

Past Time to Close the Door on Nuclear Testing

Statement of Nongovernmental Organization Representatives
for the CTBT Article XIV Conference

September 27, 2013

Distinguished delegates, on behalf of nongovernmental organizations the world over, we appreciate the opportunity to contribute our views on the path forward on the CTBT.

Since the 1950s, civil society has been and will continue to be a driving force in the long journey to end all nuclear weapons testing and eliminate all nuclear weapons.

Fifty years ago—at the height of the Cold War—the United States, the Soviet Union, and the United Kingdom engaged in negotiations on a comprehensive test ban but fell short, ostensibly concerning differences relating to on-site inspections.

Instead they agreed to the Limited Test Ban Treaty (LTBT) as a first step to reduce U.S.-Soviet nuclear tensions. The LTBT successfully brought about the end to the most visible and dangerous aspects of the arms race: hundreds of open-air explosions that spewed dangerous levels of radioactive contamination far beyond the test sites of the nuclear powers.

Unfortunately, to obtain support for ratification, President John F. Kennedy committed to programs that expanded underground nuclear testing, modernized the nuclear weapons research labs, and enrolled new scientists and engineers in the enterprise, fueling the nuclear arms race for decades to come.

The LTBT represents an unfulfilled opportunity to end nuclear testing altogether and to halt the arms race.

On the 25th anniversary of the LTBT, six nations formally proposed an amendment that would convert it into a comprehensive ban and an international conference was convened. This effort along with citizen-based movements to end nuclear testing in Kazakhstan, Russia, and the United States in 1989-1993 helped to propel the test ban issue into the forefront once again.

More than three more decades after the LTBT was negotiated, multilateral talks on the CTBT finally resumed and were concluded in 1996. The CTBT has successfully established a global norm against all nuclear weapons test explosions that all but three states—India, Pakistan, and North Korea—have respected since 1996.

Today, the CTBT has won near universal support and is a cornerstone of 21st century international security.

The reasons are clear: nuclear testing is a dangerous and unnecessary vestige of the past. By banning all nuclear weapon test explosions, the CTBT can help accomplish the indisputable obligation under the Treaty on the Nonproliferation of Nuclear Weapons to cease the nuclear arms race at an early date and to pursue nuclear disarmament.

The established nuclear weapons states would be barred from proof-testing new, more sophisticated nuclear warhead designs. Without the option of nuclear explosive testing, newer testing nations cannot perfect smaller, more easily deliverable warheads.

The CTBT also serves to reinforce the nonproliferation system by serving as a confidence-building measure about a state's nuclear intentions and, in this regard, it can help head off and de-escalate regional tensions.

And with the CTBT in force, global and national capabilities to detect and deter possible clandestine nuclear testing by other states will be significantly greater.

In addition to these nonproliferation benefits of the CTBT it is worth noting that it forms an essential part of the process of eliminating nuclear weapons. It is part of the promise made to gain indefinite extension of the NPT in 1995.

If both the letter and spirit of the CTBT are adhered to, then it will help curtail improvements in existing arsenals and lower the prestige of nuclear weapons programs. It strengthens the pursuit of international order based on the rule of law.

However, the promise and benefits of the CTBT remain unfulfilled because the eight key states have failed to sign and/or ratify the treaty.

Meanwhile, the existing nuclear-armed states pursue nuclear weapons research and development activities that perpetuate and in some instances have improved their nuclear weapons arsenals.

It is time to act. Seventeen years have already passed by since the treaty was concluded. This is already the eighth Article XIV Conference on Facilitating CTBT Entry Into Force.

Until the remaining eight Annex II outlier states finally ratify the treaty, entry into force will be delayed and the door to the renewal of nuclear testing will remain ajar.

Accelerating Entry Into Force

We appreciate the attention the world's governments have focused on the CTBT through this conference today.

We call upon every state at this conference, collectively and individually, to put today's ideas and words of support into concrete action, beginning tomorrow.

In particular, this conference must help produce what previous conferences have not: a serious diplomatic action plan for getting the remaining holdout states on board.

The United States and China

This conference must be a catalyst to move the leaders and legislators in the United States and China to make good on their past CTBT promises.

In April 2009, U.S. President Barack Obama pledged to "immediately and aggressively pursue U.S. ratification. Unfortunately, he did not. Yes, the Obama administration commissioned the National Academy of Sciences to produce an updated assessment of

the technical issues relating to the CTBT and it has provided generously to the budget of the CTBTO Provisional Technical Secretariat, but it has not utilized the NAS report or the other strong arguments available for U.S. ratification to launch a campaign to seek Senate approval.

Again, on July 13, 2013, President Obama said: “we will work to build support in the United States to ratify the Comprehensive Nuclear Test Ban Treaty.”

That pledge is important but it is past time for President Obama to translate his lofty CTBT words into concrete action by developing a practical plan of action and pursuing the steps necessary to win the support of two-thirds of the U.S. Senate for ratification of the treaty.

Such an effort will take time and may not show results soon. But to move forward, the Obama administration can and must begin to make the case for the Treaty now.

To indicate the seriousness of his intention to do so, we call on President Obama to promptly name a senior, high-level White House coordinator for the CTBT effort.

However, future U.S. ratification efforts should not and need not be achieved at the expense of disarmament through commitments and conditions to the Senate that lead to expensive further investments in the modernization of the U.S. nuclear weapons and weapons design laboratories, which spurs arms racing for years to come.

While U.S. action on the treaty is essential, other Annex II states must provide leadership too, rather than simply remain on the sidelines.

In particular, it is time for China’s leaders to finally act on the CTBT. We note that China has repeatedly stated its support for early entry into force of the CTBT and we applaud China’s decision—despite being long overdue—to provide data to the IDC from the IMS stations on its territory.

We call on China to do more: don’t wait for others; complete your ratification process without further delay. This would increase China’s credibility as a nonproliferation leader and improve the chances that other states will follow suit.

We also encourage China and the United States to constructively engage with other key Annex II states, particularly North Korea, India, Pakistan, Iran, and Israel on the importance for international security and stability of universal accession to the Treaty.

India and Pakistan

Since their destabilizing tit-for-tat nuclear detonations in 1998, India and Pakistan have stubbornly refused to reconsider the CTBT even though neither country has an interest in or technical justification for renewing nuclear testing.

India and Pakistan could advance the cause of nuclear disarmament and substantially ease regional tensions by converting their unilateral test moratoria into legally binding commitments to end nuclear testing through the CTBT.

India's current leaders still cite Prime Minister Rajiv Gandhi's eloquent and visionary 1988 action plan for disarmament, but they fail to heed its call for "a moratorium on the testing of nuclear weapons ... to set the stage for negotiations on a comprehensive test-ban treaty."

India has pledged in various domestic and international contexts to maintain its nuclear test moratorium, which makes it all the more logical for New Delhi's leaders to reinforce global efforts to detect and deter nuclear testing by others through the CTBT. Pakistan should welcome a legally binding test ban with India and entry into force of the CTBT.

UN member states that are serious about their commitment to the CTBT and nuclear risk reduction should insist that India and Pakistan sign and ratify the CTBT before they are considered for membership in the Nuclear Suppliers Group and that India should sign and ratify before its possible membership on the Security Council is considered.

The Middle East

Ratification of the CTBT by Israel, Egypt, Iran, and Saudi Arabia would reduce nuclear weapons-related security concerns in the region. It would also help create the conditions necessary for the realization of a Middle East Zone free of Nuclear and other Weapons of Mass Destruction.

Israel's ratification of the CTBT would bring that nation closer to the nuclear nonproliferation mainstream and lend encouragement to other states in the region to follow suit.

Iran has signed the Treaty but has not ratified. Continued failure by Iran to ratify the CTBT raises further questions about the nature of its sensitive nuclear activities, which remain under investigation by the International Atomic Energy Agency. We call on President Hassan Rouhani to move Iranian ratification as a good faith signal that Iran is not interested in building nuclear weapons.

We strongly urge the states involved in the Non-Aligned Movement to play leadership role in urging key states to ratify the CTBT, which could help advance the long-sought goal of a nuclear weapons free zone in the region.

North Korea

The Democratic Peoples Republic of Korea's (DPRK) third nuclear test, conducted earlier this year, is an affront to the international community and further threat to peace and security in Asia. A halt to further testing by the DPRK is essential to achieve the renewal of Six-Party talks on denuclearization and normalization of relations. Chinese ratification of the CTBT and diplomacy to secure a North Korean nuclear testing halt declaration are especially critical.

Addressing the Damage Caused by Nuclear Testing

In the past year, many of the world's states have brought renewed attention to the catastrophic humanitarian consequences of nuclear weapons use. It is important to consider that nuclear weapons have been detonated many times since Hiroshima and Nagasaki.

Since 1945, 2,051 nuclear test explosions have been detonated worldwide, including 528 atmospheric explosions.

According to a 1992 calculation by experts from the Institute for Energy and Environmental Research and the International Physicians for the Prevention of Nuclear War, there were between 320,000 and 650,000 additional cancer fatalities worldwide through the year 2000 as a result of global nuclear fallout.

Our knowledge of the extent of the harm caused by five decades of nuclear test explosions underground, in the atmosphere, and underwater is still incomplete.

The governments responsible for the damage have not adequately provided assistance to survivors nor have they supplied the resources necessary to mitigate the environmental contamination. In fact, the major testing states have been reluctant to recognize the harm inflicted by testing and the rights of those people who have been most affected. We recommend that all present read and consider the 2012 report of the UN Special Rapporteur Calin Georgescu regarding the human rights effects of U.S. nuclear testing in the Marshall Islands.

Once again, we encourage the states gathered here, as well as the Secretary General of the United Nations, to endorse the establishment of an international fund—to be managed by the United Nations—to support those seriously affected by nuclear testing.

To move this from concept to reality, we call on the UN Secretary-General to organize a conference under the auspices of the United Nations to help mobilize resources for the remediation of contamination at nuclear test sites, and health monitoring and rehabilitation of populations most seriously affected by nuclear testing.

States responsible for the testing at major test sites should report to the conference—and on an annual basis thereafter—on their current and future efforts and resource allocations to address the health and environmental impacts of nuclear testing and to rehabilitate populations that have been particularly impacted. Independent nongovernmental experts, and especially members of affected communities should be invited to help develop a multi-year program of action.

New Nuclear Weapons Production and Development

We also wish to call your attention to the ongoing activities of the world's nuclear-armed states to perpetuate and improve their nuclear weapons capabilities. The United States, Russia, France, China, India, Pakistan, and the DPRK are all in the process of either modernizing their existing warheads and delivery systems or building entirely new types of warheads and delivery systems with new and more devastating capabilities. And the UK is deciding whether to replace its Trident system. All of which consumes tens of billions of dollars each year.

As the 33-member Community of Latin American and Caribbean States noted in an August 2013 joint statement, “the enhancement of existing nuclear weapons and the development of new types of nuclear weapons ... is inconsistent with the obligation of complete nuclear disarmament” and “are contrary to the object and purpose of the Comprehensive Nuclear-Test-Ban Treaty.”

We demand states armed with nuclear weapons to refrain from pursuing new types of nuclear weapons or modifying weapons in ways that create new military capabilities. Such activities may not violate the letter of the CTBT, but they are contrary to its key purpose, which is to halt the qualitative improvement of nuclear arsenals and contribute to nuclear disarmament. We urge all of the states armed with nuclear weapons to adopt clear, “no-new-nuclear-weapons” policies and to report on those policies at the next Article XIV Conference.

Reinforcing the Test Ban

There are additional actions that should be pursued that would reinforce the *de facto* test moratorium and accelerate CTBT entry into force. Specifically:

1. All states should provide in full and without delay their assessed financial contributions to the CTBTO, fully assist with the completion of the IMS networks, and continuously and without interruption transmit data from the monitoring stations to provide the most robust capability to detect and deter clandestine nuclear test explosions. Every state should recognize that the Provisional Technical Secretariat to the CTBTO Preparatory Commission is a vital, working instrument for international security and science.
2. In order to further reinforce the *de facto* global taboo against nuclear testing and deter any state from considering nuclear test explosions in the future, we call upon the UN Security Council to discuss and outline the penalties that could be imposed in the event that any state breaks this taboo. It would be useful for the Council to convene again to consider further steps to encourage implementation and compliance with the action plan outlined in Resolution 1887, which “*calls upon* all States to refrain from conducting a nuclear test explosion and to sign and ratify the Comprehensive Nuclear Test Ban Treaty (CTBT), thereby bringing the treaty into force at an early date;”
3. We urge nuclear-armed states to halt activities at their nuclear weapons labs and their former nuclear sites, including subcritical tests at the test sites, that might raise concerns about compliance with the CTBT and that allow for qualitative improvements in nuclear weapons. We call on them to jointly explore confidence building measures ahead of EIF at their test sites to head off compliance concerns;
4. Finally, we applaud the initiative of the new executive secretary of the CTBTO PTS to convene a diverse, highly qualified eminent persons group to help advance CTBT entry into force. We urge this group to develop a practical strategy for prodding key hold out states to accelerate their ratification timetables and to highlight the international and national security benefits of the Treaty.

We respectfully urge each of the states present here to consider these recommendations and we look forward to working with you on our common goal of prompt CTBT entry into force.

Thank you.

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