

Session 6: The Comprehensive Test Ban Treaty

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Summary

The Comprehensive Nuclear Test Ban Treaty (CTBT) remains an important piece of the legal architecture that provides structure to global nonproliferation and disarmament effort. However, continuing debates about whether or not the treaty's stringent entry into force protocol and extensive verification requirements can be met have led to prolonged debates in some states whose ratification is needed for the treaty to enter into force. Discussants focused primarily on the verification issue, specifically the capacity of the international monitoring system (IMS) that was developed to provide the data necessary to detect possible violations of the treaty.

In this regard, it was noted that the treaty is owned by the states that are party to it; ensuring compliance is a responsibility that ultimately falls in the hands of states that are party to the treaty and not to the 337 facilities that comprise the IMS. Moreover, it was observed that many concerns about potential shortcomings of the IMS' capacity to detect nuclear explosive tests may be addressed through a variety of other technical means that states are able to employ as well as through "precision monitoring" of particular areas of concern.

Enhanced regional cooperation may further improve technical capacity to detect explosions and also coordinate political responses to potential incidents that appear suspicious. To that end, there is room for additional work to help identify and address issues that may complicate the initiation, design and execution of on-site inspections. Such cooperation may also add to the ability of the IMS and supplementary facilities to develop

and promote an efficacious use of these capabilities for other scientific purposes for which the monitoring stations capabilities can be applied. However, it was noted that these ancillary uses have historically not added much persuasiveness to the argument for CTBT ratification among states that have thus far expressed reservations. In fact, utilizing the system for alternative scientific purposes could potentially accelerate a drift in purpose resulting from the lack of progress in bringing the CTBT into force. This lack of progress towards entry into force has further complicated matters by creating space for third rail issues to consume the administrative agenda of the Preparatory Commission of the Comprehensive Test Ban Treaty Organization (CTBTO), which oversees the development of the IMS. The news isn't all bad, however. Despite the persistent obstacles to entry into force, the CTBT has been tremendously successful in two respects that are often underappreciated. The first is its contribution to democratizing knowledge and technical know-how with respect to the signatures of nuclear explosions, as those who have been involved in the work of the IMS and CTBTO have gone on to disseminate knowledge to others in their home countries. The second respect pertains to role of the CTBT and the IMS in institutionalizing the global norm against nuclear weapons testing. This norm has helped stabilize the broader nonproliferation regime by codifying a proscription against explosive testing of nuclear weapons. Meanwhile, work continues on building both political and technical capacity to enforce the treaty itself.

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