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VOICES

Two treaties closely intertwined

BY TAOUS FEROUKHI
SENIOR ADVISOR TO
THE FOREIGN MINISTER,
ALGERIAN MINISTRY
OF FOREIGN AFFAIRS

»As an inhomogeneous group with a wide range of diverging interests, NPT Member States as a group have much to gain from embracing the CTBT.«

On the eve of the 2015 Review Conference for the Nuclear Non-Proliferation Treaty (NPT), which I shall have the honour to preside over, it is timely to recall the close relationship between the 1968 NPT and its younger sibling, the 1996 Comprehensive Nuclear-Test-Ban Treaty (CTBT). The fate of these two treaties is closely intertwined.

The NPT makes reference to nuclear testing in its preamble, in which it enunciates the very essence of the CTBT long before it was adopted, namely: to “seek to achieve the discontinuance of all test explosions of nuclear weapons for all time.” In its Article IX, the NPT defines a nuclear weapon State

as one that has “manufactured and exploded a nuclear weapon or other nuclear explosive device prior to 1 January 1967.”

This two-tier system, along with the strong differences in emphasis that Member States place on the NPT’s three pillars – nuclear non-proliferation, nuclear disarmament and the peaceful use of nuclear energy – is the root cause for the inherent tensions that have complicated and in some cases even prevented agreement on a final document during previous NPT Review Conferences. A most formidable challenge for any chairperson’s negotiating skills!

The CTBT, on the other hand, knows no such distinction between

Member States. It imposes the same obligation on all: to refrain from all forms of nuclear explosive testing, in all environments.

In spite of this obvious merit, though, the CTBT has the dubious distinction of featuring one of the most demanding entry-into-force clauses ever negotiated in treaty history. With ratifications still required by eight of the 44 Annex 2 States – the countries defined as nuclear technology holders when the CTBT was negotiated and which must all ratify – the Treaty’s entry into force unfortunately remains unlikely in the short to medium term.

I am proud to say that my home country, Algeria, which also features



General Assembly Hall, UN Headquarters in New York, Venue of the 2010 High-level Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

amongst the Annex 2 States, was one of the first countries to sign the CTBT, subsequently ratifying it in 2003. Given my country's painful experience with nuclear tests that were conducted on our own territory and without our consent, embracing the CTBT came naturally.

A FORMIDABLE VERIFICATION REGIME

Despite not having entered into force, the CTBT has already by and large succeeded in stopping nuclear testing. The only country to have tested this century is North Korea. Moreover, the CTBT's formidable verification regime, while it is still officially in provisional operational mode, has demonstrated its capabilities to detect even small underground nuclear tests both impressively and repeatedly.

The CTBT enjoys strong support from the vast majority of NPT Member States. This support even predates the adoption of the CTBT, and has played a central role in virtually every one of the more recent NPT Review Conferences:

- In 1990 the failure to agree upon a final declaration was the result of a disagreement between the nuclear weapon States and the Non-Aligned Movement over the lack of progress in concluding a CTBT and the implementation of the

nuclear weapon States' disarmament obligations enshrined in Article VI of the NPT;

- In 1995 the CTBT, which was already being negotiated in parallel at the Conference on Disarmament in Geneva, played a key role in achieving the NPT's landmark indefinite extension. The completion of the CTBT's negotiations in September 1996 was the implementation of the first element of the three-point programme of action plan;
- At the 2000 NPT Review Conference, steps 1 and 2 of the famous "13 practical steps" highlighted the "importance and urgency" of early entry into force of the CTBT as well as the moratorium on testing, pending the Treaty's entry into force;
- In 2005 the NPT Review Conference again failed to agree on a single document or proposal. This was in part due to the refusal by one State to recognize the importance of the CTBT as one of the 13 steps agreed on in 2000;
- The 2010 Final Document, negotiated under the able chairmanship of Ambassador Libran N. Cabactulan of the Philippines, confirms the "vital importance" of the CTBT's entry

into force as a "core element" of the international nuclear disarmament and non-proliferation regime. The agreed programme of action even includes a number of operative points aimed at promoting the CTBT's entry into force.

This consistent support is also likely to be evident during the upcoming NPT Review Conference. As an inhomogeneous group with a wide range of diverging interests, NPT Member States as a group have much to gain from embracing the CTBT.

BRIDGING THE GAPS BETWEEN THE HAVES AND THE HAVE-NOTS

By imposing the same no-test obligation on all, the CTBT's no-test norm bridges the gaps between the non-nuclear weapon States and the nuclear-weapon States. The former are barred from the first-time development of nuclear weapons, while the latter cannot resort to explosive testing to further enhance their arsenals. Instead, nuclear weapon States are obliged to resort to expensive simulation and other programmes to maintain the status quo, adding pressure to defence budgets.

The Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO) goes even further in levelling the playing field by assuring that all its monitoring



United Nations Secretary-General (UNSG) Ban Ki-moon speaking at the 2010 High-Level Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). The UNSG urged nations to make nuclear disarmament targets a reality.

data – currently 15 gigabytes of data generated daily by some 300 International Monitoring System (IMS) stations around the globe – are equally available to all Member States.

I would like to compliment the CTBTO for its ambitious programmes aimed at building capacities in developing countries to enable them to make better use of CTBTO data and thus to participate proactively in CTBT verification. Experts from my home country, Algeria, have participated in such training activities on several occasions.

BUILDING CONFIDENCE IN THE MIDDLE EAST

The CTBT can serve as a backbone and a starting point for creating a nuclear-weapon-free zone in the Middle East – a vital step toward increasing regional stability and global security. For example, it was encouraging to see participants from Egypt, Iran, Israel, and other Middle East countries participate in the recent on-site inspection exercise in Jordan, the Integrated Field Exercise 2014 (IFE14). This successful exercise

has also helped to demonstrate that it is virtually impossible to hide a nuclear explosion from an on-site inspection. Unfortunately, this verification instrument will only be available to the international community once the CTBT has entered into force.

One of the determinants for the successful conclusion of the 2015 NPT Review Conference will be a balanced outcome in the three pillars of the treaty, including the implementation of the 1995 Middle East Resolution for the establishment of a zone free of nuclear and other weapons of mass destruction, as well as the ongoing negotiations on the Iranian nuclear programme between the “P5+1” and Iran. In this context, ratification of the CTBT by Middle East countries listed in Annex 2 provides a golden opportunity for an increased trust in their peaceful nuclear programmes. The CTBT’s scope extends to nuclear explosions and does not impose restrictions on civilian nuclear programmes.

As a first step, the States of the region that have not yet ratified the Treaty, could consider working

towards the completion of all IMS monitoring facilities by sending data to the CTBTO’s headquarters in Vienna while cooperating at the technical and scientific level.

An Arabic proverb says: “*You need a brother, without one you’re like a person rushing to battle without a weapon.*” It is my conviction that the NPT and the CTBT are brothers that can only stand strong together.

BIOGRAPHICAL NOTE

TAOUS FEROUKHI

was appointed as Senior Advisor to the Foreign Minister at the Algerian Ministry of Foreign Affairs in February 2015, having served as Director-General for Political Affairs and International Security from 2012 to February 2015. She was Permanent Representative of Algeria to Austria and to the UN Office at Vienna from 2001-2011, during which time she was Chair of the Board of Governors of the IAEA and Chair of the Preparatory Commission for the CTBTO.