

Prospects for Realizing the Full Potential of the CTBT

Prepared Remarks by Daryl G. Kimball, Executive Director, Arms Control Association at
Moscow Nuclear Nonproliferation Conference Moscow, Russia September 7, 2012

Distinguished colleagues, it is an honor to address you at this important meeting on the value of and the path forward on the Comprehensive Nuclear Test Ban Treaty.

Since the opening for signature of the CTBT nearly sixteen years ago, the vast majority of the world's nations have signed and ratified the Treaty. They recognize that nuclear testing is a dangerous and unnecessary vestige of the past and understand that the CTBT is a cornerstone of the international security architecture of the 21st century.

The CTBT would reinforce the widely supported *de facto* global nuclear test moratorium.

By banning all nuclear weapon test explosions, the CTBT can help accomplish the indisputable obligation under the Treaty on the Nonproliferation of Nuclear Weapons to cease the nuclear arms race at an early date and to achieve nuclear disarmament.

With the CTBT in force, other states can be assured that the established nuclear-weapon states cannot proof-test new, more sophisticated nuclear warhead designs.

Without the option of nuclear explosive testing, newer nuclear nations cannot perfect smaller, two-stage thermonuclear warheads, which are more easily deliverable via ballistic missiles. Such weapons, if developed, would undermine security in Asia and could lead to a dangerous action-reaction-cycle.

The CTBT also can provide confidence about the peaceful intentions of non-nuclear weapon states, such as Iran. Ratification of the CTBT is a tangible way for states, including Israel, Egypt, and Iran, to contribute to the realization of a Middle East Zone Free of Weapons of Mass Destruction and help de-escalate tensions in the region.

With the CTBT in force, the already robust International Monitoring System will be augmented by the option of on-site inspections, which would improve the detection and deterrence of potential cheating.

Although 183 states have signed the CTBT, the long journey to end testing is not over. For the CTBT to formally enter into force, it must still be ratified by the remaining eight "holdout" states listed in Annex 2 of the Treaty.

The United States and China

Ratification by the United States and China is particularly important. By signing the treaty and ending nuclear testing, Washington and Beijing have already taken on most CTBT-related responsibilities, yet their failure to ratify has denied them—and others—the full security benefits of the Treaty.

What are the prospects for U.S. approval of the CTBT twenty years since the last U.S. nuclear test and more than fifteen years since President Bill Clinton signed the treaty?

The task will be very difficult, but is within reach in 2013 or 2014, if President Barack Obama is reelected this November and the Democratic Party retains control of the U.S. Senate. Both of which appear to be likely at the moment, though nothing is ever certain until election day.

To date, Governor Mitt Romney had said nothing about the CTBT and the Republican Party Platform does not mention the CTBT, but it is highly unlikely he would make the CTBT a priority. It is more likely that Romney would, if elected, maintain the U.S. nuclear test moratorium but try to reverse President Obama's policy of not pursuing new types of nuclear weapons or modifying existing warhead types to give them new military capabilities.

Why do I remain optimistic? Partly because the successful approval of New START in 2010 shows that even controversial arms control agreements can be approved in a tough political climate when the executive branch devotes sufficient time and high-level attention, when key Senators take the time to ask good questions and seriously consider the facts, and when U.S. military leaders speak up in support of the treaty.

It is self-defeating for the United States to oppose a treaty that prohibits an activity—nuclear testing—for which it has no need or interest in resuming. As Linton Brooks, the former head of the United States' National Nuclear Security Administration, said in December 2011: "as a practical matter, it is almost certain that the United States will not test again ... in recent years I never met anybody who advocated that we seek authorization to return to testing."

Another reason for optimism is President Barack Obama's strong support for moving the CTBT forward.

In his April 5 speech in Prague, President Obama declared that his administration "will immediately and aggressively pursue U.S. ratification of the Comprehensive Test Ban Treaty." More recently, March of this year, he said: "... my administration will continue to pursue ratification of the Comprehensive Test Ban Treaty." And the official Democratic Party platform—out just this week—once again pledges to "work to ratify the Comprehensive Test Ban Treaty."

To date, however, the Obama administration has not done enough to mobilize the scientific and technical expertise necessary to debunk spurious assertions against the Treaty and to mobilize support for its reconsideration by the U.S. Senate.

The focus of the administration's attention over the course its first term has been the negotiation and ratification of New START, the 2010 Nuclear Posture Review and its implementation, the 2010 and 2012 Nuclear Security Summit, the 2010 NPT Review Conference, and the challenges posed by the Iranian and North Korean nuclear programs.

As a result, the administration's CTBT effort has not been immediate nor has it been aggressive. President Obama has not yet launched what could be called a systematic and high-level political effort that will be necessary to win the support of key senators for the CTBT.

In a May 10, 2011 address before the Arms Control Association, then-Under Secretary of State for Arms Control and International Security Ellen O. Tauscher said the Obama administration would take the time necessary to brief Senators on key technical and scientific issues that gave some Senators reason for pause during the 1999 debate.

"In our engagement with the Senate," Tauscher said, "we want to leave aside the politics and explain why the CTBT will enhance our national security. Our case for Treaty ratification consists of three primary arguments: One, the United States no longer needs to conduct nuclear explosive tests, plain and simple. Two, a CTBT that has entered into force will obligate other states not to test and provide a disincentive for states to conduct such tests. And three, we now have a greater ability to catch those who cheat."

Since she spoke there is new evidence in support of the treaty that the Obama administration has at its disposal.

The March 2012 report by a panel of the National Academy of Sciences (NAS) reaffirms that the United States no longer needs and would not benefit from further nuclear testing. The report documents the significant technical advances over the past decade that should resolve the Senate's concerns about the treaty in 1999.

For instance, the report finds that maintaining an effective nuclear stockpile will require continued diligence, but it does not require nuclear test explosions.

The report also finds that "the status of U.S. national monitoring and the International Monitoring System [IMS] has improved to levels better than predicted in 1999." The new report confirms that with the combined capabilities of the nearly completed IMS, as well as tens of thousands of civilian seismic monitoring stations, no potential CTBT violator could be confident that a nuclear explosion of military utility would escape detection.

As George Shultz said in 2009, his fellow Republicans "might have been right voting against [the CTBT] some years ago, but they would be right voting for it now, based on these new facts."

A thoughtful, thorough Senate review of the issues is essential. There is no reason for further delay, but at the same time the process cannot be rushed.

The Senate has not seriously examined these issues in years. In the decade since the Senate last considered the CTBT, 59 Senators have left office; only 41 Senators who debated and voted on the CTBT in 1999 remain. Although treaty ratification has become very political in the United States, it is important to recognize that New START ratification was approved with the support of 13 Republican Senators—10 of whom remain in the Senate today.

To move forward quickly after election day on the CTBT, President Obama will need to appoint a senior, high-level White House coordinator to push the ratification campaign along. For weeks and months, key committees and key Senators will need to be briefed in detail on the new National Academy of Sciences report and the new NIE on nuclear test monitoring issues and the progress of the U.S. stockpile stewardship program.

The Obama administration will also need to more aggressively address misconceptions and misinformation being put forward by hard-line opponents of the CTBT. For instance, some critics erroneously claim the CTBT does not define "nuclear test explosion" and therefore some states such as Russia believe low-yield tests are permitted. The record is clear: Article I of the CTBT bans "any nuclear weapon test explosion or any other nuclear explosion" and all signatories of the treaty understand that means zero nuclear test explosions.

While the final outcome will depend on the politics of the moment, it will also depend on the administration's ability to make a strong case and bring forward the many U.S. military and scientific leaders who support the CTBT and to mobilize key political constituencies in support of the treaty.

In sum, U.S. ratification of the CTBT has been delayed too long but it remains within sight.

The Role of Other Key States

While U.S. action on the treaty is essential for entry into force, other Annex II states must provide leadership rather than simply remain on the sidelines on the CTBT. Indonesia's ratification of the CTBT in 2011 is an example of how key states can do so.

In particular, it is time for China's leaders to finally act on the CTBT. On January 19, 2011, President Hu Jintao and President Barack Obama issued a Joint Statement in which they declared: "... both sides support early entry into force of the CTBT." Such statements are welcome but insufficient.

Concrete action toward CTBT ratification by China would increase its credibility as a nonproliferation leader and improve the chances that other states will follow suit. Chinese ratification would put pressure on India to approve the treaty and would help constrain the possibility of a future nuclear arms race in Asia in the coming years.

China has provided no plausible reason—technical, political, or military—not to ratify. President Hu should provide the leadership necessary to take China off the list of CTBT holdout states or else provide a timeline for Chinese action on CTBT ratification.

China has and must continue to play a more constructive role to underscore the importance of the global nuclear test moratorium and accession to the CTBT, particularly with North Korea.

India and Pakistan

India and Pakistan could also advance their own cause and substantially ease regional tensions by converting their unilateral test moratoria into legally binding commitments to end nuclear testing through the CTBT.

India's current leaders should recall that Prime Minister Rajiv Gandhi's eloquent and visionary 1988 action plan for disarmament argued for "a moratorium on the testing of nuclear weapons ... to set the stage for negotiations on a comprehensive test-ban treaty."

India has pledged in various domestic and international contexts to maintain its nuclear test moratorium, which makes it all the more logical for New Delhi's leaders to reinforce global efforts to detect and deter nuclear testing by others through the CTBT. Those in India who once argued for a resumption of testing have been pushed to the margins and there does not appear to be any major political faction that opposes the CTBT for military or technical reasons.

Pakistan would clearly welcome a legally binding test ban with India and entry into force of the CTBT, and would very likely agree to ratify the treaty if India were to do so.

UN member states that are serious about their commitment to the CTBT and nuclear risk reduction should insist that India and Pakistan sign and ratify the CTBT before they are considered for membership in the Nuclear Suppliers Group and that India should sign and ratify before its possible membership on the Security Council is considered.

The Middle East

With no shortage of conflict and hostility in the Middle East, ratification by Israel, Egypt and Iran would reduce nuclear weapons-related security concerns in the region. It would also help create the conditions necessary for the realization of a Middle East Zone free of Nuclear and other Weapons of Mass Destruction.

Israel's ratification of the CTBT would bring that nation closer to the nuclear nonproliferation mainstream and lend encouragement to other states in the region to follow suit. Israel's stated concerns about the CTBT at this point have to do with the procedures for on-site inspections, but in reality Israel is unwilling to ratify unless other states in the region also indicate they will do so.

Iran was at one time an active participant in the CTBT negotiations and on September 24, 1996 it signed the treaty. Today, Iranian ratification would help reduce concerns that its nuclear program could be used to develop and deploy deliverable nuclear warheads. Iranian ratification could help reinforce the credibility of the Supreme Leader's *fatwa* against nuclear weapons and address urgent concerns that Iran may race to build nuclear weapons.

Continued failure by Iran to ratify the CTBT raises further questions about the nature of its sensitive nuclear activities, which remain under investigation by the International Atomic Energy Agency.

The member states of the Non-Aligned Movement need to play a stronger leadership role in pressing Iran, the incoming chair of the NAM, to ratify the CTBT.

North Korea

The Democratic Peoples Republic of Korea's (DPRK) 2006 and 2009 nuclear tests have undermined Asian security and further isolated the country. A third nuclear test explosion would worsen an already tense situation on the Korean peninsula and make it far more difficult for the DPRK to be accepted back into the global community of nations.

The leaders of the DPRK have an opportunity to take a new approach in the years ahead by following through on their February 29 pledge to observe a moratorium on nuclear test explosions as a confidence-building measure and resume action-for-action process for denuclearization and normalization. The Russian Federation and China can play an especially important role in pointing out the benefits of such an approach.

Reinforcing the Test Ban

There are other actions that should be pursued that would reinforce the *de facto* test moratorium and accelerate CTBT entry into force. Specifically:

Responsible states should provide in full and without delay assessed financial contributions to the CTBTO, fully assist with the completion of the IMS networks, and continuously and without interruption transmit data from the monitoring stations. This will ensure the most robust capabilities to detect and deter clandestine nuclear test explosions. States should also recognize that the Provisional Technical Secretariat to the CTBTO Preparatory Commission is—for all practical purposes—no longer “provisional.” The International Monitoring System and International Data Center are now an essential part of today’s 21st century international security architecture that enables all states to detect and deter nuclear tests;

In order to further reinforce the *de facto* global taboo against nuclear testing and deter any state from considering nuclear test explosions in the future, the UN Security Council should discuss and outline the penalties that could be imposed in the event that *any state* breaks this taboo;

Russia and China could join the United States and formally declare they will not pursue new types of nuclear weapons or modify weapons in ways that create new military capabilities. Such policies would reinforce the effect of the CTBT on halting the qualitative improvement of nuclear arsenals;

Nuclear armed states—particularly Russia, China, and the United States—should halt activities at the former sites of nuclear test explosions that might raise concerns about compliance with the CTBT and begin serious technical discussions on confidence building measures that could be undertaken in advance of CTBT entry into force to reinforce the moratorium and the CTBT itself.

None of these steps are simple nor are they easy. Each requires that leaders from key states think creatively and seize the initiative to close the door on nuclear testing forever.

Thank you for your attention.