

# CONFERENCE ON DISARMAMENT

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## FINAL RECORD OF THE ONE THOUSAND AND SEVENTEENTH PLENARY MEETING

Held at the Palais des Nations, Geneva,  
on Wednesday, 17 May 2006, at 10.10 a.m.

President:                      Mr. Doru-Romulus COSTEA                      (Romania)

The PRESIDENT: I declare open the 1017th plenary meeting of the Conference on Disarmament.

We are in a formal plenary meeting, and please allow me to make an announcement. Following consultations in the regional groups on the issue of inviting a representative of IAEA to address the Conference on FMCT, I was encouraged to believe that there is apparently a consensus to do so. I therefore hereby ask the plenary whether there is any other opinion on that. If there is no objection to the information I have received, we are going to proceed accordingly with a note that, due to the time constraints, it may well be that the invitation is accepted for Monday while we are still talking about this issue. May I understand that we can address an invitation to a representative of IAEA to come and address the Conference on FMCT matters?

It was so decided.

The PRESIDENT: I particularly want to thank the groups and their coordinators for their efforts in convening the groups and gathering information from and the opinions of their member States. We will keep you informed on our démarches with IAEA as they develop.

As announced yesterday, we will begin this plenary meeting with a continuation of our debate on FMCT, which, due to the long list of speakers, we could not conclude yesterday. Later, we will proceed to the focused debate on definitions.

As you will recall, at the plenary meeting yesterday, we heard, inter alia, brief introductions of working papers on various aspects of FMCT. Therefore, I would encourage other delegations also to use this part of the meeting to introduce their working papers as well, if they so desire, of course.

When the list of speakers for the plenary meeting is exhausted, I will adjourn the plenary meeting and then immediately convene an informal plenary meeting to continue our debates in a setting that would allow delegations to ask questions and make comments, thus making our proceedings more interactive.

For this plenary meeting, I have the following speakers on my list: India, Algeria, Belgium, Australia, New Zealand, South Africa, China, Syria and the United Kingdom.

I now give the floor to the representative of India, Ambassador Jayant Prasad.

Mr. PRASAD (India): Mr. President, my delegation congratulates you warmly on your assumption of the presidency of the Conference and compliments you on your efforts to organize structured and interactive deliberations on the issue of the prohibition of the production of fissile material for nuclear weapons or other nuclear explosive devices. You have our full cooperation in these efforts. We welcome Ambassador Tim Caughley in his new incarnation as the Deputy Secretary-General of the Conference.

We would also like to take this opportunity to compliment your predecessor, Ambassador Park In-kook, now Deputy Minister for Policy Planning and International Organizations in the Republic of Korea, for his leadership in organizing useful and productive

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discussions on the question of nuclear disarmament, on which he made available a useful compilation of views. This, together with the verbatim records of our meetings, will provide a good source for reference. Our deliberations were useful in identifying a number of issues related to the goal of achieving a world free of nuclear weapons. Several delegations, including ours, believe there is a need to establish an ad hoc committee of the Conference on nuclear disarmament.

We welcome the present discussion on FMCT. This is part of our larger effort to explore and expand the common ground for reaching consensus on the programme of work of the Conference.

India was one of the original proponents of an FMCT. The General Assembly, in its resolution 48/75 L, co-sponsored by India, expressed its unanimous conviction that a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices would be a significant contribution to nuclear non-proliferation in all its aspects, and recommended the negotiation of such a treaty in the most appropriate international forum.

The Conference tasked Ambassador Gerald E. Shannon of Canada, at the beginning of its 1994 session, with seeking the views of members on the most appropriate arrangement to negotiate such a treaty. Further progress was made when the Conference adopted, again by consensus, his report of 24 March 1995. He reported that delegations had agreed that the mandate for the ad hoc committee to negotiate an FMCT should be based on resolution 47/75 L of the United Nations General Assembly. The mandate, contained in the Shannon report, called upon the Conference to establish an ad hoc committee on a "ban on the production of fissile material for nuclear weapons or other nuclear explosive devices" and to direct the ad hoc committee to negotiate, for this purpose, a non-discriminatory, multilateral and internationally and effectively verifiable treaty.

The Shannon mandate clearly delineated the parameters for negotiating an FMCT. It also reflected the consensus within the international community over the basic goal of the treaty, as embodied in the 1993 General Assembly resolution, and defined the character of the treaty that was to emerge from the negotiations: it must be non-discriminatory, multilateral and internationally and effectively verifiable. The issue of the verifiability of the treaty, as indeed any issues, could be raised during the negotiations. Since the principle of consensus would determine any outcome of these negotiations, delegations that have varying perspectives on different issues should be able to join the negotiations on the basis of the existing mandate, as agreed in 1995, and again in 1998.

India continues to believe that any treaty banning the production of fissile material must be non-discriminatory; it must stipulate the same obligations and responsibilities for all States. While the nature, extent and mechanisms for verification will no doubt be determined during the negotiations, we believe that an FMCT should incorporate a verification mechanism in order to provide the assurance that all States party to it are complying with their obligations under the

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treaty. Full compliance by all States with their obligations under international instruments to which they are party is critical to the achievement of the goals envisaged in these instruments. When a State consents to adhere to an instrument, it wants to be assured that other States parties to that instrument are also complying with their obligations. Verification, which serves the dual purpose of detection and deterrence, provides that assurance. Absence of a verification mechanism may engender lack of confidence in compliance with the treaty, encourage wilful non-compliance, and lead to allegations and counter-allegations of non-compliance.

As regards the scope of the treaty, we should be guided by the General Assembly resolution of 1993, which expressed the conviction that an FMCT would be a significant contribution to nuclear non-proliferation in all its aspects. An FMCT must be a treaty for banning the future production of fissile material for nuclear weapons or other nuclear explosive devices.

We very much hope that our deliberations on the subject during this week, and later on the remaining agenda issues, will contribute to reaching an understanding on the CD's programme of work.

The PRESIDENT: I thank Ambassador Prasad of India for his kind words and for his statement. I now give the floor to the representative of Algeria, Mr. Hamza Khelif.

Mr. KHELIF (Algeria) (translated from Arabic): Mr. President, I am speaking on behalf of His Excellency the Ambassador of Algeria, Mr. Idriss Jazairy, who has been unable to attend today. I should like to congratulate you very warmly on your assumption of the presidency, and to thank you for your efforts in aid of these well-organized discussions on the issue before us. I should also like to congratulate your predecessor, His Excellency the Ambassador of the Republic of Korea, for his achievements during his term in office. In addition, I should like to welcome Mr. Tim Caughley, who has just taken up his new duties as Director of the Geneva branch of the United Nations Department for Disarmament Affairs.

The CD is not working in a vacuum. The current international political and security situation and signals from various quarters are causing growing concern about the perils of sliding toward a new arms race. However, as His Excellency the Ambassador of the United Kingdom remarked yesterday, this should not deter us from intensifying our efforts to enable the CD, as the only forum for multilateral negotiations on disarmament, to respond adequately to the concerns of the international community and to strengthen international peace and security.

The issue of banning the production of fissile material for nuclear weapons and other nuclear explosive devices is one of our main concerns. The great importance of this matter arises from the fact that an eventual instrument could play a fundamental role in reducing the horizontal proliferation of nuclear weapons, as well as the vertical proliferation and qualitative improvement of these weapons. A treaty would be a step towards the eventual complete and comprehensive elimination of these deadly weapons.

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The alarming possibility that these weapons could fall into the hands of a terrorist group is a cause of concern for the international community, a concern that we fully share. However, this should not prevent us from tackling the issue of fissile material production in a comprehensive, objective and balanced manner. This material may be at risk of falling into the hands of terrorist groups only because terrorist groups exist.

The international community has always been keenly aware of the sensitivity and risk associated with the use of fissile material for nuclear weapons. This issue has been on the agenda of the United Nations ever since the inception of the Organization. We may recall the report of the Atomic Energy Commission of 1946, the final document of SSOD-1 in 1978, as well as the General Assembly resolution of 1993 and successive resolutions thereafter, and finally the report of the Special Rapporteur and the related mandate contained in document CD/1299 dated 24 March 1995. All these documents clearly show the importance of this issue and the need to address it.

What makes the matter even more pressing today is the huge stockpiles of fissile material for nuclear weapons and the large nuclear arsenals of nuclear-weapon States, to say nothing of the failure to make progress with nuclear disarmament: witness the fact that the CTBT has not entered into force to this day. The continuing issue of uranium enrichment for peaceful uses in the framework of the NPT and fears of nuclear proliferation strengthen our conviction that this prospective new instrument will lead to the establishment of multilateral mechanisms designed to guarantee the right of States to use atomic energy for peaceful purposes and allay fears of its subsequent diversion to prohibited applications.

We are not starting from scratch. A number of States have taken steps and presented ideas which reflect their awareness that it is essential to put an end to the production of fissile material. There is the Trilateral Initiative between the United States, the Russian Federation and IAEA, for example, while certain nuclear-weapon States have announced that they have discontinued production of fissile material. Although these steps are inadequate in scope and are non-binding, they constitute basic elements by which we can be guided.

I should now like to present a number of ideas on the eventual treaty regarding the scope of application and verification measures. Our position on this prospective instrument stems from our suggestions to the international community, the context of current reforms, that international law should have primacy over national law. This principle should be applied to all States non-selectively and without discrimination.

As regards the scope of application, the aim of the eventual treaty is the banning of production of fissile material for nuclear weapons, as well as all other fissile material that may be used in manufacturing nuclear weapons. The purpose is to lay down rules and binding legal commitments which prohibit all States and all groups of States from producing such material and to put an end to the present discrimination between nuclear-weapon and non-nuclear-weapon States in the matter of the production of fissile material. That discrimination is a feature of the NPT, but it is essential to achieve a fair balance between the two categories of States. In our

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view the aim of these rules and commitments must be to ensure that the obligations and commitments of non-nuclear-weapon States under the NPT are extended to all States, including nuclear-weapon States.

On the other hand, the implementation of this treaty must not be restricted to future production; it also should cover existing stockpiles of fissile material, in accordance with the Shannon report. This must be part and parcel of the nuclear disarmament process and a tool to prevent proliferation, as stated in the Programme of Action adopted at SSOD-1 in 1978. Paragraph 50 of the document refers to the cessation of the qualitative improvement and production of nuclear weapons and of the production of fissile material for weapons purposes, as well as the need to develop time frames for the reduction of nuclear stockpiles with a view to their complete elimination. The prospective treaty must provide a basis for the liquidation of existing stockpiles and the achievement of a balance that will enable us to avoid a situation of uncontrolled production and use of such material.

My delegation's position in this matter is reflected in the Group of 21's position paper (document CD/1549) of 12 August 1998, which takes the view that the treaty should be integrated into the comprehensive nuclear stockpile elimination process. One of the functions of the prospective new instrument is to enshrine the principle of irreversibility in nuclear disarmament by ensuring that all fissile material obtained from dismantled nuclear weapons will be diverted to peaceful uses, and this, in our view, will overcome one of the shortcomings of the 2002 Moscow Treaty on Strategic Offensive Reductions.

As regards verification, this issue is a sensitive problem, especially for those States that possess fissile material and nuclear weapons. Owing to the sensitivity and distinctive characteristics of fissile material, we must build confidence and agree, at a minimum, on the content and means of verification as a first step. There is nothing new in this; verification is a means of making sure that States are living up to their commitments. In this case, its function will be to ensure that fissile material is not produced for nuclear weapons or diverted for that purpose. Verification mechanisms will enhance transparency and confidence between countries. The credibility of the treaty and the effectiveness of the ban will depend on them. The verification arrangements should aim at setting up a safeguards regime which covers all nuclear installations, including uranium enrichment and reprocessing facilities for nuclear weapons production. The object of these safeguards will be to make sure that fissile material is not being produced, to observe and monitor how it is used, and to detect any production in a timely manner.

However, can a safeguards regime confined to these installations guarantee that uranium is not being enriched, or plutonium separated from spent nuclear fuel to manufacture nuclear weapons? In our view, such a safeguards regime would be inadequate. A strong verification regime to detect any new production or the diversion of this material to non-peaceful uses requires a much broader and comprehensive regime which is applied to all installations and nuclear material, whether for military or civilian purposes, as well as installations that are no longer operational. The NPT and the safeguards agreement of IAEA, as well as the FMCT, all have one aim. How can the verification tool differ from one to the other? In our view, the safeguards regime of a treaty banning the production of fissile material must be based on and

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inspired by the safeguards provisions that are contained in the NPT, as well as the definition of nuclear material contained in article XX of the Statute of IAEA. The safeguards regime and the verification arrangements in such a treaty should aim at putting an end to the discrimination between nuclear-weapon States and non-nuclear-weapon States regarding the production of fissile material. This can be achieved by putting all nuclear material, civilian and military, as well as nuclear installations both inside and outside the IAEA safeguards regime, under a single general and comprehensive safeguards regime. We also have to take into account the special characteristics of fissile material contained in warheads, which is covered by nuclear disarmament agreements between nuclear-weapon States or in a framework of unilateral steps aimed at reducing these weapons.

A safeguards regime and an effective ban require full access to sufficient information regarding fissile material production facilities and the volume and nature of stockpiles. It must include detailed inventories of civilian and military fissile material, including that obtained from the dismantling of warheads under bilateral nuclear disarmament treaties or unilateral arrangements. The issue of the body that will perform the work of verification has given rise to much disagreement and divergence of views. However, we must examine all ideas and proposals in terms of their effectiveness and cost. And IAEA must necessarily play a large role in this matter due to its experience, expertise and qualifications in the field of non-proliferation.

Several States have raised the issues of the verifiability of such a treaty and the high cost of a general, comprehensive safeguards regime. We do not understand how it would be feasible for the majority of countries to conduct verification measures to make sure that fissile material was not being produced, while the nuclear-weapon States would find this difficult. The South African experience is extremely valuable, and South Africa has taken a brave step in deciding to rid itself of fissile material and nuclear weapons. It is a good technical and scientific example which nuclear-weapon States should follow.

Regarding the cost of comprehensive safeguards, these safeguards, however costly, will always remain much cheaper than the actual manufacturing of fissile material, and the future of humankind and international stability and peace are much more important than any other financial considerations. It is regrettable that, despite the consensus on the importance of this issue and the requests made by States parties to the NPT in 1995 and 2000, negotiations have not started. Moreover, the agreement embodied in the Shannon report has remained a dead letter due to the differences regarding the priorities that should be dealt with in a CD programme of work.

I wish to reiterate the position of Algeria regarding the need to begin negotiations within a comprehensive and balanced CD programme of work, inasmuch as the Conference is the ideal forum for that purpose. It is essential to begin 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 in accordance with the report of the Special Rapporteur and the related mandate, as well as relevant General Assembly resolutions, the most recent of them being resolution 60/70, which was adopted at the sixtieth session. Negotiations on this matter must take into account the priorities of other countries. Therefore, Algeria feels that our efforts must be aimed at the adoption of a balanced and comprehensive programme of

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work which would enable the CD to start work on the four key issues: nuclear disarmament, negative security assurances, a treaty on banning fissile material production and the prevention of an arms race in outer space.

Algeria still firmly believes that the A5 proposal is the only means of achieving consensus on such a programme of work, one that would be satisfactory to all.

The PRESIDENT: I thank Mr. Khelif of Algeria for his kind words and for his statement. I now give the floor to the distinguished representative of Belgium, Ambassador François Roux.

Mr. ROUX (Belgium) (translated from French): Mr. President, as I am taking the floor for the first time during your term, allow me first of all to congratulate you on your appointment and assure you of the full and enthusiastic cooperation of my delegation.

It seems that in this Conference everyone can agree on the need to begin negotiations that should lead us to the conclusion of a treaty prohibiting the production of fissile material for the manufacture of nuclear weapons or other nuclear explosive devices. At this stage at least, I am not aware of any statements to the contrary. Significant differences of opinion nonetheless persist, as we know, regarding the details of such negotiations, and these differences are more often than not based on legitimate national security perceptions that we respect as such.

The delegation of the Kingdom of Belgium is firmly convinced that international security requires us to step up our joint efforts as regards non-proliferation and disarmament, and, as has often been stressed, negotiations on a “cut-off” are the logical next step along this path, and many of us are of the view that this topic is now ripe for negotiation. The Conference on Disarmament should therefore seize this opportunity to contribute once again to multilateralism that effectively responds to the challenges that we must tackle together, not least of which is that of preventing the risk of the use of fissile material by terrorist groups. In this context, my country’s approach, that of Belgium, is a proactive one. We would like negotiations on a non-discriminatory and universally applicable “cut-off” to begin as soon as possible. To us this is a priority, and at the risk of being redundant, I would say that it is one of our high-priority priorities.

As you are aware, Mr. President, Belgium is proactive but also has a long tradition of being pragmatic. And as we have demonstrated in this forum and elsewhere, we will spare no effort to contribute to achieving an unbiased consensus, in a concrete manner and with a view to obtaining tangible results. We believe that we can achieve this progressively, in a spirit of transparency and mutual respect for each other’s security perceptions.

Belgium will take part in such negotiations without preconditions. In other words, we will avoid being too prescriptive, and I think it is necessary to avoid being too prescriptive, and at the same time we must ensure that we do not exclude anything a priori from our work. In keeping with our approach, a treaty banning the production of fissile material for military purposes has to do as much with disarmament as non-proliferation, whether the latter be

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horizontal or vertical. It should in our opinion be possible to tackle the whole issue of existing stocks of fissile material, and first of all stocks that have been declared in surplus, totally transparently if we wish to arrive at a balanced and effective instrument. We also think it would be desirable for negotiations to take place on a solid basis of shared objectives and clear and agreed definitions. And to that end the States concerned should show political will.

We are also of the view that appropriate verification, which appears to us to be technically feasible and politically desirable, must be guaranteed in the final outcome. And we fully share the views expressed this morning by the distinguished Ambassador of India on this subject. We have taken good note of his statement on this specific point. In this perspective, as we see it, we will need lastly to determine how IAEA's verification potential could be utilized. Over the coming days we will no doubt have an opportunity to delve further into this and other concepts which are essential to our future treaty, and I welcome the decision we took at the start of our meeting to invite a representative of IAEA to a forthcoming session. The structured debate beginning this week is undoubtedly a new step in the right direction, and we appreciate the opportunity thus afforded to the Conference on Disarmament to conduct a substantive exchange of views on the essential elements of a future treaty on fissile material destined for the manufacture of nuclear weapons or other nuclear explosive devices.

This is an opportunity for us to make headway on a matter to which Belgium, like its partners in the European Union, in particular, attaches priority importance. We will be taking part in this exchange of views in an open and constructive spirit.

The PRESIDENT: I thank Ambassador Roux of Belgium for his kind words addressed to the presidency and for his statement. I now give the floor to the distinguished representative of Australia, Ambassador Caroline Millar.

Ms. MILLAR (Australia): Mr. President, as this is the first time that I take the floor in the Conference on Disarmament, I should like to thank you for your words of welcome yesterday. I look forward to working with you and all colleagues in this forum as we seek to take forward our important work. I should also like to express the Australian delegation's appreciation for your efforts to facilitate debate on a fissile material cut-off treaty this week.

It is a matter of great regret for my delegation that, after nearly 10 years, we are still to start negotiation of this vital treaty - all the more so as the threat from nuclear proliferation and terrorism has deepened during this time.

Australia welcomes the moratoria on fissile material production for nuclear weapons declared by some nuclear-weapon States. But these cannot be a substitute for a binding treaty. A treaty containing the commitment to end production of fissile material for nuclear weapons would promote nuclear disarmament and non-proliferation. It is difficult to conceive of lasting nuclear disarmament without the assurance that States will not revert to fissile material production. An FMCT should thus be a key objective of all States committed to the goal of nuclear disarmament.

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Given these obvious benefits, we must start without delay negotiation of such a treaty. An FMCT need not be an overly complex treaty. Nor would it be burdensome for non-nuclear-weapon States parties to the Nuclear Non-Proliferation Treaty that have committed not to produce nuclear weapons. Indeed, for these States, the obligations of an FMCT would be met by their NPT commitments and their safeguards undertakings with IAEA, provided these include a comprehensive safeguards agreement and an additional protocol. The burden of an FMCT would fall on the five nuclear-weapon States and the three nuclear-capable States - and most acutely, on States that have not established moratoria on fissile material production for nuclear weapons.

An FMCT should contain basic provisions including a commitment to end production of fissile material for nuclear weapons, appropriate definitions and a mechanism for review. And it should deal with the status of pre-existing fissile material stocks. On this point, Australia sees an FMCT as a forward-looking treaty that proscribes - or "cuts off" - further fissile material production.

A most effective treaty would be an FMCT that provides for appropriate measures to verify parties' compliance with their obligations. But this should not be a precondition for launching negotiations. Our priority should be to conclude a treaty that secures the commitment of States parties to end fissile material production for nuclear weapons. Measures to verify compliance should be left to subsequent, largely technical, negotiations. The effectiveness of this approach is demonstrated very successfully by the Nuclear Non-Proliferation Treaty, which contains the principal commitments of States parties, with the verification system set out in secondary agreements with IAEA.

The Australian delegation has submitted a working paper detailing our approach on these and other issues. We are also pleased to provide an expert from the Australian Safeguards and Non-Proliferation Office to contribute to the focused discussions during the week. We look forward to the debate this week and hope that it shall bring us closer to realizing a fissile material cut-off treaty.

The PRESIDENT: I thank the Ambassador of Australia for her kind words addressed to the Chair and for her intervention. I now give the floor to the distinguished representative of New Zealand, Ambassador Don Mackay.

Mr. MACKAY (New Zealand): My delegation has consistently supported the immediate commencement of FMCT negotiations. This issue, in our view, deserves priority consideration on a number of fronts, not least its potential as a preventative measure in terms of minimizing stockpile build-up, but also as a substantive contribution to nuclear non-proliferation and disarmament.

When my delegation spoke on this issue during the CD's thematic debates of June last year, we pointed out that delaying negotiations just complicates things further. This has resulted in significant increases in fissile material stockpiles since the development of the Shannon mandate a decade earlier. This concern has become more pertinent in the intervening year. In simple terms, the longer the commencement of negotiations on an FMCT is delayed, the greater

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the stocks of fissile material in existence around which debate will have to coalesce in the conclusion of any future instrument. This is getting harder, not easier.

We all know the sensitivities surrounding the issues of stocks and verification. Treatment of these topics within the framework of an FMCT is going to be contentious, and there would obviously need to be an opportunity for all sides of the debate to be taken into account during the course of any negotiation. However, to hold even the commencement of such negotiations hostage to agreement on these divisive points at the outset further compromises the security of us all. Surely the key imperative at this stage should be the launching of negotiations, without preconditions as to their outcome.

For New Zealand's part, we are prepared to approach negotiations without preconditions. Within the framework of that process we would argue the case for an FMCT that dealt adequately with existing stocks and one that had structured verification provisions. Like others participating in the debate, however, we would listen carefully to the arguments on all issues, and we note that some very good work has already been done in the form of working papers presented to this session. I would mention in this respect particularly the thought-provoking paper put forward by Switzerland on verification and Canada's useful ideas on the issue of stocks.

The often expressed view that an FMCT is the most "ripe" issue for negotiation within the CD's remit gains greater currency this week through the mobilization of a significant number of international experts to contribute to our debate. And like others, we very much welcome the very sensible decision, I think, that we have all taken this morning to include IAEA in that process next week.

The reality is that far too many years have elapsed since we had substantial numbers of technical experts working in partnership with the diplomatic process. The time that has passed since potential FMCT provisions were last under intense discussion makes it important for our work now to be informed by relevant technological advances in the field of fissile material research. In that respect we welcome in particular the formation of the International Panel on Fissile Material and the presentations of Professor Frank von Hippel and his team yesterday afternoon at the very valuable interactive discussion that we had here in this chamber, which gave us an excellent starting point for interactive debate on technical issues.

The priority that my delegation attaches to the subject of nuclear disarmament, I think, is pretty well known, and the potential for an FMCT to function as a supporting mechanism for nuclear disarmament is obvious. The fundamental concept underpinning an FMCT - that is, to prevent the further production of fissile material for making nuclear weapons - clearly illustrates the interlinking relationship between these two core CD issues. Any instrument which contributes to a norm against the production of nuclear weapons helps to provide momentum to the nuclear disarmament debate.

My delegation looks forward to substantive discussions on FMCT issues during the coming period, and, as noted, we welcome very much the participation of international technical experts to help inform our work. However, as we said at the beginning of the focused debate on

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nuclear disarmament, we should not delude ourselves that discussion alone is an acceptable substitute for active negotiations under an agreed programme of work. In our view one of our common goals for this week should be to see whether building support for FMCT objectives could contribute to unlocking the CD's continuing stalemate. And obviously, if we can make progress in that area, we will have made very significant progress in addition to the undoubtedly substantive and very useful discussion that we will be having on the issue itself.

The PRESIDENT: I thank the Ambassador of New Zealand for his statement and for his words addressed to the Chair. I now give the floor to the distinguished representative of South Africa, Ambassador Glaudine Mtshali.

Ms. MTSHALI (South Africa): Mr. President, as this is the first time that I take the floor under your presidency, please allow me also to congratulate you - and your country, Romania - for presiding over the Conference on Disarmament.

The history of the international community's efforts to achieve a ban on the production of fissile material for nuclear weapons is well known. As far back as 1993, the United Nations General Assembly adopted a resolution that expressed the conviction that "a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices would be a significant contribution to nuclear non-proliferation in all its aspects".

We are all familiar with Ambassador Gerald Shannon's 1995 report to the CD on the most appropriate arrangement to negotiate a fissile material treaty. We are equally aware of the call in the "Principles and objectives" of the 1995 NPT Review and Extension Conference to commence negotiations on a fissile material treaty, as well as the agreement reached at the 2000 NPT Review Conference on the necessity of negotiations in the Conference on Disarmament on such a treaty. In fact, the Final Document of the 2000 Review Conference also urged the CD to agree on a programme of work which includes the immediate commencement of negotiations on a fissile material treaty with a view to its conclusion within five years.

The Shannon report, and the mandate contained therein, is already more than 10 years old. In addition, the call to conclude negotiations on an FMT within five years is itself already almost six years old. Over the years, we have held endless discussions on fissile material without much progress. Needless to say, the talks about commencing negotiations have remained just that: talks.

Fissile material, such as plutonium or highly enriched uranium, is essential for producing nuclear weapons. The control of such material will therefore directly impact upon the control of proliferation. It furthermore appears logical that a ban on the production of fissile material for nuclear weapons would be an important step on the road towards nuclear disarmament and the

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goal of a world free of nuclear weapons. A fissile material treaty would reinforce the ideals of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and would also complement the Comprehensive Nuclear-Test-Ban Treaty. Given all this, it must surely be obvious that if we are serious about nuclear disarmament and nuclear non-proliferation, we cannot afford to wait any longer to commence negotiations on an FMT.

Like the history of the fissile material issue, CD members are equally aware of the problems - both past and present - that have complicated efforts to reach agreement on negotiations on a fissile material treaty. Issues such as the mandate of a subsidiary body in the CD, the vexed "linkage" question, the scope of the treaty and whether or not to include past production and stockpiles, and, more recently, doubts about its verifiability, have all combined to make the progress on negotiations a difficult and arduous process.

Whilst these issues are by no means insignificant, they can all be overcome when the necessary political will exists to do so. We all know the old saying that "where there is a will, there is a way". What is required in the CD is the political will of member States to embark upon negotiations. My delegation would therefore appeal to all members to remain actively engaged in the FMT issue with a view to seeking solutions and compromises that will allow this political will to materialize and make it possible for this body to finally, and at long last, achieve the successful negotiation of a fissile material treaty.

For South Africa's part, we have inter alia endeavoured to contribute to the FMT debate by our interventions in the various multilateral disarmament and non-proliferation forums, our support for various United Nations resolutions and by actively encouraging negotiations on a fissile material treaty. To this end, we have also submitted a working paper to the Conference on Disarmament containing reflections on the possible scope and requirements of a fissile material treaty. The working paper was distributed as CD/1671, dated 28 May 2002, and is available to all delegations. Whilst all members might perhaps not necessarily agree with every aspect addressed in this paper, we nevertheless hope that it will continue to provide food for thought that may facilitate and stimulate discussions - and hopefully negotiations - on a fissile material treaty.

South Africa believes that a fissile material treaty must be negotiated without any further delay. In a nutshell, such a treaty should be the product of multilateral negotiations, be non-discriminatory and verifiable, and fulfil both nuclear disarmament and nuclear non-proliferation objectives. Although cognizant of the difficulties associated with the past production of fissile material, we believe that stocks should be included in the treaty.

South Africa believes that the negotiation of a fissile material treaty is a long overdue "missing ingredient" in the nuclear disarmament and nuclear non-proliferation context. We also believe that we in the Conference on Disarmament have both an opportunity and a duty to address this matter. We therefore need to set aside our differences and break with the past to move forward on negotiations. We need more action and less talk. Let us do so now.

(Ms. Mtshali, South Africa)

In closing, my delegation welcomes the opportunity to participate in this debate in the CD on a fissile material treaty. We will follow the deliberations with keen interest, also those that may not necessarily be conducted in plenary. Following this general intervention, my delegation intends also to participate in the focused structured debates on the various elements that have been identified by you.

The PRESIDENT: I thank the Ambassador of South Africa for her statement and for the kind words that she addressed to the Chair. I now give the floor to the representative of the United Kingdom, Mr. Andrew Barlow.

Mr. BARLOW (United Kingdom of Great Britain and Northern Ireland): Mr. President, thank you for the opportunity to present some more detailed views on behalf of the British Government about the topic of this week's discussions, a fissile material cut-off treaty. I propose to look at why such a treaty is a good idea, what negotiations for it might involve, and how we might proceed, before summing up with a look at the United Kingdom's efforts to set a good example in this area.

So, why is a fissile material cut-off treaty a good idea? Principally, we think, because if the international community is to make progress towards the ultimate goal of nuclear disarmament, we cannot continue to have a situation in which some States are still legally free to produce fissile material for nuclear weapons or other nuclear explosive devices.

At the moment there are eight States in this position - the five nuclear-weapon States party to the Nuclear Non-Proliferation Treaty and the three long-standing non-parties to the Nuclear Non-Proliferation Treaty. Of these States four have said publicly that they are no longer producing fissile material for nuclear weapons or other nuclear explosive devices. But the other four have not said this, and the four that have said it could reverse their statements tomorrow.

A fissile material cut-off treaty would fundamentally change this. It would mean that all these States had to give a legally binding undertaking not to produce any more fissile material for nuclear weapons or other nuclear explosive devices. This would be a clear improvement on the current situation. It would mean that for the first time since the nuclear age began over 60 years ago, there would be a ceiling on the amount of such material available for nuclear weapons or other nuclear explosive devices.

It is impossible to imagine the ultimate achievement of nuclear disarmament without such a ceiling being put in place at some stage. Of course many later steps would be needed actually to achieve nuclear disarmament. And such steps would have to involve lowering that ceiling - eventually to zero. But it is not a contrived or misleading argument to say that an FMCT is a key step on the road to nuclear disarmament; it is a sober truth.

Having such a ceiling in place will also make more meaningful current efforts to diminish existing stocks of fissile material that have been used in nuclear weapons in the past.

(Mr. Barlow, United Kingdom)

It would mean that once such high-enriched uranium has been downblended to low-enriched uranium, and once such plutonium has been dispositioned, there would no longer be any option to replace it in future with new production of these materials for nuclear weapons or other nuclear explosive devices.

And it is for these simple but, we think, powerful reasons that the British Government has strongly supported the case for negotiating an FMCT for many years. It continues to do so, as you will be aware from recent speeches made at this Conference on Disarmament by our previous Ambassador here, John Freeman, and most recently by the responsible Foreign Office Minister, Kim Howells, and our new Ambassador, John Duncan.

So what might negotiations for a fissile material cut-off treaty involve? As far as we can see, there are three main issue areas that will inevitably have to be covered in any negotiation - the scope of the treaty, the question of verification, and what I might call the standard provisions for a treaty of this type.

On the issue of scope, it will clearly be necessary to define exactly what "fissile material" is to mean for the purposes of the treaty. We know from previous discussions - and indeed from discussions we have already had here - that there are a range of possible views on this issue. Some have argued that the treaty should focus on just those materials most likely to be used in weapons, namely weapons-grade high-enriched uranium and weapons-grade plutonium. Others have argued that it should focus on a wider range of weapons-usable materials, including unirradiated plutonium of all grades (except that containing 80 per cent or more of the Pu-238 isotope) and all unirradiated uranium enriched to 20 per cent or greater in the U-235 or U-233 isotope (separately or in combination).

Another major scope issue concerns the question of whether the treaty should only be concerned with banning the future production of fissile material for nuclear weapons or other nuclear explosive devices, or whether it should also address the issue of existing stocks of such material. Again, we know from past discussions that there are a wide range of possible views on this issue too. Some feel that existing stocks should not be considered at all. Others want them covered in some way, but have differing views as to precisely how they should be covered.

A third major issue under the general heading of the treaty's scope has to do with what the treaty should not prohibit. An example of an activity which I think many States will feel the treaty should not prohibit is the production of fissile material for civil purposes. But there will be other activities that States will want to place in this category, too, for example the production of fissile material for non-explosive military purposes (such as naval fuel).

As to the question of verification, there was a lot of discussion in the mid-to-late 1990s about how a fissile material cut-off treaty might be verified. The general assumption then was that non-nuclear-weapon States party to the Nuclear Non-Proliferation Treaty would have

(Mr. Barlow, United Kingdom)

to accept few if any new safeguards obligations beyond those already reflected in their comprehensive safeguards agreements and additional protocols. Most of the discussion was therefore about how a fissile material cut-off treaty might best be verified in States that were not non-nuclear-weapon States party to the Nuclear Non-Proliferation Treaty. A lot of this discussion turned on whether there should be a so-called “focused approach” to verification in such States or a “more extensive approach”, and, if the latter, how much more extensive.

More recently the question has been raised as to whether realistic, effective verification of an FMCT is achievable at all. All these arguments will obviously have to be considered and debated in any negotiation. And they raise the possibility of agreeing a treaty without any verification arrangements that would nevertheless establish a new norm against the production of fissile material for nuclear weapons or other nuclear explosive devices.

Another issue might be whether there should be some phased approach to this matter - beginning just with an unverified normative treaty but leaving open the possibility of introducing verification measures at a later date, or alternatively, could there be some intermediate role for confidence-building measures?

The third basket of issues that any negotiation will have to address, in our view, is what I might call the standard provisions for treaties of this type. What duration should the treaty have? Should there be provisions for its review and amendment, and, if so, of what kind? Should there be a withdrawal provision of the standard type? Who should be the depositary for the treaty? And so on and so forth.

Clearly there is no shortage of important issues that will have to be discussed in any negotiation for a fissile material cut-off treaty. In the past - in the 1990s - some States wanted to agree a mandate for the negotiations that would specify from the beginning what subjects should be included in the negotiation and what subjects should be excluded from the negotiations.

We are not sure this approach makes sense any more. Time has passed since previous debates about an appropriate mandate for the negotiations. And it now seems to us that the best way of moving forward is simply to get negotiations started without preconditions. Once they have started we can discuss all the issues I have mentioned and begin working to reconcile all the different points of view into a workable and worthwhile treaty.

The Conference on Disarmament and its predecessors have managed equally difficult tasks on previous occasions. The Eighteen-Nation Disarmament Committee had to reconcile a wide disparity of views to produce the Nuclear Non-Proliferation Treaty, and the Conference of the Committee on Disarmament was able to produce the Biological and Toxin Weapons Convention. This Conference on Disarmament has itself met equally challenging tasks in producing the Chemical Weapons Convention and the Comprehensive Nuclear-Test-Ban Treaty.

(Mr. Barlow, United Kingdom)

So we know that multilateral diplomacy can produce extremely worthwhile arms control agreements - indeed that this very Conference can do so. But of course it will not be able to do this in future unless it agrees at least to start negotiations on another achievable and worthwhile topic. It seems to us that the fissile material cut-off treaty is just such an achievable and worthwhile topic.

And I think in the United Kingdom we can fairly argue that we have not merely talked about the desirability of a fissile material cut-off treaty but have also taken a series of steps to pave the way for one.

In April 1995 we announced that we had ceased the production of fissile material for nuclear weapons or other nuclear explosive devices. In July 1998 we went further: we announced the size of our stocks of fissile material for defence purposes and also announced that some of them were no longer needed for these purposes and would therefore be placed under safeguards.

Also in 1998 we announced our intention that all planned enrichment and reprocessing in the United Kingdom would take part under international safeguards. Since then these activities have duly been covered by EURATOM safeguards under the EURATOM Treaty and also been liable to IAEA safeguards under our Voluntary Offer Safeguards Agreement with IAEA and EURATOM. And on 30 April 2004 we also brought an additional protocol to this agreement into force. Thus all our facilities that could produce high-enriched uranium or plutonium are now under international safeguards arrangements.

We have also taken steps to be more transparent about our remaining stocks of fissile material for defence purposes. In April 2000 we published a paper on our past production of plutonium for defence purposes. And in March of this year we fulfilled an earlier commitment to complement this with a further paper on our stocks of high-enriched uranium for defence purposes. We have also supported various international efforts that are under way to reduce existing stocks of high-enriched uranium and plutonium that were formerly used for weapons purposes.

The United Kingdom, in short, has not simply been talking about the importance of fissile material issues; we have also been taking practical and sustained action to reflect our words in our deeds.

I think that it should therefore come as no surprise if I conclude by reiterating our commitment to negotiations on a fissile material cut-off treaty. We all know why it is important to achieve such a treaty, we all know what issues need to be negotiated to reach agreement on such a treaty, and we all know how such a treaty can be negotiated by this Conference if we all set our minds to it. It is very much the United Kingdom's view that we should now just get on and do it.

I believe that the text of my remarks and a brief non-paper on the United Kingdom and fissile material are available for delegates or will be shortly.

The PRESIDENT: I thank Mr. Barlow of the United Kingdom for his statement and for the non-paper. I now give the floor to the distinguished representative of the People's Republic of China, Ambassador Cheng Jingye.

Mr. CHENG (China) (translated from Chinese): Mr. President, since this is the first time I have spoken during your presidency, please allow me to congratulate you on your assumption of the CD presidency and express my appreciation for your efforts to promote the work of the Conference. I am confident that, under your able guidance, the focused debate on FMCT will have a positive outcome.

Concluding a negotiated fissile material cut-off treaty has always been an important item on the CD agenda. By banning the production of fissile material for nuclear weapons or other nuclear explosive devices, such a treaty would help to restrain the quantitative development of nuclear weapons. FMCT, together with CTBT, which aims at restricting the qualitative improvement of nuclear weapons, would greatly accelerate the process of nuclear disarmament and non-proliferation.

The Shannon report, adopted by the CD in 1995, provides the mandate for 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 remains applicable today has become a matter of heated discussion. The Shannon report was arrived at through tough negotiations, and represents a delicate balance of the concerns and interests of all parties. Since 1993, when the United Nations General Assembly adopted resolution 48/75 L at its forty-eighth session, China has always joined the consensus on the related General Assembly resolutions. We maintain, therefore, that FMCT negotiations in the CD should be based on the Shannon report mandate. The right way to halt production of fissile material is to negotiate a legal instrument on the subject. At the same time, we consider that the negotiations should not broach the issue of stockpiles.

The CD is the only forum for negotiating such a treaty. In terms of universality and authority, no bilateral or other multilateral agreement can match a treaty formally concluded in the CD.

The issue of verification under an FMCT is extremely complex. It is related to such issues as whether verification will be necessary and if so, what kind of verification. If no verification is called for, how should the treaty provisions on definition, declaration, dispute settlement and confidence-building measures be worded? It is therefore necessary to have the verification issue carefully explored and prudently handled. The opinions of all concerned, including the specific considerations of those who advocate an FMCT without verification, must be taken into account. China will look into these suggestions and proposals in real earnest.

China has always supported the purposes, principles and objectives of an FMCT and is consequently in favour of settling on a comprehensive and balanced programme of work for the CD whereby substantive work on FMCT, PAROS, nuclear disarmament and security assurances

(Mr. Cheng, China)

for non-nuclear-weapon States can get under way as soon as possible. We have been striving for this for years. In August 2003, to help break the deadlock on the CD's programme of work, we demonstrated further flexibility by expressing readiness to join a consensus on the five Ambassadors' proposal. In order to revitalize the CD's work, we sincerely hope that the parties concerned will demonstrate the political will to enable swift agreement on a programme of work based on the five Ambassadors' proposal.

The PRESIDENT: I thank the Ambassador of China for his statement. I now give the floor to the representative of the Syrian Arab Republic, Mr. Alabbas Hayder.

Mr. HAYDER (Syrian Arab Republic) (translated from Arabic): Mr. President, please allow me first of all to express our appreciation for your efforts on behalf of progress in the work of the CD. I should like to begin by saying that my delegation supports the statement made yesterday morning by His Excellency the Ambassador of Pakistan. We also support the remarks of the delegation of Algeria.

Very briefly, the position of the Syrian Arab Republic regarding the issue at hand, that is, a treaty banning the production of fissile material, is as follows. We support the establishment of an ad hoc committee in the framework of the CD to negotiate a potential FMCT as soon as the CD adopts a comprehensive, balanced programme of work that takes into account the priorities of all and deals on a basis of equality with the four main issues: nuclear disarmament, negative security assurances and avoidance of an arms race in outer space, as well as a ban on fissile material production. Any treaty banning the production of fissile material should cover existing stockpiles of such materials.

Finally, such a treaty must include verification mechanisms.

The PRESIDENT: I thank Mr. Hayder of the Syrian Arab Republic for his statement.

So that is my list of speakers for today. I recognize the representative of Australia.

Mr. LESLIE (Australia): Mr. President, as this is the first time I'll be speaking on behalf of my delegation, I wish to thank you for allowing me this opportunity to speak. I wish to address the issue of definitions under the FMCT.

My delegation considers that the definitions that are relevant to the scope of this treaty include the definition of the term "fissile material" that will be subject to the FMCT commitments, the meaning of the term "production", the meaning of the term "stocks" and clarification of "non-proscribed" activities.

The fissile materials to be covered by the treaty should be only those relevant to the manufacture of nuclear weapons. Broadly speaking, these are: high-enriched uranium, plutonium and U-233.

(Mr. Leslie, Australia)

The materials regarded by IAEA for safeguards purposes as unirradiated direct-use materials could serve as a useful template. Unirradiated direct-use materials are those nuclear materials that could be used for the manufacture of nuclear explosive devices without transmutation, further enrichment or reprocessing. These materials are as follows: high-enriched uranium, that is, uranium enriched to 20 per cent or more in the isotope U-235, plutonium containing less than 80 per cent of the isotope Pu-238 and U-233. These would seem to be an appropriate basis for the definitions in the FMCT.

Production of fissile material, as defined above, requires three processes: for high-enriched uranium - uranium enrichment; for plutonium - uranium irradiation in a reactor and separation by reprocessing; for U-233 - thorium irradiation in a reactor and separation by reprocessing. Plutonium and U-233 production should not encompass irradiation, but only reprocessing. For the treaty to encompass irradiation would give it an extremely broad scope, essentially applying to all reactor operations. As noted above, plutonium and U-233 produced in reactor fuel is only available for weapons use if it is separated through reprocessing.

This is also relevant to the issue of stocks. In the case of plutonium and U-233, only that material that is being separated prior to the time at which the FMCT comes into force for the State concerned would be considered to be part of the pre-existing stocks of nuclear material.

And the final issue to be addressed as a definitional issue would be the non-proscribed activities under the treaty. The treaty would not proscribe production of fissile material per se, only production for nuclear weapons or nuclear explosive devices. Reprocessing for civil use would not be proscribed, nor would production of high-enriched uranium for civil use, which would be expected to be limited, or for non-explosive military use, for example, naval propulsion.

A working paper containing this issue of definitions has been made available for all delegates.

The PRESIDENT: I thank Mr. Leslie of Australia for his comprehensive and quick presentation.

Let me remind the plenary that we are still in the formal plenary meeting. I have another request for the floor from the representative of the Republic of Korea, Mr. Wan-ki Yoon.

Mr. YOON (Republic of Korea): It is my pleasure to present the Korean working paper. My name is Yoon Wan-ki, Safeguards Regulator. The paper was written together with Mr. Lee Han-myung, sitting next to me, from the Korea Atomic Research Institute. The title of my presentation is "Definitions of fissile material for nuclear weapons and nuclear explosive devices".

One of the core issues of the negotiations would be what would be included in the scope of fissile materials for nuclear weapons or nuclear explosive devices. For this purpose, a common understanding of the meaning of the term "fissile material" should be established.

(Mr. Yoon, Republic of Korea)

First, regarding uranium and plutonium. Various definitions of the term “fissile material” exist in the literature, including documents from the United Nations as well as IAEA. United Nations report A/6858 describes fissile material for nuclear weapons as uranium with a content of U-235 isotope of more than 90 per cent and plutonium with a content of Pu-239 isotope of more than 95 per cent. This description can be a reference for the definition of fissile material.

The IAEA Safeguards Glossary published in 2001 defines fissile material as the isotopes that undergo fission by neutrons of all energies, including thermal neutrons. In the glossary, U-233, U-235, Pu-239 and Pu-241 are referred to as fissile material. However, there is no explanation in the glossary about the contents of the uranium isotope or the plutonium isotope to be categorized as material for nuclear weapons or nuclear explosive devices.

The term “nuclear-weapon-grade material” is also used. In general, uranium enriched to contain more than 90 per cent - sometimes 93 per cent is also used - of U-238 is categorized as nuclear-weapon-grade. And plutonium containing more than 93 per cent of Pu-239 is categorized as nuclear-weapon-grade plutonium. Others have defined nuclear-weapon-grade plutonium as that containing less than 7 per cent of Pu-240. There are no precise criteria on the contents of the isotopes in uranium or plutonium to be categorized as nuclear-weapon-grade.

In advanced nuclear weapon technology, it is known that HEU and reactor-grade Pu can also be used to make nuclear explosive devices. However, there is no unique definition of reactor-grade plutonium. Some define reactor-grade Pu as that containing more than 18 per cent of Pu-240, and other definitions include that containing 60 per cent of Pu-239.

The term “nuclear-weapon-usable material” has been used in United Nations Security Council resolution 687 (1991). IAEA interpreted the term to mean HEU or separated plutonium in a report distributed as United Nations document S/1997/779.

In the IAEA Safeguards Glossary “direct-use material” is defined as nuclear material that can be used for the manufacture of nuclear explosive devices without transmutation or further enrichment. Plutonium containing less than 80 per cent Pu-238 and HEU containing more than 20 per cent of U-235 and U-233 are listed as direct-use material. Under the definition, direct-use material includes both irradiated and unirradiated material. It is noted that Pu in spent reactor fuel is categorized as a direct-use material.

Speaking of neptunium and americium, there has been growing concern about the proliferation risk for the last three decades because they can also be used in nuclear explosive devices. Currently neptunium and americium are not defined as special fissionable material. In October 1999, according to IAEA document 1999/19, neptunium and americium were described as material that can be used to manufacture nuclear explosive devices with difficulty.

The physical properties of neptunium show clear potential in nuclear explosive devices. It does not produce heat and radiation. Emission is fairly low. The level of heat and radiation of americium is considerably high. However, the nature of the basic physical properties of americium showed that its proliferation potential is still attractive. In general, the proliferation

(Mr. Yoon, Republic of Korea)

potential of americium is said to be lower than that of neptunium. However, rapidly advancing technology can solve the difficulties of manufacturing. If separated, americium and plutonium are available. Most existing inventories of neptunium and americium are contained in civilian spent reactor fuel in unseparated form. Some countries that have a reprocessing capability, whether civilian or non-civilian, have the potential to acquire separated weapons-usable material.

Currently IAEA is monitoring the international transfer of separated neptunium and americium to non-nuclear-weapon States and any activity to produce separated neptunium and americium in comprehensive safeguards States as a voluntary undertaking.

In conclusion, typically, the nuclear materials for nuclear weapons or nuclear explosive devices have been understood as weapon-grade uranium and weapon-grade plutonium. However, advances in weapon technology may enable a lower quality of fissile material to be used for nuclear weapons or nuclear explosive devices. In this respect, the term “direct-use material” can be a reference for further consideration to define “fissile material” for FMCT negotiations. And also, neptunium should be included in the negotiation.

The PRESIDENT: I thank the representative of the Republic of Korea for his statement. Does any delegation wish to take the floor at this time? That does not seem to be the case.

The next plenary meeting will be held this afternoon at 3 p.m. in this conference room. In accordance with the schedule of meetings, the Conference will proceed to the consideration of the issue of the scope of the FMCT. Unless there are delegations that wish to make formal statements on that issue, the Conference shall reconvene in an informal plenary meeting.

I give the floor to Japan.

Mr. KIKUCHI (Japan): May I make a few comments on the scope of the treaty? I would like to state a definition of fissile materials for nuclear weapons.

Before examining the definition of fissile materials for inclusion in an FMCT production ban, as the Ambassador stated before, it should be emphasized that fissile materials for nuclear weapons or nuclear explosive devices will be banned, while materials for civil purposes will be outside the scope of such a ban. That is a very important point in Japanese intentions. It is impossible to make nuclear weapons from civil-use nuclear materials.

Based on such a premise, it can be said that there is consensus that special fissile material as stipulated in article XX of the IAEA Statute - Pu-239, U-233 and uranium enrichment of over 20 per cent - falls within the scope of “fissile materials for nuclear weapons” under an FMCT. The inclusion of other materials also suggested - transuranic elements (neptunium, americium), tritium and thorium - should be studied in detail by experts based on possible discussions in IAEA.

Japan intends to exclude civil-use nuclear materials under the FMCT. That is our intention.

The PRESIDENT: I thank the representative of Japan for his statement, and before continuing, I would kindly ask delegations that have interventions to provide them in hard copy to the secretariat in order to have them properly processed for accurate summary records. I thank you beforehand.

Let me repeat that the way in which we approach this topic is a two-stage approach. We have a formal part and an informal part. We are still in the formal part. Is there any delegation that would like to take the floor at this stage? That does not seem to be the case.

Let me repeat, then, that the next plenary meeting will be held this afternoon at 3 p.m. in this conference room, and in accordance with the schedule of meetings, the Conference will proceed to the consideration of the issue of scope of the FMCT. Unless there are delegations that wish to make formal statements on that issue, the Conference will be convened in an informal meeting.

As announced earlier, and following the adjournment of this meeting, I will immediately convene an informal plenary meeting on definitions. As usual, the informal meeting will be open to the members of the Conference, observer States, as well as experts who are part of their delegations.

The meeting rose at 11.45 a.m.