

The Twin Pillars of the Comprehensive Nuclear-Test-Ban Treaty

by Jayantha Dhanapala, former UN Under-Secretary-General for Disarmament Affairs

If a polling organization were to sample worldwide opinion on the question of whether there should be additional nuclear-weapons tests, the result would undoubtedly be a resounding NO. A follow-up question asking whether such a prohibition should be legally binding would likely elicit an equally strong affirmative response.



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This should surprise no one. Relying on common sense, average citizens across the globe understand that a total ban on such tests is in everybody's interest. Some might recall the human health and environmental effects of atmospheric nuclear testing. Some might remember how the many nuclear tests in South Asia have aggravated tensions in that region. And still others might point to the vast resources that continue to flow into nuclear weapons pursuits, particularly by the five nuclear-weapon states who made an "unequivocal undertaking" at the 2000 Nuclear Non-Proliferation Treaty (NPT) Review Conference to eliminate their nuclear arsenals.

Given these concerns, what is needed to bring the Comprehensive Nuclear-Test-Ban Treaty (CTBT) into force?

The road to entry into force

The Treaty itself outlines a legal process to achieve this goal. In accordance with Article XIV, and upon request of a majority of ratifying States, the United Nations Secretary-General – the Treaty's Depository – has twice convened special conferences (Conferences on Facilitating the Entry into Force of the CTBT) to "consider and decide by consensus what measures consistent with international law may be undertaken to accelerate the ratification process", and thereby achieve this goal. A third such conference will take place in Vienna, from 3 to 5 September this year.

Yet by all indications, the key challenge ahead is not of a legal nature, or even technical – given the growing capabilities of the Treaty's International Monitoring System (IMS) and the Provisional Technical Secretariat – but political in virtually all its aspects.

The political challenge

The challenge is political because the Treaty is engaged in establishing a new

global norm, one that will require significant changes of the policies of several governments. It will require investments of time and effort, including the dedicated use of scientific and financial resources. It will require political leaders in legislatures to understand the Treaty's benefits, as well as the commitments needed to sustain them. Above all, it will require greater attention as a goal of civil society, which often tends to assume that actions in conformity with common sense take care of themselves without the need for heroic efforts.

Diplomatic efforts should continue to focus on encouraging the remaining 13 Annex 2 States to ratify the Treaty. These efforts should stress not just the benefits of the Treaty, but also the risks if it fails to enter into force, including potential damage to the NPT regime. Backed by strong popular support from civil society, such diplomacy can succeed.

The keys to the early entry into force of the CTBT thus remain where they have always been, in the hands of the people and their leaders. Each time

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we see a consensus Final Declaration emerging from a Conference on Facilitating the Entry into Force of the CTBT, we see this political process in action. Each time leaders join to pronounce their common views on the Treaty – as seen most recently in the Joint Ministerial Statement on the CTBT, originally bearing the signatures of 18 foreign ministers (now 52 have signed) – the process moves forward. Each time the General Assembly adopts by overwhelming majorities (most recently by a vote of 164-1-5) resolutions calling for the “earliest entry into force” of the Treaty, we see additional steps forward.

Other goals of entry into force

While the case for this Treaty is already compelling as an end in itself, its entry into force would also advance a wide range of other important goals. The Treaty would serve a confidence-building function by serving the interest of strategic stability. It would effectively put an end to qualitative nuclear arms races, while promoting non-proliferation and disarmament goals. The CTBT would also conserve resources that could be devoted to meet more compelling security or development challenges. Many countries are increasingly aware of the civilian scientific and technical benefits that derive from the full implementation of the IMS, including new educational and training opportunities for young scientists around the world. Entry into force would also fulfill

a key commitment that led to the indefinite extension of the NPT in 1995.

The future of the CTBT

The Final Declaration of the Conference on Facilitating the Entry into Force of the CTBT in 2001 recognized the

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important role of civil society in bringing the Treaty into force, and underscored the Member States’ determination to “use all avenues open to us in conformity with international law” to achieve this aim. The future of the CTBT will rest upon these twin pillars of support from governments and the people.

A week after the next Conference on Facilitating the Entry into Force of the CTBT opens in Vienna on 3 September this year, the world will commemorate the seventh anniversary of the signing of the CTBT. This should be an occasion not for gloom or recriminations, but to celebrate the tenacity of the human effort to achieve at long last one of the greatest initiatives on the road to global nuclear disarmament. The absence of explosive nuclear tests over the last five years did not result from chance. The will of the people will prevail. ■

Biographical note



Jayantha Dhanapala, a Sri Lankan national, has served as United Nations Under-Secretary-General for Disarmament Affairs from January 1998 to June 2003.

He joined the Sri Lankan Foreign Service in 1965 and held diplomatic appointments in London, Beijing, Washington D.C. and New Delhi. In 1984 he was appointed Ambassador, and subsequently served as Permanent Representative of his country to the United Nations in Geneva and Vienna, and to the United States with concurrent accreditation to Mexico.

In addition to his diplomatic posts, Mr. Dhanapala held positions as Director of the United Nations Institute for Disarmament Research (UNIDIR) in Geneva in 1987, and as Diplomat-in-Residence at the Monterey Institute of International Studies in the United States in 1997.

Mr. Dhanapala has chaired many international conferences and has received several awards for his work in diplomacy and disarmament, including two honorary doctoral degrees. ■