

technical and administrative procedures for inspections.

Second, on a legal level, there are conflicting points of view regarding the legitimacy of CTBTO verification without EIF. On the one hand, proponents cite the Preparatory Commission text agreement as an indicator that all signatory states parties – including those that have not ratified the Treaty – are in favour of a test ban moratorium and verification by the CTBTO. As mentioned in the introduction, these two elements – verification and a moratorium on tests – are CTBT fundamentals. Others, of course, argue that the Preparatory Commission was meant only to create the conditions necessary for a full-fledged CTBTO verification system after EIF. Legal experts suggest that nothing in the text agreement would give Preparatory Commission the authority to implement anything beyond what has already been done.⁴⁴ And although it is clear that signatory states do have the right in both international customary and treaty law to move ahead with a “provisional” EIF amongst themselves, it is not clear that the CTBT as we understand it today would be the basis of what was entered into force. Indeed, a “provisional” EIF would likely consist of a different set of states parties. Legally, then, there is no clarity about implications for verification with no EIF.

The third and final theme that must be considered has to do with the more practical issues regarding EIF. Technically, the CTBTO is ready for at least preliminary verification and monitoring. Legally, there is an argument that can be made for provisional EIF. However, the practical – or what some might call the political – effects of these two themes are more complicated. The fundamental question here is: does it make sense, practically, to move ahead with EIF through means other than those for which the CTBT provisions allow? For those most concerned about preserving the most basic principles of a test ban regime – effectiveness and universality – provisional EIF is not politically viable.

Forecasts predict that by as soon as 2005, but by 2007 at the latest, the full system of global monitoring and verification will become operable. Officials with the Preparatory Commission for the CTBTO agree with this projection, and evidence suggests that the verification mechanism for the CTBTO is already largely in place. Technically, the IDC still needs time and money to provide for sufficient processing of IMS data. The interim period will be crucial for the IMS-IDC interface, and it will be

⁴⁴Interview, Preparatory Commission for the Comprehensive Nuclear Test Ban Treaty Organization, Vienna, Austria, 15 July 2002.