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Note to the Secretary-General

ASSESSMENT OF THE FOURTH CONFERENCE ON FACILITATING THE ENTRY INTO FORCE OF THE COMPREHENSIVE NUCLEAR-TEST-BAN TREATY (CTBT)

Summary

1. The fourth Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) took place from 21 to 23 September 2005 and concluded its work with the adoption by consensus of a Final Declaration and Measures to Promote the Entry into Force of the CTBT. The Conference was convened under Article XIV of the Treaty to review progress and to consider and decide by consensus what measures consistent with international law may be undertaken to accelerate the ratification process and thereby facilitate the entry into force of the CTBT. A total of 117 ratifying and signatory States participated in the Conference. Three non-signatory States (Cuba, Iraq and Trinidad and Tobago) also attended the event. The United States decided not to attend as it had so decided in the 2001 and 2003 CTBT Article XIV Conferences. Statements were made by a total of 58 speakers, 17 of which were at the ministerial level.

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2. The Conference demonstrated the continued international support for the Treaty through both the increased number of delegations attending and the level of ministerial participation. This continued engagement by ratifying States of the Treaty highlighted the fact that nine years after its opening for signature, there is still significant political momentum promoting its entry into force. Ultimately, the success of the Conference will be measured by its contribution to achieving that goal.

Background

3. Since the third Conference, 8 States have ratified and 21 have signed the Treaty, bringing the total to 125 ratifications and 176 signatures. To date, 33 of the 44 States listed in Annex 2 to the Treaty whose ratification is essential for the Treaty's entry into force, have done so. Of the 11 remaining States thus listed, the Democratic People's Republic of Korea, India and Pakistan have yet to sign and ratify the Treaty.

Assessment


4. During the general exchange of views, participants expressed overwhelming support for the Treaty's entry into force. Delegations underscored the importance of sustaining the voluntary moratorium on nuclear testing stressing that such a moratorium should not replace a permanent legally-binding commitment under the CTBT. Among the signatory States, Antigua and Barbuda, Bosnia and Herzegovina, Guatemala and Haiti expressed their intention to ratify the Treaty. Iraq, a non-signatory State, stated that it would sign and ratify the Treaty upon the completion of its legislative infrastructure. Of the 44 States listed in Annex 2 to the Treaty, China and Indonesia indicated that they would continue the process of ratification of the Treaty. Colombia expressed concern regarding the provision of the Treaty requiring the ratification of the 44 States for the Treaty to enter into force and proposed the convening of a group of experts to study new ways to modify the Treaty ratification requirements by eliminating the list of the 44 States.

Uruguay stressed the need to review the mechanism of periodic conferences established under Article XIV of the Treaty. Widespread support was expressed for the work of the Provisional Technical Secretariat (PTS). The majority of delegations welcomed the progress made in establishing the CTBT's verification regime and many supported its use for civilian purposes as an early warning system for tsunamis and other natural disasters.

Outcome

5. The Final Declaration and Measures to Promote the Entry into Force of the CTBT, adopted by the Conference, reiterated that the cessation of all nuclear-weapon test explosions and all other nuclear explosions constituted an effective measure of nuclear disarmament and non-proliferation in all its aspects. The Declaration called upon all States that had not yet done so to sign and ratify the CTBT without delay, in particular those States whose ratification is needed for its entry into force. It strongly encouraged those States listed in Annex 2 to the Treaty to take individual initiatives to ratify the CTBT. The Declaration reaffirmed the firm determination to end nuclear test explosions or any other nuclear explosions and called upon States to continue and sustain their voluntary adherence to a moratorium on nuclear-weapon test explosions and any other nuclear explosions and to refrain from acts contrary to the object and purpose of the Treaty pending its entry into force. It highlighted that ratifiers, together with signatory States, would continue to provide the support required to enable the Preparatory Commission for the CTBT Organization to complete its tasks in the most efficient and cost-effective way.

6. Among the 12 measures contained in the Final Declaration, Australia, having held the Presidency of the Conference, was entrusted with coordinating informal consultations with all interested States to promote the entry into force of the Treaty and to encourage regional and multilateral initiatives aimed at promoting further signatures and ratifications. States agreed that the Special Representative appointed in 2003 should continue to assist the coordinating State in the performance of its function. The Declaration recommended that ratifying States consider establishing a trust fund, financed through voluntary contributions, to support an outreach programme for promoting the Treaty. After the adoption of the Final Declaration, France stated that Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) comprised its sole disarmament commitment and expressed regret that its position was not reflected appropriately in the Declaration.



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29 September 2005

[Drafters: Myrna Peña and Peter Crail]