

The history of CTBT negotiations – a Russian perspective

By Ambassador Grigory Berdennikov

On 3 February 1994, the multilateral negotiations to establish the Comprehensive Nuclear-Test-Ban Treaty (CTBT) began at the Conference on Disarmament in Geneva.

Scope of the test ban

The most fundamental Treaty provision addresses the definition of the scope of the ban. Article 1 of the Treaty reads that “each State Party undertakes not to carry out any nuclear weapon test explosion or any other nuclear explosion” as well as “to refrain from causing, encouraging, or in any way participating in the carrying out” of nuclear tests.

Behind this formula, however simple at first glance, are probably the most intricate problems of the CTBT negotiations. Since the beginning, Russia and other nuclear States insisted that the scope of the ban should be in line with the commonly accepted objectives of the Treaty and that it should not undermine basic scientific research in areas such as thermonuclear fusion and safe maintenance of existing nuclear weapon arsenals.

The principal issues facing the negotiators were as follows:

- Should all nuclear weapon tests be banned or only the explosion type tests?
- If explosion tests are banned, should the ban cover nuclear explosions or any explosion experiments, including purely chemical ones?
- Should any nuclear explosion tests be banned or can low-yield nuclear explosions not detectable by technical monitoring means be left outside of the ban, that is, should the negotiators aim at a ‘threshold ban’ or at a comprehensive nuclear explosions test ban?

- How about nuclear explosions which are carried out not for nuclear weapon purposes, but for industrial, scientific and other non-military needs of States?

- Should a provision banning preparations for nuclear tests be included in the Treaty?

Positions of States on all these issues differed considerably. A number of countries favoured the Treaty banning any nuclear weapon tests, both explosion related and non-explosion tests, such as computer modeling. On the other hand, some States initially favoured the possibility of carrying out full-scale nuclear explosions even after the conclusion of the Treaty ‘in order to maintain safety, security and reliability’ of nuclear weapon stockpiles and suggested that a respective quota should be established. Both of these widely different approaches were rejected during the negotiations: The first one because it is impossible to verify the ban on computer modeling and other non-explosion tests, and the second one because it would not have been consistent with the objective of concluding the CTBT, making it in fact a Treaty on the limitation of nuclear test programmes.

Eventually, an understanding was reached to address only the explosion tests. However, a ‘gray area’ of the so called low-yield explosions remained. A number of countries were in favour of not banning such explosions under the Treaty. Others were against such an approach. Russia, from the very beginning, was supporting the proposal of a nuclear explosions ban without thresholds.

The difficult negotiations resulted in a compromise. On the one hand, the Treaty prohibits any nuclear explosions however low the yield, and on the other hand, it permits experiments with nuclear weapons,

including those of the explosion nature, but under the condition that they are purely chemical (the so called ‘hydrodynamic experiments’).

A separate problem with the scope of the ban was the proposal to allow the possibility of peaceful nuclear explosions (PNEs) within the CTBT framework for the purpose of geological prospecting or for the construction of underground gas-storage facilities. As the negotiations demonstrated, this proposal caused a problem because it is extremely difficult in practice (and many countries were even convinced impossible) to be sure that the PNEs were not carried out for the purposes banned by the Treaty. Practically all the Western and non-aligned countries were categorically against the PNEs and that problem threatened to deadlock the negotiations. Given that situation, the Russian delegation, based on the experience of the trilateral talks of the 1970s, proposed to incorporate a Treaty provision that the PNEs would remain to be banned until a procedure for their conduct was agreed which would rule out any military advantages. It was on this basis that a compromise on this matter was found.

Finally, one more problem among the issues relating to the scope of the CTBT prohibitions was the demand by a number of non-nuclear weapon countries that the Treaty should ban preparation activities for nuclear tests.

The nuclear States opposed such an approach, arguing that preparations (for example, drilling at nuclear test ranges) may have nothing to do with an intention to violate the Treaty. Moreover, adding the preparations to the scope of the ban would considerably complicate the verification mechanism, and on-site inspections would have to have as an objective not only to



verify the fact of the nuclear explosion, as is at present envisaged in the Treaty, but also to confirm the fact of the preparation activities. This would have considerably expanded the intrusive nature of such inspections, therefore this proposal was finally dropped.

Locations of IMS stations

Certain differences emerged on the location of the International Monitoring System (IMS) stations. The Russian delegation insisted that the Treaty should provide for such locations of the IMS stations that would ensure equal transparency of the existing nuclear test sites. In the Cold War years, the Russian test site in Novaya Zemlya was tightly monitored by seismic stations in Scandinavia, while the United States test site in Nevada was practically monitored only from rather long distances and with a high detection threshold. At first, this proposal met strong objections, but in the end other delegations had to admit that the Russian claim was justified. The current Treaty envisages an IMS network that meets the principle of equal transparency of the test sites.

Entry into force modalities

The provision on the modalities of the Treaty's entry into force was of primary importance in terms of viability and effectiveness of the future CTBT. Indeed, even if a best possible Treaty was to be negotiated but not ratified by the key players, but it entered into force nonetheless, it may become a caricature of itself rather than an effective means of strengthening international security. Considering this, the Russian delegation, from the very outset of the negotiations, advocated mandatory participation in the Treaty of all the five nuclear powers and – which is critically important – of the States capable of developing nuclear arms as a condition of

its entry into force. Since this condition was practically impossible to formulate legally without violating the principle of sovereign equality of all States, it was necessary to select an objective criterion that would not hurt anyone's prestige and yet encompass all the countries of special concern in terms of the Treaty's purposes. Such a criterion was found as early as in 1994, when the Russian delegation proposed that the CTBT should enter into force after the instruments of ratification had been deposited by all States possessing nuclear power plants and/or research reactors.

This proposal gave rise to one of the most acute controversies. Some delegations strongly opposed the proposal. They insisted on a 'more democratic formula' providing for the Treaty's entry into force as soon as a certain number of countries had deposited their instruments of ratification, without specifying which countries these should be. However, Russia's position was actively supported by some important delegations, with a significant number of countries favouring it as well.

Eventually, this approach was accepted by all participating States with only slight modifications. The Treaty is supposed to enter into force only after the 44 Member States of the Conference on Disarmament listed in the Treaty's Annex 2 have ratified it. According to the IAEA, these States possessed, at the time of the negotiations, nuclear power plants and/or research reactors.

As a result of the 10 September 1996 vote, Resolution 50/250 providing for the opening of the Treaty for signature was adopted by the United Nations General Assembly by 158 votes in favour. Three States voted against – India, Bhutan and Libya, and five States abstained – Tanzania, Cuba, Syria, Lebanon and Mauritius.

The CTBT opened for signature on 24 September 1996. On the first day, representatives of 71 States signed it, including the 'Nuclear Five'. Foreign Minister Yevgueny Primakov signed the Treaty on behalf of Russia. ■

Biographical note



Ambassador Grigory Berdennikov is the Permanent Representative of the Russian Federation to the International Organizations in Vienna.

Ambassador Berdennikov studied at the Moscow Institute of International Relations. He joined the diplomatic service in 1973 and served in various positions at the Permanent Mission of the USSR to the United Nations in New York (1973-1978) and in Geneva (1981-1986). He also held positions at the Department of International Organizations (1978-1981) and at the Department of Arms Limitation and Disarmament of the Ministry of Foreign Affairs in Moscow (1986-1992).

Between 1992 and 1993, he was Deputy Foreign Minister of the Russian Federation. He was then appointed Permanent Representative of the Russian Federation to the Conference on Disarmament (1993-1998). Between 1999 and April 2001, when he took up his present post in Vienna, he served again as Deputy Foreign Minister of the Russian Federation. ■