

EXECUTIVE SUMMARY

This report examines prospects for a deepening nuclear test ban regime, and poses some recommendations for moving the regime forward. Without the ratifications necessary for entry into force, questions remain about the “sustainability” of the CTBT and -- in particular -- its verification body, the CTBTO. The research here focuses on two options: 1) sustaining a verification regime (CTBTO) that still does not have the formal political legitimacy of an international agreement; and 2) prospects for an entry into force (EIF) for the Treaty and strategies for dealing with holdout states.

This report is divided into four sections:

1) Background issues: The report provides an evaluation of the need for the CTBT and its implementation, as well as some analysis of the concerns of the 44 crucial states that must ratify the CTBT to allow it to become international law. This section will explore the importance of the renunciation of any nuclear tests explosion, the issue of nuclear capable states and required ratification (Annex 2 ratifications, explained in detail in the report), and a brief overview of current verification capabilities of the Provisional Technical Secretariat of the CTBTO.

2) CTBTO capabilities: The report examines the strengths of the CTBT verification system, and assesses the lack of enforcement response mechanisms granted the CTBT, as well as possible alternatives. This part of the report accounts for the capabilities of the CTBTO and current testing moratoria, and surveys the issues surrounding the CTBT “status quo.”

3) Whither EIF? The report critically examines arguments surrounding a “provisional ratification” of the CTBT. In short, could states that have ratified the treaty bring it into force “provisionally” for themselves? This section explains the important practical and legal questions that must be dealt with in this regard. Furthermore, there are serious political problems that would complicate a provisional EIF, and possibly risk the dissolution of the entire non-testing regime.

4) Conclusions and Recommendations: The report provides a series of propositions that could encourage non-ratifying and non-signatory states to support the CTBT, and provide continued strength to the non-testing regime as a whole.