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### **THE CTBT: POSSIBLE SUBSEQUENT DOMINO EFFECT OF THE U. S. RATIFICATION IN THE CONTEXT OF THE GLOBAL NUCLEAR NONPROLIFERATION REGIME**

The article analyzes the need to find a way out of the crisis with the Comprehensive Nuclear Test Ban Treaty entry into force and its influence on the nuclear nonproliferation regime. The CTBT will be in force after all the 44 Annex 2 states ratify it. However, there are still 8 non-ratifying states from the list including world players like China and the U. S. The author sees the possibility of subsequent domino effect of the United States' ratification for the universalization of the CTBT and strengthening the regime in the whole.

**Key words:** nonproliferation regime, the CTBT, nuclear weapons, the NPT, comprehensive test ban.

Already for more than half a century nuclear factor is in the constant focus of international security issues. To effectively combat today's challenges and strengthen nuclear stability it is necessary to modernize the whole system. The task of strengthening the regime of non-proliferation and its mechanisms can logically be divided into two components: non-proliferation with respect to states and non-proliferation regarding extremist and criminal (terrorist) organizations. The first component is highly related to the second, since the access to nuclear materials or weapons can primarily be obtained by terrorists through new states-owners of nuclear materials or nuclear weapons (NWs).

As far as we are talking about states, the decisive factor is that all countries of the world, except four are members of the Nuclear Nonproliferation Treaty (NPT). The four outsiders already have NWs. Consequently, the further spread can only go through the secret violation of the NPT or withdrawal from it in accordance with its Article X followed by the creation of NWs. The possibility of the first path was shown by Iran, Iraq and Libya, the second — by the DPRK. Hence the logical main directions to overlap the distribution channels are the following:

- The first is to increase the efficiency of the IAEA safeguards and to facilitate the signature of the Additional Protocol of 1997.

- The second direction of the strengthening of norms and mechanisms for the NPT lies in the improving of the system of export control: harmonization of national export control systems, integration of China, India and Pakistan in the process, implementation of the provisions of the Nuclear Suppliers Group «Guidelines» (2004).

- The third area involves strengthening of the NPT regime by rigid formalization and rising of the political significance of the withdrawal procedure.
- The fourth involves entry into force of the treaty, designed to become a barrier against the NPT violation — of the Comprehensive Test Ban Treaty (CTBT) [1, p. 252–254].

The most realistic goal of strengthening nuclear stability on a global scale, along with the improvement of the nuclear nonproliferation regime, now is to prevent the extension and modernization of existing nuclear weapons [2, p. 150]. One of the most effective tools for achieving this goal is the entry into force of the CTBT. Nuclear test ban significantly complicates the creation of nuclear weapons, sharply limiting its modernization. It is a key link connecting «vertical» and «horizontal» nuclear disarmament.

The CTBT was developed in the framework of the Conference on Disarmament in Geneva in the first half of the 1990s. The agreement was approved by the UN General Assembly and on 24 September 1996 it was opened for signature. Unlike earlier agreements, the CTBT bans nuclear explosions in all environments, including underground, and sets a «zero threshold» power of such explosions. That is why it is called «comprehensive» [3, p. 217].

The agreement provides for an international monitoring system using 337 monitoring stations, as well as on-site inspections. As of November 2014 the CTBT was signed by 196 States and ratified by 163 [4]. For the CTBT to enter into force it must be signed and ratified by the 44 States listed in the Annex 2 (countries having participated in the elaboration of the Treaty during the Conference on Disarmament and having nuclear power or research reactors at that time). Three countries from the list (India, Pakistan and North Korea) refused to sign the treaty. Britain, France and the Russian Federation have signed and ratified the CTBT. China and the U. S. have signed the treaty but have not ratified it [3, p. 218].

Of these states North Korea is a special case, as it is the only country in the world, which conducted nuclear tests after 1998 and do not want to refuse this right.

In the case of India and Pakistan, the situation looks more interesting. Both states have adopted a policy of «minimum nuclear deterrence» — maintaining a limited nuclear potential sufficient to inflict unacceptable damage. Given the fact that the striking resource of Pakistan is very limited, India's plans to establish a missile defense system can play a key role in protecting the Indian nuclear forces [5, p. 101]. In this case, the «minimalism» of the Indian nuclear deterrence is seriously undermined by certain incompleteness of the nuclear doctrine of the state, which, together with plans to deploy missile defense systems, provides for the acquisition of New Delhi's full nuclear triad. This shows the lack of clarity and consistency in the understanding of India's minimum deterrence.

The closest statement to the expression of the commitments to minimal deterrence is the obligation not to carry out testing, as complex multivariate weapons and «reliable» weapons would require testing [6, p. 47]. This clearly indicates that the non-accession of India to the CTBT is just a political action

dictated by the fact that the main geopolitical players have not done this [7, p. 99–114].

Islamabad took an evasive position on the CTBT. At the same time, it also announced a unilateral moratorium on nuclear testing. Its arsenal was originally developed as a response to the Indian one. Pakistan has repeatedly come up with proposals on joint accession to the NPT. Thus, if India disarmed — then Pakistan would do the same. However, India may agree to it only if the whole world comes to a «nuclear zero», because it does not recognize the monopoly of the official nuclear five.

If we look thoroughly at the chain, it can be traced: in its first white paper on defense (1995) China marked the orientation on the US and Russia [8], in turn, China is a landmark for India, and India — for Pakistan. It can be concluded that, being an apologist and an active advocate of the CTBT, China have still not ratified it because of the lack of the United States ratification. In perspective, the disarmament of India and Pakistan is only possible in the case of the arrival to the global «nuclear zero.» And a nuclear weapon is not one to give up. It is impossible either technically or politically. Moreover, anti-nuclear movement can even be harmful. Firstly, it can lead to the reductions in nuclear arsenals to a dangerously low level. Secondly, it leads away from the search for peace and stability [9]. Besides, this idea is utopian and the author thinks that nuclear weapons have sufficiently revealed themselves as a deterrent from the Third World War. Thus the situation seems to come to a deadlock.

In this case, the author suggests that there are two possible scenarios for global non-proliferation regime in the future: 1) maintaining the status quo, under which the existing illegal nuclear weapon states (NWS) remain such; 2) changing the regime and the inclusion of India and Pakistan as official NWS. But how the second option can be reached is not clear. At the same time, it is unpredictable, for how long we still will be able to maintain the largely discriminatory status quo. We cannot exclude the negative reaction of the states having voluntarily renounced nuclear weapons programs and acceded to the NPT (South Africa, Brazil, Argentina) to the second scenario, which could lead to a review of their policy in this area.

If hypothetically, we adopt the second option, it makes sense to consider the following possibility. First of all we must highlight the universalization of the CTBT. In this case, nuclear testing will come to an end. Accordingly, even if subsequently the NPT will somehow be transformed by the accession of new members as official NWS, then the states not possessing nuclear weapons will just not be able to create full-fledged weapons without testing them.

In 1990s French nuclear tests have weakened political support for the Clinton administration efforts to ratify the Comprehensive Test Ban Treaty in Congress, which the administration considered a significant part of the internationally agreed measures against the spread of nuclear weapons. In the bile and increasingly one-party debate, the U. S. Congress unexpectedly rejected a bill on the ratification of the Treaty, strengthening image that American efforts to achieve non-proliferation are motivated mainly by considerations of

monopoly abroad. Namely in this context, India and Pakistan have considered themselves entitled to make own nuclear arsenals [10, p. 603].

The U. S. should be a particular focus as it may serve as a trigger for all to sign and ratify [11]. Even not ratifying the U. S. remains the strong supporter of the CTBTO and continues to be the largest contributor. The country donated over \$ 40 million on voluntary basis in 2013 [12]. The government of the country says that due to the customary law they obey the CTBT even having not ratified it. Undoubtedly, test moratoria are in America's security interest.

In 2012 report from respected National Academy of Sciences of the U. S. it was concluded that an effective stockpile will not require further explosions [11]. There are no objective reasons for delaying the ratification as the United States have already conducted all sorts of nuclear tests, including tests of the miniature explosive device — Davy Crocket. Moreover, its main geopolitical opponent — the Russian Federation — has already ratified the treaty. Thus, a lot of analysts agree that it is very internal issue for the U. S., mostly connected with the opposition between the Republicans and the Democrats in the Senate.

However, current events in Ukraine affected the non-proliferation of nuclear weapons, in particular with regard to the CTBT greatly. As a result of the Ukrainian crisis the confrontation between Russia and the US has intensified and they have begun to modernize nuclear infrastructure. Now, in the framework of modernization, formally not violating anything the US will be able to carry out the necessary tests in case it decides there are some needed. As for the CTBTO and its members, they will be left with the only option: to detect the events with the very well working international monitoring system and remain silent observers.

Current U. S. president has a lot of problems on the agenda and has to choose his priorities. It would be sensible of him not to submit the treaty for the second time without having some definite understanding that there is a manageable supportive effort that could be made to change enough minds to second time get the favorable result [13]. Moreover, when it is time to approach the Senate we need to be sure that the effective and sustainable verification system is developed and working. And there is enough financial support to maintain it [12].

To have the support of arms control treaties either there is a need for a strong democratic senate with measurable cooperation from Republicans or a need for a Republican president to support the treaty. Now there is neither sufficient democratic support in Senate, nor a Republican President. And if we look at potential Republican presidents it's hard to define one who would be a likely supporter of arms control treaties [14]. The closest such possibility is currently foreseen for 2017 [13].

However, without the US other states feel little pressure to accede. It would be fair to name the United States a world leader. And if the leader does not find a justified reason for ratification, then why the others have to?

The Peoples Republic of China largely achieved its current economic power due to the United States. There is a unique situation of simultaneous coop-

eration and confrontation (competition) between them. Their economies are widely linked. There are a lot of American production capacities in China. The PRC, in turn, is the largest holder of United States government debt bounds (this list can be continued). Seeing the most powerful state (potential opponent) ratifying the treaty, China can possibly come to the ratification as well. India nowadays is ready to negotiate, but a pre-condition for this is the U. S. and China ratification. Therefore, it is expected that it will follow suit. It is impossible to say with certainty whether Pakistan will join immediately after India, but that is still the rhetoric of the country [15]. So, possibly it may become the case. Moreover, China, positioning itself as an Asian leader, would promote the ratification of other Asian countries by the own one.

On the other hand, there is one more possible variant. Even if the United States ratify, China will not necessarily do the same, because of its potential superpower status. The transition to a superpower status implies 3 components: economic power, military power, an alternative ideology that the country can offer to the world. China claims the will to be a regional leader and the desire to occupy a worthy place among world actors, but it denies the aim of becoming a superpower. The PRC retains the priority to economic and military spheres. That is why it is possible that even in the case of the United States ratification of the CTBT, China will not act by analogy. Unfortunately, that closes the way for further domino effect.

In any case, the probability of obtaining a domino effect exists. For that reason, the civil society and the scientific community must influence the government. As for the countries, especially nuclear, they must have an explanation why it is consistent to their security to ratify the CTBT and share this experience with the U. S.

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### **ДВЗЯВ: МОЖЛИВИЙ НАСТУПНИЙ «ЕФЕКТ ДОМІНО» ЯК РЕЗУЛЬТАТ РАТИФІКАЦІЇ З БОКУ США В КОНТЕКСТІ ГЛОБАЛЬНОГО РЕЖИМУ ЯДЕРНОГО НЕРОЗПОВСЮДЖЕННЯ**

#### **Резюме**

У статті аналізується необхідність знаходження виходу з кризи, пов'язаної із набуттям чинності Договору про всеохоплюючу заборону ядерних випробувань і вплив цього на режим нерозповсюдження ядерної зброї. ДВЗЯВ набуде чинності після того, як всі 44 держави, зазначені в Додатку 2 до договору, ратифікують його. Тим не менш, є ще 8 держав зі списку, які не ратифікували ДВЗЯВ, у тому числі такі світові гравці, як Китай і США. Автор бачить можливість подальшого ефекту доміно після ратифікації договору з боку Сполучених Штатів Америки для універсалізації ДВЗЯВ і зміцнення режиму в цілому.

**Ключові слова:** режим нерозповсюдження, ДВЗЯВ, ядерна зброя, ДНЯЗ, всеохоплююча заборона випробувань.

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**ДВЗЯИ: ВОЗМОЖНЫЙ ПОСЛЕДУЮЩИЙ «ЭФФЕКТ  
ДОМИНО» КАК РЕЗУЛЬТАТ РАТИФИКАЦИИ СО СТОРОНЫ  
США В КОНТЕКСТЕ ГЛОБАЛЬНОГО РЕЖИМА ЯДЕРНОГО  
НЕРАСПРОСТРАНЕНИЯ**

**Резюме**

В статье анализируется необходимость нахождения выхода из кризиса со вступлением Договора о всеобъемлющем запрещении ядерных испытаний в силу и влияние этого на режим нераспространения ядерного оружия. ДВЗЯИ вступит в силу после того, как все 44 государства, указанные в Приложении 2 к договору, ратифицируют его. Тем не менее, есть еще 8 государств из списка, не ратифицировавших ДВЗЯИ, в том числе такие мировые игроки, как Китай и США. Автор видит возможность последующего эффекта домино после ратификации договора со стороны Соединенных Штатов Америки для универсализации ДВЗЯИ и укрепления режима в целом.

**Ключевые слова:** режим нераспространения, ДВЗЯИ, ядерное оружие, ДНЯО, всеобъемлющее запрещение испытаний.