
**Preparatory Committee for the 2015 Review
Conference of the Parties to the Treaty on the
Non-Proliferation of Nuclear Weapons**

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**Fissile material cut-off treaty: practical steps to implement
action 15 of the action plan of the 2010 Review Conference
of the Parties to the Treaty on the Non-Proliferation of
Nuclear Weapons****Joint Working Paper submitted by the Non-Proliferation and
Disarmament Initiative**

1. Negotiation of a treaty banning the production of fissile material for use in nuclear weapons or other explosive devices remains a shared non-proliferation and disarmament priority of the international community. For example:

- Action 15 of the action plan of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons states that “[...] the Conference on Disarmament should, within the context of an agreed, comprehensive and balanced programme of work, immediately begin negotiations of a treaty banning the production of fissile material for use in nuclear weapons or other explosive devices in accordance with the report of the Special Coordinator of 1995 (CD/1299) and the mandate contained therein”.
- The General Assembly, in its resolution 66/44, which was submitted by Canada, resolved “to consider options for the negotiation of a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices at its sixty-seventh session should the Conference on Disarmament fail to agree on and implement a comprehensive Programme of Work by the end of its 2012 session”.
- The General Assembly, in its resolution 66/44, further “encourages interested Member States (...) to continue efforts, including within and on the margins of the Conference on Disarmament, in support of the commencement of negotiations, including through meetings involving scientific experts on various technical aspects of the treaty, drawing on available expertise from the IAEA and other relevant bodies, as appropriate”.

2. Perceiving the fissile material cut-off treaty as an indispensable step on the way towards a nuclear-weapon free world and, more concretely, as the next logical step on the negotiating agenda of the multilateral disarmament machinery, we



consider the start of such negotiations to be an urgent task. Preferably, this task should be fulfilled by the Conference on Disarmament. We recall that the Conference on Disarmament already achieved consensus on a programme of work that included such negotiations in May 2009 (decision CD/1864).

3. Negotiations within the Conference on Disarmament on a fissile material cut-off treaty on the basis of its decision CD/1864 or similar arrangements are currently being hindered by national and regional security concerns voiced by at least one State member of the Conference on Disarmament. We continue to hold the view that these concerns may be effectively addressed in the course of negotiations, and should therefore not prevent their commencement. Additionally, we encourage intensified bilateral, regional and subregional dialogue to address said concerns.

4. Other issues of concern to some States members of the Conference on Disarmament may also be addressed in the course of negotiations. This applies in particular to the question whether and how a fissile material cut-off treaty would encompass existing stocks of fissile material for use in nuclear weapons or other explosive devices. We reaffirm our view that nothing in the negotiating mandate as described in document CD/1299 of 24 March 1995, which formed part of decision CD/1864, prevents States members of the Conference on Disarmament from raising this issue in the negotiation process.

5. An important objective in getting the Conference on Disarmament to start fissile material cut-off treaty negotiations remains the involvement of States members of the Conference on Disarmament that are not parties to the Treaty on the Non-Proliferation of Nuclear Weapons. We will continue our efforts through those States, and urge relevant actors to use their influence in this respect.

6. To support the commencement of fissile material cut-off treaty negotiations, Non-Proliferation and Disarmament Initiative members Australia and Japan initiated a series of technical side events on the margins of the Conference on Disarmament in 2011. In the first quarter of 2011, such meetings were further endorsed by a large majority of United Nations Member States in General Assembly resolution 66/44. Non-Proliferation and Disarmament Initiative members Germany and the Netherlands therefore decided to organize two further scientific experts' meetings on a fissile material cut-off treaty in 2012. These meetings are intended to continue feeding ideas related to a fissile material cut-off treaty back into the Conference on Disarmament, thus serving, *inter alia*, as a confidence-building measure. All Non-Proliferation and Disarmament Initiative members support the initiative taken by Germany and the Netherlands and encourage the Conference on Disarmament and the States parties to the Non-Proliferation Treaty to participate in these meetings.

7. Recalling further General Assembly resolution 66/44 and in the light of the inability of the Conference of Disarmament to agree, at the first part of its 2012 annual session, on a programme of work that includes fissile material cut-off treaty negotiations, we are currently consulting on options for such negotiations, taking into account the venues of past treaties.

8. Pending the entry into force of a fissile material cut-off treaty, we reiterate the repeated international call that all nuclear-weapon States and the non-States parties to the Non-Proliferation Treaty should maintain or declare moratoriums on the production of fissile material for nuclear weapons or other nuclear explosive devices. As negotiations on a fissile material cut-off treaty have been unable to start

for so many years, there is a need to create, on an urgent basis, a de facto fissile material cut-off treaty world, which would then facilitate negotiations on, and the conclusion of, a fissile material cut-off treaty. The effectiveness and the significance of moratoriums in accelerating actual treaty negotiations have already been proven by the case of the Comprehensive Nuclear-Test-Ban Treaty negotiations and preceding moratoriums on nuclear testing.
