

# **Fissile Material Treaty : How to overcome sensitivities and make progress?**

Adil Sultan

**Strategic Plans Division (SPD) Pakistan**

8 September 2012

# Background

- The Conference on Disarmament (CD) was established as a single multilateral forum for negotiating disarmament agreements
- Amongst other core issues on the CD Agenda as enunciated by the SSOD-I (1978) include:
  - Nuclear Disarmament
  - Negative Security Assurances (NSAs)
  - Prevention of Arms Race in the Outer Space (PAROS)

# Background

- In 1993, UNGA passed Resolution 48/75L that was titled as:

***“Prohibition of the Production of Fissile Material for Nuclear Weapons or Other Nuclear Explosive Devices”***

- The Resolution called for a *“non-discriminatory multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices.”*

# Background

- FM[C]T was later added in 1994 as the fourth core issue to be negotiated at the CD
- The 1995 Shannon Mandate adopted with consensus did not exclude the issue of *existing stocks*
- However, differences emerged over the scope of prospective FM[C]T - *“Nonproliferation Vs Disarmament”* debate

# **Major Hold Out States**

(1995-2009)

# The 'Hold Out' States

## United States

- 1995–2009, the US continued to oppose a verifiable treaty thus negating the consensus reached earlier under the Shannon Mandate
- In 2006, the US also pushed a draft treaty text that also excluded the possibility of verification
- On April 5, 2009 - President Obama in his Prague Speech unveiled new US nonproliferation priorities, once he stated that
  - *“the United States will seek a new treaty that verifiably ends the production of fissile materials intended for use in state nuclear weapons.”*
- It provided new hope for the CD, but the **‘scope’** remained a serious challenge

# The 'Hold Out' States

## India

- Apparently remains supportive of the start of negotiations, and has also committed to work with the US *“for the conclusion of a multilateral Fissile Material Cut-Off Treaty”*

*[July 18, 2005 India-US Joint Statement]*

- Once the CD agreed to a PoW (2009), India declared:

*“We will not accept obligations not in keeping with or prejudicial to our national security interests or which hinder our strategic program, .... **The treaty should not place an undue burden on military non-proscribed activities.**”*

*[Statement by Indian Amb at CD, 29 May 2009]*

# Pakistan and FM[C]T

# Pakistan and FM[C]T

- Pakistan is one of the few countries that has maintained consistent position since the agreement on 1995 Shannon Mandate
- For Pakistan - a treaty that does not take into account existing fissile stocks would essentially perpetuate regional asymmetries
- Some of the recent developments that have further heightened Pakistan's sensitivities include:
  - India - US nuclear deal
  - India - specific NSG exemption
  - Growing conventional asymmetries
  - New war fighting doctrines
  - Development of ABM system, etc

# Pakistan and FM[C]T

- **India-US nuclear deal**

- Allows India to make significant increase in its fissile material stocks (50-70 additional bombs per year)
- Makes it imperative for Pakistan to maintain the credibility of its nuclear deterrent without embroiling into a nuclear arms race

# Pakistan and FM[C]T

- **India-specific NSG exemption**
  - The NSG that owes its very existence to India's nuclear weapon test of 1974, was coerced to grant exemption to the very same country – for short term political and commercial interests
  - Such country-specific exemptions and discrimination reduces the incentive for others to cooperate

# Pakistan and FM[C]T

- **Growing conventional asymmetry**
  - India's massive military spending (approx US \$ 40 billion) makes it difficult for Pakistan to match due to limited resources
  - Increasing conventional asymmetry would only increase Pakistan's reliance on nuclear deterrent

# Pakistan and FM[C]T

- **India's new war fighting doctrines (CSD)**
  - The Indian attempt to exploit 'perceived gap' below Pakistan's nuclear threshold is destabilizing for regional security environment
  - This 'perceived gap' needed to be filled essentially as a '**war prevention**' strategy
  - And, not necessarily through unrestrained increase in fissile stocks

# Efforts to Revitalize the CD

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- On 14th September 2010 the UN Secretary General convened a High Level Meeting on the sidelines of UNGA Session on “Revitalizing the Work of the CD and Taking Forward Multilateral Negotiations”
- Focus remained mainly on FM[C]T - other issues continue to remain unaddressed

# Efforts to Revitalize the CD

- **Negotiating FM(C)T outside the CD**

- Will change in venue alter national priorities? - Unlikely
- Taking the FM[C]T could set a precedence for other issues to be discussed outside the CD – Unacceptable for major powers
- Pakistan along with other major stake holders is unlikely to join any negotiations outside the CD
- Pakistan had clearly stated:

***“we are ready to stand in splendid isolation if we have to”***

*[Ambassador Zamir Akram]*

*18 Feb 2010*

# Efforts to Revitalize the CD

- **Holding parallel discussions on technical issues within or outside the CD**
  - The stalemate at the CD is more political than technical
  - Discussions on technical issues may not help make progress within the CD forum

# Efforts to Revitalize the CD

- **Re-interpretation of the rules and procedures, especially the ‘consensus rule’**
  - Why consensus was not seen as an obstacle once the same rule was used by other countries for the past **‘fourteen’** years to oppose a verifiable treaty?
  - Any reinterpretation of rules has to be with consensus and with the agreement of all States Parties
  - The principle of undiminished security for all states - has been the hallmark of the CD, and should remain as such

**How to make progress?**

# How to make progress?

- **First** - CD members could agree to discuss FMT that also caters for the existing stocks
- It would make FM[C]T a disarmament measure, in-line with the objectives of the CD
- If nuclear terrorism is one of the driving motivation for an FM[C]T - banning only the future production may not be sufficient to achieve the desired objectives. Existing stocks are equally vulnerable to terrorists seeking sensitive nuclear material

# How to make progress?

- **Second** - CD members could agree to discuss other agenda items that are ripe for discussions and are relatively less controversial
- This could revitalize the work of the CD, and build momentum for making progress on rest of the issues, including the FM[C]T
- Pakistan has repeatedly stated that it could discuss FM[C]T, if all other core issues are also addressed at par

# How to make progress?

- **Third** – Non-discriminatory treatment
- Collaborative and inclusive nonproliferation approaches are likely to yield positive dividends
- Discriminatory trends and country-specific exemptions would further complicate reaching a consensus on major nonproliferation and disarmament issues

# Conclusion

- It is essential to maintain the sanctity of the CD
- Integration of non-NPT states into mainstream nonproliferation regime could encourage states like Pakistan to engage more positively
- And finally, national security consideration would remain the fundamental guiding principle for all states – Unless there is genuine effort to address national sensitivities, no progress could be made on the issue of FM[C]T