

Facilitating the Entry Into Force of the Treaty



The eighth Article XIV conference, held at United Nations Headquarters in New York, September 2013.

Article XIV of the CTBT concerns the Treaty's entry into force. The article foresees a mechanism of regular conferences to facilitate entry into force (commonly referred to as 'Article XIV conferences') if this has not taken place three years after the Treaty is opened for signature. The first Article XIV conference took place in Vienna in 1999. Subsequent conferences were held in New York in 2001, 2005, 2009, 2011 and 2013 and in Vienna in 2003 and 2007.

The Secretary-General of the United Nations convenes the Article XIV conferences at the request of a majority of States that have ratified the Treaty.

Both ratifying and signatory States participate in these conferences. Decisions are taken by consensus of the ratifying States, taking into account views expressed at the conference by signatory States. Non-signatory States, international organizations and non-governmental organizations are invited to attend as observers.

Article XIV conferences discuss and decide on what measures, consistent with international law, may be undertaken to accelerate the ratification process in order to facilitate entry into force of the Treaty.



United Nations Secretary General Ban Ki-moon opening the Article XIV conference in New York.



The Ministers of Foreign Affairs of Hungary (*front row, second from left*) and Indonesia (*front row, third from left*) presiding over the Article XIV conference.

Conditions for Entry into Force

The entry into force of the CTBT is conditioned on its ratification by all 44 States listed in its Annex 2. These so-called Annex 2 States are States that formally participated in the final stage of the negotiation of the Treaty in the Conference of Disarmament in 1996 and possessed nuclear power reactors or nuclear research reactors at that time. As of 31 December 2013, 36 of these 44 States had ratified the Treaty. Of the Annex 2 States that had still to ratify the Treaty, three had not yet signed it.

New York, 2013

Convened on 27 September 2013 at the United Nations Headquarters in New York, the eighth Conference on Facilitating the Entry into Force of the CTBT served to demonstrate the continued political determination of the international community to achieve the Treaty's entry into force and its universality. At that conference, around 85 States Signatories gathered to take stock of progress, discuss strategies and coordinate efforts to generate further support for the Treaty and its universality. A significant number of foreign ministers and high level officials from ratifying, signatory and non-signatory States participated in the conference, including representatives from five States whose pending ratification is required for entry into force: China, Egypt, Iran (Islamic Republic of), Israel and the USA.

In addition to foreign ministers and high level representatives, the conference was attended by officials from international organizations, specialized agencies and non-governmental organizations.

Shared Presidency

The presidency of the conference was shared by the Minister of Foreign Affairs of Hungary, Mr János Martonyi, and the Minister of Foreign Affairs of Indonesia, Mr Marty M. Natalegawa. This reflected the global nature of the Treaty. In his opening remarks, Mr Martonyi appealed "to all States to make their utmost effort to achieve the entry into force of the CTBT at the earliest possible date." Mr Natalegawa in his opening remarks stressed the need to "take concrete measures to accelerate the entry into force of the Treaty."

Expressions of Strong Support

The conference was characterized by numerous expressions of strong support for the Treaty and its entry into force, including by the Secretary-General of the United Nations, Mr Ban Ki-moon, who opened the conference. He called on all members of the international community "to break the stagnation in the disarmament process" and "secure the CTBT's entry into force, enforce a complete ban on nuclear testing and take further concrete steps towards creating a world without nuclear weapons".

The Executive Secretary, Mr Lassina Zerbo, called the Treaty "a unifying force in the multilateral system" and noted that the "prospects for the entry into force of the Treaty appear much more positive than they did for many years." The increase of one signature and six ratifications of the Treaty since the Article XIV conference in 2011 was "an outstanding achievement." Mr Zerbo said that "the best way forward is to make the



The Group of Eminent Persons and Executive Secretary Lassina Zerbo at the United Nations Headquarters in New York, September 2013.

de facto norm banning nuclear tests a legally binding commitment.”

The conference unanimously adopted a Final Declaration that offers 11 practical measures to accelerate the ratification process and bring the Treaty into force. These measures include support for bilateral, regional and multilateral outreach initiatives, capacity building and training activities, and cooperation with civil society, international organizations and non-governmental organizations.

The Final Declaration calls upon the remaining countries to sign and ratify the Treaty without delay and expresses the commitment of participating States to spare no efforts and use all avenues open to them to encourage further signature and ratification of the Treaty. The Final Declaration also recognizes the achievements made in the universalization of the Treaty and in advancing the operational readiness of its verification regime. It emphasizes the significance of the Treaty, stating that “entry into force of the CTBT is of vital importance as a core element of the international nuclear disarmament and non-proliferation regime.”

Moreover, the Final Declaration recognizes that the establishment of the Group of Eminent Persons (GEM) will assist in promoting the objectives of the Treaty and facilitating its early entry into force.

The civil and scientific benefits of the monitoring technologies, including for tsunami warning, received expressions of appreciation. There was also recognition of the effectiveness of the CTBT verification regime demonstrated in response to the announced nuclear test by the Democratic People’s Republic of Korea on 12 February 2013.

Group of Eminent Persons

To ensure an innovative and focused approach to advance the ratification of the CTBT by the remaining Annex 2 States, a group comprising eminent personalities and internationally recognized experts was launched on 26 September 2013 at the United Nations Headquarters in New York. Through their expertise, experience and political standing, GEM will support and complement efforts to promote entry into force of the Treaty as well as reinvigorate international endeavours to achieve this goal. The group will utilize regional understanding and expertise to facilitate dialogue among leaders in various regions and spread the message of the CTBT at international conferences and other events. The presidents of the Article XIV conference, the Minister of Foreign Affairs of Hungary and the Minister of Foreign Affairs of Indonesia, are ex-officio members of GEM. In addition to broad support in the Final Declaration of the Article XIV conference, GEM was also endorsed by the United Nations General Assembly in resolution A/RES/68/68.

Worldwide Media Coverage

The conference was promoted through proactive media outreach. In the run-up, a number of op-ed articles by prominent personalities and media advisories were published, including an article by the co-presidents of the conference in the US newspaper *The Hill*. Press conferences were held before (including on the occasion of the International Day against Nuclear Testing) and on the margins of the conference. A live stream, video–audio recordings, photographic material and

statements were provided on a dedicated web page. Over two million online recipients were reached through Twitter. The conference, the ratifications by Guinea-Bissau and Iraq and the establishment of GEM were covered by print and broadcast media, including in several Annex 2 States.

A dedicated issue of *CTBTO Spectrum* was issued, featuring a special brochure on GEM. A video was also produced to introduce its members.