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FINAL RECORD OF THE NINE HUNDRED AND EIGHTY-SEVENTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 28 June 2005, at 10.15 a.m.

President: Mr. Wegger STRØMMEN (Norway)

The PRESIDENT: I declare open the 987th plenary meeting of the Conference on Disarmament.

I have a list of speakers for today's meeting of 20 delegations, and I hope we will be able to finish this morning. Hence, I will go straight to the list. The first delegation inscribed on my list is the delegation of Pakistan, Ambassador Khan.

Mr. KHAN (Pakistan): Today, as we speak on the second core issue, namely, negotiations for a fissile material treaty, we can identify four interrelated but vexing problems. First, the Conference on Disarmament (CD) is passing through a prolonged impasse. There are no signs of this impasse going away because there is no political will amongst key actors to remove it. Second, divergence of views on a possible fissile material treaty is one of the reasons for the impasse. Third, alternative approaches are being explored to deal with the issue of the nuclear fuel cycle. Fourth, while the negotiations on an FMT have not started, goal-posts are being moved and positions of the key countries have been evolving.

The reasons for the deadlock in the CD over a fissile material treaty are known. These are differences on the scope of the treaty and definition of fissile material; the application of the treaty to the existing stocks and future production, the so-called retrospective and prospective dimensions of the question; and verification.

Let us go to the past for a moment. The drive for a treaty to ban the production of fissile material has a long history. The real journey commences with the Final Document of the first special session of the United Nations General Assembly on disarmament (SSOD-1), calling for such a ban on fissile material as part of twin objectives of nuclear disarmament and non-proliferation.

The evolution of consensus-building in this direction, from the passage of the unanimous 1993 United Nations General Assembly resolution 48/75 L to the adoption of the Shannon report by the CD in 1998, culminated in an agreement among nations - an agreement to begin negotiations on a universal, non-discriminatory, multilateral and internationally and effectively verifiable treaty to ban the production of fissile material for nuclear weapons or other nuclear explosive devices.

The Conference on Disarmament was designated as the focal point for these negotiations.

The objective was to draft an FMT that will buttress the security of all States, irrespective of their size and status, and will be an instrument or both nuclear disarmament and non-proliferation.

In 1998, Pakistan agreed to support the commencement of negotiations on a fissile material treaty. Our commitment continues. Last year, we voted for United Nations General Assembly resolution 59/81, which recalls the decision of the CD to establish an ad hoc committee to negotiate such a treaty and urges it to adopt a programme of work to do so.

(Mr. Khan, Pakistan)

Pakistan supports negotiations, in accordance with the Shannon mandate, for a universal, non-discriminatory, multilateral and effectively verifiable treaty. Repetitive this may sound; but these agreed parameters merit repetition and reiteration.

We associate ourselves with the statement given by the G-21 in March 2005. We fully endorse the G-21's stance that nuclear disarmament is the highest priority for the Conference on Disarmament. In that context, we support the Group's position that a verifiable treaty on fissile materials is a sine qua non for the effective cessation of a nuclear arms race.

Negotiations on a fissile material treaty should form part of talks and action on nuclear disarmament, prevention of an arms race in outer space, and negative security assurances. This we believe can be done through the adoption of a balanced and comprehensive programme of work based on the A-5 proposal.

We believe that the CD is the most appropriate and legitimate forum for negotiations on an FMT. Any bilateral or plurilateral agreements or arrangements cannot be a good substitute for a treaty negotiated in the CD, which would have the requisite authority and legitimacy as well as universal application and adherence.

Let me give the rationale of our position. Firstly, our own nuclear programme is security-driven, not status-driven. Growing asymmetries can thus undermine the minimum credible deterrence that we have put in place. One can only presume that over time large fissile material stocks would be transformed into nuclear weapons, thus accentuating asymmetries. Inequalities should not be frozen and perpetuated. An FMT, which freezes regional asymmetries, will, in our view, accelerate not arrest the proliferation of nuclear weapons.

Secondly, a treaty must address the question of fissile material production in its entirety - its existing stockpiles as well as its future production, at both regional and global levels. A few States would want to restrict the ban to future production. A majority of the CD membership and NPT member States, however, maintain that the proposed FMT should also deal with the issue of past production of fissile material and, through their progressive and balanced reduction, promote the goal of nuclear disarmament. The language in the Shannon report captures this diversity of views.

By the same token, the treaty should not be called a fissile material cut-off treaty (FMCT), implying a halt only in future production. More appropriately, it should be referred to as a fissile material treaty (FMT).

On 2 May 2005, United Nations Secretary-General Kofi Annan, in his opening address to the NPT Review Conference, said: "An important step would be for former cold war rivals to commit themselves - irreversibly - to further cuts in their arsenals, so that warheads number in the hundreds, not in the thousands. We can only hope to achieve such major reductions if every State has a clear and reliable picture of the fissile material holdings of every other State, and if every State is confident that this material in other States is secure."

(Mr. Khan, Pakistan)

Thirdly, owing to the prevalent objective conditions, we cannot envisage or accept a moratorium on the production of fissile materials before the conclusion of a treaty.

Concerns have been expressed about the possible misuse of the most sensitive parts of the civilian nuclear fuel cycle and their diversion to other States. Proposals have been mooted to impose a moratorium on uranium enrichment and plutonium separation, to “multilateralize” the nuclear fuel cycle or to banish the building of new national fuel cycle facilities.

We believe that in the long run, only equitable and non-discriminatory solutions, found through political means, will be sustainable. In the meantime, IAEA should promote practical approaches to ensure the safety of the nuclear fuel cycle. Such proposals should not become a “double whammy” for those States that struck a bargain to pursue peaceful uses of nuclear technology.

An FMT would help establish conditions under which further nuclear disarmament involving all relevant States would be possible. By the same token, negotiations on an FMT would be influenced by conducive regional environments in South Asia and the Middle East. An equitable and verifiable FMT could in part bring non-NPT nuclear-weapon States into the non-proliferation regime.

The argument that action in the CD is blocked by the rule of consensus which empowers a small number of States, enabling them to peddle disagreements over the scope and purpose of the treaty and its putative linkages to other issues, is not tenable.

The real reason may be that the support of key States for the commencement of negotiations has been dithering. Recent differences over verification, for instance, have compounded the eight-year-long gridlock in the CD, further deepening its crisis of credibility and relevance as a negotiating body on disarmament.

In our view, a credible verification regime will be necessary to guarantee successful implementation. A merely normative treaty would not serve the combined purposes of nuclear disarmament and non-proliferation. At the recent NPT Review Conference a large number of States supported a verifiable fissile material treaty.

As we look towards the future, we should reiterate commitment to the negotiations on an FMT; reiterate that an effective and credible treaty must have both disarmament and non-proliferation objectives; address the question of past and future production of fissile materials; find ways to bridge differences on the question of verification; continue to ensure that fissile materials are physically secure; and finally explore confidence-building measures.

The PRESIDENT: I thank the representative of Pakistan for his statement. I now give the floor to the next speaker on my list, the delegation of France, Mr. Despax.

Mr. DESPAX (France) (translated from French): At the recent Review Conference of the Non-Proliferation Treaty last May in New York, the member countries of the European Union adopted a common position which, on the question of the “cut-off” which has brought us here

(Mr. Despax, France)

together today, states: “[appeals] again to the Conference on Disarmament for the immediate commencement and early conclusion of a non-discriminatory, universally applicable treaty prohibiting the production of fissile material for nuclear weapons or other nuclear explosive devices, without preconditions, and bearing in mind the Special Coordinator’s report and the mandate included therein and, pending entry into force of the said treaty, [calls] on all States to declare and uphold a moratorium on the production of fissile material for nuclear weapons or other nuclear explosive devices.” Following the NPT Conference that appeal from the European Union remains fully relevant, and France and its 24 partners must bring it to life here in Geneva.

In the practical implementation of our commitments, we also act in the light of the programme of action decided on at the time of the indefinite extension of the NPT in 1995, which also remains relevant, as the seventh Review Conference decided. Let me briefly remind you of its nuclear disarmament aspect: conclusion of the Comprehensive Nuclear-Test-Ban Treaty, negotiation of the treaty banning the production of fissile material, and determined pursuit of systematic and progressive efforts to reduce nuclear weapons globally and to work for general and complete disarmament.

With regard to the treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices (FMCT), France has consistently committed itself to the negotiation of a treaty in the Conference on Disarmament. After having been in an impasse for a long time, these negotiations now have a genuine chance of being relaunched. In this context we call on States which are genuinely interested in practical progress in arms control and disarmament to show a sense of responsibility. For its part, after announcing the cessation of the production of plutonium and highly enriched uranium for nuclear weapons, France decided in February 1996 to close and dismantle its facilities for the production of such materials at Pierrelatte and Marcoule. Since then my country has been actively involved in the dismantling process, which is continuing today. This is a complex, long and intensive task which will take several more years. My country is the only one of the nuclear Powers to have embarked on it. France henceforth has no more facilities for the production of fissile material for nuclear weapons or other explosive nuclear devices.

As we indicated earlier here in this forum, France conducted a national review of the “cut-off” issue in 2004. The outcome was the reaffirmation of our interest in negotiation of the “cut-off” in the Conference on Disarmament in Geneva. As in 1995, the FMCT, the “cut-off”, remains today one of the two particularly topical elements of the process of nuclear disarmament on the multilateral level, the other being the Comprehensive Nuclear-Test-Ban Treaty, the CTBT. I would remind you that France, true to its commitments, voted in favour of the resolution on the “cut-off” at the fifty-ninth United Nations General Assembly. However, it must be admitted that the value of the “cut-off” in terms of non-proliferation has declined since the adoption of the 93 + 2 safeguards and the emergence of the additional protocols as a standard for verification, in particular in the non-nuclear-weapon States. The “cut-off” remains, however, relevant in its nuclear disarmament dimension, to which my country remains committed.

(Mr. Despax, France)

Finally, while we have been striving in the Disarmament Conference to translate into operational terms the priority which my country attaches to the commencement of negotiations, my delegation considers that the most recent formulation contained in the “food for thought” paper proposed by Ambassador Chris Sanders requires further development. The idea mentioned in this very forum by some of the most ardent defenders of the “cut-off” that negotiations might be launched without preconditions is, we think, a promising approach.

The PRESIDENT: I thank the representative of France for his statement. I give the floor to the delegation of South Africa, Ambassador Mtshali.

Ms. MTSHALI (South Africa): During 2004 there was a general view in this chamber that the question of a fissile material treaty was ripe for negotiation in the CD. This view was also held by one of the world’s leading players in the disarmament, non-proliferation and arms control discourse. This gave us hope that the issue of a fissile material treaty would have the required political backing and leadership during the negotiation process.

South Africa took this seriously because it served as an indication that the banning of fissile material production was a concern of the entire international community. This entrenched South Africa’s belief that a fissile material ban treaty would enhance international peace and security in an unprecedented manner that would lead us closer to a world free of nuclear weapons. Pronouncements made in this chamber on fissile material reassured us that our efforts, such as the presentation of a working paper on “The possible scope and requirements of the fissile material treaty”, were not in vain. We also began to appreciate the added value of our support for United Nations General Assembly resolution 48/75 L, which called for negotiations on “a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices”. Thereafter, South Africa lent its full support to activities undertaken in the context of the CD and the NPT in pursuit of resolution 48/75 L.

Our hope turned out to be short-lived when we were informed that the United States of America had concluded in July 2004 a review whose major finding was that effective verification of a fissile ban treaty was not achievable. South Africa views this unilateral conclusion as a major setback and a stumbling block in commencing negotiations on a fissile material treaty. South Africa believes that the international community should have been allowed to reach this conclusion collectively at the negotiating table rather than it being used as a precondition for negotiations.

Lack of progress towards negotiations on a non-discriminatory and effectively verifiable treaty banning the production of fissile material for nuclear weapons and other nuclear explosive devices is a cause of great concern to my delegation. South Africa is opposed to placing emphasis on the non-proliferation objectives of a fissile material treaty that would place a ban only on the future production of fissile material. South Africa believes that a fissile material treaty should be a non-discriminatory disarmament measure, as called for in resolution 48/75 L. In this connection, the envisaged treaty should cover existing stocks of fissile material, as well

(Ms. Mtshali, South Africa)

as future production. This and many other issues that I have not specifically alluded to today underscores the need to address in earnest vexing fundamental differences, such as the scope of the treaty, the inventories to be included, the definition of what constitutes fissile material, and the kinds of verification and safeguards measures needed.

South Africa has, due to its own unique historical experience with the destruction of its limited apartheid nuclear weapons programme and the completeness investigation undertaken by the International Atomic Energy Agency, acquired some practical insights that may be of benefit to the international community. As we have done on previous occasions during discussions on this matter, I would like to draw your attention to a working paper by South Africa that was circulated as an official document of the CD on 28 May 2002 with symbol number CD/1671.

In conclusion, my delegation remains ready to work with all other delegations to negotiate a fissile material treaty, which we believe will take us another step further on the road towards the total elimination of nuclear weapons.

The PRESIDENT: I thank the representative of South Africa for her statement. I now give the floor to the representative of China, Ambassador Hu.

Mr. HU (China) (translated from Chinese): In recent years there has been much discussion on the question of FMCT in the international community. Today I would like to share my perspective on some of the main issues. As the two major tasks in nuclear disarmament process, CTBT seeks to restrict the qualitative improvement of nuclear weapons while FMCT caps their quantitative development. They are the two sides of the same coin. Following the conclusion of CTBT, the next logical step should be to negotiate an FMCT while bringing the CTBT into effect. China has always supported the endeavour to accomplish these two major tasks and objectives, and therefore supports the negotiation of FMCT as a part of the comprehensive programme of work for the CD.

Why cannot the FMCT negotiations get started? There is a perception that there is stalemate because of FMCT being held hostage to the linkage of different items such as the prevention of an arms race in outer space. We do not share this view. As the sole multilateral negotiating forum in the field of arms control and disarmament, the CD should engage in substantive work on major issues of international security and stability. With the series of developments in the international security environment in recent years, the relevance and urgency of nuclear disarmament, preventing an arms race in outer space, security assurances for non-nuclear-weapon States and FMCT have become more pronounced. In fact every year a United Nations General Assembly resolution specifically requires the CD to work or negotiate on these issues. Since different members have different priorities, the best way to reflect their concerns is to resume work in the CD and work simultaneously on these issues. Only selecting items of concern to oneself while refusing to consider items of high priority to others, ignoring a proposal on the programme of work that enjoys broad consensus, or tabling something unacceptable to many others, is not conducive to the work of the CD. This is the main reason behind the failure to start the FMCT negotiation.

(Mr. Hu, China)

What constitutes the appropriate mandate for the FMCT negotiation? The Shannon report adopted by the CD in 1995 defines the mandate as negotiating a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. Whether this mandate is still applicable today has become a hotly debated issue. Besides those supporting the mandate in the Shannon report, some want the CD to negotiate an FMCT without verification. Some others prefer a non-discriminatory, universally applicable FMCT without any preconditions while still taking account of the mandate in the Shannon report. Some members feel the FMCT must be verifiable but argue that the issue of verification can be dealt with in the process of negotiations and should not be a precondition for initiating negotiations. There are also people in favour of an FMCT that addresses the issue of stockpiles. All this only goes to show the sharp divergence of views among the members on the mandate of the FMCT.

The Shannon report was not easily arrived at: it was the result of hard negotiations, the common denominator of all the interests concerned representing a delicate balance of concerns for all the parties. China joined the consensus on the FMCT resolution adopted at the forty-eighth session of the General Assembly in 1993, and on all the other resolutions on the subject adopted since then by the General Assembly. We still agree that the CD should negotiate on the basis of the mandate in the Shannon report, and believe that the correct approach to the cessation of production of fissile material should be the adoption of a legal instrument through negotiations. At the same time we hope that the future negotiations will touch on the issue of stockpiles.

Should the FMCT contain verification clauses? In recent years, the importance of and need for multilateral verification in arms control and disarmament has been challenged. As far as the FMCT is concerned, it is said that as there is no effective means of verification, an FMCT without verification must be negotiated. The issue of verification is extremely complicated. It turns on such issues as whether the future treaty requires verification, and if so, what kind? If there is no need for verification, then how do we deal with such matters as definition, declaration, dispute settlement and confidence-building measures in the treaty framework? Furthermore, from a broader perspective, the role of verification in future nuclear arms control and disarmament efforts calls for serious reflection by all. It is therefore necessary to handle the issue of verification in the FMCT prudently and study it carefully, paying attention to the opinions of all the parties concerned, including the specific considerations of those who advocate an FMCT without verification.

China supports the adoption by the CD of a comprehensive, generally balanced programme of work which includes substantive work on the issue of nuclear disarmament, prevention of an arms race in outer space, security assurances for non-nuclear-weapon States and the FMCT. We hope that all concerned will display political will and swiftly produce such a programme so that a revitalized CD can get down to work.

The PRESIDENT: I thank the representative of China for his statement. I now give the floor to the representative of Peru, who will make a statement on behalf of a group of Latin American countries members of the CD. Ambassador Astete Rodríguez.

Ms. ASTETE RODRIGUEZ (Peru) (translated from Spanish): The delegations of Argentina, Brazil, Colombia, Chile, Ecuador, Mexico, Peru and Venezuela, members of the Conference on Disarmament, would like to make the following statement. Our countries are States parties to the principal international disarmament and non-proliferation instruments, and as such we renew here our commitment to the mandate granted to the sole multilateral disarmament negotiation forum. The Treaty of Tlatelolco, which set up the first inhabited nuclear-weapon-free zone, constitutes an important contribution by our region to international peace, security and stability.

We are concerned at the lack of substantive negotiations which has afflicted this forum for more than eight years. We are convinced that individual and collective contributions, such as those put forward earlier by Ambassador Amorim and the “five Ambassadors’ proposal”, which still has strong support, form a good basis for arriving at substantive programme of work. We also believe that initiatives such as that set out in the “food for thought” paper from Ambassador Sanders, the Permanent Representative of the Netherlands, also constitute contributions towards achieving the objectives of the Conference on Disarmament.

The adoption of a programme of work should contain the four elements identified by delegations as priorities: nuclear disarmament, fissile material, PAROS and negative security assurances. In this regard, our delegations consider that the mandate of the ad hoc committee on nuclear disarmament should be to consider initiating negotiations aimed at the total elimination of nuclear weapons. However, in order to reach agreement on a programme of work, we accept the mandate contained in the five Ambassadors’ proposal. We are convinced that any future instrument on fissile material should include a verification mechanism, which is a fundamental element in any disarmament and non-proliferation agreement. However, in order to enable the four ad hoc committees to be set up quickly, our countries would be prepared to consider the possibility of modifying the Shannon mandate insofar as this may assist achieving the necessary consensus to end the deadlock in our work.

We hope that this further show of flexibility will be reciprocated by those delegations which have not yet expressed support for the five Ambassadors’ proposal and which have not made any proposals to amend it that would enable them to join the consensus.

The States of our region are witnesses to the benefits for regional and global stability afforded by full accession to the most important multilateral instruments in the field of disarmament and non-proliferation, such as the Non-Proliferation Treaty, the Comprehensive Nuclear-Test-Ban Treaty and the Treaty of Tlatelolco. That is why we reiterate that we are ready for dialogue and call for greater flexibility. We place our political will behind any efforts directed at the relaunching of substantive work in this Conference. This message is rooted in the deep conviction that multilateralism brings benefits to international peace and security, and the commitment of our countries to the strengthening of non-proliferation and disarmament forums.

The PRESIDENT: I thank the representative of Peru for her statement. I now give the floor to the representative of Germany, Ambassador Heinsberg.

Mr. HEINSBERG (Germany): In December 1993 the United Nations General Assembly adopted United Nations General Assembly resolution 48/75 L, endorsing the negotiation “in the most appropriate international forum of a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices”.

Since this landmark decision, the mandate for negotiations on a fissile material cut-off treaty has been renewed on numerous occasions.

However, Germany regretfully states that negotiations on an FMCT have never really started in the Conference on Disarmament. This is not because an FMCT is irrelevant. On the contrary, we think the deadlock reached in negotiations about starting negotiations has occurred because an FMCT is all too relevant.

The Non-Proliferation Treaty, with 188 States parties, is truly a global treaty. It has contributed in a major way to non-proliferation of weapons of mass destruction. However, the recent past has been a showcase for grave shortcomings in the treaty system. Cases of non-compliance have been witnessed. An FMCT would limit and put under an inspection regime the number of nuclear-material-processing facilities and thus reduce the probability of non-compliance with NPT.

Thus a cut-off would be a vital element for an effective multilateral disarmament and non-proliferation mechanism that would fill an obvious gap in the existing system. An FMCT is a logical and necessary amendment to the NPT as well as to the CTBT.

The complete failure of any progress in negotiations within the Conference on Disarmament on an FMCT has been and still is not due to the Conference itself but to the lack of political will of participating States. Germany for its part continues to believe that the Special Coordinator’s report and the mandate contained therein provides the most concrete basis for a start of negotiations.

However, like any other multilateral negotiation, the negotiations on an FMCT should start without preconditions - neither with regard to what shall be negotiated nor with regard to the expected or desired outcome. No delegation should be prevented from raising issues of concern like the scope of the treaty, stockpiles, future production, management of fissile material. This principle, however, should also not prevent negotiating partners from having certain ideas about the nature and the contents of the treaty to be. Flexibility is needed from all parties from the very beginning of negotiations and even before, that is, now.

Let me just focus on two of the most contradictory discussions, the scope of the treaty and the necessity or the possibility of a verification regime.

Positions diverge with regard to the inclusion of existing stocks of nuclear material. Respective positions are guided by the concerns of commercial privacy, by the wish to move forward with nuclear disarmament issues and by perceptions of national and regional security interests.

(Mr. Heinsberg, Germany)

Inclusion of stocks in an FMCT has its merits. It guarantees the largest extent of transparency and accountability and even irreversibility; the effective prevention of non-proliferation not only with regard to inter-State or intra-State transfers of nuclear materials but also with regard to theft; and the prevention of rededication of fissile material from military purposes to civil purposes.

The non-inclusion of stocks is not without advantages. It will most likely speed up and simplify negotiations, reduce the costs of monitoring, render the implementation of the treaty technically easier, and avoid significant practical problems in accounting for accurate production figures.

No matter whether stocks are to be included from the beginning or not, it is obvious that the main aim of the negotiations should be to effectively prevent an increase in stocks of nuclear materials for military purposes. Hence, the scope of the treaty should encompass, first, the prohibition of the future production of nuclear material directly used for the manufacture of nuclear weapons or other nuclear explosive devices. This includes, in accordance with the IAEA definition, nuclear material that can be used for the manufacture of nuclear explosive devices without further adaptation or additional enrichment. This is plutonium containing less than 80 per cent plutonium 238, highly enriched uranium (HEU) and uranium-233. Chemical compounds including such material and plutonium in spent fuel elements also belong to this category. Manufacture for civil purposes, so-called "known purposes", which also includes final storage or production of nuclear fuel for ship propulsion, is still permitted. The treaty should also encompass the prohibition of the reuse for military purposes of fissile material from disarmament rededicated for civil purposes, and a ban on transferring civil fissile material with the aim of manufacturing nuclear weapons or other nuclear explosive devices as well as other military purposes.

States parties should commit themselves to striving for the highest possible degree of transparency, above all by declaring existing civil as well as military stocks and by declaring their political readiness in future to further reduce military stocks, if they have any.

The second question, that of verification, is closely interlinked with the scope of the treaty. An effective monitoring mechanism contributes to the transparency of the treaty. It is also necessary to identify any act of non-compliance. Thus effective verification is an essential element of any multilateral disarmament and non-proliferation treaty, providing the basis for the building of confidence between member States that compliance with the treaty provisions is ensured.

Accurate accounting for nuclear materials can meet significant practical problems that increase with the amount of nuclear material. The more detailed the verification mechanism is laid out, the more complicated it will necessarily become. Subsequent increases in verification costs are not to be underestimated. However, these are to a very large extent technical matters for which technical solutions can be found. The verification regime set up by IAEA safeguards (INFCIRC 153 and INFCIRC 540) is vivid proof of this assumption.

(Mr. Heinsberg, Germany)

The extent of the limits to verification cannot be identified unless the scope of the treaty is defined. Only on the basis of exact definitions of the materials, facilities and actions to be verified can respective negotiations on how to overcome possible technical problems - at the lowest cost - be undertaken. As long as the scope of the treaty has not been defined, no final answer is possible as to whether the treaty is verifiable or not.

In line with the common position of the European Union, adopted for the seventh NPT Review Conference, Germany appeals again to the Conference on Disarmament “for the immediate commencement and early conclusion of a non-discriminatory, universally applicable [FMCT], without preconditions, and bearing in mind the special coordinator’s report and the mandate included therein”. We should discuss and hopefully resolve the problems of such an FMCT in the framework of negotiations without preconditions, and we should stop refraining from starting these negotiations because of discussions on the possible problems we might face.

The PRESIDENT: I thank the representative of Germany for his statement. I now give the floor to the representative of Canada, Ambassador Meyer.

Mr. MEYER (Canada): The FMCT is the item on the proposed programme of work that has long been regarded as the most advanced and ripe for negotiation. This situation has not changed, in our view. Negotiation of an FMCT remains a high Canadian priority for the CD, and we are increasingly impatient for the negotiation to begin.

An FMCT will have great value. Its importance and priority was recognized in the Final Documents of the 1995 and 2000 NPT Review Conferences. As the CTBT would halt further proliferation or enhancement of nuclear weapons by prohibiting explosive testing, so would an FMCT turn off the tap of fissile material required for the production of such weapons in the first place. It is not a coincidence that the CTBT and FMCT figure as numbers 1 and 3 of the 13 Practical Steps for disarmament set out in the 2000 NPT Review Conference outcome. An FMCT would also make a significant contribution to nuclear non-proliferation, particularly in the face of current concerns, by reducing the supply of fissile material that could be vulnerable to acquisition by terrorists. These are all widely shared goals of the international community. We thus hope that its negotiation can finally begin soon here in the CD.

To initiate FMCT negotiations as part of a balanced programme of work will require commitment and flexibility on the part of all CD members. In this connection, let me recall the Canadian Foreign Minister’s 14 March statement to the CD. Minister Pettigrew noted that Canada remained convinced that the Shannon mandate remained the best basis for initiating negotiations. However, precisely because Canada wants to see the initiation of negotiations, rather than endless argument over the merits of any particular mandate, he indicated at that time that we were prepared to be flexible, in order to engage in FMCT negotiations. These negotiations were where consideration of all aspects relating to this issue, including its effective verification, should be addressed. He challenged the CD, stating that Canada would be “prepared to put our preferences aside in order to commence a genuine negotiation, and we would ask others to demonstrate a similar flexibility so that work can begin”.

(Mr. Meyer, Canada)

Such a suggestion was made, of course, on the premise that FMCT negotiations are part of an overall balanced CD programme of work, which also includes ad hoc committees to discuss nuclear disarmament, PAROS and negative security assurances. There has been time to reflect on these issues over the past months, so I would be interested in hearing the views of other CD members as to how they are displaying similar flexibility in order to move towards the goal of a consensus programme of work.

While we are awaiting the adoption of that programme of work, I reiterate today a suggestion my delegation made in May last year on how to begin consideration of the admittedly complex and often highly technical issues relating to an FMCT, even prior to the start of negotiations. This is to establish an FMCT experts group. Bringing together experts would provide a valuable forum in which to initiate consideration of a number of key issues for an FMCT, such as scope and verification. This approach has been successfully used before for other negotiations, including the CTBT negotiations undertaken in this very forum. We urge again that it be seriously considered here.

Should the CD continue to be incapable of agreeing soon upon a programme of work, including FMCT negotiations, we will need to consider other multilateral alternatives for negotiating such a treaty. While not a particularly palatable option for us here, it is one about which we must increasingly be cognizant, in the face of our ongoing impasse in this Conference.

In conclusion, let us hope today's exchange will help generate the necessary will in capitals to enable us to begin FMCT negotiations, as part of a balanced CD programme of work.

The PRESIDENT: I thank the representative of Canada for his statement. I now give the floor to the representative of New Zealand, Ambassador Caughley.

Mr. CAUGHLEY (New Zealand): As my delegation said at our previous plenary meeting, we attach high importance to beginning negotiations on a fissile material cut-off treaty, and we have done so for many years. I mention the time element for two reasons.

First, when the Shannon mandate was so painstakingly and cleverly developed in 1995, it explicitly envisaged that such a treaty would have a verification mechanism, a matter of fundamental importance to my delegation.

Second, in the 10 years that have elapsed since then, no doubt the stocks of fissile materials of some of the States that possess these materials have grown, perhaps significantly. Given this passage of time, can we afford to entertain the possibility that the mandate covering negotiation of an FMCT may exclude existing stocks as well as being devoid of specificity on verification?

My delegation profoundly regrets this erosion of ambition, the more so in that it occurs at a time of such deep concern about the risks of proliferation and terrorism.

(Mr. Caughley, New Zealand)

Moreover, this is not the only sacrifice that we are being asked to make in order to secure consensus on the CD's programme of work. As we said last Thursday, the search for consensus would also entail the treatment of nuclear disarmament in a manner that falls well short of the negotiation of the effective measures that are part of the obligation under article VI of the NPT and that are so keenly sought by my delegation.

In weighing the acceptability of the "food for thought" non-paper as a basis for compromise on the work programme, we urge the nuclear-weapons States to reflect very carefully indeed on the vast, unreciprocated ground that we have already ceded in this drawn-out and increasingly untenable dynamic in the Conference on Disarmament.

The PRESIDENT: I thank the representative of New Zealand for his statement. I now give the floor to the representative of the United Kingdom, Ambassador Freeman.

Mr. FREEMAN (United Kingdom of Great Britain and Northern Ireland): Mr. President, I welcome the opportunity to address you and CD colleagues on the subject of a fissile material cut-off treaty.

The negotiation of an FMCT is a long-held and frequently articulated aspiration of the international community in the field of disarmament. As our Chinese colleague said earlier this morning, negotiation of an FMCT would be the next logical step in the disarmament process. To negotiate and conclude such a treaty would be a valuable contribution to international security.

I want today briefly again to put on record that the United Kingdom is ready now to begin in the CD negotiations on an FMCT, without preconditions. This is a commitment we stated clearly and authoritatively in the general debate at the NPT Review Conference last month.

The negotiation of an FMCT remains a key aspiration and a high priority of the international community, with potential benefits acknowledged by us all. To achieve such a treaty would fix the high-water mark of nuclear-weapons - usable fissile material and set the stage for further reductions in future.

By any standards, an FMCT is ripe for negotiation. To fail to follow through on this fact and to start negotiations to this end would be a dereliction of duty. The international community wants us, in this forum, to negotiate an FMCT. Beyond the walls of this hallowed chamber, it is not understood why we cannot do what is needed and do so quickly.

To negotiate an FMCT is not to deny the perceived need, on the part of many in this room, to address also other issues of particular concern to them. On the contrary, we recognize and acknowledge the express interest of our CD partners in such issues. We treat our CD partners' concerns and objectives in this regard with the seriousness and the respect they deserve. We do not claim a monopoly of wisdom in the field of disarmament, nuclear or otherwise. Like other colleagues, we seek security, and we seek it honestly and seriously. We acknowledge, as a matter of course, the need to attend to the views of others as we hope and expect others will attend to our perceived security needs and concerns.

(Mr. Freeman, United Kingdom)

That successive efforts to agree a programme of work in the CD have become mired in procedural disputes is a matter for deep regret. We must change attitudes to the CD by changing our own attitude to the work upon which we should be engaged.

Most recently the Netherlands Ambassador, when CD President, and our New Zealand colleague, who followed him into the Chair, which you, Sir, in turn currently occupy, tried to explore a possible basis for a programme of work. In doing so, they tried to take account of the reality of what CD members want, taking account of others' known views of what might be possible. For the art of the possible is the art of diplomacy. And our Dutch and New Zealand colleagues tried to capture what they saw as the limits of the possible at this time.

We welcome the "food for thought" paper, which has been at the heart of these recent efforts by CD Presidents. The "food for thought" paper takes account of variant aspirations and concerns whilst not losing sight of both shorter-term and longer-term issues and perspectives. It is a positive and promising contribution to our collective effort to try to find a way forward.

The United Kingdom is not afraid to debate how best to get the CD back to work. On the contrary, we welcome debate, but we want an honest, realistic and purposeful debate. We are open to the possibilities for discussion of issues of concern to us and CD partners, and when an issue is ripe for negotiation, we would welcome negotiation. And the issue which quite clearly is ripe for negotiation is an FMCT. Long called-for and still worth achieving, an FMCT could contribute to the security needs of us all. Furthermore, whilst the United Kingdom is as committed as ever to effective verification of arms control instruments, the key first is to get started on negotiations. Nothing should be ruled out from discussion, including verification. Nor, notwithstanding the remarks of the South African Ambassador on this point, has anyone, to my knowledge, set preconditions to the start of negotiations on an FMCT. But we need to get started, and if this immediate goal is to be attained, we need a commitment to negotiation of an FMCT, without preconditions. And we need also to concentrate not on the difficulties, some of which from his country's perspective were set out by the Ambassador of Pakistan particularly this morning, which can seem only sometimes to delay the start of negotiations - rather we should focus on starting them, on beginning negotiations during which all issues could be raised.

Negotiation of an FMCT is truly long overdue. The "food for thought" paper seems to us a genuine effort to respond actively to the requirement in this forum to begin without further delay such negotiation. As the author of the "food for thought" paper, Ambassador Sanders, told the CD in his valedictory remarks last week, the "food for thought" paper may need some amendment, and I think he may have had in mind an explicit "without preconditions" dimension to the start of FMCT negotiations. But in our view that paper offers a real chance to move towards a consensus way forward on a programme of work. And we remain ready, indeed keen, to work with you, Mr. President, and all colleagues to achieve a compromise way forward, reflecting, as our German colleague just said, flexibility on such a programme of work, including as a priority negotiations on an FMCT. For to fail to start such negotiations immediately, with the urgency required, would be to fail to measure up to the responsibilities of those of us privileged to be members of this Conference on Disarmament.

The PRESIDENT: I thank the representative of the United Kingdom for his statement. I now give the floor to the representative of the Russian Federation, Ambassador Skotnikov.

Mr. SKOTNIKOV (Russian Federation) (translated from Russian): Russia considers that the cessation and prohibition of production of fissile material for nuclear weapons or other nuclear explosive devices should be the next logical step in strengthening the regime of nuclear non-proliferation and nuclear disarmament. Russia terminated the production of fissile material for nuclear weapons over 10 years ago. Weapons-grade uranium has not been produced in our country since 1989. Ten reactors that had produced weapons-grade plutonium have been shut down. Plutonium produced at the remaining three reactors which generate heat and electricity has not been used for nuclear weapons since 1994. At present, in accordance with a Russian-American agreement signed in 2003, work is being carried out on construction of substitute heat-generating and power-generating capacity that will enable us to shut down these reactors completely.

Russia has consistently supported the agreed recommendations of the 1995 and 2000 NPT Review Conferences on the development of an FMCT in the Conference on Disarmament. We hope that, through the efforts of all States, we will be able to reach a compromise on a balanced programme of work for the Conference, which will allow us to launch negotiations on this important issue.

Russia's approaches to the basic elements of the future treaty are well known. Let me enumerate some of them. The scope of the treaty should provide for a ban on future production of weapons-grade uranium and plutonium for nuclear weapons purposes; a ban on assistance in or encouragement of production of these materials by other States; prohibition of the transfer of fissile material from the civilian to the military cycle for nuclear weapons purposes.

The treaty should not prohibit the production of fissile material for purposes other than the manufacture of nuclear weapons or other explosive devices. Such non-prohibited purposes should include, inter alia, the production and use of uranium as a fuel for power plants for sea-going vessels, including submarines.

The scope of the treaty should not cover existing stocks of fissile material, since otherwise it would entail, inter alia, establishing an excessively cumbersome verification mechanism and, accordingly, unacceptably high costs.

The treaty should be of unlimited duration. The participation of the largest possible number of States is vital - first and foremost the nuclear Powers, but also countries which possess the potential to produce nuclear explosive devices and have uranium enrichment and spent fuel reprocessing facilities.

The PRESIDENT: I thank the representative of the Russian Federation for his statement. I now give the floor to the representative of Japan, Ambassador Mine.

Mr. MINE (Japan): Negotiations on an FMCT have long been anticipated: mention of an FMCT was included in the “Principles and objectives for nuclear disarmament and non-proliferation” of the 1995 NPT Review and Extension Conference and in the Final Document of the 2000 NPT Review Conference, as well as in the annual resolution in the First Committee of the United Nations General Assembly. At the 2005 NPT Review Conference, although it was truly regrettable that agreement was unable to be reached on any substantial document, many countries, regardless of the regional group setting, also called for the commencement of negotiations on an FMCT. The CD’s relevance would be called into question if we were unable to respond to this ardent call from the international community, not to mention the further strain this would place on the NPT regime.

We therefore strongly request the immediate commencement of FMCT negotiations in the CD. Of the main issues, FMCT is, in our view, by far the ripest priority for negotiation. I would like to reiterate Japan’s belief that the CD should therefore tackle this item based on its merits, and that the FMCT should be delinked from other issues in order to agree on the programme of work at the CD and resume its substantial work.

The conclusion of an FMCT will be an essential building block towards the total elimination of nuclear weapons. Capping the production of fissile materials that can be used for nuclear weapons is an essential requirement for nuclear disarmament. An FMCT will also contribute to the prevention of nuclear proliferation by globally banning the production of fissile materials for nuclear weapons and enhancing transparency and accountability in the management of such materials through its verification system, as well as preventing such materials from falling into the hands of terrorists. An FMCT would also offer a good opportunity to the three non-NPT States which possess nuclear weapons to engage in international efforts toward achieving the goal of the total elimination of nuclear weapons.

Let me briefly reiterate Japan’s position on one of the outstanding issues in the FMCT mandate, that of verification.

As for the mandate, Japan is flexible as long as negotiations are conducted without preconditions, including on the issue of verification. Japan opposes any mandate that precludes the possibility of the inclusion of verification in the final outcome. In short, issues on verification should be resolved through negotiation, not necessarily before. Needless to say, Japan supported the Shannon mandate and still supports it, although Japan can be flexible with other proposals on FMCT provided that there is a consensus. I would like to say again: what is most important is to start negotiations, as was just pointed out by the distinguished Ambassador of the United Kingdom a few minutes ago.

Japan considers that an effective verification system is essential for an FMCT. IAEA safeguard measures would provide a good basis for the consideration of a future verification system for an FMCT.

(Mr. Mine, Japan)

Japan submitted working paper CD/1714 dated 19 August 2003 to the CD covering these issues. The paper intends to structure discussion on an FMCT by categorizing the various issues according to scope, technical issues, including verification, and organizational and legal issues. Despite a certain development on the mandate, as I mentioned, this paper would be a contribution to future negotiations and offers a good understanding of Japan's basic views on an FMCT.

The PRESIDENT: I thank the representative of Japan for his statement. I now give the floor to the representative of Italy, Mr. De Benedictis.

Mr. DE BENEDICTIS (Italy): We are pleased to participate today in a discussion focused on the negotiation of a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices (FMCT), an issue to which a significant number of countries attributes a priority in the CD, as we have heard today.

An FMCT is an instrument of nuclear weapons limitation that would also strengthen non-proliferation. It fully pertains to the scope of article VI of the NPT since it clearly relates to cessation of the nuclear arms race. It is not a coincidence that an FMCT was considered as one of the most important steps of the 2000 NPT Review Conference to implement article VI of the Treaty. Unfortunately, no consensual result emerged from the 2005 Review Conference; we therefore did not receive new additional indications from New York. This makes our task even more important here in Geneva.

Like for several other delegations that spoke before me, the FMCT is for Italy also the first priority at the Conference on Disarmament. It is also a priority for the European Union. The European Union strategy against the proliferation of weapons of mass destruction indicated the objective to pursue an international agreement on the prohibition of the production of fissile material for nuclear weapons. More recently, as France has recalled, through the common position at the NPT Review Conference, the European Union appealed to the Conference on Disarmament for the immediate commencement and early conclusion of a non-discriminatory, universally applicable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, without preconditions, and bearing in mind the Special Coordinator's report and the mandate included therein. Pending the entry into force of the said treaty, the European Union called on all States to declare a moratorium on the production of fissile material for nuclear weapons or other nuclear explosive devices and welcomed the action of those of the five nuclear-weapon States which have already done so.

Let me join many other delegations in underlining the urgency of this negotiation. Through an FMCT we would "cut off" the production of the most dangerous nuclear fissile materials: those destined to nuclear explosions. The whole international community would benefit from such an agreement. The first beneficiaries would be the non-nuclear-weapon States, since an arms limitation agreement which strengthens nuclear disarmament would be adopted without additional burdens for them. They should take the lead in promoting this initiative. The main limitations and restraints would regard countries possessing nuclear weapons or those

(Mr. De Benedictis, Italy)

which might pursue, in the future, nuclear military capabilities. But they too would benefit from an agreement that would prevent a dangerous and costly spiral in fissile material production. Verification of compliance should be an integral part of the negotiation.

In conclusion, it is our view that, for the operational purposes of this Conference, an ad hoc committee of the CD should negotiate a non-discriminatory, multilateral treaty banning the production of fissile material for nuclear weapons or other explosive devices. The scope and verification of this treaty would be among the matters to be addressed in the negotiations, without preconditions.

The PRESIDENT: I thank the representative of Italy for his statement. I now give the floor to the representative of Ireland, Ambassador Whelan.

Ms. WHELAN (Ireland): Mr. President, I would like to begin by again thanking you for the time you have allocated to delegations to make statements about relevant issues on our agenda. This process naturally augments the informal sessions held under previous presidencies. At the same time it should allow delegations to elucidate their positions and compare them to others. We would urge all delegations to take the opportunity to do so. It is hoped that this formal engagement can bring with it the kind of clarity with which we can more positively engage. New ways of expressing and resolving differences may be found. By using our formal sessions in this way, you have also given greater transparency to the proceedings of the Conference on Disarmament. You have ensured greater civil-society access to our deliberations. Such access is important to many delegations. It has always been pursued and supported by Ireland, especially during our presidency of the Conference in 2003.

I wish to avail of the specific opportunity you have provided today to comment on the possible negotiation of a fissile material cut-off treaty.

In 2000 the States parties to the NPT recognized - and I think it is worth quoting what we recognized - "the necessity of negotiations in the Conference on Disarmament on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices in accordance with the statement of the Special Coordinator in 1995 and the mandate contained therein, taking into consideration both nuclear disarmament and nuclear non-proliferation objectives". The Review Conference urged the Conference on Disarmament to agree on a programme of work which would include the immediate commencement of negotiations on such a treaty with a view to their conclusion within five years. Five years have passed, and nothing has happened to give effect to this commitment.

Ireland considers the negotiation of an FMCT to be a crucial step on the path to nuclear disarmament. We are concerned that, despite all the work and analysis which have taken place, we have been unable to resume negotiations. Over the years, this issue has been at the heart of various initiatives to get the CD back to work.

(Ms. Whelan, Ireland)

An enormous investment has been made by individual member States of this Conference, in terms of both substance and time, in trying to advance understanding of the issues involved in an FMCT negotiation. Seminars and workshops organized outside this forum have been very useful and very well attended. Yet while we have been deadlocked on a programme of work, newer and more daunting challenges have emerged in relation to fissile material and related issues.

We urge the Conference to put renewed energy into overcoming the obstacles to achieving a resumption of negotiations on an FMCT. We consider the fissile material issue to be sufficiently ripe and urgent for us to proceed in good faith towards a timely outcome and to meet the commitment we entered into so long ago. The investment which has already been made, politically and technically, by members of the Conference should be consolidated. We know what the issues are - we know where the problems lie. The negotiating tools to deal with them are on the table - we should resolve to use them.

The PRESIDENT: I thank the representative of Ireland for her statement. I now give the floor to the representative of Egypt, Ambassador Gabr.

Ms. GABR (Egypt) (translated from Arabic): We believe that there are many principles that should be taken into consideration when negotiating any future fissile material cut-off treaty. Firstly, nuclear disarmament must remain a top priority for the Conference on Disarmament in accordance with the priorities established in the Final Document of the first session of the General Assembly on disarmament, SSOD-1. Member States in the Conference on Disarmament must meet their responsibilities, as defined by the international community, for continuing efforts to achieve full and comprehensive nuclear disarmament.

Secondly, Egypt has always supported the initiation of negotiations on an FMCT as the first step of a phased disarmament programme, because Egypt has always been strongly in favour of nuclear disarmament and nuclear non-proliferation. Accordingly, Egypt has contributed to a number of initiatives of the Group of 21 aimed at establishing an ad hoc committee on nuclear disarmament and drawing up a programme of work on disarmament. The programme of work, as contained in document CD/1419, was presented to the Conference on Disarmament on 8 August 1996 on behalf of 28 member States of the Group of 21.

Thirdly, the delegation of Egypt presented a draft mandate for an ad hoc committee on nuclear disarmament in document CD/1453 dated 1 April 1997. The draft mandate takes into consideration the various concerns of the member States, calling for negotiations on a phased programme for the complete elimination of nuclear weapons aimed at creating a nuclear-weapon-free world. In order to achieve this objective, the mandate envisages the negotiation of a comprehensive treaty banning the production of fissile material, in implementation of paragraph 4 of the section on nuclear disarmament contained in the decision on "Principles and objectives" adopted by the NPT Review and Extension Conference of 1995.

(Ms. Gabr, Egypt)

Fourthly, in a spirit of goodwill and consensus, Egypt joined the consensus leading to the adoption, in 1998, of the resolution entitled “Cessation of the nuclear arms race and nuclear disarmament”, and this with a view to starting negotiations on a non-discriminatory, multilateral and verifiable treaty aimed at banning the production of fissile material that could be used to produce nuclear weapons and other explosive devices. This resolution was based on the report by Ambassador Gerald Shannon and the mandate set out in document CD/1299.

While we support the dual objective of the fissile material cut-off treaty, namely nuclear disarmament and non-proliferation, we should like to reaffirm that this ban will not be effective if it applies only to future production. The ban must include fissile material that has actually been produced and which now constitutes the stockpile of this material. If the ban were to apply to future production only, it would have a limited impact on non-proliferation and would be of no real value with regard to achieving nuclear disarmament. Egypt’s position on this matter is reflected in the 1995 report by Ambassador Shannon, the Special Coordinator of the Conference, on the elimination of fissile material. The report states: “Other delegations were of the view that the mandate would permit consideration not only of future but also of past production.” Therefore, the insistence by some countries on the exclusion of stockpiles from the FMCT is incompatible with the spirit and letter of the NPT and does not reflect the wishes of the large majority of States, which would like to see comprehensive nuclear disarmament as soon as possible.

Verification of compliance by all parties with the ban on production of fissile material is vital for the credibility and effectiveness of such a ban. Therefore, any verification procedures must be sufficiently stringent to ensure full compliance. This means that a full inventory must be compiled of all fissile material held by all States without exception, including nuclear States and non-member States of the NPT, in order to ensure that the stockpiles will be subject to effective international monitoring and control so that any future production of fissile material could be verified and compared with previous production. The ban on fissile material production must be subject to international verification in order for it to be successful.

In conclusion, we call upon the Conference on Disarmament to adopt, by consensus, a work programme that includes the start of negotiations on a universal, non-discriminatory, multilateral and internationally and effectively verifiable treaty in order to halt the production of fissile material for the manufacture of nuclear weapons or other explosive devices, taking due account of the objectives of nuclear disarmament and non-proliferation in accordance with the statement made by the Special Coordinator of the Conference in 1995 and the mandate set out therein, as approved by the 1995 Review Conference and reaffirmed at the 2000 Review Conference.

The PRESIDENT: I thank the representative of Egypt for her statement. I now give the floor to the representative of Switzerland, Ambassador Streuli.

Mr. STREULI (Switzerland) (translated from French): The many statements that we have heard last week and today have shown the general interest in the highly topical subjects you chose for the thematic structure of the formal plenaries during your term of office. In this spirit,

(Mr. Streuli, Switzerland)

my Government last week adopted the United Nations Convention for the Suppression of Acts of Nuclear Terrorism. Mr. Samuel Schmid, the President of the Confederation, will be signing the Convention at the summit of heads of State and government to be held in New York in September 2005.

Where fissile material is concerned, Switzerland stresses the need for respect for the “Principles and objectives for nuclear non-proliferation and disarmament” adopted at the 1995 NPT Review and Extension Conference. Under the heading of “nuclear disarmament”, the States parties decided on the immediate commencement and early conclusion of negotiations on a non-discriminatory and universally applicable convention banning the production of fissile material for nuclear weapons and other nuclear explosive devices, for the purposes of the full realization and effective implementation of article VI of the Treaty. Switzerland seeks the establishment of an ad hoc committee within the Conference on Disarmament in order to begin negotiations on an FMCT treaty. The need for such a treaty is all the more urgent in view of the increasing risk of proliferation of nuclear weapons and the revelation of an extremely extensive black market in nuclear technology. While awaiting the end of these negotiations, Switzerland supports the principle requiring States producing fissile material for military purposes to observe a moratorium on production of such material and place it under IAEA controls. Switzerland would of course like the negotiations on a future FMCT treaty to include the features which underpin the credibility of such treaties, namely the principle of verification. At all events, not wishing to detract from any impetus which might emerge, my county is prepared to begin the negotiations without any preconditions. In this way, verification elements should be finalized during the negotiation process.

The PRESIDENT: I thank the representative of Switzerland for his statement. I now give the floor to the representative of the Netherlands, Mr. van Rhijn.

Mr. van RHIJN (Netherlands): As my delegation has made clear on numerous occasions in the past, the Netherlands attaches the utmost priority to a verifiable fissile material cut-off treaty. The Netherlands has been ready to start negotiations on the basis of the five Ambassadors’ proposal (CD/1693/Rev.1) and the report of the Special Coordinator (CD/1299) and the mandate contained therein. Though there is widespread support in this room for this compromise proposal for a programme of work, developed by the five Ambassadors who were previous Presidents of the Conference on Disarmament, it is, as we all know, not acceptable to all delegations. To meet the concerns of some delegations, Ambassador Chris Sanders, as outgoing President of the CD at the beginning of this year, floated a non-paper, also and better known as the “food for thought” paper, in which he outlines his personal opinion on what might be language that is acceptable to all members of the CD. Although from a national point of view this non-paper is less ambitious than we would be able to accept, in view of the importance we attach to an FMCT, the Netherlands could accept negotiations on the basis of the “food for thought” paper. We feel it is time to start negotiations without preconditions, as we have already spent far too much time negotiating on the way we should negotiate.

(Mr. van Rhijn, Netherlands)

The Netherlands is convinced that an FMCT would serve the security interests of all members of the Conference on Disarmament, both from the perspective of nuclear disarmament and for reasons of promoting nuclear non-proliferation. Negotiations on a number of issues related to nuclear disarmament - and first and foremost on a fissile material cut-off treaty - would in the view of the Netherlands, after some eight years of inactivity, constitute the next logical step for the Conference on Disarmament to start working on.

Over the past years the Netherlands has been working consistently, in an informal process, in order to keep the FMCT alive in Geneva. We are considering organizing another meeting in September, where we would discuss the possibilities and impossibilities of verification of such a treaty. We strongly encourage and look forward to the participation of experts, in particular from the United States of America. We look forward to discussing the factual and detailed questions on perceived non-verification, which last year we shared with those who maintained that a verifiable FMCT is impossible. It is our strong belief that the CD may benefit from an open and frank exchange of views on this matter. You may recall that during last year's meeting with a team of experts from the United States, it was indicated that one or more experts would be available to address this topic in more depth in Geneva.

The PRESIDENT: I thank the representative of the Netherlands for his statement. I now give the floor to the representative of Sweden, Mr. Hellgren.

Mr. HELLGREN (Sweden): The continued existence and proliferation of nuclear weapons is one of the gravest challenges to our common security. Recent developments have put increased focus on the nuclear fuel cycle, including the need to create incentives for States to voluntarily forgo the national development of the most proliferation-sensitive parts of the fuel cycle. New approaches are needed. But we must also fulfil past commitments.

Ten years have passed since the States parties to the NPT unanimously agreed to "the immediate commencement and early conclusion of negotiations on a non-discriminatory and universally applicable convention banning the production of fissile material for nuclear weapons". Five years have passed since the same States parties called the negotiation of such a treaty "a necessity". And the Secretary-General of the United Nations recently reminded us that "swift negotiation of an FMCT is essential".

Although several nuclear-weapon States have declared unilateral moratoria on fissile material for weapons, the production has not ceased worldwide. The need remains for a multilateral treaty to assure that production of such material ceases completely, permanently, transparently and verifiably.

FMCT surpasses the debate on whether current security threats lead us to primarily focus on non-proliferation or on disarmament. This is of course a false debate, since the two issues are inseparably linked. But even those who would not agree to this assertion should realize - and do realize, I believe - that banning further production of fissile material for weapons purposes would serve both purposes, and thus our common security.

(Mr. Hellgren, Sweden)

The CD has been designated as the forum where an FMCT would be negotiated. There is no justification for this body not to get down to this work.

Sweden would be ready to start negotiating an FMCT immediately on the basis of either the A-5 proposal, i.e. the Shannon mandate, or the informal “food for thought” paper floated by the Ambassador of the Netherlands. The proposed negotiation mandate for the ad hoc committee on an FMCT, as contained in the “food for thought” paper, clearly indicates that the negotiations should be initiated “without preconditions”. Many issues will need to be addressed during the course of the negotiations, such as scope and verification. Those who argue that effective verification of an FMCT would not be feasible will have ample opportunity to attempt to convince others, and vice versa. There is no doubt that a lot of work is needed, both on the technical and the legal aspects, before a treaty can be finalized and agreed at political level. But we are not starting from scratch, far from it. Thanks to many active governments and delegations in this room, as well as researchers and civil society - not to be forgotten, a vast pool of knowledge and documentation is available, including even informal draft treaties. Maybe the time has come to formally introduce such a draft treaty in the CD?

In the informal plenary of 18 May 2004, we explained in some detail the preliminary Swedish views on some of the issues that need to be addressed during the negotiations. Today I will only mention a few points. We still strongly believe that verification is technically feasible and politically desirable. We also think that IAEA should be entrusted with this task. The scope of the treaty should certainly include all weapons-grade materials. The threat of terrorism also suggests that we should contemplate the inclusion of certain weapon-usable materials of somewhat lower purity. Solutions to the issue of nuclear submarine fuel can be found. The issue of existing stockpiles must also be addressed.

There is thus some way to go before such a treaty can be agreed. But the multilateral negotiating process must be allowed to start. Further delay would not only be irresponsible, it would risk rendering the Conference on Disarmament irrelevant.

We should be inspired by the Secretary-General’s words in his recent article on breaking the nuclear deadlock: “solutions are within our reach; we must grasp them”.

The PRESIDENT: I thank the representative of Sweden for his statement. The next speaker on my list is the representative of the Republic of Korea, Ambassador Park.

Mr. PARK (Republic of Korea): Mr. President, at the outset, I would like to pay tribute to your tireless efforts to enable the CD to get back to the commencement of substantive work. I believe that this exercise is useful and timely, especially because many of us, having very fresh memories of the seventh NPT Review Conference in New York, are ready to explore every avenue to overcome the ongoing stalemate in the CD.

At the current stage, where the CTBT has been adopted, as other Ambassadors have pointed out this morning, negotiations on the FMCT are the next logical step in the accomplishment of our common goal enshrined in agenda item 1 of the CD. In fact, the FMCT

(Mr. Park, Republic of Korea)

is not only important for non-proliferation, but it also serves as a precursor to disarmament. Therefore, the Republic of Korea, like many other delegations, has placed a high priority on beginning negotiations on an FMCT in the CD at the earliest possible date.

As we strongly believe in the urgency of commencing substantive discussions, I call for the establishment of an ad hoc committee to negotiate an FMCT under agenda item 1. In this regard, let me take this opportunity to present our preliminary views on the substantive aspects of the FMCT.

First of all, concerning the scope of the treaty, we are of the view that a viable solution needs to be explored to resolve differences with respect to the past production of fissile materials. In this regard, we see merit in the South African proposal (CD/1671), in which nuclear-weapons materials already declared as excess could be included in the starting inventory when the FMCT enters into force.

Second, my delegation is willing to start the FMCT negotiations on the basis of any reasonable formula, including the “food for thought” paper proposed by the Ambassador of the Netherlands, that can garner widespread support from the CD member States. This flexible approach has been taken with a view to preventing further delay of the negotiations. It is our view that, in due course of the negotiation process, we can address the issue of establishing an effective verification mechanism through cost-effective measures.

Third, legal issues, such as conditions for entry into force, should be carefully addressed in the light of the experience gained in the ratification process of the CTBT.

Lastly, in order to ensure the universality and effectiveness of the FMCT, it will be essential to secure the participation of all non-parties to the NPT, as well as all member States of the CD.

In the meantime, considering the urgent need to curb the production of fissile materials, it would be desirable if nuclear-weapon States and de facto nuclear Powers voluntarily declared a moratorium on the production of fissile materials for weapons purposes even before the negotiations on the FMCT begin. They could even go further by implementing arrangements to place fissile material that is no longer required for military purposes under the IAEA verification regime.

The PRESIDENT: I thank the representative of the Republic of Korea for his statement. I now give the floor to the representative of the United States, Mr. Cynkin.

Mr. CYNKIN (United States of America): Mr President, I would like to express my delegation's appreciation for the leadership that you bring to the CD presidency. We welcomed your opening statement to the CD, providing your assessment of the relationship between the global security environment and the CD. I would like to take this opportunity to comment on some of the questions that you have raised, and perhaps offer some of my own.

(Mr. Cynkin, United States)

Terrorism and proliferation of weapons of mass destruction, coupled with the risk that terrorists could acquire such weapons, remain our greatest security challenges in the twenty-first century. We fully share your sense of urgency regarding the need to increase cooperative efforts to confront the real threats to international peace and security, but I am not sure that we completely share your assertion regarding the purported paralysis of the multilateral arena.

It is true that States have experienced difficulty in finding a way to use some of the traditional multilateral tools to meet today's challenges. However, multilateral cooperation takes many forms, and governments around the world have begun to utilize new tools and strengthen existing tools to narrow the gap between the real threats and the action needed to confront them. I would like to touch briefly on just a few of these recent efforts.

On 17 June the IAEA Board of Governors decided by consensus to create a Special Committee on Safeguards and Verification. This decision begins a process that will strengthen the Agency's ability to monitor and enforce compliance with the non-proliferation commitments that governments have assumed. The idea to create such a committee began with President Bush's overall proposals to strengthen IAEA and the nuclear non-proliferation regime, but Board members took the collective decision to make this proposal their own, providing added urgency to the Committee's future efforts.

To respond to concerns about the illicit activities of proliferation networks, the United Nations Security Council in April 2004 unanimously adopted resolution 1540. Over 115 countries since have submitted reports to the Security Council outlining steps that they have taken, or intend to take, to implement this resolution. The United States looks forward to working with all nations to achieve the full implementation of 1540, and stands ready to provide assistance, where possible, in helping States fulfil their obligations.

In conjunction with their overall efforts to prevent, contain, and roll back proliferation, G-8 leaders in June 2002 launched the G-8 Global Partnership. In just a few years, the Global Partnership has become a significant force worldwide for enhancing international safety and security. To support Global Partnership projects, G-8 leaders have committed to raise up to \$20 billion over 10 years. Thirteen countries have joined as donors since the partnership began, and together they have pledged more than \$250 million to the partnership's projects.

On 20 June the United States and the European Union reiterated their common commitment to meet the pre-eminent threat of the proliferation of weapons of mass destruction (WMD) by undertaking a joint work programme comprised of several initiatives - some of which I mention today - to strengthen cooperation and coordination in this important arena. As part of this programme, the United States and the European Union also committed to streamline and make the multilateral non-proliferation, arms control, and disarmament machinery more responsive.

The Proliferation Security Initiative, an activity which you named in your opening statement, is a network of cooperation aimed at building national capacities to act with speed and effectiveness, and in partnership, to stop WMD proliferation. We count over 60 countries

(Mr. Cynkin, United States)

as supporters of PSI, the ranks of which most recently have been augmented by Argentina, Iraq, and Georgia. We often say that PSI is an activity, not an organization. We think that this characteristic is a fundamental reason for PSI's success to date. PSI builds on voluntary cooperation and existing non-proliferation treaties and regimes. In doing so, PSI reflects the reality that, even as we continue to support and strengthen the existing non-proliferation architecture, proliferators and those facilitating the procurement of deadly capabilities are circumventing existing laws, treaties, and controls against WMD proliferation. In the last nine months alone, the United States and our PSI partners have cooperated quietly on 11 successful efforts that stopped the trans-shipment of material and equipment bound for WMD and ballistic missile programmes of concern. Our successes cannot all speak for themselves, since the details often involve sensitive intelligence matters. We can, however, say that PSI is putting proliferators on notice that the international community will not tolerate their activities, and will weed them out from those engaged in legitimate trade.

Just over a year ago, President Bush said, "there is a consensus among nations that proliferation cannot be tolerated. Yet this consensus means little unless it is translated into action". Serious proliferation threats remain, and more work needs to be done, but I believe that these and other multilateral efforts prove that this consensus has begun its translation into action.

The CD has the potential to be part of the action, but it does not seem at this point that this Conference will choose to live up to that potential. Unilateral, bilateral, and other multilateral arms control and disarmament efforts have far outpaced the CD in recent years. If we are to become a relevant organization again, we must move beyond cold-war-era issues and a "business as usual" approach to our work. Among the issues which the CD has before it to consider are two free-standing proposals that could end the stalemate and put the CD's resources to work. One is an international ban on the sale or export of all persistent landmines, devices that cause between 12,000 and 16,000 deaths per year, and whose long life ensures that they remain dangerous to civilians for many decades after any legitimate military need has passed. The other is a ban on fissile material production for nuclear weapons or nuclear explosive devices. The latter seems to have enjoyed broad support among CD member governments for quite some time and, despite some initial hesitation, agreement to an open mandate without preconditions appears possible. Still, the CD remains in its ninth year of deadlock.

A reason often cited in the CD plenary for that deadlock is that a stand-alone negotiation on FMCT or on persistent landmines would not address the priorities of every member. One of these priorities has failed to gain consensus in the multilateral arena since the late 1960s. Other priorities that have been proposed for action by the international community have also failed over a similarly long period of time. The history of the CD, both during and since the cold war, strongly suggests that these other proposals have not represented, and do not currently represent, common solutions to common threats. Deliberately or not, the pursuit of these issues at the CD as conditions for work has effectively blocked progress on negotiations that would be relevant to today's global security environment.

(Mr. Cynkin, United States)

Mr President, our delegation appreciates your candour, and agrees with you that the current stalemate is a reflection of insufficient political willingness in a number of capitals to negotiate treaty law. We continue to believe that the two proposals that the United States has offered - a ban on persistent landmines and an FMCT - constitute important, achievable goals. The United States and many others will continue to support these initiatives in the CD, but we also will continue to participate in cooperative efforts elsewhere to advance common goals, implement our treaty commitments, and strengthen international peace and security.

The PRESIDENT: I thank the representative of the United States for his statement. I now give the floor to the representative of Malaysia, Mr. Wan Yusri.

Mr. WAN AZNAINIZAM YUSRI (Malaysia): Malaysia addressed the issue of nuclear disarmament at the last CD plenary meeting on 23 June 2005. We would like to reiterate our position today on the “establishment of an ad hoc committee on FMCT”.

We are today confronted with the threat of self-extinction arising from the existence of nuclear weapons. The accumulation of weapons, in particular nuclear weapons, constitutes much more a threat than a protection for the future of the human race. Existing arsenals of nuclear weapons alone are more than sufficient to annihilate the entire population of the world. The prolonged existence of nuclear stockpiles and the ongoing development of new types of nuclear weapons need to be urgently addressed as they pose threats to international peace and stability and increase the possibility of further proliferation of nuclear weapons.

Pending the total elimination of nuclear weapons, for which negotiations should be vigorously pursued, the international community, in particular the nuclear-weapon States, have special responsibilities to undertake measures aimed at halting the further vertical proliferation of their nuclear arsenals. The nuclear-weapon States should also immediately cease research on the qualitative improvement and development of new types of nuclear weapons.

Together with negotiations on nuclear disarmament measures, Malaysia is strongly of the view that the fissile material cut-off treaty (FMCT) negotiations constitute one of the next essential steps in preventing the proliferation of nuclear weapons and the break-out of a nuclear war. While supporting the call for a non-discriminatory, multilateral, internationally and effectively verifiable treaty, banning the production of fissile material for nuclear weapons and other explosive devices, Malaysia is strongly of the view that negotiations on an FMCT should include existing stockpiles and verification.

In this regard, we urge the CD to establish as soon as possible an ad hoc committee on FMCT together with the establishment of the other three ad hoc committees as proposed in the A-5 proposal, namely nuclear disarmament, PAROS and NSA. Before I conclude, let me reiterate Malaysia's strong conviction that the only absolute guarantee against nuclear war would be complete nuclear disarmament under strict and effective international control.

The PRESIDENT: I thank the representative of Malaysia for his statement. This concludes my list of speakers for this morning's meeting. Does any other delegation wish to take the floor at this stage? I recognize the representative of Pakistan, Ambassador Khan.

Mr. KHAN (Pakistan): The distinguished Ambassador of the United Kingdom made a specific reference to our statement made this morning, suggesting that raising some issues relating to a fissile material treaty will delay commencement of FMT negotiations. I hope I have understood him correctly because I do not have a transcript of his remarks.

Going by the very logic given by the United Kingdom, such a conclusion and premise will be counter-intuitive, if discussion of any issue is not proscribed during the FMT negotiations. If and when they start, we cannot prohibit the raising of relevant issues before the commencement of negotiations, can we? If dropping verification has not caused delay, a reference to existing stocks and verification will not hurt a process that has yet to begin.

I assure the distinguished Ambassador of the United Kingdom that his apprehensions in this regard are misplaced. I hope there was no gag order in place which I have violated unknowingly. But I am flattered that the distinguished Ambassador of the United Kingdom has chosen to comment on our statement this morning. Therefore, we share this honour with South Africa.

The PRESIDENT: I thank the representative of Pakistan for his statement. I recognize the representative of the United Kingdom, Ambassador Freeman.

Mr. FREEMAN (United Kingdom of Great Britain and Northern Ireland): Actually the honour was also accorded to China as well as South Africa.

Seriously, in responding to what the Ambassador of Pakistan has just said, I think what I was picking up on was that - and I think this is a real point - is that we can spend quite a lot of time - and I didn't wish to imply this was peculiar to Pakistan in any way, but Pakistan gave a very developed speech, so I was partly picking up on that - we can spend a lot of time discussing and defining the problems. We spend an inordinate amount of time discussing and defining the problems. We need to try and find solutions. And as long as one has in mind a perspective which is without preconditions, then the ability to engage on all of the various issues, defined either as issues, problems, however one wishes to, is the way in which we can find solutions. But we will not find solutions if we continue to spend time defining the problem. That was my only point, and it was not peculiar to Pakistan. And I am grateful to him for seeking to clarify that.

The PRESIDENT: I thank the representative of the United Kingdom for his statement. Any other delegation that wishes to take the floor at this stage? That does not seem to be the case.

This concludes our business for today. The next plenary meeting will be held this Thursday, 30 June, at 10 a.m. in this conference room.

The meeting rose at 12.10 p.m.