

A U.S.-China roadmap for CTBT ratification

BY KEVIN RUDD

Nearly two decades after Australia introduced the text of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) to the UN General Assembly, we find ourselves at a crossroads. Only three P-5 countries – Russia, France and the UK – have ratified the CTBT. The U.S. and China have not, and show no signs of doing so.

Why does the CTBT's entry into force seem more remote than it was in 1996? There are two reasons: the U.S. Senate, and China's position that its ratification is conditional on U.S. ratification.

We Australians are no newcomers to the global fight against nuclear proliferation. In 1952, Great Britain carried out its first nuclear test on Australian soil. Safety protocols for observers included placing their hands over their eyes. Today, numerous Aboriginal inhabitants of the Maralinga test site report chronic illnesses related to radiological contamination.

From the 1970s on, we also campaigned for decades to bring about a cessation of French nuclear testing in the South Pacific. Since then, Australia has enjoyed the benefit of bipartisan support on the CTBT. And in the 1990s we were instrumental in securing the passage of the CTBT through the General Assembly. When talks on the CTBT stalled in Geneva in the 1990s, Australia, backed by 127 co-sponsors, introduced the text and saw it pass overwhelmingly.

For this reason, Tibor Tóth, the former Executive Secretary of the CTBTO, called Australia "a superpower for nuclear disarmament and nuclear non-proliferation."

In the spirit of this long, proud bi-partisan association with the Treaty, as Prime Minister and Foreign Minister, I too pushed for ratification by the remaining Annex 2 States. At the 2011 CTBT Article XIV conference¹ in New York, I argued such action represented a significant confidence-building measure, especially in regions where tensions – and the potential for costly and dangerous arms races – are high.

Since leaving the Australian parliament, I have been appointed as a

member of the Group of Eminent Persons (GEM) to help rally global support for the entry of the treaty into force. Last year, during the GEM meeting in Sweden, I argued that movement by the United States and China is not only central to advancing the CTBT's entry into force, it would also constitute a major confidence and security building measure between Beijing and Washington at a time when U.S.-China relations are entering a new phase.

Here the Obama-Xi relationship is central. In the wake of their successful Beijing Summit following the Asia-Pacific Economic Cooperation (APEC) Leaders meeting last November, there may be a window of political opportunity for progress in the lead-up to Xi Jinping's state visit to Washington this September. Xi calls for a "new type of great power relationship" with the U.S. Joint ratification of the CTBT could make up one key element of this. It would also of itself deliver to President Obama a critical legacy. Furthermore, given changing power relativities between China and the U.S. over time, it makes sense for the U.S. to see Chinese ratification sooner rather than later.

I am not naive concerning the entrenched opposition from some in the U.S. Senate. But the argument needs to be put to the treaty's opponents as to why it is in U.S. strategic interests to ratify now, rather than sometime in the "sweet bye and bye," if indeed ever. Furthermore, does the U.S. wish to risk its continuing non-ratification becoming a pretext for Russia to reconsider its commitment to the Treaty?

History will not look kindly on those who simply oppose CTBT ratification because it makes great partisan politics. The world is beginning to weary of a certain "learned helplessness" about the U.S. domestic political process when U.S. interlocutors' response to good, important or even essential global public policy is simply along the lines of "it just ain't gonna happen" because that's just the way it is in Washington politics.

U.S.-China action on the CTBT would not make the Treaty's ratification by holdout States inevitable. But the momentum it creates would make it much harder for remaining Annex 2 states to resist. Some suggest that India has linked its potential ratification to China's. Pakistan, similarly, has pegged its

ratification to India's own. North Korea, however, represents an entirely different world of pain.

The benefits of a U.S.-China approach are two-fold. Firstly, the momentum this partnership would bring about could see all P-5 members of the Security Council united on a crucial issue. The Council could become the cockpit of ratification, holding regular meetings to elevate the urgency of the CTBT's entry into force, and to keep the diplomatic spotlight on the remaining holdout States. Secondly, joint action of this nature also presents a tangible opportunity to build broader habits of cooperation between the U.S. and China – a bilateral relationship which will increasingly shape the global order in years to come.

I am a constructive realist. I acknowledge it will take great determination, diplomatic imagination and good will to keep the CTBT ratification process in motion in years to come. A common U.S.-China effort on this front may be the CTBT's only real hope. The next Article XIV conference is likely to take place in September 2015. The time is ripe for the U.S. and China to seize this opportunity to act.

BIOGRAPHICAL NOTES



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joined the Asia Society Policy Institute as its inaugural President in January 2015. He served as Australia's 26th and 28th Prime Minister (2007-2010, 2013) and as Foreign Minister (2010-2012). He recently led a major research project on U.S.-China relations at the Harvard Kennedy School, where he is a Senior Fellow. As Chair of the Independent Commission on Multilateralism, he is also leading a review of the UN system over the 2015-16 period.

[1] Named after the CTBT's article XIV, these conferences take place every two years and aim to promote the CTBT's entry into force.