

This report suggests the following course of action:

-Emphasize the continuing importance of the Article 14 Conferences. These conferences offer the best opportunities for pursuing EIF for the CTBT – this is, after all, the primary intention of the conferences. However, the conferences also provide a periodic forum to repeatedly validate that signatory and ratifying states continue to seek to uphold the elements of the Treaty and are not engaged in actions that would serve to defeat the object and purpose of the CTBT. This is crucial for the effective implementation of the CTBT, since in international law, signatory and ratifying states cannot be held in perpetuity to an agreement that has not achieved entry into force. Article 18 of the Vienna Convention on the Law of Treaties specifies that signatories and ratifying states have “expressed ... consent to be bound by the treaty, pending the entry into force of the treaty and *provided that such entry into force is not unduly delayed*” (italics added). This concluding clause is significant because it suggests that ongoing efforts must be conducted to work towards EIF of an agreement.

- Further to this, signatory states as well as ratifiers must be urged to participate actively in Article 14 Conferences. Although only ratifying states are *expected* to attend the conferences, they are naturally open to others as well, including both signatory and non-signatory states, specialized agencies, intergovernmental organizations, and non-governmental organizations. States that have not deposited their instruments of ratification are not permitted to formally participate in the drafting of the Final Declaration. Some consideration should be given to extending a wider role to signatory states in the deliberations of the Article 14 conference and its Final Declaration. The rationale here is fairly straight-forward: those states currently participating in the drafting of the Final Declaration, and acting as full participants in the conference, have already formally expressed their binding support for the treaty. Non-EIF, however, is problematized not by these states, but rather by those that have *not* deposited instruments of ratification. There would be opposition by those that have ratified, but the central intention of the conferences is to bring about EIF for the CTBT. A more active role for non-ratifiers may need to be considered for this goal to be achieved.

- Signatory states considering making their intentions known to be removed from the Treaty should be pressed to – at the very least – retain signatory status.

- The IMS/IDC verification systems should have a target of 2005 for full implementation. Comprehensive and effective verification will provide the strongest argument for non-ratifying states to move forward.