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President: Mr. Pedro Oyarce(Chile)

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The President (*spoke in Spanish*): Good morning Ambassadors, delegates. I hereby declare open the 1213th plenary session of the Conference on Disarmament.

Before we start work today, I would like to extend a warm welcome to his Excellency, Ambassador Kwon, the new permanent representative of the Republic of Korea. The Ambassador has a broad range of multilateral experience, having worked for the Organization for Economic Cooperation and Development (OECD) and the International Civil Aviation Organization (ICAO) among other multilateral agencies, in addition to serving as Director-General of the Presidential Committee for the G-20 Seoul Summit. Ambassador, we are convinced that you will be able to make a valuable contribution to the work of this Conference.

In a few moments we shall introduce today's issue of fissile material. I would first like to share some ideas with you, in the light of the visible interest in progressing with technical and political discussions on a treaty to ban the production of fissile material for nuclear weapons and other nuclear explosive devices. I believe that this plenary would benefit from taking a more practical approach to defining two terms, namely fissile material and production, among others. It would also be useful to consider viable options for appropriate verification and the matter of stockpiles.

In recent weeks, we have received a few suggestions from the United Nations Secretary-General. He suggested the idea of an informal preparatory process aimed at facilitating the negotiation of a future treaty. Furthermore, in the high-level segment, he urged us on several occasions to begin work on that issue. It is useful to have recourse to the opinions of several Member States on the scope of the treaty and the need to reduce the amount of fissile material.

The idea of a moratorium has also been suggested, given concerns that fissile material could be used by non-State actors. It has been suggested that a flexible approach to the negotiations be taken. If we recall, Brazil suggested a framework approach that considered a general convention with two protocols on future production and stockpiles.

I wonder whether we might reconsider these approaches. I also wonder whether the Conference might need to re-examine or revisit the Shannon mandate, a carefully crafted compromise intended to address various concerns. It is my hope that during this session we can address these aspects insofar as they complement the constructive general debate that took place under the presidency of Canada.

I am aware of the fact that it is all too easy to become repetitious but sometimes certain matters bear repeating out of political necessity. It is plain to see that these more focused debates will force us to enter a new stage in our work and to adopt new working methods.

It is for that reason that I wished to share these ideas with you in the context of an issue I know to be sensitive and, having said that, I would like to give the floor to the first speaker on the list, Ambassador Woolcott of Australia. Ambassador, you have the floor.

Mr. Woolcott (Australia): Mr. President, I would also like to welcome Ambassador Kwon Haeryong and I look forward to our traditionally close cooperation with the Republic of Korea on disarmament issues.

Delegations will recall that on 17 February, I reported briefly to the Conference on the recent experts' side event on fissile material cut-off treaty (FMCT) definitions. I said at that time that I would provide a more detailed report to the Conference and I do so today.

This statement represents an outline of the written report on the event that I am currently finalizing and which will be submitted as a formal Conference on Disarmament

document for the information and for the benefit of all members of the Conference and observer delegations.

From 14 to 16 February 2011, Australia and Japan co-hosted a three-day experts' side event on FMCT definitions at the Palais des Nations. I chaired this event, assisted by Dr. Bruno Pellaud of Switzerland as Vice-Chair and Rapporteur. Representatives of around 45 Conference on Disarmament member States and around 10 Conference on Disarmament observer States attended the event, as did representatives of the United Nations Office for Disarmament Affairs (UNODA), International Atomic Energy Agency (IAEA) and the United Nations Institute for Disarmament Research (UNIDIR). The topic of this event was possible definitions to be included in a fissile material cut-off treaty.

The purpose of this event was first to build confidence about FMCT and momentum towards FMCT negotiations in the Conference on Disarmament on the basis of document CD/1299 and the mandate contained therein. Its purpose more broadly was to inform and support the work of the Conference on Disarmament and to build confidence among its member and observer States. This event was hosted by two Conference on Disarmament member States for the benefit of member and observer States.

As you know, this event did not represent a negotiation or a pre-negotiation, but an opportunity to exchange views. During the event, no agreements were sought and no decisions were taken. Views expressed during the event were without prejudice to national negotiating positions when FMCT negotiations begin in the Conference on Disarmament.

The event consisted of four sessions: an introductory session on 14 February, and three discussion sessions from 14 to 16 February. On 14 February, Mr. Kevin Alldred of the IAEA Nuclear Fuel Cycle and Waste Technology Division opened the event with a presentation on the nuclear fuel cycle.

The first of the three discussion sessions of the event was also held on 14 February. It considered the question of how the term "fissile material" might be defined in an FMCT. On 15 February, the second discussion session considered the question of how the term "production" might be defined in an FMCT. On 16 February, the third discussion session considered the question of whether there were any other definitions which might be relevant for an FMCT.

Mr. President, I wish to stress that this statement and the written report to follow represent a personal summary of elements of the three discussion sessions. They are not an exhaustive treatment of the topic of FMCT definitions. They draw no conclusions about the relative merits of options put forward and they do not attribute views expressed (other than my own and those of the Vice-Chair). Moreover, their purpose is not to predetermine the conduct of future FMCT negotiations in the Conference on Disarmament.

The goal of Australia and Japan in this process is to inform and support the work of the Conference on Disarmament, to stimulate further substantive exchanges in the Conference — including today — on issues related to an FMCT, and to benefit all delegations by facilitating the type of learning opportunity which can help us advance this important subject in the Conference on Disarmament.

The first two discussion sessions provided the opportunity for participants to exchange views on the definitions of the terms "fissile material" and "production" covered by an FMCT. Given the relationship between the definitions of "fissile material" and "production", I shall consider these two sessions at the same time.

In introducing the sessions on fissile material and production, the Vice-Chair offered a number of options for consideration and to stimulate discussion. Concerning fissile material, the Vice-Chair noted that the relevant isotopes were uranium-233, uranium-235, plutonium-239, neptunium-237 and odd-number isotopes of americium.

In the interests of providing a range of options for production definitions in order to stimulate discussion, the Vice-Chair outlined a number of possible starting points for production of both uranium and plutonium. For uranium production, these possible starting points included uranium in yellowcake form, uranium enriched in uranium-235 above the natural level (0.7 per cent), uranium enriched above 5 per cent, or uranium enriched to 20 per cent or above.

For plutonium production, these possible starting points included irradiation of uranium, handling of irradiated fuel, or reprocessing of irradiated fuel (i.e. separation of fissile material from the material). In the subsequent discussions, participants proposed or spoke on four broad options relating to the definitions for the terms “fissile material” and “production” covered by an FMCT. These four broad options are set out on the first page of the handout which has been circulated.

Mr. President, I want to stress that these options are just that – options. I also want to stress that these options are not exhaustive. Other options not raised by participants at the experts’ side event may feature in future FMCT negotiations in the Conference on Disarmament, and for that matter in future discussions in and around the Conference.

The four options in this table represent a sliding scale of isotopic quality – from the first option, where fissile material would be very high grades of enriched uranium and of plutonium; through the second and third options, where fissile material would be high-enriched uranium, and plutonium (normally after separation through reprocessing); to the fourth option, where fissile material would be uranium enriched just above the natural level, as well as plutonium, uranium-233 and neptunium produced through irradiation.

Of the participants proposing or speaking on particular options, most spoke on definitions 3 and 4. Some proponents of definition 3 offered variations on that definition. Those variations are set out on the second page of the handout. The primary variations were whether the fissile material covered by an FMCT might include neptunium and americium and whether production covered by an FMCT might include enrichment of plutonium-239 by isotopic separation.

The discussions on the definitions of the terms “fissile material” and “production” revealed a number of issues which may influence FMCT negotiations in the Conference on Disarmament. I shall briefly summarize some elements of them.

First, concerning approaches to definitions, the Vice-Chair suggested that a consistent set of characteristics might allow an effective assessment of options for FMCT definitions. Such a set could include: verifiability – making verification technically and organizationally possible; confidentiality – minimizing proliferation risks associated with inspection and verification activities; costs – which could be important at the end of the negotiating process.

The Vice-Chair’s remarks elicited a range of comments. Some considered this set too narrow, suggesting, in particular, the characteristic of non-discrimination. Some questioned whether costs could be used as an evaluating factor in a preliminary technical context; that costs could only be derived from a broad perspective, including FMCT definitions, objectives, scope and especially verification.

Noting the linkages between definitions and other issues in an FMCT (including objectives, verification and scope), some emphasized the importance of developing a “dialable” range of options for definitions, particularly for the definitions of the terms “fissile material” and “production”. A “dialability” of options would assist when the broader considerations of treaty objective, scope, verification and costs were being addressed in negotiations.

There was also debate about whether new definitions for the terms “fissile material” and “production” needed to be created or whether the IAEA definitions and categories were sufficient. Some argued that a set of “scientific” definitions for an FMCT based on specific materials and activities was appropriate. Others argued that the IAEA definitions and categories represented a good starting point, possibly with some amendments to take neptunium and americium into account.

Some concern was expressed about the possible negative impact on the IAEA safeguards system, if broader definitions were used in an FMCT than those used by the Agency. The argument was that broader definitions might make the IAEA definitions and categories and, with them, the IAEA safeguards system look deficient.

“Special fissionable material plus neptunium” and “unirradiated direct-use material”, and “special fissionable material plus neptunium” and “unirradiated direct-use material” are not the only options for the definitions of the terms “fissile material” and “production” in an FMCT. However, they were the two options which featured most prominently in the discussions during the experts’ side event. The discussions on these two options touched on issues which may influence FMCT negotiations in the Conference on Disarmament.

Proponents of the “special fissionable material plus neptunium” option expressed concerns about the implication of narrower definitions for the terms “fissile material” and “production”, i.e. definitions which did not include lower levels of uranium enrichment or plutonium production through irradiation. Their concerns addressed such issues as the effect on the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) regime through the possible creation of legal loopholes towards break-out capability.

In response, proponents of the “unirradiated direct-use material” option expressed the view that definitions should focus on material and activities which presented a risk to the object and purpose of an FMCT. Under this line of argument, narrower definitions could be chosen that were reinforced by verification activities on the choke points of fissile material production for nuclear explosive purposes. These choke points were uranium enrichment at a level where weapon usability came into focus, and reprocessing – the process by which plutonium became weapon-usable in a physical sense. Inclusion of irradiated plutonium would make verification very expensive, not only in terms of financial costs to individual States, but also in terms of the resources of any institution charged with verifying an FMCT.

While these differences emerged, it is worth noting that proponents of the “special fissionable material plus neptunium” option suggested that, under that definition, different levels of verification could be considered, depending on the strategic sensitivity of the fissile material, i.e. there could be a lower level of verification for irradiated plutonium in spent fuel and for low-enriched uranium, and a higher level of verification for separated plutonium and for high-enriched uranium.

Thus, despite the differences between the definition of the terms “special fissionable material plus neptunium” and “unirradiated direct-use material”, some observed that the gap between the two definitions might be narrower, when possible verification activities underpinning those options were considered.

Some participants advocated the inclusion of neptunium in any definition of “fissile material” covered by an FMCT. While acknowledging that significant quantities could probably only be produced at large reprocessing facilities, they noted the value of neptunium as a fissile material and argued that the omission of neptunium from an FMCT could create interest in its production for nuclear-weapon purposes.

Mr. President, those are elements of the first two discussion sessions. The third discussion session provided the opportunity for participants to raise other definitions that might be relevant for a future FMCT.

The Vice-Chair asked how stocks might be defined and whether States decided to include existing stocks of fissile material in the scope of the treaty. Despite much debate on the question of stocks, there could be greater consideration of what this might mean in practical, physical terms.

Noting that the technical and confidentiality issues in verification might be complex, the Vice-Chair suggested three possible aggregations of fissile materials which could serve as a basis for discussion on the associated aspects of verification, if States decided to include existing stocks of fissile material in the scope of the treaty: stored weapon components (pits), at weapons stores; stocks stored in bulk form (weapon mixtures) at fabrication plants or weapons stores; materials in bulk form (pre-weapon powders) separately stored in other less sensitive facilities.

The Vice-Chair's comments elicited a range of responses which considered the issue from the perspective of definitions, but also from the perspective of verification and scope. Some questioned whether stocks if included in the scope of the treaty should or could be defined technically, as opposed to politically or legally. Some noted the relationship and distinction between so-called "technical categories" of stocks (such as those suggested by the Vice-Chair) and so-called "political definitions" (such as excess materials declared, but unverified and excess materials declared and verified).

On questions of scope and verification, some noted a preference for a broad definition of stocks: an approach which verifiably caught stocks in the broadest possible way could fulfil both disarmament and nuclear security aims. Some noted the sheer technical complexity of stocks verification, for example, there would be hundreds of types of pits and several tens of thousands of pits.

Participants discussed whether and how the term "production facility" should be defined in an FMCT. The Vice-Chair suggested that the concept of "diability" applied, that any definition of "production facility" would essentially be determined by the definitions chosen for "fissile material" and "production", with each possible combination of "fissile material" and "production" definitions leading to its own list of relevant facilities.

I suggested that the negotiations would need to consider how to treat small-scale facilities under an FMCT (for example, laboratory-scale experiments). While it followed from the broad purpose of FMCT set out in document CD/1299 that large reprocessing or enrichment facilities producing large volumes of material would be a key consideration during FMCT negotiations, the issue of laboratory-scale experimental facilities also warranted consideration.

On this point, some noted that if production was defined as an activity only, then not only would it cover all large-scale commercial enrichment and reprocessing plants, but small laboratory-scale experiments too. The Vice-Chair and some participants noted that there existed precedent and practical consideration for the exemption of small-scale facilities.

Some noted that in addition to the definition of relevant production facilities, the operational status of those facilities was also an important consideration for an FMCT, as were the concepts of facility dismantlement and irreversibility.

Noting the reference in document CD/1299 to the treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, some suggested that the term "nuclear explosive device" might need to be defined in an FMCT. Some

questioned the necessity of this and recalled the difficulty in defining such a term during the Comprehensive Nuclear-Test-Ban Treaty (CTBT) negotiations. In the context of this discussion, there was also debate on whether an FMCT needed to refer specifically to “peaceful nuclear explosions” or whether the concept had already effectively been invalidated.

The discussions on FMCT definitions during the side event were rich, but were by no means exhaustive. Importantly, they underlined linkages between particular definitions, and also between definitions and other core elements of the future treaty, including verification and scope. I learnt much from the presentations and discussions during this event, and I hope others did too.

As a result of this opportunity for learning and sustained discussion on FMCT definitions among Conference on Disarmament member and observer States, it is my hope that this event will encourage reflection on the different options raised. It is also my hope that this event will encourage reflection on other options that were not raised, as well as more broadly on the technical and political considerations which will frame future FMCT negotiations in the Conference on Disarmament.

I thank the Conference on Disarmament member and observer States that participated in this event. I particularly thank the experts who travelled to Geneva – and in some cases from quite distant capitals. I thank Mr. Kevin Alldred for his very informative and helpful presentation on the nuclear fuel cycle. I am grateful to the International Atomic Energy Agency for facilitating Mr. Alldred’s participation. I wish to offer a special thanks to Dr. Bruno Pellaud for his assistance, participation and contributions as Vice-Chair and Rapporteur of this event, and I express my gratitude to Switzerland, and in particular Ambassador Lauber, for facilitating Dr. Pellaud’s participation. I also wish to thank the interpreters today who have had to interpret this dense and longer-than-usual statement.

Lastly, I wish to thank Japan, and in particular my good friend, Ambassador Suda, for co-hosting this event. Australia and Japan will co-host a second experts’ side event on FMCT verification, with an opportunity for follow-up and further reflection on FMCT definitions, in the near future.

The President (*spoke in Spanish*): Thank you, Ambassador Woolcott, for your specific and constructive comments on an issue that is part of the agenda of this Conference. I would now like to give the floor to Ambassador Maimeskul of Ukraine, Ambassador you have the floor.

Mr. Maimeskul (Ukraine): Mr. President, at the outset let me congratulate you on your assumption of the presidency of the Conference on Disarmament. I am confident that your able presidency will contribute to attaining our ultimate goal – adoption of the programme of work of the Conference on Disarmament, which will enable the resumption of the substantive work of this unique forum. In this regard I assure you of the strong support of my delegation. I would also like to welcome warmly Ambassador Kwon Haeryong from the Republic of Korea and wish him a pleasant and especially productive stay in international Geneva.

Ukraine considers the negotiations on an FMCT as one of the utmost priorities of the Conference on Disarmament. The conclusion of this important international instrument should significantly strengthen the non-proliferation regime and become the next step on the way to global disarmament. Obviously, there is an urgent need for a compromise that will strike a calibrated balance between these two aspects and hence enable the Conference on Disarmament to resume its substantive work and to retain its central and unique role in the field of disarmament. This is our common and, I strongly believe, attainable goal.

However, viewed from a wider prospective, let us not forget that nuclear disarmament and non-proliferation are not goals in themselves, but only crucial prerequisites for a more secure world. One of the basic principles of the current non-proliferation regime is a clear balance among the three pillars of the Treaty on the Non-Proliferation of Nuclear Weapons: non-proliferation, disarmament and the peaceful use of nuclear technology.

Hence, our efforts aimed at non-proliferation and disarmament should not only contribute to the strengthening of regional and global security, but should also create auspicious conditions for the peaceful use of nuclear energy in the wider, humanitarian context, thus giving impetus to much-needed social and economic development and prosperity.

Ukraine is confident that effective disarmament and non-proliferation measures should make our world more secure for all, and establish better grounds for placing atoms at the peaceful service of mankind to the fullest extent possible. In this context, I would like to highlight the recent initiative of the President of Ukraine, Mr. Victor Yanukovych, to convene the high-level Kyiv Summit on the Safe and Innovative Use of Nuclear Energy.

The Kyiv Summit, scheduled to take place on 19 April 2011, will be part of the events devoted to the twenty-fifth anniversary of the Chernobyl disaster and will be held together with an international high-level conference, as well as a pledging conference for the Chernobyl Shelter Fund and Nuclear Safety Account to enable the timely completion of projects that will make the site safe.

More than 40 Heads of State and Government, as well as leaders of international organizations are invited to attend these important events. Among those who have already confirmed their participation are the Secretary-General of the United Nations, Mr. Ban Ki-moon, the Director General of the International Atomic Energy Agency, Mr. Yukio Amano, the President of the European Bank of Reconstruction and Development, Mr. Thomas Mirow, the President of the Republic of Kazakhstan, Mr. Nursultan Nazarbaev, the Vice-Premier of the People's Republic of China, Mr. Zhang Dejiang, the Prime Minister of France, Mr. François Fillon, the Prime Minister of the Republic of Lithuania, Mr. Andrius Kubilius and other high-level officials.

The initiative by Ukraine to convene this international forum is yet another step towards the implementation of the Washington Nuclear Security Summit commitments: to promote the idea of the conversion of nuclear reactors operated by high-enriched uranium fuel to low-enriched uranium fuel; to secure the rights of non-nuclear States to nuclear materials and technology for peaceful purposes in accordance with NPT requirements. The Kyiv Summit should also serve as an integral part of a broader preparatory agenda for the next Nuclear Security Summit, scheduled for April 2012 in South Korea.

While the Conference on Disarmament spares no effort in discussing the fate of such an important instrument as an FMCT, my country, Ukraine, and our partners have already begun to fulfil our commitments of protecting nuclear materials from potentially dangerous use thereby taking practical steps towards the ultimate goal of a future treaty.

In this regard, I would like to reiterate that Ukraine has complied with its commitment, having removed a substantial amount of highly enriched uranium (HEU) from Ukrainian nuclear research facilities by the end of 2010.

We believe that the nuclear technology challenges that the world faces today should be addressed through global non-proliferation and disarmament efforts. It is obvious that a responsible approach towards peaceful nuclear energy management is a fundamental prerequisite for a safer future.

It is expected that the Kyiv Summit will adopt a declaration, which will further invigorate the commitments made towards strengthening non-proliferation, and foster the development of the peaceful uses of nuclear energy by providing a framework of confidence and cooperation for such uses. It should also encourage States to exchange, as far as possible, equipment, materials and scientific and technological information for these purposes.

We strongly believe that greater bilateral and multilateral cooperation in this sphere will encourage a greater number of countries to use innovative processes in the field of nuclear energy, which will contribute significantly towards sustainable development at the regional and global levels, and strengthen the security of nuclear facilities for peaceful purposes.

Mr. President, the high-level participants who delivered their statements here at the beginning of this week reiterated their countries' commitment to reviving the Conference on Disarmament and their determination to contribute to its work in a results-oriented manner.

So, let's work!

The President (*spoke in Spanish*): Thank you, Ambassador, for the kind words you addressed to the Presidency. I would now like to give the floor to Ambassador Wang Qun, permanent representative of China. Ambassador, you have the floor.

Mr. Wang Qun (China) (*spoke in Chinese*): I would like to discuss a few points of principle regarding the issue of an FMCT.

Firstly, China has consistently supported the idea that the Conference on Disarmament should negotiate and conclude as soon as possible a non-discriminatory, multilateral and internationally and effectively verifiable FMCT. China supports the United Nations General Assembly resolution on an FMCT and the plan of action for an FMCT contained in the final document of the 2010 NPT Review Conference, according to which the Conference on Disarmament should adopt a comprehensive and balanced programme of work, and should authorize the immediate start of negotiations on an FMCT as authorized on the basis of the Shannon Report. In a joint statement issued on 19 January 2011, the Heads of State of China and the United States of America reaffirmed their support for the earliest possible start of FMCT negotiations by the Conference on Disarmament in Geneva.

Secondly, China has always maintained that FMCT negotiations should take place within the Conference on Disarmament. Only by following the rules of procedure of the Conference on Disarmament, and by holding open and transparent intergovernmental negotiations involving all concerned parties, can a good, broadly acceptable FMCT be rapidly achieved. China takes note of the comments made by the distinguished Russian Minister for Foreign Affairs, Mr. Lavrov, at the 1 March meeting of the Conference on Disarmament, when he stated that FMCT negotiations should take place within the Conference on Disarmament and not in any other forum, as this is the only way to ensure the participation of all key countries. China fully endorses this viewpoint.

Thirdly, China is of the view that when discussing specific issues relating to the FMCT, we must clearly set out the treaty's overall framework. Ultimately, which key elements and sections should be included in the FMCT? Should it comprise only the main text of the treaty, or should it also include related protocols? Should it be a general, principle-based treaty, or should it be a fully comprehensive arms control treaty with specific provisions covering such aspects as basic obligations, the scope of prohibition, verification and organizational framework? When deciding how much importance to attach to the various provisions of the treaty, what will be the relationship between the FMCT and non-proliferation and nuclear disarmament? If we can reach a consensus on these general

issues by means of relevant discussions, this will help us all to grasp the direction that the negotiation of a future FMCT will take, and will also foster discussions on specific issues relating to the treaty.

Fourthly, I have just listened carefully to the statement made by the distinguished Ambassador of Australia, particularly when, speaking in his personal capacity, he summarized the side event held by Australia and Japan outside the Conference a few days ago. From his briefing, I can see that the discussions in question were themselves substantive in nature and involved a large volume of information. A total of 45 member States of the Conference on Disarmament participated in those discussions. At the same time, considering that the aforementioned side meeting and its outcome have no standing within the Conference on Disarmament, I also believe that this type of discussion would undoubtedly be much more meaningful if it were held within the Conference, especially with all 65 member States participating. This is another issue that the members of the Conference should carefully consider. Moreover, China will pay close attention to the different views on an FMCT expressed today by the members of the Conference, and will also make observations on these statements and present our own views at an appropriate time.

The President (*spoke in Spanish*): Thank you, Ambassador. I give the floor to Ambassador Suda, permanent representative of Japan. Ambassador, you have the floor.

Mr. Suda (Japan): Mr. President, firstly, I would like to extend a warm welcome on behalf of my delegation to Ambassador Kwon Haeryong from the Republic of Korea – the good neighbour of my country. I would like to join Ambassador Peter Woolcott in thanking everyone, especially those who came from their respective capitals and participated in the experts' side event co-hosted by Japan and Australia from 14 to 16 February at the Palais des Nations. I would like to express my special thanks to Ambassador Woolcott and his delegation for preparing this very useful side event and for having chaired it very successfully.

The side event showed a clear eagerness among participants for the immediate start of negotiations on an FMCT, as well as the high level of deliberations that will be required once those negotiations start. The event also provided an opportunity for participants to exchange technical views and deepen the understanding of delegates. It was particularly meaningful that a range of options were put on the table for our further study and deliberations. From this perspective, my delegation believes that the substantive discussions at the side event will greatly contribute to our prospective negotiations in the future. As the Ambassador of Australia has just indicated, Japan and Australia are planning to hold a second event in the near future focusing particularly on verification. I hope that many delegates and experts will participate in this event too.

With regard to the issue of definitions for an FMCT, I would like to touch on a few basic points that should guide us in considering this issue. The definition of materials whose production should be banned should effectively be the primary objective of an FMCT, which is to ban the production of fissile material for weapons purposes and place a quantitative cap on existing stockpiles. This is the most important point, since we have to make sure that no legal loopholes will be created by inadvertently choosing narrow definitions. On top of that, what needs to be taken into consideration is whether the definitions would alleviate the existing discriminatory nature of the NPT regime between the nuclear-weapon States and non-nuclear-weapon States.

Definitions should therefore be as broad as possible, while not adversely affecting the peaceful uses of nuclear energy. From this perspective, Japan believes that the relevant part of article XX of the IAEA Statute on special fissionable materials could provide a basis for a definition of fissile material whose production should be banned. Some may argue that

if we adopt a definition of fissile materials to be prohibited that is too broad, we will face practical difficulties in carrying out verification. We understand such concerns, and we need to be as practical as possible in that regard; however, the question of what kind of fissile materials should be put under an actual verification exercise is a separate matter that should be discussed in the context of effective verification.

Last month, the Swiss Government organized a very interesting and useful seminar on irreversibility in nuclear disarmament at a small, tranquil village on the outskirts of Montreux. The irreversibility principle was agreed upon as one of three principles in nuclear disarmament, along with transparency and verifiability, in the Final Document of the 2010 NPT Review Conference. In considering what irreversible nuclear disarmament means, the seminar looked at several possible scenarios for nuclear disarmament. Interestingly enough, ceasing the production of all fissile materials for nuclear weapons was found to be relevant in each scenario, which means that, without an FMCT, irreversible nuclear disarmament is inconceivable. Of course, we also need to make the FMCT itself as irreversible as possible, for example, by banning the reversion of production facilities to weapons purposes, as well as banning the diversion of existing non-weapon stockpiles to weapons purposes. A striking finding of the study on irreversibility was that an FMCT would play an indispensable part towards achieving irreversible nuclear disarmament. This finding, among others, urges us to start negotiations on an FMCT as quickly as possible in the Conference on Disarmament.

The President (*spoke in Spanish*): Thank you, Ambassador. I now give the floor to Ambassador Kennedy, permanent representative of the United States of America.

Ms. Kennedy (United States of America): Mr. President, let me also warmly welcome our new colleague from the Republic of Korea. The United States delegation is pleased to continue our discussions on the negotiation of a fissile material cut-off treaty in the Conference on Disarmament – a long overdue non-proliferation and disarmament objective of the international community.

The address by the United States Secretary of State, Ms. Hillary Clinton, on Monday, underscored the commitment of the United States Government to pursue FMCT negotiations in the Conference. She called the Conference on Disarmament “the logical forum for this negotiation”, which it is. This is why the United States welcomes and appreciates the efforts of Australia and Japan to “set the table” for FMCT negotiations in the Conference on Disarmament by hosting side discussions closely linked to the Conference among technical and policy experts. Such efforts were clearly intended to inform and support the work of the Conference on Disarmament, and build confidence and momentum towards FMCT negotiations.

We would especially like to acknowledge our colleague Ambassador Woolcott’s able stewardship of this side event. We would also like to thank former IAEA Deputy Director General for Safeguards, Dr. Bruno Pellaud for his willingness to serve as Vice-Chair and Rapporteur for this event. Our belief is that by whetting intellectual appetites in this way, all of our Governments will be better informed about the central aspects of an FMCT when negotiations begin. Such side events are very timely, wholly appropriate, and should continue. As I have said before, side events of all kinds can facilitate the work of the Conference on Disarmament and my Government certainly looks forward to co-sponsoring, with Russia and China, a side event on space next month.

The first FMCT side event held from 14 to 16 February at the Palais des Nations can only be regarded as a resounding success. By our count, 45 Conference on Disarmament member and observer States attended, with participation augmented by more than a dozen teams of experts from capital cities and based in Vienna; it was a truly impressive level of

involvement. Clearly, there is a real level of enthusiasm and “hunger” for negotiation of this vital treaty.

Quite appropriately, last month’s in-depth discussion of FMCT-related definitions began with the fundamental question: What does “fissile material” mean? Additionally, the issue of defining “production” — an issue closely linked to defining fissile material — was discussed. From the United States perspective, the challenge is not to be so narrow in the definitions of “fissile material” and “produce” that we leave open opportunities to circumvent the fundamental objective of an FMCT, while at the same time not being so expansive that we constrain activities that have no relation to such objectives.

The interaction and exchange of views afforded by the side event helped participants to better understand these central issues, including the relationship between technical parameters and policy considerations.

We would welcome another FMCT side event focusing on verification issues. We look forward to presenting our thoughts on the structure and objectives of the FMCT verification regime. We expect verification to focus on facilities that are producing or are clearly capable of producing fissile material. Such production facilities therefore need to be carefully defined. Understanding the relationship between the definitions, verification regime, and the scope and architecture of an FMCT will be critical to the success of negotiations in the Conference on Disarmament.

In preparation for a future event, and in the light of a number of questions that were raised previously about United States views, please allow me to review our philosophy regarding how an FMCT should be structured, and why we support certain definitions.

Let me begin at the beginning. In our view, the purpose of an FMCT is to ban the production of fissile material for use in nuclear weapons or other nuclear explosive devices.

For this reason, we have suggested a definition of fissile material aimed at capturing material that could be used to make such weapons. It corresponds to the standard IAEA definition of “direct-use material”. Since no one argues that you can make weapons or explosive devices from low-enriched uranium or plutonium with a high concentration of plutonium-238, we believe that this is a conservative approach, which addresses the fundamental object and purpose of a treaty.

Furthermore, our definition of production captures the processes by which material directly usable in weapons is created. The processes that produce materials directly usable in weapons are primarily isotopic separation of uranium — or enrichment — and chemical separation of plutonium from irradiated nuclear material — or reprocessing. No one is arguing that you can make a weapon directly out of spent nuclear reactor fuel.

Our suggested verification approach would be based on monitoring facilities capable of producing fissile material and any newly produced fissile material. It is tied closely and directly to the expected basic undertaking of an FMCT and these basic definitions. Our approach aims to keep implementation costs low, while achieving the aims of such a treaty. Critically, this structure for an FMCT is aimed at complementing the Treaty on the Non-Proliferation of Nuclear Weapons: we do not foresee additional verification obligations under an FMCT for non-nuclear-weapon States not party to that Treaty which have comprehensive safeguard agreements in place, supplemented by an additional protocol.

As mentioned earlier, one could design a narrower set of FMCT obligations, but this would raise concerns as to whether the objectives of the treaty would be satisfied. Failure to constrain or verify production of material that is readily usable in nuclear weapons would create opportunities to circumvent those objectives. Conversely, one could design a treaty with broader scope and broader verification requirements, but we would strongly argue that this would cost more without any true increase in effectiveness.

We hope that this information sheds additional light on United States views regarding an FMCT and we were delighted to hear our distinguished Chinese colleague express interest in discussing views in plenary session. We look forward to expanding on these and other matters in upcoming discussions.

We continue to view the Conference on Disarmament as a vital multilateral negotiating forum – indeed, the only one of its kind in the world. We hope that the Conference on Disarmament can soon begin to tackle the complex set of scientific, technical and diplomatic challenges associated with an FMCT in full negotiations which should begin, as Secretary Clinton underscored, “without further delay” on 28 February.

If you will indulge me, I will close with a final quotation from the Secretary of State, which is, I believe, worth repeating to all of those who wish to see the Conference on Disarmament fulfil its vital responsibility to negotiate an FMCT:

“I hope that we will see action now from this esteemed conference that has meant so much to the world over so many years. This is the forum; you are the leaders who should be making these decisions. It would be unfortunate if that were not to be pursued in terms of this particular treaty. And the United States stands ready to support the beginning of negotiations, to do whatever is necessary to try to accommodate legitimate national interests, and then to reach a resolution and the production of such a treaty, otherwise we believe this is too important a matter to be left in a deadlock forever.”

The President (*spoke in Spanish*): Thank you, Ambassador. I now give the floor to Ambassador Kwon, permanent representative of the Republic of Korea. Ambassador, you have the floor.

Mr. Kwon Haeryong (Republic of Korea): Mr. President, dear colleagues, first of all, I thank you for the warm welcome extended to me by the President and colleagues. It is my first day, so I would just like to say hello to my colleagues.

It is my pleasure and honour to head the Korean delegation in the Conference on Disarmament – the cradle of so many important agreements on disarmament. I am informed of the dormancy that has been affecting the Conference on Disarmament as the single multilateral disarmament negotiating forum. This deadlock after the adoption of the CTBT contrasts all the more with the recent meaningful progress made in the bilateral disarmament sector, particularly amongst the major nuclear powers.

Having said that, I have mixed feelings of concern and anticipation regarding my mission ahead in the Conference. I feel that we are on the same boat. It requires us to show our collective wisdom.

Mr. President, I am looking forward to benefiting from your insight, wisdom and cordial cooperation. I wish to confirm my delegation’s readiness to support you and to fully cooperate in the work of the Conference.

The President (*spoke in Spanish*): Thank you, Ambassador, for your kind words and your willingness to continue contributing to this Conference. I give the floor to Ambassador Akram, permanent representative of Pakistan. Ambassador, you have the floor.

Mr. Akram (Pakistan): Mr. President, first of all allow me to welcome our new colleague, the Ambassador of the Republic of Korea. We look forward to working with him in the future.

Over the last few days there have been a number of statements which have focused almost exclusively on an FMCT. While these statements have stressed the need to begin FMCT negotiations, the underlying critical issues have not yet been discussed in any detail.

In our statement today, I would like to focus on some of these critical issues relating to an FMCT.

In several of our past statements, we argued that no State can be expected to engage in disarmament, arms control or non-proliferation negotiations if these negotiations undermine the security interests of that State. For this obvious reason, we in the Conference on Disarmament, as part of the international disarmament machinery, work on the basis of consensus which ensures the equal security of all States. Past experience within the Conference clearly demonstrates this truism.

The current focus on an FMCT follows a regular pattern of negotiating only those agreements that do not undermine or compromise the security interests of States, especially the major powers. The Biological and Toxin Weapons Convention (BTWC) and the Chemical Weapons Convention (CWC) were negotiated only after possession of vast numbers of nuclear weapons which made these biological and chemical weapon systems superfluous and redundant.

Similarly, the major powers were ready to conclude the CTBT only after a sufficient number of nuclear tests had already been carried out by them and further testing had become unnecessary. The same is the case with an FMCT. Now, after having developed huge stocks of nuclear weapons, as well as stocks of fissile material, especially HEU and weapons-grade plutonium that can be quickly converted into nuclear warheads, these major powers are ready to conclude a treaty, but a treaty that will only ban the future production of fissile material.

This approach is actually cost-free for them, as it will not undermine or compromise their security. For this reason, an FMCT would be cost-free for these major powers – just as in the case of the BTWC, CWC and CTBT.

It is also worth noting that like those treaties, the proposed FMCT, would not be a “real” disarmament measure. Only a treaty that bans future production and involves reduction of existing stocks would constitute a true disarmament arrangement. In fact, it is debatable that an FMCT would even be a non-proliferation measure, since existing large fissile materials stocks can be quickly converted into weapons.

Also, since an FMCT would not cover fissile materials such as neptunium-237 and americium-241, -242 and -243 or reactor-grade plutonium or fissile material for naval and space propulsion, it would not amount to a real non-proliferation arrangement either.

Pakistan has been raising the issue of inclusion of americium-241, -242 and -243 and neptunium-237 in the definition of fissile materials under an FMCT. Neptunium-237 and the isotopes americium-241, -242 and -243 are potential materials for nuclear-weapon use. At least one super-Power has reportedly produced a neptunium-based device for experimental purposes and its scientists have endorsed the potential of americium as a material for nuclear-weapon use. Both of these materials are present in the waste of nuclear reprocessing plants and need sophisticated technology for their extraction.

Several technically advanced countries have also accumulated sizeable amounts of separated americium and neptunium. If these two materials remain outside the verification domain under an FMCT, these major powers may have alternative proliferation routes available to them, even if they sign an FMCT in its presently proposed form.

Several countries are also using HEU in their nuclear-powered vessels, such as submarines for fuel, and would not support its ban under an FMCT. However, the fact remains that this nuclear fissile material would remain available for them to divert towards making nuclear weapons.

Similarly, reactor spent fuel consists of about 50–60 per cent of plutonium-239. Any nuclear material containing more than 20 per cent of plutonium-239 constitutes direct-use material for nuclear weapons. Therefore, Pakistan has always insisted on the inclusion of reactor-grade plutonium under the scope of the FMCT.

In addition, there is the possibility of producing and extracting fissile material, uranium-233, without sending the irradiated material to a reprocessing plant. This novel technique, though in its infancy, has received very little attention. It involves breeding uranium-233, which does not exist in nature, by using thorium plates in the blankets of a fast breeder reactor. The thorium in them converts to uranium-233 by neutron capture. Such fissile material would also be outside the scope of an FMCT. This would be particularly relevant in the case of countries with fast breeder reactors that remain outside any international verification regimes. Thus, fast breeder reactors utilizing thorium should come under an FMCT verification regime to exclude the possibility of producing and eventually separating uranium-233 without utilizing conventional reprocessing plants.

Furthermore, the sweetheart deals given to some nuclear-weapon States outside the NPT regime would make a mockery of an FMCT, as has already happened in the case of the Treaty on the Non-Proliferation of Nuclear Weapons and the Nuclear Suppliers Group. These deals will enable the recipients not only to divert their own indigenous stocks towards weapons production or enrichment just short of weapons-grade fissile material, but also to use imported fissile material, ostensibly for civilian purposes, in their fast breeder reactors and reprocessing plants for potential weapons purposes, because the safeguards arrangements for them under IAEA remain extremely limited in scope and verifiability.

The Conference on Disarmament remains the sole forum for discussing all aspects of an FMCT and other issues on our agenda in the plenary and in informal meetings. Pakistan remains ready to engage in such deliberations as long as these remain within the ambit of the Conference on Disarmament.

Unfortunately, however, we have witnessed efforts that can only undermine the Conference on Disarmament. It is even more unfortunate that there have been efforts to question the very basis of the rules that have always governed our work. These tactics do not impress us at all.

Instead of hollow threats of isolation and a disinformation campaign through a transparently pliant media, a more productive approach would be to address our justified security concerns. As I have said, no country will compromise on its genuine security interests. Pakistan is no exception. We have already demonstrated our determination and capability not to succumb to pressure or intimidation.

As far as fissile materials are concerned, we have stated on several occasions that, for reasons already explained, the Conference on Disarmament should pursue genuine disarmament efforts through a fissile material treaty that not only bans future production, but also the reduction of stocks, and that takes a broader approach to the issues of definition, scope and verification of fissile materials.

At the same time, we have consistently advocated that pending agreement on negotiating a fissile material treaty (FMT), the Conference on Disarmament should begin substantive work, including negotiations, on nuclear disarmament, as well as on a treaty on negative security assurances (NSAs). These are agenda items on which the majority of Conference on Disarmament members, as well as States Members of the United Nations, have agreed that we should conclude legally binding multilateral treaties at the earliest possible time.

Before concluding, let me state that we have listened to the presentation made by the distinguished Ambassador of Australia and have seen the short paper distributed relating to

the side event; for reasons explained earlier, we did not participate in this event. We wish to reiterate our position that the side event and the document circulated today in this regard have no status as far as the work of the Conference on Disarmament is concerned.

The President (*spoke in Spanish*): Thank you, Ambassador. I give the floor to Ambassador Manfredi, permanent representative of Italy. You have the floor.

Mr. Manfredi (Italy): Mr. President, I would like first of all to join my colleagues in warmly welcoming the Ambassador of the Republic of Korea, and I am sure that, like his predecessor, he will provide concrete and useful input to our Conference.

I would also like to thank most warmly our distinguished Australian colleague for the detailed and useful report on the side event that his delegation organized together with the Japanese delegation two weeks ago on definitions within a fissile material cut-off treaty. As I have already observed, we look very favourably on this initiative and hope that it may soon be repeated to address other key areas of an FMCT. In the absence of negotiations, but remaining closely tied to the framework of the Conference on Disarmament, these side events allow us to at least focus on specific issues, analyse their characteristics and lay the essential groundwork for future negotiations on this critical treaty.

Having carefully listened to Ambassador Woolcott's report, I therefore have a few early comments to make on the question of definitions in an FMCT. In our opinion, when discussing definitions in the context of an FMCT, especially the definition of fissile materials, we should bear in mind two key principles: feasibility and credibility. Feasibility has, in turn, two aspects: feasibility in production and application; feasibility in verification.

By feasibility in production and application, we mean that our definition of fissile materials should include those materials that with current or near-term predictable technology and equipment have a reasonable probability of being used in the manufacture of nuclear explosives – principally the relevant isotopes of uranium and plutonium. Of course, we are aware that, technically, other elements such as americium and neptunium can also be used, but so far, for a variety of reasons, they have found little favour. If we can keep the definition as close as possible to real-life conditions, and avoid theoretical scenarios, I am certain that the implementation of an FMCT will be greatly facilitated.

Feasibility in verification means that the definition we will choose on fissile materials should be such that it allows verification without undue technical complications or excessive expenditure. To this end, we should use as a baseline the definition in article XX of the IAEA Statute. However, we should also bear in mind that this definition is nearly 50 years old and hence probably not up to date. Thus our task must be to bring it into line with present-day scientific and technical knowledge, while keeping it compatible with current IAEA verification procedures. This is necessary because, bearing in mind the need for maximum effectiveness in the application of an FMCT, we believe it to be preferable that the agency tasked with verifications should be IAEA. It has the necessary operational experience, trained personnel and technical knowledge. This is in keeping with the precedent set by the Treaty on the Non-Proliferation of Nuclear Weapons, which relies on IAEA for the same reasons. Any other solution, such as the creation of a new verifications body within an FMCT, would require greater human and financial resources, not to mention the time wasted to bring it up to speed.

Credibility, the second principle we should adhere to, is easier to explain. Simply put, any solution that we find for definitions, especially the definition of fissile materials, should be such that it allows the final product, an FMCT, to be a serious, legally enforceable, verifiable international instrument which will be able to play a visible, concrete role both as a factor of nuclear disarmament and of non-proliferation.

This is all for now. We are looking forward to reading Ambassador Woolcott's written report on the recent side event on definitions. It will certainly contain material and insights for further comment by all of us.

The President (*spoke in Spanish*): Thank you, Ambassador, for your words. I give the floor to Ambassador Grinius, permanent representative of Canada. Ambassador, you have the floor.

Mr. Grinius (Canada): Mr. President, I wish a warm welcome to Ambassador Kwon Haeryong.

(*spoke in French*)

Mr. President, firstly, on behalf of my delegation, I would like to thank Australia, Japan and Switzerland, as well as all the delegations and experts who have made valuable contributions to the recent side activities on the definitions to be included in the treaty on fissile material. As our hosts have already pointed out, it was never their intention to come to a conclusion. It was nonetheless a useful forum for examining what is a core component of the treaty, for exchanging points of view and for stating our position in that regard. We are in favour of organizing similar activities, whether in the context of the treaty or in the context of any other of the four core issues dealt with by the Conference on Disarmament.

At the beginning of the week, Mr. Cannon, the Canadian Minister for Foreign Affairs, stressed the importance my delegation attaches to a treaty banning the production of fissile material for the manufacture of nuclear weapons or other nuclear explosive devices. Canada submitted a series of working papers focusing on definitions, verification and scope since the adoption of the Shannon mandate in 1995. In 2009, this assembly adopted document CD/1864, which expressly paved the way for holding negotiations in accordance with the Shannon mandate. Subsequently, at a meeting of the First Committee, Canada piloted a resolution calling for the Conference to undertake such negotiations. This autumn, there was virtually unanimous support for the same resolution. This demonstrates that it is not only the vast majority of the member States of the Conference that wish to adopt this treaty but almost all United Nations Member States. The world is waiting for the procrastination to end and for us to take action.

(*continues in English*)

As other delegations have said, starting negotiations is only the very first step. As the recent side event again demonstrated, there is a plethora of complex, technical, institutional, legal and political questions related to an FMCT that must be addressed during the negotiations. Without prejudice to those future negotiations, my delegation would like to offer some further comments on the definitions, scope and verification of an FMCT.

First, regarding definitions, Canada would like to underscore that, for the purposes of an FMCT, fissile material in our view should be defined as "unirradiated direct-use material" in accordance with current IAEA nomenclature (CD/1819). We believe that there is also a compelling case for incorporating neptunium and possibly americium. Negotiators will, however, need to recognize that these two elements do not pose equal proliferation risks, either between them or in relation to uranium or separated plutonium. How these definitions would then be incorporated into a verification system is still an open question. Some delegations have suggested a broader definition, including all fissionable material or all irradiated direct-use material; however, we believe that this would impose unnecessary burdens on both the inspectors and inspected States parties to any FMCT, without a commensurate increase in security. We would begin with the "do-able" and an approach consistent with, and one which can more easily mesh with, the existing safeguards system.

Second, regarding scope, my delegation would like to emphasize that this issue is not simply related to the question of existing stocks of fissile material – an issue that is

undoubtedly important, complex and contentious. However, the matter of scope is also about other important considerations, such as naval propulsion and the civilian nuclear fuel cycle – including such applications as industry and medicine. It will be necessary for negotiators to demonstrate flexibility and creativity regarding the question of stocks of fissile material. It may not be simply a matter of stocks being wholly included or excluded – stocks have a range of forms, and a variety of possible verification and disposition scenarios. Over the course of negotiations, we must transform the statements of position expressed in this Conference into actionable, concrete proposals that could be taken up in negotiations. We would welcome concrete proposals from all interested parties. In this context, I thank Pakistan for its statement today and its views on scope and also on verification.

Finally, regarding verification, Canada reaffirms its position that an FMCT should be non-discriminatory in its application to all States parties, and multilaterally verifiable. However, we emphasize that non-discriminatory should not, in our view, place further burdens on any NPT State party with a comprehensive safeguards agreement and additional protocol in force with IAEA.

Concerning the subject of who would do the verification, Canada would be the first to acknowledge that IAEA holds an incomparable amount of knowledge about nuclear issues and safeguards. However, the relationship between the Agency and a future FMCT cannot be assumed, and raises a number of issues that must be carefully considered. The Agency is already a complex international organization pressed to the limits of its existing resources. Like stocks, verification is not an “all or nothing” issue, but one for which creative arrangements must be considered on a basis of risk.

To conclude: the Conference on Disarmament does not operate in a vacuum. As the United States Secretary of State said on Monday, while we delay starting negotiations, the production of fissile material for nuclear weapons continues. The longer we wait, the more the international security context may indeed deteriorate. Moreover, the principle of undiminished security for all creates an obligation to pursue a prohibition on the production of fissile material for nuclear weapons, as the next logical step towards achieving a world without nuclear weapons. We began this process with the CTBT. We now must continue with an FMCT. The recent Australian-Japanese side event provided a glimpse of how complicated our negotiations will be.

The President (*spoke in Spanish*): Thank you, Ambassador. I now give the floor to Ambassador Lauber, permanent representative of Switzerland. You have the floor.

Mr. Lauber (Switzerland): Mr. President, I join others in welcoming Ambassador Kwon Haeryong of the Republic of Korea. I wish you good luck here in Geneva and look forward to working together with you and your delegation.

Mr. President, we very much welcome your efforts to continue the model of structured plenary debates that was started under the Canadian presidency. Today, I am grateful to share my delegation's views on a fissile material treaty. The previous plenary session on this subject has already enabled a good exchange of views.

The initiative by Australia and Japan to hold complementary side events open to all delegations on a specific subtopic of a future treaty did help to improve delegations' understanding of the technical issues. Switzerland very much welcomes this initiative, which is why we contributed to it by facilitating the participation of our own expert, Dr. Bruno Pellaud. I thank Ambassador Woolcott for the excellent report he gave this morning and for the kind words addressed to my delegation.

The focused exchange between experts and delegations was extremely useful in our eyes, because it helped to map and scope different definitions and thus to shed light on

different options for a future treaty. With the written report mentioned by Ambassador Woolcott a moment ago, Conference on Disarmament delegations will receive much-needed input for future discussions and negotiations.

We understand that many delegations feel that it is premature to state clear preferences for one or other definition, while the objectives, scope and degree of verification of a future fissile material treaty remain to be defined. The intent is to underline how closely linked the questions of the objectives and the scope of the future treaty are. Obviously, formal negotiations will create the comprehensive and dynamic environment necessary for resolving complex issues.

The initiative taken by Australia and Japan was also important for other reasons. Firstly, it showed that, with political will, the Geneva disarmament community can make progress with the Conference on Disarmament agenda. The Swiss delegation is open to attending and contributing to similar events on other core issues, such as nuclear disarmament, NSAs or outer space.

Secondly, the initiative showed that complex issues before the Conference do not have to be postponed due to procedural deadlock, but can be approached in creative ways. In fact, such discussions do help prepare the ground for formal negotiations and will enrich such negotiations.

Last, but not least, the side events also proved that focused discussions over several days, with expert participation, are much more efficient than other formats this Conference has tried before, when only three hours per week were dedicated to each subject. This underscores that it is necessary to establish subsidiary bodies on all four core issues in order to make progress.

While we underline once more that such an informal setting, on the margins of the Conference on Disarmament, cannot be a substitute for actual negotiations, we welcome the fact that Australia and Japan intend to organize further seminars on other FMCT-related issues, and we intend to continue to play an active role in this.

Before closing, allow me to draw colleagues' attention to three issues concerning the general working methods of the Conference. First, as the follow-up efforts to the high-level meeting on revitalizing the work of the Conference on Disarmament and taking forward multilateral disarmament negotiations continue, my delegation believes that input from Geneva which actually reflects the state of play in the Conference on Disarmament is required.

Second, we think that it is time to discuss the advantages and disadvantages of a simplified programme of work based on a concrete proposal. We are keen to explore such an approach and are interested to hear the views of others.

Third, we were heartened by the increasing calls for greater openness on the part of the Conference on Disarmament towards civil society. We are looking forward to the session with civil society later today hosted by the Canadian delegation. We hope that for the Conference on Disarmament plenary meetings in general, an appropriate mechanism can be found to enable regular interaction with civil society. It is important to end the anachronistic and unbeneficial exclusion of civil society in this forum.

The President (*spoke in Spanish*): Thank you, Ambassador, for your comments. We have taken note of your concluding remarks. I give the floor to Mr. Singh Gill, alternate representative of India. You have the floor.

Mr. Singh Gill (India): Mr. President, I would like to welcome Ambassador Kwon Haeryong of the Republic of Korea to our midst and would like to assure him, on behalf of

Ambassador Rao, of the full cooperation of the Indian delegation as he sets out to discharge his duties.

Today we would like to offer some brief remarks on an FMCT in the light of the detailed oral report presented by the Ambassador of Australia on the deliberations held at the side event on an FMCT last month, for which we thank him.

As we noted in our statement at the Conference on Disarmament plenary meeting of 17 February 2011, the discussions at the side event are neither negotiations nor pre-negotiations. The objective of the exercise is solely to promote an understanding of technical issues and to build confidence and momentum towards FMCT negotiations in the Conference on Disarmament on the basis of the Shannon mandate. We also noted that all relevant countries were not represented at the event and many of those who participated did not engage substantively. As such, the summary of the discussions can only be what it has been stated to be – a personal assessment by the Chair of technical discussions that took place within the constraints of the forum and its format, and which is without prejudice to the substantive positions of delegations on the subject of definitions relevant to an FMCT. Options and “dialability” of options is good; but when we start to channel them into two-dimensional tables, we already begin a process of political selection from among the technical options – a task which is best left to negotiations.

As stated in our intervention of 3 February 2011, there is no change in India’s position of support for the commencement of FMCT negotiations in the Conference on Disarmament, as part of an agreed programme of work. This is without prejudice to the priority we attach to nuclear disarmament. While India can continue to participate in FMCT discussions in Conference on Disarmament plenary meetings or in side events, these can neither substitute formal FMCT negotiations in a subsidiary body of the Conference on Disarmament, in accordance with its rules of procedure, nor can they be binding on delegations. On FMCT issues, as with any other matter that pertains to its national security, India cannot be expected to be bound by documents to which it has not given its full consent.

Lastly, Mr. President, with regard to the issues that you raised at the beginning of today’s meeting, it is indeed fortunate that we are not having to start from scratch; three times in the past this forum has come close to beginning negotiations on an FMCT on the basis of that *acquis*. We are stating our position today in the plenary meeting so that it can be reflected in the records of the Conference.

The President (*spoke in Spanish*): Thank you, Sir. I give the floor to Ambassador Hoffmann, permanent representative of Germany. You have the floor.

Mr. Hoffmann (Germany): Mr. President, I join others in welcoming Ambassador Kwon Haeryong to the Conference on Disarmament.

I would like to express our appreciation and gratitude to the delegations of Australia and Japan for taking it upon themselves to host an extended side event on the issues of the definitions and scope of an FMCT. I would like to thank Ambassador Woolcott for his excellent detailed report on the interesting discussions we had on three afternoons last month, with the active participation of experts from the scientific community. I believe that these discussions have clearly demonstrated, not only the usefulness, but also the necessity of a sustained process of engaged discussion in order to clarify complex conceptual issues, if the Conference on Disarmament wants to deal with the challenge of fissile material in a manner which satisfies the requirements of a meaningful binding agreement.

One of the merits of holding such side events is their marked informality, which means, among other things, that views expressed are not attributed, and allows for a more open, frank and thus more fruitful debate. While we certainly welcome that, we are at the

same time very much interested in pursuing a substantive exchange of views on such questions in the Conference on Disarmament itself, in formal or informal meetings; because it is of course here, in the Conference on Disarmament, that FMCT issues, like other issues on our agenda, have to be taken up and pursued further. This is why today I would like to make a few comments from our perspective on the substance of the matter, in the light of the discussions held with the experts during the side event.

Generally speaking, it was our impression that many shared the view that in approaching the question of which kind of definitions one should use for an FMCT, it would make eminent sense to base ourselves on the terms of IAEA. To start with, there are of course purely pragmatic reasons for this, in the sense that there is obviously no need to reinvent the wheel when we have a system already in place that has been working well for more than four decades, designed to ensure that in NPT non-nuclear-weapon States no fissile material is produced for nuclear-weapon purposes. However, there is a deeper and, if you will, more political point here as well. Assuming, hypothetically, that an FMCT were to use a fundamentally different set of definitions from the IAEA safeguards system, there would be a clear danger of this doing damage to the IAEA safeguards system itself, because people would quite understandably ask the question why two different standards should be applied to essentially the same set of issues to be resolved. It seems to us that this implication should be considered very carefully indeed.

Allow me at this point to present in very basic terms what Germany considers that an FMCT should, as minimum requirements, encompass: a ban on the production of direct-use fissile material for nuclear weapons following IAEA definitions; a ban on the transfer to nuclear-weapon-related purposes of fissile material produced for civil use before or after the entry into force of an FMCT; a ban on the reuse of fissile material derived from disarmament measures.

My delegation will be pleased to engage in further discussions on these issues and looks forward to more discussions, here in the Conference on Disarmament or elsewhere.

Now, let me try to make a brief comment on the statement by Ambassador Akram earlier; I listened very carefully to his statement. The way I understand him, he is basically saying that if a treaty on fissile material is to be meaningful, one needs a broad approach to definitions and to the issues of stocks and of verification. I think that is a perfectly legitimate point of view; whether you share it or not is another matter. I have to say, I was very impressed with the detailed way in which my friend, Ambassador Akram, deals with these complicated issues. Yet, when I listened to his statement I thought: these are all matters that need to be taken up in negotiations and this is actually what negotiations are for. After a while, I thought to myself when he made his detailed points, that perhaps one could actually express the hope that we are in a practical way already engaged in negotiations on an FMCT.

The President (*spoke in Spanish*): Thank you, Ambassador. I give the floor to the alternate representative of the United Kingdom of Great Britain and Northern Ireland, Ms. Adamson. You have the floor.

Ms. Adamson (United Kingdom of Great Britain and Northern Ireland): Mr. President, like others, I would like to welcome Ambassador Kwon Haeryong to the Conference on Disarmament.

The United Kingdom made a statement earlier about an FMCT and aligned itself with the statement by the European Union. I just want to amplify and update some of those comments.

I would like to begin by reiterating that the United Kingdom is committed to the long-term goal of a world without nuclear weapons and to progress on multilateral

disarmament. We take seriously our disarmament obligations under the NPT and have made concrete progress towards this end since the 2010 NPT Review Conference, including the significant disarmament measures set out in the Strategic Defence and Security Review of October 2010.

The negotiation of an FMCT in the Conference on Disarmament must remain a priority for the international community, if it is to take forward its disarmament and non-proliferation agendas. It is the next logical step along the road to a world without nuclear weapons.

The treaty, which should verifiably ban the future production of fissile material for use in nuclear weapons and other nuclear explosive devices, must include all of the key nuclear players if it is to fulfil the ambition of the international community to strengthen the global disarmament and non-proliferation framework in a meaningful way.

For this reason, the United Kingdom wishes to re-emphasize its strong commitment to starting negotiations on an FMCT within the Conference on Disarmament. We continue to urge members to reach consensus on adopting an agreed programme of work for 2011. In order that Conference on Disarmament member States can demonstrate to the international community that they are making progress towards fulfilling commitments made under the action plan agreed on at the 2010 NPT Review Conference, this programme of work should include discussions on all agenda items and the start of negotiations on an FMCT.

The United Kingdom wishes to thank the Australian and Japanese delegations for organizing the side event on FMCT definitions in the Conference on Disarmament from 14 to 16 February 2011, and Ambassador Woolcott for his quite comprehensive report this morning.

The United Kingdom saw the event as a useful opportunity to explore some of the issues, namely definitions, which would be pertinent to an FMCT, and therefore participated in the expert discussions. I note that Ambassador Woolcott said that, in a future side event, we might return to some of the issues already covered on definitions. My delegation would warmly welcome the chance to take stock and look at what we discussed previously. Our commitment in those side events should be seen as a demonstration of the commitment we have to making progress towards negotiating an FMCT within the Conference on Disarmament.

We hope that the momentum generated by this event, as well as the productive plenary discussions we have had on the four core issues, will help to convince any States which continue to block the adoption of a programme of work that it is not in their interests to do so. I say this not wishing to pressurize or to apply intimidation, but to say that from what we have heard this morning, people who did not come along to the side event have much to contribute to the discussions we are having. So my message would be, please come and join us.

The United Kingdom reiterates its belief that the strength of the Conference on Disarmament is the fact that it shows respect for every member's national security interests through its rules of procedure. Through the consensus rule it offers protection to these interests, both at the negotiation phase and in the eventual signature and ratification phases of any treaty. I would like to pick up on one phrase in the Ambassador of Pakistan's statement in this respect, where he said that an FMCT would not cover certain isotopes. None of us know what an FMCT might cover because we have not begun to negotiate it. I do not think we can say at this stage what an FMCT will cover. All the more reason for getting involved in the discussions, the very fruitful discussions, we have been having in these side events.

The consensus rule should not, however, be employed by individual countries to prevent the Conference on Disarmament from doing any work at all. We restate our willingness to engage on all four core Conference on Disarmament issues, which should all be discussed as part of any programme of work. We repeat our call for the Conference on Disarmament to make substantive progress towards negotiating an FMCT in the 2011 session.

The President (*spoke in Spanish*): Thank you, Madam. I give the floor to Mr. Khelif, alternate representative of Algeria. You have the floor.

Mr. Khelif (Algeria) (*spoke in Arabic*): The Algerian delegation would first like to join previous speakers in welcoming the Ambassador of the Republic of Korea. The delegation looks forward to working with him in the Conference on Disarmament.

The Algerian delegation wishes to take the floor today to comment on agenda item 2 of the Conference concerning the prevention of nuclear war, which has been combined in today's proceedings with agenda item 1 for purely practical reasons. It also wishes to stress the importance of this agenda item in view of the risks that any nuclear war would present for the future of humankind as a whole. Of course, any war waged by any means ought to be prevented, and that was why the United Nations was established. However, the issue of a nuclear war is far more serious in view of the long-term and irreversible risks of extermination and destruction. The scale of the existing arsenal of nuclear weapons is enormous, and the nuclear dogma invoked by some nuclear-weapon States, according to which the use of such weapons is permissible, even against States that do not possess them, aggravates the risk of a nuclear war. The surest way of preventing a nuclear war consists in the total and irreversible elimination of such weapons in accordance with procedures that are transparent and subject to effective international verification. Pending such action, it is essential to seek ways of reducing the risk of recourse to nuclear weapons.

The nuclear-weapon States that are parties to the Treaty on the Non-Proliferation of Nuclear Weapons undertook at the last Review Conference under action 5 of the action plan to accelerate concrete progress on the steps leading to nuclear disarmament, contained in the Final Document of the 2000 Review Conference, in a way that promotes international stability, peace and undiminished and increased security. To that end, the Conference called on the nuclear-weapon States that are parties to the Treaty to move rapidly towards achieving a number of goals, including the following: to further diminish the role and significance of nuclear weapons in all military and security concepts, doctrines and policies; and to discuss policies that could prevent the use of nuclear weapons and eventually lead to their elimination, lessen the danger of nuclear war and contribute to the non-proliferation of nuclear weapons. Steps such as these could help to reduce the risk of nuclear war, and the Conference on Disarmament is the appropriate forum for consultations aimed at laying the basis for a safe future for humankind and eliminating the danger of a nuclear war.

Algeria has always supported document 1864, but if an alternative approach is adopted to the programme of work, it should stress the importance of agenda item 2. His Excellency Ambassador Idriss Jazairy has already presented Algeria's position on the fissile material cut-off treaty.

The President (*spoke in Spanish*): Many thanks to the alternate representative of Algeria for his comments. With regard to the second item on our agenda, I believe that today's valuable contributions have allowed us to build upon the general debate initiated under the presidency of Canada, contributions I hope will prove useful in our future work.

It is also my belief that our work concerning the fissile material cut-off treaty has gradually become more focused. I will continue with my comments in just a moment as it appears that the Iranian delegation wishes to make an intervention. It was not on my list. I

give the floor to the permanent representative of the Islamic Republic of Iran. I do apologize; it was not on the list. You have the floor.

Mr. Daryaei (Islamic Republic of Iran): Mr. President, of course, it is the right of every delegation, at any time in the meeting, to raise its flag and express its views, although that was not indicated at an earlier stage.

Allow me at the beginning to welcome the distinguished Ambassador of the Republic of Korea to this meeting. We would like to assure him of our full support and cooperation and we wish him every success in exercising his duties.

We attach great importance to the Conference on Disarmament as the sole negotiation body in the field of disarmament. We also attach great importance to the rules of procedure of this august body.

The first priority in the work of the Conference on Disarmament is to agree on a comprehensive and balanced programme of work in order to start substantive negotiations on issues related to the agenda and, in this regard, we support having a comprehensive and balanced programme of work which enables the start of negotiations on all four core issues. Our top priority in this body is nuclear disarmament. We do not have a problem with starting formal negotiations on an FMCT in the Conference on Disarmament subject to the conditions that we have already elaborated in our previous statement many times. The main criterion is that an FMCT should contribute to nuclear disarmament and the best way to do this is to include the stocks of all fissile material already produced by nuclear-weapon States. Unless stocks are included, we believe that this effort is fruitless.

We have listened very carefully to the comments that were presented by distinguished colleagues in this meeting and we have been informed that many delegations did not participate in the side event and many of those who did participate were not actively engaged in substantive discussions. The side event was neither a negotiation nor a pre-negotiation. From our point of view, the report just presented by the distinguished Ambassador of Australia reflects the result of a national initiative and would not have any status in the formal work of the Conference on Disarmament. Any efforts to blow this issue out of all proportion are not acceptable. So, in conclusion, I would like to emphasize that we should avoid any work which undermines the credibility of this august body.

The President (*spoke in Spanish*): Many thanks to the representative of the Islamic Republic of Iran. My dear friend, I did not see you raise your flag, my mind was elsewhere. It was not on the list.

As I was saying a moment ago, it is my belief that we have built upon the general debate we initiated a few weeks ago under the presidency of Canada. I also believe that our work concerning the fissile material cut-off treaty has gradually become more focused. However, there have also been clear political messages.

Several points of view have been expressed regarding the definitions of fissile material, production, verification, scope, coverage, links with IAEA and new technical advances, all of which have proven interesting.

In my opinion, it is clear that this matter and other items on the agenda require us to enter a new stage in this Conference and I hope that this will be the case. Rest assured that the presidency is working to achieve this goal.

Before closing the session and with reference to the items appearing on the provisional agenda, I would like to point out that, during the next session, our work will focus on the prevention of an arms race in outer space (PAROS) and I hope that this occasion will give way to a debate similar to the one that took place today.

I see that the Ambassador of Mexico has just asked me for the floor. Ambassador, you have the floor.

Mr. Hernández Basave (Mexico) (*spoke in Spanish*): Thank you Mr. President. We apologize for interrupting your concluding remarks. On behalf of the delegation of Mexico, I would like to take a brief moment to express our gratitude and appreciation to Australia and to the other countries that have participated, including Mexico, in this side event, especially given the conditions that have prevailed in the Conference on Disarmament for many years.

We believe it to be a constructive exercise and, as the German Ambassador rightly said a moment ago, in one way or another we are holding a relatively substantive discussion on core issues. The complex nature of a potential agreement on fissile material is acquiring more defined parameters. We are beginning to have an idea of the agreement's potential scope and the challenges it would face, which is a step in the right direction. It is in this context that we would like to express our gratitude to and support for the delegations that participated in this exercise. Thank you.

The President (*spoke in Spanish*): Thank you, Sir. Before closing the session, I would like to give the floor to the representative of the Secretariat, the Deputy Secretary-General of the Conference.

Mr. Sareva (Deputy Secretary-General of the Conference): Mr. President, I have been requested to make an announcement and this has to do with a side event that will follow this plenary meeting immediately after we adjourn. The Permanent Mission of Canada, together with members of the NGO Committee for Disarmament in Geneva will host a side event with presentations on the four core items of the Conference on Disarmament agenda by four civil society representatives. The presentations will be followed by a question-and-answer session and, after the side event is over, there will be a reception with light refreshments offered.

The President (*spoke in Spanish*): Thank you, Sir and thank you to Canada.

The meeting rose at 12.30 p.m.