An Arms Control Association
Conference Report



CTBT at 15:
Status and Prospects

Vienna Center for Disarmament and Non-Proliferation
Vienna, Austria

October 2012

Organized by the Arms Control Association in partnership with the Vienna Center for Disarmament and Non-Proliferation with financial support from the Government of the United Kingdom

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Acknowledgements

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Cover Photo

CTBTO Executive Secretary Tibor Toth addresses foreign ministers and diplomats representing CTBT member states at an event marking the 15th anniversary of the establishment of the organization at the Vienna International Center on February 17, 2012. Photo courtesy of the CTBTO.

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Preface

Fifteen years after the opening for signature of the Comprehensive Test Ban Treaty (CTBT) and the establishment of the Preparatory Commission for the CTBT Organization in Vienna, the CTBT has helped reinforce a global norm against nuclear testing, contributed to progress on nuclear disarmament and nonproliferation, and established a robust global monitoring system that can help detect and deter nuclear explosions and contribute to disaster response and preparedness.

The CTBT and the CTBTO can already be considered a success, but their full potential has not yet been realized.

To date, 183 states have signed and 157 have ratified the treaty. Indonesia's 2012 ratification of the CTBT provides new energy to win even broader support and secure the eight remaining ratifications necessary to bring the treaty into force. Key states, including the United States and China, continue to express their support for prompt entry into force, although the ratification process in those countries remains delayed.

The February 17, 2012 ACA-sponsored roundtable conference brought together leading governmental and nongovernmental experts to evaluate the CTBT's contributions for future nuclear nonproliferation and disarmament efforts, the status and capabilities of the international monitoring and verification system, and the views of the key Annex 2 states regarding the test moratorium, the CTBT, and developments that could help lead to signature/ratification.

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Note: Dr. Landau was unable to attend the conference in person, but submitted her remarks for the conference report.

"Israel and the CTBT"

The fact that Israel signed the CTBT is testimony to the importance that Israel attributes to international arms control treaties, and its general desire to cooperate with the global regime within the margins of its security interests and concerns. Israel supports the CTBT and has been very open about its position since signing the treaty in 1996.

Not only does Israel support the treaty, but it has been very active in the preparatory commissions of the CTBTO, and has established a CTBT-related infrastructure on its territory. Israel has lent active support to the establishment of the verification regime of the treaty out of concern for the poor coverage of the IMS mechanism in the Middle East. In this context, it constructed two auxiliary seismic monitoring stations in Meron and Eilat, per the treaty's requirements, with data continuously transmitted to the IDC. Israel also operates a radionuclide laboratory.

One might ask if support for the treaty is strong, and Israel takes an active part in the deliberations of the organization and has implemented decisions, what is preventing it from ratifying. It is clearly not the treaty provisions per se that deter Israel from doing so, because in addition to its cooperation with the CTBTO, Israel supports a moratorium on nuclear testing until entry into force of the treaty. Rather, additional considerations come into play for Israel, that are a function of the way Israel is often treated in different international forums and in the context of international organizations, and especially the ongoing hostility that it faces from many states in the Middle East.

Israel has three major concerns with regard to ratification: completion of the inspections system and verification regime, especially the rules governing on-site inspections, in order to ensure that they are immune to abuse by other states; Israel's sovereign equality status in the policymaking organs of the treaty—those related to the geographical region of the Middle East and South Asia and in the executive council of the future CTBTO; and adherence to and compliance with the CTBT by states in the Middle East.

As to the possible misuse of on-site inspections, Israel's concern is that the surveillance system could expose sensitive security information in adjacent facilities, or serve as a platform for false accusations and political pressure on Israel if it sought to limit the access of inspectors for this reason. Israel's experience of being singled out for humiliation in many international frameworks is what explains its concern, especially when Arab and Muslim states readily come together to isolate Israel with blatant anti-Israel positions. Israel's involvement in formulating the procedures could help. The issue of equal treatment relates to the geographical divisions in the CTBTO, and the fact that the Middle East and South Asia group is non-operational because of Iran's refusal to participate in a group that includes Israel.

Beyond Israel's position on the CTBT, attention to this treaty must be put into broader perspective, with an eye to the overall global arms control picture. With all of the importance attributed to ratification of new global disarmament treaties, the greatest concern today in the nuclear realm goes to the nuclear proliferation that is occurring in states that are (or were) parties to the NPT.

North Korea, Iran, and possibly still Syria are dangerous proliferators acting in contradiction to the obligation they took upon themselves to remain non-nuclear. North Korea has conducted two nuclear tests, and might go for a third, and Iran could do so as well. These real-world and urgent threats are the primary nuclear challenges that the international community should be directing its energies to. Unfortunately, in the case of Iran, some of the international actors that should be taking action to ensure that this determined proliferator is prevented from developing a military nuclear capability are not shouldering their responsibility. And if Iran—a member of the NPT—becomes a nuclear state, the implications for the NPT and other global treaties will be dire.

Summary of Discussion

Several participants concluded that the opening presentations suggested that progress toward ratification by the remaining Annex 2 states is possible, especially with action by the United States and/or China. Several participants commented that the shift of views within India on nuclear testing and the CTBT suggest that if Washington and Beijing move forward, there could be a "chain reaction" of ratifications, including India, as well as Pakistan, which would very likely ratify if India did so.

Specific obstacles to U.S. ratification were also discussed. It was noted that while the current United States government remains strongly committed to the CTBT and the 2010 Senate approval of ratification of New START shows that it is possible for Washington to approve politically controversial nuclear arms control treaties, the necessary "high-level" effort for the CTBT has not yet begun and that it will remain difficult to assess the prospects for U.S. ratification until such time as that effort begins. Several participants noted that the March 2012 release of the U.S. National Academy of Science report on "Technical Issues Related to the Comprehensive Test Ban Treaty" should help address many of the concerns that led many Senators to withhold their support for the CTBT in 1999.

Participants welcomed Indonesia's commitment to assist in efforts to encourage other Annex 2 states to ratify, but some participants noted that its influence with certain Annex 2 states may be limited. Some participants suggested that it would be useful for those nuclear weapon states that have ratified the treaty to more actively speak up about why and how they made the decision to ratify the treaty and forego any further nuclear explosive testing.

The provisional entry into force option was also discussed. Several participants noted that given the current state of the treaty, the pursuit of provisional entry into force would raise legal questions that may impact the IMS and require amendments to the treaty. Some of the practical problems raised were: determining continued payment for the IMS; ownership of monitoring stations; and decisions on how to pursue an OSI. The point was raised that provisional entry into force may be an option in the future if a single country is holding up entry into force.

In response to the proposal for dropping the words "preparatory" and "provisional" when referencing the CTBT as a symbolic move toward entry into force, some participants were skeptical about the practicality of the concept. Others expressed concern that official discussion of options for provisional entry into force of the CTBT might result in a loss of support from some states and from some key actors in key states.

Participants also noted that further progress toward CTBT entry into force will require greater civil society/non-governmental organizations and intergovernmental contact with states that have yet to ratify the treaty. Specific suggestions included: better use of the International Day Against Nuclear Tests to raise awareness about the CTBT; greater involvement of victims of past nuclear testing to illustrate the dangers of a return to nuclear testing; and providing up-to-date technical information on the international security value of the treaty to political leaders in key Annex 2 states.



Roundtable conference organizers: Daryl G. Kimball, Elena Sokova, Tom Collina, and Kelsey Davenport.

The Arms Control Association (ACA), founded in 1971, is a national nonpartisan membership organization dedicated to promoting public understanding of and support for effective arms control policies. Through its public education and media programs and its magazine, *Arms Control Today* (ACT), ACA provides policy-makers, the press and the interested public with authoritative information, analysis and commentary on arms control proposals, negotiations and agreements, and related national security issues. In addition to the regular press briefings ACA holds on major arms control developments, the Association's staff provides commentary and analysis on a broad spectrum of issues for journalists and scholars both in the United States and abroad.

THE COMPREHENSIVE NUCLEAR TEST BAN TREATY has already helped bring an end to nuclear testing and reduced nuclear arms competition. Before the CTBT was opened for signature in Sept. 1996, there had been 2,046 nuclear tests. Since then there have been six tests by three countries. But until the CTBT enters into force, the door to renewed nuclear testing is still open. To close the door on testing, eight key states must still ratify the treaty.

With the CTBT in force, the established nuclear-weapon states would not be able to proof-test new nuclear warhead designs. Newer nuclear nations would find it far more difficult to build more-advanced warhead types, and emerging nuclear states would encounter greater obstacles in fielding a reliable arsenal. The CTBT strengthens global capabilities to detect and deter testing and will reduce nuclear dangers.

This conference report details the value of the CTBT and outlines obstacles and pathways to its entry into force.

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