

BACKGROUND

A treaty to ban the production of fissile materials for weapons purposes — highly enriched uranium or separated plutonium — and to place all remaining production of these materials under international safeguards, has been gaining recognition in the past years as the next major nuclear treaty to be negotiated by the multilateral negotiating forum of the Conference on Disarmament (CD). To date, four of the five nuclear-weapons states (NWS) have announced their cessation of fissile material production. However, a universal fissile material treaty will be necessary in order to include all states capable of producing weapon-usable fissile material, to put a legally binding cap on production, and to allow for verification of civilian production in all nuclear-capable states.

There are two broad issues that will complicate negotiations. The first concerns scope: will the treaty be strictly a non-proliferation measure, or will it be linked to disarmament as well? As originally conceived, the treaty would address only future production of fissile material, not existing stocks, hence the name 'Fissile Material Cut-off Treaty.' However, many countries regard such wording as merely a non-proliferation measure and insist that existing military stockpiles be reduced as well. The second issue concerns verification. A verification regime will be necessary to ensure compliance and will likely be applied in a manner similar to IAEA safeguards in non-nuclear-weapon states. How comprehensive such a regime might be will depend on the scope of the treaty and the costs of implementation. While the NWS in particular favour more limited safeguards covering only production and reprocessing facilities, others have called for comprehensive safeguards in order to put all states on equal footing.

Interest in a fissile material treaty dates back to the early years of the nuclear age. In 1946 the United Nations Atomic Energy Commission adopted the Baruch Plan, a proposal calling for international regulation of atomic energy. Eisenhower's "Atoms for Peace" speech in 1953 hinted at a ban on production of fissile materials for weapons purposes. In the following decade, numerous proposals were presented by the Soviet Union and Western countries calling for the cessation of fissile material production and agreements in which fissionable materials would no longer be used for weapons purposes. The Tenth Special Session of the United Nations Devoted to Disarmament (1978) included a proposal by Canada that called for the banning of fissile materials for use in weapons as one step in a process of 'suffocating' nuclear proliferation. In a 1980 document [CD/90] entitled "The Prohibition of the Production of Fissionable Material for Weapons Purposes," Canada and Australia trace the evolution of global thinking on a fissile material treaty, and show that "in one form or another, a proposal to prohibit the production of fissionable material for weapons purposes has been before the multilateral disarmament negotiating body for nearly twenty-five years. At

Rebecca Stevens is a student at the Monterey Institute of International Studies and is currently participating in the International Organizations and Nonproliferation Project's internship programme.

various times, concrete suggestions have been advanced by States from all groups, while at other times the proposal has slipped into the background. At no time, however, has the proposal been discarded as either impracticable or unattainable." However, during the Cold War, the proposal stood little chance of reaching the negotiating table, as the two superpowers were reluctant to freeze their stockpiles at a level lower than that of their rival. It was not until December 1993 that the United Nations General Assembly reached a consensus resolution calling for negotiations on a treaty to ban the production of fissile material. The CD, in its 1994 session, appointed Canadian Ambassador Gerald Shannon as a Special Coordinator. Over the course of the next year, Ambassador Shannon consulted with CD members and in March 1995 the CD adopted the 'Shannon Report' agreeing to establish an Ad Hoc Committee to negotiate the treaty. The 'Shannon Mandate' contained within this report is based on the General Assembly resolution of 1993, which directs the Ad Hoc Committee to negotiate "a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices." But because the CD was unable to reach consensus regarding the mandate of the treaty, the Shannon Report does not preclude any delegation from raising the issues of scope and verification within the Ad Hoc Committee.

The continuing disagreement in the CD regarding linkage to nuclear disarmament prevented the establishment of an Ad Hoc Committee on fissile material negotiations for another three years. In August of 1998, the CD established an Ad Hoc Committee under the leadership of Canadian Ambassador Mark Moher. The committee met only twice before the end of the final session, but it was hoped that it would be re-established early in 1999, and that substantive negotiations would begin this year. As we go to press, agreement on the CD's Programme of Work has yet to be reached. This impasse, centring on nuclear disarmament and the militarization of outer space, has delayed the beginning of negotiations on fissile materials. UNIDIR is not alone in hoping that consensus can be found soon and negotiations begin in the second CD session of 1999.

Rebecca Stevens