

Whatever Happened to Open Skies?

In 1992, the Treaty on Open Skies was signed. The Treaty allows parties to carry out flights over the territories of each other. Such overflights are intended as a simple, cheap and effective confidence-building measure.

The Treaty is not yet in force as an insufficient number of states have so far ratified it.

Over the coming months, VERTIC intends to promote the Treaty on Open Skies and to highlight situations, both real and hypothetical, in which the Treaty would be of great benefit.

The Ottawa Conference on Anti-Personnel Mines

On 3-5 October, Canada hosted a conference entitled 'Towards a Global Ban on Anti-Personnel Mines — International Strategy Conference' in Ottawa.

The conference was attended by states, international organizations and non-governmental organizations.

The declaration of the conference is reproduced below.

The states attending the conference (with observers in italics) were:

Albania, Angola, Argentina, Armenia, Australia, Austria, Bahamas, Belgium, Benin, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Chile, Colombia, Croatia, Cuba, Czech Republic, Denmark, Egypt, Ethiopia, Finland, France, Gabon, Germany, Greece, Guatemala, Guinea, Guyana, Holy See, Honduras, Hungary, Iceland, India, Iran (Islamic Republic of),

Israel, Italy, Japan, Luxembourg, Malaysia, Mexico, Morocco, Mozambique, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Slovak Republic, Slovenia, South Africa, Spain, Sweden, Switzerland, Trinidad and Tobago, Ukraine, United Kingdom, United States of America, Uruguay, Yugoslavia (Federal Republic of), and Zimbabwe.

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EU common position

On 1 October the Foreign Affairs Council adopted a new common position on the issue of anti-personnel mines. This common position was announced at the Ottawa conference and, in addition to extra funds for mine clearance work, includes a moratorium on the export of all anti-personnel mines to all destinations.

Declaration of the Ottawa Conference

Following consultations with relevant international agencies, international organizations and non-governmental organizations, the states represented at the Ottawa conference, the 'Ottawa Group', have agreed to enhance cooperation and coordination of efforts on the basis of the following concerns and goals with respect to anti-personnel mines:

1. a recognition that the extreme humanitarian and socio-economic costs associated with the use of anti-personnel mines requires urgent action on the part of the international community to ban and eliminate this type of weapon.

2. a conviction that until such a ban is achieved, states must work to encourage universal adherence to the prohibitions or restrictions on anti-personnel mines as contained in the amended Protocol II of the Convention on Certain Conventional Weapons.

3. an affirmation of the need to convince mine affected states to halt all new deployments of anti-personnel mines to ensure the effectiveness and efficiency of mine-clearance operations.

4. a recognition that the international community must provide significantly greater resources to mine-awareness programs, mine-clearance operations and victim assistance.

5. a commitment to work together to ensure:
• the earliest possible conclusion of a legally-binding international agreement to ban anti-personnel mines;

• progressive reductions in new deployments of anti-personnel mines with the urgent objective of halting all new deployments of anti-personnel mines;

• support for an UNGA 51 resolution calling upon member states, inter alia, to implement national moratoria, bans or other restrictions, particularly on the operational use and transfer of anti-personnel mines at the earliest possible date;

• regional and sub-regional activities in support of a global ban on anti-personnel mines; and,

• a follow-on conference hosted by Belgium in June 1997 to review the progress of the international community in achieving a global ban on anti-personnel mines.

Comprehensive Test Ban Treaty — signatures and ratification (to 24 October 1996)

By 24 October, 129 states had signed the CTBT. Support for the Treaty is high and many more signatures may be expected in the coming weeks.

One state, Fiji, has deposited its instrument of ratification to the CTBT, doing so on 10 October.

Of the 158 states that voted in favour of the Australian resolution in the General Assembly, 39 have yet to sign the CTBT. Eight states — Burundi, Chad, Dominican Republic, Equatorial Guinea, Lesotho, Niger, Sao Tome and Principe and Seychelles — which did not vote either way on the Australian resolution have signed the CTBT.

Of those states that are not members of the United Nations, only the Holy See and Switzerland have signed the CTBT.

- Albania — 27 September 1996
- Algeria — 15 October 1996
- Andorra — 24 September 1996
- Angola — 27 September 1996
- Argentina — 24 September 1996
- Armenia — 1 October 1996
- Australia — 24 September 1996
- Austria — 24 September 1996
- Bahrain — 24 September 1996
- Bangladesh — 24 October 1996
- Belarus — 24 September 1996
- Belgium — 24 September 1996
- Benin — 27 September 1996
- Bolivia — 24 September 1996
- Bosnia and Herzegovina — 24 September 1996
- Brazil — 24 September 1996
- Bulgaria — 24 September 1996
- Burkina Faso — 27 September 1996
- Burundi — 24 September 1996
- Cambodia — 26 September 1996
- Canada — 24 September 1996
- Cape Verde — 1 October 1996
- Chad — 8 October 1996
- Chile — 24 September 1996
- China — 24 September 1996
- Colombia — 24 September 1996
- Costa Rica — 24 September 1996
- Côte d'Ivoire — 25 September 1996
- Croatia — 24 September 1996
- Cyprus — 24 September 1996
- Denmark — 24 September 1996
- Djibouti — 21 October 1996
- Dominican Republic — 3 October 1996
- Ecuador — 24 September 1996
- Egypt — 14 October 1996
- El Salvador — 24 September 1996
- Equatorial Guinea — 9 October 1996
- Ethiopia — 25 September 1996
- Fiji — 24 September 1996, ratified 10 October 1996
- Finland — 24 September 1996
- France — 24 September 1996
- Gabon — 7 October 1996
- Georgia — 24 September 1996
- Germany — 24 September 1996
- Ghana — 3 October 1996
- Greece — 24 September 1996
- Grenada — 10 October 1996
- Guinea — 3 October 1996
- Haiti — 24 September 1996
- Holy See — 24 September 1996
- Honduras — 25 September 1996
- Hungary — 25 September 1996
- Iceland — 24 September 1996
- Indonesia — 24 September 1996
- Iran (Islamic Republic of) — 24 September 1996
- Ireland — 24 September 1996
- Israel — 25 September 1996
- Italy — 24 September 1996
- Japan — 24 September 1996
- Jordan — 26 September 1996
- Kazakhstan — 30 September 1996
- Kuwait — 24 September 1996
- Kyrgyzstan — 8 October 1996
- Latvia — 24 September 1996
- Lesotho — 30 September 1996
- Liberia — 1 October 1996
- Liechtenstein — 27 September 1996
- Lithuania — 7 October 1996
- Luxembourg — 24 September 1996
- Madagascar — 9 October 1996
- Malawi — 9 October 1996
- Malta — 24 September 1996
- Marshall Islands — 24 September 1996
- Mauritania — 24 September 1996
- Mexico — 24 September 1996
- Micronesia (Federated States of) — 24 September 1996
- Monaco — 1 October 1996
- Mongolia — 1 October 1996
- Morocco — 24 September 1996
- Mozambique — 26 September 1996
- Namibia — 24 September 1996
- Nepal — 8 October 1996
- Netherlands — 24 September 1996
- New Zealand — 27 September 1996
- Nicaragua — 24 September 1996
- Niger — 3 October 1996
- Norway — 24 September 1996
- Panama — 24 September 1996
- Papua New Guinea — 25 September 1996
- Paraguay — 25 September 1996
- Peru — 25 September 1996
- Philippines — 24 September 1996
- Poland — 24 September 1996
- Portugal — 24 September 1996
- Qatar — 24 September 1996
- Republic of Korea — 24 September 1996
- Romania — 24 September 1996
- Russian Federation — 24 September 1996
- Saint Lucia — 4 October 1996
- Samoa — 9 October 1996
- San Marino — 7 October 1996
- Sao Tome and Principe — 26 September 1996
- Senegal — 26 September 1996
- Seychelles — 24 September 1996
- Slovak Republic — 30 September 1996
- Slovenia — 24 September 1996
- Solomon Islands — 3 October 1996
- South Africa — 24 September 1996
- Spain — 24 September 1996
- Sri Lanka — 24 October 1996
- Swaziland — 24 September 1996
- Sweden — 24 September 1996
- Switzerland — 24 September 1996
- Tajikistan — 7 October 1996
- Togo — 2 October 1996
- Tunisia — 16 October 1996
- Turkey — 24 September 1996
- Turkmenistan — 24 September 1996
- Ukraine — 27 September 1996
- United Arab Emirates — 25 September 1996
- United Kingdom — 24 September 1996
- United States of America — 24 September 1996
- Uruguay — 24 September 1996
- Uzbekistan — 3 October 1996
- Vanuatu — 24 September 1996
- Venezuela — 3 October 1996
- Viet Nam — 24 September 1996
- Yemen — 30 September 1996
- Zaire — 4 October 1996

Comprehensive Test Ban Treaty — declarations on signature

China

1. China has all along stood for the complete prohibition and thorough destruction of nuclear weapons and the realization of a nuclear-weapon-free world. It is in favour of a comprehensive ban on nuclear weapon test explosions in the process towards this objective. China is deeply convinced that the CTBT will facilitate nuclear disarmament and nuclear non-proliferation. Therefore, China supports the conclusion, through negotiation, of a fair, reasonable and verifiable treaty with universal adherence and unlimited duration and is ready to take active measures to promote its ratification and entry into force.

2. Meanwhile, the Chinese Government solemnly makes the following appeals:

(1) Major nuclear weapon states should abandon their policy of nuclear deterrence. States with huge nuclear arsenals should continue to drastically reduce their nuclear stockpiles.

(2) All countries that have deployed nuclear weapons on foreign soil should withdraw all of them to their

own land. All nuclear weapon states should undertake not to be the first to use nuclear weapons at any time and under any circumstances, commit themselves unconditionally to the non-use or threat of use of nuclear weapons against non-nuclear weapon states or nuclear weapon-free zones, and conclude, at an early date, international legal instruments to this effect.

(3) All nuclear weapons states should pledge their support to proposals for the establishment of nuclear weapon-free zones, respect their status as such and undertake corresponding obligations.

(4) No country should develop or deploy space weapon systems or missile defence systems undermining strategic security and stability.

(5) An international convention on the complete prohibition and thorough destruction of nuclear weapons should be concluded through negotiations.

3. The Chinese Government endorses the application of verification measures consistent with the

provisions of the CTBT to ensure its faithful implementation and at the same time it firmly opposes the abuse of verification rights by any country, including the use of espionage or human intelligence, to infringe upon the sovereignty of China and impair its legitimate security interests in violation of universally recognized principles of international law.

4. In the present day world where huge nuclear arsenals and nuclear deterrence policy based on the first use of nuclear weapons still exist, the supreme national interests of China demand that it ensure the safety, reliability and effectiveness of its nuclear weapons before the goal of eliminating all nuclear weapons is achieved.

5. The Chinese Government and people are ready to continue to work together with governments and peoples of other countries for an early realization of the lofty goal of the complete prohibition and thorough destruction of nuclear weapons.

Germany

It is the understanding of the German Government that nothing in this Treaty shall ever be interpreted

or applied in such a way as to prejudice or prevent research into and development of controlled ther-

monuclear fusion and its economic use.

Holy See

The Holy See is convinced that in the sphere of nuclear weapons, the banning of tests and of the further development of these weapons, disarmament and non-proliferation are

closely linked and must be achieved as quickly as possible under effective international controls.

Furthermore, the Holy See understands that these are steps towards a

general and total disarmament which the international community as a whole should accomplish without delay.

Iran (Islamic Republic of)

1. The Islamic Republic of Iran considers that the Treaty does not meet nuclear disarmament criteria as originally intended. We had not perceived a CTBT only as a non-proliferation instrument. The Treaty must have terminated fully and comprehensive further development of nuclear weapons. However, the Treaty bans explosions, thus limiting such development only in certain aspects, while leaving other avenues wide open. We see no other way for the CTBT to be meaningful, however, unless it is considered as a step towards a phased program for nuclear disarmament with specific

time frames through negotiations on a consecutive series of subsequent treaties.

2. On National Technical Means, based on the deliberation that took place on the issues in the relevant Ad Hoc Committee of the Conference on Disarmament in Geneva, we interpret the text as according a complementary role to them and reiterate that they should be phased out with further development of the International Monitoring System. National Technical Means should not be interpreted to include information received from espionage and human intelligence.

3. The inclusion of Israel in the MESA grouping [the 'Middle East and South Asia' group for elections to the Executive Council - ed.] constitutes a politically-motivated aberration from UN practice and is thus objectionable. We express our strong reservation on the matter and believe that it will impede the implementation of the Treaty, as the confrontation of the States in this regional group would make it tremendously difficult for the Executive Council to form. The Conference of the States Parties would eventually be compelled to find a way to redress this problem.

CTBT Preparatory Commission

Now that the Comprehensive Test Ban Treaty has been opened for signature, preparations are under way for the Preparatory Commission for the establishment of the international organization that will carry out the Treaty's administrative and verification tasks.

The draft text on the establishment of a Preparatory Commission (as contained in Conference on Disarmament document CD/1435) includes the following provisions:

- the Secretary-General of the United Nations shall convene the PrepCom for its first session 'as soon as possible, but not later than 60 days after the Treaty has been signed by 50 States' [this total was reached on the day the Treaty was opened for signature];
- the seat of the PrepCom shall be the same as that of the future organization, i.e., Vienna;
- the PrepCom shall contain representatives from all signatory states;
- the PrepCom shall have legal personality; and
- the PrepCom shall exist until the conclusion of the first session of the Conference of the States Parties.

The PrepCom shall:

- appoint its officers and an Executive Secretary, adopt rules of procedure and establish a Provisional Technical Secretariat (PTS);
- 'undertake all necessary preparations to ensure the operationalization of the Treaty's verification regime at entry into force ... and shall develop appropriate procedures for its operation, presenting a report on the operational readiness of the regime, together with any relevant recommendations, to the initial session of the Conference of the States Parties'. This work will include preparing operational manuals for
 - seismological monitoring;
 - radionuclide monitoring;
 - hydroacoustic monitoring, infrasound monitoring; and
 - the International Data Centre;
- 'supervise and co-ordinate, in fulfilling the requirements of the Treaty and its Protocol, the development, preparation, technical testing and, pending their formal commissioning, provisional operation as necessary of the International Data Centre and the International Monitoring System, together with assuring appropriate support of the System by

certified laboratory facilities and by respective means of communication';

- 'make all necessary preparations ... for the support of on-site inspections from the entry into force of the Treaty';
- 'develop guidelines and reporting formats for the implementation of confidence-building measures'.

To help the PrepCom to carry out these tasks, the document includes an 'Indicative List of Verification Tasks of the Preparatory Commission' as an Annex.

The first meeting of the PrepCom is scheduled to take place on 20-22 November. The majority of work on the draft agenda deals with administrative arrangements for the PrepCom and PTS.

There has been a suggestion that, like the Preparatory Commission established under the Chemical Weapons Convention, the PrepCom should establish two working groups: Working Group A would deal with budgetary and administrative matters; Working Group B would deal with verification issues.

Documents of the PrepCom will be identified by the prefix 'PREPCOM/'.

UK and the CTBT

The Queen's Speech, which opened the new session of the Parliament of the United Kingdom on 23 October included the following:

Preventing the proliferation of weapons of mass destruction remains a priority. Early provision will be made for the ratification of

the Comprehensive Test Ban Treaty. My Government will pursue negotiations on a Convention to ban the production of fissile material for nuclear weapons and other explosive purposes.

It is not clear what legislation, if any, would be required before the UK could ratify the CTBT.

In the News

United Nations booklet

The UN Centre for Disarmament Affairs has recently published a booklet entitled *The United Nations and Disarmament since 1945*. The booklet includes a summary of the major global, regional and bilateral treaties on disarmament and a short chronology on disarmament in the 1990s.

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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.

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