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# THE U.S. DEBATE ON THE RATIFICATION OF THE COMPREHENSIVE NUCLEAR-TEST-BAN TREATY

January 2021

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*Promoting the European network of independent  
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***Disclaimer:** This report has been prepared as part of a research internship (realized between October 2020 and January 2021) at the Peace Research Center Prague, funded by the European Union (EU) Non-Proliferation and Disarmament Consortium as part of a larger EU educational initiative aimed at building capacity in the next generation of scholars and practitioners in non-proliferation policy and programming. The views expressed in this paper are those of the author and do not necessarily reflect those of the Peace Research Center Prague, the EU Non-Proliferation and Disarmament Consortium or other members of the network.*

## INTRODUCTION

It has been a long story between the United States' various presidential administrations and the prohibition of nuclear testing. Some worked toward progress and complete ban. Eisenhower was the first president to agree to a US-Soviet moratorium on nuclear tests in 1958. After its breaching, Kennedy tried to negotiate a new agreement. He participated in the setting up of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space, and Under Water as the result of the Cuban Missile Crisis. Even if the Treaty had no real impact on the advancement of nuclear programs, it was the first step toward a complete nuclear test-ban treaty. President Nixon and Carter continued to work toward this goal by setting up the Threshold Test-Ban Treaty in 1974 and the Peaceful Nuclear Explosions Treaty and negotiating about test ban in Conference on Disarmament in Geneva. However, other presidential administrations opposed a Treaty of that sort. President Reagan halted the negotiations and opposed a Comprehensive Nuclear-Test-Ban Treaty. George H.W. Bush administration thought that this treaty would not be in the interest of the United States. These different positions made it longer to achieve the creation of a Comprehensive Nuclear-Test-Ban Treaty.

Nevertheless, things changed with President Clinton, he participated actively in the negotiations of the Comprehensive Nuclear-Test-Ban Treaty and was its fervent proponent. Once the treaty in place and signed by the United States in 1996, he was the first President to ask for its ratification to the Senate. This first move outlined how difficult it will be for the United States to ratify the Treaty. It failed. Obama administration also tried but they did not make it either. When Trump became President, he was a real threat to all the efforts made by the Clinton and the Obama administration for ratification of the Treaty. How is it possible that after almost 25 years, and various attempts, the United States did not ratify the CTBT?

This study intends to analyze the last attempts for ratification of the Comprehensive Nuclear-Test-Ban Treaty by the United States. We should understand why in the past 20 years the different administrations failed to seek the Treaty's ratification. It places at its core the work done by the Obama administration as it sounds to be the most promising and examine all its surrounding elements. For this purpose, various interviews have been conducted. This research project puts lights on the difficult task to ratify a Treaty in the United States, mostly when facing constant opposition of the Senate.

The causes of the opposition for the ratification of the Comprehensive Nuclear-Test-Ban Treaty from the administrations itself, but most importantly for the Senate, have been well analyzed. The studies also focused on why it could be an advantage for the United States national security to ratify the Treaty when it is already observing a nuclear test Moratorium. However, it is interesting there is insufficient consideration on what work concretely did the Obama administration to achieve this goal, set up in the 2009 Prague speech. Neither have been analyzed the causes of its non-success surrounding the strong Senate

opposition. A lack of perspective materializes when talking about the United States ratification of the Comprehensive Nuclear-Test-Ban Treaty and on what was the impact of the Trump administration.

Thus, it seems crucial to focus on this matter. To set the whole picture of the United States' potential ratification of the Comprehensive Nuclear-Test-Ban Treaty, it seems necessary to go back in the past and analyze the first attempt to ratify the Treaty and the sources of opposition (I). Then, we should investigate the work done by the Obama administration to appreciate its benefits for a future administration seeking to ratify the Treaty, but also understand what the causes of the non-ratification of the Treaty (II) were. A short examination of Trump administration's work on the Treaty is mandatory (III) to finally analyze what we can expect from the new elected President Joe Biden (IV).

## CHAPTER 1: The United States Debate on the Comprehensive Nuclear-Test-Ban Treaty

### *The first attempt to ratify the Comprehensive Nuclear-Test-Ban Treaty*

The American debate on nuclear testing has been long and represents 40 years of effort before Bill Clinton was elected as the United States President. He tried to revive these efforts by deciding to extend the American moratorium under certain conditions but most importantly, he decided to pursue the creation of the Comprehensive Nuclear-Test-Ban Treaty by September 1996. This fundamental decision prepared the ground for negotiations and advanced the cause of nuclear testing prohibition. During the Treaty's negotiations, Clinton's leadership laid to the success of the CTBT negotiations. For instance, he helped to solve one of the main issues: the definition of a nuclear test, by supporting a zero-yield CTBT – no nuclear explosions producing chain reaction of any kind. The Comprehensive Nuclear-Test-Ban Treaty was adopted on September 16, 1996. The United States signed the Treaty that day.<sup>1</sup>

The fruition of all Clinton efforts would be the American ratification of the treaty. By September 22<sup>nd</sup> of 1997 he tried to push the Treaty toward ratification, by transmitting the Comprehensive Test-Ban Treaty to the U.S. Senate to get its advice and consent for ratification. The Senate, then, had the historic opportunity to complete all the efforts made

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<sup>1</sup> Edward Ifft, "The Comprehensive Nuclear-Test-Ban Treaty and US security", *The Nonproliferation Review*, 2016, 23:3-4, 385-396; Warren Christopher, "UN Adopts Comprehensive Nuclear Test Ban Treaty", [Press statement](#) by Secretary of State Warren Christopher, Department of State, Washington, DC, September 11, 1996; John D. Holum, *Statement from the arms control director on the treaty to ban nuclear testing*, September 10, 1996.

by various presidential administrations, beginning by the Eisenhower Administration. However, the Senate did not see the CTBT ratification as a priority. Senator Jesse Helms wrote to President Clinton declaring that the Senate had to address “higher priority” issues (Anti-Ballistic Missile Treaty and the Kyoto Climate Treaty) before considering the CTBT.<sup>2</sup> Clinton’s wish to see the treaty ratified in 1998 never realized.

At that time, the American public support for the CTBT was strong – studies showed around 70% of support – that the Clinton administration thought they could get the vote from the Senate. John Holum, Acting Under Secretary of State for Arms Control and Political-Military Affairs declared, “If it comes to a vote in the Senate, I think we’ll have the votes” before having held no hearings in the Foreign Relations Committee of the Senate. But he kept being realist as seeing that it could change with debates.<sup>3</sup>

The Comprehensive Test-Ban Treaty got support by former Joint Chiefs of Staff, the nuclear weapons laboratory directors and members of NATO. In 1999, some Senators and non-governmental organizations made efforts to secure CTBT support and to impulse the Senate leadership to begin the ratification process. They wrote to the Senate majority leader Trent Lott asking for hearing on the CTBT, the later rejected this demand from his Senate colleagues.<sup>4</sup> It was seen by the Clinton administration as urgent. With no ratification, the American delegation would be confined to the position of an observer, undermining the American role on a major non-proliferation discussion.<sup>5</sup>

After many efforts to block the Democrats and Clinton’s ambition to see the CTBT ratified, the Senate majority leadership Jesse Helms and Trent Lott decided to propose a vote on final passage of the treaty by October 7, 1999. But at that time, 34 Senators had already been persuaded to vote against the ratification.<sup>6</sup>

One of the critics we can make of the CTBT ratification process during the Clinton administration is that it was rushed. The Senate leadership decided to leave no choice to the Senators by adopting a strategy of “take it or leave it”. Senator Trent Lott proposal to hold 10 hours of debate with only six days’ notice was very criticized. On a subject of that importance, it would have been appropriate to take the time needed to answer all

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<sup>2</sup> Daryl Kimball, Nuclear Testing and Comprehensive Test Ban Treaty (CTBT) Timeline, *Arms Control Association*, July 2020. Available here: <https://www.armscontrol.org/factsheets/NuclearTestingTimeline>

<sup>3</sup> John D. Holum, *Acting Under Secretary of State for Arms Control and Political-Military Affairs Special briefing on the Comprehensive Test Ban Treaty*, April 7, 1998.

<sup>4</sup> Tom Daschle, *Remarks by Senator Tom Daschle Urging the Senate to Consider the Comprehensive Test Ban Treaty*, Congressional Record, 106th Congress September 23, 1999; Daryl Kimball, “Learning From the 1999 Vote on the Nuclear Test Ban Treaty”, *Arms Control Association*.

<sup>5</sup> Secretary of State Madeleine K. Albright, *Remarks at Commemorative Event for the Comprehensive Test Ban Treaty*, Association of the City Bar, New York, September 23, 1999.

<sup>6</sup> Daryl Kimball, “CTBT IN CRISIS: How The US Senate Rejected CTBT Ratification”, *Disarmament Diplomacy*, Issue No. 40, September – October 1999; Daryl Kimball, Nuclear Testing and Comprehensive Test Ban Treaty (CTBT) Timeline, *Arms Control Association*, July 2020. Available here: <https://www.armscontrol.org/factsheets/NuclearTestingTimeline>

questions. The future Administration that dealt with the Treaty repeated that it was a long process requiring lots of hearings.<sup>7</sup>

By October 1<sup>st</sup>, 1999, the Democrats Senators conformed with the “take it or leave it” strategy and accepted to vote on October 12. From that moment, the Clinton administration tried to persuade the Senators to vote in favor of the Treaty. The Secretary of State Madeleine K. Albright and the Secretary of Defense William S. Cohen made statements and remarks before the Foreign Relations Committee On the Comprehensive Test Ban Treaty. They reminded the key role of the Treaty for American security and non-proliferation policy.<sup>8</sup>

But it was too late. The last attempts to postpone the Senate vote were rejected and the final vote took place on October 13, 1999<sup>9</sup>. With no surprise, the majority voted against the Comprehensive Nuclear-Test-Ban Treaty. The greatest American deliberative body failed to appreciate the merits of the Treaty and “killed” a treaty that the United States has sought for forty years.

## *The main arguments against the Comprehensive Nuclear-Test-Ban Treaty Ratification*

Why did the Senate was so skeptical about the Test-Ban Treaty? General John M. Shalikashvili, Special Advisor to the President and Secretary of State saw the importance to understand why the Senators were not ready to ratify it<sup>10</sup>. The main objections were centered on the Treaty’ system of verification and the reliability of the U.S. stockpile. Other concerns were raised: the definition of the treaty and the relationship of the CTBT to nonproliferation.

It is crucial to note that these two reasons have been raised each time a Presidential administration dealt with the CTBT. It is a great cause of concern for Senators.

The Treaty’ verification regime is based on two systems: The International Monitoring System (IMS) and the On-site Inspection (OSI). The latter can only occur once the Treaty will enter into force. Therefore, as the organization is for now preparing itself for future inspections, States cannot rely on OSI, as it is unlikely to happen for now. Thus, we will focus

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<sup>7</sup> Edward Ifft, “The Comprehensive Nuclear-Test-Ban Treaty and US security”, *The Nonproliferation Review*, 23:3-4, 2016.

<sup>8</sup> Secretary of State Madeleine K. Albright, *Statement Before the Senate Foreign Relations Committee On the Comprehensive Test Ban Treaty*, October 7, 1999; Secretary of Defense William S. Cohen, *Remarks as Delivered at Comprehensive Nuclear Test Ban Treaty Event*, The White House, October 6, 1999.

<sup>9</sup> Letter signed by 62 Senators requesting a delay on consideration of the Comprehensive Test Ban Treaty, *Congressional Record*, 106th Congress, p.S12549, October 13, 1999.

<sup>10</sup> John M. Shalikashvili, *Findings and Recommendations Concerning the Comprehensive Nuclear Test Ban Treaty by Special Advisor to the President and Secretary of State*, January 2001.

on the former. The International Monitoring System is very well developed today but doubts remains regarding its ability to detect low-yield tests. The National Institute for Public Policy raised concerns on its efficiency in case of “cheating”: conducting nuclear explosions in an underground cavity and testing without attribution.<sup>11</sup> Regarding the first one, conducting nuclear explosions in an underground cavity, a debate occurred. Some CTBT proponents outlined the possibility to observe the construction of a cavity for a decoupled test, but also that radioactive venting would be detected. The opponents answered that venting can be contained. Moreover, some IMS stations are located too far away from nuclear test sites to detect these venting (i.e., Russia and China refused to install IMS stations close to Novaya Zemlya and Lop Nor). The most skeptical about the CTBT verification system will base themselves on the fact that “arms control history demonstrated a need for caution”.<sup>12</sup>

The second main issue has been how to keep a safe, secure and reliable nuclear stockpile without testing? A very traditional concern still used today. Even if, thanks to the Science-based Stockpile Stewardship Program, the United States understand more nuclear weapons than they never did, people still worry about keeping a modern nuclear stockpile, preventing defects and fixing these defects without testing. Furthermore, young engineers will work on nuclear weapons without ever having conducted any test, which is causing, for the skeptical, a lack of competency. Siegfried Hecker, former director of Los Alamos Laboratory declared having concerns about the viability of the entire nuclear complex and that “it is so difficult today in our regulatory, compliance-based environment to actually do the laboratory tests that would allow me to assure people that these weapons will still be safe, secure, and reliable when the plutonium or the high explosives age”<sup>13</sup>. Robert Rosner agreed on the certainty to get everything right but he assured that some process could be dealt with design, such as the Reliable Replacement Weapon. The United States is one of the only State that has this capacity to rely on designs thanks to all the data it collected during its past testing: “We can do without testing; virtually all of the others cannot”<sup>14</sup>. Then, the CTBT would not be an obstacle if the U.S. were to choose to build a new nuclear arsenal, in contrary to all the other States.<sup>15</sup>

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<sup>11</sup> On testing without attribution look at the Vela incident: Jeffrey T. Richelson, “The Double Flash: The Vela Incident: September 1979”, in *Spying on the Bomb*, Norton, 2007.

<sup>12</sup> National Institute for Public Policy, *The Comprehensive Test Ban Treaty: Assessment of the Benefits, Costs, and Risks*, National Institute Press, 2011. Regarding the need for caution: Senate Armed Services Committee Hearing on Report of the Congressional Commission on the Strategic Posture of the United States, CQ Congressional Transcripts, May 7, 2009.

<sup>13</sup> Siegfried Hecker in Lassina Zerbo and al., « The Comprehensive Nuclear Test-Ban Treaty at 20 », *American Academy of Arts and Science, Bulletin*, vol. LXIX, n°4, Summer 2016.

<sup>14</sup> Robert Rosner in Lassina Zerbo and al., « The Comprehensive Nuclear Test-Ban Treaty at 20 », *American Academy of Arts and Science, Bulletin*, vol. LXIX, n°4, Summer 2016.

<sup>15</sup> Lassina Zerbo and al., « The Comprehensive Nuclear Test-Ban Treaty at 20 », *American Academy of Arts and Science, Bulletin*, vol. LXIX, n°4, Summer 2016.

This leads us to our third issue: the Comprehensive Test-Ban Treaty's relationship to non-proliferation. The whole purpose of the treaty is to prohibit nuclear test and the U.S. ratification would help to prevent other States to conduct these tests, therefore to modernize their nuclear arsenal or to acquire or build new nuclear warheads. It would push other States to ratify the Treaty and strengthen the Nuclear Non-Proliferation Treaty.

However, many believe that the American ratification to the Test-Ban Treaty would not change anything in this matter. In fact, North Korea did not hide its recent nuclear tests. Others might cheat and hide nuclear tests and advance their nuclear weapons capabilities<sup>16</sup>. The U.S. national security would be diminished. Even the supporters of CTBT and more generally of nuclear disarmament don't want to drop nuclear deterrence as it is supporting their national security<sup>17</sup>. How to secure a good American deterrence capacity without testing, losing competency, getting an old nuclear arsenal while the others are getting better and better?<sup>18</sup> This is the whole debate and arguments that were used to reject U.S. ratification to the Treaty. Some of these arguments will be further analyzed in Chapter 3.

Finally, the Treaty prohibits nuclear explosions without giving a clear definition of that term. During the CTBT negotiations, the U.S. delegation promoted a "zero-yield" approach<sup>19</sup>. All the Nuclear Weapons States publicly stated to adhere to this interpretation of the Treaty. But no definition was included in the Treaty. The opponents of the treaty raised the case of how to be sure that other states respect this interpretation, as there is no written agreement on the definition of "zero-yield".<sup>20</sup> In fact, doubts remain on the Chinese and Russian interpretation of the concept, they might have a more extended approach.

All these arguments interconnect and erected the United States refusal to be locked into the Comprehensive Test-Ban Treaty.

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<sup>16</sup> The National Academies, *Technical Issues Related to the Comprehensive Nuclear Test Ban Treaty*, National Academy of Sciences, 2002.

Available here: [http://www.nap.edu/catalog.php?record\\_id=10471#toc](http://www.nap.edu/catalog.php?record_id=10471#toc)

<sup>17</sup> The White House, "United States – Japan Joint Statement toward a World without Nuclear Weapons", Office of the Press Secretary, November 13, 2009.

<sup>18</sup> National Institute for Public Policy, *The Comprehensive Test Ban Treaty: Assessment of the Benefits, Costs, and Risks*, National Institute Press, 2011.

<sup>19</sup> Federal Register, Weekly Compilation of Presidential Documents, August 14, 1995, p. 1433.

<sup>20</sup> Nuclear Testing Moratoria As Interpreted In Accordance With The U.S. "Zero-Yield" Standard

## *Trump Administration threat to the Comprehensive Nuclear-Test-Ban Treaty*

The verification regime, definition of nuclear explosions, reliability of nuclear stockpile, relationship to non-proliferation concerns were the foundations of Trump Administration' unwillingness to ratify the CTBT.

When being elected, President Trump directly announced that he would make some changes to the U.S. long-standing nuclear policy<sup>21</sup>. He did not express his thinking formally but stated that he would expand and strengthen U.S. nuclear weapons capabilities. His great ambitions were in a breach with what another President did. In fact, Trump never really understood the point of having nuclear weapons but not being able to use them.<sup>22</sup> He directly started the work on the making of a new Nuclear Posture Review published in 2018. One of the several evidence of Trump administration non-interest for the CTBT was the U.S. delegation silence at the UN Conference on Facilitating the Entry Into Force of the Comprehensive Test Ban Treaty held in September 20, 2017<sup>23</sup>. The lack of efforts was outstanding as the Trump Administration was working with no Under Secretary for Arms Control and International security, therefore being in opposition with the level of implications of all other States being present to the conference. This silence can be explained by the work the Administration was doing on the Nuclear Posture Review. When done, with no surprise, the Review stated several times that: "the United States will not seek ratification of the Comprehensive Nuclear Test Ban Treaty"<sup>24</sup>. Although, it specified that the U.S. would keep supporting financially the Comprehensive Nuclear Test-Ban Organization Preparatory Committee and the International Data Centre<sup>25</sup>. On this point some Republicans Senators did not agree and threatens to cut off CTBTO funds, as the U.S. did not ratify the Treaty<sup>26</sup>.

The more we move forward within the work of Trump administration, the more Nuclear International Security have been threatens by him and the more we understand his willingness to get out of arms control agreements. The administration withdrew from the 1987 Intermediate-Range Nuclear Forces Treaty, from the 2015 Joint Comprehensive Plan

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<sup>21</sup> Daryl G. Kimball and Kingston Reif, "Trump Questions U.S. Nuclear Policies", *Arms Control Association*, March 2017. Available here: <https://www.armscontrol.org/act/2017-03/news/trump-questions-us-nuclear-policies>

<sup>22</sup> Jean-Luc Hesse, *Ces psychopathes qui nous gouvernent*, 2018.

<sup>23</sup> Shervin Taheran, "Trump Administration Silent on CTBT", *Arms Control Association*, October 2017. Available here: <https://www.armscontrol.org/act/2017-10/news/trump-administration-silent-ctbt>

<sup>24</sup> *Nuclear Posture Review*, Office of the Secretary of Defense, February 2018.

<sup>25</sup> *Nuclear Posture Review*, Office of the Secretary of Defense, February 2018.

<sup>26</sup> Shervin Taheran, "Republicans Seek to Cut CTBTO Funds", *Arms Control Association*, March 2017. Available here: <https://www.armscontrol.org/act/2017-03/news-briefs/republicans-seek-cut-ctbto-funds>

of Action and lastly from the Open Skies Treaty<sup>27</sup>. These were not good signs for the CTBT and it could be the next arms control Treaty on the list.

The fear became real when the Washington Post disclosed that Trump Senior Officials started to consider nuclear testing again<sup>28</sup>. A potential test would be in response of Russians and Chinese low-yield tests' suspicions – there are no real evidence as outlined previously. For Trump the incentive would also be to lock China, Russia and the United States in a trilateral agreement. The Nuclear Posture Review outlined this possibility: "This posture was adopted with the understanding that the United States must remain ready to resume nuclear testing if necessary, to meet severe technological or geopolitical challenges"<sup>29</sup>. However, it breaks the Trump administration engagement to observe the U.S. Nuclear Moratorium. Fortunately, this plan was not well received by the whole administration. The Nuclear National Security Administration expressed its disagreement, and many commented this idea as being dangerous<sup>30</sup>. Senator Edward J. Markey wrote a letter to President Trump to ask him to abandon this idea<sup>31</sup>. Moreover, it seems difficult to imagine where a nuclear test could have been conducted as American people well remember all the tests done in the past and the increasing of diseases in these areas. He would have faced a strong public opposition.

Regarding the Comprehensive Nuclear-Test-Ban Treaty, it would have been a serious threat as it would have compromised its support and most importantly, maybe caused some un-signature. Thinking that conduction a rapid test would push Russia and China to negotiations have been considered as dangerous or even more "catastrophically stupid"<sup>32</sup>.

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<sup>27</sup> On Open Skies Treaty: Mike Pompeo tweets: "Today, pursuant to earlier notice provided, the United States withdrawal from the Treaty on Open Skies is now effective. America is more secure because of it, as Russia remains in non-compliance with its obligations".

Available here: <https://twitter.com/SecPompeo/status/1330516375090180096>

On Intermediate-Range Nuclear Forces Treaty: Shannon Bugos, "U.S. Completes INF Treaty Withdrawal", *Arms Control Association*, September 2019.

Available here: <https://www.armscontrol.org/act/2019-09/news/us-completes-inf-treaty-withdrawal>

<sup>28</sup> John Hudson and Paul Sonne, "Trump administration discussed conducting first U.S. nuclear test in decades", *The Washington Post*, May 23, 2020.

Available here: [https://www.washingtonpost.com/national-security/trump-administration-discussed-conducting-first-us-nuclear-test-in-decades/2020/05/22/a805c904-9c5b-11ea-b60c-3be060a4f8e1\\_story.html](https://www.washingtonpost.com/national-security/trump-administration-discussed-conducting-first-us-nuclear-test-in-decades/2020/05/22/a805c904-9c5b-11ea-b60c-3be060a4f8e1_story.html)

<sup>29</sup> Nuclear Posture Review, Office of the Secretary of Defense, February 2018.

<sup>30</sup> Greg Webb, "Trump Officials Consider Nuclear Testing", *Arms Control Association*, June 2020. Available here: <https://www.armscontrol.org/act/2020-06/news/trump-officials-consider-nuclear-testing>

<sup>31</sup> Edward J. Markey, *Senator Markey demands Trump Administration abandon reckless restart of U.S. nuclear weapons testing*, May 24, 2020.

Available here: <https://www.markey.senate.gov/news/press-releases/senator-markey-demands-trump-administration-abandon-reckless-restart-of-us-nuclear-weapons-testing>

<sup>32</sup> Sarah Bidgood, "A Nuclear Test Would Blow Up in Trump's Face", *Foreign Policy*, June 11, 2020.

Available here: <https://foreignpolicy.com/2020/06/11/nuclear-test-arms-control-trump-united-states-brinkmanship/>

How to be sure that other States would not have left the Treaty to conduct nuclear test as well? It would have been to take the risk of pushing Moscow and Russia to do the same. Furthermore, it would have undermined all the efforts done by the Obama administration on the CTBT ratification. Therefore, it would have taken the CTBT away from its entry into force, lost some Annex II States, and diminished a future potential U.S. ratification to the Treaty.<sup>33</sup>

## CHAPTER 2: The quest for the Comprehensive Nuclear-Test-Ban ratification under Barack Obama administration

To understand the work of the Obama administration, you have to start by looking at the President Obama Prague Initiative on disarmament, on April 5, 2009, which is setting the whole picture of the ambitions for administration.

During his Prague speech, President Obama set up as goals many arms control objectives that he didn't mentioned while candidate for the White House. The only clue we had for his future work on the Comprehensive Nuclear-Test-Ban Treaty was a joint statement between the United States and Russian Federation, made few days earlier, stating the commitment of Barack Obama to work for the Treaty ratification<sup>34</sup>. Among all, he declared in Prague:

"To achieve a global ban on nuclear testing, my administration will immediately and aggressively pursue U.S. ratification of the Comprehensive Test Ban Treaty. After more than five decades of talks, it is time for the testing of nuclear weapons to finally be banned".<sup>35</sup>

Obama sought to work toward a more safe and secure world: a world without nuclear weapons. He knew this goal was very ambitious and that it might not happen during his lifetime, however, the priorities he took would push this objective to realize. The entry into force of the Comprehensive Nuclear-Test-Ban is necessary, as if nuclear testing is banned, a structure would exist to ensure that if a nation break the rules, it will face the consequences. As the United States ratification to the CTBT is necessary for its entry into

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<sup>33</sup> Or Rabinowitz and James Cameron, "Trump officials have talked about resuming nuclear testing. Here's why that would hurt the U.S.", *The Washington Post*, May 30, 2020.

Available here: <https://www.washingtonpost.com/politics/2020/05/30/trump-officials-have-talked-about-resuming-nuclear-testing-heres-why-that-would-hurt-us/>

<sup>34</sup> Joint Statement by President Dmitriy Medvedev of the Russian Federation and President Barack Obama of the United States of America, April 1, 2009.

<sup>35</sup> Barack Obama, *Remarks By President Barack Obama In Prague As Delivered*, The White House, April 05, 2009.

force, pursuing its ratification was an obvious objective of the President comprehensive agenda against nuclear proliferation.

The Obama administration started quickly to work on this matter and reaffirming the President support for an American ratification to the Treaty. The participation, in 2009, of the U.S. delegation – led by Hillary Clinton – participation in the Conference on Facilitating the Entry into Force of the Comprehensive Nuclear Test Ban Treaty and the holding of sessions by the Under Secretary of State, Ellen Tauscher, demonstrated the Obama administration support for this purpose<sup>36</sup>.

Later the same year, Vice President Joe Biden was briefed by the directors of the national security laboratories (Los Alamos, Lawrence and Sandia) on keeping a safe, secure and reliable nuclear stockpile. Interagency was working well as the meeting reunited officials of the Department of State and Department of Defense, Secretary of Energy Steven Chu, Deputy Energy Secretary Dan Poneman, National Nuclear Security Administrator Tom D'Agostino. This meeting was part of the administration commitment to the Prague agenda, especially for the ratification of the CTBT.<sup>37</sup> By this, the administration was familiarizing itself with one of the technical issues to the CTBT.

Doing the technical work was the first step of the Administration. The Office of the Vice-President and the White House Office of Science and Technology Policy requested to the National Research Council to update its first report on the technical issues related to the CTBT (2002). On this task, they were supported by the Department of State and Department of Energy. It was a very long technical process having for purpose to get the scientific answers to the questions the Senators might ask. This work was also to show the Senators that the scientific and technical stuffs were done, all concerns were heard, and it was not just about passing a policy – a Treaty here.<sup>38</sup>

However, many obstacles appeared. Firstly, Obama administration focused on the New Start ratification, its first priority. This treaty seemed easier to ratify as it benefited from a very clear bipartisan support from the Senate. Nevertheless, the ratification process was very long – eight months, with more than 20 hearings at the Senate and thousands of questions on the record. The Senate sent questions to the executive, the latter answered the Senate... President Obama and its administration conducted a long and exhausting battle against the Senate, specifically against the Republican Senators to get the vote done before 2011 and to assure itself to get the Treaty voted. This was not an easy process,

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<sup>36</sup> *Statement by the Press Secretary on the U.S. delegation to the Conference on Facilitating the Entry into Force of the Comprehensive Nuclear Test Ban Treaty*, September 15, 2009

<sup>37</sup> *Readout from Vice President's Meeting with Directors of the National Security Laboratories on the U.S. Nuclear Weapons Stockpile*, December 16, 2009 and "Anastasio briefs Vice President Biden: White House meeting focused on U.S. nuclear weapons stockpile", *The Los Alamos Monitor Online*, December 16, 2009.

<sup>38</sup> Committee on Reviewing and Updating Technical Issues Related to the Comprehensive Nuclear Test Ban Treaty, "The Comprehensive Nuclear Test Ban Treaty—Technical issues for the United States", National Research Council of the National Academies, 2012.

Available here: <https://www.nap.edu/download/12849>

as even few days before the vote took place, there was no guarantee that the Treaty would get the majority.<sup>39</sup>

Following with the Prague Agenda, the administration saw an opening with the Iranian elections and Rouhani winning. They decided to go forward with the Joint Comprehensive Plan of Action and participating to the negotiations. Obama called the Iranian President, which was the first highest level contact between the U.S. and Iran since 1979. Obama was convinced that a deal could be reached.<sup>40</sup> Just the negotiations process between the P5+1 and Iran took six years. However, the Senate passed a law that required the Congress to vote in favor or against the Iran Deal. So after diplomatic negotiations, started the two months review of the JCPOA by the Senate, which did not end up well: no approval or disapproval resolution was taken.<sup>41</sup> Having the Iranian deal settled also required lots of congressional work and outreach on the Capitol Hill. It was more an immediate problem to contain the Iranian nuclear program, and it clearly shows that Obama administration could not deal with everything. It made choices.<sup>42</sup>

The New Start Treaty and the JCPOA were fulfilling the Prague objectives of President Obama when he stated to act for a world without nuclear weapons. But we should not forget that other elements, not part of the Prague Agenda had to be secured by the Administration: immigration, healthcare reforms. Adding to that the fact that the executive cannot convince the Senate and, at that time Mitch McConnell, to see certain items as priorities. The Senate has to agree to take time to review the Treaties that are submitted by the executive. That's how we got to the Convention on the Rights of Persons with Disabilities ratification process at the Senate.

Analyzing all these elements, all the Treaties submitted to the Senate and the Hill (sometimes long) review process created a certain "ratification fatigue" inside the Obama administration. The Administration did not wish to deal with a Treaty – the CTBT – that they knew would be voted down by the Senate. Why would it be certainly voted down? Because, in 2012 the Democrats lost the majority at the Senate. After the CTBT ratification process under the Clinton administration, the Bush administration suspicions about trying to un-sign the CTBT it was very clear that most of the Republicans were fervent opponents to the Treaty. Mitch McConnell led the Senate's majority and it became more difficult for the Obama administration to get anything through the Senate.<sup>43</sup>

At this point, the Under Secretary for arms control and international security, Rose Gottemoeller, who was in charge of the CTBT ratification decided to try to get the

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<sup>39</sup> Tom Z. Collina, "Senate approves New START", *Arms Control Association*.

<sup>40</sup> Milena Sterio, "President Obama's Legacy: The Iran Nuclear Agreement?", *Case W. Res. J. Int'l L.*, vol. 48, Issue 1, 2016.

<sup>41</sup> Kelsey Davenport, "Timeline of Nuclear Diplomacy With Iran", *Arms Control Association*, December 2020.

<sup>42</sup> Private interview with Alexandra Bell.

<sup>43</sup> Private interview with Rose Gottemoeller, former Under Secretary of State for Arms Control and International Security; Private interview with Alexandra Bell.

Republicans on board and re-establishing a discussion with the American public on this issue. She visited many States – republican states – where American nuclear explosive testing occurred. She had the authorization to visit the Trinity Site where the first nuclear test was conducted<sup>44</sup>. She talked with downwinders Mormons population of Utah, getting the support of the Treaty from Senator Mike Lee, very conservative. She went to Alaska, understanding that she could get CTBT ratification support from Senator Lisa Murkowski who already voted in favor of the New Start. In Mississippi, she met students who were making films on the effect of the testing on the local population<sup>45</sup>. She talked with local stakeholders, universities and engaged the conversation on nuclear security and on why the Comprehensive Nuclear-Test-Ban Treaty is crucial. Many of these people thought the United States already had a test-ban Treaty in place as they stopped testing. For Alexandra Bell, Senior Policy Advisor at the Center for Arms Control this is a problem: If local people don't know about the Treaty, they can't talk about it to their elected members: then you can't move political dialogue to Capitol Hill. So the idea behind this retail politics was to get movement to the Senate and gain support from Republicans. As it was her responsibility, Rose Gottemoeller wished to make the case to the administration and to show them – to her colleagues and to the President himself – that it was possible to get the support of the Republicans on the CTBT. Most importantly, that the Treaty could benefited from a bipartisan support.

However, even if Rose Gottemoeller managed well to get that support, she declared that: “Unlike New Start, the ratification process was not a whole of government effort. Working the problem with all agency involvement was not adequate”<sup>46</sup>. In fact, when trying to ratify the New Start, the Under Secretary for Arms Control and International security got lots of support from the government, the President himself, interagency. Everybody was working together. But in the case of the Comprehensive Nuclear-Test-Ban Treaty, as highlighted previously, the attention of the government and the President had turned elsewhere, other priorities were more immediate and they made the choice to let the CTBT on the side of the table. The preface of the Nuclear Posture Review of 2010 outlined the importance of an interagency work: “From beginning to end, this review was an interagency effort, and as such reflects the strength of what can be accomplished when our government's departments work in concert”<sup>47</sup>. It is obvious that when the Obama Administration had put the full force of its weight behind its nuclear policy Agenda such as the New Start and Iran deal, it worked. This was explained by other priorities of course but also by the lack of energy or interest to push a Treaty that won't be voted by the Senate. Personal can also influence the work done on a Treaty, some members of the White House

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<sup>44</sup> Alexandra Bell, « Road Trip to Trinity », *Inkstick*, February 21st, 2018, available here : <https://inkstickmedia.com/road-trip-trinity/>

<sup>45</sup> Rose Gottemoeller, *Remarks of the Under Secretary for Arms Control and International Security, University of Mississippi*, Overby Center for Southern Journalism and Politics, Meek School of Journalism and New Media, February 25, 2016.

<sup>46</sup> Private interview with Rose Gottemoeller, former Under Secretary of State for Arms Control and International Security.

<sup>47</sup> *Nuclear Posture Review 2010*, Secretary of Defence.

and government were not interested in the Treaty, or did not see nuclear issues as a priority. Even if there were always people working on these issues, these people had a lot to deal with. Obama administration was clear on the fact that they would not pursue the ratification of a Treaty that would not get Senate consent, time spent on it and votes. At the end of the administration, when looking back, various members of the White House justified the CTBT ratification objective not met because of the Senate opposition<sup>48</sup>. When thinking about the work of Obama administration on pursuing of CTBT ratification, Alexandra Bell declared: “I don’t think we had one, nor missed an opportunity; it’s just that the stars never properly aligned. But I think we could have done a better job helping those stars to align”.

This “not trying hard enough” is well highlighted by the United States introduction of a resolution on the Comprehensive Nuclear-Test-Ban to the United Nations Security Council<sup>49</sup>. It was the first resolution supporting the Treaty, reaffirmed the global norm against nuclear tests and encouraged ratification of the Treaty. By introducing this resolution, it was clear that they could have done more but did not manage to do so. So they asked the UN Security Council to act at the international level. Nevertheless, the Senate, accusing the Obama administration to bypass Congress ratification role, did not welcome the resolution. Republicans Senators even threatened the President to seek to cut off the American funding for the CTBTO that represented, at that time, around a quarter of the funding<sup>50</sup>.

When Republicans have been accused to try to defund the CTBTO, they answered by saying that doing so would “threaten” the world’s ability to monitor nuclear tests in North Korea and would be “counterproductive” to U.S. security interests. This leads us to another point: the Republican’s do not oppose to the Treaty because of its potential merits and whether the Treaty protects or not American security interests. Obama administration well established that the Nuclear-Test-Ban Treaty was in the U.S. security interests<sup>51</sup>. It just did

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<sup>48</sup> Joseph Biden, *Remarks by the Vice President on Nuclear Security*, Washington, DC, Wednesday, January 11, 2017; Josh Earnest and Ben Rhodes, *Press Briefing by Press Secretary Josh Earnest and Deputy National Security Advisor for Strategic Communications Ben Rhodes*, September 07, 2016; Ben Rhodes, *Remarks by Deputy National Security Advisor Ben Rhodes at the Arms Control Association*, June 06, 2016.

<sup>49</sup> Resolution 2310, *Maintenance of international peace and security*, United Nations Security Council, S/RES/2310, September 13, 2016. Available here: <http://unscr.com/en/resolutions/doc/2310> ; Comprehensive Nuclear-Test-Ban Treaty Organization, Preparatory Commission, *UN Security Council adopts historical Resolution on CTBT*, Press Centre, 2016. Available here: <https://www.ctbto.org/press-centre/news-stories/2016/un-security-council-adopts-historical-resolution-on-ctbt/>

<sup>50</sup> Shervin Taheran, “UN Security Council Backs CTBT”, *Arms Control*, October 2016.

Available here: <https://www.armscontrol.org/ACT/2016.10/News/UN-Security-Council-Backs-CTBT>

<sup>51</sup> Antony J. Blinken, Deputy Secretary of State, UN Headquarters, New York City, September 29, 2015 ; Anita E. Friedt, Principal Deputy Assistant Secretary, Bureau of Arms Control, Verification and Compliance, Astana, Kazakhstan, August 29, 2016 ; Rose Gottemoeller, *Remarks of the Under Secretary for Arms Control and International Security*, University of Mississippi, Overby Center for Southern Journalism and Politics, Meek School of Journalism and New Media, February 25, 2016 ; Joseph Biden, *Comprehensive Nuclear Arms Strategy*, April 7, 2010.

not translated into a successful political process. For Alexandra Bell: “CTBT is just like a deal with North Korea. It never materialized”.

Therefore, we cannot talk about a proper “failure” of CTBT ratification. From the Obama Administration perspective, they did not fail to do so. They worked toward this issue but did not until its end due to various factors mentioned above. The lack of consent from the Senate, prior Treaties and agreements to ratify and to deal with resulted into a ratification fatigue and a lack of enthusiasm from the Administration to fulfill this objective.

Work done by Obama Administration can be today defined as preparing the ground for a future administration. Luckily, the Under Secretary for Arms Control and International Security was very interested by the Treaty and worked a lot on alarming the public on the threat of nuclear testing. Rose Gottemoeller tried to make the things moving. Another person at her position could have worked less on the Comprehensive Nuclear-Test-Ban, weakened even more the support to the Treaty and making less progress. Looking back at her work, she made sure that if a next administration decided to move on the Treaty, then it would be able to do it. They also learnt that a Republican support was possible. The Obama Administration created tools for a future democratic administration and re-established a public support to the Treaty.

## CHAPTER 3: Prospects for a future American ratification to the Comprehensive Nuclear-Test-Ban Treaty

Recently, Joseph Biden won the American Presidential elections, leaving former President Trump on the backside. This can only mean a new age for American nuclear policy, especially its non-proliferation policy. To see what we can hope from Biden regarding the Comprehensive Nuclear-Test-Ban Treaty we have to go back into the past. As we saw it on the previous chapters, over the years, Joe Biden has been very active on nuclear issues and kept promoting a world free of nuclear weapons. First as Senator, then as Vice-President.

While he was Delaware Democrat Senator under Bill Clinton presidency, Joe Biden appeared to be in favor the Comprehensive Nuclear-Test-Ban Treaty and shared Clinton’s ambitions to see the Treaty ratified. In 1998, he urged the Senate Foreign Relations Committee to hold hearings and to organize a vote on the Treaty. He asked to forget about the politics, seeing this Treaty as an important matter of American national security interest: “Let us agree that it is not just one more football in the Washington game of

'politics as usual'<sup>52</sup>. He tried to convince as much as possible the Senate opponents to the Treaty that it was too important to be put in the backside:

"The amendments we are going to discuss on legislation that is before us are important. It is true that some of it will affect the lives of hundreds or thousands of Americans. But I can't think of anything we will do in this entire Congress or have done in the previous Congress that has the potential to have as much impact on the fate of the world as this treaty. I cannot think of anything. I defy anyone to tell me, whether they are for or against this treaty, what we could be discussing of greater consequence than how to deal with the prospect of an accidental or intentional nuclear holocaust"<sup>53</sup>.

As Vice-President of the United States during Obama Presidency, Joe Biden kept being active on nuclear issues and on CTBT. As mentioned previously, he met the directors of the National Security Laboratories to be briefed on safety and reliability of the U.S. nuclear stockpile<sup>54</sup>. He re-affirmed the Obama administration plan to seek ratification of the Treaty and to observe the moratorium on nuclear tests<sup>55</sup>. But more important, he promised to the American citizens that he would protect them from nuclear risks<sup>56</sup>, he stated repeatedly that nuclear security was too important:

"As a nation, I believe we must keep pursuing the peace and security of a world without nuclear weapons. (...) That's a belief I have held for more than 40 years. It's one I have fought to make real time and again."<sup>57</sup>

This can only describe his degree of commitment to the Comprehensive Nuclear-Test-Ban Treaty and to a larger extent, to nuclear security. It gives good prospects for work he can do on the Treaty.

When Trump submitted the idea to make nuclear test again, Joe Biden gave an interview to the Nevada Independent, reacting and thinking that it was "as reckless as it is dangerous". He defended the U.S. nuclear moratorium and affirmed that it was no needed to test the U.S. nuclear stockpile.<sup>58</sup> This was at Biden's advantage during the American

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<sup>52</sup> Joseph Biden, "Senator Biden's Remarks Urging the Senate to 'Stop Playing Politics with Our National Security: Ratify the Test-Ban Treaty'", *Congressional Record - 106th Congress*, September 24, 1999. Available here: <https://fas.org/nuke/control/ctbt/text/092499biden.htm>

<sup>53</sup> Joseph Biden, "Remarks by Senators on the Comprehensive Test Ban Treaty, and Debate on the Unanimous Consent Agreement to Bring the CTBT to the Senate Floor for Debate and Vote by a Certain Date", *Congressional Record - 106th Congress*, September 30, 1999.

<sup>54</sup> Joseph Biden, *Readout from Vice President's Meeting with Directors of the National Security Laboratories on the U.S. Nuclear Weapons Stockpile*, December 16, 2009. Available here: <https://obamawhitehouse.archives.gov/the-press-office/readout-vice-presidents-meeting-with-directors-national-security-laboratories-us-nu>

<sup>55</sup> Joseph Biden, *A Comprehensive Nuclear Arms Strategy*, April 7, 2010. Available here: <https://obamawhitehouse.archives.gov/the-press-office/op-ed-vice-president-joe-biden-a-comprehensive-nuclear-arms-strategy>

<sup>56</sup> *Idem*.

<sup>57</sup> Joseph Biden, *Remarks by the Vice President on Nuclear Security*, January 11, 2017.

<sup>58</sup> Megan Messerly, "Resuming U.S. nuclear testing, as Trump administration officials have reportedly discussed, would be 'as reckless as it is dangerous,' Biden says", *The Nevada Independent*, May 28, 2020. Available here:

presidency elections, and he actually won the Nevada States. The U.S. House of Representatives Member Susie Lee supported Biden and promoted this future president to understand the danger of nuclear weapon's proliferation and committed to protect people of Nevada<sup>59</sup>.

All these statements give good prospective regarding Biden as new President of the United States. Its wish to act for a world without nuclear weapons and toward ratification to nuclear treaties was confirmed by the Democrats 2020 campaign affirming that one of the various objectives of THIS new presidency was to push for ratification the CTBT<sup>60</sup>. On its own website, Joe Biden does not refer to the Test-Ban Treaty but it is said in general terms that Biden "will take other steps to demonstrate its commitment to reducing the role of nuclear weapons". We can hope that pursuing the CTBT ratification is one of these other steps. But not mentioning it makes us believe that it is not at its top priorities.

Nevertheless, even if the new elected President is concerned by the Comprehensive Nuclear-Test-Ban Treaty, he has identified in a very clear way its priorities on nonproliferation issues: to renew the American commitment to Arms Control. This means to return to some agreements, treaties that have already been done. In fact, the first priority highlighted is to go back to the JCPOA. Secondly, to pursue the extension of the New START Treaty. Finally, he wishes to negotiate and to start a campaign to advance U.S. and its allies objective of a denuclearized North Korea.<sup>61</sup>

Analyzing these future potential priorities reveals a possibility to see the CTBT file let on the backside again. The past administrations highlighted the amount of time and energy required to fulfill these kind of objectives. Returning to the Iran Deal and getting the extension to the New START Treaty will require a huge amount of work. Hence, it will require time and energy from the Biden administration and the Senate. The Obama administration showed how difficult it was and paid the price by not reaching the expected ratification. History might repeat itself. An administration has to make political choices and the President elected Biden clearly disclosed his. Therefore, it suggests that this new administration pushing hard for some, conducting to a certain "ratification fatigue", so laying down others.

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<https://thenevadaindependent.com/article/resuming-u-s-nuclear-testing-as-trump-administration-officials-have-reportedly-discussed-would-be-as-reckless-as-it-is-dangerous-biden-says>

<sup>59</sup> Humberto Sanchez, "Biden opposition to new nuclear tests wins support from Nevada's congressional Democrats", *The Nevada Independent*, May 29, 2020. Available here: <https://thenevadaindependent.com/article/biden-opposition-to-new-nuclear-tests-wins-support-from-nevadas-congressional-democrats>

<sup>60</sup> Democratic National Committee, *Renewing American Leadership*. Available here: <https://democrats.org/where-we-stand/party-platform/renewing-american-leadership/>

<sup>61</sup> Joseph Biden, "The Power Of America's Example: The Biden Plan For Leading The Democratic World To Meet The Challenges Of The 21st Century", *Joe Biden – Kamila Harris Presidential Campaign*. Available here: <https://joebiden.com/americanleadership/>

However, as Alexandra Bell mentioned it, you have to wait to get all the ingredients of the recipe in order to pursue the ratification of a Treaty of that sort.<sup>62</sup> The first one is having the will of the White House as it is a hard process, requiring heavy influence and efforts when there are other competing interests. Then, you need to get the political and technical Capitol Hill.

Regarding the first ingredient, the future White House will is undoubtedly present. But will it be strong enough when facing other interests of that importance? We can't know. What we know is that Joe Biden has to choose carefully its government and who is going to have the role to deal with these various goals. For now, we don't know who will be the Under Secretary for Arms Control and International Security but we know that Antony Blinken will be the Secretary of State – title he held during Obama Presidency. Looking at the past, he is supporting the CTBT<sup>63</sup>. The Department of State will have to work jointly with the interagency and we hope that all of them will put efforts in this work.

The next ingredient to get the Test-Ban Treaty ratification, and a harder one to get, is the technical and political Senate. In parallel to the Presidency elections have been organized the Senate elections in order to renew 35 seats (on these 35, 23 are currently held by Republicans). We'll have the complete results in January. Up to now, Democrats need two more seats in order equalize and get a 50/50<sup>64</sup>. In 2022, the map is more favorable to Democrats. As they are supporting the Treaty, the more Democrats have seats, the more likely it is to move to the CTBT ratification. However, everything depends to whom is leading the Senate. For now, with Mitch McConnell, it is very unlikely to make any move on CTBT. But we should consider the advantages of Biden as President regarding the work to get the Senate consent. As Senator for 36 years, he has an extensive experience of the Capitol Hill work. More important, he has good relationships with many Senators – Democrats and Republicans, including Mitch McConnell. He is well respected and liked. For Rose Gottemoeller, Joe Biden is the master of retail politics, which means he can really work well on a personal basis with Senators: “if he decides to make it (the Comprehensive Test-Ban Treaty) a priority, even with Mitch McConnell in the Senate leadership, I would not necessarily say that he couldn't get it done”.<sup>65</sup> Nevertheless, acting this way requires lots of attention from the President himself. So, we go back to our first point: getting the will and real commitment of the White House and government.

Finally, for Alexandra Bell, these elements can align fastly if there is a potential opening. If things are moving, it makes an easier way for the new administration and the Senate to work on the CTBT. That opening could be the Trump administration threatening to

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<sup>62</sup> Private interview with Alexandra Bell.

<sup>63</sup> Antony J. Blinken, *Remarks by the Deputy Secretary of State at the Conference on Facilitating the Entry Into Force of the Comprehensive Nuclear Test Ban Treaty*, September 29, 2015. Available here: <https://2009-2017.state.gov/s/d/2015/247614.htm>

<sup>64</sup> Senate elections, CNN politics. Available here: <https://edition.cnn.com/election/2020/results/senate#mapmode=call>

<sup>65</sup> Private interview with Rose Gottemoeller, former Under Secretary of State for Arms Control and International Security.

conduct nuclear testing again and the bad public reactions coming from it. But that opening can also come from elements that are not dependent from the United States.

### *Other factors that could influence the new administration*

First of all, when analyzing the various obstacles to the United States ratification to the Comprehensive Nuclear-Test-Ban Treaty, one that appears in a very clear way is Russia. As mentioned previously, the United States suspected Russia to conduct low-yield test, though not respecting its commitment to the Test-Ban Treaty. Victor Slipchencko suggested that the U.S. would need the intervention of Russia on two matters: to elucidate the scope of the CTBT and on transparency or confidence building measures that could be implemented at operational test sites<sup>66</sup>. Discussions between the U.S. and Russia on these technical issues would be good solutions if they reveal that Russian suspected activities are not in violation of the CTBT. These technical talks should also officially demonstrate the differing understanding on their obligations and trying to harmonize them before a potential entry into force. Both Edward Ifft and Rose Gottemoeller agree that greater transparency would be the best solutions and would definitely help the U.S. in their CTBT ratification process, especially to convince the Republicans Senators.<sup>67</sup> However, Rose Gottemoeller added that these talks should also include China and probably all the P5. This would help to raise confidence between States and a greater confidence would push the U.S. to ratify the Treaty.

Alexandra Bell raised the point of regionalism. The path to U.S. ratification might be trying to make progress on some of the Annex II ratifications. Middle East is part of it. Israel might be the next Annex II State to ratify the CTBT, even though their internal negotiations are taking time. If Israel ratifies the Treaty, it might push other Middle East States to do the same. Moreover, several American security issues are linked with Israel, so it could definitely be a good push. Another suggestion that many specialists raised is that the United States could ask more from Iran when negotiating again the JCPOA. They could put the Nuclear-Test-Ban Treaty on the table and make it part of the deal. It is actually something that might have been missed when initially dealing with Iran. Nevertheless, in the Middle East case, the real problem comes from Egypt. They stated that they would not enter in a new arms control agreement as long as Israel did not ratify the Non-Proliferation Treaty.<sup>68</sup>

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<sup>66</sup> Victor Slipchenko, "Russia, Ratification and the CTBT's Entry Into Force", Occasional Paper 3, *VERTIC*, June 2010.

<sup>67</sup> Edward Ifft, "The New Threat to the Test-Ban Treaty", *Survival*, 62:5, 2020; Private interview with Rose Gottemoeller, former Under Secretary of State for Arms Control and International Security.

<sup>68</sup> Edward Ifft, "The Comprehensive Nuclear-Test-Ban Treaty and US security", *The Nonproliferation Review*, 23:3-4, 2016; Private Interview with Alexandra Bell; Massimiliano Moretti, "The past, present, and future of the CTBT(0): a conversation with the executive secretary", *The Nonproliferation Review*, 23:3-4, 2016.

Regarding South Asia, India and Pakistan are waiting for the move of China. And China is officially waiting for the United States to ratify the Treaty. China could definitely ratify the Treaty now, as they don't have the same political constraints. However, in that case, it seems less probable to see a move without the U.S. help. There is a domino here: if the U.S. were to ratify the CTBT, they will be in a position to constraint the Chinese. If the Chinese join the CTBT, both China and the U.S. will have the moral authority above India and Pakistan to press them to ratify the Nuclear-Test-Ban Treaty.

Finally, all these moves would be a great help for the new administration in its ratification process to the Comprehensive Nuclear-Test-Ban Treaty. Mainly, to convince Senators to vote in favor of the Treaty and for the Biden Administration to get the strength to work fully on nuclear testing issue.

## CONCLUSION

This paper presents the barriers that various administrations have met when trying to ratify the Comprehensive Nuclear-Test-Ban Treaty. Barriers dependent from the administration itself or beyond its own will. Clinton laid the groundwork by first trying to ratify the CTBT, even if it was unsuccessful; he started the movement and prepared the next democrats administrations to do so. President Obama had the opportunity to follow the move, which his administration tried to do but finally it got drawn by other objectives and abandoned the CTBT project. Last President, Donald Trump, came to power with no other ambition than to destroy all the work the previous administrations had done on CTBT and more generally on arms control, non-proliferation, and disarmament.

President-elect Biden represents the hope to restore the situation and to finally conclude the ratification of the CTBT. However, even if he is left with a good heritage thanks to the work of Obama administration, he will certainly face the same problems as his predecessors.

Furthermore, it demonstrates a biggest problem: The United States might be a Presidential regime, but the President wishes are facing obstacles, and the most important one is the will of the U.S. Senate. It is one of the most powerful State, if not the most powerful, but finally it can only use its full power when having the majority at the Senate. As the result, the ratification of the CTBT will not occur without having a democrat President and a democrat Senate majority. Greater research should be done, focusing on the U.S. Congress role in this process.

This paper addressed the gaps from the precedent studies by offering to the readers an insight of the concrete work done by the administrations, especially Obama administration in order to understand why President Obama did not fulfill its engagement from the Prague speech. It also provides the information that even if the final to goal is going toward complete nuclear disarmament, the CTBT is not a key priority for the Presidential administrations.

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