

**Address by the Executive Secretary  
of the Preparatory Commission for the  
Comprehensive Nuclear-Test-Ban Treaty Organization**

**Mr. Tibor Tóth**

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I would like to express my appreciation for the opportunity to address this Review Conference and to provide an update on the progress that has been achieved by the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO). I would like to thank all delegations that have expressed their support for the Comprehensive Nuclear-Test-Ban Treaty (CTBT) in their statements during the past few days. This is yet again a powerful and overwhelming verdict on the part of the international community in favour of a legally binding and effectively verifiable global nuclear test ban.

While rejoicing in the wide support for the Treaty, even though it has not entered into force almost 14 years after being negotiated in Geneva, I am deeply saddened by the passing away of one of the Treaty's principal negotiators and dear friend on the very day this Review Conference started. Ambassador Stephen Ledogar, the U.S. chief negotiator, was deeply devoted to the establishment of the Treaty and to arms control and non-proliferation in general, even in the final months of his life. In a recent interview with the Organization's publication *Spectrum*, which is available to delegations at this Conference, he reflected on the importance of the Treaty for nuclear disarmament and non-proliferation. It is tragically serendipitous that he said "Quite frankly, I don't think that we're going to get to zero nuclear weapons in the world in my lifetime but I think that people should continue working towards that goal. I think the CTBT should stand on its own and that should be done as soon as possible." I therefore wish to pay tribute to Steve and dedicate this statement to his memory.

The CTBT has endured some politically difficult times. Yet, despite the many direct challenges to its authority, support for the Treaty has grown continuously. The Treaty now enjoys near universal support, with 182 signatories and 151 ratifying states. But, the ratification of nine Annex 2 countries is still needed for the Treaty to enter into force. In this regard, I wish to again warmly welcome the statement made by Foreign Minister Marty Natalagewa that Indonesia will soon ratify the Treaty. This announcement is of crucial importance in moving the Treaty closer to entry into force, and underscores the leadership role of Indonesia in regional and global non-proliferation and disarmament efforts.

While the ratification by all the remaining Annex 2 states remains the legal requirement for the Treaty to enter into force, the signature and ratification of all States that have not yet done so will

provide important momentum towards this goal as an expression of global confidence in the wider non-proliferation and disarmament regime. The results of last September's Conference to promote the entry into force of the Treaty were particularly gratifying. More than 110 countries, 40 of which attended the Conference at the Ministerial level, held simultaneously with the historic Security Council Summit. Co-chaired by the Foreign Ministers from France and Morocco, the Conference was an unequivocal expression of the international community's continued faith in the Treaty, and the Commission. In a strongly worded consensus Final Declaration, holdout States were called on to sign and ratify the Treaty for it to enter into force. This event was a transformational experience reflecting the transformed environment, which we now enjoy.

We in the Commission have come within sight of the fulfillment of our mandate. Through dedication, commitment and very hard work, we are approaching the point of readiness for the entry into force of the Treaty. I am pleased to report that the CTBT verification regime is nearing completion. 80% of the system's 321 global monitoring stations already send data to the headquarters in Vienna. Several more IMS stations have been built and are in the process of being certified, and many more are under construction.

But the Treaty will only enter into force if States, in particular the remaining Annex 2 States, see it as being fundamental to their national interest. Essentially, they must ask themselves: is it better to keep the door open for testing in the future, or should a cap be placed on the development of nuclear weapons by possessors and non-possessors alike in the implementation of a universal ban? I am convinced that the Treaty has a key role to play in today's security environment. A strong and verifiable final barrier to a nuclear weapons capability is of vital importance for a comprehensive approach to address our common security challenges.

The CTBT is one of the strongest catalysts for nuclear disarmament. It provides a firm legal barrier against nuclear testing, thereby curbing the development of new types and new designs of nuclear weapons by possessors. Moreover, the Treaty is a strong confidence and security building measure. A CTBT in place will be an essential element for a process in which deeper arms reductions are being discussed and pursued by nuclear-weapon States. It will be equally essential when moving towards multilateral disarmament in a process involving all the nuclear-armed States. Furthermore, the Treaty could serve as an essential regional confidence and security building measure in the Middle East and in Asia. In this regard, I believe that if all countries in the Middle East were to ratify, it would be a key step in creating the right conditions for a Middle East nuclear-weapon-free zone. CTBT ratification carries no political cost while the positive spillover effects can increase mutual trust and significantly enhance stability throughout this region.

The Test Ban Treaty is also an equally important instrument for nuclear non-proliferation. Testing is necessary for the development of new and more sophisticated nuclear weapons by established nuclear weapon possessors. Testing is also essential for establishing technical and scientific confidence in any developing programme on the part of would-be possessors. Making the *de-facto* international norm against nuclear testing legally binding through the entry into force of the Treaty, will close this door once and for all. While the IAEA safeguards system remains the critical legal requirement to verify a State's peaceful nuclear activities, this "upstream" confidence building mechanism has come under significant pressure in recent years. With the resurgence of nuclear energy in a number of States capable of mastering nuclear fuel cycle technology, the differentiation between technologies for peaceful and military purposes will be more and more a political and legal issue rather than a technological one. Given the nature of nuclear testing, ratifying the CTBT

provides the final “downstream” proof of the intentions of a State. It is the last barrier on the road to a nuclear weapons capability.

Moreover, once the Treaty’s unprecedented verification regime is fully operationalized, issues of non-compliance will be addressed in a pre-determined and pre-agreed manner. In light of increased concerns over non-compliance in other quarters of the nuclear non-proliferation regime, the compliance mechanisms built into the Treaty are of extreme importance in strengthening the overall objectives of the NPT.

The NPT-based nuclear non-proliferation and disarmament regime is challenged on many fronts. This Review Conference therefore represents one of the most important thresholds in the Treaty’s history. Its parties are faced with two relatively simple choices: Confront the issues at stake, even the ones that are the most difficult to resolve, with a view to seek a sensible and practical outcome aimed at strengthening the overall non-proliferation and disarmament regime. This was the recipe for success in 1995 and 2000. Or, NPT parties could widen their differences, and seek opportunities to break consensus. This will lead to either a failed outcome, or an outcome so weak that it would do very little to strengthen the overall nuclear non-proliferation and disarmament regime, including prospects for entry into force of the CTBT.

I am convinced that the CTBT represents one of the key elements on which effective international consensus can be built at this Review Conference. Its entry into force and full implementation is achievable and within reach. Progress towards this goal bridges the divide between NPT parties on each of three pillars. It signals a commitment to disarmament, it strengthens non-proliferation, it facilitates peaceful uses.

The CTBT is of course not the answer to all non-proliferation and disarmament concerns. But it is an integral part of the comprehensive nuclear non-proliferation and disarmament regime. It is a measure where progress can be achieved in a relatively short time. The Treaty already exists, it has near universal membership, its verification regime is close to completion, and it has been tried and tested by two nuclear test explosions conducted by the Democratic People’s Republic of Korea.

As such, the Treaty’s entry into force may pave the way to solving many of the current and future challenges facing the NPT.