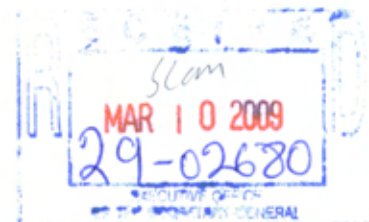


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Note to Mr. Nambiar

**DRAFT STATEMENT BY THE SECRETARY-GENERAL
ON THE COMPREHENSIVE NUCLEAR-TEST-BAN TREATY (CTBT)**

1. During his visit of 18 February to address the members of his Advisory Board on Disarmament Matters, the Secretary-General stated that he wished to make a "strong statement" in support of the CTBT. The treaty was opened for signature in 1996 but has still not yet achieved the 44 ratifications required for its entry into force.
2. Though the United States Senate voted against the treaty in 1999, the new Administration is on record as supporting its ratification, a step that would substantially improve its prospects for early entry into force.
3. Attached is draft statement concerning the CTBT, timed for intended release on the date of the 55th anniversary of the first major proposal for a nuclear test ban, offered on 2 April 1954 by Prime Minister Nehru.

Sergio Duarte
10 March 2009

cc:
Mr. Kim

2009-03-10
27 me

Note to Mr. Duarte

Statement by the Secretary-General on the CTBT

I refer to your note of 10 March regarding the Secretary-General's statement on the Comprehensive-Nuclear-Test-Ban Treaty (CTBT).

The Secretary-General considered the text. He is willing to exert all efforts to facilitate the Treaty's entry-into-force. He is committed to making best use of bilateral and multilateral occasions. It is in this context that the Secretary-General will strongly advocate the early entry-into-force of the Treaty during his speech in Moscow on Friday, 27 March. He will also make a strong case while in London during the G-20 summit. The Secretary-General is also poised to make use of the second session of the Conference on Disarmament (CD) to reinforce his push for the Treaty.

As for the timing of the proposed statement on the CTBT, I am sure you agree it should be carefully selected in order to optimize its impact. In this regard, the DCdC's office suggested that we find a more apt time to issue the Secretary-General's statement on the CTBT, sometime after the Third Preparatory Committee of the 2010 NPT Review Conference.

On a related note, you may wish to advise the scheduling office of the EOSG to put on record ODA's recommendation for the Secretary-General to address the CD during its second session (18 May-3 July). Since he plans to attend a general conference of WHO which starts on 18 May, I believe that this trip would provide a good window for his visit to the CD.

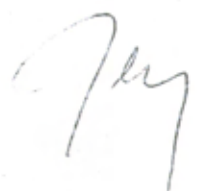
I look forward to keeping close consultation on this matter.


Nicholas Haysom
27 March 2009

cc: Nambiar
Kim

Draft Statement by the Secretary-General

The Comprehensive Nuclear-Test-Ban Treaty
[For issuance on 2 April 2009]



Fifty-five years ago today, Prime Minister Jawaharlal Nehru called for a halt to all nuclear weapon tests. Unfortunately, his call went unheeded and over 2,000 nuclear tests would occur over the decades to follow.

As of today, 179 states have signed this treaty and 148 have ratified, including three nuclear-weapon states, France, the Russian Federation, and the United Kingdom. I urgently call upon all states that have not yet signed or ratified the Comprehensive Nuclear-Test-Ban Treaty (CTBT)—especially those that possess nuclear weapons—to do so at their earliest possible opportunity.

The United States has historically played a decisive role in promoting the idea of such a comprehensive ban. It was raised by President Kennedy in the General Assembly in September 1961 and featured in his famous speech at American University in June 1963. The United States was the first state to sign the CTBT in 1996 and its ratification would significantly improve the prospects for the treaty's early entry into force.

This is a treaty whose time has come.

Mr. Kim 76

Note to Mr. Nambiar
(Through Mr. Kim)

Statement by the Secretary-General on the CTBT

I refer to the note of Mr. Duarte dated 10 March, suggesting the Secretary-General's statement on the Comprehensive Nuclear-Test-Ban Treaty (CTBT).

I support all efforts to facilitate the Treaty's entry-into-force. However, it is important that the timing and substance should be carefully worked out in order to ensure that it has the proper impact.

Detailed US policy proposals on nuclear disarmament/nonproliferation are expected to be unveiled at the upcoming Third Preparatory Committee of the 2010 NPT Review Conference in May. These will substantially influence the process on disarmament/nonproliferation. In order for the Secretary-General's statement to carry the necessary impact, we need a broader perspective on the general direction of nuclear disarmament and nonproliferation in the lead-up to the annual ministerial meeting on the CTBT and the 2010 NPT RevCon. As such, the Secretary-General is advised to wait until the Third NPT PrepCom.

The suggested date of 2 April (the day India called for a halt to all nuclear weapon tests) does not seem to resonate far and wide. The impending launch of long-range ballistic missile-cum-space launch vehicle of the Democratic Peoples' Republic of Korea would likely overshadow any statement by the Secretary-General in the days to follow as well as during the ensuing anticipated Security Council discussion. Moreover, Indian Prime Minister Manmohan Singh's special envoy stated that India would not sign the CTBT unless the world moves "categorically toward nuclear disarmament in a credible timeframe."

On substance, it is not advisable for the text to single out the United States and urge it to act. The new US administration has pledged, on numerous occasions, to work toward ratifying the CTBT. The legislative process would take some time.

I would like to suggest the following sequence of actions for pushing for the CTBT:

- The Secretary-General make best use of his anticipated statement at the Third PrepCom of the NPT and at the Conference on Disarmament (during its second session: 18 May – 3 July), highlighting the need to bring into effect the CTBT without further delay.
- ODA could find a more apt time to issue the Secretary-General's statement on the CTBT, sometime after the Third PrepCom of the NPT.

- ODA undertakes, as appropriate, consultation with the CTBTO Preparatory Commission as to how best galvanize international political will during the lead-up to a ministerial meeting on the Treaty in September.

If you agree with the above course of action, I will communicate with Mr. Duarte.



Nicholas Haysom
26 March 2009

SG will call for an early and universal ratification
of CTBT on 27 March 09.

→h

Note to Mr. Haysom

Statement by the Secretary-General on the CTBT

Please find my views on your query in regard to the Secretary-General's statement on the CTBT.

In principle, I fully support the Secretary-General's push for the entry-into-force of the Treaty. That said, we need to take into account related factors in determining the timing and modality of any statement in order to ensure that it has the proper impact.

With the arrival of the new US administration, there are growing expectations for much-needed progress in disarmament. Washington is reviewing its detailed policy proposals which are expected to be unveiled at the upcoming Third Preparatory Committee of the 2010 NPT Review Conference (May 2009). The CTBT will form a part of the US' nuclear posture review, which will include other important issues such as a fissile material cut-off treaty, a successor treaty to the START, a multilateral fuel cycle control mechanism and measures to strengthen the IAEA's safeguard system, among others.

The US administration's policy will have substantial influence in shaping the process in dealing with disarmament and nonproliferation issues. In order for the Secretary-General's statement to carry the necessary substantive impact, we need to keep a broader perspective on the general direction of nuclear disarmament and nonproliferation in the lead-up to the annual ministerial meeting on the CTBT and the 2010 NPT RevCon. For this, the Secretary-General is advised to wait until the Third PrepCom before issuing any statement.

With this in mind, I do not think it is necessary for the text to single out the name of the United States and urge it to act. Washington has announced, on numerous occasions, its willingness to work toward ratifying the CTBT. The UK Prime Minister did not mention by name the United States in his recent keynote speech about nuclear nonproliferation, which stressed the entry-into-force of the CTBT. It is fair to expect that the legislative process for the Senate ratification would take some time. In fact, such encouragement and urging could be better done through bilateral channels.

As for the timing of issuing the Secretary-General's statement, selection of the suggested date – 2 April (the day Prime Minister of India called for a halt to all nuclear weapon tests) – does not seem to resonate far and wide. It was not only the Indian Prime Minister who called for the cessation of nuclear tests.

In addition, the announced launch of long-range ballistic missile-cum-space launch vehicle of the Democratic Peoples' Republic of Korea would likely grab the international community's attention in the coming days as well as during the ensuing days of a possible

Security Council discussion. As such, the suggested date for the Secretary-General's statement would likely be overshadowed by Pyongyang's move.

I would like to suggest the following sequence of actions for pushing for the CTBT:

- The Secretary-General make best use of his anticipated statement at the Third PrepCom of the NPT (early May) and at the Conference on Disarmament (during its second session: late May – early July), highlighting the need to bring into effect the CTBT without further delay.
- ODA could find a more apt time to issue the Secretary-General's statement on the CTBT, sometime after the Third PrepCom of the NPT.
- ODA undertakes comprehensive consultation with the CTBTO Preparatory Commission as to how best galvanize international political will during the lead-up to a ministerial meeting on the Treaty in September.


Sang-hwa LEE
23 March 2009

*Dear Sanghwa,
What is the down side
of issuing a statement?
Could ~~we~~ we excise
the last para?*

In confidence

Note to Mr. Haysom

Statement by the Secretary-General on the CTBT

In reference to ODA's note (attached), dated 10 March 2009, on the above-mentioned SG's statement, I would like to share my views.

It is encouraging that the new US Administration, on many occasions at the highest level, has pledged its willingness to work toward ratification of the Comprehensive Nuclear-Test-Ban Treaty (CTBT). This ratification would certainly create fresh momentum for the entry-into-force (EIF) of the Treaty while more broadly helping to foster a favorable climate for progress on the disarmament/non-proliferation agenda.

However, given the required legislative process in the US, ratification may take longer than expected.

I have some problems with the idea of issuing SG's statement as suggested by ODA.

The stated intent is to push for the Treaty's EIF. However, there has been no lack of voices calling for ratification by countries needed for the Treaty's EIF. There have been numerous statements, resolutions and campaigns in support of the early EIF of the Treaty. The Secretary-General has been active in advocating this cause as well, including through his participation at the annual ministerial meetings of the CTBT held in the margins of the General Assembly.

I do not foresee that the suggested statement would bring a fresh impetus, either in terms of its timing or content. General expectation suggests that the international community would have a better idea on the detailed policy tenets of the US Administration in the area of disarmament/non-proliferation when Member States meet at the Third Preparatory Committee of the 2010 NPT Review Conference (May 2009). I think it is prudent that the Secretary-General wait until after the PrepCom so that he can be better advised on the overall US policy on disarmament issues. It should be noted that the CTBT cannot be considered in isolation from other nuclear disarmament/non-proliferation issues, such as a fissile material cut-off treaty. Thus it is better for the Secretary-General to wait so that he can keep a broader perspective on the overall US policy direction in this field.

Another factor which can play out potentially adversely is the impending launch of a ballistic missile/space launch vehicle by DPRK, which has indicated that 4-8 April is a scheduled time for launch. As you know, DPRK, one of the nine countries remaining outside the CTBT regime, carried out a nuclear explosion test in October 2006. With the eyes of the international community on Pyongyang's act and diplomatic efforts to deter it, any statement on the CTBT would be overshadowed.

Moreover, it is not advisable to single out the United States to urge action. Washington has expressed its commitment to lead by example in advancing the disarmament/non-proliferation agenda and has pledged to work toward ratification of the Treaty. An additional push on the US may unnecessarily irk the Government which in any case has already made it clear that it would work toward that end.

On a related note, I think it is advisable that ODA undertakes a more comprehensive review, in close consultation with the CTBTO Preparatory Commission, as to how best galvanize international political will during the lead-up to a ministerial meeting on the Treaty in September this year and next year at the 2010 NPT RevCon.

In conclusion, I would advise against issuing an SGSM at this time.


Sang-hwa LEE
13 March 2009