on other grounds. Such an NWFZ could be a link in the chain of non-proliferation efforts aimed at construction of a more stable and secure future.

HISTORY OF THE NWFZ IDEA

Today the importance of the already established NWFZs for preventing proliferation of nuclear weapons and enhancing regional and global peace and security is commonly acknowledged. But it is worth recollecting that the first attempts to establish such zones several years ago encountered not only skepticism but outright rejection.

The idea of NWFZs emerged as an alternative to mainstream efforts to establish a global non-proliferation regime that began in the General Assembly of the United Nations (UN) with the so-called 'Irish' resolution (A/Res/1665[XVI]) and resulted in the Non-Proliferation Treaty (NPT). NWFZs were regional or zonal in approach. The first effort to apply such an approach was the Antarctic Treaty, which was signed in 1959 and entered into force in 1961. This declared the vast Antarctic region a demilitarized zone and, by implication, a nuclear-free zone. The Outer Space Treaty, which was concluded and entered into force in 1967, and the Seabed Arms Control Treaty, which was signed in 1971 and entered into force in 1972, sought to exclude nuclear weapons from important spheres of vital reserves and future expansion of mankind in the 21st century. These treaties laid the groundwork for further steps within the framework of a regional approach to non-proliferation. The Treaty of Rarotonga, covering the South Pacific, and the Treaty of Tlatelolco, relating to Latin America, represented the first agreements on true NWFZs; however, these areas, though important globally, were on the periphery of superpower rivalry.

The end of the Cold War opened up new opportunities for creation of NWFZs. An NWFZ was established in Africa by the Pelindaba Treaty, and one was set up in Southeast Asia as well. Experts and politicians also have actively discussed the possibility of creating an NWFZ in the Middle East and Central Asia. With the passing years, the total of NWFZs looks more and more impressive, and their positive influence on both regional and global security becomes evident even to skeptics.

Yet, paradoxically, an NWFZ has never emerged in Europe, even though the idea for such a zone was from the very beginning closely connected with Europe. The first proposal on limi-

tations of nuclear weapons within certain areas was introduced in the UN in 1956 in reference to Central Europe. In 1957, an initiative called the Rapacki Plan, after the then Foreign Minister of Poland, was put forward. This plan foresaw withdrawal of all nuclear weapons from Central Europe. It came to naught, however.

There was an attempt to revive the general notion of an NWFZ beginning in 1982, when a proposal was introduced to establish a corridor in Central Europe from which all tactical nuclear weapons would be withdrawn. This proposal did not envisage that the borders of the corridor would coincide with national borders and contained no security guarantees. It was aimed, rather, at reducing the risk of automatic escalation of any conflict in Europe into nuclear catastrophe by distancing the nuclear forces of the two superpowers. This scheme also failed to attract widespread support.

Nonetheless, the 1970s and 1980s did witness the development of increased public receptivity to the idea of an NWFZ in Europe. The pacifist and anti-nuclear movements of the times, as well as Greenpeace and other organizations still active, were instrumental in this. So too, especially for Ukraine and Belarus, was the Chernobyl disaster and its consequences.

NATO EXPANSION, RUSSIA, AND AN NWFZ

The notion of an NWFZ in Europe was revitalized under new circumstances after the end of the Cold War and the breakup of the Warsaw Pact and the Soviet Union. The trigger was requests by a number of former Warsaw Pact states to join NATO. One might question whether they were really motivated by 'the Russian threat' or, rather, by a strong desire to integrate into the European Union (EU) and benefit from it as soon as possible. Nevertheless, Russia objected strenuously to the requests.

Russia's attitude toward NATO expansion seemed to be a mixture of rational calculations and emotional reactions. Several years previously, many Russian experts and politicians, former Foreign Minister Andrei Kozyrev among them, had appeared to believe that a new era in relations with the West was not only possible but was virtually on the doorstep. They had behaved accordingly, cooperating with the Western states in many vital areas of international relations. One can understand their disappointment when, instead of a comprehensive European security system based on the Organization of Security and Cooperation in Europe (OSCE), the West once again began emphasizing NATO. A prominent Russian diplomat, Yuri Dubinin, former Deputy Foreign Minister and now Ambassador to Ukraine, pointed out in a 1996 interview: 'We have accomplished colossal disarmament measures in the belief that now we'll build the world in a different way - on a non-bloc basis'. [1]

Subsequently, however, Russia's official position on NATO enlargement underwent an important evolution. Moscow moved from outright rejection of enlargement, through hard bargaining about it, to signing of the Founding Act with NATO in July 1997. The Founding Act represented Russia's conditional recognition of new realities in Europe - namely, the acceptance of Poland, Hungary, and the Czech Republic into NATO. But Russia remains strongly opposed to introduction of nuclear weapons into these countries or elsewhere in Central and Eastern Europe, and this position has had some effect on the posture of Western states on the subject.

Other considerations aside from Russia's opposition, of course, have also caused NATO to display reservations about putting nuclear weapons into Central and Eastern Europe. There is concern over a number of serious problems between and among the Central and East European states seeking to join the organization. These include border problems - linked in the case of Hungary to the existence of Hungarian ethnic minorities in Slovakia and Romania (an issue supposedly settled with respect to Romania by the bilateral treaty signed in 1996) - tensions between Danube states, and so on. All of these problems are deeply rooted in the turbulent and often

violent history of the region in the 20th century. Worry about possible troubles between these new and unstable democracies was reflected in the Study on NATO Enlargement issued in 1995. The authors stressed that 'no a priori requirement for the stationing of nuclear weapons on the territory of new members' exists, although they indicated that 'new members will share the benefits and the responsibilities from this [that is, participation] in the same way as all other Allies'. [2]

On the whole, most experts and politicians in the West have played down the significance of Russia's reaction to NATO expansion. In doing so, they have ignored the likely impact of this response on Ukraine - especially if enlargement goes beyond Poland, Hungary, and the Czech Republic. These experts and politicians seem to have difficulty understanding that the main motivation behind Ukraine's decision to become a nonnuclear state and reject the Russian 'nuclear umbrella' was a strategic choice in favor of integration into the larger Europe and its structures, in particular the EU. They enthusiastically supported the first part of the 'get rid of nuclear arms and move to Europe' formula, but they have shown reluctance to endorse the second part of it. The prevailing feeling in the West appears to be that Ukraine should receive only measured political support and limited economic help - in contrast to the multibillion dollars of financial aid to Mexico, South Korea, or Indonesia - and nobody seems ready to risk vital relations with Russia for Ukraine. Indeed, some Western politicians appear to be willing to recognize Ukraine as part of a Russian sphere of influence for the foreseeable future in exchange for Russian consent to NATO enlargement.

Such an approach is a shortsighted one. A new subjugation to Russia is unacceptable for most Ukrainians and the local and central ruling elite of the country, and efforts to impose a subjugation of this sort would certainly bring a high risk of internal conflict, possibly even chaos and civil war. Such developments, moreover, would reflect the emergence (or at least contribute to the emergence) of a radically different Russian government - a nondemocratic, expansionist, and totalitarian one. This would assuredly lead to a new confrontation in Europe. Although today's Russia is no match for the Soviet-Union of the 1970s, a radical nationalist Russia attempting to reabsorb the New Independent States is likely to be more dangerous than the Soviet Union was in Leonid Brezhnev's time. A Russia of this kind would try to compensate for its economic weakness with an aggressive foreign policy. Not only would such a policy enable the new ruling elite to keep and strengthen power and divert the attention of the people to a new external threat, but it would facilitate consolidation of society on a new nationalistic basis and permit attempts to improve the ailing economy by massive remilitarization. A new confrontation in Europe would have grave and unpredictable consequences for the national interests of the United States (US) and West European states well into the new millennium, especially against the background of the rising Chinese shadow.

To avoid the risk of such a development, it is desirable to elaborate a formula that would both satisfy the national aspirations of the states of Central and Eastern Europe and allay Russia's suspicions that eastward expansion of NATO means a threatening encroachment on its national security interests. The best formula, to our mind, would be to transform NATO into the core of a comprehensive European security system and to shift the emphasis of its activity from military to political matters. Such an evolution of the alliance seems to be inevitable in the long run anyway if a new and dangerous confrontation in Europe is to be avoided. Yet at present the leading member countries of NATO, particularly the US, appear not to be ready for such swift and radical changes.

Therefore, the idea of an NWFZ in Central and Eastern Europe has great merit. Implementing this idea, however, will not be easy. Even Russia, because of its tactical maneuvering to prevent or delay NATO's expansion, was slow to apprehend the possibilities in the idea. When Belarus put forward the idea of an NWFZ in Central Europe in April 1995 during the NPT Review and Extension Conference, the Russian response was rather cool [3] (The West's reaction

to Minsk's initiative, it should be mentioned, was also skeptical. This skepticism about the initiative is explained in part by the strong opinion in the West that Belarus's foreign policy is too pro-Russian).

The 1995 NPT Conference did, however, make a significant contribution to the general cause of non-proliferation. It extended the treaty indefinitely and unconditionally (although the absence of consensus and the positions of India and some other potential proliferators might prove dangerous to non-proliferation regimes and to the NPT itself). Perhaps more important in the present context, the conference gave specific backing to the creation of NWFZs in the 'Principles and Objectives for Nuclear Non-Proliferation and Disarmament' that it approved. These stressed that 'the establishing of the internationally recognized nuclear-weapon-free zones ..enhances global and regional peace', and their development 'should be encouraged as a matter of priority'. [4]

Nonetheless, when Belarus Minister of Foreign Affairs V. Synko, on 18 April 1995, repeated Minsk's call for creation of an NWFZ in Central Europe [5], he still met with little enthusiasm from Russia. Russia expressed concern over NATO expansion in view of the absence of nuclear weapons in the former Warsaw Pact countries (in accordance with the 1991 unilateral declarations by the USSR and the US and the 1990 treaty on the unification of Germany) and of the imminent withdrawal of the last nuclear warheads from Ukraine and Belarus. Although the timing was right, it took Russia several months more to welcome the idea. To some degree, its failure to embrace the idea immediately might be attributed to the fading international posture of Belarus.

UKRAINE AND THE NWFZ

Ukraine's attitude toward NATO enlargement - especially beyond the three Central European states that NATO in 1997 agreed to admit - reflects its sense of the dangers that confront it. Because of its economic weakness and its geographic location and vulnerability, it sees itself as both an object of policy for the major players in the region and a subject of the big political game connected with NATO enlargement. Thus, as Jack Matlock, former US Ambassador to the Soviet Union said in an interview on the C-Span TV channel in November 1995, NATO enlargement might put Ukraine in an almost impossible situation. Ukraine could find itself in a security vacuum between two poles of power, with assurances instead of allies and/or legally binding security guarantees. Its strategic vulnerability would also be greatly enhanced by inevitable pressure from Russia, which possesses many economic and political means of exerting leverage, to push Ukraine into the Tashkent Treaty as a vital and integral part of a new military-political bloc facing a strengthened NATO.

Desiring to assure its independence and proceed with its policy of integration into European structures, Ukraine is interested in a stable and secure external environment and in good relations with both the East (Russia, in essence) and the West. Indeed, a breakthrough in Ukrainian-Russian relations hopefully arrived with the signing in May 1997 of the Treaty on Friendship, Cooperation, and Partnership and an agreement on the Black Sea fleet. Therefore, Ukraine seems to be ready to look actively for a compromise on the issue of nuclear arms in Central and Eastern Europe that will satisfy both NATO and Russia and serve its own national interests. Ukraine has at least parallel interests with Russia and other CIS countries on this question, and it could greatly facilitate efforts to work out a compromise with NATO.

In the past, to be sure, Ukraine failed to use effectively the unique asset of nuclear arms that it inherited from the Soviet Union. Having surrendered tactical nuclear warheads under Russian pressure, it rather awkwardly employed strategic nuclear weapons (obsolete as a deterrent) to try to secure its independence, but it gained only assurances instead of the legally binding guar-

antees that it was seeking. Moreover, Ukraine did not, in the opinion of the authors, exploit in full the political capital that it gained in the West by removing the potential threat of nuclear proliferation and proclaiming its nonbloc status. During 1995 and early 1996 Ukraine's stand on these issues lacked initiative.

Nonetheless, the problem of nuclear arms is today treated as the cornerstone of Ukrainian foreign and security policy. President Leonid Kuchma stressed in a major political speech on the eve of the fifth anniversary of Ukrainian independence that the 1994 Trilateral Statement of the US, Russia, and Ukraine and Ukraine's accession to the NPT 'made a valuable input in establishing a comprehensive European security system'. He pointed out that Ukraine relies 'on political support of our internal and external policy moves'. [6]

Furthermore, Ukraine remains in a unique position to take the initiative on a compromise regarding NATO expansion. Because of its geopolitical situation and its positive political image in the West, it might be the best choice for the 'pusher' of a compromise.

This compromise might take the form of an NWFZ, for the idea of an NWFZ in Central and Eastern Europe is an almost unique issue in Ukraine in that a virtual consensus exists on it. In his June 1996 statement on the withdrawal of all nuclear warheads from the territory of Ukraine, Ukrainian President Kuchma insisted that 'complete elimination of nuclear arms situated on Ukrainian territory presents a unique opportunity for the realization of the idea of a nuclear-free Central and Eastern Europe - from the Black Sea to the Baltic'. [7] This formulation was rather vague in geographic delineation and lacked strict definitions, but according to Ukrainian diplomats, the government was concerned about the evident lack of enthusiasm or even skepticism on the part of Western governments and was hoping for positive signals from them. [8] President Kuchma was more precise and convincing in a subsequent address to the Assembly of the Western European Union (WEU). He said that acquisition by Ukraine of a non-nuclear status 'provides a unique opportunity for realization of an idea of a nuclear-free Central and Eastern Europe. Creation of such a zone from the Baltic to the Black Sea would benefit development of trust and significantly reduce the threat of new division lines appearing on the continent'. [9] The way of thinking of the Ukrainian leadership is perhaps best illustrated, however, by President Kuchma's address to the officials of the Ministry of Foreign Affairs of Ukraine in July 1996. He observed that Ukraine's non-nuclear status 'establishes a moral and political foundation...for comprehensive nuclear disarmament, and in a European context, for establishing an NWFZ in a Central/East European region'. [10]

The idea enjoys support as well from the main influential political forces and all branches of power in Ukraine. For instance, in July 1996, Olexandr Moroz, Speaker of the Verhovna Rada - the Ukrainian parliament - endorsed 'establishing the NWFZ in the OSCE region'. [11]

At the same time, the Ukrainian leadership vigorously opposes the deployment of nuclear weapons in neighboring countries. Volodymir Horbulin, Secretary of the National Security and Defense Council, has stressed that Ukraine 'takes critically even the theoretical possibility of the stationing of nuclear arms on the territory of new NATO members'. [12] Ukraine's insistence on this point is based on the belief that an NWFZ in Central and Eastern Europe should be treated as a major part of the compromise that is essential if the problem of NATO enlargement is to be dealt with on a reasonable basis.

If NATO's expansion resulted in the introduction at some future time of nuclear warheads into Hungary, Poland, the Czech Republic, or (perhaps farther down the road) Slovakia - or if such a possibility even became imminent - there would almost inevitably be a resurgence of anti-Western forces and an intensive struggle over foreign policy orientation in Ukraine. This struggle could even lead to radical demands for re-nuclearization or for military alliance with Russia and extension of the Russian 'nuclear umbrella' to Ukrainian territory and possible rein-

stallation of Russian tactical nuclear forces in Ukraine. Such developments would create a high risk of a new confrontation in Europe - and not only in Europe.

An NWFZ in Central and Eastern Europe, in sum, would at least partly compensate Ukraine for its loss of security, or sense of security, after the breakup of the Warsaw Pact and the USSR. Moreover, success of the Ukrainian initiative to bring about such an NWFZ would boost Ukraine's image on the international scene, which has seemed to be fading since it renounced nuclear weapons. Equally important, that success would provide much-needed political capital for the Ukrainian leadership, especially President Kuchma. The president has announced his intention to run for a second term, but he can boast few successes in internal policy and hardly any with respect to the country's economy.

CENTRAL EUROPEAN COUNTRIES AND THE NWFZ

As for the policy of future NATO member states - Poland, the Czech Republic, and Hungary, in particular - on an NWFZ in Central and Eastern Europe, this can hardly be called active in character. In fact, they have trumpeted their readiness to accept NATO's nuclear weapons on their territory from the highest podiums. The comments of the Czech representative at the 1995 NPT Review and Extension Conference afford a good example. Yet this behavior appears to be simply a precautionary measure to ward off the possibility that they might be barred from joining NATO and the EU. If Washington and Brussels were to decide that they are prepared to accept an NWFZ in the region, one can be sure that the Central and East European governments would be happy to follow suit, especially because they would obtain multilateral security guarantees plus avoid becoming targets for Russian nuclear warheads.

It should be noted, too, that the Central European countries have not been entirely oblivious to Ukraine's national interests in pushing for admission to NATO. In October 1996, during his visit to London, Polish President Aleksander Kwasniewski expressed concern over the effects of NATO expansion if Ukrainian's national interests were ignored. As he put it, 'NATO expansion without actions assuring Ukrainian security may have serious consequences.' He went so far as to suggest that NATO should sign treaties of partnership simultaneously with Russia and Ukraine. [13]

Obviously, an initiative on the NWFZ by one or several Central European countries, or even active Central European support of ideas put on the table, would greatly facilitate negotiations and achievement of a compromise on NATO enlargement. Yet it appears unlikely at present that any of these states would dare to make such a move without prior consultations with Washington.

THE US AND AN NWFZ IN EUROPE

The US is undoubtedly the most important player on the issue of an NWFZ in Central and Eastern Europe, and its position appears to be mostly negative. That position has determined NATO's official stance on the question. The 10 December 1996 communiqué of the North Atlantic Council did emphasize: 'Enlarging the alliance will not require a change in NATO's current nuclear posture and therefore, NATO countries have no intention, no plan, and no reason to deploy nuclear weapons on the territory of new members...'. Yet the communiqué also pointed out that new members 'will be full members of the alliance in all respects, will be expected to support the concept of deterrence and the essential role nuclear weapons play in the alliance's strategy'. [14]

In view of the serious difficulties involved in NATO enlargement, there needs to be a breakthrough in US policy, a political decision based on a strategic vision of the problems and

prospects that mankind will face in the 21st century. Failure to lead in this vital sphere will result in numerous complications both in Europe and globally that will negatively affect US national security interests.

LEGAL REQUIREMENTS FOR AN NWFZ

Since the July 1997 decision of the NATO Madrid summit to invite the Czech Republic, Poland, and Hungary to join NATO, the issue of an NWFZ in Central and Eastern Europe has become less acute. Yet it still makes sense to explore legal requirements for the zone, particularly because future developments on the continent could restore a sense of urgency to the issue. Defining the geographic region to be covered by the NWFZ will be difficult because of multiple approaches, reflecting different policies and different expectations. The official Ukrainian approach is capsulized by the formula, 'from the Black Sea to the Baltic'. In our opinion, however, the Scandinavian countries should be included, too, especially in light of the specific stand by Denmark and Norway against the stationing of NATO nuclear forces on their territories as well as the traditional anti-nuclear stand of Sweden and Finland. The precise number of countries to be included will have to be discussed further.

Other legal aspects of the NWFZ are easier to specify. In light both of the experience with existing NWFZs and of European realities, the basic requirements for the countries establishing an NWFZ in Central and Eastern Europe include nonpossession of nuclear weapons, nonstationing of nuclear weapons on territory inside the zone, and nonuse or nonthreat of use of nuclear weapons against targets within the zone. Legally binding security guarantees are essential to make the NWFZ effective and would provide an incentive for countries of the region, particularly Ukraine, to participate. Strict controls over the export of nuclear material, even full-scale guarantees by an importer state, would have to be introduced in the zone. The possibility of joint inspections, which would further enhance the effectiveness of the control regime, should be envisaged.

From the moment of its inception, a newly established NWFZ in Central and Eastern Europe should be treated as an integral part of the existing regime based on the NPT. The new NWFZ should not interfere with, but complement, the NPT regime. All provisions of the treaty creating the NWFZ should also comply with the relevant provisions of the NPT and statutes of the International Atomic Energy Agency (IAEA), the European Atomic Agency (EURATOM), and other pertinent institutions. The NWFZ, in short, should be devoted in letter and spirit to the cause of non-proliferation of nuclear weapons and promotion of peaceful use of nuclear energy under strict non-proliferation controls.

CONCLUSION

Since the talks on the NATO-Russia Founding Act and the NATO-Ukraine Charter reached their final stage in 1997 and NATO promised not to change the existing status quo with respect to nuclear weapons in Europe unless the general situation deteriorates, there has been a decreased sense of urgency in Russia and Ukraine alike about an NWFZ in Central and Eastern Europe. Under such circumstances, this idea apparently has poor chances of being implemented in the immediate future.

But, to our mind, it would be shortsighted to drop it off the European agenda. The European security environment is changing rapidly, and NATO and other transatlantic and European institutions, which are themselves evolving, will reflect the ongoing changes. If positive changes take place and more cooperative relations aimed at closer partnership develop between an enlarged NATO and the countries of the former Soviet Union, the alliance will inevitably be trans-

formed into a predominantly political organization rather than a military union. Such a transformation will lay the groundwork for the idea of an NWFZ in Europe to reemerge as a major issue on the European agenda.

An NWFZ in Central and Eastern Europe should also be seen as an integral part of the future architecture of European security. That is, it should be built into a comprehensive European security system. Such an approach will be possible, however, only when and if NATO recognizes that the post-Cold War situation in the world and in Europe particularly requires the fundamental transformation of the alliance itself. For Russia, establishment of such a zone would pave the way to further cooperation with the world community and to a gradual relinquishing of its global ambitions. For Ukraine, which under existing circumstances has no chance to seek NATO membership without confrontation with Russia, the zone offers the best possible chance to secure its interests and seek integration into European structures. Finally, creating an NWFZ in Central and Eastern Europe would strengthen the existing non-proliferation regime, thereby enhancing both European and global security.

NOTES

1. Kievskiye Vedomosti, 21 September 1996.
2. Study on NATO Enlargement (Brussels, September 1995), paragraph 58.
3. Personal interviews with prominent Russian experts during the 1995 NPT Conference.
4. PPNN Newsbriefy Second Quarter 1995, 23.
5. DOC.NPT/CONF.1995/SR. 3, 10.
6. Uryadovyi Kuryer, 29 August 1996.
7. Ibid., 6 June 1996.
8. Personal interview with a high official of the Ministry of Foreign Affairs of Ukraine, June 1996.
9. Uryadovyi Kuryer, 8 June 1996.
10. Ibid., 18 July 1996.
11. Hobs Ukrainy, 11 July 1996.
12. Uryadovyi Kuryer, 22 August 1996.
13. "North Atlantic Council Communiqué," 10 December 1996, in Meeting the Challenges of a Post-Cold War World: NATO Enlargement and US-Russia Relations, A Report to the Committee on Foreign Relations, US Senate, by Joseph R. Biden, Jr., 105th Cong., May 1997 (Washington, DC: US Government Printing Office, 1997), 41.
14. Ibid.