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## International Conventions/treaties on weaponry

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Arms Control Vs Disarmament Vs Non-proliferation

#### Comprehensive Test Ban Treaty

#### CTBT

- prohibits "any nuclear weapon test explosion or any other nuclear explosion" anywhere in the world.
- Treaty was opened for signature in September 1996, and was signed by 184 nations and ratified by 168 nations.
- The treaty cannot enter into force until it is ratified by 44 specific nations, eight of which have yet to do so: China, India, Pakistan, North Korea, Israel, Iran, Egypt, and the United States.

The 2018 Trump administration Nuclear Posture Reviews notes,

"Although the United States will not seek ratification of the Comprehensive Nuclear Test Ban Treaty, it will continue to support the Comprehensive Nuclear Test Ban Treaty Organization Preparatory Committee as well as the International Monitoring System [IMS] and the International Data Center [IDC]. The United States will not resume nuclear explosive testing unless necessary to ensure the safety and effectiveness of the U.S. nuclear arsenal, and calls on all states possessing nuclear weapons to declare or maintain a moratorium on nuclear testing."

#### Preamble

- the preamble recognizes that a CTBT will constitute an effective measure of nuclear disarmament and non-proliferation by "constraining the development and qualitative improvement of nuclear weapons and ending the development of advanced new types of nuclear weapons."
- It further recognizes that a test ban will constitute "a meaningful step in the realization of a systematic process to achieve nuclear disarmament."

#### Key Provisions

- Article I establishes that all states parties are prohibited from conducting "any nuclear weapon test explosion or any other nuclear explosion."
- Article II establishes the Comprehensive Nuclear-Test Ban Treaty Organization (CTBTO), which ensures treaty implementation and provides states-parties with a forum for consultation and cooperation.
- Article IV and the verification protocol establish the treaty's verification regime, which consists of four basic elements: the IMS, consultation and clarification, onsite inspections, and confidence-building measures.
- Article V empowers the conference to revoke a state-party's rights under the treaty, recommend to the states-parties punitive measures such as sanctions or bring the case to the attention of the United Nations.
- Article VI describes the mechanism by which disputes pertaining to the application or interpretation of the treaty may be settled.

- Under Article IX, the treaty has an unlimited duration. In addition, each state-party has the right to withdraw from the treaty if it decides, "extraordinary events related to the subject matter of this Treaty have jeopardized its supreme interests." Notice of intent to withdraw must be given at least six months in advance.
- Article XII maintains that each signatory state will ratify the treaty according to its own constitutional procedures.
- Under Article XIV, the treaty will not enter into force until it has been signed and ratified by 44 states listed by name in Annex 2. These states include the five original nuclear weapon states—United States, Russia, Britain, France and China—as well as India, Israel, North Korea, and Pakistan.

### NUCLEAR NON-PROLIFERATION TREATY

#### NPT

- entered into force in March 1970 and seeks to inhibit the spread of nuclear weapons.
- With its near-universal membership, the NPT has the widest adherence of any arms control agreement, with only South Sudan, India, Israel, and Pakistan remaining outside the treaty.

#### Key Provisions

- Non-proliferation(Articles I, II, III): Nuclear weapon states are not to transfer to any recipient whatsoever nuclear weapons and not to assist, encourage, or induce any NNWS to manufacture or otherwise acquire them.
- Peaceful Use(Article IV): The Treaty does not affect the right of state parties to develop, produce, and use nuclear energy for peaceful purposes, provided such activities are in conformity with Articles I and II.
- Article VII enshrines the right of any group of states to conclude regional treaties to assure the absence of nuclear weapons in their respective territories (nuclear-weapon-free zone treaties).
- Nuclear & Non-Nuclear Weapon States: (Article IX): The Treaty defines nuclear weapon states (NWS) as those that had manufactured and detonated a nuclear explosive device prior to 1 January 1967. All the other states are therefore considered non-nuclear weapon states (NNWS). The five nuclear weapon states are China, France, Russia, the United Kingdom, and the United States.

#### THRESHOLD TEST BAN TREATY

#### TTBT

- The Treaty on the Limitation of Underground Nuclear Weapon Tests, also known as the Threshold Test Ban Treaty (TTBT), was signed in July 1974.
- It establishes a nuclear "threshold," by prohibiting tests having a yield exceeding 150 kilotons (equivalent to 150,000 tons of TNT).
- Article I, the parties to the Threshold Test Ban Treaty undertook an obligation to continue negotiations toward that goal.
- In 1963 the Limited Test Ban Treaty (LTBT) was signed by the Soviet Union, the United States, and the United Kingdom. This Treaty prohibits nuclear weapon testing in the atmosphere, in outer space and under water.

- The Treaty included a protocol which detailed technical data to be exchanged and which limited weapon testing to specific designated test sites to assist verification.
- The data to be exchanged included information on the geographical boundaries and geology of the testing areas.

### TREATY ON PROHIBITION OF NUCLEAR WEAPONS

#### TPNW

- The Treaty on the Prohibition of Nuclear Weapons (TPNW), which was negotiated by more than 130 states, is a good faith effort to meet their responsibility as signatories of the nuclear Nonproliferation Treaty (NPT) to pursue effective measures on disarmament.
- The prohibition treaty further reinforces the commitments of these states against the use, threat of use, development, production, manufacture, acquisition, possession, stockpiling, transfer, stationing, or installation of nuclear weapons.
- It reinforces states' commitments to the NPT and the Comprehensive Test Ban Treaty (CTBT).
- The treaty, open for signature on September 20th, 2017, enters into force 90 days after the 50th state ratifies it.

### CONVENTION ON CLUSTER MUNITIONS

### CCM

- Cluster munitions, also called cluster bombs or CBUs, are gravity bombs, artillery shells, and rockets that fragment into small bomblets or grenades.
- On May 30, 2008 the Dublin Diplomatic Conference on Cluster Munitions adopted a comprehensive new treaty banning cluster munitions. The 107 states adopted the treaty.
- The Convention on Cluster Munitions (CCM) is a legally binding international treaty that prohibits the use, production, stockpiling and transfer of cluster munitions and requires clearance of remnants and destruction of stocks.
- The Convention on Cluster Munitions was signed by 94 countries at the Oslo Signing Conference in December 2008, and entered into force on August 1, 2010, after 30 states ratified it by February 16, 2010.

# Thank you Iaxmijasti@nalsar.ac.in