

# **Closing the Door on Nuclear Weapons Testing**

Civil Society Statement to the 11th Article XIV Conference on  
Facilitating Entry into Force of the CTBT

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The Comprehensive Nuclear Test Ban Treaty (CTBT) is an essential pillar of the international nuclear nonproliferation and disarmament infrastructure.

The CTBT has successfully established a global norm against nuclear test explosions of any yield. With North Korea's 2018 decision to unilaterally halt nuclear testing, now, for the first time in 74 years, no country is actively engaged in explosive nuclear weapons testing.

By halting all nuclear weapon test explosions—no matter what the yield—the CTBT and the *de facto* global nuclear test moratorium create an important barrier against the development of new and more advanced nuclear warhead designs.

The CTBT helps to reduce dangerous nuclear competition and creates the necessary conditions for further verifiable steps to reduce the nuclear threat and the role of nuclear weapons. With a global end to explosive nuclear testing, humanity will move closer to a world without nuclear weapons.

Signatory states, working with the Comprehensive Test Ban Treaty Organization (CTBTO) in Vienna, maintain and operate the 300+ station International Monitoring System. That system provides detection capabilities significantly more sensitive than originally envisioned.

The continuous flow of data from the IMS stations to the International Data Centre at CTBTO headquarters helps to detect and deter clandestine nuclear test explosions anywhere in the world, in any environment. This was amply demonstrated by the IMS' data collected on the six nuclear tests by North Korea, which showed that the IMS is more technologically capable than envisaged in 1996 when the CTBT was finalized.

## **The Human and Environmental Effects**

The CTBT and the *de facto* global nuclear testing moratoria have also prevented further health and environmental injury from nuclear testing.

We can never forget that since 1945, there have been 2,056 nuclear weapons tests by at least eight countries. The United States conducted 1,030 of those tests in the atmosphere, underwater, and underground, while the Soviet Union carried out 715 nuclear test detonations.

Not only did these nuclear test explosions fuel the development and spread of new and more deadly types of nuclear weapons, but also hundreds of thousands of people have died and millions more have suffered—and continue to suffer—from illnesses directly related to the radioactive fallout from nuclear detonations in the United States, islands in the Pacific, in Australia, China, Algeria, across Russia, in Kazakhstan, India, Pakistan, North Korea, and elsewhere.

In Kazakhstan, where the Soviet Union conducted its first nuclear test 70 years ago, there were more than 450 nuclear test detonations, including 116 in the atmosphere. Large areas of the Semipalatinsk Test Site remain contaminated 30 years after a grassroots movement forced the end of nuclear testing at the site in 1989. Now, in their fourth generation, people living in that vicinity still suffer from poor health, such as cancers, major birth defects, and blood diseases. Many other areas will also remain unusable until and unless the radioactive contamination can be remediated. The government of Kazakhstan estimates that some 1.5 million people were harmed by the Soviet-era nuclear tests.

In the Marshall Islands, where the United States detonated massive aboveground nuclear tests in the 1940s and 1950s, several atolls are still heavily contaminated, indigenous populations have been displaced, and some buried radioactive waste could soon leak into the ocean. A 1990 National Cancer Institute study concluded that fallout from nuclear blasts at the Nevada Test Site may have caused 10,000 to 75,000 thyroid cancers. There were few, if any, Americans in the contiguous 48 states at the time who were not exposed to some level of fallout.

### **Closing the Door on Nuclear Testing**

Today, the CTBT has 184 state signatories and near universal support. The IMS and the International Data Center are continuously collecting and analyzing data to help detect and deter clandestine nuclear tests. The officials gathered here, and the governments they represent, cannot and must not lose, or forsake, the progress that has been made.

Many of today's statements of support for the treaty were laudable, but they are not enough. They certainly will not hasten the treaty's entry into force.

New, creative, and sustained diplomatic initiatives must replace vague calls to action. Global leaders who know that a return to explosive nuclear testing is not in the security interest of any nation on this planet must work in concert with the esteemed co-chairs of the Article XIV process to meet the challenges facing the CTBT regime.

As representatives of Civil Society, we offer the following recommendations:

## 1. Initiate and Sustain Energetic Diplomacy Focused on the Eight Hold-Out States.

It has been more than a quarter century since the CTBT was opened for signature. New and more creative approaches are needed to overcome the intransigence of the eight remaining Annex 2 “hold-out” states that must ratify the treaty to achieve its formal entry into force.

These states—China, North Korea, Egypt, India, Iran, Israel, Pakistan, and the United States—have deprived the international community, and themselves, of the full security benefits of the treaty and its extensive verification system.

Four of these eight states—China, Egypt, Iran, and the United States—are parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), which will mark its 50<sup>th</sup> anniversary in 2020. Next year will also mark the 25<sup>th</sup> anniversary of the indefinite extension of the NPT and of the adoption of Decision 2 at the 1995 NPT Review and Extension Conference that, *inter alia*, committed NPT states-parties to conclude the CTBT no later than 1996. Thus, it is incumbent on these four states, in particular, to ratify the CTBT in time for the 2020 NPT Review Conference.

Concrete action on ratification of the CTBT by the remaining hold-out states would strengthen international and regional security, advance the goals and objectives outlined by Article VI of the NPT, and advance the national security interests of the eight states listed in Annex 2 that must still ratify to trigger the treaty’s entry into force.

While ratifications by individual hold-out states might stimulate other hold-out states to follow suit, there is no reason for any state to make its ratification dependent upon another state’s ratification, as the treaty becomes binding for all only when all hold-out states have ratified.

- **India and Pakistan:** Since their destabilizing tit-for-tat nuclear detonations in 1998, India and Pakistan have refused to reconsider the CTBT even though neither country has expressed an interest in, nor technical justification for, renewing nuclear testing. UN Security Council resolution 1172 paragraph 13 “urges India and Pakistan...to become Parties to the...Comprehensive Nuclear Test Ban Treaty without delay and without conditions.” India and Pakistan could advance the cause of nuclear disarmament and substantially ease regional tensions by converting their unilateral test moratoria into legally binding commitments through the CTBT.
- **The Middle East:** Ratification of the CTBT by Israel, Egypt, and Iran—all of which must ratify to trigger CTBT entry into force—and Saudi Arabia would reduce nuclear weapon-related security concerns in the region. It would also help create the conditions necessary to achieve their common, stated goal of a weapons of mass destruction free

zone in the Middle East.

- **China and the United States:** China's leaders and officials have consistently expressed their support for the CTBT, but they have failed to follow through with ratification. Chinese leadership is important and overdue.

U.S. leadership is also essential but has been woefully lacking. The United States no longer has a technical or military need for a nuclear explosive testing option, and it is clearly in U.S. national security interests to prevent other states from testing, which would create new nuclear tensions and enable advances in other states' nuclear weapons arsenals. Further, it is difficult to envision U.S. citizens in any state quietly accepting the resumption of nuclear explosive testing in their backyard.

- **North Korea:** After six nuclear test explosions, Chairman Kim Jong Un announced a unilateral nuclear test moratorium in the spring of 2018. This represents a very welcome shift in policy. However, the closure of North Korea's test site has still not been verified, and North Korea has not made a legally-binding commitment to halt nuclear test explosions by signing and ratifying the CTBT. All CTBT signatory states should underscore, in multilateral and bilateral fora and in meetings with the government in Pyongyang, that signature and ratification of the treaty would represent a significant step toward denuclearization and help create the conditions for peace and normalization of relations.

If the states-parties at this conference are serious about securing entry into force, they will need to devote more significant and higher-level diplomatic pressure in the capitals of the other CTBT hold-out states to move them to sign and/or ratify the treaty.

## **2. Expand Support for the CTBT Verification and Monitoring System.**

All signatories should comprehensively support the effective operation of the CTBT's International Monitoring System, including by fully meeting their assessed obligations and by helping to maintain and operate the IMS stations located on their territory.

All member states have a responsibility to sustain these operations and ensure the uninterrupted flow of IMS data. Withholding the flow of IMS data prior to the CTBT's entry into force, for whatever reason—whether to send a political message or try to hide information relevant to the protection of public health and safety following a nuclear incident—is irresponsible.

## **3. Address Charges of Noncompliance and Varying Interpretations of Article I.**

States-parties must address charges made by one signatory state against another and help these two signatories arrive at some common sense solutions. In prepared remarks delivered at the Hudson Institute on May 29, the Director of the U.S. Defense Intelligence Agency (DIA), Lt. Gen. Robert Ashley, Jr., charged that “Russia probably is not adhering to its nuclear testing moratorium in a manner consistent with the ‘zero-yield’ standard outlined in the 1996 Comprehensive Test Ban Treaty.”

The State Department’s August 2019 Compliance with Arms Control, Nonproliferation, and Disarmament Agreements Report repeats these charges against Russia and accuses China of activities that “raise questions regarding its adherence to the ‘zero-yield’ nuclear weapons testing moratorium.”

On June 12, Russian Deputy Foreign Minister Sergei Ryabkov said, “We are acting in full and absolute accordance with the treaty ratified by Moscow and in full accordance with our unilateral moratorium on nuclear tests.”

Any violation of the CTBT by Russia, which has signed and ratified the agreement, or any other signatory, would be a serious matter. But thus far, the Trump Administration has not presented any credible information to back up their allegations. As recently as December 2015, it was the view of the U.S. government that the only state in recent years that had tested nuclear weapons in a way that produced a nuclear yield was North Korea. This begs the question of what, if anything, has changed since then that would support a different conclusion.

The most effective way, of course, to enforce compliance is to bring the CTBT into force, which would allow for intrusive, short-notice, on-site inspections to detect and deter any possible cheating.

In response to the recent U.S. allegations, CTBT states parties should encourage the U.S. government, if it believes it has credible evidence that Russia is violating its CTBT commitments, to negotiate arrangements for mutual confidence-building visits, involving technical experts, to the respective U.S. and Russian test sites to address any compliance concerns.

States-parties at this conference should agree to develop and advance a multilateral plan for resolving charges of noncompliance based on the treaty’s provisions for confidence-building measures.

In addition, CTBT states parties should correct the DIA director’s erroneous assertion that there are different national interpretations of what activities the CTBT prohibits. According to a 2011 U.S. State Department Bureau of Arms Control, Verification, and Compliance fact sheet, “Key

P-5 Public Statements on CTBT Scope,” the United States, Russia, China, and all of the other NPT nuclear-weapon states have publicly affirmed that the treaty’s Article I prohibition on “any nuclear weapons test explosion, or any other nuclear explosion” bans all nuclear test explosions, no matter what the yield.

The final conference document of this, the 11<sup>th</sup> Article XIV Conference, should reaffirm that CTBT states parties agree that the CTBT’s prohibition on nuclear weapon test explosion bans nuclear explosions of any yield.

## **Conclusion**

There is no doubt that the challenges facing the CTBT are serious and, in the eyes of some, perhaps even insurmountable. As representatives of Civil Society, we would like to make it clear that this is not the time or place for pessimism or defeatism. This is not the time or place for the faint of heart. Sliding back towards nuclear testing means sliding back into a nuclear arms race. That is dangerous and unacceptable.

It is the duty of the assembled delegations to complete what was started a generation ago. For the safety and security of future generations and out of respect to the people harmed by nuclear testing, this generation must act. It is time to close and lock the door on nuclear testing forever.

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