

**Informal Consultative Meeting by the Chairperson of the  
High-level FMCT Expert Preparatory Group  
(New York, 2-3 March 2017)**

**Statement by Pakistan Delegation on Scope**

Madam Chairperson,

The issue of scope is the most contested aspect of the treaty. At its heart lies a major divergence, i.e., whether the treaty should only ban the future production of fissile material, or it should also cover fissile material produced prior to entry-into-force. Although it is not the only issue preventing the start of treaty negotiations, it is certainly the top most issue.

It has also led to the use of two different names for the proposed treaty. Those favouring a simple ban on future production prefer to call it a Fissile Material Cut-Off Treaty (FMCT), while others such as Pakistan that support a broader treaty covering existing stocks prefer to term it as a Fissile Material Treaty (FMT).

The Shannon Mandate does not explicitly cover existing stocks and is hence inadequate as the basis for commencing FMT negotiations.

Some states argue that it would be extremely difficult to credibly account for and verify past fissile material production especially of material in classified form. However, as noted by leading experts of IPFM: *I quote* “The work done by the IPFM thus far encourages us to believe that it should be feasible technically for an FMT to capture under IAEA safeguards pre-existing stocks of fissile material in civilian use, declared excess for military use, and in naval fuel reserves and to verify the treaty about as well as the NPT can be verified in non-nuclear-weapon States. The political task of persuading States to agree to such constraints and access, however, may be the more difficult challenge.” *Unquote*. My delegation therefore rejects the assertion that it is not technically or practically feasible to deal with accounting and safeguarding of existing stocks. It most certainly is.

It is only through the inclusion of existing fissile material stocks that the treaty would be able to make a contribution towards nuclear disarmament. A simple perpetuation of the status quo, by only banning future production, would freeze the existing asymmetries to the strategic advantage of those states that possess larger stockpiles, and hence be detrimental to regional and global strategic stability. Those nuclear weapons possessing states that are comfortable that their huge fissile material stocks not only fulfil their current needs but also provide them the hedge against future risks and uncertainties, are not ready accept any linkage of the treaty with nuclear disarmament or bilateral asymmetries.

For a treaty to be comprehensive, non-discriminatory and credible, and make a genuine contribution to nuclear disarmament, it would have to

include existing stockpiles of fissile material in its scope. This is not a technical or legal choice, but a political decision that is both desirable and doable.

Madam Chairperson,

Pakistan's has submitted to the CD in 2015 a Working Paper. We will provide a copy to you. It is a proposal for dealing with the existing stocks of fissile material. It offers a viable and comprehensive option. The simplicity and practicality of our proposal posed a challenge to those states that have a dogmatic opposition to the inclusion of existing stocks. We find these states as being completely fixated on ensuring that stocks are NOT covered under the treaty, in order to preserve their respective strategic advantages and preferential positions. It also explains their insistence on retaining the Shannon Mandate as the basis for negotiations.

These states want the treaty to be a horizontal non-proliferation instrument only – that is not only cost free for their security calculus but that also does not entail any additional obligation beyond what they are already applying voluntarily. Particularly discomfited are those states that have stockpiled vast amounts of unsafeguarded fissile material under the garb of civilian uses. Such hedging is also done by those states that have ostensibly announced upper ceilings for their respective nuclear weapons arsenals, but continue to hold on to hundreds of tons of fissile material far in excess of their own self-declared needs. Our proposal would compel these states to, first, account for all their fissile material production; second, accurately characterize all their fissile material stocks; and third, preclude the possibility of their use in nuclear weapons by safeguarding them under a verification regime.

Madam Chairperson,

Pakistan believes that a treaty which only results in a cut-off in the production of fissile material, as envisaged under the Shannon Mandate, would jeopardize our security, unless it addresses the vast asymmetries in existing stocks of fissile material. This predicament has been accentuated by the exercise of double standards and discrimination in the application of non-proliferation norms, starkly manifest in exceptional bilateral civil nuclear cooperation agreements, the grant of inequitable waivers, and the continued pursuit of the creation of additional country-specific exceptions in the non-proliferation and multilateral export control regimes.

A true breakthrough on a fissile material treaty can only be achieved through a genuinely cooperative effort among all stakeholders that respects their respective national security concerns. Existing stocks would have to be included, upfront and explicitly, in the treaty's scope and negotiating mandate to conclude a truly non-discriminatory and comprehensive treaty that fulfills the objectives of disarmament, non-proliferation and contributes to regional and global strategic stability.