Facilitating the Entry into Force of the Treaty

Article XIV of the Treaty concerns 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 NGOs 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.

The Secretary-General of the United Nations at the ninth Conference on Facilitating the Entry into Force of the Treaty
Conditions for Entry into Force

The entry into force of the Treaty requires 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 2015, 36 of these 44 States had ratified the Treaty. Of the eight Annex 2 States that had yet to ratify the Treaty, three had still not signed it.

New York, 2015

Convened on 29 September 2015 at the United Nations Headquarters in New York, the ninth Conference on Facilitating the Entry into Force of the Treaty served to demonstrate the continued political determination of the international community to achieve the Treaty’s entry into force and its universality. At the conference, over 90 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 ratification is required for entry into force: China, Egypt, the Islamic Republic of Iran, Israel and the United States of America.

In addition to foreign ministers and high level representatives, the conference was attended by members of GEM, including Ms Federica Mogherini, EU High Representative for Foreign Affairs and Security Policy, Mr Desmond Browne, a former Secretary of State for Defence of the United Kingdom, Mr Nobuyasu Abe, Commissioner of the Japan Atomic Energy Commission, Ms Angela Kane, former United Nations High Representative for Disarmament Affairs, and Mr Wolfgang Hoffmann, Executive Secretary Emeritus of the Commission, as well as officials from international organizations, specialized agencies and NGOs.

Shared Presidency

The presidency of the conference was shared by the Minister of Foreign Affairs of Japan, Mr Fumio Kishida, and the Minister of Foreign Affairs of Kazakhstan, Mr Erlan Idrissov. This reflected the global nature of the Treaty. In his opening remarks, Mr Kishida stated “together with Foreign Minister Idrissov, I stand ready to spread the knowledge about the reality of the consequence of the use of nuclear weapons, as I know such reality. I will lead this initiative so that the world does not lose sight of why we work on nuclear disarmament”. Mr Idrissov in his opening remarks stressed that “Japan and Kazakhstan have the moral right
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 stated that:

“The CTBT is essential to realizing our vision of a world free of nuclear weapons”.

He also expressed his fervent wish that States Signatories show real leadership in advancing the entry into force of the Treaty.

The conference unanimously adopted a Final Declaration that affirms that:

“The Final Declaration also offers 14 practical measures to accelerate the ratification process and bring the Treaty into force.”

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The conference unanimously adopted a Final Declaration that affirms that:

“a universal and effectively verifiable Treaty constitutes a fundamental instrument in the field of nuclear disarmament and non-proliferation”.

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The Final Declaration calls on the remaining States to sign and ratify the Treaty without delay and welcomes opportunities to engage with the non-signatory States, in particular Annex 2 States. The Final Declaration also calls on all States “to refrain from nuclear weapon test explosions or any other nuclear explosions, the development and use of new nuclear weapon technologies and any action that would undermine the object and purpose and the implementation of the provisions of the CTBT and to maintain all existing moratoria on nuclear weapon test explosions, while stressing that these measures do not have the same permanent and legally binding effect to end nuclear weapon testing and all other nuclear explosions, which can only be achieved with the entry into force of the Treaty.”

Moreover, the Final Declaration welcomes the range of mutually supportive ratification outreach activities, including activities of GEM and individual efforts by States Signatories such as the biennial “Friends of the CTBT” Ministerial Meeting, which share the objective of early entry into force of the Treaty.

The Executive Secretary, Mr Lassina Zerbo, highlighting the importance of the Treaty added:

“2016 will mark twenty years since the CTBT was opened for signature. I don’t regard this as a reason for celebration. Almost twenty years later, we find ourselves at a conference provided for under Article XIV of the Treaty to accelerate entry into force. At the ninth such Conference, in fact, we need something more.”

The Final Declaration also offers 14 practical measures to accelerate the ratification process and bring the Treaty into force. These include support for bilateral, regional and multilateral outreach initiatives, capacity building and training activities, and cooperation with civil society, international organizations and NGOs.

The Final Declaration stresses that participating States will continue to provide the political and tangible support required to enable the Commission to complete all its tasks in the most efficient and cost effective way, in particular the further build-up of all the elements of the verification regime. It also expressed its appreciation for the civil and scientific benefits of the monitoring technologies, including for tsunami warning.

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to be aggressive about abolishing nuclear weapons”.

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