

NATIONAL IMPLEMENTATION MEASURES FOR THE 1963 PARTIAL TEST BAN TREATY (PTBT)

FACTS ABOUT THE TREATY

The 1963 Partial Test Ban Treaty (PTBT) entered into force on 10 October 1963. The treaty has 125 states parties. The treaty depositaries are the governments of the Russian Federation, the United Kingdom and the United States.

If your state has also joined the 1996 Comprehensive Nuclear Test Ban Treaty (CTBT), its obligations under the PTBT will be rendered obsolete when the CTBT enters into force.



Crater from the 1962 "Sedan" nuclear test as part of Operation Plowshare. The 104 kiloton blast displaced 12 million tons of earth and created a crater 320 feet deep and 1,280 feet wide.
United States Department of Energy

IS MY STATE UNDER AN OBLIGATION TO IMPLEMENT THE PTBT?

Only indirectly. The PTBT does not contain explicit references to national implementing legislation. However, it is prudent to give effect to these treaty obligations in your state's legal system as it is a principle of international law that a state may not invoke provisions in its internal law as justification for a failure to adhere to treaty obligations.

WHAT FORMS OF LEGISLATION SHOULD MY STATE CONSIDER?

The prohibitions under the PTBT could usefully be reflected in your state's *criminal law*. The following acts ought to be prohibited:

- Any type of nuclear explosion in the atmosphere, in space and under water;
- Any other nuclear explosion in any other environment if the explosion causes radioactive debris to spread outside the territorial limits of your state.

WHERE SHOULD MY STATE'S LEGISLATIVE DRAFTERS TURN FOR ASSISTANCE?

No international organization is responsible for overseeing this treaty. Any state party may unilaterally choose to offer assistance to others, or to request specific assistance.