Fissile Material Cut-Off Treaty

Italy’s views on the report of the Group of Governmental Experts, as requested through the Note Verbale ODA/37-2016/FMCT, subject: RES 70/39 “Treaty banning the production of fissile material for nuclear weapons and other explosive devices”.

Abstract:

Italy was actively engaged in the work of the Group of Governmental Experts - GGE on the Fissile Material Cut-Off Treaty (FMCT) and strongly supports the GGE report: this contributes to real constructive developments in view of the negotiations. As concerns specific points discussed in the report, Italy supports flexible definitions, based on Article XX of the Statute of IAEA, and reflecting real situations. We believe IAEA is the most appropriate agency to carry out verification, due to its long-term expertise and resources: this would also ensure efficient and rapid verification procedures. Italy also calls for realistic and balanced criteria for the Entry into force, to ensure the effectiveness and credibility of the FMCT. Recalling UNGA Res. 70/39, we support the early commencement of negotiations on such a Treaty in the framework of the Conference on Disarmament, which represents one of the key priorities of Italy’s foreign and security policy.

With reference to the specific issues outlined in UNGA resolution 70/39, taking into account subsequent developments within the Conference on Disarmament regarding the report of the Group of Governmental Experts- GGE, Italy would like to present the following remarks.

Italy was actively engaged in the work of the Group of Governmental Experts - GGE on the Fissile Material Cut-Off Treaty (FMCT) and highly welcomes its robust consensus report. The report by the GGE represents, in fact, a constructive contribution for negotiators of a future Treaty. It added thoughts to relevant studies and proposals, such as the Draft Treaty published by the International Panel for Fissile Materials in 2009, and stimulated new proposals, such as the Draft Treaty presented by France at the Conference of Disarmament in 2015.

In particular, considering that States’ positions on some of the potential Treaty aspects are different, the GGE report can help bridge existing divergent opinions. In fact, the GGE report addresses in details the several points that would provide the basis of the Treaty and elaborates on the core elements pertaining to a well-structured and functional instrument in the disarmament and non-proliferation regime. It also gives a detailed overview of the opinions of States, contributing in so doing to further debate and potential convergence.

As regards the issue of definitions (paragraph B of the report), Italy supports the reference to Article XX of the Statute of the International Atomic Energy Agency (IAEA) as a baseline for definition of fissile material. Nevertheless, we suggest to bear in mind that this may be no longer up-to-date and therefore a review in line with scientific and technological developments is needed: real-life contexts can provide a useful reference to identify definitions which are as close as possible to likely scenarios. In addition, the choice on the definition to adopt should, as a guiding principle, aim at avoiding technical complications or excessive expenditure.

As concerns paragraph C on the issue of verification, an effective verification system should ensure the compliance with the obligations deriving from the Treaty allowing for a rapid identification of potential violations. We favor the involvement of IAEA as the agency tasked to carry out verification, focused on enrichment plants and reprocessing facilities. This would provide for a cost-saving and more rapid
approach, as well as for a verification system that is operative in a short time-span covering both fissile materials and production facilities.

As regards paragraph D on Legal and institutional arrangements, Italy supports the establishment of a Conference of the State Parties (point 64), together with an Executive Council and a Secretariat.

The necessary criteria for the entry into force of such a Treaty (Paragraph 7 point 74) need to be identified carefully since, as it has already happened, they may lead to an impasse and consequently obstruct the entry into force. Bearing this in mind, we believe it is important to avoid an over-qualified membership, as well as a too simplistic choice that would hinder the credibility of the Treaty itself. Italy is also in favour of a indefinite duration (as per paragraph 7 point 75), discouraging the withdrawal.

Recalling UNGA Res. 70/39, we support the early commencement of negotiations on such a Treaty in the framework of the Conference on Disarmament, which represents one of the key priorities of Italy’s foreign and security policy, and which has long been an item on the international agenda.

In conclusion, Italy is convinced that a Fissile Materials Cut-off Treaty would provide a fundamental instrument to foster disarmament and nuclear non-proliferation. In line with what has emerged in the discussions so far, we acknowledge the existence of diversified options and certain unresolved aspects of the Fissile Material Cut-Off Treaty, but we remain convinced that convergence will be reached during future negotiations.

Italy strongly believes that the FMCT, together with the CTBT, would be a crucial component of the nuclear control regime and provide the foundation for nuclear non-proliferation and eventual nuclear disarmament. Indeed, the FMCT would curb the quantitative development of nuclear weapons, while the CTBT would restrict the qualitative improvement of nuclear weapons.

While production of military fissile materials continues in some countries, Italy believes that, pending the negotiations and the entry into force of the FMCT, a moratorium on fissile material production should be universally applied.