

**THE ESTABLISHMENT OF A NUCLEAR-FREE ZONE
IN NORTHERN EUROPE**

BY

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1. INTRODUCTION

In the disarmament negotiations of the last few years the main attention has been focused on Central European problems. The various talks which have been going on in Helsinki, Geneva and Vienna seem now to have reached a stage where progress is becoming even more difficult than previously. During 1973 doubts were often expressed about the level of unity prevailing between the United States and other members of NATO. These doubts seem to have been dissolved at the NATO meeting of foreign ministers, which was held in December 1973 in Brussels. There Joseph Luns, the Secretary General of NATO, spoke of the growing military strength of the Soviet Union and, furthermore, compared the present situation to that which existed in Europe prior to the outbreak of the second world war, when a number of states were engaged in making non-aggression treaties in a bid to safeguard their future, whereas one of the Great Powers was steadily building up its military might. But at the end of the Brussels meeting, the U.S. Secretary of State, Henry Kissinger, declared that there was no danger that the United States would abandon Europe, and he re-affirmed that American nuclear forces would be ready to assist Europe in case of need. He went on to say that NATO was and would remain one of the pillars of the foreign policy of the United States. Without NATO there was no possibility of diminishing existing tensions. The final communiqué released by the Brussels meeting was optimistic and confident. It seemed to indicate some hardening of positions in so far as the Strategic Arms Limitation Talks (SALT) and the preparations for the European Security Conference were concerned.

When reviewing the results of the disarmament negotiations that took place in 1973, it becomes apparent that the détente which has already existed for some years has not led to any further major steps in this field. Rather one gets the impression that the Great Powers want to gain additional time to examine the situation all over again. The fighting which took place between the Arab States and Israel at the end of the year did not make the disarmament negotiations any easier. Should the combatants, however, now proceed to conclude a lasting treaty of peace, this could again be more favourable for the disarmament negotiations. In addition to

the position in the Middle East, several other factors have to be taken into account when venturing on any prediction as to the future of the disarmament negotiations. Prominent among these factors is the development of the relations between the Soviet Union and China, on the one hand, and the United States and China, on the other. The state of these relations has at least an indirect influence on the European disarmament scene.

It should also be noticed that during the Twenty-ninth Session of the General Assembly of the United Nations the agenda included five items pertaining to the nuclear-free zones.¹ On the basis of a Finnish initiative the General Assembly adopted on December 9, 1974, Resolution 3261 F (XXIX), whereby it stressed the need to make every effort to achieve a cessation of the nuclear arms race and to bring about nuclear and general and complete disarmament under strict and effective international control and further recognized the urgent need to prevent the proliferation of nuclear weapons in the world.² Against the background of the various efforts undertaken on a regional level with a view to establishing nuclear-free zones, the General Assembly decided to undertake a comprehensive study of the question of nuclear-free zones in all its aspects. The study is to be carried out by an *ad hoc* group of qualified governmental experts under the auspices of the Conference of the Committee on Disarmament. A special report including this comprehensive study is to be transmitted to the General Assembly at its Thirtieth Session.³

During the recent past several proposals for partial solutions of disarmament problems have been considered. Among these is the proposal to facilitate supervision of troop movements by NATO and Warsaw Pact members. This proposal includes a plan for the exchange of military experts to supervise troop movements. The placing of radar networks on a basis of reciprocity has also been mentioned as a means of reducing

¹ These agenda items were (1) Implementation of General Assembly Resolution 3079 (XXVIII) concerning the signature and ratification of Additional Protocol II of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco; report of the Secretary General (item 30); Implementation of the Declaration of the Indian Ocean as a Zone of Peace; report of the *Ad Hoc* Committee on the Indian Ocean (item 31); (3) Implementation of General Assembly Resolution 2286 (XXII) concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco) (item 100); (4) Establishment of a nuclear-free zone in the region of the Middle East (item 101) and (5) Declaration and establishment of a nuclear-free zone in South Asia (item 107).

² This resolution was adopted by 114 votes, with no dissent. The only abstaining members were Cuba and France, whose representatives declared that they were not against the idea of undertaking the study but that they abstained in the voting as a matter of principle.

³ In accordance with operative paragraph 6 of Resolution 3261 F (XXIX) the General Assembly decided to include in the provisional agenda of its Thirtieth Session an item entitled "Comprehensive study of the question of nuclear-weapon-free zones in all of its aspects".

tension. Some of the proposals have concerned limitation on a regional basis. Thus, there have been proposals to limit the naval fleets in the North Atlantic and the air forces based in Northern Europe.

Another regionally limited disarmament proposal is that for the establishment of a nuclear-free zone in Northern Europe. The idea is not new—rather it can be said to belong to the proposals rejected about ten years ago. However, the situation has changed somewhat and many of the arguments then put forward against this idea are no longer valid. Before entering upon a discussion concerning the present arguments both for and against such a nuclear-free zone, I may be permitted to refer shortly to the past history of the idea.

2. PAST PROPOSALS

The idea of nuclear-free zones was widely discussed towards the end of the 1950s and during the first years of the 1960s. Various proposals were put forward, but the only one that has been adopted is the nuclear-free zone for Latin America. (Here treaties like the Antarctic Treaty and the Seabed Treaty are not considered as falling within the category of international agreements establishing nuclear-free zones in the strict sense of the term.)

In April 1956, the Soviet Union presented a proposal for establishing a nuclear-free zone in Central Europe in connection with a more general plan to establish in Central Europe a zone where armaments would be limited and under inspection. The zone was to comprise East and West Germany together with neighbouring states and within this area no military units equipped with nuclear weapons would have been allowed.⁴ The Disarmament Sub-Committee, which discussed the proposal at length, did not, however, take up the initiative.

Later, at the Twelfth Session of the General Assembly of the United Nations, the Polish Foreign Minister, Mr Rapacki, put forward a plan which has since been known by his name. In accordance with this proposal, Poland was prepared to accept, under the condition of reciprocity with East and West Germany, a prohibition on the production as well as the stockpiling of nuclear weapons on its territory. After Czechoslovakia and East Germany had expressed their willingness to endorse the Rapacki plan, the Polish Government presented its proposals in a slightly amended

⁴ See *Probleme der Internationalen Abrüstung*, vol. I/II, pp. 508–9.

form.⁵ The nuclear-free zone would now include the territories of Czechoslovakia, Poland, East and West Germany.⁶ In this zone, nuclear weapons would neither be manufactured nor stockpiled, and equipment and installations designed to service nuclear weapons would not be located there. The use of nuclear weapons against the zone would also be prohibited. On the other hand, France, the United Kingdom, the United States and the Soviet Union would undertake not to maintain nuclear armaments for their forces stationed on the territories of states included in this zone. This prohibition was extended to cover installations designed for serving nuclear weapons, including launching equipment for the missiles. Similarly, the states mentioned were not to transfer in any manner and for any reason whatsoever nuclear weapons to governments or other organs in this area. To these obligations it was added that those states which had at their disposal nuclear weapons should undertake not to use these weapons against the territory of the zone or against any targets situated in it.⁷ Members of NATO and the Warsaw Pact were to serve with non-aligned states as observers, and a system of ground and air control with inspection posts was to be set up to ensure the observance of the undertakings. It is interesting to note that the Rapacki plan would have entered into force not by means of a formal treaty but by unilateral declarations of the states concerned.

The Western powers pointed out that the Rapacki plan did not deal with some of the leading political problems, including the reunification of Germany, nor did it include any limitations on conventional forces. In general the plan was thought to favour members of the Warsaw Pact more than members of NATO. In the light of these counter-arguments Mr Rapacki presented a new version on November 4, 1958. He now proposed that during a first stage the existing nuclear situation should be frozen in the zone concerned. During a second stage, denuclearization should be linked with the reduction of conventional armaments in Europe under a suitable control system.

When this proposal, too, failed to meet with approval, a new version was presented by the Government of Poland in 1962 in the ENDC in Geneva. It was now proposed that the zone should be open to any European state which wanted to accede. The plan was again to be implemented in two stages. First, nuclear weapons and rockets should be frozen and the

⁵ The Polish Memorandum was sent to the Governments of Belgium, Czechoslovakia, Canada, Denmark, France, East and West Germany, the United Kingdom, the United States and the Soviet Union.

⁶ The text of the Polish Memorandum is to be found in *Documents of American Foreign Relations, 1958*, ed. by Paul E. Zinner, New York 1959, pp. 195-9.

⁷ *Documents of American Foreign Relations, 1958*, p. 200.

establishment of new bases prohibited. Thereafter, nuclear weapons and rockets would be eliminated and armed forces and conventional armaments reduced.

As the reception of the new proposal was again negative, yet another Polish plan, the Gomulka plan as it was called, was put forward on February 29, 1964. Although the geographical zone remained the same, the goals seemed to be more limited. It was proposed merely that nuclear and thermonuclear tests, irrespective of their employment and delivery, should be frozen at their existing levels. Control was to be carried out by commissions composed of representatives of NATO and Warsaw Pact members on a basis of parity. Control points were to be established in nuclear plants and at points of access by road, rail, sea and air. In contrast to its predecessor, this proposal did include the idea of the reduction of the stocks of nuclear weapons already existing in the zone.

On October 26, 1961, even prior to the latter versions of the Polish proposal, the Government of Sweden put forward what has come to be known as the Undén plan. On that date the Swedish Minister of Foreign Affairs, Östen Undén, made a statement in the First Committee of the General Assembly of the United Nations on the existing disarmament issues. In this he declared that the establishment of a non-atomic club and of various nuclear-free zones were ideas deserving general support. Whereas the Rapacki plan had only concerned a limited part of Europe, the new Swedish plan had as its goal the adoption on a universal basis of the leading principles of the Rapacki plan. Several members of the United Nations agreed with the view of the Government of Sweden, and they presented a draft resolution whereby the General Assembly was to stress the importance of preventing further nuclear-weapon tests and the dissemination of nuclear weapons to countries which did not then possess them.⁸ The Secretary General was also asked to prepare a study to discover the conditions under which states which did not possess nuclear weapons would be willing to abstain from the manufacture of these weapons and their transfer to their respective territories in the future. The General Assembly eventually adopted the resolution by 58 votes to 10, with 23 abstentions.

The replies which were sent to the Secretary General's questionnaire

⁸ In addition to Sweden the co-sponsors of this draft resolution were Austria, Cambodia, Ceylon, Ethiopia, Libya, Sudan and Tunisia. The draft resolution went on to suggest that the states which did not possess nuclear weapons had an important role to play in fulfilling the primary aim of the resolution. Certain action by these states was believed to help to make it easier for the nuclear powers to agree on the contents of a treaty which would include a general prohibition on nuclear weapon dissemination tests and the above-mentioned dissemination of nuclear weapons to other countries.

showed a division of opinion. The Soviet Union, together with several other socialist states and some non-aligned states, adopted a favourable attitude towards the establishment of nuclear-free zones in various parts of the world. The leading Western powers were critical, stressing the point that in their opinion nuclear disarmament action should not be undertaken separately but only in connection with the problem of a general and complete disarmament under international observation. Some of the smaller Western powers pointed out that the existing balance of power would be disturbed if those states who were not in possession of nuclear weapons became obliged not to allow their dissemination to their respective territories or their stockpiling there.⁹ The Swedish reply was very reserved. It stated that a primary condition was the prohibition of nuclear-weapon tests before the end of 1963 by means of a treaty.¹ As Sweden thus turned out to be rather reluctant to insist on the acceptance of this plan, it was clear that the Undén plan had failed. However, in 1961 the General Assembly decided to extend the membership of the Disarmament Commission from ten to eighteen member states.²

The position of the North European states was taken up by the Soviet Premier, Nikita Krushchev, in 1959 when he suggested the establishment of a rocket- and nuclear-free zone in the Scandinavian peninsula and the Baltic states.³ The response was rather negative in the Scandinavian states and a month later Mr Krushchev proposed that the nuclear-free zone to be established should cover the Scandinavian and Baltic regions, Central Europe and the Balkan and Adriatic regions.⁴ These three regions would form one extensive nuclear-free zone. Very little attention was paid to this proposal in the West, however, and the position of the Scandinavian region was not discussed in detail.

⁹ This was the attitude of the Netherlands; and the Australian Government, for instance, was convinced that it would be impossible to consider a one-sided promise not to allow the military forces to be in possession of nuclear weapons for all future time.

¹ The Government of Sweden let it be understood that if satisfactory international treaties could be created between the states concerned, Sweden was willing to join a nuclear-free zone in Europe, presuming that such a zone would be as wide as possible, including such states situated in Central and Northern Europe as did not possess their own nuclear weapons. To this it was added that, unless such a zone was established before the end of 1963, the Government of Sweden reserved its right to reconsider the situation in the light of the then existing circumstances.

² The composition of the Disarmament Commission reflected the idea that neutral states were to work in the Commission together with five Western and five Eastern states. By this solution it was hoped to make easier the obtaining of results in the consultations if compared with the efforts hitherto of equally divided representatives of the power blocs. The neutral members of the Disarmament Commission were Brazil, Burma, Ethiopia, India, Mexico, Nigeria, Sweden and the United Arab Republic. When the Disarmament Commission of eighteen states began its work in May 1962, the problem of nuclear-free zones was not taken up by the Commission and the Undén plan was not developed any further.

³ See *Pravda*, June 12, 1959. © Stockholm Institute for Scandinavian Law 1957-2009. The speech was delivered in Riga.

⁴ *Izvestia*, August 14, 1959.

On May 28, 1963, the President of Finland, Urho Kekkonen, made a speech in which he pointed out that the arms race was gathering speed again and urged that the small states should take initiatives with a view to relieving international tension. Referring to the Undén plan, President Kekkonen stressed that the security of Finland was closely connected with the situation in the Nordic countries in general. Whereas Finland and Sweden had chosen neutrality, Denmark and Norway had entered NATO, but none of these states had obtained nuclear weapons and they did not want to see other states stockpile nuclear weapons on their territories. So the Nordic states already formed a nuclear-free zone. But, on the other hand, this fact was based solely upon unilateral commitments. In the opinion of President Kekkonen a proclamation by the Nordic states of a nuclear-free zone in the North would stabilize in a significant way the position of all Nordic states. It would of necessity lead the Nordic states outside those speculations which have resulted from the progress of nuclear strategy and it would ensure that this region would not fall within the sphere of international tension. This proposal did not include any more specific conditions for the establishment of a nuclear-free zone by the four Nordic states. It should be mentioned in this connection that it was made clear that Iceland was not to be included among the parties to this zone. It was also understood that the states concerned would negotiate on the details of the implementation of the plan.

The first comments by the leading statesmen in the Scandinavian countries on the proposal to establish a nuclear-free zone were reserved, and later an even more negative attitude was taken up. In this connection the Norwegian Prime Minister, Mr Gerhardsen, said that the nuclear-free zone was unnecessary.⁵ He went on to say, however, that the matter could be reconsidered if the Soviet Union was prepared to propose that those parts of the Soviet Union which bordered on Finland and Norway should be included in the consultations as part of the nuclear-free zone. The Swedish Minister for Foreign Affairs, Torsten Nilsson, pointed out later that nobody had suggested any consultations for the establishment of a nuclear-free zone in Northern Europe.⁶

In December 1963 two Danish members of the Nordic Council proposed that the Nordic Council should make a recommendation to the Governments of Denmark, Finland, Norway and Sweden that they should consider the possibilities of establishing a nuclear-free zone in Europe by

⁵ This was the reply made by Prime Minister Gerhardsen at a press conference. See the *Protocols of the Nordic Council*, 1964, p. 1362.

⁶ See the *Protocols of the Nordic Council*, 1964, pp. 1362-3.

means of a treaty or by mutual declarations.⁷ The Nordic Council, however, decided not to take this motion up for discussion on the ground that it did not fall within the competence of the Council.⁸ Since then the proposal has not been dealt with in any formal consultations between the Nordic states, but President Kekkonen has on several occasions returned to the matter, expressing the hope that his proposal will be taken up again for consideration.

3. THE PRESENT SITUATION

In view of the more recent developments in the field of nuclear disarmament it would seem that the old arguments against the establishment of a nuclear-free zone in Northern Europe have lost at least some of their validity. Whereas the establishment of nuclear-free zones as a problem of disarmament was a new one ten years ago, the situation is now altogether different. There are precedents, of which the Antarctic Treaty, which entered into force as long ago as June 23, 1961, may be mentioned as a prime example. Here the usually difficult issue of control was solved by allowing the parties merely to make use of individual, unilateral inspection measures instead of creating a machinery involving international control action. However, states can also undertake measures of control together, if they so wish.

More important from the point of view of nuclear-free zones is the Treaty for the Prohibition of Nuclear Weapons in Latin America, which was signed in Mexico City on February 14, 1967. This comprehensive treaty, which is also known as the Treaty of Tlatelolco, imposes in art. 1 an obligation on the parties to use the nuclear material which they possess solely for peaceful purposes. The parties also promise that they will prohibit and prevent within their respective territories all types of tests, as well as the use, manufacture and stockpiling of nuclear weapons. It should be noted, however, that the definition of nuclear weapons in art. 5 of the Treaty of Tlatelolco is not entirely satisfactory, because the test depends partially on the suitability for military use. While non-military nuclear explosive devices have not been banned by the treaty, it has to be remembered that art. 5 does not ban rockets, missiles, planes, etc., which might be converted to nuclear military use. The system of control is

⁷ The motion was drafted by Aksel Larsen and Chr. Madsen. *Protocols of the Nordic Council*, 1964, pp. 1358-9.

⁸ See the *Protocols of the Nordic Council*, 1964, p. 1360. See also, for instance, the *Protocols of the Nordic Council*, 1961, pp. 678-82.

founded on a treaty drafted by the signatories in conjunction with the IAEA (International Atomic Energy Agency). The signatories are bound to give information in the form of reports to the Agency for the Prohibition of Nuclear Weapons in Latin America and to the IAEA. On the authorization of the Council of the Agency, the Secretary General of the Agency is entitled to ask for special reports in case of need. Both the Council of the Agency and the IAEA have been empowered to make special investigations.

The first additional protocol to the treaty renders it open to France, the Netherlands, the United Kingdom and the United States to join. The United Kingdom deposited its instrument of ratification of additional protocol I on December 11, 1969, and the Netherlands did likewise on July 26, 1971. On December 9, 1974, the General Assembly urged the other two states to sign and ratify the instrument as soon as possible.⁹ Under this first protocol these states will become bound to keep the Latin American continent free of nuclear weapons. The second additional protocol includes a promise by the nuclear powers not to violate art. 1 of the Treaty of Tlatelolco and not to make use or threaten to make use of nuclear weapons against the signatories to the treaty. This protocol is open to adherence by China, the Soviet Union, the United Kingdom and the United States.

In December 1970, the General Assembly of the United Nations approved the Treaty on the Prohibition of the Emplacement of Nuclear Weapons of Mass Destruction on the Sea-Bed and Ocean Floor. In accordance with art. 9 of this treaty, which entered into force on May 11, 1972, the provisions included in it do not affect the obligations enjoined on the signatories to conventions establishing nuclear-free zones. From the point of view of future conventions on nuclear-free zones, this provision embodies an important principle, inasmuch as it accords preference to such conventions.

These treaties indicate that a clear change of attitude has taken place during the last ten years. Yet although the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water was

⁹ See Resolution 3262 (XXIX), December 9, 1974. In accordance with the operative para. 2 the ratification is needed "in order that the peoples of the territories in question may receive the benefits which derive from the Treaty and which consist mainly in removing the danger of nuclear attack and sparing the squandering of resources on the production of nuclear weapons". The Secretary General is requested to transmit the resolution concerned to the two states to which the appeal is addressed and to inform the General Assembly at its Thirtieth Session of any measure adopted by those states. The General Assembly decided to include in the provisional agenda of its Thirtieth Session an item entitled "Implementation of General Assembly Resolution 3262 (XXIX) concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America" (Treaty of Tlatelolco).

signed as early as 1963 in Moscow by the Soviet Union, the United Kingdom and the United States, it has still not been possible to reach agreement on a treaty to cover all nuclear-weapon tests. In addition to this, those nuclear powers who have not joined the Partial Test Ban Treaty have continued their test programmes despite strong protests. It also seems that the leading nuclear powers have not reached the stage where they would be prepared to extend the treaties to cover underground tests as well. Possibly the SALT talks might prove useful in this connection.

From the point of view of the present topic one could, however, put forward the argument that the lack of a Complete Test Ban Treaty seems to be for the time being a reason for rather than against the establishment of conventions on nuclear-free zones. The Latin American example might quite conceivably be followed in other regions, and plans to this effect have been considered for the Middle East, the Indian Ocean, the South Pacific, the Mediterranean region, the Balkan area and the Baltic Sea region in addition to Northern Europe. So far these plans have failed, mainly owing to political opposition and lack of mutual confidence. However, the General Assembly of the United Nations has on its provisional agenda for the Thirtieth Session in 1975 two concrete proposals concerning the Middle East and the Indian Ocean.

4. THE PRESENT POSITION IN THE NORDIC STATES

As regards the establishment of a nuclear-free zone for the Nordic states, it can hardly be contested that the four states actually concerned—Finland, Denmark, Norway and Sweden—form in principle a geographically limited region where the establishment of a nuclear-free zone should be possible. There is no indication that any one of these four states, all of which have ratified the Non-Proliferation Treaty, have changed their basic policy as to the undesirability of possessing nuclear weapons on their territories. Indeed, the region forms today an area without any nuclear weapons. This argument, which was referred to by some statesmen ten years ago, still holds good. But, one may well ask, is this enough?

In seeking an answer to this question one cannot avoid the conclusion that if there should in the future be a state of war in which nuclear weapons are resorted to and if the Nordic states should become involved in it, it would seem more than likely that nuclear weapons would be used both against some Nordic states at least and also by some Nordic states. The states I have in mind here are Denmark and Norway, as members of

NATO. This is of course assuming that NATO members resort to nuclear weapons at all. The most recent statistics prove beyond any doubt that, so far as conventional means of warfare are concerned, the Soviet Union is superior to the small Nordic states which are members of NATO. Should there be a military clash between NATO and members of the Warsaw Pact, it is very likely that the Nordic NATO members might be forced to accept nuclear weapons on their territories in order to gain more time and to build up a satisfactory conventional defence. Once nuclear weapons are accepted by some states of the region concerned, nuclear safety is seriously jeopardized for all the Nordic states.

Therefore, the special advantage in having a nuclear-free zone established lies in the fact that there would have to exist a guarantee by the nuclear powers not to resort under any circumstances to nuclear weapons against such states as belong to a nuclear-free zone. In so far as this guarantee is concerned it is important to notice that on October 15, 1974, during a visit to Finland, President Podgorny made a statement wherein he expressed the opinion that the Soviet Union would be prepared to guarantee together with other nuclear powers the status of the nuclear-free zone in Northern Europe. The guarantee, which would further the main aims of the Non-Proliferation Treaty, would strengthen the chances of remaining outside a possible future nuclear war. The idea in question has also been the goal of the additional protocols to the Treaty of Tlatelolco.

It is quite probable that, despite this advantage, the NATO member states Denmark and Norway would have strong doubts as to the advisability of joining the nuclear-free zone, since they obviously have also to take into account the wishes of their allies within NATO. They would likewise have to make a choice between the nuclear protection given by NATO and the placing of their trust in the establishment of a nuclear-free zone. It is not an easy decision and it is one that is entirely for the two states concerned to make.

But it is also understandable that—as the Norwegian Prime Minister, Mr Gerhardsen, put it ten years ago—there is nothing to discuss unless NATO, too, has something to gain by having two of its members join a nuclear-free zone. In saying this, he was referring to the necessity of including some parts of the Soviet Union in the same nuclear-free zone. This seems to form the crux of the matter, and one tends to get the impression when reading pronouncements made by leading statesmen in the West that they take it for granted that the Soviet Union will not consent to such an arrangement. I would submit, however, that this assumption need not necessarily be correct. So far, the willingness to find a fair

solution to this problem has not been tested and it is therefore hardly justifiable to proceed at once to a negative conclusion. Admittedly the Kuola peninsula is strategically a most important region for the Soviet Union, and it seems to be mainly on the basis of this assumption that NATO leaders have felt it impossible to expect the Soviet Union to make any concessions there. I do not say that such a conclusion is of necessity wrong, but I submit that there is a need to find out what the real position is. It is to be remembered that any area within a nuclear-free zone gets the same protection—the basic idea being that, while conventional warfare is possible within the zone, nuclear weapons will not be possessed by anyone within the zone and that, reciprocally, other states will never make use of nuclear weapons against any parts of the zone. The limits of the area concerned would have to be fixed by negotiation and it seems that boundary areas of reasonable depth along the common frontiers of the Soviet Union and Finland as well as Norway might be the answer to the problem of NATO.

Let us, nevertheless, take into account the possibility that the Soviet Union and NATO cannot agree on compensation for the joining by Denmark and Norway of a nuclear-free zone and that these last-mentioned states accordingly refuse to join. This does not necessarily mean that the idea of a nuclear-free zone has completely fallen through in Northern Europe. There still exists the possibility of creating a nuclear-free zone consisting solely of Finland and Sweden. The zone would in such a case be smaller but it would not be insignificant. Both Finland and Sweden are outside major military alliances and they would not have to worry about getting something in return from the major alliances. A guarantee by the leading powers to respect the nuclear-free zone formed by these two states might turn out to suffice. This is all the more probable as these two states have never shown any willingness to accept nuclear weapons on their territories. In the case of Finland, the Peace Treaty of Paris already prohibits the stationing of any nuclear weapons in that country.¹ Neither of the two big military alliances would seem to have

¹ According to art. 17 of the Peace Treaty, Finland is not allowed to possess, manufacture or test atomic weapons or missiles as well as mechanical devices to shoot down atomic weapons or missiles. However, art. 22 of the Peace Treaty opens up the possibility of amending the military limitations. This can be done either by means of an agreement between Finland and the victorious states or, once Finland has become a member of the United Nations, by agreement between Finland and the Security Council. In 1962 it was agreed between Finland and the other parties to the Peace Treaty that Finland should be allowed to obtain defensive missiles. More specifically it was explained that such missiles would include missiles for air and sea targets. Similarly Finland may also possess defensive missiles to be used by the army. It is nevertheless clear that ballistic missiles do not fall within the category of acceptable missiles.

limit the treaty concerned to a period of five years with the possibility of renewal.² This need not be a difficult issue, because the treaty establishing a nuclear-free zone could quite conceivably be limited in time. Whether a ten-year period would be more feasible than a relatively short period like five years remains a matter to be considered. A permanent treaty would also be a practicable solution well worth considering.

What would be the objectives of the Nordic nuclear-free zone? Those who are opposed to this idea will probably point out, first, that the idea itself was brought up at a time when not even the Partial Test Ban Treaty had been ratified and, secondly, that the Non-Proliferation Treaty has brought about a change in so far as the need for nuclear-free zones is concerned. The unsuccessful efforts to create a Complete Test Ban Treaty have already been mentioned as being rather a reason for the need for a nuclear-free zone. As far as the latter part of the argument is concerned, one has to take into account the fact that in establishing a nuclear-free zone the prevention of proliferation is not the only goal. A second and even more important one is to free the zone from nuclear threat. This is a goal which could be reached by means of a nuclear-free zone together with an undertaking by states not to use nuclear weapons against any targets within this zone.

This last argument is also valid in connection with the argument presented by the Nordic NATO members, namely that NATO gives them a nuclear guarantee. This is of course so, but one should also pay attention to the advantages of being freed from the nuclear threat.³ When the devastating power of the present nuclear weapons is considered, one would be inclined to feel that, especially from the point of view of relatively small states, a decreasing of the possibility of becoming involved in a nuclear war must be a primary consideration.

In this connection it is necessary to point out that the main difficulty preventing the establishment of a nuclear-free zone (not only in Northern Europe but elsewhere, too) concerns the need for mutual confidence. As long as a mutual feeling of trust is missing, there will continue to exist sceptical opponents of the idea of nuclear-free zones. But in this regard

² This limitation was proposed by Sweden in view of the fact that the treaty in question would be the first treaty creating a nuclear-free zone and thus there was no previous experience to fall back on. However, this argument is no longer valid.

³ On October 21, 1974, Senator Symington made a statement in the First Committee of the General Assembly of the United Nations. He explained that the United States was interested in the establishment of nuclear-free zones provided the following four conditions were fulfilled: (1) the initiative must come from states situated in the region concerned; (2) all important states of the region must be included in the nuclear-free zone; (3) the necessary security arrangements should not be disturbed, and (4) a satisfactory system of verification must be arranged.

one should think of the stalemate which has become so typical of disarmament negotiations in general. As long as every step towards general and complete disarmament is felt to involve the danger of losing something and there is fear that the step might lead to an asymmetrical solution, progress will of necessity be extremely slow. Only when the parties to the disarmament negotiations adopt a more open general attitude and refrain from seeing almost every proposal presented by the other parties as inevitably one-sided and likely to lead to loss of prestige if adopted, will really meaningful new results be achieved.

It is certain that the establishment of a nuclear-free zone in Northern Europe is likely to require time and negotiation. It seems, however, that the present attitudes towards the establishment of nuclear-free zones in general are considerably more favourable than those held before. Here it must suffice to mention that, in a preambular paragraph of Resolution 3263 (XXIX) on the establishment of a nuclear-free zone in the region of the Middle East, the General Assembly of the United Nations considered that "the establishment of zones free from nuclear weapons, on the initiative of the States situated within each zone concerned, is one of the measures which can contribute most effectively to halting the proliferation of those instruments of mass destruction and to promoting progress towards nuclear disarmament, with the goal of total destruction of all nuclear weapons and their means of delivery". In the operative part of the resolution the General Assembly commended the idea of the establishment of a nuclear-free zone in the region of Middle East. Accordingly, it is to be hoped that the idea of establishing a nuclear-free zone in Northern Europe will be openly discussed with a view to finding out whether the premises and attitudes have by now changed to such an extent that an idea which once was regarded as mere idealism will in the future be seen to have a sound basis of realism.

5. POSTSCRIPT

Let me by way of a postscript bring up an alternative idea which, although not directly connected with the establishment of a nuclear-free zone in Northern Europe, might have some merit as a means of relieving tension within this region.

It has been pointed out above in various connections that Finland has since the second world war followed a policy of neutrality. This policy has been acknowledged by the Great Powers as well and there is no indication

that Finland intends to adopt a different line of policy in the foreseeable future. Taking this into account one could pose the following question: Should Finland strive for international recognition as a permanently neutral state?

The past history of permanently neutral states shows both successes and failures. The most recent European state to gain this status is Austria, which became permanently neutral in 1955 as the result of the State Treaty of Austria, which was concluded on May 15, 1955, and by the subsequent internal legislation which declared Austria to have become a permanently neutral state.⁴ It may be mentioned in this connection that the Austrian action was resorted to partly as an ultimate means of being relieved from occupation by the Allied forces. On December 14, 1955, Austria became, simultaneously with Finland, a member of the United Nations.⁵ Austria's permanent neutrality does not follow the traditional legal pattern. There is no formal treaty of guarantee by the Great Powers as in the case of Switzerland. The Austrian Government merely sent notes to all those states with which diplomatic relations existed at the end of 1955 notifying them of the Austrian legislation establishing unilaterally the status of permanent neutrality. Several states expressed their approval and no state objected to the change of status. Since then Austria has been—also in contrast to Switzerland—an active member of the United Nations and it seems that the status of permanent neutrality has worked out well in actual practice.

Turning to the position of Finland in this respect, one could say that the geographical position of the country would well suit permanent neutrality. A mere unilateral act would, however, not be a satisfactory solution. The change would have to take place as a result of a wide acceptance by the Great Powers in the East and West. Further, a treaty of guarantee would be welcome, although from the legal point of view it is not strictly necessary. Anyhow, a treaty of guarantee would certainly strengthen the position of Finland in this matter.

What would then be the consequences of permanent neutrality? In so far as the present situation of Finland is taken as the starting point, one might conclude by saying that Finland could follow a similar foreign policy to the one she has today and that Finland would continue to have to be prepared to defend herself against any acts of aggression. Should such acts take place, however, Finland would be able to count on the support of the

⁴ On the legal nature of the permanent neutrality of Austria, see Bengt Broms, *Itävallan pysyvän puolueettomuuden kehitys ja jäsenyys Yhdistyneissä Kansakunnissa*, Turku 1968, pp. 35–74.

⁵ As to the membership of a permanently neutral state in the United Nations, see Bengt Broms, *op. cit.* in preceding note, pp. 94–106, and *idem*, *Yhdistyneet Kansakunnat*, Turku 1967, pp. 63–71.

guarantor states. Although a permanently neutral state is not entitled to participate in military alliances that have an aggressive character, it has been an accepted legal doctrine that even a permanently neutral state is allowed to enter into peacetime agreements granting her assistance in case of a future attack against her territory. In the light of this the Treaty of Friendship, Co-operation and Mutual Assistance between Finland and the Soviet Union which was entered into in 1948 need not be affected by the new status. It would be another matter if Finland and the Soviet Union were then to agree that the Treaty of Friendship would be compensated for by the guarantee which the Soviet Union would give as to permanent neutrality and that consequently there would not exist any need for a bilateral treaty arrangement.

It is here submitted that the proposal outlined above might open up an interesting alternative. The existence of a permanently neutral state under the guarantee of the Great Powers might—taking into account Finland's geographical position—have a positive effect on the entire region covered by the Nordic states, not to mention the beneficial consequences it might create for the country directly concerned.

By way of conclusion I should like to say that the possible establishment of a permanently neutral state in Northern Europe would not in any way make impossible the establishment also of a nuclear-free zone in this region. A permanently neutral state could quite conceivably become a member of a nuclear-free zone, and on the basis of the Swiss and Austrian precedents one could also conclude that permanent neutrality has certain advantages which are also of general importance from the point of view of relieving international tension.