

# **Impasse at test ban talks? Ideas for achieving agreement**

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Negotiations at the United Nations (UN) Conference on Disarmament (CD) on the Comprehensive Nuclear Test Ban Treaty (CTBT) appear to be at an impasse. Even if the significant concerns raised by countries like China and Pakistan can be addressed, India has stated that it will block agreement on the current Treaty text. India has long wanted substantial changes to the text, particularly on commitments to nuclear disarmament, but had said it would not prevent agreement. Now, however, India has threatened to block consensus at the CD on the Treaty because of the text's entry into force (EIF) provision.

The majority of states present at the negotiations have been prepared to make compromises in order to achieve a CTBT. The intransigence of a small number of states including the UK, Russia and China on EIF, calls into question the strength of commitment of these states to achieving an effective CTBT. Likewise, India's blocking stance undermines the credibility of its statements of support for a CTBT. Fortunately there are still options which make the achievement of a CTBT possible.

Under the current text, India and 43 other named countries are required to ratify the Treaty before it enters into force. If, after 3–4 years the Treaty has not entered into force, a conference will be convened to see what measures could be taken to move the process along. India is concerned that those measures might include sanctions against non-ratifiers, which it perceives as an impingement on its sovereignty. Other countries do not share this interpretation, but it is on this ground that India now threatens to block agreement.

This puts negotiators in a delicate position. While most countries are unhappy with the entry into force provision, all the Western nations plus Russia have committed themselves to supporting the current Treaty text. Many fear that if negotiations reopen on any text issue, the CTBT could unravel entirely. The simplest solution might be to get unanimous agreement to alter the EIF provision so that India's ratification is not required. However, as at least Russia and China are adamantly opposed to changing the EIF formula, this appears unlikely.

Given this situation, it seems necessary to take other steps, aside from altering the CTBT. While these will not directly answer India's concerns about the CTBT itself, they might go far enough to allow India not to block the Treaty.

One step would be for the nuclear-weapon states (NWS) to issue their own Programme of Action for nuclear disarmament. On 8 August, 28 non-aligned countries at the CD set forth a Programme of Action for the Elimination of Nuclear Weapons. It calls for the elimination of all nuclear weapons by 2020 as the central focus of a broad nuclear disarmament campaign. The NWS could outline a similar programme of initiatives and goals. Such a programme would meet the commitments made at the 1995 nuclear Non-Proliferation Treaty (NPT) Conference in the Principles and Objectives for Nuclear Non-Proliferation and Disarmament document.

Another possibility is the foundation of an Ad Hoc Committee on Nuclear Disarmament at the CD. This Ad Hoc Committee would not need to have a mandate to negotiate a nuclear weapons convention or other nuclear disarmament treaties. However, it would provide a forum in which nuclear disarmament issues could be raised and discussed. The NWS could report on their progress on nuclear disarmament and new proposals could be put forward.

More formally, the NWS could commit themselves to talks about the modalities of nuclear disarmament. These talks could provide a framework for addressing key concerns such as verification of a nuclear weapons convention; how to effect the transition from bilateral nuclear disarmament negotiations to negotiations involving the five NWS and then the three Threshold states; and how to protect against individual states breaking out of a nuclear weapon convention. This option would also demonstrate willingness on the part of the NWS, in the run up to the 1997 NPT Preparatory Committee meeting, to fulfilling their commitments under the NPT and the NPT Principles and Objectives.