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, 2013 and 2015, 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.
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 2017, 36 of these 44 States had ratified the Treaty. Of the eight Annex 2 States that had yet to ratify the Treaty, three still had not signed it.

NEW YORK, 2017

The tenth Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty was held on 20 September 2017 on the margins of the opening of the 72nd session of the United Nations General Assembly in New York.

The conference presented an opportunity to demonstrate the sustained political commitment and support of the international community for the entry into force of the Treaty and its universality.

Over 90 States Signatories attended the conference. They reviewed the latest developments and discussed strategies to generate further support for the Treaty and its universality. A high 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 State representatives, the conference was attended by members of the Group of Eminent Persons, including Ms Federica Mogherini; Mr Kevin Rudd, former Prime Minister of Australia; Ms Amina Mohamed, Cabinet Secretary for Foreign Affairs and International Trade of Kenya; 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 non-governmental organizations. Mr Kevin Rudd and Ms Amina Mohamed presented the statement of the Group of Eminent Persons.

SHARED PRESIDENCY

The presidency of the conference was shared by the Deputy Prime Minister and Minister of Foreign Affairs of Belgium, Mr Didier Reynders, and the Foreign Minister of Iraq, Mr Ibrahim Al-Jaafari.

Ahead of the conference, the Foreign Ministers of Belgium and Iraq together with the Executive Secretary co-authored a joint op-ed stressing the need and urgency of prohibiting nuclear testing. They stressed that “by addressing the unfinished business of the CTBT, the international community would demonstrate beyond a doubt that effective, multilaterally verifiable nuclear non-proliferation and disarmament measures are indeed possible.” Furthermore, they noted that “as a confidence building measure it could unite countries in unwrapping other difficult security issues, including the crisis on the Korean peninsula.”

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EXPRESSIONS OF STRONG SUPPORT

The participants, including ministers and other senior officials, underlined the significance of the Treaty for nuclear disarmament and non-proliferation and the established norm against nuclear testing. They called on non-ratifying States, in particular the remaining Annex 2 States, to ratify the Treaty as soon as possible. They also expressed appreciation for the activities of the Commission and the effective performance of its verification regime.

The Secretary-General of the United Nations stated that “a CTBT that is in force would be a milestone on the road to a world free of nuclear weapons. It has the potential to prevent a nuclear arms race and an escalation of regional and bilateral tensions.” He further added: “I applaud the CTBT Preparatory Commission for raising awareness about the dangers associated with testing and for its partnership with the United Nations.”

The Executive Secretary highlighted the importance of the Treaty for international peace and security: “Above all, given the present situation, it would diffuse tensions in ‘nuclear hotspots’ such as the Korean Peninsula. The world needs to calmly and resolutely find a means of de-escalating that crisis. A testing moratorium – at the very least – should be part of that solution.”

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.” It further reafirms “the vital importance and urgency of the entry into force of the CTBT” and urges “all States to remain seized of the issue at the highest political level.”

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.”

It also proposes 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 non-governmental organizations.

The Final Declaration stresses that participating States will continue to provide the political and tangible support required to enable the Commission to complete all of 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 expresses appreciation for the civil and scientific benefits of the monitoring technologies, including for tsunami warning.

In addition, the Final Declaration welcomes the range of mutually supportive ratification outreach activities, including the activities of the Group of Eminent Persons and the CTBTO Youth Group and the individual efforts of States Signatories.

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.