

**Fissile Material Cutoff Treaty  
Statement by U.S. Ambassador Laura E. Kennedy**

**Conference on Disarmament  
Geneva, Switzerland  
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Thank you Mr. President,

The United States Delegation is pleased to continue our discussions on the negotiation of a Fissile Material Cutoff Treaty in the Conference on Disarmament, a long overdue nonproliferation and disarmament objective of the international community.

Secretary Clinton's address to us on Monday underscored my government's commitment to pursuing FMCT negotiations in the CD. She called the CD "the logical forum for this negotiation." It is. This is why the United States welcomes and appreciates the efforts of Australia and Japan to "set the table" for CD FMCT negotiations by hosting side discussions closely linked to the CD among technical and policy experts. This effort was clearly intended to inform and support the work of the CD, and build confidence and momentum toward FMCT negotiations.

We would especially like to acknowledge our colleague Ambassador Woolcott's able stewardship of the side-event. We would also like to thank former IAEA Deputy Director General for Safeguards Dr. Bruno Pellaud for his willingness to serve as vice-chair and rapporteur for this event. Our belief is that by "whetting intellectual appetites" in this way, all of our governments will be better informed about the central aspects of an FMCT when negotiations begin. As such, these side-events are very timely, wholly appropriate, and should continue. As I have said before, side-events of all kinds can facilitate the work of the CD. The U.S. looks forward to co-sponsoring with Russia and China a side-event on space next month.

Mr. President, the first FMCT side-event held from February 14-16 here in the Palais can only be regarded as a resounding success. By our count, forty-six CD member and observer states attended, with participation augmented by more than a dozen teams of capital- and Vienna-based experts – a truly impressive level of involvement. Clearly, there is a real level of enthusiasm and "hunger" for negotiation of this vital treaty.

Quite appropriately, last month's in-depth discussion of FMCT-related definitions began with the fundamental question: What does "fissile material" mean? Additionally, the issue of defining "production," an issue closely linked to defining fissile material, was discussed. From the U.S. perspective, the challenge is not to be so narrow in the definitions of "fissile material" and "produce" that we leave open opportunities to circumvent the fundamental objective of an FMCT, while at the same time not being so expansive that we constrain activities that have no relation to such objectives.

The interaction and exchange of views afforded by the side-event helped participants to better understand these central issues, including the relationship between technical parameters and policy considerations.

Mr. President, we would welcome another FMCT side-event focusing on verification issues. We would look forward to presenting our thoughts on the structure and objectives of the FMCT verification regime. We expect verification would focus on facilities that are producing or are clearly capable of producing fissile material. Such production facilities therefore need to be carefully defined. Understanding the interrelationship between the definitions, verification regime, and the scope and architecture of an FMCT will be critical to the success of CD negotiations.

In preparation for such a future event, and in light of a number of questions that were raised previously about U.S. views, please allow me to review our philosophy regarding how an FMCT should be structured, and why we support certain definitions.

Mr. President, let us begin at the beginning. The purpose of an FMCT in our view is to ban the production of fissile material for use in nuclear weapons or other nuclear explosive devices.

For this reason, we have suggested a definition of fissile material aimed at capturing material that could be used to make such weapons. It corresponds to the standard IAEA definition of direct use material. Since no one argues that you can make weapons or explosive devices from low enriched uranium or plutonium with a high concentration of Pu-238, we believe this is a conservative approach which addresses the fundamental object and purpose of the Treaty.

Further, our definition of production captures the processes by which material directly usable in weapons is created. The processes that produce materials directly usable in weapons are primarily isotopic separation of uranium – or enrichment – and chemical separation of plutonium from irradiated nuclear material – or reprocessing. No one is arguing that you can make a weapon directly out of spent nuclear reactor fuel.

Our suggested verification approach would be based on monitoring facilities capable of producing fissile material and any newly produced fissile material. It is tied closely and directly to the expected basic undertaking of an FMCT and these basic definitions. Our approach aims at keeping implementation costs low while achieving the aims of such a Treaty. Critically, this structure for an FMCT is aimed at complementing the NPT: we do not foresee additional verification obligations under an FMCT for NPT Non-Nuclear Weapon States with Comprehensive Safeguard Agreements in place and supplemented by an Additional Protocol.

As mentioned earlier, one could design a narrower set of FMCT obligations, but this would raise concerns as to whether the objectives of the Treaty would be satisfied. Failure to constrain or verify production of material that is readily usable in nuclear weapons would create opportunities to circumvent those objectives. Conversely, one could design a Treaty with

broader scope and broader verification requirements, but this would cost more, without, we would strongly argue, any true increase in effectiveness.

Mr. President, we hope this information sheds additional light on U.S. views regarding an FMCT. We look forward to expanding on these and other matters in upcoming discussions.

The United States continues to view the CD as a vital multilateral negotiating forum -- indeed, the only one of its kind in the world. We hope the CD soon can begin to tackle the complex set of scientific, technical, and diplomatic challenges associated with an FMCT in full negotiations which should begin, as Secretary Clinton underscored on February 28, "without further delay."

I close with a final quotation from the Secretary, which bears repeating by all those who wish to see the CD fulfill its vital responsibility to negotiate an FMCT:

"I hope that we will see action now from this esteemed conference that has meant so much to the world over so many years. This is the forum; you are the leaders who should be making these decisions. It would be unfortunate if that were not to be pursued in terms of this particular treaty. And the United States stands ready to support the beginning of negotiations, to do whatever is necessary to try to accommodate legitimate national interests, and then to reach a resolution and the production of such a treaty, otherwise we believe this is too important a matter to be left in a deadlock forever."

Thank you, Mr. President.