

**UK EXPERTS STATEMENT  
TO THE CONFERENCE ON DISARMAMENT  
ON A FISSILE MATERIAL CUT-OFF TREATY  
17 MAY 2006**

**Introduction**

1. Mr. President, thank you for the opportunity to present some views on behalf of the British Government about the topic of this week's thematic 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.

**Why an FMCT is a Good Idea**

2. 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.

3. 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.

4. 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 sixty years ago, there would be a ceiling on the amount of such material available for nuclear weapons or other nuclear explosive devices.

5. 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.

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

7. 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 the 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.

### **What FMCT Negotiations Might Involve**

8. 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.

#### Scope

9. 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 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 weapon, namely weapons-grade high enriched uranium and weapons-grade plutonium. Others have argued that it should focus on wider range of weapons-usable materials, including unirradiated plutonium of all grades (except that containing 80% or more of the Pu-238 isotope) and all unirradiated uranium enriched to 20% or greater in the U-235 or U-233 isotope (separately or in combination).

10. 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 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.

11. 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).

### Verification

12. As to the question of verification, there was a lot of discussion in the mid to late nineties 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 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 it turned on whether there should be a "focused approach" to verification in such states or a "more extensive approach" – and, if the latter, how much more extensive.

13. 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.

14. 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. Alternatively, could there be some intermediate role for confidence-building measures?

### Standard Provisions

15. The third basket of issues that any negotiation will have to address 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.

## **How Might We Proceed?**

16. 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 nineteen-nineties – 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.

17. 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 pre-conditions. 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.

18. 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.

19. 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.

## **The UK Example**

20. 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.

21. 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.

22. Also in 1998 we announced our intention that all planned enrichment and reprocessing in the UK 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 the 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.

23. 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 underway to reduce existing stocks of high enriched uranium and plutonium that were formerly used for weapons purposes.

24. 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.

## **Conclusion**

25. It should therefore come as no surprise if I conclude by reiterating our commitment to negotiations for 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 the United Kingdom's view that we should now just get on and do it. Thank you very much.