

Preparatory Committee for the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

29 April 2019

Original: English

Third session

New York, 29 April–10 May 2019

Fissile material cut-off treaty: contributing to our shared goals under the Treaty on the Non-Proliferation of Nuclear Weapons

**Working paper submitted by the members of the
Non-Proliferation and Disarmament Initiative (Australia, Canada,
Chile, Germany, Japan, Mexico, the Netherlands, Nigeria, the
Philippines, Poland, Turkey and the United Arab Emirates)**

Summary

The Non-Proliferation and Disarmament Initiative recognizes the continued importance of a fissile material cut-off treaty and acknowledges that the long-awaited commencement of fissile material cut-off treaty negotiations would make a substantial concrete contribution towards the goals shared by all Parties under the Treaty on the Non-Proliferation of Nuclear Weapons. The Non-Proliferation and Disarmament Initiative welcomes the consensus report of the high-level fissile material cut-off treaty expert preparatory group released in July 2018, which could facilitate the task of future fissile material cut-off treaty negotiators. The Non-Proliferation and Disarmament Initiative acknowledges the substantive discussions on the fissile material cut-off treaty that took place in Subsidiary Body 2 of the Conference on Disarmament in 2018, which resulted in a report that was adopted by consensus. Nonetheless, the Non-Proliferation and Disarmament Initiative remains gravely concerned about the dim prospects for fissile material cut-off treaty negotiations in the Conference on Disarmament, given the continued stalemate in that forum. The Non-Proliferation and Disarmament Initiative calls upon all Parties to the Non-Proliferation Treaty to reaffirm support for the immediate commencement of fissile material cut-off treaty negotiations and to carry out additional transparency and confidence-building measures that could facilitate these negotiations. The Non-Proliferation and Disarmament Initiative further calls upon Nuclear Weapon States that have not already done so to declare and implement a moratorium on fissile material production.

Report

1. The members of the Non-Proliferation and Disarmament Initiative reaffirm their commitment to pursuing the immediate commencement of negotiations of a treaty



banning the production of fissile material for use in nuclear weapons or other explosive devices. The underlying obligations in a fissile material cut-off treaty would, inter alia, prohibit the production of fissile material for nuclear weapons or nuclear explosive purposes, and would not affect the inalienable right of all Parties to the Treaty on the Non-Proliferation of Nuclear Weapons to research, produce and use nuclear energy for peaceful purposes in conformity with the Non-Proliferation Treaty. In this respect, the early commencement of fissile material cut-off treaty negotiations is a shared priority for all Parties to the Non-Proliferation Treaty and, more generally, for the international community.

2. Since the United Nations General Assembly adopted, by consensus, the objective of negotiations for a fissile material cut-off treaty in 1993 (resolution [48/75](#)), a fissile material cut-off treaty has been a shared nuclear non-proliferation and disarmament priority for the international community.

3. The United Nations General Assembly has provided the international community with the primary venue for substantive, expert level discussions on a fissile material cut-off treaty, covering both technical considerations and broader political issues. In 2012, the United Nations General Assembly adopted a resolution establishing a Group of Governmental Experts on a fissile material cut-off treaty (resolution [67/53](#)). Released in 2015, the Group of Governmental Experts report ([A/70/81](#)) provides an in-depth assessment and recommendations on key aspects of a future treaty. Another resolution was adopted by the United Nations General Assembly in 2016 (resolution [71/259](#)) to establish a high-level fissile material cut-off treaty expert preparatory group to build on the work of the Group of Governmental Experts. The 25-member preparatory group was geographically diverse in its representation and included all five Non-Proliferation Treaty Nuclear Weapon States, India and 19 Non-nuclear Weapon States.

4. The high-level expert preparatory group's July 2018 consensus report ([A/73/159](#)) provides a compendium of potential treaty elements and a summary of considerations that negotiators of a future fissile material cut-off treaty should bear in mind when deliberating on these options. In this respect, the report could facilitate the task of future fissile material cut-off treaty negotiators. The report emphasizes that negotiations of a fissile material cut-off treaty should begin without delay and makes recommendations on further work that could be undertaken, in parallel to or in advance of negotiations, to facilitate the successful conclusion of a fissile material cut-off treaty.

5. The Non-Proliferation and Disarmament Initiative endorses initiatives like the preparatory group for providing venues for inclusive and genuine dialogue and consultation through mechanisms such as the informal consultative meetings held in 2017 and 2018 that allowed the broader United Nations membership to engage in the preparatory group's work. The Non-Proliferation and Disarmament Initiative congratulates the members of the preparatory group for their work and welcomes the resulting report.

6. Similarly, the Non-Proliferation and Disarmament Initiative acknowledges the work conducted in 2018 by subsidiary body 2 of the Conference on Disarmament. Through the coordination of the Netherlands, subsidiary body 2 considered general and technical aspects of a future fissile material cut-off treaty and discussed the value of further work in these areas. These discussions resulted in the Conference on Disarmament adopting, by consensus, a report on this topic.

7. The Non-Proliferation and Disarmament Initiative acknowledges the value of carrying out further work, either prior to the start of fissile material cut-off treaty negotiations or in parallel with these negotiations, on technical and scientific aspects, scope, definitions, verification, legal and institutional arrangements, and on

transparency and confidence-building measures relating to a fissile material cut-off treaty.

8. The Non-Proliferation and Disarmament Initiative notes, with appreciation, the adoption by the United Nations General Assembly in December 2018 of a resolution on a fissile material cut-off treaty (resolution [73/65](#)). With the support of 182 countries, the General Assembly, in that resolution, inter alia, welcomed the adoption by consensus of the preparatory group's report and called for the immediate commencement of negotiations on a fissile material cut-off treaty. Yet, despite this near-universal support, the long-standing stalemate in the Conference on Disarmament continues to impede the start of negotiations in that forum. The Non-Proliferation and Disarmament Initiative remains gravely concerned about the dim prospects of fissile material cut-off treaty negotiations in this forum.

9. Recalling the continued importance of a fissile material cut-off treaty and acknowledging that the long-awaited commencement of fissile material cut-off treaty negotiations would make a significant concrete contribution towards our shared goals under the Non-Proliferation Treaty, the Non-Proliferation and Disarmament Initiative calls on all Non-Proliferation Treaty Parties to reaffirm support for immediate commencement of fissile material cut-off treaty negotiations and to carry out additional transparency and confidence-building measures that could facilitate the commencement of such negotiations. The Non-Proliferation and Disarmament Initiative further calls upon Nuclear Weapon States that have not already done so to declare and implement a moratorium of fissile material production.
