

Treaty on the Non-Proliferation of Nuclear Weapons  
2010 Review Conference  
New York, 4 May – 28 May 2010

Position Paper by Australia, Austria, Canada, Denmark, Finland, Hungary, Ireland, the Netherlands, New Zealand, Norway, and Sweden (“the Vienna Group of Ten”)

Article V, and Article VI and preambular paragraphs 8 to 12

**[Comprehensive Nuclear-Test-Ban Treaty (CTBT)]**

**Draft Review Language:**

1. The Conference reaffirms the essential role of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) within the nuclear disarmament and non-proliferation regime and therefore its vital relevance to the NPT. The CTBT was an integral part of the indefinite extension of the NPT. The Conference therefore stresses that the CTBT’s early entry into force is of utmost urgency and importance and reiterates the agreement from the 2000 NPT Review Conference where CTBT’s early entry into force was identified as the first of thirteen practical nuclear disarmament steps. The Conference re-affirms that the provisions of Article V of the NPT Treaty as regards the peaceful applications of any nuclear explosions are to be interpreted in the light of the CTBT.
2. The Conference notes with concern that thirteen years after it was opened for signature, the CTBT has still not entered into force. The Conference welcomes that the CTBT has been signed by 182 states of which 151 have ratified, including 35 whose ratification is necessary for entry into force. The Conference renews its call upon all States, particularly the remaining nine Annex 2 states whose ratification is a prerequisite for entry into force, to sign and/or ratify the treaty without delay and without conditions. The Conference also recalls Security Council resolution 1887 (2009) calling on all States to sign and ratify the Treaty.
3. The Conference welcomes the high-level political support for the CTBT Article XIV (entry into force) Conference held in September 2009 and its adoption of ten specific and practical measures to promote the early entry into force of the CTBT. The Conference thanks the CTBT Special Representative for his excellent work in this regard.
4. Reiterating that the CTBT constrains the development of nuclear weapons and their qualitative improvement, the Conference reaffirms that the CTBT combats both horizontal and vertical nuclear proliferation. The Conference is concerned that any development of new types of nuclear weapons may result in the resumption of tests and a lowering of the nuclear threshold. The Conference calls on all states to refrain from any action which would defeat the object and purpose of the CTBT pending its entry into force.

5. Pending the CTBT's entry into force, the Conference underlines that existing moratoria on nuclear weapon test explosions and any other nuclear test explosions must be maintained. The Conference stresses, however, that such moratoria cannot serve as a substitute for ratifying the CTBT and that only the CTBT offers the global community the prospect of a permanent and legally binding and verifiable commitment to end nuclear testing.
6. The Conference welcomes the progress made by the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organisation in establishing the system which will enable the verification of compliance with the CTBT. The Conference calls on all Parties to support this work which must lead to an effective, reliable, participatory and non-discriminatory verification system with global reach.

### **Working paper: Comprehensive Nuclear-Test-Ban Treaty (CTBT)**

1. The Vienna Group of Ten (hereafter “the Vienna Group”) reaffirms that the Comprehensive Nuclear-Test-Ban Treaty (CTBT) constitutes an effective measure of nuclear disarmament and nuclear non-proliferation in all its aspects and is vital to the NPT. The CTBT was an integral part of the indefinite extension of the NPT. The group therefore stresses that the CTBT’s entry into force is of the utmost urgency and importance and reiterates the agreement from the 2000 NPT Review Conference where the CTBT’s early entry into force was identified as the first of thirteen practical nuclear disarmament steps. The group re-affirms that the provisions of Article V of the NPT are to be interpreted in the light of the CTBT.
2. Reiterating that the CTBT constrains the development of nuclear weapons and their qualitative improvement, the Vienna Group reaffirms that the CTBT combats both horizontal and vertical nuclear proliferation. The group is concerned that any development of new types of nuclear weapons may result in the resumption of tests and a lowering of the nuclear threshold. The group calls on all States to refrain from any action which would defeat the object and purpose of the CTBT, pending its entry into force. The DPRK nuclear tests of 9 October 2006 and 25 May 2009, internationally condemned, further underlined the need for a universal and effective international monitoring and verification system for detecting nuclear explosions.
3. The Vienna Group underlines that existing moratoria on nuclear weapon test explosions and any other nuclear test explosions must be maintained, pending the CTBT’s entry into force. The group stresses, however, that such moratoria cannot serve as a substitute for ratifying the CTBT and that only the CTBT offers the global community the prospect of a permanent and legally binding commitment to end nuclear testing.
4. The Vienna Group notes with concern that thirteen years after it was opened for signature the CTBT is yet to enter into force. However, it warmly welcomes the fact that a growing number of countries has ratified since 2005, including two countries - as listed in Annex 2 - whose ratifications are a prerequisite for the entry into force of the treaty. Reducing the number of those Annex 2 countries gives a strong signal on the norm against testing of nuclear weapons and reinforces the international community’s expectations that the 9 remaining states will follow suit. The CTBT has now been signed by 182 States of which 151 have ratified, including 35 whose ratification is necessary for entry into force. The group renews its call upon all States yet to do so to sign and/or ratify the Treaty without delay, in particular the 9 remaining Annex 2 countries, and to recognise the value of the CTBT for their national and for international security. The reliable performance of the International Monitoring System (IMS) and the practical development of other aspects of the verification regime, as well as the example of a still growing number of ratifiers, should help them with a positive decision.

5. The Vienna Group is encouraged by recent political developments which indicate that the overall political context has become more favourable with regard to the CTBT and hopes this will be reflected in the outcome of the RevCon. The sixth Article XIV Conference held in September 2009, with its unprecedented high-level ministerial attendance, confirmed the commitment of the international community to the CTBT and highlighted the importance of its earliest possible entry into force, which was further recognised by the Security Council in its resolution 1887 (2009).
6. The Vienna Group welcomes ideas and initiatives, such as the International Scientific Studies project aimed at further enhancing the involvement of individual Governments, scientists and national scientific institutions that are being pursued as a useful way to create broader national support for the benefits of the Treaty and to maintain levels of expertise and investment required for verification of the CTBT.
7. The Vienna Group welcomes the progress made by the CTBTO Preparatory Commission to build the system to verify compliance with the CTBT at its entry into force. The goal of this work should be an effective, reliable, participatory and non-discriminatory verification system with global reach. Ultimately, however, this verification system can only show its full worth once the CTBT has entered into force.
8. In order to enable the Provisional Technical Secretariat of the CTBTO to complete the Preparatory Commission's mandate, the Vienna Group calls on State Signatories to support the work of the CTBTO by providing adequate resources and political support, as well as relevant expertise and make every effort to ensure that the technical aspects of the CTBTO's work continue to move ahead at an appropriate pace and do not impede political progress toward entry into force. All major components of the verification system must be ready to operate by the time of entry into force.
9. Finally, the Vienna Group stresses that the 2010 NPT Review Conference should reach consensus on a conclusion underlining the essential role of the CTBT for the nuclear disarmament and non-proliferation regime, calling on all States that have not yet done so, in particular those listed in Annex II, to sign and ratify the CTBT without delay and without conditions, reiterating the call on all states to abide by a moratorium and to refrain from any actions contrary to the obligations and provisions of the treaty and highlighting and supporting the important work of the CTBT Preparatory Commission.