

**Conference on Facilitating the Entry into Force of the
Comprehensive Nuclear Test-Ban Treaty**

Vienna, 17 - 18 September 2007.

***Report of Ambassador Jaap Ramaker, Special Representative to promote the
ratification process
of the Comprehensive Nuclear Test-Ban Treaty.***

Mme co-President, Excellencies, Distinguished Delegates,

1. Please allow me, first of all, to congratulate you, Madame, as well as his Excellency Mr. Bruno Stagno Ugarte, Minister for Foreign Affairs of Costa Rica, on the assumption of the Chair of this fifth Conference on Facilitating the Entry into Force of the Comprehensive Nuclear Test-Ban Treaty. I am looking forward to closely working together with you not only during this conference but, beyond this, during the coming years when Austria together with Costa Rica will lead the process aimed at bringing the CTBT into effect. It is indeed a unique situation that after successively Japan, Mexico, Finland and Australia our common efforts to promote the CTBT will now rest in the hands of two respected countries and staunch supporters of the CTBT, Austria and Costa Rica.
2. The last two years I travelled the world, in my capacity as your Special Representative, as a "temporary Australian". I do not know how to thank Australia's Foreign Minister Alexander Downer and the many Australian diplomats abroad for all their help. A particular word of thanks has to go to Ambassador Peter Shannon of Australia, to his predecessor Ambassador Deborah Stokes, and – I have to say this - to their CTBT expert Cameron Archer. Without their energy and devotion to the task, carrying out my mission, with it's at times complex logistics, would have been impossible.
3. I also wish to thank CTBTO Exec. Secretary Tóth and his so dedicated staff for the co-operation here in Vienna and, on occasions, elsewhere in the world. I am pleased with the prospect that we will continue our excellent co-operation based on a long-time friendship and the awareness that we share a common objective.

Madame co-President,

4. A little more than a decade after the conclusion of the CTBT the Treaty has lost nothing of its importance. Obviously, the statement in the Preamble of the Treaty to the effect that the CTBT "constitutes an effective measure of nuclear disarmament and non-proliferation in all its aspects" is as true now as it was then. Nevertheless, I believe that in the international security environment of today, unlike in the mid-nineties of the last century when we negotiated the Treaty in Geneva, a stronger focus on the importance of the CTBT to our common efforts to prevent the further spread of nuclear weapons seems to be justified.

I am not alone in this. Just to quote an example from outside the usual diplomatic conferences. Earlier this summer the 2007 Carnegie International Non-Proliferation Conference was held in Washington. Well over 800 leading experts, government officials, representatives of international organisations and others discussed matters of disarmament and non-proliferation of weapons of mass destruction. In its summary of the results of that meeting, probably the largest of its kind in the world, the Carnegie Foundation refuted the idea that the CTBT was "old thinking". Under the heading "It's the CTBT, Stupid" the Carnegie Foundation stated:

"But the CTBT is an old issue precisely because it is so important in the bargain that 184 states made to forego acquiring nuclear weapons. The CTBT indicates whether states are willing to uphold their commitments to reduce the role of nuclear weapons. Its implementation would stop the steep plunge in international confidence in the non-proliferation regime."

No better way to illustrate the undiminished topicality of the issue of a ban on nuclear weapons test explosions than to mention two fairly recent events.

- The attempt at a nuclear weapon test explosion by the DPRK early October last year;
 - The recently concluded nuclear co-operation agreement between India and the United States in which, as you know, the issue of a potential future resumption of India's programme of nuclear weapons test explosions plays such a pivotal role.
5. Against the background just sketched it will come as no surprise that, as long as the CTBT has not entered into effect, continued pushing for a strengthening of the norm against nuclear weapons testing that the Treaty embodies, remains of vital importance.

Therefore, in the two years that have passed since I reported to the last Article XIV Conference in New York in September 2005, I have continued my efforts to increase the overall numbers of Signatory and Ratifying States of the Comprehensive Test-Ban Treaty. The higher these numbers, after all, the clearer the international support for the Treaty, a support in itself under no doubt, will be, and, by the same token, the stronger that very norm.

6. I am now in a position to report that in the meantime I have been in touch, one way or the other, with practically all those so-called non-Annex 2 countries that still have to sign or ratify the Test-Ban. To that effect I have attended the last two UN General Assemblies, those of 2005 and 2006, and some regional conferences, namely those of the Pacific Islands Forum and CARICOM. In addition I paid a number of bilateral visits.
7. What are the main reasons, you may ask, that I found out, why an, admittedly limited, number of these non-Annex 2 countries are still reluctant to sign and a larger number still have to take the next step and ratify? And how, you may further ask, can we stimulate these countries to go ahead and take that next step?

Well, most considerations, especially of the smaller countries, that I noted are of a practical nature such as:

- a concern about the financial implications of signature, despite the fact that the cost involved for most of them are extremely modest;
- a lack of resources, human and institutional, to start the actual legal work in preparation for signature and ratification;
- linked to the problem of limited resources I noted the need for these countries to give a higher priority to issues of more immediate or direct concern to them;
- but, and this is the other side of the coin, I also found an interest in possible concrete benefits, e.g. in the form of technical assistance, these countries could derive from their signature and/or ratification.

We cannot of course address all of these concerns but we should take them seriously. So Ratifying States could ask themselves if and how they could help these countries overcome hurdles, which stand in the way of their adherence to the CTBT. Giving legal advice and assistance to these countries especially by those Ratifying States with special ties to individual countries or groups of countries that yet have to sign or to ratify, comes to mind. This would be very helpful indeed. So while continuing to stress the disarmament and non-proliferation merits of the Treaty I wish to appeal Ratifying States in a position to do so to consider this avenue as well. I would of course launch a similar appeal to the CTBTO were it not that I am aware of the extent of the outreach activities in which the Organisation seeks to address precisely the issues I just mentioned.

Madame co- President,

8. As you know all 27 member-states of the European Union have signed and ratified the Treaty. As a result the EU is in a unique position to promote the CTBT. I am happy to note that that is precisely what the Union is doing at regular intervals. Since we last met in New York in 2005, I, have intensified, therefore, my co-operation with the European Union in the following manner:
 - Once a year I brief the EU expert group on non-proliferation, CONOP, in Brussels;
 - I also keep in touch with the EU High Representative, Mr Solana's Personal Representative on Non-Proliferation, Ms Annalisa Giannella;
 - Finally, the last round of EU démarches in favour of CTBT, during the past German Presidency, was prepared in consultation with me.

9. In general, I have refrained - for cost reasons mainly - from bilateral visits to non-Annex 2 countries. Malaysia, a leading member of NAM and in its own region of ASEAN, and a country with an impeccable record when it comes to matters of disarmament and non-proliferation is an exception. I visited Malaysia earlier this year and I hope to hear here in Vienna or next week in New York what the present state of play is with regard to Malaysia's ratification of the CTBT. In due course I may consider one or two other bilateral visits to non-Annex 2 countries.

10. In the coming months (and years) I intend to continue on this path. To begin with, I plan to be New York next week, where I will seek the necessary bilateral contacts in the margins of the General Debate of the upcoming 62nd UN General Assembly. Later in the year I hope to be in a position to attend an appropriate regional conference in sub-Saharan Africa, as many countries in that region, although early Signatories have yet to ratify the Treaty.

Madame co-President,

11. Turning now to the list of forty-four countries whose ratification is required before the CTBT can enter into force let me report the following;
12. In May 2006 we were able to welcome the 34th Ratifying State, Vietnam a country that I had visited towards the end of 2005. This indeed is an important step forward on a road we all now still is very steep.
13. On the occasion of the previous Article XIV Conference I reported on the meeting I had had with the then Foreign Minister of **China**, H.E. Mr Li Zhaoxing. At that time I reported: "that the Chinese Government had completed its work and had sent the Treaty on to the National People's Congress to take further action". Since then China has voiced its continued support for the CTBT several times, for which I am grateful. Nevertheless, I am not in a position at the moment to report on any progress towards ratification that China may have made in the meantime. I hope to be able to get an update of where things stand, here in Vienna or, if possible, next week in New York.
14. Reporting to you, in September 2005 in New York, I expressed the hope that "the **United States** in due course would wish to revisit the question of the Comprehensive Test-Ban Treaty and analyse whether or not, on balance, one would indeed not be better off with the Treaty than without it".

Like many others I was pleased to note that a group of leading Republicans and Democrats in the United States, amongst them Former Secretaries of State, Kissinger and Shultz, Former National Security Advisor Scowcroft, all Republican and Former Defence Secretary Perry, Democrat, seems to think along the same lines. In an article in the Wall Street Journal of 4 January of this year, as you may remember, they suggested the following to promote ratification of the CTBT:

"Initiating a bipartisan process with the Senate, including understandings to increase confidence and provide for periodic review, to achieve ratification of the Comprehensive Test Ban Treaty, taking advantage of recent technical advances, and working to secure ratification by other key states."

Suffice it for me to express the hope that these ideas in due course will be explored further in Washington.

15. I cannot report significant developments when comes to ratification by the Annex 2 countries in the Middle East and South Asia. I have been in touch with **Egypt** and **Iran** in New York, informally and at non-political level, last year, but my interlocutors were not in a position to hold out anything concrete at that moment. I hope to meet with **Israeli** officials here in Vienna in the coming days. As I reported earlier I visited **Pakistan** prior to the last Article XIV Conference whereas **India** had made clear by then already not to be in a position to receive me.
16. Perhaps paradoxically, since the nuclear detonation by the **DPRK** in October last year, the prospects of the six party process aimed at solving the crisis around the North-Korean nuclear programme now look much brighter than in the recent past. I can only repeat what I said at our previous Conference that "once this process reaches the desired outcome it seems to me that nothing would stand in the way of that country's signature and ratification of the CTBT".
17. Early March 2006 I visited **Indonesia**. Indonesia supports the objectives of the CTBT yet still has to decide to go ahead and ratify. It goes without saying that an early ratification by Indonesia would give the CTBT ratification process a considerable boost. I am looking forward to the day that we can welcome Indonesia, a great power and a leading NAM country, in our midst so that we can join forces in bringing the entry into force of the CTBT closer to reality. I hope to have an opportunity for an exchange of views with the Indonesian side at the appropriate political level soon. A first occasion may present itself, hopefully, in New York next week.
18. The CTBT ratification process would receive a boost also if **Colombia** could overcome the hurdles that stand in the way of its ratification in the not too distant future. If I have sufficient assurances that a visit to Colombia on my part could be helpful, but only then, I stand ready to do so. I intend to try and explore this, if possible, next week in New York.

Madame co-President,

19. The non-proliferation regime as we know it today is under considerable pressure. In the two years that separate us from the next Conference on Facilitating the Entry into Force of the Comprehensive Nuclear Test-Ban Treaty - and regrettable as it is there will have to be another Article XIV Conference - the present non-proliferation regime will continue to be confronted with considerable challenges. Issues of nuclear weapons testing will be part and parcel of this. While sometimes, like in the case of the DPRK nuclear programme, the news we receive is encouraging, in other cases much hard work remains to be done to find generally acceptable solutions. To just give one but very important example; one of the central issues in the negotiations that have led to the nuclear co-operation agreement between India and the United States is the one on nuclear weapon test explosions. I am confident that third countries, most of them represented here to day, will careful weigh their position once they will have to play their role in the overall decision making process. It will come as no surprise that I, from the

perspective of Special Representative, will closely study the eventual outcome of that decision making process.

20. In conclusion, Madame co-President, I remain convinced, that the world needs a complete ban on nuclear weapon test explosions. It needs the CTBT. This Treaty will cap the development of ever more destructive weapons. It constitutes the last barrier against a nuclear programme turning into a nuclear weapons program. I urge all Ratifying States to play an active role in order to achieve our common goal. That is essential for success in our efforts. For the three nuclear weapon states that ratified the CTBT there is perhaps a special task vis-à-vis the other Annex 2 countries concerned. But all Ratifying States have their role to play with regard to the other countries that yet have to join the Treaty, big and small, whether or not their ratification is required for the Treaty to take effect. And then there is the Special Representative of the Ratifying States. But he, Madame co-President, can only operate successfully unless supported by a real political commitment, and, yes, when necessary at the highest political level also, of the States who appointed him in the first place.

I thank you Madame co-President.