

# Lessons learned from experiences in establishing NWFS of Mongolia

March 2016 REC-PP-04-EN

## RECNA Policy Paper

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## Abbreviations

CD - Conference on Disarmament

CCD - Conference of the Committee on Disarmament

NAM - Non-Aligned Movement

NAPCI - Northeast Asia Peace and Cooperation Initiative

NATO - North Atlantic Treaty Organization

NEA - Northeast Asia

NPT - Treaty on the Non-Proliferation of Nuclear Weapons

NWFS - Nuclear-Weapon-Free Status

NWFZ - Nuclear-Weapon-Free Zone

SALT - Strategic Arms Limitation Talks

SS-NWFZ - single-State NWFZ

UBD - Ulaanbaatar Dialogue

UBP - Ulaanbaatar Process

UNDC - United Nations Disarmament Commission

UNGA - United Nations General Assembly

UNRCDD - United Nations Regional Center for Peace and Development in Asia and the Pacific

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## *Executive summary*

This concept paper addresses one of the least studied issues in contemporary international relations: the concept and practice of establishing a single-State nuclear-weapon-free zone (SS-NWFZ). Of the 193 member states of the United Nations, Mongolia is the only one that has been promoting a SS-NWFZ, although some other states are closely following its policy. This paper describes the progress made in promoting it and the challenges that it has faced or is still facing. Today there are nearly one dozen members of the United Nations that are not members of military alliances or under the umbrella of nuclear-weapon states who cannot join traditional (regional) NWFZs due to their geographical or geopolitical location. There is no doubt that they would want to find themselves a part of the gradually emerging nuclear-weapon-free world.

Also one should not discount the nearly 60 territories that are currently under the control of some members of the United Nations that, if their inhabitants were asked, would most probably opt for a non-nuclear-weapon status bearing in mind the past tragic history of some territories. Hence the concept and practice of establishing SS-NWFZs is important not only in theory but also in practice to ensure an individual country's or independent territory's nuclear security while at the same time contributing to regional peace, stability and predictability. Therein lies the importance of Mongolia's experience and lessons learned. The author believes that the issue of SS-NWFZ should not be treated as a taboo, but as an opportunity to help strengthen an individual country's or territory's security as well as regional confidence and security as a whole. In the emerging nuclear-weapon-free world there should be no "blind spots" or "grey areas."

The concept paper draws on Mongolia's experience in dealing and negotiating with the five officially recognized nuclear-weapon states (P5), especially the period of negotiating the first UNGA (United Nations General Assembly) resolution on Mongolia's nuclear-weapon-free status that laid the basis of subsequent consideration of the issue. In doing so the paper tries to show the position of individual parties and of the P5 group positions on issues, how issues were approached and agreements arrived at, and on which issues the sides were able to agree on and which are still pending. The paper underlines the importance of the substance of the initiatives in determining the degree of their success. Mongolia's experience shows that the timing of initiatives and the support that they receive, especially from the major stakeholders and the international support, are important factors for promoting initiatives. Since diplomacy is conducted by individual people, their attitude, commitment to the common goal, and even personal relations are also important factors. During the past two decades Mongolian representatives held over 80 meetings with their P5 counterparts (bilateral, trilateral, plurilateral or with the P5 as a group). Each one had an impact in promoting the issue or slowing the process. The paper also shows how Mongolia perceives the notions of "precedent setting" and "security assurances."

One of the most striking features of Mongolia's talks and dealings with the P5 is the utter asymmetry of the political weight and influence of the P5 which at times objectively created enormous difficulties to come to an agreement. Despite the absence of previous experience in discussing and negotiating security-related issues, the differences of national objectives, and

interests, the parties were able to agree on aspects of the issues concerned. These aspects include agreement to move from the concept of SS-NWFZ to a unique nuclear-weapon-free status, the pledge of the P5 to respect Mongolia's unique nuclear-weapon-free status and not to contribute to any act that would violate it or the ban on the stationing on its territory of foreign troops, as well as nuclear weapons and other weapons of mass destruction.

Unlike the talks on Iran's nuclear program or the DPRK's nuclear weapon program, the talks on Mongolia's nuclear-weapon-free status did not hit the headlines. Mongolia did not try to politicize issues but rather find a common solution. This provided a more favorable atmosphere to promote the issue quietly, in a business-like atmosphere on the basis of mutual understanding and respect.

The concept paper is based on materials available to Mongolia only (meaning no internal material from the P5 or of the group as a whole was used) and the experience gained in the past two decades. Within the space available for the paper, the author dwells in some detail on the early stages of elaborating the agreed framework and parameters of consideration of the issue within the UNGA. The paper also offers a simplified chart of the actions taken by Mongolia to promote its nuclear-weapon-free status, the challenges met, and lessons learned.

The concept paper also looks at how Mongolia's nuclear-weapon-free status and its experience in promoting the issue internationally could be useful in addressing some of the pressing issues of Northeast Asia, including embarking on informal consideration of establishing a NEA-NWFZ.

## *Introduction*

Since the dawn of the nuclear age, two of the most pressing issues have been reducing the nuclear threat and nuclear disarmament. These issues have been grabbing the headlines since the end of World War II. With the end of the Cold War, it was thought that the nuclear-weapon states would be able to halt and reverse the nuclear arms race and gradually reduce the role of nuclear weapons in their security policies. The ideas of nuclear disarmament and establishing a nuclear-weapon-free world enjoy wide public support. However, as international relations vividly demonstrate, the NPT (Treaty on the Non-Proliferation of Nuclear Weapons) recognized nuclear-weapon states (the US, Russia, China, the UK and France, known as the P5) and other nuclear-weapon states are not contemplating any serious steps to reduce, ban, or eliminate nuclear weapons. On the contrary the nuclear weapon states are keeping their weapons and even making them more useable (or less useable, depending on how one would interpret it) by lowering the threshold of their use and hence making them more dangerous and as a result less likely to be used.

Nuclear weapons use affects not only the states concerned but would lead to catastrophic consequences for other states and humankind. That is why there is an increasing realization that all states, especially the non-nuclear-weapon states, need to be active in gradually outlawing and destroying this type of weapon of mass destruction. The 1970s witnessed the establishment of the first nuclear-weapon-free zone (NWFZ) in Latin America. Today there are five NWFZs, covering the major part of the Southern hemisphere, including almost 120 states. Analysis of the geographical location and history of the establishment of these zones demonstrates that they have been established in areas with regional political structures where the nuclear-weapon states do not have much geopolitical stake. However, the establishing of NWFZs in areas where the nuclear-weapon states have geopolitical interests is much more difficult, as is the case of establishing a NWFZ in the Middle East. Establishing a Northeast Asia (NEA) NWFZ is not yet on the political agenda of the region and is not being discussed, even on an informal basis.

The NWFZs that have been established so far are known as regional (traditional) zones. However, there are over a dozen non-nuclear-weapon states that for geographical or geopolitical reasons cannot be part of these traditional zones. Hence even if the nuclear-weapon-free world is to emerge as a result of the establishment of additional traditional zones, the states that cannot fit into such zones will be left out.

In 1997-99, the Commission on Disarmament elaborated guidelines for establishing new regional NWFZs on the basis of arrangements freely arrived at among the states of the region concerned. Mongolia proposed to simultaneously elaborate guidelines for establishing single-State zones. At the time it pointed out that over a dozen states might not be able to join the traditional zones. It also submitted to the Commission a working paper on the issue that would identify the principles for establishing single-State zones, elements of a model agreement, and the stages of consideration of such guidelines. Though many developing countries supported the idea as being practically useful, the P5 was against it, explaining that the single-State proposal would distract from elaborating new guidelines for traditional zones. Thus it was



agreed only to mention the issue in a footnote with an understanding that the Commission could return to it later.

If the notion of “safety in numbers” is any indication, small individual states are the most vulnerable to threats or outside pressure. That in itself underlines the importance of the issue. Today Mongolia is the only country that is trying to establish a single-State NWFZ, so far with mixed results.

The purpose of this concept paper is to analyze the almost quarter of a century of Mongolia’s policy aimed at turning its country into a single-State NWFZ. This paper also discusses:

- the reason for opting for such a policy;
- the progress made;
- the challenges it faced and is still facing in making the country into a full-fledged NWFZ enjoying security assurances of the P5; and
- the lessons learned from this process.

In 1975 the United Nations undertook a comprehensive study of the question of NWFZs in all its aspects, which mentioned that even individual countries may establish such zones. Since then the P5 is reluctant to support the idea of single-State NWFZs, seeing it as precedent that would “rock the boat” in today’s geopolitical environment. This paper addresses this issue and the challenges a single-State NWFZ would face. Thereby it aims to eliminate “blind spots,” individual countries that are not part of traditional NWFZs, in the future nuclear-weapon-free world.

Though disarmament researchers make reference to the 1975 study on NWFZs, very few mention the possibility of establishing single-State zones. As of today not a single research work devoted to this issue has been undertaken. The issue is overlooked, if not ignored totally. Only Mongolian researchers have addressed this issue in connection with the country’s nuclear-weapon-free status policy. Very brief references to single-State NWFZs are found in some disarmament-related articles in Nepal, Australia, the US, and Ireland. The author believes that research can fill the existing gap in this area and can be helpful in providing possible ways to eliminate future “blind spots.” It will also try to demonstrate that single-State NWFZs can improve regional stability, international predictability, and security. This study shows that even non-nuclear-weapon small states can play an important role in making this world a safer place for future generations. As everyone knows, it is usually the small states that fall victim to threats and political manipulation. Hence the author explains why individual states should be interested in establishing single-State NWFZs, why it is important, and how it could affect regional peace and security.

### ***Problem description***

This concept paper addresses the following questions using Mongolia as a case study. Should a single-State NWFZ be recognized on par with traditional zones? What are the valid reasons for not recognizing a single-State NWFZ? What are the consequences of non-recognition? How would such non-recognition fare with basic international principles of sovereign equality of states and common security? How can a single-State NWFZ promote international peace and stability? Is a single-State NWFZ a problem for the individual state concerned or will it affect regional peace, confidence, and predictability?

## ***One. Briefly about Mongolia***

Though this concept paper is not about Mongolia itself, nevertheless a brief introduction of the country will be useful to provide a proper background for understanding Mongolia, its interests, policies and challenges.

Mongolia is a landlocked country situated in east-central Asia. It is bordered by Russia to the north and China to the south, east, and west. It has a territory of 1,564,116 km<sup>2</sup> and is the 19th largest in the world. It is the most sparsely populated independent country in the world. It is also the world's second-largest landlocked country after Kazakhstan. The country has very little arable land (around 3 percent). Much of its area is covered by steppe, with mountains to the north and west, and the Gobi Desert to the south. It has an extreme continental climate with long cold winters and short, hot summers, and an annual precipitation of less than 15 inches in the wettest areas. As of 2015, it has a population of three million people. Approximately 30 percent of the population is nomadic or semi-nomadic. The predominant religion is Tibetan Buddhism. The majority of the state's citizens are of Mongol ethnicity, although Kazakhs, Tuvans, and other minorities also live in the country, especially in the west.

In general, it could be said that its geography is history. As a land-locked country it has no free access to world seas and oceans and hence to world markets. The nearest sea port<sup>1</sup> is about 1000 km from its south-east border. It has a huge territory and a small population.<sup>2</sup>

### ***Ancient history***

Dinosaurs inhabited the territory some 80-100 million years ago. It is one of the cradles of ancient human beings; archaeologically the country is a real treasure chest. Over 2,220 years ago the first Mongolian state was established, its legacy is still being unearthed and studied. Some archaeological findings and ethnic characteristics are similar to native American Indians. The Turks and Hungarians trace their ancestry to the Mongolian plains.

### ***From the 8th to 20th century***

Mongols have made many contributions to world development although many negative things have been written about the Mongol conquests, especially by the people that had been conquered. Thus the Mongol Emperor Chinggis Khaan (to the west he is known as Genghis Khan) promoted East-West trade by protecting the Silk Road that linked Europe and Asia, maintained an effective chain of relay stations (for communications purposes), promoted the tolerance of different faiths and established inviolability of the special status of the Emperor's envoys (ambassadors). In 13th to 14th centuries the lands of the Mongol Empire were under Pax Mongolica, which provided peace and safe travel within the empire and contributed to free and safe trade through the Silk Road.<sup>3</sup> The tolerance of religions contributed to the coexistence of different religions and to the stability of the Empire.

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<sup>1</sup>China's Tianjin port in the north-east of that country.

<sup>2</sup> Its present territory is 1.565.000 km<sup>2</sup>, it stretches 2392 km from the east to the west and 1259 km from the north to the south (1 percent of the Earth's territory and 0.004 percent of the world's population).

<sup>3</sup> Free trade between Europe and Asia flourished during the Pax Mongolica. Thus the West enriched its knowledge of arms and printing. Marco Polo's travels led to greater exchanges between Europe and Asia. In Asia itself, Persian and Indian products and food made their way into China, while the latter's science of medicine benefited the peoples of Europe and other regions.

In the 13th to 14th centuries Mongols ruled parts of both Russia and China. By the mid-14th century the empire started gradually to disintegrate, while Russia expanded to the East and China to west and north, squeezing the remnants of the Mongol empire. After the collapse of the Yuan dynasty, Mongols retreated to their homeland, north of the Great Chinese Wall. By the end of the 17th century, Russian expansion reached the land of the Mongols. Internecine wars and attempts to revive forcibly a united Mongol state further weakened the state.

In 1636 the Manchus subjugated Southern Mongolia<sup>4</sup> and in 1691 Northern Mongolia became part of the rising Manchu empire under the Dolonnor convention. Under the convention the hope was the Mongols would be able to preserve their nomadic national identity and Tibetan Buddhist religion.

Most history is geography. The gradual expansion of Russia and China led to the Nerchinsk (in 1689) and Kyakhta (in 1727) agreements that delineated their borders, which at that time included some of the Mongolian borders. By 1850 the Manchus weakened their legislation regarding the protection of the Mongols and their way of life, which led to the gradual settlement of the Chinese in Mongolia. Throughout the 18th and 19th centuries Mongols protested the oppressive rule of the Manchu<sup>5</sup> and the lifting of the ban on Chinese settlements.

### *Declaration of national independence*

Fast forward to early 20th century when the Manchu/Chinese rule was collapsing in 1911. The Mongolians declared their independence and tried to obtain support from Russia and other great powers. However due to a secret treaty with Japan regarding their spheres of influence, and not to antagonize China, Russia was reluctant to directly support Mongolian independence. The newly independent Mongolia's main aim was unification: bringing together Khalkha (Northern/Outer) Mongolia, Inner Mongolia, Barga (Khulunbuir), and Uriankhai (Tannu Tuva). This aim was largely supported by the Mongolian populations of these areas. Mongolia's efforts to unite its peoples and territories, gain recognition, and establish diplomatic relations with other great powers, including United States, Japan, and some European powers failed, since the latter were reluctant to antagonize both Russia and China.

*The tripartite conference.* To address Mongolia's status, a tripartite conference was held in 1914-15 which resulted in the signing of the so-called Kyakhta treaty, whereby Mongolia was forced to agree to Chinese suzerainty over Mongolia.

World War I and the following civil war weakened and divided Russia. In 1919 China presented Mongolia with a 64-point ultimatum, sent in troops, and unilaterally annulled Mongolia's autonomous status agreed at Kyakhta in 1915. Trying to play on the sentiments of Mongolians for a united nation, the White Russian ataman Semyonov organized the Pan-Mongolia Conference in collaboration with the Japanese as the "Dauria Conference." Though Outer Mongolia was invited to the Pan-Mongolia Conference, it did not participate in it, seeing it as a tool in the Russian civil war and Japanese imperial designs.

Squeezed between two expanding empires, Mongolia chose the lesser of the two evils. It sided with Soviet Russia which was seen as more sympathetic. Russia also never laid territorial claims on Mongolia. Though Soviet Russia was reluctant to antagonize China, the Russian civil war spilled over into Mongolia. White Russian forces headed by Baron Ungern-Sternberg invaded Mongolia and forced the Chinese to withdraw from Mongolia. Soviet forces decided

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<sup>4</sup> In history known largely as Inner Mongolia

<sup>5</sup> In name it was a Manchu rule, but in fact it gradually became Chinese rule.

to assist Mongolians in getting rid of the White Russian invaders. Hence, despite Chinese protests against the Soviet intervention in Mongolia as meddling in its affairs, the Soviets, responding to a Mongolian request, forcibly intervened and drove the White Russian troops out of Mongolia. In July 1921 Mongolia declared its independence again. In November 1921 the Soviet Russian government recognized the new Mongolian government and established diplomatic relations with it.

At the same time Soviet Russia held negotiations with China. On 31 May 1924 Russia signed a treaty with China recognizing China's suzerainty over Mongolia. Mongolia protested, but of no avail. China and other nations refused to recognize Mongolia's independence until the end of World War II. Gradually Mongolia became a Soviet satellite state. Its pro-Soviet internal and foreign policies further isolated it from the outside world.

Mongolia contributed to the allied powers during World War II, providing the most material assistance in per capita terms. As a result, upon Soviet insistence the allied powers recognized Mongolia's *status quo* at the Yalta conference in February 1945. It took several decades to have the Western nations recognize Mongolia's independent status. The reason that the author has written about Mongolia's history until the mid-20th century is to show that Mongolians have always been sensitive to the issues of sovereignty and independence.

### ***Mongolia's geopolitical reality***

Geographically and physically Mongolia today is one of the most vulnerable countries in the world. It borders two historical adversaries, that also happen to be veto wielding Permanent Members of UN Security Council with nuclear weapons. The region has and continues to be an area of conflict between great powers.<sup>6</sup>

As the Mongolian saying goes, "the duck is calm when the lake is calm." There is no multilateral security mechanism in Northeast Asia to properly channel rivalries between nations in the region. In today's world nuclear advantage translates into geopolitical advantage. These realities should not be overlooked in security or foreign policy.

The Soviet agreement to withdraw its forces from Afghanistan and Mongolia, as well as to ensure withdrawal of Soviet-backed Vietnamese forces from Cambodia in the late 1980s has opened the way for normalization of Sino-Soviet relations. Subsequent end of the East-West Cold War, the disintegration of the so-called socialist world, and of the Soviet Union itself fundamentally changed Mongolia's geopolitical environment. At the same time Mongolia experienced a peaceful democratic revolution that draws strength and wisdom from its own people and history. These changes have opened up the opportunity for Mongolia to abandon its one-sided pro-Soviet policies and promote a more balanced policy. In these circumstances, for the first time in the past three hundred years, Mongolia has the opportunity to define and pursue its own national interests. Thus it provided an opportunity to try to convert its challenges and weaknesses into opportunities through soft approaches, by political and diplomatic means.

In this new geostrategic environment, Mongolia abandoned its reliance on one state and adopted a "multi-pillared" foreign policy diversifying its foreign relations beyond its immediate neighbors. This major pragmatic turn, that rejected any form of "Brezhnev" or "Monroe"

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<sup>6</sup> Despite Mongolia's material contribution to the Allied powers during World War II, especially to the Soviet Union and its direct participation in the liberation of northeast China in the summer of 1945, it took 15 years for Mongolia to become member of the United Nations. Its membership was opposed by the Western countries and the Republic of China.

doctrines of limited sovereignty, is reflected by the national security and foreign policy concepts adopted by the State Great Hural (the Parliament) of Mongolia in June 1994. The concept declared that Mongolia's foreign policy would henceforth be based on political realism, non-alignment, and the pursuit of its own national interests, as reflected in the 1992 Constitution. Its priority is to safeguard its security and vital national interests primarily by political and diplomatic means. Political realism implied that the Mongolian people are the ultimate subject and object of national security.<sup>7</sup>

Realistically speaking, Mongolia cannot protect itself from a determined big country. On the other hand, it knows the perils of overdependence on one state and serving as the "younger" brother in an unequal alliance. Thus it made the decision to promote the policy of non-alignment and balancing the interests of its neighbors unless its vital national interests are affected. In the latter case it would, of course follow these interests. These basic tenets of its foreign policy have been explained to its neighbors and other states.

### *Self-imposed red lines*

Ensuring security through political and diplomatic means has its limitations. This should not be forgotten. Mongolia remains skeptical that others, even our neighbors or other close "partners" would actually risk their own core interests to assist Mongolia in time of danger.<sup>8</sup> That is why the art of foreign policy is to determine what the "red lines" are (self-imposed red lines). One such red line is the territories that Mongolians sought to unite in 1911-1915. They should not be crossed. Situations threatening national security can and need to be avoided so that they do not arise in the first place. Hence, championing its national interests, it pledged to respect the legitimate interests of its neighbors and partners, and to avoid being used as a Trojan horse for any state or group of states. Therein lies the strength and sustainability of its foreign policy. The national security concept<sup>9</sup> defined disputes and conflicts between the neighboring States as potential threats to its national security. It also calls for promoting a policy of maintaining strategic stability and establishing a reliable system of strengthening peace and security in Asia and the Pacific, particularly in Northeast Asia and Central Asia.<sup>10</sup>

One of the effective ways of ensuring national security is conflict prevention in the region. Bearing that in mind in 2000, Mongolia has called for establishing a track-1 security dialogue mechanism. In 2013, Mongolia's President called for an Ulaanbaatar dialogue on Northeast Asian security, starting with track-1.5 approaches to issues of common interest that could lead to greater confidence in the region.

### *Relations with its immediate neighbors*

Though the political landscape is changing, geography did not change in the post-Cold War era. Hence relations with its two immediate neighbors, Russia and China, remain the country's foreign policy priority. Due to the proximity to its two big neighbors, the major changes taking place in those countries as well as between them have a direct impact on Mongolia's policy and its immediate external environment. The three major principles of the Mongolia's foreign

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<sup>7</sup> Thus paragraph 11 of the National Security Concept of Mongolia of 1994 stated that "The main guarantors of national security are the people of Mongolia and the Mongolian state."

<sup>8</sup> History knows many examples when the powerful states abandon their smaller and weaker "allies" to accommodate other stronger powers. The "appeasement" examples from the beginning of World War II are still fresh in the minds of historians and political scientists.

<sup>9</sup> Also adopted in June 1994 together with the Concept of Mongolia's Foreign Policy and the Fundamentals of the Military Doctrine of Mongolia.

<sup>10</sup> See The Concept of National Security of Mongolia. Ulaanbaatar, 1999, paragraph 23 One (4) of the concept.

policy are political realism, priority for its own national interests while at the same time respecting the legitimate interests of others, and strengthening its national security primarily by political and diplomatic means. As to the main direction of foreign relations, the country's relations with its neighbors remain as a priority. With them it pursues a balanced relationship (which does not mean keeping equidistance between them or taking identical positions on all issues) and developing all-round good-neighborly relations and strategic partnership. In promoting relations with them, Mongolia takes due account of their policies regarding Mongolia's interests, above all its vital interests. Bearing in mind its past experience, Mongolia declared a policy of non-involvement and neutrality with regard to possible disputes between the neighbors, unless the disputes affected its vital interests.

Another novelty in Mongolia's foreign policy is promoting a "third neighbor" policy, reaching out to other states with shared common values, as well as diversifying and opening up its economy and encouraging foreign investment.

### **Mongolia and nuclear-weapon related challenges**

Since the dawn of the nuclear era Mongolia has opposed nuclear weapons. One of the lessons it learned during the Cold War and Sino-Soviet tension was that alliances with a nuclear-weapon powers can be perilous since it could become a target of the opposing nuclear-weapon powers. Linking a country's security with the security or perceived security of an ally, especially of a great power, is a double-edged sword. In this nuclear age an alliance with a nuclear-weapon state, especially accepting part of nuclear weapons on its territory, the country becomes target of nuclear weapons of other states. In this case the alliance will automatically draw that country into an armed conflict. The threat of being drawn into Sino-Soviet confrontation was especially felt by Mongolia from mid-1960s to mid-1980s. Thus at the height of Sino-Soviet confrontation and border conflict in 1969, when the armed clashes occurred along their border, Moscow had over 10,000 nuclear weapons and China already had around 50 in their arsenals.<sup>11</sup> By that time Moscow had around 60,000 to 75,000 troops, including two tank and two motorized rifle divisions, plus unspecified air force units stationed in Mongolia. Some of the troops were equipped with dual use intermediate range-ballistic missiles and aircraft.

Having sided firmly with the Soviets in the Sino-Soviet dispute and having allowed the stationing of Soviet troops on its territory, Mongolia was no longer only a strategic buffer for the Soviets against China. It also served as a potential springboard from which the Soviets could launch a blitzkrieg-type military offensive into northern China, including possibly into Beijing.

In 1969 the Soviets briefly entertained the idea of undertaking a preemptive nuclear strike against Chinese nuclear facilities and installations. It therefore was no coincidence that Soviet military experts and strategists were writing at that time that "along with conventional war and instantaneous nuclear war of incredible magnitude and devastation, war involving the restricted use of nuclear weapons in one or more theaters of military operations should not be excluded."<sup>12</sup> It was also assumed that since China was the Soviet Union's adversary, in case of a war between the Soviet Union along with its Warsaw Pact allies and the United States with NATO, a

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<sup>11</sup> Robert S. Norris and Hans M. Kristensen. Global nuclear weapons inventories, 1945-2010. *Bulletin of Atomic Scientists*. July/August 2010. p. 81.

<sup>12</sup> V. Sokolovsky and M. Cherednichenko "Voyennaya strategiya I yeye problemy" (Military strategy and its problems). *Voyennaya mysl'*, No. 10, 1968. p. 36

perceived second front, between the Soviet Union and China, could have involved the use of nuclear weapons due to the overextension of Soviet armed forces.<sup>13</sup>

Archival materials show that the events in 1969 could have led to a nuclear exchange. This is also confirmed by the post-Cold War writings of US, Russian, and even Chinese statesmen and scholars such as former US Secretary of State Dr. Henry Kissinger, former Soviet Ambassador to US Anatoly Dobrynin, Chinese scholar Liu Chenshan,<sup>14</sup> and others. Thus in May 2010 China published a study which recounts the five instances in the early history of the PRC when it was threatened by US nuclear weapons. Mr. Chenshan in his article also underlined that the most serious threat was in 1969 at the height of the Sino-Soviet border dispute and the clashes that claimed lives of around 1,000 military personnel. According to Dr. Kissinger, the Soviets had approached the US to “sound out” the reaction of a “surgical” strike by the Soviet Union against the Chinese nuclear arsenal. The Soviet ambassador to the US, A. Dobrynin, wrote that he told the Soviet leader L. Brezhnev that the US response to the Soviet “sounding” was negative. The US warned that if China suffered a nuclear attack, it would be considered the start of the World War III. The apparent US geopolitical calculation was that it sensed a greater threat from the Soviet Union than from the PRC; a stronger China would counter-balance Soviet power. Had the US indicated that it would remain “neutral” to the proposed Soviet surgical strike, the 1962 Cuban missile crisis would have been a footnote compared to possible Sino-Soviet clashes.

Since Mongolia was considered an important “fore-post” of socialism in Asia,<sup>15</sup> its territory was expected to play a strategic role in a potential Sino-Soviet confrontation. However, the nature of the Soviet-Mongolian “alliance,” and of the Brezhnev doctrine in general meant that the ultimate decision to use force, including nuclear weapons and other weapons of mass destruction, would have been taken by the Soviets themselves, without any real consultation with the Mongolian side. The latter probably would have been informed of the decision either immediately prior to the use of force or *ex post factum*. In other words the Mongolians would not have had a voice in the decision to use force from Mongolian territory. Therefore, its role as a “strategic bridge-head” in the potential conflict meant that Mongolia would have surely been turned into a battlefield where nuclear weapons could have been used. This dangerous situation should never recur again.

There were two ways to address this dilemma: either make sure that the Soviet Union would have an overwhelming nuclear power to dissuade any nuclear-weapon state or group of states to attack it or make sure that there were no Soviet military bases in Mongolia. Both scenarios seemed unimaginable in the second half of 1970s and early 1980s. The first scenario could not be achieved due to near parity in US-Soviet nuclear forces and US-NATO conventional weapons superiority. Also, the Soviet economic woes demanded a reduction of investment in the military and more investment in the economy. The second scenario became more realistic with the gradual normalization of Sino-Soviet relations and the Chinese demand to withdraw Soviet troops from Mongolia, Vietnam, and Afghanistan. President M. Gorbachev’s “new thinking,” his Vladivostok initiative in July 1986 and the Krasnoyarsk seven-point program of promoting security in the Asia-Pacific region in September 1988, indicated that the Soviet Union was gradually thinking of withdrawing its troops and bases from Mongolia. During his

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<sup>13</sup> See *Voyenniy entsiklopedicheski slovar'* (Military encyclopedic dictionary), Moscow, Sovyetskaya entsiklopediya. 1983. p.842. This concept of “limited” nuclear war was later abandoned by the Soviet military theory once practical impossibility to contain nuclear war within predetermined bounds was recognized.

<sup>14</sup> See <http://www.telegraph.co.uk/news/worldnews/asia/china/7720461/USSR-planned-nuclear-attack-on-China-in-1969.html> and <http://historum.com/general-history/67283-ussr-planned-nuclear-attack-china-1969-a.html>

<sup>15</sup> Most of the time this notion of ‘socialism in Asia’ excluded China.



UN General Assembly address in December 1988 Gorbachev had announced that most of the Soviet troops would be withdrawn from Mongolia.

In line with the “new thinking”, the Soviet Union and Mongolia took steps to normalize their relations with China. The Soviet troop withdrawal from Mongolia provided it with a unique opportunity to withdraw from the Soviet nuclear umbrella that would ensure that no nuclear weapons would be trained on any part of the country. At the same time the disintegration Soviet Union itself created a completely new geopolitical situation around Mongolia. The democratic changes in Mongolia also created a new domestic environment. All of these changes raised the question of the best way to ensure national security in this evolving geopolitical environment.

### *Security assurances in the nuclear age*

International relations is rich with histories of small, medium, and big states promoting or defending their perceived security interests, fighting alone or in alliance with other states. Perceptions of national security differ, due to their historical experience, geographical location, and relations with neighbors.

Commitment by security providers depends on the prevailing international or regional environment. Everyone would agree that no state or a group of states would go to war unless it is sure of a positive outcome: military, political, or otherwise. No state would risk its security for the security of another state. Assurances may be broken, for example Poland and Czechoslovakia prior to World War II or Ukraine in the 21st century, or kept, such as the US-Soviet agreement during the Cuban missile crisis in 1962, depending on the decision of the provider(s).

That is why Mongolia’s belief is that security assurance should be taken with a grain of salt, which in the end depend on the relations between states. In Mongolia’s case security assurance depends on its relations with the neighbors. That is why Mongolia draws its own red lines and promotes relations of comprehensive partnership with its neighbors. This assurance is based on the unity of the Mongolian people, its relations with the immediate neighbors, and the overall strategic environment. That is the reason why Mongolia pursues active bilateral and regional policies.

## Two. Mongolia declares its territory a NWFZ

Declaring Mongolia a NWFZ coincided at a time when the country began to search for its place in the emerging post-Cold War world. Mongolia knew and felt the perils of the alliance with a great power, which came at the expense of its relations with other powers, particularly its neighbors. It is clear that in most cases conflict is a choice and not a necessity and that risks must be removed as early as possible so that they do not turn into threats in the future. Though Mongolia is no longer directly threatened with nuclear weapons, there is always a risk of nuclear conflict. Therefore measures need to be taken to make sure that such situations do not arise. The most effective way to prevent this is to outlaw and eliminate nuclear weapons. However, this cannot be achieved easily. In the meantime partial or regional measures need to be taken.

The first President of the post-socialist Mongolia, P. Ochirbat planned to attend the opening of the UN General Assembly session in September 1992. It was decided that he, representing the new Mongolia, should not only explain new Mongolia's domestic reforms and changing foreign policy priorities, but also propose some constructive ideas related to the country's and region's security. Bearing in mind that Russian forces were being withdrawn from Mongolia, Ochirbat declared that Mongolia would not allow nuclear and other weapons of mass destruction to be stationed or transported through its territory and airspace. This declaration is a contribution to disarmament and confidence in the region and a measure to prevent any nuclear-weapon state from using its territory again. In order to show that Mongolia was serious, it moved to make this status internationally guaranteed. The idea was based on the fact that in 1975 the General Assembly had adopted resolution 3472 (XXX) regarding a special report of CCD<sup>16</sup> on a comprehensive study of the question of nuclear-weapon-free zones (NWFZ) in all its aspects, which specifically underlined that "...even individual states could establish such zones."

The President knew that it was a difficult task but not altogether impossible. He felt that that would be an expression of an independent foreign policy to strengthen the country's security primarily by political and diplomatic means. Thus on 19 September 1992, the National Security Council of Mongolia considered the issue of the content of his General Assembly statement and after minor clarifications, supported the idea of declaring Mongolia a NWFZ. There was an understanding that some changes would be made in New York before the actual delivery of the statement, due to the prevailing atmosphere during the UN debate.

President P. Ochirbat made his statement in the general debate on 25 September. His statement covered a number of issues, including the democratic changes underway in Mongolia and the economic and structural challenges that the country was facing during the transition period. Turning to international relations, the President touched upon such issues as the summit meeting of UN Security Council, the situation in and around Yugoslavia, Mongolia's membership in the Non-Aligned Movement, and an assessment of the Rio Conference. As to Mongolia's foreign policy, he pointed out that it was undergoing a radical change since the country was committed to promoting democratic reforms and introducing a market economy as well as guaranteeing human rights and fundamental freedoms. Regarding the country's relations with its immediate neighbors, he underlined that Mongolia was developing balanced relations, that the withdrawal of Russian troops was being completed, and that this withdrawal was in full accord with the new concept of national security.

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<sup>16</sup> At that time the Conference on Disarmament used to be called Conference of the Committee on Disarmament (CCD).

Turning to disarmament issues, he said that in order to contribute to disarmament and trust in the region and the world, Mongolia was declaring its territory a nuclear-weapon-free zone and that it would work to have this status internationally guaranteed.<sup>17</sup> He also underlined that Central Asia, strategically located as a bridge between Europe and Asia, was emerging as a separate geopolitical entity and therefore Mongolia was against turning it into a nuclear test ground.

A few weeks later Mongolia's Permanent Representative to the United Nations, in his statement in the general debate of the First committee, referring to President P. Ochirbat's declaration, underlined that Mongolia would seek credible security assurances from the P5 with respect to its NWFZ status and expressed the hope that the traditional ties of friendship and close cooperation that Mongolia enjoyed with its neighbors would facilitate this.

### *First reactions to the initiative*

Though not many were aware of President P. Ochirbat's initiative, most of the people that followed Mongolia's foreign policy supported it in principle as being in Mongolia's own interests and contributing to regional stability and predictability. On the other hand, there were also voices of concern and caution that it might negatively affect the country's relations with Russia and China. This note of caution was connected with the fact that Mongolia did not consult beforehand with its neighbors. Though caution is important, it should not hinder or paralyze policy.

The events that followed Mongolia's announcement of the initiative have shown that if it consulted with its neighbors or the US and other nuclear-weapon states, their response most probably would have been not very encouraging. Therefore it would have been difficult for it to move ahead with the initiative despite the expressed reservation by the neighbors and others. Hence the decision to make the initiative without prior consultation proved tactically correct.<sup>18</sup> To accommodate the view that the initiative might be misunderstood by the neighbors as being directed against their interests, there was an understanding that if need be Mongolia would underline in some appropriate form that it was not directed against the interests of its neighbors. The initiative was in fact in line with the Russian-Chinese joint statement that they would not use territories and airspace of the neighboring third states against each other.<sup>19</sup>

Besides the reaction of its immediate neighbors, there were questions about the necessity of becoming a single-State NWFZ (for example, failing to see difference between NWFZs and P5 security assurances on the one hand and the status of NWFZ states). Another opinion was that Mongolia should not tie its hands with NWFZ commitment and keep open its option of acquiring nuclear weapons in 30 to 50 years while focusing more on the peaceful uses of nuclear energy. Some saw in the NWFZ initiative an expression of romanticism, while others saw it as

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<sup>17</sup> The term "internationally guaranteed" had not been defined clearly at that time, though it was understood to mean international recognition, support, and commitment on the part of the P5 similar to the commitments that they had already provided to the parties to the 1967 Tlatelolco treaty establishing a nuclear-weapon-free zone in Latin America and the Caribbean. In the spirit of support for establishment of new NWFZs, the Mongolian delegation at that session for the first time did not participate in the vote on General Assembly resolution "Establishment of NWFZ in South Asia" sponsored by Pakistan (144-3-13). On previous sessions in solidarity with India, Mongolia either voted against the resolution or abstained in the voting.

<sup>18</sup> All other NWFZs have also been established without expressly consulting the P5, since prior consultations with them could provide the P5 with the opportunity to stall the talks or negotiations.

<sup>19</sup> Later this message was reflected in operative paragraph 2 of UNGA resolution 53/77 D of 1998, which endorsed and expressed support of "Mongolia's good-neighborly and balanced relations with its neighbors as an important element of strengthening regional peace, security, and stability".

a futile measure to which its neighbors would not agree. Within the Foreign Ministry, though there was general support, there still was some caution that there would be a split in the NAM (Non-Aligned Movement). The Conference on Disarmament (CD) was already dealing with the issue of providing security assurances to non-nuclear-weapon states, hence the initiative would not be helpful for NAM or the CD.

Though the initiative represented an important strategic foreign policy goal at that time, Mongolia did not have a clearly defined idea of its final goal nor a roadmap on how to reach it. Hence it was decided at the first stage to follow the trial and error method of addressing the issue with an understanding that much would depend on the degree of support the initiative could get from the P5, the NAM, and the wider United Nations membership. Therefore at that time the first priority was to explain clearly the national and international importance of the initiative and promote it, bearing in mind the possible reactions of its neighbors and other states.

In the short term Mongolia did not see any imminent nuclear threat, directly or indirectly. However, Mongolia is located between two nuclear powers, and as long as nuclear weapons exist even a distant risk of the use of these weapons would be a grave threat. History shows that one should not rule out the fact that outside powers may be tempted to see Mongolia's territory as a necessary or expedient space either to protect or promote their security interests, meaning that under certain circumstances nuclear weapons or a part of such a weapons system in Mongolia could be seen as an asset for one, while a liability for the other nuclear-weapon state. In any case for Mongolia itself and the for region as a whole, this would surely be a liability.

Therefore it was important to turn this possible risk into an opportunity to strengthen its security and make sure that Mongolia does not host nuclear weapons or a part of such a weapons system. Though Mongolia could not physically or technically contribute to tipping or maintaining the nuclear weapons balance, it could be easily "persuaded" to take one side due to the fact it is a small country dependent on its big neighbors for energy and access to world markets. On the other hand by turning its territory into a NWFZ, Mongolia would be contributing to stability and predictability, rather than becoming a liability in a future power struggle among the great powers.

When the declaration was made it did not have a sensational effect in Mongolia or internationally. Mongolia did not expect outright rejection or full support for the initiative, but it was looking forward to *bona fide* talks with the P5 to jointly address the issue.

A few months later Mongolia's nuclear-weapon-free wish found recognition and reflection in the country's treaty on friendly relations and cooperation signed with Russia in January 1993, in which the latter pledged to respect its policy of not permitting the deployment on and transit through its territory of foreign troops and nuclear and other weapons of mass destruction.<sup>20</sup>

However, the first concrete action plan to promote the idea and work for its realization came later, when the international community started to prepare for the 1995 review conference of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). The P5 was interested in having the treaty extended for an indefinite period and hence needed the support of other states, especially of non-nuclear-weapon states party to that treaty. The position of many non-nuclear-weapon states was that the indefinite extension of the NPT could indirectly imply recognition of the perpetuation of the P5 and their nuclear weapons. That is why there was some reluctance

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<sup>20</sup> See Article 4 of the Treaty on Friendly Relations and Cooperation between Mongolia and the Russian Federation of 20 January 1993.

for the indefinite extension of the treaty. Some were open-minded while others were “sitting on the fence” so to speak to see which way the conference might go.

Mongolia decided to use the interests of the P5 to extend the NPT “indefinitely” to put its own initiative on the bargaining table. It believed that recognition and institutionalization of Mongolia’s NWFZ status would not only be an important regional confidence building measure but also a conflict prevention and an early warning measure, since no one can forecast with certainty that history would not repeat itself under somewhat different yet in essence situations similar to 1969.

Procedurally, Mongolia thought that getting a P5 joint statement of support for the initiative would be difficult. So it was decided to approach each country separately,<sup>21</sup> starting with the United States as the most influential among the P5. The US had the most at stake in geopolitical predictability and the indefinite extension of the NPT.

Mongolia’s initiative gradually gained support from other nations. However, there were voices against the initiative whose arguments boiled down to the following:

- The initiative went against Russian and Chinese interests while it served US interests. It could be used as a political Trojan horse against Russia and China;
- The proposal was a nice dream only since if nuclear war starts there would be no rules to follow;
- Mongolia’s priorities should be addressing its poverty, economic, and social development;
- Mongolia’s security priority should be rising China and not nuclear weapons;
- Bearing in mind Mongolia’s geopolitical location, its priorities need to focus on economic security, with China as the largest export/import partner and investor;
- If Mongolia’s initiative was to be internationally accepted, how would it be able to control and monitor non-transit of nuclear weapons through its territory and air space;
- How reliable would Mongolia’s nuclear-weapon-free status (NWFS) or P5 security assurances be in times of real conflict.

These are reasonable arguments and questions. However, as they say, the perfect is the enemy of the good. At times it is better settle for the good rather than aspire for an elusive perfect.

### ***P5 political decision needed***

Diplomatic negotiations as a rule start with a political decision to embark on negotiation with a view to arrive on an agreement of the issue or dispute. That is a general rule. However, in real life, the world is full of diversities, contradictions, and exceptions. When NWFZs were being established during the Cold War the P5, especially the two superpowers, looked at the zones through the prism of their own interests rather than the interests of strengthening international security. That is why the Latin American states initiated the process of establishing a NWFZ in their region without prior consultation with the superpowers. Likewise the NWFZs in the South Pacific, South-East Asia, Africa, and Central Asia were also initiated among the states of the region without direct consultation, prior political negotiation, or agreement with the P5. They

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<sup>21</sup> By concluding in 1993 of a treaty on friendly relations and cooperation with Mongolia, the Russian Federation had committed to “respect Mongolia’s policy of not admitting the deployment on and transit through its territory of foreign troops, nuclear and other weapons of mass destruction”.

all worked. The political decision of the P5 to sign and ratify the protocols to these agreements usually followed the conclusion of such regional agreements, with some caveats and interpretative statements.

Mongolia followed the above pattern. It did not consult with the P5 before making the initiative. The P5 did not take any decision at a high political level to either support and recognize Mongolia's status or reject it. Judging by their reactions the issue was considered at the medium level or even perhaps at the level of disarmament departments of foreign offices. In this case there could be no serious negotiations but rather a search for a way to somehow address the issue without assuming any commitment by the P5, beyond the general statement of support of the initiative and using the excuse of "precedent setting" as a way of deflecting the growing support of the initiative by the overwhelming majority of the international community. On the other hand, the fact that no decision to reject the initiative at the high level provided Mongolia with the opportunity to continue to push its issue with the P5.

### *Need for a broad political support*

Since the P5 took a unified position on the issue of nuclear security assurances, it would be very difficult, if not impossible, for Mongolia to successfully promote the idea of acquiring credible security assurances from the P5 on a bilateral basis. Hence the best way was to make use of the NPT review conferences and the United Nations General Assembly sessions, where the overwhelming majority supported nuclear disarmament and non-proliferation and initiatives along those lines. It was worth a try.

In early 1993, the US approached Mongolia with a request to support the indefinite extension of the NPT as it did with many other non-nuclear weapon states that were parties to the treaty. The Mongolian side, reminding the US about the Mongolian President's NWFZ initiative, in return requested the US voice its support for the initiative. It was a lever that needed to be used.

The US initial reaction to Mongolia's request was that it already benefited from the US commitment to seek Security Council assistance for non-nuclear-weapon State in the event of a nuclear attack. The US also assured that it would not use nuclear weapons against a non-nuclear state not allied with a nuclear weapon state. These assurances are valid as long as Mongolia adheres closely to the letter and spirit of the NPT.

The US said that it did not wish to specifically endorse Mongolia's NWFZ for technical and legal reasons. Mongolia's announcement did not warrant additional security guarantees beyond the ones that are already given to all non-nuclear States parties to the NPT. The US explained that a formal endorsement of Mongolia's NWFZ policy would require, at a minimum, a clear and detailed understanding of how the government of Mongolia intended to implement it. The US had no objection if Mongolia cited existing US security assurances. After Mongolia explained its position and how the initiative could benefit the region's security and stability, the US hinted that a press release regarding the initiative might be considered.

### *Negotiating a possible US statement*

Based on the US idea for a press release, Mongolia proposed the following language: "Mongolia would ...benefit from US commitments made unilaterally and together with other members of UNSC in 1968 with respect to non-nuclear weapon States which were members of

the NPT. Should a threat arise from a nuclear-weapon State to use force<sup>22</sup> against Mongolia, the US would be prepared to consult with Mongolia, with other members of UNSC, and to offer it political assistance or its mediation.”<sup>23</sup>

The US did not agree to the language and hence Mongolia and the US discussed a mutually acceptable language. Thus the US agreed not only to stress that Mongolia would benefit from US commitments to seek Security Council assistance “... in the event of an attack, but also from the assurances that it would not use nuclear weapons against a non-nuclear State not allied with a nuclear-weapon State. Going beyond the nuclear threat, the US agreed that “if Mongolia ever faces a threat and decides to refer the matter to the United Nations Security Council, the United States, along with other members of the Council, would consider appropriate steps to be taken.”<sup>24</sup>

Hence Mongolia’s decision to make use of the 1995 NPT Review conference opportunity to get US support for the initiative bore fruit: it received a Mongolia-specific pledge to consider its request at the United Nations Security Council and that the request did not have to be limited to a nuclear threat but to an external threat in general. With the US statement, Mongolia was able to put President P. Ochirbat’s initiative on the international agenda. It was the first concrete breakthrough in promoting the initiative.

The US statement opened the way for the other P5 members to express support for Mongolia’s initiative. Thus on 22 October China welcomed and expressed support of Mongolia as a nuclear-weapon-free State and declared that it would not only respect its policy of turning the territory into a NWFZ, but also underlined that China’s pledge not to use or threaten to use nuclear weapons against NWFZs or states applied to Mongolia.

On 1 November the UK made a statement in which it said that the positive and negative security assurances that it was providing to all non-nuclear States parties to NPT applied to Mongolia.

In January 1994 France also made a statement whereby it welcomed the decision of the government of Mongolia to declare itself a NWFZ and announced that it was providing Mongolia with negative security assurances. Thus all P5 members had expressed their support for the initiative. Of the P5 the Russian Federation was the only one that had committed in a treaty form to respect Mongolia’s policy. The other four nuclear-weapon States simply declared that the security assurances that they had pledged to non-nuclear-weapon States applied to Mongolia. Since by the end of January 1994 all P5 members had officially reacted positively to the initiative. Mongolia saw a need to think about the next practical step - to have the status “internationally guaranteed.”

### *Quest for a joint statement by the P5 (1994-95)*

In order to take the first step in actually starting to implement the initiative, in spring of 1994 Mongolia drafted a P5 joint statement (JS) in support of Mongolia’s declaration of its territory as a NWFZ. It was based on the provision of the US Statement of October 1993. Thus it would declare that the P5 would respect its nuclear-weapon-free status and that in case the status or

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<sup>22</sup> The Mongolian side was interested in consulting with the US regarding not only a threat of the use of nuclear weapons (which was a remote possibility), but also regarding the threat or use of force in general.

<sup>23</sup> At that time the Mongolian side did not want to suddenly raise the issue of security assurances.

<sup>24</sup> US Embassy and Department of State press releases of October and December 1993.

Mongolia's national security were to be threatened from outside<sup>25</sup> and Mongolia decided to refer the matter to the United Nations Security Council, the P5 would take all necessary measures for the Council to eliminate such a threat.

The first country to consult with regarding the draft P5 JS was Russia. The Executive Secretary of the National Security Council of Mongolia paid an official visit to Russia in June 1994. The Russians made small technical changes to the proposed draft and in principle agreed to the text as a whole.

Having obtained Russia's support, the next step was to get a reaction to the draft JS from the US, whose position would be decisive as the main power. The US said that it was prepared to look at the issue positively if it would be officially put to the US. At the same time, it cautioned that the JS should not go beyond the US Statement of October 1993 and that the US would not take any initiative to have the issue discussed among the P5.

After the Russian and US preliminary reactions, Mongolia formally presented the draft to the P5 Ambassadors in Ulaanbaatar. The first reaction came from **Russia** which underlined that it had no objection to the text even with the US proposed minor amendment. Russia advised Mongolia to get the responses from the UK, France, and China, and suggested that if all agreed, the text could be finalized in New York at a meeting of the P5 with Mongolia, and circulated as a document of the Security Council. Russia pointed out that since the issue concerned exclusively the P5 and Mongolia, there was no need to have consultations with the non-permanent members of the Council.

The **Chinese** reaction to the draft JS was also prompt. It pointed out that it supported Mongolia's initiative to have a P5 JS and would carefully study the text. At the same time, it advised Mongolia to work closely with the other P5 members.

The **United Kingdom** enquired as to why the text in paragraph five did not have the adjective "nuclear" when qualifying the threat and whether the JS would set a precedent. After some exchanges and Mongolia's explanation and clarifications, the UK representative said that in principle UK had no objection if the other P5 members would support it. It advised that the issue should be pursued in New York through the United Nations.

With somewhat positive responses from the other P5, the **French**<sup>26</sup> response was very important. However, as expected it was more elusive than the others. The French said that it was difficult for France to agree with the JS because many francophone countries<sup>27</sup> would want security assurances from France.<sup>28</sup> It would be difficult for France to explain why it was prepared to provide security assurances to Mongolia but not to francophone countries. The French position did not change after inquiries were made regarding the African nuclear-weapon-free zone negotiations that would eventually provide them with the P5 security assurances. With the French position the issue met a dead end.

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<sup>25</sup> Not necessarily by a nuclear threat.

<sup>26</sup> In the early 1990s French position on nuclear weapons issues still had its own "specifics," which the French delegation took pleasure to underline.

<sup>27</sup> There are over 30 francophone countries. Most probably the Ambassador meant the 25 francophone countries of Africa.

<sup>28</sup> When asked about which francophone countries bordered on nuclear-weapon states and which would have asked for nuclear security assurances, Mongolia, as expected, did not receive a concrete response.



It was seen by some in Mongolia as the end game (the game was over) for the initiative and that the separate P5 statements were a diplomatic success for which it should be happy and thankful. It is always easy to be cynical or satirical. However, in politics not everything is “set in stone.” Policies change with changes in circumstances, positive or negative. The difference between wishful thinking and optimism is that the latter is usually based on facts and reality.

Since acquiring the security assurances made perfect sense for Mongolia and would also have contributed to confidence and predictability in the region, Mongolia decided, despite political correctness, not to take the P5 “no” for an answer. It was decided to interpret President P. Ochirbat’s 1992 statement regarding “international guarantees” as acquiring legally-based assurances, not only limited to political statements of support, however important they were and work to acquire such assurances.

### ***Multilevel and multilateral approaches are needed***

Having analyzed the practices of promoting national and regional security issues since the end of World War II, the Mongolian side came to the conclusion that to be successful, its initiative needed to be promoted at the national, regional, and international levels (this means taking a three-level or pillar approach). Being an initiative of an individual country, one of the first measures was to adopt legislation that would institutionalize the zone at the national level. It was believed that that would form the basis for promoting the issue at the regional and international levels. However, since there was a weak political basis to promote the issue at the regional level due to absence of a regional organization or structure it was decided to promote the initiative first at the international level, if possible at the United Nations General Assembly where international disarmament and non-proliferation issues are discussed broadly, if not actually negotiated and decided. International recognition would then enable it to pursue the issue at the regional level.

It is no secret that non-proliferation alone has never guided P5 policy. Previously the P3 (the US, USSR and UK in late 1960s and 1970s) did not support the establishment of the Latin American NWFZ. Though the P5 usually raised legal and technical issues when discussing NWFZ issues, in most cases their acceptance or support of NWFZs depended either on political considerations<sup>29</sup> or pressure from the non-nuclear-weapon states.

***Role of bilateral relations.*** When it comes to the P5 position on nuclear issues regarding the non-nuclear-weapon states, the role of bilateral relations is minimal. Nevertheless bilateral leverage is important to explain the country’s position. That is why Mongolia raised the issue of its initiative at bilateral talks without expecting the P5’s support beyond the unilateral statements on the issue.

### ***Turning to the Non-Aligned Movement for political support***

Since members of the Non-Aligned Movement (NAM) are non-nuclear-weapon states with strong non-proliferation and nuclear disarmament policies, Mongolia decided to get the support

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<sup>29</sup> In a 13 June 1972 in a conversation about the SALT negotiations and differences between the White House and State Department negotiators, President Nixon angrily told Kissinger that “the Nonproliferation Treaty has nothing to do with the security of the United States of America. You know very well.” Kissinger responded affirmatively, “It’s made at the expense of other countries.” Nixon concluded, “That’s right,” See “58, Conversation between President Nixon and his Assistant for National Security Affairs (Kissinger), Washington, June 13, 1972. 11:43 a.m. -1:18 p.m.”. Foreign Relations, 1969-1976, Volume E-2, Documents on Arms Control, 1969-1972. At <[www.state.gov/r/pa/ho/frus/nixon/e2/83470.htm](http://www.state.gov/r/pa/ho/frus/nixon/e2/83470.htm)>.

of NAM. The first international forum to which Mongolia raised its initiative was XI summit of NAM held in October 1995 in Cartagena, Colombia. There Mongolia's proposal was positively received. The Final Document welcomed the unilateral declaration of its territory as a nuclear-weapon-free zone as a "commendable contribution to regional stability and confidence building." This is a statement of the heads of state and governments of over 110 countries.

Hence this gave strong political support and inspiration to Mongolia to further promote the initiative. The first step in multi-lateralizing the promotion of the initiative had thus been made. The NAM did not include any members of the P5. However, three of the P5 had ideological and doctrinal objections to the movement, seeing it as anti-western; NAM took negative stands on issues not on the merits of the issues but because the issues enjoyed wide NAM support. Despite these objections NAM support was important to gain wider support at the United Nations, beginning with the General Assembly. At the ministerial meeting of NAM, held in New Delhi in April 1997, support for Mongolia was further strengthened. The participants welcomed Mongolia's efforts to institutionalize its status as a NWFZ, thus reinforcing the multilateral backing for the initiative.

### *Decision to go to UN General Assembly to legitimize the status*

By the end of 1995, with clear support of the NAM, it was decided that the broadest multilateral forum for promoting and legitimizing the status and involving states other than NAM members would be the United Nations General Assembly.<sup>30</sup> The overwhelming majority of the members were non-nuclear-weapon states demanding credible security assurances from the P5, some of which were parties to already existing NWFZs, while others were working to establish NWFZs in their parts of the world.<sup>31</sup>

This broad approach provided Mongolia with a wide political platform, greater political leverage, and a tool to promote the initiative at the international level, though realistically Mongolia's main negotiating partners would still be the P5, including its two immediate neighbors who would be the ones to provide security assurances to Mongolia. While enjoying the support of NAM, Mongolia did not want to antagonize the US, the UK, and France or their allies or sympathizers in the General Assembly.

Voting on the issue in the General Assembly could result in future complications and setbacks. On the other hand, reaching consensus at any cost had the danger of stalling or moving the issue at a snail's pace. Mongolia's approach was to work with all the countries and try to move the issue in accordance with the principles of sovereign equality, the accepted principles and norms regarding NWFZs, and by accommodating the legitimate interests of its neighbors and other states. It was not in a hurry and saw no need to push for a vote on the issue. Such an approach, it was thought, would help Mongolia to fruitfully work with others and broaden support for the initiative.

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<sup>30</sup> When it comes to negotiating political deals and agreements on mutual political support (be it on political issues or election issues), the United Nations can be considered as the largest political "stock exchange", which covers not only UN-related issues but at times well beyond it. Therefore, political support, if the cards are played right, can be turned into political capital.

<sup>31</sup> At that time negotiations were already underway in Africa and Southeast Asia to finalize draft treaties that would establish such zones.

### a) promoting the concept of a single-State NWFZ in the UNDC

The most appropriate General Assembly forum to promote the NWFZ was the First committee of the General Assembly which considered issues of disarmament and international security. This forum focused on NWFZ issues. Here the position of Russia and China was clarified regarding Mongolia's initiative along with participation in a future Central Asian NWFZ. Thus in 1996 Mongolia, together with Kyrgyzstan, drafted and circulated a resolution<sup>32</sup> whereby the General Assembly would welcome the intention of the states of Central Asia to establish a NWFZ, commend Central Asian States that had declared their territories a NWFZ (in this case meaning Mongolia as well), call upon the P5 and other states to support the idea of the zone, extend the necessary cooperation, and refrain from any action contrary to the spirit of that objective.

The reaction of the P5 to the draft resolution was lukewarm, while other Central Asian states "needed instructions from their capitals" to decide on the possibility of co-sponsorship of the resolution. The reaction of the P5 indicated that Mongolia's participation in the prospective Central Asian NWFZ would not be wholeheartedly supported. To clarify further its position, especially of its immediate neighbors, Mongolia approached Russia and China on this issue.<sup>33</sup> Both of them immediately let Mongolia know that they would have difficulties in seeing Mongolia included in any possible future Central Asian NWFZ. Mongolia did not share borders with any one of the five Central Asian states and about 50 km of Russian territory would have to be included in the NWFZ if Mongolia were to be a part of that zone, which Russia would not agree. China also indicated its reluctance in seeing Mongolia as part of a NWFZ that did not have the support of Russia.<sup>34</sup> With Russian and Chinese positions clarified, Mongolia was ready to promote the novel idea of a single-State NWFZ based on the UN comprehensive study on NWFZs of 1975 and endorsed by the General Assembly in its resolution in 1976.<sup>35</sup>

The first step in putting Mongolia's issue on the agenda of UN General Assembly was to raise it in a form of the possibility of establishing a single-State NWFZ that could be discussed in the UN Disarmament Commission (UNDC), the Assembly's subsidiary body, when the Commission started drafting guidelines for establishing future NWFZs in the spring of 1997. With that in mind, on the second day of UNDC's substantive session in 1997, Mongolia submitted a working paper<sup>36</sup> formulating the concept of establishing single-State NWFZs in cases when traditional (group) zones could not be established. The working paper laid out the principles of establishing such zones, elements of a model agreement establishing such zones, and the practical stages of considering guidelines in the Commission that would coincide with the consideration of guidelines for establishing further the so-called group or traditional zones.<sup>37</sup> To give some "incentive" for the discussion of this concept, the working paper also reproduced the commitments made by the nuclear-weapon States in connection with Mongolia's declaration of its territory a NWFZ as evidence of acceptance in principle of a single-State zone.

As expected, many developing countries welcomed this new angle of approaching the establishment of NWFZs, agreeing with Mongolia that life was rich in its diversity and the case

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<sup>32</sup> See UNGA document A/C.1/51/L.29 of 29 October 1996

<sup>33</sup> Plan B was to go for a single-State NWFZ as a novel approach in international relations.

<sup>34</sup> The US position would have been a factor later, when it was against expanding the CA-NWFZ beyond the Central Asian five countries so as not to allow Iran's possible membership.

<sup>35</sup> The resolution "Comprehensive Study on the Question of Nuclear-Weapon-Free Zones in All Its Aspects" was adopted on 10 December 1976

<sup>36</sup> See document A/CN.10/195 of 22 April 1997

<sup>37</sup> See UNGA document A/C.1/51/L.29 of 29 October 1996

of individual states needed to be addressed as mentioned in the 1975 comprehensive study of the General Assembly on the NWFZs. When speaking to the P5, Mongolia tried to allay their fears explaining that the concept could be promoted bearing in mind the security interests of the states concerned and without undermining the security of any state or alliance. However, the P5 did not respond.

When some developing countries began mentioning Mongolia's proposal during the debate, the representatives of the P5 approached the Mongolian delegation to say that since Mongolia was an exceptional case, it would be improper to have the concept of single-State zones considered together with establishing the group (or the so-called traditional) zones and that, frankly speaking, the P5 needed time to carefully study the concept and its implications for the existing security arrangements. Though the P5 expressed their reservation to the concept of single-State NWFZ, by raising the issue Mongolia was able to get their full attention to the initiative and the possibility, if not the probability, of having Mongolia as a single-State NWFZ.

Mongolia's reply to P5 was that though it might not push too much for an immediate consideration of the issue in the UNDC, nevertheless the case of individual states could not and should not be ignored.

During the consideration of this issue representatives of some developing countries, including of Nepal and Afghanistan, expressed keen interest. However, in the final text of the guidelines, agreed upon in 1999, Mongolia was not able to reflect in the recommendations any reference to the concept of a single-State NWFZ primarily due to the joint opposition of the P5 and the application of the rule of consensus when adopting the final text of the guidelines. However, on the insistence of Mongolia, a footnote to the guidelines mentioned the initiative, indicating that the status had been welcomed by the General Assembly in 1998.<sup>38</sup> Mongolia hoped and still hopes that the footnote would serve as a foothold with the passage of time to revisit the issue at the United Nations at some appropriate time.

The promotion of single-State NWFZs may not be an easy task and it needs the proper conditions for in-depth discussion. However, the practical establishment of one such zone would be useful and far more effective in demonstrating its feasibility and importance. At that time Mongolia's goal in the General Assembly was not to promote the concept in abstract as a possibility, but to raise this issue first and foremost in the context of helping the Assembly to recognize Mongolia's declared single-State NWFZ status and demonstrate in practice the possibility of establishing such a zone.

## **b) working for a separate UNGA resolution on Mongolia's status**

### **i) first step: decision to go for a separate resolution**

In parallel with working through the UNDC to promote the concept of a single-State NWFZ, and without waiting for its outcome, Mongolia thought it was important to have the issue considered by the General Assembly itself, especially in its First Committee that dealt with disarmament and security matters. Before proceeding to work with the P5 representatives in the General Assembly, Mongolia needed to carefully study the position of each P5 regarding

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<sup>38</sup> See the Report of the Disarmament Commission, General Assembly official records, Fifty-fourth session, Supplement No. 42 (A/54/42). Footnote "g" of the guidelines reads as follows: "Owing to its unique geographical circumstances, Mongolia has declared its nuclear-weapon-free status in order to promote its security. This status was welcomed by the General Assembly in its consensus resolution 53/77 D of 4 December 1998."

NWFZs. Mongolia wrote down the ideas that it would want to see in the future, either in one of the traditional UNGA disarmament resolutions or, even better, in a separate resolution altogether. Though it was logical that it might be easier to add a paragraph in a generally accepted UNGA resolution on NWFZs<sup>39</sup> or on regional security, it was thought that the purpose would be served better and more fully if Mongolia would go for a separate resolution, since that would allow the international community to focus specifically on the issue without mixing it with other issues.

With that in mind in the summer of 1997 Mongolia prepared a draft resolution as a trial balloon to seek the reaction of the P5. The preamble of the draft made reference to the 1975 comprehensive study of the question of NWFZs in all its aspects, which had, *inter alia*, recognized the right of individual countries to establish NWFZs. In its operative part the draft recognized and provided support for Mongolia's nuclear-weapon-free status and invited its neighbors and other nuclear-weapon states to cooperate with it in institutionalizing the status. It called upon states to respect and support Mongolia's independence, sovereignty, territorial integrity, its nuclear-weapon-free status, and would have requested the Secretary-General and the relevant UN bodies to extend assistance to Mongolia in institutionalizing the status. The draft also requested the Secretary-General to report on the implementation of the resolution at the subsequent session of the Assembly and would have included it in the agenda of the subsequent (fifty-third) session an item entitled "Mongolia's nuclear-weapon-free status".

This draft, as it turned out, presented many difficulties for the P3 (the US, the UK, and France). Thus the US Ambassador J. King, speaking also on behalf of UK and France, cautioned against using the term "zone" and said that though such language had been used in past statements, the terminology had acquired a more sensitive legal connotations in light of the possibility of US signing the protocols of the Rarotonga and Pelindaba treaties, as well as the ongoing discussions on how to approach the Bangkok Treaty. That was why, the US argued, more time would be needed for government legal experts of the P3 to carefully study the issue. The P3 inquired about Mongolia's real objectives. Did it want a full status as a NWFZ with all the legal assurances and requirements that went with it; or did it want guarantees for its territorial integrity and freedom from aggression; or did it simply want some sort of special recognition of its unique geographical status since it bordered two nuclear-weapon states? The P3 also expressed concern regarding the notion of "institutionalizing the status" and therefore needed further clarification from the Mongolian side.

Turning to the operative part of the draft, the US wondered about the possible role of the UN Secretary-General and relevant United Nations bodies, which could have in their view important operational and financial implications.<sup>40</sup> Bearing all the above questions and queries in mind, the US representative said that it was impossible to do the necessary legal and political analysis in time to decide on instructions for the work of the First Committee in October-November 1997. The US expressed the hope that Mongolia would not table the resolution during that session. It cautioned that lack of support for the resolution by the P5 would undermine the fundamental political objective that Mongolia was trying to achieve.

The Mongolian delegation tried to respond to some of the issues raised. It pointed out that its objective and goal had been clearly reflected in the draft resolution that it sought the

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<sup>39</sup> Of course in that case it would have to negotiate with the main sponsors and co-sponsors of such resolutions which would have taken some time and effort and the wording of the paragraph would have to have been accommodated or diluted to accommodate to that resolution.

<sup>40</sup> Hinting that the P3 would have difficulties in establishing some focal point at the UN Secretariat and that they would oppose any funds to be allocated from UN regular budget for any resolution-related activity.

international recognition of its unique status as a state sandwiched between two nuclear powers. It also sought legally binding assurances from the P5 that they would not only respect the status of the total absence of nuclear weapons on its territory, but would not do anything that would contribute to its violation. Being a land-locked country with limited access to the outside world, and with limited economic leverage and political influence, Mongolia had usually found itself “influenced” by its giant neighbors in its dealings with the outside world. Therefore Mongolia’s independent foreign policy needed overall security assurances not only from Russia and China, but also from the other P3 since they are all were permanent members of the Security Council and they all wielded a veto power. Since Mongolia had border treaties with its immediate neighbors and was enjoying good-neighborly relations with both of them, there was no need to have a guarantee for its territorial integrity.

Mongolia’s delegation underlined that it was willing to work on the actual drafting of the resolution since, in its view that would need some time. With respect to the use of the word “zone,” he explained that it was taken from the official announcement of the initiative by the Mongolian President and of the NAM document regarding Mongolia’s initiative, and that is why the word “zone” had to be used. Having listened to the explanations given, the US still thought that Mongolia in principle was promoting the concept of a single-State NWFZ, though the draft resolution did not make any direct reference to that concept. In that sense he was right. The trial balloon had indicated that a separate resolution was “doable” but needed further explanatory work and closer cooperation with the P5. The power imbalance between the expectations of the five permanent members and their deliverables was huge.

Despite these powers, the imbalance between the expectations of the five permanent members and their deliverables was huge and growing.

## ii) *P3 joint demarche*

Mongolia’s response was communicated by the US to the other P5 members. The P5 decided to signal their displeasure with Mongolia’s “appetite” and plans after having consulted among themselves regarding Mongolia’s draft resolution and its oral response to the US suggestions. Thus on 9 October 1997 the P3, the US, the UK, and France made joint demarches in Ulaanbaatar, Geneva, and New York. They warned it that any attempt to go beyond its political declaration of 1992, the declaration by President P. Ochirbat regarding turning Mongolia into a NWFZ, towards a legally-binding format would be seen as a departure from the recognized concept of NWFZs and would raise difficult issues of principle which the P5 would need to consider very carefully. The P3 noted that Mongolia already benefited from the general security assurances of the P5 reflected in Security Council resolution 964 of 11 April 1995 and that the P5 took those assurances very seriously. The gist of the demarche was to warn that tabling a resolution of the type that was being presented unofficially would be “premature, unhelpful and possibly counterproductive” and to urged Mongolia not to table it in the First Committee. When asked whether the reference to the P5 meant that Russia and China also were part of the demarche, the answer was that they were aware of the joint demarche but, bearing in mind their relations with Mongolia, they were not directly involved with the demarche itself.

From Mongolia’s and the P5 positions it became clear that both sides were determined to pursue their objectives. Mongolia believed that it should not be intimidated or “persuaded” to abandon its quest for a separate UNGA resolution on the issue and acquire international recognition of its interests. It thought that the chances for the adoption of the resolution by an overwhelming majority in the First Committee was high and that is why it worked with the

NAM<sup>41</sup> countries to garner the widest possible support for the draft resolution, in case voting on a draft resolution might be required. It thought that the cause was just and understandable for all. Not only the P5 themselves supported in principle Mongolia's initiative but also the NAM as a group was strongly supportive of Mongolia's policy that was in line with the spirit of the successfully negotiated Pelindaba and Bangkok treaties that were to establish NWFZs in Africa and South-East Asia respectively. The moderates in the NAM advised to go for a consensus resolution that would enable it to pursue the issue beyond a one-time resolution. On the other hand some of the radical wing of the movement advised to go for a vote on this "just" issue of substance and demonstrate that the overwhelming majority of the international community supported Mongolia and its initiative.

Sensing possible complications regarding the draft resolution, the chair of the European Union took the initiative to try to help both sides narrow their differences and come to some agreement. Thus the representative of the EU approached the Mongolian delegation and suggested that the best way out might be not to press for a resolution at that session of the General Assembly with an understanding that the subsequent year (1998) the nuclear-weapon States, the EU, and others could agree to a separate resolution on Mongolia's initiative. It was also suggested that perhaps Mongolia could think of promoting the initiative not as a "zone", which the P5 were not prepared to accept, but rather in a vague form of a "status".

After having consulted with Ulaanbaatar, the Mongolian delegation agreed not to insist on a separate resolution at that session. It was agreed later with the US delegation, which was now acting on behalf of all the P5, that informal consultations would be needed well before the next session of the Assembly and that it would be possible to have such consultations during the forthcoming session of the Disarmament Commission in the spring 1998. The US also indicated that it was ready to meet with Mongolia separately to better understand its policy objectives behind the initiative.

### **c) Second step: defining the scope and content of the resolution**

After having agreed in 1997 in principle to have the General Assembly adopt in 1998 a separate resolution on its initiative, Mongolia and the US (as it had been agreed among the P5) held a number of informal meetings to better understand the position of each side. On that basis they could try to reach an agreement on a resolution by the fall of 1998.

Thus in December 1997 representatives of Mongolia and US met on the margins of the Conference for the Landmines Convention held in Ottawa, 2-4 December, to exchange information on the positions of Mongolia and the P5 on the issue and on how to proceed further. The Mongolian representative explained the reason why the initiative had been launched, why it was important for Mongolia, and how it could benefit the international community. The questions raised by US representative showed that though they did not have problems with Mongolia and its initiative *per se*, the US worried about the international impact, especially setting a precedent whereby some other states would also want to set up single-State NWFZs and demand that the P5 provide them with security assurances. Another concern was that some NATO allies would remain in the alliance while at the same time refuse to accept nuclear weapons.<sup>42</sup>

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<sup>41</sup> By that time the NAM had already welcomed Mongolia's declaration (in 1995) and its efforts to institutionalize its status as a single-State NWFZ (in September 1997).

<sup>42</sup> The Mongolian side took these explanations with some grain of salt since the P5, with all their influence, can politically prevent such actions from spreading. The NATO members Norway, Denmark, and Iceland had a policy of not allowing nuclear weapons on their territory during "peacetime".

Though no concrete decision was foreseen or taken during that meeting, both sides agreed that they should be creative and bear in mind the wider legitimate security interests of each side.

In January 1998 the two sides met again in New York where they continued the consultations to better understand the interests of each other. The Mongolian side explained to the delegation of US State Department the main aims of its post-Cold War foreign policy and the challenges and opportunities of this external environment. Thus it was underlined that Mongolia's interest lay largely with ensuring its external security primarily by political and legal means, and that it did not foresee any nuclear or military threat from its neighbors. However, after the collapse of the Soviet Union and the withdrawal of Russian troops from Mongolia, a virtual security vacuum had emerged that could easily be filled by either of the two neighbors or by another great power in case it thought it was warranted by its security "imperatives" or "needs." The dual goal of Mongolia was to ensure that no great power would be allowed to use Mongolian territory, including by placing nuclear weapons or parts of such systems on its territory, to the detriment of the interests of other powers or regional stability in general. Also Mongolia was interested in having a well-defined and internationally agreed status that would include security assurances tailored to Mongolia's unique circumstances.

The US side said that it was interested in understanding the political rationale behind Mongolia's initiative and the resolution. Doubt was raised as to whether a single state could be considered as a credible zone. The Mongolian side quoted the 1975 UNGA comprehensive study on NWFZs as the basis of its policy and tacit international support, and that with the increase of NWFZs, it did not want to become an undefined "grey area" or "blind spot." It also pointed out that a single-State zone could be viable if an agreement was reached with the neighbors and if other aspects of its external security were also taken into consideration and respected. The US was interested in the positions of Russia and China on the issue<sup>43</sup> and if a General Assembly resolution were to be adopted, what would Mongolia do after its adoption? The Mongolian side said that its neighbors were well aware of his country's policy and in principle supported it. If the General Assembly adopted a separate resolution on the issue, Mongolia would work to institutionalize the zone by concluding an international treaty to that effect. The US side left the meeting with the understanding that Mongolia's preoccupation with its security was more of a political nature than military. It also understood that Mongolia was looking beyond a resolution and was seeking wider political and legal assurances of the great powers. The next question to address was what to do, when, and how to do it. Both sides agreed to meet again before the UNDC session in 1998 and continue exchanges of views and information.

### *Settling for the "status" language*

After the meeting with the US, and having analyzed the thrust of the talks, the Mongolian side concluded that keep pushing for a single-State NWFZ would not yield direct results but would instead close off chances for promoting the initiative with the P5. Hence it was decided to agree to switching from the "single-State zone" concept to a more ambiguous and acceptable, for the P5, notion of a "nuclear-weapon-free status." Mongolia believed that the notion of "status" did not exclude a "single-State zone" concept. Later when the time would be ripe politically, Mongolia could revert to the "zone" concept.

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<sup>43</sup> Though it is routine during negotiations to enquire about position of other states that might be involved, in this case it seemed that the US was not interested in knowing the positions of Russia and China, since they had been in contact with them on this issue, but to know how much Mongolia itself knew about their position.



On the margins of 1998 UNDC, as agreed, the Mongolian and US representatives met again to discuss the possible steps that could lead to the adoption of a General Assembly resolution on the issue. The Mongolian delegation came to the meeting with a “non-paper” in the form of a draft resolution regarding Mongolia’s nuclear-weapon-free status to sound out the position of the P5 on the issues specifically raised in the “non-paper.” It was quite an ambitious draft. There was an understanding that starting with an ambitious draft would cover most of the areas of Mongolia’s interest, enable it to sound out individual and collective reactions of the P5 to the issues raised, and provide some room for diplomatic bargaining.

### *Precedent*

Precedent is an important issue that influenced the possibility of institutionalizing Mongolia’s unique status. Precedent is an earlier event or action that is regarded as an example or guide to be considered in subsequent similar circumstances. Precedents can be good (positive) and bad (negative), depending on their impact and consequences. No one will argue with that. Positive precedents lead to progress and become pioneers in specific areas. Hence they are needed and should be supported and emulated. In that sense they can be considered as innovations, be it in politics, economics, or any other area of human activity. That is why the approach to precedent should be assessed by their possible effect. In international relations, they should be assessed by whether or how they affect international peace, mutual understanding, and cooperation, and not by how they serve or they affect the narrow interests of specific states. In this sense innovative thinking and solutions are not only limited to the great powers; their actions should not always be considered innovative, constructive, trail-blazing, trend-setting, or breaking new ground. However, the great powers usually tend to go for status quo and doubt the utility of precedents if they do not accord with their narrow national interests. On the other hand, appeasing aggressors or paying off terrorists can set dangerous (negative) precedents that would open up a Pandora’s box.

Establishing a regional NWFZ in Latin America and the Caribbean set a positive precedent for other non-nuclear-weapon states and for that matter for the P5.<sup>44</sup> To the contrary establishing a single-State NWFZ was considered by the P5 as a bad precedent that might serve as a disincentive for establishing regional zones. However, there is not shred of evidence to prove that. A double standard in the question of establishing NWFZs is not comprehensible. Just because a small country cannot be a part of a regional zone and wants to establish a single-State zone is no reason to deny it what is considered as a given to groups of states. In the early 1990s the US and USSR agreed to turn the German Democratic Republic into as state that would not have nuclear weapons by mutual agreement.<sup>45</sup> So in most cases it depends on the political expediency of the great powers and not principles.

### **Mongolia’s ambitious draft resolution**

In preparation for the forthcoming session of the General Assembly, the Mongolian side put its ideas in form of an ambitious draft resolution entitled “Mongolia’s security and nuclear-weapon-free status.” The draft had 12 preambular and 8 operative paragraphs. The preambular part would, for example, have welcomed the decision of Mongolia, located between two nuclear-weapon States, declared its territory a NWFZ, taken note with satisfaction the separate

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<sup>44</sup> Thus in 1982 Mexican Ambassador Alfonso Garcia Robles, known also as Mr. Disarmament, received the Nobel Peace Prize for his enormous efforts not only to establish a nuclear-weapon-free zone in Latin America and the Caribbean, but also for promoting the goals of disarmament in general. He received the prize together with Sweden’s Ambassador Alva Myrdal, whose contribution to the cause of disarmament was also enormous.

<sup>45</sup> See Article 5(3) of the Treaty on the Final Settlement with respect to Germany, of 12 September 1990.

statements made by the P5 regarding Mongolia's declaration, expressed the belief that the nuclear-weapon-free status of Mongolia would contribute to enhancing stability and confidence-building in the region, and promoted Mongolia's security by strengthening its independence, sovereignty, territorial integrity, inviolability of its borders and preservation of its ecological balance. It would also have expressed the conviction that for the nuclear-weapon-free status to be credible, it would need to have a sound international legal basis and be verifiable.

The operative part of the draft would have recognized and supported Mongolia's nuclear-weapon-free status, welcomed its good-neighborly and balanced relationship with its two neighbors, invited them and other nuclear-weapon states to cooperate with it in institutionalizing the status, and would have called upon member states to respect and support the country's independence, sovereignty, territorial integrity, inviolability of its frontiers, preservation of its ecological balance and its non-aligned foreign policy. To make the resolution more effective, as in the draft presented in 1997 mentioned earlier, it would have requested the Secretary-General to assist Mongolia in institutionalizing the status, reported on the implementation of the resolution the subsequent year, and included in the provisional agenda of that session a separate item entitled "Mongolia's nuclear-weapon-free status."

Many provisions of this draft have later been reflected in the first General Assembly resolution on the item. Since the session of the Disarmament Commission and bilateral meetings had shown that the P5 had difficulties in accepting a single-State NWFZ as a concept, the Mongolian side, as explained above, had decided not to raise unnecessary difficulties from the beginning of the process. The title of the draft, like in the 1999 draft, avoided using the expression "zone" and instead used the ambiguous notion of "status". The US representative took the draft and promised to convey it to the other P5, carefully study it, and get feedback.

At that meeting both sides agreed that Mongolia's security needed to be looked at from a broad angle, in line with Mongolia's national security concept, and not only from a narrow strategic and military perspective. The US representative hinted that the P3 (the US, the UK, and France) were working on a joint proposal to be made to Mongolia sometime in June 1998, and that Russia and China were aware of that proposal and might, at some stage, even co-sponsor it.

When the Mongolian delegate asked for specifics of the planned P3 proposal, the US delegate said that it would amount to adopting a number of documents, including the two General Assembly resolutions: one welcoming Mongolia as a permanent neutral country and the second on promoting greater cooperation and good-neighborliness in the region of Mongolia. Moreover it proposed to Mongolia to conclude a border security treaty with its neighbors like the one that Russia had concluded with China and its Central Asian new neighbors. He also mentioned that the P3 were also proposing to Mongolia and China that they conclude a treaty, in which the latter would commit to respect Mongolia's policy of prohibiting the stationing of nuclear and other weapons of mass destruction in Mongolia (as Russia had committed in 1993 in its treaty with Mongolia).

The Mongolian representative promised to carefully consider the proposals when they would be presented formally, though as of that moment he did not see valid reasons for Mongolia to abandon its policy of institutionalizing the nuclear-weapon-free zone status and acquiring security assurances from the P5. He said that the best and shortest way to address the issue of institutionalizing Mongolia's status would be to adopt a substantive resolution in 1998. Following that Mongolia and its neighbors could conclude a trilateral treaty that would define

its status and provide it with the assurances that the other P3 could accede to at some stage. Finally the General Assembly could adopt in 2000 a procedural resolution that would seal and close the entire deal. The US representative cautioned not to force the single-State NWFZ issue<sup>46</sup> and suggested carefully considering the proposals when they would be made in June 1998 in Geneva. Referring to its non-paper, the Mongolian representative hinted that it could be revised bearing in mind the outcome of the Geneva meeting and the internal meeting of the Foreign Minister's council<sup>47</sup> in August 1998.

#### **d) P3's four-point proposal**

At the Geneva meeting of representatives of the P3 and Mongolia held in June 1998, the former formally introduced their proposals which they believed could better achieve Mongolia's fundamental objectives of international support for its independence, sovereignty, and territorial integrity than a formal recognition of Mongolia's NWFZ through a UNGA resolution. They declared that a single-State NWFZ concept would raise difficulties for them and other states if applied in other circumstances. With this in mind the P3 proposed four ideas of a more political nature that in their view could help Mongolia achieve its foreign policy objectives. The proposals were as follows:

**First**, Mongolia could table a resolution at the 1998 the First Committee of the General Assembly that would recognize the "permanent neutrality of Mongolia," similar to the one that Turkmenistan had tabled in 1995 and which was adopted by consensus.

**Second**, an additional UNGA resolution could be tabled in 1999 that would urge greater cooperation and comity among the states of the region, a concept similar to that which had inspired a series of resolutions regarding the development of good-neighborly relations among the Balkan States.

**Third**, Mongolia could conclude a border security treaty with its neighbors similar to the 1996 treaty concluded among Russia, China, Tajikistan, Kazakhstan, and Kyrgyzstan. The agreement could focus on transparency measures for conventional forces, including advance notification of maneuvers, restrictions on the scale, geographical limits, and the number of troop exercises, and an agreement that a party's military forces would not be used to attack another party or conduct any military activity threatening to the other party and thus upsetting the calm and stability in the border area.

**Fourth**. In the 1993 Mongolian-Russian treaty on friendly relations and cooperation, Russia officially committed itself to respect Mongolia's policy of prohibiting the stationing of nuclear and other weapons of mass destruction on its territory. Perhaps Mongolia could also seek a similar treaty-based recognition of its non-nuclear status from China.

The P3 expressed the hope that the Mongolian side would consider these ideas and would respond soon.

The Mongolian side enquired first the Russians and Chinese were aware of these proposals. He was told that both Russia and China were aware of them. Thus, according to the P3, when

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<sup>46</sup> UNDC in its report on the work for 1997 pointed out that the issue of a single-State NWFZ attracted the attention of the Commission. In its work for 1998 it underlined the need to actively consider all aspects of the issue of establishing single-State NWFZs.

<sup>47</sup> The Minister's council consists of the Minister and other senior officials of the Ministry of Foreign Affairs of Mongolia and either takes decisions on issues within the Ministry's competence or makes proposals to the Government of Mongolia or the National Security Council.

the Chinese representative was told about the possible border treaty, the response was that China and Mongolia already had border treaties and that is why they did not have any border problems. When the P3 inquired if that would indicate that conclusion of such a treaty was possible, the Chinese representative in principle agreed and had promised to convey the P3 proposal to Beijing. As for the Russian side, Mongolia was told that it was supportive and had even expressed its readiness to co-sponsor these proposals. However, since the P3 told Russia that China was not co-sponsoring it, Russia thought not proper for it to co-sponsor without China.

The Mongolian representative thanked the P3 for their interesting proposals and promised to take them up at the forthcoming internal consultations in Ulaanbaatar and to respond after those consultations. At the same time he made some brief preliminary comments regarding some of the points reflected in the proposals. Thus he asked what was meant by “permanent neutrality,” since Mongolia was pursuing in practice a policy of neutrality with respect to possible disputes between its two neighbors only. He said that in cases of power imbalance and geographical handicap, like a lack of independent access to the sea and world markets, it was difficult to maintain a permanent neutral policy. Moreover, neutrality could be more credible if it were based not on a political declaration but on an international agreement or treaty. As for Turkmenistan’s neutrality, he agreed that in 1995 the General Assembly had indeed approved a resolution that expressed support for that country’s declared permanent neutrality. However, General Assembly resolutions in themselves were not guarantees. Moreover Turkmenistan’s neutrality resolution did not envisage any implementation nor verification mechanism, in that sense it was just a political announcement. It would be a different issue for neutrality to have an international legal basis. He said that Mongolia might be willing to seriously look into the latter case. The P3 responded that neutrality could start with the General Assembly resolution.

As for a border security treaty, the Mongolian representative said that his country had no territorial or border problems with its two neighbors; it had border demarcation and border regime treaties with both of them and therefore he saw no urgent need to conclude a border security treaty. He reiterated that Mongolia’s nuclear-weapon-free status could be strengthened by first adopting a substantial General Assembly resolution in 1998 that could be followed-up by the conclusion of a trilateral treaty between China, Russia, and Mongolia that would define the latter’s nuclear-weapon-free status in 1999. In 2000 a second resolution in support of the trilateral treaty would wrap-up and close the deal.

The P3 indicated that they were aware of Mongolia’s policy, however they were still reluctant to support an action that might set a precedent. This could affect its policy with Japan for example, and that was precisely why the P3 was making the aforementioned four proposals.

The representative of Mongolia underlined the importance of institutionalizing the status through the conclusion of an international treaty. The P3 responded that they were prepared to support a General Assembly resolution that they would propose and that that in itself would amount to guaranteeing its implementation. In the end it was agreed that the Mongolian side would get back with an official reaction and response to the P3 proposals in August after the Minister’s council meeting.

#### **e) Minister’s council decision**

The Minister’s council met on 3 July 1998 and having heard the report of Mongolia’s Permanent Representative to UN on the issue, agreed to promote the proposal in three stages: 1) to have the General Assembly adopt a resolution regarding Mongolia’s status that would

welcome its good-neighborly relations with Russia and China, call upon these three countries to conclude a treaty regarding Mongolia's independence, sovereignty, territorial integrity, and its nuclear-weapon free status and have the General Assembly welcome and support the status (in 1998); 2) to work for a trilateral treaty whereby Russia and China would commit to respect Mongolia's independence, sovereignty, territorial integrity, nuclear-weapon-free status, inviolability of its frontiers, economic security, and ecological balance (in 1999-2000); and 3) to work for the adoption by General Assembly of a resolution welcoming the trilateral treaty between Mongolia, Russia, and China and asking the General Assembly, the Security Council, and the Secretary-General, to assist in an appropriate manner in implementing the treaty (in 2000). With this mandate, the Mongolian delegation went to the General Assembly to try to work within these parameters.

#### **f) Response to the P3 four-point proposal**

Based on the decision of the Minister's council meeting, the Mongolian side as a first step sent the following response to the P3 regarding their four-point proposal:

The Mongolian side has carefully studied the ideas presented by the P3 Ambassadors, in close consultation with the representatives of Russia and China, on 12 June 1998 in Geneva in connection with Mongolia's single-State NWFZ concept. Mongolia believes that the P3 proposals are a positive indication that the US, UK, and France, like Russia and China, fully understand and support its desire to seek international recognition of its unique political and security situation and institutionalize it as such. The ideas put forward by the P3 (permanent neutrality of Mongolia, good-neighborly relations with Russia and China and conclusion of a border security treaty with them) are a vivid manifestation thereof.

As a small State sandwiched by two nuclear-weapon neighbors, Mongolia is genuinely interested in safeguarding its non-nuclear status which would be in the interests of Mongolia as well as its neighbors, especially in their strategic calculations and hence for the predictability and stability of the region.

Mongolia has declared its territory a NWFZ, which enjoys the broadest support of the international community, including of the P5. The next logical step for Mongolia is to have the General Assembly recognize and support the status, as it has done with respect to other zones, since the Assembly itself has declared as far back as in 1975 that the nuclear-weapon-free zones ... "shall, as a rule, be recognized as such by the General Assembly of the United Nations."

However, we are aware that though the P5 understand and support Mongolia's nuclear-weapon-free status, the single-State NWFZ concept at present causes difficulties for the P5 if applied in other circumstances. Therefore, they the P5 are prepared to deal with Mongolia's case as an exception. Bearing in mind Mongolia's foreign policy orientation, its good-neighborly relations with the two neighbors and the position of the P5 with respect to Mongolia's case as well as the single-State NWFZ concept, the Mongolian side is proposing the following:

**First**, Mongolia agrees with the three step approach to addressing this question, namely the adoption by the 53<sup>rd</sup> General Assembly of a resolution on Mongolia's international security status (in order not to emphasize solely the NWFZ status), conclusion with its neighbors of a trilateral treaty that would address the external

security related issues of Mongolia and a second resolution after the trilateral treaty had been concluded.

**Second**, this year Mongolia could table, as agreed in principle, a resolution in the First Committee that would welcome and recognize Mongolia's nuclear-weapon-free status; take note of the importance of this status for enhancing stability in the region as well as for strengthening Mongolia's independence, sovereignty, and territorial integrity; welcome Mongolia's good-neighborly and balanced relationship with its neighbors; invite Mongolia's neighbors as well as other nuclear-weapon States to cooperate with it in institutionalizing its nuclear-weapon-free status as an important basis of its national security and call upon all States to respect Mongolia's status. A draft resolution to this effect is annexed to this memorandum.

**Third**, Mongolia could conclude a treaty of a general political nature with its neighbors on its security and nuclear-weapon-free status. Many of the provisions of the treaty could be drawn from the treaties of friendly relations and cooperation that Mongolia has concluded with its neighbors separately in 1993 and 1994 respectively. Since the treaty would deal to some extent with Mongolia's nuclear-weapon-free status, perhaps the P3 could express their support for the treaty in one form or another (protocol, joint declaration).

**Fourth**, the General Assembly, perhaps at its 55<sup>th</sup> session, could welcome the conclusion of the treaty and its support by the P3 mentioned above and call upon all States to respect and support Mongolia's status.

The draft resolution that was annexed to the Mongolian response differed very little from the non-paper presented to P5 Ambassadors in April. The only difference was that the title of the resolution and the last operative paragraph would have read "Mongolia's security and nuclear-weapon-free status"<sup>48</sup>.

### **The devil is in the details: negotiating the text of the first resolution**

#### **a) Mongolian draft resolution**

The US written response to Mongolia's draft resolution, that had been annexed to the formal reply to the P3 proposals, came in late September 1998 (23 September). It was an extensive response and suggested that the preambular paragraph, including references to NWFZ, needed to be reduced and quotation marks be added to "nuclear-weapon-free zones" so as to make it clear that that was Mongolia's characterization of itself and not a recognized NWFZ. Reference to "sound international legal basis" needed to be deleted since it was not clear what was meant by it. Likewise, reference to the verifiability of the status needed to be deleted since, as it stood, could have implied a more extensive system of verification other than that already conducted by the IAEA.

With regard to the operative part, the US response suggested that the reference to "institutionalization" needed to be defined as institutionalizing its nuclear-weapon-free status through appropriate declarations of support and to refrain from taking actions inconsistent with Mongolia's nuclear-weapon-free status. It was emphasized that the US did not support creating new international "institutions" (agencies, organizations, implementing bodies, or procedures

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<sup>48</sup> Addition of "security" and some provisions in the draft reflected Mongolia's position to present a wider approach and not limited to Mongolia's nuclear-weapon-free status only.

requiring international actions) expressly to support Mongolia's self-declared nuclear-weapon-free status. It was also unclear, the US said, from the grammatical construction whether "other nuclear-weapon states" was synonymous with "Mongolia's neighbors" or meant the P3 as well. The US thought that operative paragraph six, which would have requested the Secretary-General and relevant UN bodies to extend the necessary assistance to Mongolia in institutionalizing and sustaining its status, needed to be either deleted entirely or, alternatively, the phrase "within existing resources and without prejudice to existing UN commitments, obligations and priorities" needed to be added after "necessary assistance." Even in that case US would still be concerned over the meaning of the terms "institutionalization" and "sustaining."<sup>49</sup>

A few days later, without waiting for Mongolia's response to its written comments regarding Mongolia's draft resolution, the US conveyed its own preliminary ideas in a form of a draft resolution based, the US said, on the Mongolian draft. The main difference was that in the US draft the operative part the General Assembly instead of "recognizing and supporting" Mongolia's status, would only "take note" of the declaration by Mongolia of its nuclear-weapon-free status, and instead of "inviting" Mongolia's neighbors and other nuclear-weapon States to cooperate with it in institutionalizing the status, it would merely "ask member States to emphasize their respect for Mongolia's status." There were other minor changes as well.

Before Mongolia had the chance to formally react to the US proposal, it was informed that the P3 had met separately and had decided to produce their joint draft resolution (the US and France were to prepare the draft). The sudden changes of position of US and then the P3 was puzzling, yet reassuring that at least the work on the draft resolution was underway. The question was what was its gist and intent. The new P3 draft was soon communicated to the Mongolian side.

On 2 October 1998, the US and Mongolian representatives met to update each other on the latest developments and exchange views on the possible common draft resolution. The US once again expressed its opposition to the idea and the use of the term "institutionalization." Mongolia explained that institutionalization did not necessarily mean establishing new institutions but rather meant laying the legal basis for Mongolia's nuclear-weapon-free status. The two sides agreed to disagree on this issue. They agreed also to speed up the drafting of the resolution and, if possible, to finalize it before the Mongolian representative would make his statement in the First Committee on 14 October 1998 and indicate his government's position on the issue. The US informed that though both Russia and China were aware of the drafting work underway, they would not participate in the actual drafting since they believed that they had already expressed their views on Mongolia's status and that if they participated in the negotiations together with the P3 their policy might look inconsistent.

Soon the Mongolian side learned (on 13 October) that the P5 Ambassadors had met and decided to present their joint (not P3 but P5) draft in the next few days. As to the actual drafting, Russia indicated that it needed instructions from Moscow, while China declared that it would support it in general but would not participate in the drafting.

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<sup>49</sup> When asked to discuss Mongolia's draft resolution and US written response, the US had indicated that the purpose of the written response was to indicate US position on the issues concerned and not necessarily conduct negotiations on the draft or the issues concerned.

## **b) P5 joint draft resolution**

On 16 October 1998, the US presented to Mongolia two draft resolutions: version A co-sponsored by the US, the UK, Russia, and France; and version B that was a possible counter proposal by Mongolia. The A version was almost a reproduction of the earlier US version of the draft resolution except that Russia was co-sponsoring it as well, and a reference to inviting member states to emphasize their respect for Mongolia's status had been deleted. It meant that the gist of the resolution would be to only "take note" of Mongolia's declaration instead of "recognizing" and "supporting" the status. Any reference to institutionalization was also absent. Therefore, version A was *a priori* unacceptable for Mongolia. The P5 knew well Mongolia's negative reaction to version A and therefore they had prepared a "more acceptable" one for Mongolia – a version B.

Version B was also more or less a reproduction of version A, but contained three main differences. One was that the operative part instead of "taking note" of Mongolia's declaration, it would "welcome" it. Two other novelties were additional operative paragraphs that would invite Russia and China "to cooperate with Mongolia in taking the necessary measures trilaterally to consolidate and strengthen Mongolia's independence, sovereignty, territorial integrity, inviolability of its frontiers, nuclear-weapon-free status, ecological balance, and non-aligned foreign policy" and request the Secretary-General and relevant UN bodies to provide the necessary assistance to Mongolia, within existing resources, to take the necessary measures enumerated above.

Version B of the draft resolution was a step in the direction of officially acknowledging Mongolia's initiative and placing emphasis on trilateral measures to promote it (in line with its goal of concluding a trilateral treaty with its neighbors on defining the nuclear-weapon-free status). However, since the resolution would be the first that would pave the way for some other subsequent resolutions (in case such resolutions would be needed) Mongolia believed that its major interests would not be adequately reflected in version B. That is why Mongolia took the initiative to produce a version C based on its own original draft and some provisions of version B.

## **c) Negotiating version "C"**

The gist of the new Mongolian draft (version C) was to have the General Assembly welcome the declaration by Mongolia of its nuclear-weapon-free status and invite its two neighbors to cooperate with it in consolidating and strengthening its status (as indirectly implied by in operative paragraph three of version B). Mongolia also used the opportunity to revive some of its previous proposals, such as recalling the separate statements of support for Mongolia's initiative made by the P5, underlining that nuclear-weapon-free status was one of the means of ensuring national security of states and expressing the conviction that Mongolia's internationally recognized status would contribute to enhancing stability and confidence-building in the region. The draft in its operative part would have asked Mongolia's two neighbors to cooperate with it in consolidating and strengthening its economic security. Though version B placed emphasis on trilateral cooperation, it did not envisage any role for the P3. That is why the Mongolian draft would have called upon other nuclear-weapon states (meaning the P3) and the entire UN membership to respect and support the status.

Version C was presented to the P5 on 19 October 1998 for their consideration. Russia asked for some time (2-3 days) to carefully study the draft and consult with Moscow. Though China was supportive of the draft, it wondered why the draft had laid so much emphasis on Mongolia's



two neighbors, and proposed to invite not only Russia and China but all the P5 to cooperate with Mongolia. In that spirit it suggested to delete the request to the Secretary-General in assisting in the trilateral cooperation. China also saw no need to call upon member states to respect Mongolia's status since it was obvious from the spirit of the draft in the first place. Mongolia agreed in principle with the comments and promised to bear them in mind when working further on the draft.

#### d) Who should be involved henceforth

With most of the provisions of the draft resolution agreed with the P5 in principle, the operative paragraph three that dealt with the trilateral cooperation became the focus of real contention and negotiation. Thus the US proposed to delete any mention of the P5 and instead suggested to call upon all members of the UN to cooperate with Mongolia. Mongolia underlined that the issue was related to nuclear-weapons and thus to the P5 as permanent members of the Security Council needed to be involved. Therefore he argued that the P5 should be explicitly mentioned, if not named, in operative paragraph three and suggested that the Assembly call upon the "**interested States**". During the subsequent drafting Mongolia deleted references to trilateral cooperation both in operative paragraph three and in the paragraph that would have requested the Secretary-General to provide assistance so as to reduce the difficulties that these paragraphs could cause to Russia and China at that stage. With these changes the draft was finally submitted to the UN Secretariat for circulation as a working document of the First Committee (the draft appeared on 23 October 1998 as document A/C.1/53/L.10). With this draft document it became official that the General Assembly would adopt a separate forward-looking resolution on Mongolia's initiative.

After circulation of the draft resolution L.10, the US suggested that in operative paragraph 3 the term "interested States" needed to be changed to "**States concerned**" since due to geographical location nuclear-weapon States played different roles. Since there was no other major problem with the rest of the draft resolution, the Mongolian side agreed to the suggestion. With this change the draft resolution was re-issued as document L.10/Rev.1.

The draft resolution L.10/Rev.1 was introduced by Mongolia in the First Committee on 29 October 1998. The Mongolian representative underlined that this was a product of long serious consultations and delicate negotiations. It was pointed out that for a small state geopolitically located like Mongolia, its status would be stronger and durable if its overall security were to be internationally recognized and guaranteed. That understanding formed the basis of the very concept of the draft resolution and in fact of the very approach to the question in general. Looking to the future, he said that with such understanding and the necessary political will it would be possible to arrive soon at a concrete, special arrangement that could accommodate both the particular needs and interests of Mongolia and the legitimate interests of its neighbors and of stability in the region in general. He pointed out that the soul of the resolution was its operative paragraph 3 which proceeded from the notion that the nuclear-weapon-free status was part of Mongolia's overall security and that therefore consolidation and strengthening of its international security was a *sine qua non* for ensuring its nuclear-weapon-free status. Therefore, that operative paragraph would invite all States concerned to cooperate with Mongolia in this respect.

After the draft had been introduced, the Chinese delegate approached the Mongolian delegation with a list of proposed last minute changes to the draft which he read out. When asked whether these proposals could be made formally in a written form since the draft resolution had already been circulated and introduced in the First Committee, the response was

that these were only oral proposals for Mongolia to think about. Thus, he suggested to change operative paragraph 3 that referred to “states concerned” to “member states, including the five nuclear-weapon states” so as to make sure that all P5 would be asked to cooperate with Mongolia. He also proposed to reflect in the preambular part a reference to the five principles of peaceful coexistence, delete the preambular paragraph that underlined the importance of internationally recognized status of Mongolia, in the operative part to delete all the paragraphs except for the ones that would welcome Mongolia’s declaration of its nuclear-weapon-free status, ask the Secretary-General to report on the implementation of the resolution and inclusion of the item in the provisional agenda of one future General Assembly session. Sensing that China was not insisting on its proposals, Mongolia agreed only to the change to be made in operative paragraph three and later that day asked the Secretariat to make that change and issue the document as L.10/Rev.2.

**e) A flurry of last minute proposed amendments to the revised draft**

With document L.10/Rev.2 circulated among delegates and just a few days before its official re-introduction in the First Committee, China and France became unusually active in proposing changes to the draft. Thus France proposed a change in the preambular part that would delete the basic message of NAM’s support for Mongolia’s initiative (which referred to institutionalization of the single-State nuclear-weapon-free status). It also proposed to delete in the operative part of the draft a reference to the P5 as well as any reference to a follow-up report by the Secretary-General and to the inclusion of the item in any future provisional agenda of the General Assembly.

China proposed five changes in the draft: in the preambular part to add one paragraph that would note with appreciation Mongolia’s reaffirmation of its determination to honor the obligations that it had undertaken under the NPT and delete in the preambular part the provisions that would underline the importance of Mongolia’s internationally recognized nuclear-weapon-free status and that had made reference to Mongolia’s security interests. In the operative part it proposed some minor drafting changes be made concerning Mongolia’s relations with its neighbors. It also proposed to add a new paragraph that would read as follows: “Welcomes the undertaking by Mongolia as a member of the NPT, not to receive transfer of nuclear weapons or other nuclear explosive devices or of control over such weapons or acquire nuclear weapons or other nuclear explosive devices, and not to seek or receive any assistance in the manufacture or nuclear weapons or other nuclear explosive devices” (a quote from Article II of the NPT).

Facing a barrage of last minute proposals that needed some form of reaction or response, the Mongolian delegation drew up its own counter-proposals which would have, *inter alia*, underlined that establishment of NWFZs could contribute to the achievement of general and complete disarmament, underlined the importance of internationally recognized agreements on the establishment of NWFZs, and in an operative part would have urged the states concerned, especially the nuclear-weapon states, pending the establishment of the zone, to take appropriate measures to strengthen Mongolia’s status. These written counter-proposals of Mongolia were communicated to France and China, which played their role in “restraining” the other two “last minute enthusiasts” to press their proposed amendments. These last minute changes, if debated, could have delayed the consideration of the draft resolution and taking action on it in the First Committee.

When the date of the introduction of L.10/Rev.2 and taking action on the draft had been set, first Japan, then China and India asked for some time to consult with their capitals. On 10

November 1998, the Mongolian representative introduced L.10/Rev.2 in the Committee. He said that Mongolia and its negotiating partners had approached the issue creatively and mindful of the prevailing political realities. As a result of the consultations held since October 1997, it had been agreed that Mongolia's nuclear-weapon-free status would be credible and durable only if its overall security would have been ensured and internationally recognized. That understanding had formed the basis of the very concept and the spirit of the approach of the states concerned to it, and had been reflected in the draft resolution.

Explaining the need for the second revision, the Mongolian delegate pointed out that it was connected with a request by one of the states concerned to make it absolutely clear that all five nuclear-weapon states would be equally involved, and that this emphasis had found reflection in the sole change that had been made in operative paragraph 3, where the words "States concerned" had been replaced by the words "Member states, including the five nuclear-weapon states."

#### **f) Adoption of the resolution**

Mongolia's draft resolution was considered for adoption by the First committee on 10 November 1998. The draft resolution was adopted without a vote. Explanations of vote (EOV) were made by Australia, Canada, Chili, China, Egypt, Jamaica, Macedonia, Malaysia, the Republic of Korea, San Marino, and the US.

Of the delegates that made EOVs, of particular interest were those of China and the US.

The Chinese delegate Change Li pointed out that he understood and supported the desire and efforts of Mongolia to establish a single nuclear-weapon-free State status and that China would respect and support such a status. He underlined that as a neighbor of Mongolia, China fully respected the sovereignty, independence and territorial integrity of Mongolia and supported its independent foreign policy.

The US Ambassador R. Grey pointed out that the political cooperation which the resolution called for was expected to lead to significant international security benefits for Mongolia as well as for the states that participated in the process. He underlined that the US had supported the resolution because Mongolia's unique geographic and security situation merited unique consideration. He said that he wanted to correct a misperception that the resolution called for the establishment of a single-State NWFZ. He added that a close examination of the text would reveal that Mongolia had moved beyond such a concept and was looking to a broader range of measures to increase its international security, and that this broader approach would yield important security benefits for Mongolia and for the international community.

On 4 December 1998 the plenary of the General Assembly considered the report of the First committee and took action on the proposed resolutions and a decision. The draft resolution regarding Mongolia's status was adopted without a vote as resolution 53/77 D. In taking the floor to explain its vote and underline the importance of the resolution, the Mongolian delegate expressed optimism regarding the future practical steps, explaining that this optimism was based on the good-neighborly relations and cooperation that Mongolia enjoyed with all states, and especially with its two neighbors, both of which had concluded treaties on friendly relations and cooperation with Mongolia. In a broader context he underlined, bearing in mind the weight that the two neighbors and other nuclear-weapon states had in international relations, a well-balanced set of arrangements could play an important role in enhancing further stability in that strategic region.

## **Some concluding thoughts about the resolution and the way ahead**

Mongolia's aim, as per the decision of the Minister's council, was to try to conclude a trilateral treaty with its immediate neighbors that would serve as the legal basis of its nuclear-weapon-free status. However, due to the position of the P5 it was not able to achieve that goal. The talks with the P5 vividly demonstrated that it would take greater efforts, persuasion and time to agree in principle on the conclusion of a trilateral treaty with its neighbors regarding Mongolia's nuclear-weapons-free status, as prescribed by the Minister's council recommendation. Nevertheless, in a relatively short time it was able to have the United Nations General Assembly adopt without a vote a separate resolution regarding this issue. Adoption by the General Assembly of the resolution was a notable political achievement for Mongolia's initiative to turn its territory into a nuclear-weapon-free zone and acquire gradually from the P5 security assurances that they provide to regional zones. The resolution, a result of consultation and negotiation, did not achieve all that Mongolia was hoping to get. Thus the General Assembly welcomed Mongolia's status (but not the zone), and the content of the former had not been defined. As to the security assurances, there was no mention of it in the resolution, not to speak of the actual assurances. However, what was achieved so far could serve as a good basis to continue the work to institutionalize the unique status. Therefore the next logical measure for Mongolia was to propose, in line with the resolution's operative paragraph 3 to work with the P5 to "consolidate and strengthen Mongolia's ...nuclear-weapon-free status."

As international practice shows, working with the P5 and negotiating the terms of viable security assurances will be much tougher than agreeing on a text of United Nations General Assembly resolution, however important that may be. Besides patience and perseverance, smart policy and willpower will surely be needed. Also overwhelming political support of other states will be necessary to further promote the status and acquire the needed security assurances from the P5.

All the aforementioned dealt with the first six years of Mongolia's promotion of its initiative and negotiating the first UNGA resolution on the issue. These were the years that determined the framework and parameters of consideration of the issue at the United Nations. The space of this concept paper does not allow to cover *in extenso* the other 12 years. Therefore the author took the liberty of drawing up a chart of the main actions the Mongolia has taken to promote its status, the challenges it encountered, and the lessons drawn, which is found in the next part of the paper.

***Three. The actions of Mongolia to promote its nuclear-weapon-free status, the challenges met and lessons learned***

	Objective	Challenges	Action / Solution	Outcome / Lesson
1	Decide whether to consult or not with the immediate neighbors or the P5.	If Mongolia consults, with its neighbors or the P5, they might not support the idea.	Study the issue at the national level and make the initiative at UNGA without prior consultations.	The initiative was neither supported nor opposed by the P5. At times it is not necessary to consult with others on issues of one's vital interests.
2	Work for international recognition and support of the initiative.	Get the international attention and demonstrate that the initiative is in line with international peace, security; convince others that it would contribute to confidence and predictability in the region.	Get support of the non-nuclear-weapon states, of its immediate neighbors and the P5. PR at the United Nations, contact delegations, mention & explain the gist of the initiative at appropriate fora. Respond to the questions raised. First impressions and actions are important and lasting.	Working closely with other delegations, especially the "opinion makers" was useful.
3	Get separate support of each one of the P5.	The P5 might not see it as contributing to international peace and security, and thus might not take it seriously or support it.	Approached each one of the P5 on bilateral basis and explained the importance of the issue for regional peace, stability and predictability. Started with neighbors and the US.	Russia in a treaty form pledged to respect Mongolia's policy of not admitting nuclear weapons on its territory. It is important to find appropriate leverage to interest the P5. In this case their interest was to indefinitely extend the NPT. They needed every support of non-nuclear-weapon states in case a voting would be required at NPT Revcon in 1995. After US statement of support for the initiative ( <i>see ANNEX I</i> ) the UK, China, and France followed suit.
4	Acquire a joint statement of the P5 supporting the initiative.	The P5 might not see any reason to support a request that might set a precedent.	Mongolia approached each one of the P5 on the issue. Based on their earlier statements	Though Russia, China, US, and UK <u>supported</u> the idea, none was ready to take the

			of support each one expressed support and advised to get the support of the other 4. The football tactic.	initiative to do more. France played the role of the “bad cop,” saying that it could not support the idea since the francophone countries would also want to get special treatment. The issue of P5 joint statement did not materialize.
5	Get the support of the Non-Aligned Movement (NAM). That would give weight to the initiative.	NAM support was possible unless another NAM member would also want the same treatment and the two issues could be linked, with the success of one depending on that of the other.	Mongolia explained the reasons for the initiative and underlined that individual states should not be discriminated against. Its success would set a positive precedent for the future.	The NAM summit in 1995 supported the initiative as “a commendable contribution to regional stability and confidence-building.” This support strengthened Mongolia’s hand in promoting the issue.
6	Since the P5 did not support the idea of a joint statement, it was decided to go directly to the United Nations General Assembly for recognition & support.	The P5 might not support Mongolia’s policy and try to stop it by saying that Mongolia did not face any nuclear threat and that its relations with the neighbors and other states were good, that the P5 had supported the initiative in anyhow.	Try to reflect the idea of single-State NWFZ as vehicle to promote the idea. Mongolia raised the single-State (SS) NWFZ issue at United Nations Disarmament Commission. P5 were against it seeing it as distracting from elaborating new guidelines on establishing traditional (group) NWFZs.	Due to the UNDC consensus rule and P5 reluctance Mongolia’s initiative was not adopted. However, UNDC report to the General Assembly carried a footnote on the issue. It was understood that if need be the SS-NWFZ issue could be addressed at some other time.
7	Try to see if Mongolia could be part of the future Central Asian NWFZ.	The Central Asian countries themselves as well as the P5 might not welcome Mongolia.	Mongolia approached the Central Asian countries but did not receive any clear response. Russia and China have indicated that since Mongolia did not border on any of the Central Asian countries, they would not be in a position to support Mongolia as a part of future CA-NWFZ.	Mongolia was given to understand that its neighbors would not support Mongolia’s membership in future CA-NWFZ. So Mongolia concluded that it should go for a SS-NWFZ and have the P5 provide legally-based security assurances.
8	Try to go for a separate	The P5 might be against it, especially	Mongolia held informal meetings with	Mongolia and P5 agreed to a separate

	<p>resolution at the General Assembly on Mongolia's initiative.</p>	<p>since Mongolia was flagging the idea of a SS-NWFZ and institutionalizing it. No progress would be made on the issue unless Mongolia became flexible and did not insist on a NWFZ and find an acceptable solution with the P5.</p>	<p>representatives of the P5 and discussed the content of the resolution. The sides agreed to a separate resolution provided that there would be no reference to a NWFZ or institutionalization. In response the P5 agreed to address greater security challenges of Mongolia, including economic security and ecological balance.</p>	<p>resolution on Mongolia's issue, inscribe the issue on UNGA agenda and to have it consider every second year. Both sides were interested in properly addressing the issue. The P5's main difficulty was that Mongolia's treatment might set a precedent. Mongolia underlined its unique geographical location and insisted on an equally unique approach.</p>
9	<p>Respond to P3 (US, UK, and France) proposals aimed at addressing some issues of Mongolia's security and in return not pressing its initiative.</p>	<p>The P3 proposed that Mongolia become a permanent neutral country, that the region be declared a region of good-neighborliness, and that Mongolia should conclude a border security treaty with China like it did with Russia. In return Mongolia should not insist on its initiative.</p>	<p>Mongolia in written form replied to the P3 proposals explaining that it already maintained good neighborly relations with Russia and China, that the assurance it was seeking for the P5 recognize Mongolia's status and pledge to respect it and not contribute to any act that would violate it.</p>	<p>Mongolia's clear-cut response to the P3 proposals brought an end to these proposals. Reasoned and clear position of states are important to make decisions.</p>
10	<p>Draft a UNGA resolution that would promote the initiative as well as enjoy wide support including of the P5.</p>	<p>The P5 were against any mention of SS-NWFZ or the concept of institutionalizing Mongolia's status. At the same time Mongolia needed a resolution that would be on par with other NWFZ resolutions and would command general support, including of the P5.</p>	<p>In 1997-98 Mongolia exchanged ideas and drafts to reflect its interests, of the P5 and the international rules regarding NWFZs. Mongolia produced 3 draft resolutions: one for US - 1 and P4 -2. In the end an agreed draft was jointly produced.</p>	<p>As a result the UNGA resolution 53/77 D was adopted by the General Assembly without a vote (<u>see ANNEX II</u>). If Mongolia would have followed the advice to have a resolution mentioning SS-NWFZ or institutionalization of Mongolia's status, the resolution would have been supported by a vast majority of membership but with abstentions by the P5 and their allies this</p>

				would have become a divisive issue with all the ensuing political and other consequences.
11	Make implementation of the UNGA resolution relevant to all members, including the P5.	During negotiation of the draft resolution the P5 did not want to have any reference made to themselves. The US wanted to make reference only to Russia and China as Mongolia's immediate neighbors thus making the latter directly involved in the implementation. China and Russia did not agree to that and insisted that all P5 be mentioned.	From the outset Mongolia promoted the idea that since it was expecting some form of nuclear security assurances, just like in the case of other NWFZs, it expected assurances from all P5. Russia and China supported Mongolia's view. UNGA resolution 53/77 D was adopted without a vote. All those that explained their votes voiced support for the resolution.	The draft resolution, when inviting to cooperate with Mongolia in implementing the resolution, first referred to all member states, then to interested states, then to the states concerned and in the end agreed to call on "member states, including the five nuclear-weapon states." During the negotiations Mongolia felt that the US wanted Russia and China to commit to supporting Mongolia, while the P3 would not. That showed the nuances of P5 approach to Mongolia's issue.
12	Promote Mongolia's broader aspects of security.	As per UNGA resolution 53/77 D, Mongolia has asked UNGA to undertake a study on Mongolia's economic security and ecological balance.	UNDP and DESA supported undertaking such a study. The P5 did not object to the study. The study was undertaken in 2003-04, the findings of which were presented to the Mongolian government.	Undertaking the study provided an opportunity for Mongolia to look at ways to strengthen other aspects of its external security. The P5 used this study as an expression of implementation of the non-nuclear provisions of resolution 53/77 D.
13	Adoption of a law that would institutionalize the status at the national level and have the P5 and General Assembly welcomed it.	Mongolian lawmakers supported the adoption of UNGA resolution as well as nationally institutionalizing the status. P5 support of the legislation would have further legitimized initiative and the status. However, the	When drafting the law, Mongolia not only consulted with the IAEA but also informed on a number of occasions the P5 of the main provisions of the draft. Though first the P5 expressed interest in the law, they lost interest when	When the Mongolian law was adopted, some developing countries expressed interest in the law. The text of the law was circulated as an official document of both the UNGA and the Security Council. The P5 did not express interest saying that it



		P5 were reluctant to support the legislation saying that that would set a precedent ( <i>see ANNEX III</i> ).	it was adopted. They were prepared to take note of the law but not welcome it since that might set a precedent.	was an internal affair of a sovereign state.
14	Have the P5 provide appropriate security assurances (SAs) to Mongolia's status.	The P5 were reluctant to provide any SA to Mongolia saying that it already enjoyed good relations with its neighbors and other states.	In 1999 and early 2000 Mongolia proposed some ideas regarding SAs. Mongolia proposed to sign a Memorandum of Understanding (MoU) similar to the MoU signed by the P3 with Ukraine, Belarus, and Kazakhstan. After an exchange of ideas and proposals, the P5 reneged on the idea and produced a draft P5 joint statement. They did not provide room for Mongolia to make any substantial changes in their draft. The position was to "take it or leave it" ( <i>see ANNEX IV</i> ).	In October 2000 the P5 made the joint statement in the First Committee of UNGA and circulated it as UNGA and UNSC documents. Officially, Mongolia welcomed the joint statement as a step in institutionalizing the status. Unofficially Mongolia lamented the form and content of the statement. As to format, it was a political statement only. As to content, it thought that it was a statement reminding of the Cold War period and did not reflect the real situation on the ground. In reality it contained the conditions under which the P4 (excluding China) would not use nuclear weapons against it. Mongolia said that it was not an appropriate assurance. P5 said that with the joint statement they have done enough for Mongolia. Since the joint statement was seen as not reflecting the reality, Mongolia decided to "right the wrong."
15	Mongolia's attempts to "right the wrong."	Mongolia proposed that in order to "right the wrong", perhaps the Security Council could adopt a one time short resolution.	Mongolia proposed that SC resolution could welcome the joint statement, note that Mongolia's good-neighborly relations	When Mongolia's proposal to "right the wrong" was not accepted, it decided to find some other legal means to institution-

			<p>with its neighbors would strengthen its status, and would call upon states to respect and promote the status. The P5, having consulted among each other, said that enough had been done for Mongolia and could not go for a resolution. Mongolia proposed a Presidential statement which was also turned down.</p>	<p>alize the status. After some consultations with the P5 and UN Department for Disarmament Affairs, it was agreed that an informal meeting could discuss how further to promote Mongolia's status. Mr. Tsutomu Ishiguri, Director of UN Regional Center for Peace and Disarmament in Asia-Pacific organized a meeting in Sapporo for that purpose. The issue acquired a life of its own.</p>
16	<p>Find practical ways to promote Mongolia's status and continue the process.</p>	<p>P5 was hinting about "Mongolia fatigue." If Mongolia agreed that, the process would have come to an abrupt halt. It was important to show to the P5 that their joint statement was not logical and counter-productive and hence a way needed to be found to "right the wrong".</p>	<p>The Sapporo informal meeting agreed with Mongolia that the P5 joint statement did not clearly define the status and that in order to make the status viable the parties needed either to conclude a tripartite treaty (Mongolia, Russia, and China) or a Six Party (P5 + Mongolia) treaty.</p>	<p>The results of the Sapporo meeting were circulated by Mongolia as an official document of UNGA and the Security Council. Based on the Sapporo recommendations Mongolia proposed to Russia and China to conclude a trilateral treaty and have the P3 sign a protocol to the treaty in support of the treaty.</p>
17	<p>Involve Russia and China in conclusion of a trilateral treaty defining Mongolia's status and providing legally based assurances. The P3 could sign a supportive protocol to the treaty.</p>	<p>The P5 were very reluctant to do more on the issue considering that enough had been done Mongolia. This did not deter Mongolia to try to conclude a treaty with Russia and China. The latter were reluctant to the idea of a trilateral treaty.</p>	<p>In 2002 Mongolia has presented the basic elements of a treaty to Russia and China and asked for their comments. Reluctantly China and Russia gave their comments on the draft. Based on their comments in 2007 Mongolia presented to them a draft treaty and a protocol to it and proposed to discuss the drafts.</p>	<p>After some prodding in 2008 Russia and China agreed to meet and discuss the drafts. The trilateral meeting was held twice in Geneva in 2009. Mongolia introduced the main provisions of the treaty and the protocol, and responded to the questions raised. It was clear that Russian and Chinese representatives were</p>

				instructed to comment only on the drafts but not negotiate. At the end they said that further meetings should be only in the P5 format and asked Mongolia to contact the P3 on the issue.
18	Take stock of the situation and come to a viable final resolution of the issue.	With Russia and China prepared to address Mongolia's unfinished issue, while the P3 did not want to reopen the issue after the joint statement of 2000, it was important for Mongolia to find a solution that might be acceptable to the P5.	Having reviewed the situation and being 100 percent convinced that the P5 were not ready to provide it with legally-based security assurances, Mongolia decided not to insist on legally-based assurances and go for a non-treaty format of assurance. Knowing that the MoU format would not be acceptable for the P5 as well, Mongolia decided to propose signing of parallel declarations, whereby the P5 would welcome Mongolia's law, pledge to respect its nuclear-weapon-free status, and not to contribute to any act that would violate the status. The Mongolian side, in turn would reiterate its pledge to keep the country nuclear-weapon-free.	The P5 agreed to the non-treaty format of assurance and having studied Mongolia's draft parallel declarations agreed to sign them. The signing ceremony was held at UN Headquarters on 17 September 2012. The P5 have indicated that they could not do more to promote the status ( <u>see ANNEX V and VI</u> ). The signing demonstrated that perseverance and creative, out of the box thinking were important to reach an agreement.
19	Make UNGA formally welcome Mongolia's status. So far due to P5 position, UNGA welcomed only Mongolia's initiative and its efforts, but not the status itself.	The P5 had not be welcomed the status, insisting that more than enough had been done for Mongolia.	According to the UN Charter and the NPT, the P5 have special responsibility for international peace and security. Therefore what they are doing for Mongolia should not be seen as a favor. It is their duty to find an	Mongolia should raise the issue of formal recognition of the status at UNGA and the NPT meetings until it is recognized and "welcomed" as such. The P5 joint declaration of 2012 is a strong document and Mongolia does not need

			adequate solution to the issue.	further assurances from them. However, Mongolia's status needs to be clearly recognized on par with other NWFZs, including by UNGA. Mongolia does not have to insist on the status as a SS-NWFZ.
20	Promoting the regional dimension of Mongolia's nuclear-weapon-free status.	As mentioned earlier, the promotion of the status has three levels. At the national and international levels, it has been adequately promoted. Since NWFZs are regional security arrangements, to be consistent Mongolia now needs to promote it at the regional level and make it an organic part of the regional security architecture, as are the Rarotonga and Bangkok NWFZ treaties are.	Mongolia has already contacted ARF on this issue. The 2014 Ministerial meeting of ARF has agreed to consider the issue. In September 2015 ARF held an awareness-raising and brainstorming workshop in Ulaanbaatar on the issue. Now Mongolia needs to follow-up on the results of the workshop and have ARF consider the ways and means of addressing and promoting the issue.	The ARF September 2015 meeting was a very productive one. It was understood that a follow-up meeting would be organized in 2017.
21	Make use of Mongolia's policy on the issue and the experience gained in the past to promote confidence and search for ways to establish a NEA-NWFZ.	Though the issue of establishing a NEA-NWFZ has been discussed at civil society and academic levels, no formal proposal has been made in this regard. None of the governments of Northeast Asia, except that of Mongolia, has so far interest to address the issue.	Bearing in mind the importance of promoting confidence and searching effective ways to strengthen security in the region, in 2013 the Mongolian President has suggested that the country was prepared, on an informal basis, to work with the countries of Northeast Asia to see if and how a NWFZ could be established in the region.	Mongolian NGO Blue Banner has co-organized some side events on the issue of NEA-NWFZ at 2014 NPT Prepcom and 2015 NPT NPT Revcon. Also an international conference entitled "Dimensions to create a NEA-NWFZ" was organized in 2014 as part of GPPAC/NEA event.

#### **Four. Looking to the future**

##### **- *Work still in progress***

Acquiring an internationally recognized nuclear-weapon-free status is not an end in itself for Mongolia, but a means of strengthening its security and contributing to the common cause of making the world more secure. Enjoying wide international support and having obtained political security assurances from the P5, including from its two immediate neighbors, Mongolia is now turning its attention to institutionalizing the status through promoting it at the regional level.

As international relations demonstrate, circumstances change with the passing of time. At times processes are as important as the goals themselves and can be helpful in attaining the latter. Institutionalizing the status is intended to make sure that its goal, content, and procedure of its realization are clearly understood by its partners, other stakeholders, and the world at large. Thus it would indicate which national agency is responsible for the issue, for its implementation and verification, and what should be the penalty for a violation. Our partners, the United Nations, the IAEA, and other stakeholders should be aware of the procedures of obtaining or exchanging of information regarding the status and related issues, verification of compliance, It is also important for the future to have a clear understanding of the meanings of such notions as “transport,” “transit,” “scope of obligations,” “nuclear-weapon related support facilities,” (such as communication, surveillance and intelligence gathering facilities, and navigational installations serving the nuclear strategic systems of great powers).

##### **- *Strengthening the regional dimension of the status***

In Chapter VIII of its Charter, the United Nations specifically deals with regional arrangements and provides the legal basis for the involvement of regional organizations in the maintenance of international peace and security, for which the Security Council is primarily responsible. During the Cold War, due to the East-West confrontation in the Security Council and the world at large, the provisions of Chapter VIII have seldom been made use of. However, with the collapse of the bipolar world and the rise of new regional threats, the United Nations is increasingly turning to Chapter VIII for a supportive role of regional organizations or arrangements in the maintenance of and contribution to regional peace and security.

In 2005 the Security Council adopted resolution 1631 on this issue, which emphasized the growing contribution of regional organizations in usefully complementing the United Nations role and encouraged them to play a more active role in peaceful settlement of disputes and keep the Council fully informed of their activities.

One of the ways of promoting regional confidence and stability and strengthening regional peace and security is through strengthening the existing NWFZs and establishing new ones wherever possible.

The traditional NWFZs that have so far have been established are based on the already existing regional political or security arrangements. By agreeing to establish a NWFZ, the states of the region concerned take legally binding commitments vis-a-vis each other not to develop, manufacture, control, possess, test, station, or transport nuclear weapons, nor permit the stationing of any nuclear weapon or nuclear explosive devices of other states. They also agree among themselves to comply with verification measures that promote greater confidence. These are strong confidence-building measures developed and agreed upon by the states themselves.

Once they agree in principle on these commitments with respect to each other, they accordingly inform the United Nations and the P5 of their decision. Without such agreements and mutual commitments, there would be no NWFZ or P5 commitments to respect the status not to use or threaten to use nuclear weapons against the zone.

That is why, having received international support and P5 commitment (though so far political) to respect the status and not to violate its status, Mongolia is now turning its attention to making the status an organic part of emerging East Asian regional security architecture. However, it is not adequate to have the General Assembly of the United Nations qualify the status as “an important element of strengthening regional peace, security and predictability”<sup>50</sup> or members of the East Asia region to declare the status as a “concrete contribution to nuclear non-proliferation and promoting confidence and predictability in the region.”<sup>51</sup> In order to be viable and effective, the status needs to be clearly understood by the members of the East Asian region, have a verification arrangement so that it can play a practical positive role, and serve as an example of an innovative approach for non-traditional cases.

When Mongolia signed parallel declarations with the P5 in 2012, it decided besides working to have the General Assembly “welcome” its status, to turn its attention to pursuing the issue at the regional level, as it had been decided back in 1995. The most convenient forum for that is the ASEAN Regional Forum (ARF), which in 1999 had already welcomed Mongolia’s status and later in 2011 and 2012 the P5 joint statement and joint declaration that provided political assurances to Mongolia. There were other reasons for turning to ARF as well. Thus the forum was designed to foster constructive dialogue and consultations on political and security issues that contribute to confidence-building and conflict prevention. Today the ARF is duly recognized as an important regional forum and dialogue mechanism for promoting confidence and creating a more favorable security environment.

Mongolia had already hosted a number of ARF meetings. It believes that due to its diverse membership it is an ideal forum where non-proliferation and disarmament issues can be considered, if not negotiated, since almost one third of its membership are parties to the Bangkok or Rarotonga NWFZ treaties. On the other hand, one should not forget that there are others that might not be able to join such zones due to some political or geographical considerations.

The ARF membership includes three recognized nuclear-weapon states, three *de facto* nuclear-weapon states, and three nuclear capable states under an extended nuclear umbrella. That is why Mongolia first informally, then formally approached ARF with the proposal to have its status have Mongolia’s status discussed at the forum as a contribution to promoting confidence and predictability. Informally Mongolia first raised the issue at the ASEAN ISM-NPD<sup>52</sup> held in July 2014 in Tokyo when the latter was holding a workshop entitled “A World without nuclear weapons.” The Mongolian participant informed the meeting about the country’s status and proposed to have a brain-storming workshop as a contribution to ARF goals and the ISM-NPD work plan. The participants welcomed the initiative. Based on the initial support in September of that year Mongolia officially sent to the ARF Secretariat its concept paper on the issue and proposed to hold the workshop in September 2015, thus allowing some time for ARF Ministers to examine the issue and give to it a stamp of approval.

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<sup>50</sup> UNGA resolution 69/63

<sup>51</sup> Chairman’s statement, Paragraph 19, XXI ARF ministerial meeting, 10 August 2014

<sup>52</sup> Inter-Sessional Meeting on Non-Proliferation and Disarmament

- *ARF workshop*

The ARF expert-level workshop entitled “Promoting a Nuclear-Weapon-Free Status of Mongolia” was held in Ulaanbaatar on 3-4 September 2015. Following the established ARF practice, it was jointly organized by Mongolia (the initiator) and the Philippines (ASEAN member). The latter has agreed to co-sponsor the workshop since it was party to the Bangkok treaty that had established the SEA-NWFZ and it has a Constitutional provision banning nuclear weapons on its territory. The workshop was attended by 39 participants of 14 ARF members.<sup>53</sup>

As per the agreed agenda, the participants exchanged information and views on such issues as the regional dimensions of NWFZs, the current status of Mongolia’s initiative, and further activities contemplated for promoting it, and the prospects for future zones. The participants agreed that the workshop had contributed to the better understanding of not only Mongolia’s status and its national and regional significance but also of the “second generation” zones and non-traditional cases. All agreed that future cases would need a more creative, nuanced approaches and, of course, hard bargaining.

The participants displayed an interest in Mongolia’s understanding and interpretation of “non-stationing of nuclear weapons” on its territory in the light of the political developments in Europe and Asia. Thus Mongolia sees its commitment as prohibiting of placing on its territory of nuclear weapon-related support facilities such as communication, surveillance and intelligence-gathering facilities, or air navigational installations designed to serve nuclear strategic systems. Mongolia explained that such an understanding was important since the current trend among the nuclear-weapon states was to modernize their nuclear arsenal and weapons systems and develop technology to set up or counter missile defense systems.

At the end of the workshop the participants were asked to share their personal views on Mongolia’s status by answering an eight point questionnaire. The respondents to the questionnaire underlined that they saw the importance of Mongolia’s status not only in promoting stability and greater predictability in the region, but also in inspiring states that for geopolitical or some other reasons could not join traditional zones.

- *Ulaanbaatar dialogue (UBD)*

Mongolians have been making proposals aimed at promoting regional dialogue and greater confidence. Thus in 1980s, then in 2001 and 2013, it made concrete proposals to this effect. In the 1980s the proposal to develop a regional mechanism was dismissed due to the Cold War mindset and approaches to such initiatives as partisan. The proposal of 2001 was considered a track-1 mechanism for which the states of the region were not prepared. Due to a prolonged deadlock at the Six Party Talks (SPT) in 2013 President Ts. Elbegdorj launched the “Ulaanbaatar Dialogue on the Northeast Asian Security” (UBD) aimed at building greater confidence in the region since the lack of such confidence hindered the SPT in promoting the political will needed to genuinely address the regional challenges including: ending the division of the Korean nation and denuclearizing it and developing broader economic cooperation and people-to-peoples contacts.

When the UBD proposal was made the states of the region, especially parties to the SPT, were sensitive to it believing that the initiative might somehow interfere with the talks. When

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<sup>53</sup> The Philippines, Mongolia, Thailand, Japan, China, Indonesia, Malaysia, Australia, Lao PDR, Canada, Russia, the Republic of Korea, Vietnam and the US. Also the United Nations was represented by Interim Director of its Regional Centre for Peace and Disarmament in Asia and the Pacific (UNRCPD).

explaining the gist of President's UBD proposal, the Mongolian side pointed out that the proposal was aimed at contributing to reducing mistrust through dialogue that could lead to the emergence of a needed dialogue mechanism in the region. As to the possible forms of such a dialogue, the Mongolian side explained that it would be a combination of official/track one and unofficial/academic/track two approaches where researchers and government officials in their personal capacity could freely exchange their views on the issues of common interest as per the Chatham house rules. The topics for such dialogue discussion could be a wide range of issues of mutual interest, such as economic cooperation, military transparency, energy, environmental issues, non-traditional security threats, and regional stability.

To allay any suspicion, the Mongolian side specifically underlined that the UBD initiative was not intended to compete with or replace the SPT. In fact it did not necessarily have to deal with the sensitive nuclear issue on the Korean peninsula.

Not long after the UBD proposal, President Park Geun-hye of the Republic of Korea, underlining discrepancy in the level of cooperation between security and economic cooperation in Asia, known as the "Asia Paradox", introduced the Northeast Asia Peace and Cooperation Initiative (NAPCI). Its main aim is to overcome the "paradox" by "trustpolitik", by promoting cooperation in soft and non-traditional issues, such as disaster relief, environment, anti-terrorist measures, nuclear safety, diseases, transnational crimes, and cyber terrorism. Hence there is a need to make sure that UBD and NAPCI do not compete with each other but rather complement and work with each other.

Since 2013, UBD meetings were held twice. In 2014, 35 representatives of nine states<sup>54</sup> have participated, addressing a wide range of issues of mutual interest and concern, including economic cooperation, regional infrastructure development, and some non-traditional security threats. The second workshop, held in 2015, addressed Northeast Asian energy connectivity issues, which provided an open forum for exchange of information and ideas for future possible action in this important and sensitive area.

#### - *NEA-NWFZ*

Another way of linking Mongolia's nuclear-weapon-free status with issues of regional peace and security is by promoting the idea of establishing a NEA-NWFZ, both of which in principle have similar goals. The establishment of a NEA-NWFZ is not a brand new idea. A brief look at the informal proposals made so far<sup>55</sup> shows that there is a treasure of different ideas proposed in this regard. All of them in their own way underline the possibility of establishing such a zone. Also the history of the establishment of the five NWFZs<sup>56</sup> vividly demonstrates that such zones can be established elsewhere, provided that the proposal comes from the regional states concerned and that there is a real need and political will. From amongst the approaches to addressing this issue, it seems that the most practical and effective one is the *comprehensive approach* that would focus on not only the actual provisions that need to be reflected in the international treaty regarding the NEA-NWFZ, but also the political conditions and circumstances that need to be created that would allow greater confidence, free exchange of

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<sup>54</sup> Mongolia, US, China, Russia, Japan, DPRK, the Philippines, the Republic of Korea, Germany, and the Netherlands.

<sup>55</sup> The proposals include John Endicott's proposal for a limited nuclear-weapon-free zone (LNWFZ) involving only non-strategic weapons; Andrew Mack's proposal that would involve the two Koreas, Japan, and Taiwan; Kumao Kaneko's proposal of a zone involving a territory of 2000 km radius from Panmunjom; Dr. Hiromichi Umebayashi's.

<sup>56</sup> In Latin America and the Caribbean, South Pacific, Africa, South-East Asia, and Central Asia



ideas, greater interaction, and direct cooperation. These need to include the interests of all the potential parties to the NWFZ treaty and of the nuclear-weapon states that are expected to provide legally binding nuclear security assurances to the states parties to the zone and to the zone itself. Such an approach is being promoted, inter alia, by the Nautilus Institute<sup>57</sup> and RECNA.<sup>58</sup> They propose to include addressing such issues as termination of the state of war on the Korean peninsula, creation of a permanent council on security, mutual declaration of no hostile intent, provision of assistance for nuclear and other sources of energy, termination of sanctions, and the establishment of a NEA-NWFZ.

The author believes that in order to seriously consider the various proposals, it is important to address two issues without which it would be difficult, if not impossible, to make any progress in this area. The first one is the issue of nuclear deterrence and the second, logically connected with the previous, is promoting confidence-building.

#### - *Nuclear deterrence in Northeast Asia*

In Europe where NATO retains US nuclear weapons on territories of five member states and is working on possible alternative forms of sharing (the so-called “smart sharing”) and basing of “smart” nuclear weapons, the question of establishing a NWFZ is practically ruled out unless NATO changes its strategy and rules.

On the other hand, Japan and the Republic of Korea do not have nuclear weapons on their territories or any “sharing” arrangement with their nuclear ally. Therefore politically it is possible to discuss the possibility of establishing a NWFZ. Also the threat of chemical or biological weapons in the region is minimal. Therefore, it would be possible for the US, which together with the two NEA allies that have credible superiority in conventional weapons, to look into the possibility, while nuclear weapons exist, of adopting the “sole purpose” nuclear deterrence policy and turning the extended nuclear deterrence into an extended conventional deterrence. At least theoretically it is logical and practically doable.

As of today, extended deterrence and “nuclear umbrella” form the basis of security and defense policies of Japan and South Korea, which themselves are nuclear-capable states. The DPRK has announced its nuclear deterrence policy and is working to rationalize it. Weaponization of the DPRK’s nuclear weapon components could have a domino effect and start a second regional nuclear arms race that can have much broader security implications. Since the states of the region and the US do not want to accept the DPRK as a nuclear-weapon state, even as a de facto nuclear-weapon state, it is imperative that serious consideration be given to the idea of 3+3 proposal and a model NWFZ treaty; Seongwhum Cheon and Tatsujiro Suzuki’s tripartite NWFZ involving two Koreas and Japan; Jaejung Suh’s proposal of multilateralizing the 1992 Joint declaration for denuclearization of the Korean peninsula; and Nautilus Institute’s comprehensive approach to security in Northeast Asia which should include, inter alia, the establishing a NEA-NWFZ. It should be borne in mind that just like in Europe, nuclear deterrence is intrinsically connected with correlations of military forces in the region, including conventional forces. As long as there is a perceived enormous unbalance in conventional forces it would be difficult for a possessor of nuclear weapons to agree to the total abolition of nuclear weapons. So there will be a vicious circle, unless proper Confidence and Security Building Measures (CSBMs) help reduce mutual political suspicion, increase trust, and promote transparency and cooperation in military areas.

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<sup>57</sup> To be precise by the Nautilus Institute for Security and Sustainability and Woodrow Wilson International Center for Scholars, USA

<sup>58</sup> Research Center for Nuclear Weapons Abolition, Nagasaki University, Japan

- *CSBM in Northeast Asia*

There is an enormous need in Northeast Asia for CSBMs. The demand for CSBM measures, starting with simple measures, is high due to the division of the Korean peninsula, the high concentration of conventional forces and weapons there, especially along the DMZ, the rise of nationalism and rivalry in the region, the flaring up of island disputes, and the lack of trust and of a multilateral security mechanism. In this respect the catalogue of initial CBM and CSBM measures applied during the Conference on Security and Cooperation in Europe (CSCE)<sup>59</sup> process could be valuable, though corresponding adjustments would need to be made reflecting the region's specifics. In short, establishment of a NEA-NWFZ can progress only by a broader approach to regional security, by promoting CSBMs and addressing the legitimate security issues of the states of the region. Beyond the Korean peninsula, the CSBMs, together with expanded trade and economic ties, can lead to greater trust that would allow to gradually transform nuclear deterrence into a conventional deterrence in the zone of possible application of the proposed NEA-NWFZ. That is possible since, as already mentioned, there are no nuclear weapons placed in Japan or in the Republic of Korea. Only in this way the necessary prerequisites for establishing a NEA-NWFZ may be created which, in its turn, would represent a major CSBM in Northeast Asia and well beyond it.

- *Mongolia's possible role*

When it comes to NEA-NWFZ, Mongolia sees two possible roles. First, start an informal process to discuss the conditions and possibilities of establishing a NEA-NWFZ. When addressing the high-level meeting on nuclear disarmament in 2013, President Ts. Elbegdorj said that "as a country with firsthand experience in ensuring security primarily by political and diplomatic means, Mongolia was prepared on an informal basis to work with the countries of Northeast Asia to see if and how a nuclear-weapon-free zone could be established in the region. Though we know well that that would not be easy and would require courage, political will, and perseverance, he added, it is doable, if not right away". Second, if or when the process starts, Mongolia can contribute ideas and share its experience, the challenges it faced and still faces in institutionalizing its status. Mongolia has no interest in or intention to artificially imposing its experience onto others, especially those that pursue policies based on doctrines of nuclear deterrence.

- *Ulaanbaatar process (UBP)*

The third area in promoting Northeast Asian security is making the most use of the potential of national and regional civil society organizations that by their nature have comparative advantages and can provide added value in creating space for dialogue, facilitating dialogue, and even generating useful and practical ideas and proposals. Due to the serious challenges that the region is facing, there are many national and regional civil society organizations that are interested in promoting dialogue and confidence. One of such organizations is GPPAC, which has 15 regional networks that promote their goals through efficient information exchange and sharing of experience. Dialogue and mediation is GPPAC's one key priority that is supported by a working group comprised of representatives of nine regions, including the Northeast Asian region.

As far back as in 2005, the Northeast Asian network (GPPAC/NEA) flagged the idea of launching a civil society process to promote confidence and cooperation in the region using the

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<sup>59</sup> CSCE is a predecessor of the Organization for Security and Cooperation in Europe. CSCE was established in 1973 and in 1995 was transformed into OSCE.

comparative advantages of its focal points.<sup>60</sup> Due to Mongolia's active foreign policy, its internationally recognized nuclear-weapon-free status, and the fact that it maintains diplomatic and friendly relations with all the states of the region, including the DPRK, the choice fell on Blue Banner, a Mongolian NGO devoted to promoting nuclear non-proliferation and the country's NWFS, both nationally and internationally, to take up the challenge together with its GPPAC/NEA colleagues. After careful consideration of the political-military situation in the region and the apparent deadlock in the SPT, the GPPAC/NEA network decided to launch the Ulaanbaatar process (UBP), a civil society driven track-2 inclusive<sup>61</sup> regional process to provide political space and venue for unofficial meetings aimed at supporting track-1.5 political processes. The UBP was launched in Ulaanbaatar in June 2015.<sup>62</sup> In 2015 GPPAC/NEA agreed and adopted a framework document for a civil society dialogue for peace and stability in Northeast Asia which defined its objectives, expected impact, governing principles, priority thematic areas, engagement and target groups, core activities, funding, visibility, time-frame, targets, as well as monitoring and evaluation. Priority themes in the initial years are to be peace and security on the Korean Peninsula and establishment of NEA-NWFZ.

- *Relevance to Mongolia's status policy*

Promotion of UBD, NEA-NWFZ, and UBP could, in Mongolia's view, lead gradually to greater confidence and dialogue that can in turn lead to a joint search for a more cooperative and mutually beneficial relations. This general improvement in relations can create a more favorable environment for Mongolia to broaden and deepen the regional basis and support of its status as an element of regional security and stability. This can in turn provide an appropriate condition to institutionalize it.

Mongolia still believes that the best and most logical way of institutionalizing the status is for the P5 to reverse their discriminatory policy and for Russia and China to conclude a trilateral treaty with Mongolia that would clearly define its status and have the other P5 members sign a protocol in its support. If such a stand-alone treaty approach is still unacceptable, then Mongolia could opt for a special international regime regarding Mongolia's nuclear-weapon-free status. This status would be based on already made international commitments regarding the status and make use of the existing explicit and implicit security assurances, as well as the emerging principles and norms regarding NWFZs. It would establish a framework of such a regime and, to be consistent with other zones, design proper consultation as well as verification and enforcement arrangements. This would be a win-win outcome for all.

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<sup>60</sup> Beijing, Hong Kong, Kyoto, Seoul, Shanghai, Taipei, Tokyo, Ulaanbaatar, and Vladivostok. Pyongyang participates in the work as partner.

<sup>61</sup> The Pyongyang focal point is an integral participant of the process

<sup>62</sup> Global and regional secretariats also participated as observer representatives of China Foreign Affairs University, Alliance for Peacebuilding (US) and American Friends Service Committee (AFSC) Dalian office.

## Five. Conclusions and some recommendations

Looking back on the two decades of Mongolia's policy to promote the concept and practice of establishing SS-NWFZs, one can make the following conclusions:

- Establishing a SS-NWFZ is not a mere theoretical or conceptual issue. It is becoming a necessity in international relations if the world is to become nuclear-weapon-free. Today there are about one dozen non-nuclear-weapon states that are not under a nuclear umbrella nor can fit in the prescribed traditional NWFZ format. There are also nearly 60 territories that are under the control of some members of the United Nations that would most probably want to be part of the emerging nuclear-weapon-free world and do not want to be "blind spots" or "grey areas." If the SS-NWFZ issue remains a taboo, it would have a negative impact not only on the states or territories concerned but also international peace, trust, and stability.
- International relations are not monolithic. Though international law is expected to regulate relations between states, in real life the principles and norms of international law are not fully adequate to the task, since every state and every situation has its own specifics and dynamics. Therefore lessons of one state cannot be fully used by others. Hence Mongolia's case needs to be seen as unique on its own merits, with some experience that may be applied in some other cases.
- However, there are common trends in international relations and there are, so to say, unwritten rules knowing of which can be useful when addressing similar or analogous cases.
- Mongolia's experience underlines the importance of bearing in mind the following:
  - Though every issue might seem to be important, it should be duly evaluated against the larger picture that would affect not only that particular state or group of states, but also the region or the world;
  - In negotiating with others, the needs and credible interests of the other parties should be duly taken into account. Only in that way can an agreement on the issues can be possible and long-lasting;
  - On issues directly affecting its vital interests, one should weigh whether prior consultation with others would be helpful or would tie ones hands *apriori*;
  - Members of alliances can play a positive role in influencing the major ally's policy and positions to reflect or anticipate the changes in international relations;
  - Clear articulation of one's case and explaining how it would affect the others or international relations in general are important leverages in making progress;
  - Though according to international law every party to negotiations is equal, in reality the weight and influence of parties are different. Therefore one should determine how to approach each party and in what order. As of today the US has more weight in negotiations, especially on issues relating to nuclear security. Therefore dealing directly with it seems to be important. Leading powers could also be approached through their close allies;
  - Timing should not be underestimated; it can play an important role;
  - Before embarking on negotiations one needs to find the appropriate leverage (interest) of each participant. That leverage does not necessarily have to be directly connected with the issue under consideration;

- In most cases perseverance, persistence, and good reasoning pay dividends;
- In the real world one should try to make the most of what one has and not what one wishes for;
- It is important that parties in negotiations not only know the issues and facts involved, but also genuinely understand them. Repeating facts or rehashing arguments is not knowledge, but rather a sign of lack of full understanding of the issues and dynamics involved;
- Logical and well-substantiated reasoning is effective; complaint is not. Try not to put your counterparts in any awkward situations which would only complicate the situation;
- Quick fixes usually do not lead to lasting solutions;
- The notion of “precedent setting” needs to be approached from the point of view whether that would help address similar issues or create more problems;
- If one deals with a group of states (for example Mongolia with the P5), it is important to have a good understanding of the participants as well as the group dynamics. That provides insight into the ways the issue can be promoted;
- In Mongolia’s case though it has not been able to acquire legally-based security assurances from the P5, business-like relations with them and the fact that its issue is on international agenda (meaning on the agenda of UNGA) is in itself reassuring and is a positive factor affecting its security;
- When agreeing on specific issues try to have them in writing, since in some cases verbal agreements tend later to be interpreted differently by the parties;
- International support is an important factor that gives weight to the party concerned;
- An optimistic approach to issues is important since the power of positive thinking provides energy and search for positive solutions.

### *Briefly about the author*

Dr. ENKHSAIKHAN is Mongolian. He is an international lawyer. As a former diplomat he represented Mongolia in Austria and at the United Nations in New York. He also served as the foreign policy and legal advisor to the first democratically elected President of Mongolia and as the Executive Secretary of the country's National Security Council. In these roles he coordinated the drafting of Mongolia's first national security and foreign policy concepts and the basis of its military doctrine.

He authored a book on Mongolia's nuclear security challenges and translated a number of democracy-related books into Mongolian. He is also the author of nearly 100 articles on international relations, non-proliferation and regional security issues. He organized or participated in many regional meetings and workshops aimed at promoting regional peace, stability, and cooperation.

### *Suggested reading*

Nuclear Policies in Northeast Asia. Edited by Andrew Mack. UNIDIR/95/16. United Nations. 1995

Wakana Mukai. The Importance of Nuclear Weapon Free Zones. ISYP. Journal on Science and World Affairs. Vol. 1, No. 2, 2005

Li Narangoa. Mongolia and Preventive Diplomacy: Haunted by History and Becoming Cosmopolitan. Asian Survey. Vol. XLIX. No.2, March/April 2009

Tariq Rauf. Mongolia's International Security and Nuclear-Weapon-Free Status. CANCEPS Bulletin. No. 27, November 2000

Umebayashi Hiromichi. A Proposal for a Northeast Asia Nuclear-Weapon-Free Zone. Presented at Kim Dae-jung Presidential Library Conference. Seoul, 10 December 2014

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John H. King. Nuclear Weapon States and Mongolia's Nuclear-Weapon-Free Status. Regional Security Issues and Mongolia series No. 11, Mongolian Institute for Strategic Studies. 2001

Enkhsaikhan Jargalsaikhan. Mongolia's search for security in the nuclear age. Japanese Association of Disarmament Studies. Vol. V. July 2014

Enkhsaikhan Jargalsaikhan. Converting a Political Goal to Reality: The First Steps to Materialize Mongolia's Nuclear-Weapon-Free Status. The Mongolian Journal of International Affairs. Vol. 17, 2012

US Department of State press release of 6 October 1993:

1. The Government of the United States commends the Government of Mongolia on its demonstrated adherence to the principles of the 1968 Treaty on the Non-Proliferation (NPT) of Nuclear Weapons, to which Mongolia and the United States are parties, and on its decision in this spirit to declare Mongolia a nuclear-weapon-free zone. In this connection, we also welcome Mongolia's decision to support the indefinite extension of the NPT in 1995.
2. In adhering closely to the letter and spirit of the NPT, Mongolia, as a non-nuclear sovereign State friendly to the United States, benefits from the United States' commitment to seek Security Council assistance for non-nuclear-weapon States who are members of the NPT in the event of a nuclear attack on them, and from the US assurances that it would not use nuclear weapons against a non-nuclear State not allied with a nuclear-weapon State. We note that other nuclear-weapon States have provided similar assurances.
3. If Mongolia ever faces a threat and decides to refer the matter to the United Nations Security Council, the United States, along with other members of the Council, would consider appropriate steps to be taken.



## ANNEX II

A/RES/55/33

12 January 2001

General and complete disarmament: resolutions / adopted by the General Assembly

**MONGOLIA'S INTERNATIONAL SECURITY AND NUCLEAR-WEAPON-FREE STATUS p.30-31**

<http://hdl.handle.net/11176/154343>

[http://repository.un.org/bitstream/handle/11176/154343/A\\_RES\\_55\\_33-EN.pdf?sequence=3&isAllowed=y](http://repository.un.org/bitstream/handle/11176/154343/A_RES_55_33-EN.pdf?sequence=3&isAllowed=y)

## ANNEX III

A/55/56-S/2000/160

29 February 2000

**Letter dated 28 February 2000 from the Permanent Representative of Mongolia to the United Nations addressed to the Secretary-General**

<http://www.un.org/documents/ga/docs/55/a5556.pdf>

## ANNEX IV

A/55/530-S/2000/1052

31 October 2000

**Identical letters dated 27 October 2000 from the Permanent Representatives of China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations addressed to the Secretary-General and to the President of the Security Council**

<http://www.un.org/documents/ga/docs/55/a55530.pdf>

## ANNEX V

A/67/393-S/2012/721

2012-09-26

**Letter dated 20 September 2012 from the Permanent Representatives of China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations addressed to the Secretary-General**

<http://hdl.handle.net/11176/17552>

## ANNEX VI

A/67/517-S/2012/760

15 October 2012

**Letter dated 10 October 2012 from the Permanent Representative of Mongolia to the United Nations addressed to the Secretary-General**

<http://hdl.handle.net/11176/17643>

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