9. Nuclear Weapons Testing: The Partial Test Ban Treaty Amendment Conference

At the Third Review Conference of the NPT in 1985, debate centred on the failure of the nuclear weapon states to pursue a comprehensive test ban. Similarly, in the United States, the 1982 Reagan decision not to resume negotiations led to considerable congressional criticism and calls for a moratorium on testing. Meanwhile, in August 1985, the Soviet Union declared a moratorium on testing and called for other testing states to follow suit. While the Reagan Administration successfully resisted these pressures, it pursued negotiations with the Soviet Union on improved verification measures to monitor the 150 kiloton threshold. These negotiations finally produced agreed procedures which were presented to Congress in 1990 as verification protocols to serve as the basis for ratification of the TTBT and PNET.

In 1985, Parliamentarians for Global Action, an international organization of parliamentarians, began exploring the possibility that the Partial Test Ban Treaty could be amended to make it comprehensive. Based on a legal opinion from Abram Chayes, a former legal advisor to the State Department, Parliamentarians for Global Action urged key signatory states to petition for a conference to amend the PTBT. On 18 November 1986, the United Nations General Assembly voted overwhelmingly in favour of a resolution calling on the PTBT signatories to "undertake practical steps leading to the convening of a conference to consider amendments to the Treaty that would convert it into a comprehensive nuclear test ban treaty."

Article II of the PTBT states that any party may propose amendments to the Treaty. They do so by submitting the proposed amendment to the depository states, who are required to circulate it to all signatories. Thereafter, if required to do so by one third of the signatories, the depository states must convene a conference to consider the amendment. However, while only a simple majority of the signatories is required for the amendment to succeed, the majority must include the concurring votes of the original parties. In August 1988, India, Mexico, Peru, Sri Lanka, Venezuela and Yugoslavia submitted an amendment which had received the support of one third of the signatories by March 1989. Essentially, the amendment added a protocol to the PTBT banning all nuclear explosions underground, "or in any other environment."

While declaring its opposition to the amendment (and thereby effectively giving notice that the conference could not succeed), the United States agreed to the convening of the Amendment Conference in New York on 7 January 1991. Before the presentation of the amendment, the US delegate stated that the United States "will not participate in, or provide any financial support to, any continuation of this Conference in any manner beyond the scheduled -- and agreed two-week session.... We urge other parties to join in bringing this process to a close." After the presentation of the amendment by Mexico, the supporters of the amendment chose not to force a vote. Instead, discussion centred on the further steps that might be taken, including the transfer of the CTB issue to the Conference on Disarmament (CD).

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