

## The CTBT is opened for signature

On 24 September the Comprehensive Test Ban Treaty (CTBT) was opened for signature at the United Nations Headquarters in New York. Some 65 states signed on that day, with many others signing in the following week. By the end of September there were 111 signatories.

### From Geneva to New York

Following the lack of consensus on the CTBT at the Conference on Disarmament (CD) in Geneva, several options were considered for transmitting a CTBT text to the UN in New York.

Without consensus, the draft CTBT text could not be included in the annual report of the CD to the UN.

On 22 August in Geneva, Amb. Baron Alain Guillaume of Belgium asked for the text of CD/NTB/WP.330/Rev.2 to be circulated as a CD document — becoming document CD/1427.

On the same day in New York, the head of the Australian Mission to the UN, Amb. Richard Butler, wrote two letters: one to the President of the General Assembly asking him to schedule a plenary meeting of the general Assembly on 9 September to discuss the CTBT; and another to the UN Secretary-General asking him to circulate the draft CTBT text as a document of the General Assembly — which was done so as document A/50/1027.

On 23 August in Geneva, Amb. Arundhati Ghose of India responded to the publication of

document CD/1427 by stating that its submission and 'its circulation as an official document of the Conference on Disarmament through a procedural manoeuvre cannot in any way confer this text with an enhanced status or bypass the decisions already taken in the Ad Hoc Committee and endorsed by the CD, regarding the non-consensual nature of this text'.

By 9 September a large number of states had signified their support for the Australian initiative and a resolution was proposed to the UN General Assembly (text reproduced on page 4).

On 10 September the Australian resolution was taken in the General Assembly and was adopted with 158 votes in favour, 3 against, with 5 abstentions.

### Entry into force

As the Treaty stands, it cannot enter into force without the participation of India. However, while provisional entry into force might be difficult, the International Monitoring System (IMS) and the International Data Centre (IDC) should be in an operational state within two to three years. As long as the political will exists to maintain funding for the IMS and IDC the Preparatory Commission for the CTBT Organization would be able, by direct or indirect means, to bring to the attention of the international community, unbiased and factual information about any possible nuclear tests that a non-signatory state might carry out.

## Editorial — The US Senate and the CWC

The failure of the United States Senate to come to a vote on advice and consent to ratification of the Chemical Weapons Convention (CWC) has raised concerns for the future of the treaty.

While it is undoubtable that the issue became ensnared in election-year politics, it should be remembered that the CWC was signed barely two months after the last presidential election. A lack of any sense of urgency over the last three and a half years has led to this difficulty.

The arguments voiced against ratification of the CWC in the Senate were not new. A major concern was the impact of verification arrangements on American businesses, notwithstanding the fact that the chemical industry has been involved in negotiations at every crucial stage and that the major industrial associations, and in particular the Chemical Manufacturers Association, have expressed their support for the Convention.

The raising of these concerns has damaged the international reputation of the United States, especially as it comes not long after the reluctantly-taken decision at the United Nations to use the pension fund to pay salaries as debtor states have failed to pay their dues.

The largest debtor, the United States, is currently in arrears by \$1.6 billion.

The fears for the future of the Convention are perhaps misplaced. With 64 states having deposited their instruments of ratification to the CWC, the level of support remains high. Only one further deposited ratification is required to trigger the countdown to entry into force.

It is clear that the action in the Senate will only delay, not prevent, US ratification. Eventually the Senate will have to give its advice and consent to ratification — for if it doesn't, the United States will inevitably suffer mandatory restrictions on trade in certain chemicals with CWC parties.

The irony that it is a Republican Congress blocking a treaty negotiated by the last Republican President appears to have passed unnoticed by much of the American media.

A further irony is that the attempts to use the bureaucratic impact on business in the United States may result in American companies losing multi-year supply contracts as purchasers avoid the risk of trading with a state that may suffer trade restrictions as a non-party.



## The Report of the Canberra Commission — Executive Summary

The Canberra Commission is persuaded that immediate and determined efforts need to be made to rid the world of nuclear weapons and the threat they pose to it. The destructiveness of nuclear weapons is immense. Any use would be catastrophic.

The proposition that nuclear weapons can be retained in perpetuity and never used — accidentally or by decision — defies credibility. The only complete defence is the elimination of nuclear weapons and assurance that they will never be produced again.

The end of the bipolar confrontation has not removed the danger of nuclear catastrophe. In some respects the risk of use by accident or miscalculation has increased. Political upheaval or the weakening of state authority in a nuclear weapon state could cripple existing systems for ensuring the safe handling and control of nuclear weapons and weapons material, increasing the odds of a calamity. The same fate could befall other states or sub-state groups with a less developed nuclear weapon capability or those that seek to develop such a capability in the future.

Nuclear weapons have long been understood to be too destructive and non-discriminatory to secure discrete objectives on the battlefield. The destructiveness of nuclear weapons is so great that they have no military utility against a comparably equipped opponent, other than the belief that they deter that opponent from using nuclear weapons. Possession of nuclear weapons has not prevented wars, in various regions, which directly or indirectly involve the major powers. They were deemed unsuitable for use even when those powers suffered humiliating military setbacks.

No nuclear weapon state has been or is prepared to declare as a matter of national policy that it would respond to the use of chemical or biological weapons with nuclear weapons. The solution to these concerns lies in the strengthening and effective implementation of and universal adherence to the Chemical Weapons Convention and Biological Weapons Convention, with particular emphasis on early detection of untoward developments. The response to any violation should be a multilateral one.

Thus, the only apparent military utility that remains for nuclear weapons is in deterring their use by others. That utility implies the continued existence of nuclear weapons. It would disappear completely if nuclear weapons were eliminated.

### A New Climate For Action

Nuclear weapons are held by a handful of states which insist that these

weapons provide unique security benefits, and yet reserve uniquely to themselves the right to own them. This situation is highly discriminatory and thus unstable; it cannot be sustained. The possession of nuclear weapons by any state is a constant stimulus to other states to acquire them.

In the 1960s, the world looked at the prospect of dozens of nuclear weapons states, recoiled and rejected it. The result was the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) of 1968 with its promise of a world free of these weapons. The overall success of the NPT and other nuclear non-proliferation regimes has been gratifying, but it has been hard won, and is by no means guaranteed. The prospects of a renewal of horizontal proliferation have become real.

The proliferation of nuclear weapons is amongst the most immediate security challenges facing the international community. Despite the impact of the international nuclear non-proliferation regime, the disconcerting reality is that several states have made, and some continue to make, clandestine efforts to develop nuclear arsenals. The possible acquisition by terrorist groups of nuclear weapons or material is a growing threat to the international community.

The end of the Cold War has created a new climate for international action to eliminate nuclear weapons, a new opportunity. It must be exploited quickly or it will be lost.

The elimination of nuclear weapons must be a global endeavour involving all states. The process followed must ensure that no state feels, at any stage, that further nuclear disarmament is a threat to its security. To this end nuclear weapon elimination should be conducted as a series of phased verified reductions that allow states to satisfy themselves, at each stage of the process, that further movement toward elimination can be made safely and securely.

### Immediate Steps

The first requirement is for the five nuclear weapon states to commit themselves unequivocally to the elimination of nuclear weapons and agree to start work immediately on the practical steps and negotiations required for its achievement. This commitment should be made at the highest political level. Non-nuclear weapon states should support the commitment by the nuclear weapon states and join in cooperative international action to implement it. This commitment would change instantly the tenor of debate, the thrust of war planning, and the timing or indeed the necessity for modernisation programs. It would

transform the nuclear weapons paradigm from the indefinite management of a world fraught with the twin risks of the use of nuclear weapons and further proliferation, to one of nuclear weapons elimination. Negotiation of the commitment should begin immediately, with the aim of first steps in its implementation being taken in 1997.

The commitment by the nuclear weapon states to a nuclear weapon free world must be accompanied by a series of practical, realistic and mutually reinforcing steps. There are a number of such steps that can be taken immediately. They would significantly reduce the risk of nuclear war and thus enhance the security of all states, but particularly that of the nuclear weapon states. Their implementation would provide clear confirmation of the intent of the nuclear weapon states to further reduce the role of nuclear weapons in their security postures. The recommended steps are:

- Taking nuclear forces off alert
- Removal of warheads from delivery vehicles
- Ending deployment of non-strategic nuclear weapons
- Ending nuclear testing
- Initiating negotiations to further reduce United States and Russian nuclear arsenals
- Agreement amongst the nuclear weapon states of reciprocal no first use undertakings, and of a non-use undertaking by them in relation to the non-nuclear weapon states.

Nuclear weapon states should take all nuclear forces off alert status and so reduce dramatically the chance of an accidental or unauthorised nuclear weapons launch. In the first instance, reductions in alert status could be adopted by the nuclear weapon states unilaterally.

The physical separation of warheads from delivery vehicles would strongly reinforce the gains achieved by taking nuclear forces off alert. This measure can be implemented to the extent that nuclear forces can be reconstituted to an alert posture only within known or agreed upon timeframes.

The nuclear weapon states should unilaterally remove all non-strategic nuclear weapons from deployed sites to a limited number of secure storage facilities on their territory.

Pending universal application of the Comprehensive Test Ban Treaty all states should observe at once the moratorium it imposes on nuclear testing.

The United States and Russia must continue to show leadership in reversing the nuclear accumulations of the Cold War. Their purpose should be to move toward nuclear force levels for



all the nuclear weapon states which would reflect unambiguously the determination to eliminate these weapons when this step can be verified with adequate confidence.

The nuclear weapon states should agree and state that they would not be the first to use or threaten to use nuclear weapons against each other and that they would not use or threaten to use nuclear weapons in any conflict with a non-nuclear weapon state. Such an agreement should be brought into operation as soon as possible.

### Reinforcing Steps

The following steps would build on the solid foundation of commitment, accomplishment and goodwill established through implementation of the steps recommended for immediate action:

- Action to prevent further horizontal proliferation
- Developing verification arrangements for a nuclear weapon free world
- Cessation of the production of fissile material for nuclear explosive purposes.

The problem of nuclear proliferation is inextricably linked to the continued possession of nuclear weapons by a handful of states. A world environment where proliferation is under control will facilitate the disarmament process and movement toward final elimination, and vice versa. The emergence of any new nuclear weapon state during the elimination process would seriously jeopardise the process of eliminating nuclear weapons. Action is needed to ensure effective non-proliferation controls on civil and military nuclear activities, and to press for universal acceptance of non-proliferation obligations.

Effective verification is critical to the achievement and maintenance of a nuclear weapon free world. Before states agree to eliminate nuclear weapons they will require a high level of confidence that verification arrangements would detect promptly any attempt to cheat the disarmament process whether through retention or acquisition of clandestine weapons, weapons components, means of weapons production or undeclared stocks of fissile material. Formal legal undertakings should be accompanied by corresponding legal arrangements for verification. To maintain security in a post-nuclear weapon world the verification system must provide a high level of assurance as to the continued peaceful, non-explosive use of a state's nuclear activity. A political judgement will be needed on whether

the levels of assurance possible from the verification regime are sufficient. All existing arms control and disarmament agreements have required political judgements of this nature because no verification system provides absolute certainty.

A key element of non-proliferation arrangements for a nuclear weapon free world will be a highly developed capacity to detect undeclared nuclear activity at both declared and undeclared sites. Progressive extension of safeguards to nuclear activity in the nuclear weapon states, the undeclared weapon states and the threshold states will be needed with the end point being universal application of safeguards in all states. Systems will be needed to verify that nuclear warheads are dismantled and destroyed, and their fissile material content safeguarded to provide maximum confidence that such material cannot be reintroduced to weapons use.

The political commitment to eliminate nuclear weapons must be matched by a willingness to make available the resources needed for nuclear disarmament including effective verification. States must also be confident that any violations detected will be acted upon. In this context, the Security Council should continue its consideration of how it might address, consistent with specific mandates given to it and consistent with the Charter of the United Nations, violations of nuclear disarmament obligations that might be drawn to its attention. This should demonstrate that the collective security system enshrined in the Charter will operate effectively in this field.

Further United States/Russian Strategic Arms Reduction Treaties (START) and nuclear confidence building measures should establish a receptive international climate for negotiations on global reduction of nuclear arms. The United States and Russia could commence a process for bringing the United Kingdom, France and China into the nuclear disarmament process. Further early steps could be for the US and Russia to prepare the ground for verification of nuclear weapon states reductions by sharing information and expertise on START verification, on weapons dismantlement and on verification and control of fissile material from dismantled weapons. US/Russian experience on nuclear confidence building might be extended to the other nuclear weapon states and new measures developed which involve them.

### The Future Environment

Concurrent with the central disarmament process, there will be a need

for activity supported by all states, but particularly the nuclear weapon states, to build an environment conducive to nuclear disarmament and non-proliferation.

It will be extremely important for the pursuit of the elimination of nuclear weapons to protect fully the integrity of the Anti-Ballistic Missile Treaty.

Nuclear weapon free zones are part of the architecture that can usefully encourage and support a nuclear weapon free world. The spread of nuclear weapon free zones around the globe, with specific mechanisms to answer the security concerns of each region, can progressively codify the transition to a world free of nuclear weapons.

At the level of national action, states have the fundamental obligation, under a variety of treaties, and in moral terms, to ensure that sensitive nuclear material, equipment and technology under their jurisdiction and control do not find their way into the hands of those who would misuse them.

The Commission noted with satisfaction the response of the International Court of Justice made in July 1996 to a request from the General Assembly of the United Nations for an advisory opinion on the legality of the threat or use of nuclear weapons. The Court's statement that there existed an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control is precisely the obligation that the Commission wishes to see implemented.

The Commission considered carefully the merits of setting out a precise timeframe for the elimination of nuclear weapons, but elected not to do so. However, this does not imply that it accepts the extended timelines imposed by such current constraints as limited warhead dismantlement facilities. Those constraints could be relieved by political decisions and the allocation of resources required to advance dismantlement. In addition, another limiting factor may prove to be establishing the necessary confidence in the verification regime which would be required to take the final step to complete elimination. In this context, the Canberra Commission remains convinced of the basic importance of agreed targets and guidelines which would drive the process inexorably toward the ultimate objective of final elimination, at the earliest possible time.

*The full text of the Report is available over the Internet at URL: <http://www.dfat.gov.au/dfat/cc/echome.html>*



## The CTBT Resolution at the UN

### The resolution text

*The General Assembly,*

Recalling its resolution 50/65 of 12 December 1995, in which the Assembly declared its readiness to resume consideration of the item 'Comprehensive test-ban treaty', as necessary, before its fifty-first session in order to endorse the text of a comprehensive nuclear-test-ban treaty,

1. *Adopts* the comprehensive nuclear-test-ban treaty, as contained in A/50/1027;
2. *Requests* the Secretary-General, as depositary of the treaty, to open it for signature, at United Nations Headquarters, at the earliest possible date;
3. *Calls upon* all States to sign and, thereafter, according to their respective constitutional processes, to become parties to the treaty at the earliest possible date;
4. *Requests* the Secretary-General, as depositary of the treaty, to report to the General Assembly at its fifty-second session on the status of signature and ratifications of the treaty.

### The vote on the resolution

The 158 states voting in favour were: Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire,

Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Mauritania, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovak Republic, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Tajikistan, Thailand, The former Yugoslavian Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom, United States of America, Uruguay, Uzbekistan, Vanuatu, Venezuela, Viet Nam, Yemen, Zaire, and Zimbabwe.

The 3 states voting against were: Bhutan, India, and Libyan Arab Jamahiriya.

The five states registering an abstention were: Cuba, Lebanon, Mauritius, Syrian Arab Republic, and United Republic of Tanzania.

## VERTIC News

### Verification 1994 and 1995

Continued sales of the fourth and fifth volumes of VERTIC's yearbook series *Verification* has led to shortages of copies of *Verification 1994* and *Verification 1995*.

VERTIC is currently looking into arrangements for reprinting these volumes.

### VERTIC office saga continues

Reader's are reminded that owing to contractual difficulties, VERTIC's move to Awdry House has been cancelled (see last *Trust & Verify*).

The move had been planned because VERTIC's current offices in Carrara House were to be demolished in a redevelopment scheme.

It now appears that the redevelopment plans have been put on hold and so, for the foreseeable future, VERTIC will remain at Carrara House.

Additional office space required due to the expansion of VERTIC's activities may be more easily found in other parts of Carrara House as some offices have been recently vacated

### Trust & Verify

*Trust & Verify* is edited and produced by Richard Guthrie with additional reporting by VERTIC staff and consultants.

*Trust & Verify* is published by VERTIC 10 times a year. Anyone wishing to comment on its contents should contact the VERTIC office.

Unless otherwise stated, views expressed in *Trust & Verify* are the responsibility of the editor and do not necessarily reflect those of VERTIC nor any individual or organization associated with it.

© VERTIC 1996

### Subscriptions

Subscription rates are £15 (individual) or £25 (organization) per year. Payments may be made by cheque (in Sterling) or by credit card.

### What is VERTIC?

VERTIC is the Verification Technology Information Centre, an independent organization aiming to research and provide information on the role of verification technology and methods in present and future arms control and environmental agreements.

VERTIC is the major source of information on verification for scientists, policy makers and the press.

VERTIC is funded primarily by grants from foundations and trusts and its independence is monitored by an Oversight and Advisory Committee.

### Other publications

In addition to *Trust & Verify*, VERTIC publishes the *Verification* (formerly *Verification Report*) series of yearbooks and a variety of research reports each year. Details of VERTIC publications are available on request.