

THE 1963 PARTIAL TEST BAN TREATY

The multilateral treaty banning nuclear weapon tests in the atmosphere, in outer space and under water, called the Partial (or Limited) Test Ban Treaty (PTBT or LTBT), was signed on 5 August 1963. Its conclusion at that particular time was prompted chiefly by the need to improve US-Soviet relations, which had been severely strained by the 1962 Cuban missile crisis, and to bring about a general relaxation of international tension. The fact that both superpowers had by then already carried out extensive series of tests in the atmosphere and were prepared for testing to be continued underground, reduced the cost of their mutual "sacrifice." The Treaty entered into force on 10 October 1963; by 1 January 1987 it had as many as 116 adherents.

It is important to remember that the PTBT was generally considered to be a transitional arrangement: the parties stated their determination to conclude a treaty resulting in the "permanent banning of all nuclear test explosions." Underground explosions, whatever their purpose, have not been covered by the Treaty, but they are not allowed if they cause radioactive debris to be present outside the territorial limits of the state under whose jurisdiction or control they are conducted. The pledge concerning the discontinuance of all explosions has not been fulfilled. The US Government's statement of 1982 that it would "set aside" efforts to negotiate a comprehensive ban on nuclear testing was justifiably regarded by many states as impeding full implementation of the PTBT.

Adherence to the PTBT, though wide, is not universal. Two nuclear weapon powers, France and China, have not joined it. France argued that the Treaty had only limited practical importance, and reaffirmed its intent to proceed with its own nuclear buildup; China criticized the Treaty as not encompassing general disarmament or a ban on underground tests. Both nations eventually gave up atmospheric testing through unilateral statements of renunciation: France in 1975, after a suit had been brought against it by Australia and New Zealand in the International Court of Justice; and China