

FUTURE OF FMCT: ASSESSING THE PROSPECTS AND CONSTRAINTS

*Zafar Nawaz Jaspal **

The United Nations-sponsored, 65-member Conference on Disarmament (CD) attempted to commence negotiations in January 2010 to ban the production of fissile materials for weapons purposes; namely, plutonium and highly-enriched uranium. The primary thrust of the overwhelming majority of CD membership was to finalize a Fissile Material Cut-off Treaty (FMCT) draft, lacking the nuclear disarmament feature. An attempt was made to cap the number of warheads that could be manufactured. Pakistan, being an active member at the CD, while reiterating its historical stance on the FMCT, also drove the attention of fellow participants to the destabilizing linkage between the contemplated FMCT and regional strategic asymmetries.

The apathetic attitude of the CD members toward Pakistan's expressed concerns has not dented its stance on the FMCT; it continues pursuing its stance on the subject. Islamabad's reservations have been holding up the CD's approved 2009 program of work including negotiations on an FMCT subject. Its steadfast approach irritated both nuclear non-proliferation activists and nuclear advantageous States, which are disinclined to nuclear disarmament. They indicted Pakistan as a spoiler and obstructionist at the Conference on Disarmament.

Islamabad's principal stance at the CD has certainly had a delaying effect on the FMCT negotiations, but it is an erroneous conclusion that Pakistan alone is responsible for blocking the culmination of the Treaty. There are numerous factors and States which impede the finalization of the FMCT draft. Without understanding and addressing these obstructing factors and States, the future of FMCT remains incomprehensible; finalization of its draft very difficult; and, above all, its entry into force nearly impossible. These factors engender a few key questions: What is the scope of FMCT? What are the target States? Why is Pakistan steadfastly opposing the current negotiations at CD on FMCT? What are the factors and forces which have a decisive role in the future of FMCT?

Although it sounds pessimistic, realistically, one could not confidently make a claim that the current Washington support to FMCT is not reversible. Furthermore, the trends in the global strategic environment accentuate that CD's 2009 program of work in general and FMCT in particular would gradually lose support among the Great Powers due to international realpolitik. The following discussion is an endeavour to analyze the prospects and constraints to FMCT. This article is divided into six sections.

The first section briefly describes the background of the FMCT. The second section highlights the recent developments at the CD. The draft of the FMCT has yet to be finalized. However, for contextualizing the debate, one needs to envisage the likely format of the draft. Therefore, the third section contains a provisional/hypothetical draft based on Shannon mandate and other nuclear non-proliferation treaties' vocabulary. The fourth section highlights the CD delegates' reservations on the FMCT negotiations. The fifth section contains a comprehensive review of Pakistan's position on the FMCT at CD. The final section contains a discussion on the real factors which hinder the finalization of the FMCT draft.

Background and state of FMCT affairs

The present debate on FMCT is not a new initiative in the realm of nuclear-nonproliferation. Since the very beginning of the nuclear age, the nuclear abolitionists and nuclear non-proliferationists have been demanding cessation of further production of nuclear fissile material as well as elimination of existing weapon-grade fissile material. The FMCT has been on the non-proliferationists agenda for most of the nuclear age.

Indeed, the calls for nuclear arms control and disarmament were partially accommodated in the constitution of Nuclear Non-Proliferation Regime (NNPR). Ironically, the execution of NNPR components resulted in the division of States into two blocs — the nuclear haves and have-nots — which thwarted denuclearization initiatives both theoretically and practically. For instance, a review of nuclear weapon history reveals that the nuclear weapon states always guard their nuclear weapons and gang up against the horizontal nuclear weapons proliferation. That is why, two competing visions of the nuclear NNPR have emerged.

The first entails that the nuclear weapon states (NWS) — the United States, the Russian Federation, Britain, France and China — should sustain their nuclear weapons monopoly; they have a legitimate right to defend themselves with nuclear weapons. At the same time, it is illegitimate for non-nuclear weapon states (NNWS) to possess nuclear weapons. The second involved an act of collective arrangement by the NWS to prevent the horizontal proliferation. That is because the acquisition of nuclear weapons by additional States had an exceptional capacity to disrupt power balances and create security dilemmas. Nuclear proliferation implied a constant destabilization of regional and global structures of power.

These two competing trends had occasionally disrupted nuclear nonproliferation initiatives at the United Nations. Of course, there were numerous proposals to cap the nuclear fissile material, but the following have been the three important historical initiatives for controlling further production of nuclear fissile material at the United Nations General Assembly.

The United Nations has a central role and responsibility in the sphere of disarmament and international security. Therefore, since its very beginning, the United Nations has not only been endeavouring to halt nuclear fissile material production for military purposes, but also insisting on nuclear weapons elimination. For instance, the United Nations General Assembly unanimously adopted Resolution 1 on January 24, 1946, and established an Atomic Energy Commission. The main objective of the Commission was to halt the proliferation of nuclear weapons.

Article V of the Commission: —Terms of Reference of the Commission — The Commission shall proceed with utmost dispatch and enquire into all phases of the problem, and make such recommendations from time to time with respect to them as it finds possible. In particular, the Commission shall make specific proposals: (a) for extending between all nations the exchange of basic scientific information for peaceful ends; (b) for control of atomic energy to the extent necessary to ensure its use only for peaceful purposes; (c) for the elimination from national armaments of atomic weapons and of all other major weapons adaptable to mass destruction; (d) for effective safeguards by way of inspection and other means to protect complying States against the hazards of violations and evasions.

The U.S. Baruch Plan presented to the United Nations Atomic Energy Commission in June 1946 also included a proposal for a cut-off of fissile material for weapons. It stated that an International Atomic Development Authority exercise complete managerial control over production of fissile materials and control and own all such materials. The scope of Baruch Plan was limited because its main objective was prevention of Soviet acquisition or control of atomic weapons. Therefore, it failed to achieve its objectives.

A cut-off was next proposed by India in 1954, together with a proposal for worldwide nuclear disarmament and a nuclear test ban treaty. This proposal was, however, rejected without any further discussion. Then in 1956, Eisenhower re-proposed a cut-off, this time to be refused by the Soviet Union. In 1957, the General Assembly in its Resolution 1148 called for the cessation of the production of fissile material. Article I, clause (b) states: "The cessation of the production of fissionable materials for weapons purposes and complete devotion of future production of fissionable materials to non-weapons purposes under effective international control." Clause (c) demands: "The reduction of stocks of nuclear weapons through a programme of transfer, on equitable and reciprocal basis and under international supervision, of stocks of fissionable material from weapons uses to non-weapon uses."

The end of the Cold War and the demise of the Soviet Union had instigated the Clinton Administration to strengthen the NNPR. It succeeded in lobbying and accomplishing indefinite extension of NPT in its 1995 Review Conference; finalization of Comprehensive Test Ban Treaty's draft in September 1996; and restarting negotiations for the control of further production of fissile material for nuclear weapons.

On September 27, 1993, in his speech before the United Nation, President Clinton called for a multilateral convention banning the production of fissile materials for nuclear explosives or outside international safeguards. He proposed a multilateral, internationally and effectively verifiable treaty on the prohibition of the production of fissile material for nuclear weapons or other nuclear explosive devices.

Accordingly, on December 16, 1993, the United Nation General Assembly recommended "the negotiation in the most appropriate international forum of a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices." It also called upon all States to demonstrate their commitment to the objectives of a non-discriminatory, multilateral and internationally and effectively

verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. Hence, the current debate over the FMCT is in principle limited to the negotiating mandate for the CD, drawn from a 1993 UN General Assembly resolution.

In response to the United Nations General Assembly Resolution 48/75L (1993), the CD tasked Ambassador Gerald E. Shannon of Canada to seek the views of members on the most appropriate arrangement 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. The Shannon Mandate — proposal for the negotiation of a ban on the production of fissile materials for nuclear weapons — was tabled in the CD on March 24, 1995. It was read as follows:

- The Conference on Disarmament decides to establish an Ad Hoc Committee on a “Ban on the production of fissile material for nuclear weapons or other nuclear explosive devices”.
- The Conference 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.
- The Ad Hoc Committee will report to the Conference on Disarmament on the progress of its work before the conclusion of the 1995 session. During the course of my consultation, many delegations expressed concerns about a variety of issues relating to fissile material, including the appropriate scope of the convention. Some delegations expressed the view that this mandate would permit consideration in the Committee only of the future production of fissile material. Other delegations were of the view that the mandate would permit consideration not only of future but also of past production. Still others were of the view that consideration should not only relate to production of fissile materials (past or future) but also to other issues, such as the management of such material.

The Shannon mandate did not lead to sustained negotiations in the CD, but it has intermittently attracted attention of the CD members; especially in 1998 when the CD delegates agreed to establish committees to negotiate a ban on the production of fissile materials. The CD members including Pakistan endorsed the proposal to establish the committee. The 2000 Review Conference of the NPT strongly endorsed FMCT. But it did not create any negotiating impetus. The FMCT process was further derailed in

summer 2004, when Washington announced that it no longer regarded such a treaty as verifiable.

The divergence of opinion regarding the objectives of FMCT continued in the following years among the CD members. Some States wish to limit an FMCT to a cessation of future production, considering the non-proliferation objectives as primary; whereas those that wish to include past production (stocks) put a higher priority on making progress on the disarmament aims.

FMCT: constructive initiatives

President Obama stated on April 5, 2009 that the 'United States would pursue negotiation of a verifiable Fissile Material Cutoff Treaty. He had re-embraced a verifiable FMCT as a goal and also as a part of Washington's broader commitment to advancing purposefully along the road to a nuclear weapons free world. Subsequently, the United States encouraged CD members to start negotiations on a verifiable FMCT.

On May 29, 2009, the CD adopted its programme of work which President Obama applauded: "Today's important agreement at the Conference on Disarmament to begin negotiations on a Fissile Material Cut-Off Treaty, which will end production of fissile materials for use in atomic bombs." At present, however, U.S. representatives have not gone beyond reaffirming that an FMCT is a top priority for the United States. Nevertheless, it is widely recognized that the next step towards nuclear arms control in the CD is the negotiation of a treaty to ban the further production of fissile materials for use in nuclear weapons.

The delegates at the Conference on Disarmament advanced proposals that could provide momentum to move the process of negotiating on FMCT forward. The United States, the Russia Federation, France, the United Kingdom and China have been observing voluntary moratorium on fissile material production for nuclear weapons. Despite that, the talks within the CD are slow going and confidence in the future of the FMCT, and the CD making serious progress, is stumpy, especially in view of Pakistan's principal stance on the discriminatory issue. As already noted, the current debate over the FMCT is in principle limited to the negotiating mandate for the CD, drawn from a 1993 UN General Assembly resolution and the Shannon Mandate.

Moreover, on May 29, 2009, the 65 CD members (CD/1863) agreed on a programme of work which ended its 12 years of deadlock. They agreed on a comprehensive work plan, including convening of a working group to start FMCT negotiations as well as substantive discussions on progress toward nuclear disarmament, the prevention of an arms race in space, and the provision of negative security assurances to States not possessing nuclear weapons. The CD agreed to establish working groups to consider all four issues.

Though the delegates did approve the programme of work and dozens of them also hailed the agreement, a few of them expressed their reservations. For instance, Zamir Akram, Ambassador of Pakistan, said the agreement was “not perfect”, but joined the consensus in order to end the years of deadlock in the conference. India's representative, Hamid Ali Rao, argued that the negotiation of an FMCT would be “a step forward”, but faulted the conference for failing to agree to multilateral negotiations on nuclear disarmament.

Nuclear nonproliferation and disarmament puzzles attracted impressive attention in the 6191st meeting of the United Nations Security Council (UNSC) on September 24, 2009. The 14 heads of State and government present in the UNSC meeting adopted unanimously Resolution 1887 (2009). That was the first comprehensive action on nuclear issues since the mid-1990s. It sanctioned President Obama's Prague initiative (April 5, 2009) on committing all nations to work for a nuclear weapons-free world. The resolution calls for stepped-up efforts to prevent the spread of nuclear weapons, promote disarmament and reduce the risk of nuclear terrorism. Importantly, all the participants underscored that disarmament and non-proliferation ought to proceed together.

In reality, however, the main objective was to hinder the horizontal proliferation of nuclear weapons without any practical scheme for nuclear disarmament. Nevertheless, Resolution 1887 (2009) germinated provisional optimism among the nuclear abolitionists. The U.N. Security Council in its Resolution 1887 (2009) called upon the Geneva-based Conference on Disarmament to work out such a treaty:

Resolution 1887 called upon the Conference on Disarmament to negotiate a Treaty banning the production of fissile material for nuclear weapons or other nuclear explosive

devices as soon as possible, welcomes the Conference on Disarmament's adoption by consensus of its Program of Work in 2009, and requests all Member States to cooperate in guiding the Conference to an early commencement of substantive work.

The U.N. General Assembly adopted without opposition Resolution A/RES/64/29 on December 2, 2009, urging the Conference on Disarmament "to agree early in 2010 on a programme of work that includes the immediate commencement of negotiations on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices." The CD commenced negotiations on the subject in the beginning of 2010. Notably, it was a short-lived euphoria when the CD managed to start negotiations on FMCT. Importantly, the CD members' consensus on the final draft of FMCT is yet to be finalized. They failed to rise above their differences regarding the purpose and scope of the treaty.

The most problematic issue is whether FMCT would be a measure of arms control/nuclear nonproliferation or disarmament. Three interlinked questions need serious considerations: What could be the salient features of the FMCT? What would be the scope of the treaty? What would be the verification procedure? For any constructive debate, the answers to these questions are indispensable. Therefore, for the sake of a debate, the provisional sketch of the treaty is spelled out in the following discussion.

Provisional/hypothetical draft

The perceived hypothetical draft of the FMCT is obstructing any constructive debate in the CD. What would be the final shape of the draft? An attempt has been made in the following discussion to spell out the likely draft of the FMCT, so that one can correctly understand the inbuilt flaws in the FMCT. The salient features of the treaty have been anticipated and enlisted from the recorded literature of negotiations about the FMCT's scope and purpose, at different international forums, particularly from the debates held at the CD. It is assumed that these debates would be important determinants of the future constitution of the treaty.

Moreover, the history of the nuclear nonproliferation regime reveals that the consensus between the United States and the Russian Federation (earlier, the Soviet Union) always had a decisive role in the formation of nuclear nonproliferation treaties. The rest of the States had little influence on these matters during the second half of the twentieth century. Nevertheless, the situation is different in the present international system. That is because, today, ignoring or singling out even one of the non-NPT nuclear weapon States, — India, Pakistan, Israel and North Korea — in constituting any result-oriented nuclear nonproliferation or nuclear-disarmament treaty is not a realistic approach. If all the nine States having nuclear weapons arrive at a consensus at the CD, the draft of the FMCT could be having the following characteristics.

Article-I: The basic objective of an FMCT would be to disallow production of fissile material (metal plutonium after reprocessing highly-enriched uranium, and ^{233}U) for nuclear weapons or other nuclear explosive devices. Accordingly, when the treaty enters into force, the parties would undertake not to produce fissile material for nuclear weapons. The member States undertake not to produce fissile material for use in nuclear weapons or in any other nuclear explosive devices, and to prohibit and prevent any such production at any place under their jurisdiction or control.

Article-II: The member States would be permitted production of fissile material for civilian purposes and also for non-explosive military purposes such as naval propulsion, but only under verification to ensure that fissile material is not diverted to weapons. The recycling (or cleanup) of plutonium from weapons—an established stockpile stewardship practice—that did not involve new production of fissile material, would also be permitted.

Article-III: The treaty would be internationally and effectively verifiable. That means that parties to the treaty would accept international verification on relevant facilities (enrichment, reprocessing, use, storage, and the like) and nuclear material to verify this commitment. They would also pledge not to use any fissile material that is subject to verification under an FMCT for nuclear weapons; that is, the principle of irreversibility would apply and subject material could not be withdrawn for weapons use. After entry into force, the State parties to the treaty should declare all fissile materials they have produced. Declarations should include where the materials were produced, in what form and where it would be at the date of the declaration, and whether the State has a plan to use it in the period ahead. In addition, they should declare the existing fissile material production facilities, including those shut down, those decommissioned and those still in operation.

Article-IV: The member States accept IAEA inspections to verify that the treaty obligations are being met. The NWS party to the treaty would be required to submit all of their uranium enrichment and plutonium reprocessing facilities to IAEA safeguards. The IAEA would verify the clandestine enrichment and reprocessing activities through special or challenge inspections. A special inspection is an inspection that the IAEA may perform at any site in the territory of a State party (regardless of whether the site has been declared or not). A challenge inspection is an inspection that can be performed at any site in the territory of a State party to the FMCT (regardless of whether the site has been declared or not), at the request of any other State party. A challenge inspection may include an observer from the requesting State party.

FMCT: target States

The Nuclear Non-Proliferation Treaty (NPT) of 1968 prohibits all member States except the five acknowledged nuclear powers — the United States, the Russian Federation, the United Kingdom, France and China — from acquiring nuclear weapons. It also requires all non-nuclear weapon member-States to implement a safeguard agreement with the International Atomic Energy Agency (IAEA) covering all nuclear materials that might be useful for weapons. The FMCT would not make any new demand on NPT non-nuclear weapon member-States. The non-nuclear-weapon States are already committed not to produce or use nuclear material for weapons.

In the context of the FMCT, therefore, the target States could be bracketed as the five NPT nuclear-weapon States—United States, Russian Federation, United Kingdom, France and China; and the four nuclear-weapon States outside the NPT — India, Israel, North Korea and Pakistan. Therefore, the principal effect of an FMCT and its verification task relate mainly to the nuclear-weapon States and the non-NPT States. In real term, the former group could not be forced to give up their weapons just as the latter could not be forced to give up the right to build their own.

FMCT: CD stalemate

The Conference on Disarmament (CD) is the sole international forum to negotiate multilateral arms control treaties. It operates through consensus. The stringent application of the consensus rule on all manner of decisions can allow a single member

State to veto any proposal. Currently, CD is very much hostage to two factors: First, regional and international strategic developments. Second, the leading nuclear weapon States' discriminatory-cum-monopolistic stances during negotiations. Not only do the militarily insecure States not seriously participate in CD debates, but also thwart its arms control/disarmament pursuits which undermine or fail to address their genuine national security apprehensions. That is why the 65-nation CD remained deadlocked since the conclusion of the Comprehensive Test Ban Treaty negotiations in 1996. Notably, arms control and disarmament agreements are not made in a vacuum, but in the context of national security interests. The prevailing global strategic environment manifests that nuclear weapons disarmament would not be in the national interest of the nuclear weapon States and, therefore, they do not have any good reason to constitute an FMCT that would cut their existing nuclear arsenals.

The general perception is that Pakistan had alone blocked the CD's agenda to start talks on an FMCT on January 19, 2010. Islamabad's stance on the FMCT would be discussed in detail in the subsequent section of the study. Nevertheless, it is a gravely erroneous conclusion that Pakistan is alone in thwarting the CD programme of work. Numerous States have serious reservations. For instance, a number of States associated with the CD Group of 21, including Egypt, Indonesia, Iran, North Korea, Sri Lanka, and Syria, had joined Pakistan in arguing for a more "balanced" programme of work, highlighting in particular the need for talks on nuclear disarmament. China also did not endorse the CD plan of work. Zia Mian and A.H. Nayyar have pointed out: "Some States may simply be remaining silent about their opposition to the treaty and taking advantage of Pakistan's refusal to permit talks on an FMCT."

India had also adopted a rigid stance and rejected a discussion on regional conventional and nuclear arms control, arguing that the CD should focus on global issues. Nevertheless, New Delhi has softened its stance on the FMCT during the recent years as part of the Indo-U.S. nuclear deal announced in July 2005. It pledged to support fissile material cut-off treaty negotiations at CD. Numerous analysts, however, believe that in real terms, if India is asked to sign the FMCT today, it would not be ready to do so. Ambassador Hamid Rao of India warned that "[w]e will not accept obligations not in keeping with or prejudicial to our national security interests or which hinder our strategic programme, our R&D as well as three-stage nuclear programme."

That underscores that New Delhi would not consider any constraints on its fissile-material production. C. Rajaraman has pointed out: "India's implicit view appears to be that it is a recent entrant to the group of nuclear powers, that its nuclear forces are still at the growing stage and that it needs more time before it can consider any constraints on its fissile-material production. It is unlikely that India will accept any restriction on its

production till such time as it feels that it has an adequate nuclear arsenal to deter all foreseeable nuclear threats to its security.”

New Delhi’s non-confrontationist approach in CD on FMCT germinates an impression that it would not block the FMCT. The nuclear history of India reveals that India has always adopted diplomatic-multifaceted stances during the preliminary negotiations of the treaties. Once the negotiations entered into the final stage, India would change its strategy from a non-confrontationist position to a bargaining tactic and finally abstain from the process or oppose it. For instance, it had played a similar role during the NPT negotiations in the mid-1960s and again in case of the Comprehensive Test Ban Treaty during the early 1990s. Hence, the FMCT stakeholders need to be vigilant and anticipatory about the Indians position on FMCT.

FMCT: Pakistan’s position

In reality, portraying Islamabad’s outlook on FMCT is not a formidable challenge. The official statements on the issue are available. It is; therefore, appropriate to review some official documents that may explain why the renewed international interest in FMCT at the CD has thus far failed to congregate Pakistani consent. Though the nuclear nonproliferation regime has failed to gain a significant domestic constituency in Pakistan due to its eastern neighbour, Islamabad supported the December 1993 U.N. General Assembly resolution calling for negotiations on the FMCT. Since the very beginning, however, Islamabad has been insisting that the treaty’s scope ought to include constraints on existing stockpiles of fissile materials. It has maintained its stance during the last 17 years, despite all kind of pressures, especially after its nuclear weapon tests in May 1998. The U.N. Security Council unanimously passed Resolution 1172, which called on Pakistan besides India and other States to cease further production of fissile material for nuclear weapons:

Immediately to stop their nuclear weapon development programmes, to refrain from weaponisation or from the deployment of nuclear weapons, to cease development of ballistic missiles capable of delivering nuclear weapons and any further production of fissile material for nuclear weapons, to confirm their policies not to export equipment, materials or technology that could contribute to weapons of mass destruction or missiles capable of delivering them and to undertake appropriate commitments in that regard.

Pakistan did not comply with UNSC Resolution 1172. However, Pakistan has not entirely opposed the nuclear nonproliferation regime. It maintains positive approach towards all equitable and multilateral measures to control the spread of nuclear weapons. Islamabad had proposed specific measures for nuclear disarmament, including a convention to commit all States to the elimination of nuclear weapons. On July 30, 1998, Ambassador Munir Akram stated that, "Pakistan has consistently believed that a ban on the production of fissile materials should be promoted through a universal and non-discriminatory treaty in the CD and not through unilateral measures." He also announced that Pakistan would join in promoting a decision for the establishment of an ad hoc committee to conduct negotiations.

On August 11, 1998, while highlighting the significance of FMCT, Ambassador Munir emphasized that "The treaty should not be, once again, a measure for nuclear nonproliferation alone." He added: "Therefore, my delegation does not agree to the treaty being described as a fissile material 'Cut-off' Treaty, implying only a halt in future production. We cannot endorse the loose abbreviation - FMCT - in any formal description of the treaty which is to be negotiated by the CD." Though he opposed the FMCT, he expressed Pakistani resolve to seek specific measures for nuclear disarmament, including a convention to commit all States to the elimination of nuclear weapons.

Pakistan maintained its stance that it would not agree to any demand for a moratorium on the production of fissile material which freezes the existing asymmetry or imbalance in fissile material stockpiles between it and its neighbour. On December 26, 1998, Sartaj Aziz, the then foreign minister of Pakistan, while explaining the country's official stance on the FMCT on the floor of the National Assembly stated that Islamabad wanted a fissile material treaty which promoted both nuclear nonproliferation and nuclear disarmament, as otherwise the treaty would be discriminatory and thus ineffective. He added that Pakistan's second concern was the unequal stockpiles of fissile material existing at the global, regional and sub-regional levels. That underscores that Pakistan has maintained that the treaty should go beyond mandating a cut-off of fissile material production and undertake the eradication of existing stockpiles. Pakistan along with the G-21 countries has argued that the FMCT should be a "nuclear disarmament measure and not just a nonproliferation measure."

The Indo-U.S. nuclear deal has further consolidated Islamabad's stance on the FMCT at CD. In 2006, Masood Khan, Pakistan's ambassador to the CD, argued that "[a] cut-off in the manufacturing of fissile material must be accompanied by a mandatory programme for the elimination of asymmetries in the possession of fissile material stockpiles by various States. Such transfer of fissile material to safeguards should be made first by

States with huge stockpiles, both in the global and regional contexts.” He explained what that meant: “A fissile material treaty must provide a schedule for a progressive transfer of existing stockpiles to civilian use and placing these stockpiles under safeguards so that the un-safeguarded stocks are equalized at the lowest level possible.”

The Indo-U.S. nuclear deal was finalized in October 2008. In May 2009, Pakistan agreed on the CD programme of work, even though it was convinced that CD/1863 was not a perfect document. Ambassador Zamir Akran stated: “Pakistan has joined the consensus on it reflects a compromise that enables us to break the impasse in the Conference.” At the same time, the Pakistani envoy demanded to initiate negotiations on an agreed CD programme of work in its entirety rather than on a selective one. He recommended:

The programme of work envisages establishment of four Working Groups on the four core issues – nuclear disarmament, fissile material treaty (FMT), prevention of an arms race in outer space (PAROS) and negative security assurances (NSAs) – under agenda items 1, 3 and 4, and appointment of three Special Coordinators under agenda items 5, 6 and 7. The allocation of time for the four Working Groups should be balanced so that the progress on each issue is ensured. The appointment of Chairs of the Working Groups should respect the principle of equal geographical representation. Transparency and inclusiveness should be the guiding principles of this process.

On May 29, 2009, Ambassador Zamir Akram reiterated the following key points that would guide Pakistan’s participation in the negotiations of a fissile material treaty:

- International treaties on nonproliferation and disarmament cannot be implemented properly unless inbuilt provisions for verification support them. Detailed verification procedures of the CWC and CTBT were agreed during negotiations on these instruments. The same logic should apply to a future FMT.
- A verifiable fissile material treaty covering stocks is a sine qua non for the effective cessation of a nuclear arms race. Such a treaty, once negotiated, would also strengthen global as well as regional peace and stability.
- The issues of verification and stocks have become vital for Pakistan in any negotiations on an FMT because of the nuclear cooperation arrangements in our

neighbourhood, without adequate international safeguards. These have the potential for increasing fissile material stocks that can be diverted towards weapons production as was done in the past.

- As envisaged in CD/1863, we will work for conclusion of legally-binding instruments on negative security assurances and PAROS. We have the draft text available with us and it will be easier to pick up the threads of our work on these two issues where we have left them in the past.

On June 4, 2009, immediately after the adoption of the CD's work programme, Ambassador Zamir Akram pointed out: "We did not stand in the way of consensus on [the draft version of the work programme], which has been achieved in good faith that work on all core issues would lead to the initiation of actual negotiations on legally-binding instruments for universal and non-discriminatory nuclear disarmament, [negative security assurances,] and PAROS. We would like to see progress in tandem on all core issues. Only this can ensure equal security for all States."

Islamabad has always advocated and supported global disarmament initiatives, but in practice, its primary concern is the South Asian strategic environment; and thereby it emphasizes on a regional even-handed nuclear nonproliferation approach. President Asif Ali Zardari stated in his address to the United Nations General Assembly on September 25, 2009: "Pakistan will continue to play a constructive role: In promoting conflict resolution and restraint in South Asia; in promoting initiatives on nuclear disarmament and nonproliferation on the basis of non-discrimination."

It is obvious that Pakistan would not be party to the NPT as a non-nuclear weapon State and would uphold its staunch stance on nuclear disarmament and non-discriminatory approach. Conversely, Islamabad has articulated its willingness to a regional nuclear nonproliferation regime. On September 26, 2009 Foreign Office spokesman Abdul Basit restated that Islamabad "had a comprehensive approach of restraint regime based on three points: nuclear restraint in the light of Pakistan-India situation, conventional imbalances should be corrected, and disputes, including that on Kashmir, should be resolved so that the risk of arms race could be minimized." That confirms that Islamabad could not underplay the regional strategic environment in its nuclear nonproliferation outlook.

Pakistan's National Command Authority (NCA), which is responsible for its nuclear weapons employment and development, announced Pakistan's position at the CD on an FMCT on January 13, 2010. It stated that it would be based on "its national security interests and the objectives of strategic stability in South Asia." Subsequently, the stance taken by Pakistan's envoy in Geneva, Zamir Akram, reflected the NCA mandate. On February 18, 2010, Ambassador Zamir Akram, while reiterating Pakistan's position, also highlighted the rationale of its stance on the proposed FMCT in the plenary session of the CD. He explained the protracted belligerence between India and Pakistan, Islamabad's numerous proposals for a nuclear-free zone in South Asia, and the discriminatory and arbitrary sanctions against Pakistan which shifted the conventional and strategic balance of power overwhelmingly to the advantage of India:

"Ensuring our security is the supreme national interest of Pakistan. We have to respond to capabilities and not intentions.... Therefore, our nuclear capability has been security-driven and not status-driven." He added that after the nuclear tests, Pakistan offered the Strategic Restraint Regime proposal in October 1998. That was rejected by India. He pointed out: "The FMCT that has been proposed will only ban future production of fissile material," and will "increase the existing asymmetry in fissile materials stockpiles between Pakistan and [India]."

Islamabad's approach towards NNPR is very much dependent on the Indian nuclear posture. India would be able to increase its fissile material stockpiles as a result of the 2008 waiver it received from the Nuclear Suppliers Group (NSG). Islamabad is very much concerned about the preferential treatment granted to India by the NSG. The NSG in general and the U.S. in particular assist India in its nuclear reactors and nuclear fuel pursuits. It was estimated that with the help of American, French and Russian nuclear companies, India would be able to generate 63,000 megawatts of nuclear energy by 2030 — compared with 1,700 megawatts currently.

Dr Maleeha Lodhi has pointed out: "Given its ambition to acquire hundreds of nuclear warheads (400 is one estimated figure), India faced the dilemma of how to build this arsenal while meeting its civilian nuclear needs. This problem was resolved by its deal with the U.S."

The NSG's special treatment would multiply India's nuclear fissile material stocks qualitatively and undermine Pakistan's nuclear deterrence capability. According to Zia Mian's and A.H. Nayyar's scientific calculation:

As part of the deal [Indo-U.S. deal], India is now free to import uranium for its civil programme, easing constraints on uranium availability and enabling India to use more of its domestic uranium for its nuclear weapons programme. It is estimated that this would enable India to produce up to 200 kilograms a year of weapons-grade plutonium in its un-safeguarded heavy-water power reactors, enough for 40 weapons per year, provided that it can overcome the associated practical problems of increased rates of spent fuel reprocessing and faster refuelling.

The preceding discussion underscores that even though Islamabad has limited ability to shape the emerging global nuclear nonproliferation order in which it is ultimately expected to take part; it undertakes a comprehensive and sustainable position. It realistically and assertively participates in the discussions of global treaties in which it has vital interests. That was noticeable over the past decade during which Islamabad played an efficient diplomatic role in the FMCT process. Its position evolved in the context of shifts in the global disarmament agenda but, more substantively, the regional security developments. Thus, without improving the volatile strategic environment of Pakistan, it is impossible to change Islamabad's stance on FMCT. More precisely, Islamabad would refrain from supporting the FMCT.

Indeed, India and Pakistan regard minimum nuclear deterrence as a key part of their defence strategies, yet they have been stockpiling fissile material and developing nuclear capable missiles. The continuity in the arms race sustains and endures the security dilemma and mistrust between them. Therefore, halting both nuclear and conventional arms race should be the immediate concern and achieving disarmament could be the longer-term goal for both New Delhi and Islamabad. Ironically, the former has categorically rejected the latter's Nuclear Restraint Proposal. In this context, certainly, it is impossible for Pakistan to change its stance on FMCT.

Some strategic analysts, however, have been interpreting Pakistan's existing stance as an attempt to seek strategic parity with India. In reality, it is an endeavour to sustain credible deterrence against India's unrestrained conventional and nuclear weapons build-up. Pakistan's financial constraints and India's colossal military spending, indirect accumulation of nuclear fissile material, pursuit of ballistic missile defences and seriously undertaking to operationalise its Cold Start doctrine; curtail Islamabad's strategic options. This strategic-constrain necessitates Islamabad to increase its fissile material stockpile and rejuvenate its nuclear weapons capability for the foreseeable future. Indeed, the embryonic South Asian strategic environment obligates Pakistan to build more missiles and more warheads which requires more fissile material. As

currently envisaged, the proposed treaty would upset the strategic equilibrium in the region by capping Pakistan's fissile material capability at a time when India has been offered other means to escape a similar cap on the size of its nuclear arsenal. In this context, certainly, the operational effect of the proposed treaty once negotiated would principally be on Pakistan. That is because the NPT nuclear-weapon member States are already voluntarily observing a moratorium on fissile-material production. India, on the other hand, would acquire nuclear fuel from external sources which would enable it to vastly expand its stockpiles. To be precise, Islamabad's fundamental concern is that the treaty should not undermine its strategic deterrence capability and leave it in a position of permanent disadvantage to New Delhi.

Future of FMCT: realistic account

The future of FMCT is not very promising. Presently, Islamabad is singled out as the spoiler at the CD on the subject of FMCT. In reality, there are some other members of the CD which also disapprove of the FMCT's lacking the nuclear disarmament characteristic. Though they lack the diplomatic courage to openly or straightforwardly express their concerns/reservations on the draft of the treaty, they did not conceal their distress in their presentations at the CD. The general impression is that the advocates of FMCT would accomplish their objectives by constituting a consensus in CD negotiations, either diplomatically softening Pakistan's stance, or overruling its posture by adopting a novel method, i.e. bypassing the CD through a UNGN Resolution. They are concurrently working on both these options.

For instance, President Barack Obama during his meeting with Prime Minister Yusuf Raza Gilani prior to the Nuclear Security Summit on April 11, 2010, urged him to review Pakistan's position in the talks aimed at halting the production of nuclear-bomb-making fissile material. The Americans after the Nuclear Security Summit seemed confident that they would prevail over Pakistan in convincing it to alter its position in the CD. The U.S. permanent representative to the CD, Ambassador Laura Kennedy, stated rather presumptuously that the U.S. believed it would be possible to convince Pakistan to join the negotiations. Conversely, the process was initiated to chalk out a strategy to outweigh the opponents of FMCT. In reality, neither diplomatic pressure changed the stance of Pakistan, nor were they able to devise a method to overrule an individual State's veto power at the Conference on Disarmament.

Importantly, the proponents of FMCT have refrained in changing the rules of CD for the passage of the Treaty draft because the 65-year history of the nuclear non-proliferation regime reveals that substantial development took place only when the nuclear weapons States had a convergence of interest on the nonproliferation agenda and they were able to congregate consensus during the negotiations. Therefore, leaving aside even a single State from the target States (identified in the third section of the article) would discredit or undermine the effect of the FMCT from the very beginning. Agreed, during the second half of 2009, the general impression was that the pro-FMCT States would be able to negotiate a draft of FMCT. It was too optimistic or impractical a view – that they would virtually carry out their objectives in the present global nuclear order. They do not accomplish their objectives. This pessimistic or alarming conclusion is derived from a realistic analysis of the present global nuclear order. A few of the relevant factors are discussed in the subsequent paragraphs.

First, the significance of the nuclear weapons in the Nuclear Weapons States' strategic doctrines, and United States allies' security calculus, have neither altered nor been dented in the prevalent global strategic environment. These weapons remain the currency of great powers. That is why the United States 2010 Nuclear Posture Review (NPR) called for making investment to rebuild America's aging nuclear infrastructure. Secretary of Defence Robert Gates wrote in an April 6, 2010 cover letter for the NPR that the document "calls for making much-needed investments to rebuild America's aging nuclear infrastructure," and that "to this end," he has asked for almost \$5 billion to be transferred from the Pentagon to the Department of Energy's National Nuclear Security Administration.

This demand for investment and the NPR's strategy for warhead life extension represents a credible modernization plan necessary to sustain the nuclear infrastructure and support America's deterrent. Hence, the huge fissile material stockpile and Stockpile Management Program extend the life of U.S. nuclear weapons and also ensure a safe, secure, and effective deterrent, without amassing more fissile material and developing a new generation of nuclear warheads.

Second, America's extended nuclear deterrence, or the U.S. nuclear umbrella to its allies and partners against nuclear threats or intimidation, has congregated these States' timely support to the demand for an FMCT. One cannot guarantee continuity of these States' present affirmative stance on the FMCT in the absence of the United States' positive nuclear security umbrella or America's security commitments to them. David E. Hoffman has pointed out: "The argument for keeping U.S. tactical nuclear weapons in Europe is that they hold the alliance together -- a joint manifestation of the U.S. commitment to protect its allies. And the dual-key approach to managing them has

meant that the Europeans would have to be involved in actually using them in the event.”

At present, it is believed that America’s nuclear weapons are based in Belgium, the Netherlands, Germany, Italy, and Turkey. The nuclear weapons based in Europe not only confirm the significance of nuclear weapons in the defensive arrangements of the European States, but also expose the violation of Article I and II of NPT.

Third, the weakening of the NPT also undermines the likeminded States’ consensus on FMCT. George Perkovich and Deepti Choubey have pointed out: “If Iran ignores a U.N. Security Council prohibition against acquiring nuclear weapons capabilities, and if North Korea maintains its nuclear weapons, further proliferation among their neighbours becomes more likely as confidence in the nonproliferation regime weakens.” The increasing strategic vulnerability of Japan and South Korea would have the potential to unwrap the twentieth century nuclear nonproliferation regime. Though Japan and South Korea are not nuclear weapon States, both hold huge stocks of nuclear reactor waste which could be transformed into weapon-grade plutonium. Numerous State delegates at the CD demanded the inclusion of nuclear waste into the scope of the FMCT.

Fourth, the Obama Administration has been pursuing a verifiable Fissile Material Cut-off Treaty. It is convinced that achieving a verifiable FMCT is an essential condition for a world free of nuclear weapons. Its support for a verifiable FMCT is different from the Bush administration’s approach towards the FMCT and is akin to the Clinton administration’s idea of an FMCT. The Clinton administration was the leading advocate of an ‘effectively verifiable’ fissile material cut-off treaty. The Bush administration, however, was unenthusiastic to multilateral arms control.

At the CD, it insisted that talks be confined to an FMCT, but without verification provisions, and rejected demands for discussions on other long-standing issues, such as nuclear disarmament, measures to prevent an arms race in outer space, and security assurances for non-nuclear-weapon States. In July 2004, following a lengthy policy review, the Bush administration had adopted a new and counterproductive — trust, but don’t verify — FMCT position. The officials in the Bush administration had concluded that effective international verification of an FMCT was not realistically achievable and, therefore, a final agreement could not be ‘effectively verifiable’.

The shift in Obama administration approach highlights the divergence of opinion between the American Democrats and Republicans within the United States on the subject. This variance in the American domestic political landscape underscores that the perceived new draft of the FMCT having intrusive mechanism of verification would not be ratified by the U.S. Senate. Hence, the perceived draft of the FMCT would be having challenges identical to those which prevented the draft of the Comprehensive Test Ban Treaty from coming into force.

Fifth, the global arms control efforts and nuclear nonproliferation regime received a positive response from President Obama's jump-start global disarmament efforts and pledges to engage other States in the effort. Nevertheless, the Nuclear Non-Proliferation Regime (NNPR) is under serious stress in the present global strategic environment. The Nuclear Weapon States including the United States have failed to comply with NPT Article VI, which makes nuclear disarmament obligatory for parties to the Treaty. Ironically, they had reiterated on numerous occasions to implement Article VI of the Treaty.

Although the United States claims that its commitment to the Strategic Arms Reduction Treaty proves that it is complying with Article VI of the NPT, it is debatable whether Americans are serious in 'nuclear disarmament' or only interested in a 'nuclear arms control' arrangement with the Russian Federation. More precisely, the non-compliance of Nuclear Weapon States has led a number of States to believe that the nuclear haves do not intend to fulfil their commitment to the NPT— their pledge to eliminate nuclear weapons.

Sixth, the emerging South Asian regional security architecture is not conducive for the FMCT. Although the chances of global nuclear war have become remote, the risk of a regional nuclear war in South Asia has been increasing due to destabilizing developments in the regional strategic environment. The important destabilizing factors are: India's Cold Start doctrine; India's increasing conventional military capabilities; New Delhi's amassing nuclear waste which would multiply India's plutonium stockpiles under the guise of peaceful use of nuclear technology; and, above all, its endeavour to acquire reliable missile defence capabilities from Israel and United States.

These developments have a deterministic influence on Islamabad's decision on the FMCT. A real shift in Islamabad's stance on the FMCT seems impossible because of its financial limitations to match the Indian conventional weapon purchases, international community's apathetic attitude towards its genuine nuclear energy needs and the salience of light-plutonium nuclear devices. The modernization of Pakistan's nuclear posture necessitates that the Strategic Plans Division ought to move from larger, heavier nuclear weapons based on HEU to lighter, more compact plutonium-based weapons and also tactical weapons for its forces to thwart Indian aggression in the southern theatre, i.e., the Bahawalpur Crop area of responsibility.

At the same time, India remains concerned about China's current military modernization efforts, including its qualitative and quantitative modernization of nuclear arsenal. India's air force chief, Marshal Fali Homi Major, stated in May 2009: "India faces a greater threat from China than Pakistan because New Delhi knows little about Beijing's combat capabilities." The Chinese conventional military and nuclear modernization increases the demand for fissile material in New Delhi. Therefore, it seems that soon New Delhi would be changing its soft stance on the FMCT and spoiling the entire process as it did in the case of the NPT with the demand of a special State status and later by taking a U-turn at the final stage of the CTBT draft negotiations.

Seventh, the United States' withdrawal from the ABM Treaty of 1972 in June 2002; and its commitment to develop Missile Defence Systems and also to assist its allies to develop these systems undermine support to both nuclear nonproliferation and nuclear-disarmament. On April 15, 2010, while testifying before the House Armed Services Committee's Strategic Forces Subcommittee, Lieutenant General Patrick J. O'Reilly, U.S. Missile Defence Agency Director, said that his agency was going full steam with development of "advanced capability" anti-missile systems. Russia's new military doctrine, adopted in 2010, states that strategic missile defence will "undermine global stability and destroy the balance of power in the nuclear missile sphere."

Similarly, Islamabad has serious reservation about New Delhi's ambitious missile defence programme. The development of weapons under the guise of self-defence intensifies the security dilemma of the neighbouring States. The concerned states are left with only two options: either they develop defensive missiles or multiply their existing offensive inventories. The technologically and economically disadvantaged States are more likely to decide on the latter option which is in direct conflict with the perceived FMCT scope.

Eighth, the Indo-U.S. nuclear deal has made numerous exceptions for India which negatively influence the negotiations on FMCT in the CD. It allows New Delhi to import nuclear material, equipment, and technology without being a member of the NPT. On March 29, 2010, India and the U.S. concluded negotiations on an agreement for the reprocessing of U.S.-origin spent nuclear fuel. Daniel Horner has pointed out: "Unlike most U.S. nuclear trading partners, India will not have to seek U.S. consent each time it wants to reprocess U.S.-obligated spent fuel. Instead, it has obtained a broad consent covering the 40-year duration of the 123 agreement."

In addition, India will construct two new national reprocessing facilities at the Mithi Viridi site in Gujarat and the Kovada site in Andhra Pradesh. The reprocessing agreement not only enhances India's national reprocessing capability, but also disturbs the nuclear non-weapons States because the U.S. is giving a non-NPT country an advantage that Washington has not given to most NPT countries. India's recent fuel agreements with several countries would enable it to process reactor-grade fuel. The scope of the proposed FMCT would not prevent New Delhi from hoarding fissile material stocks. This preferential treatment would continuously increase New Delhi's fissile material and widen the disparity between India and Pakistan.

Ninth, currently, the FMCT forms part of a work programme at the CD that also foresees activity on three other core CD issues: nuclear disarmament, the prevention of an arms race in outer space, and negative security assurances. Since May 2009, substantial responses to the core issues have been awaited. The CD has also failed to agree that the 2009 programme of work would carry over into 2010. Moreover, the permission for producing material other than weapons fabrication makes it a complex issue.

The FMCT verification regime may generate serious reservations among the target States. The division is obvious between those who support a verification regime based on mutual inspections and those who favour that inspections should be done by the IAEA or another international organization. The FMCT and related verification systems may or may not be capable of revealing the past nuclear activities and capabilities of the member States. Above all, the challenge inspections, with the right of the requesting party to participate as an observer in the inspection process, generate serious reservations among the negotiating members. Some NWS want to maintain the ambiguity about their nuclear weapons potential. More precisely, the secrecy issue would undermine the entire process of verification and could lead to deadlock.

Conclusion

The significance of nuclear weapons in the military doctrines of nuclear weapon States has complicated nuclear abolitionists' efforts to marshal international cooperation for global nuclear zero. The reliance of the NWS on nuclear weapons as the most important means for ensuring their own security creates additional stimulus for other countries to acquire these weapons. Moreover, the widening cracks in the nuclear nonproliferation regime, the Indo-U.S. nuclear deal, the deadlock in nuclear arms control, scarce measures to control and dispose of fissile materials, the near term deployment of missile defences and prospect of weapons in space all have renewed the interest in nuclear war-fighting strategies or nuclear deterrence. These developments impede initiatives for the finalization of the FMCT draft at the Conference on Disarmament.

President Obama's objective to 'seek the peace and security of a world without nuclear weapons' could only be achieved if the FMCT ensures nuclear disarmament practically; and the international community collectively and sincerely endeavours to transform positively the regional security architectures, particularly in the Middle East, the Korean Peninsula and South Asia. Simultaneously, the CD should genuinely adopt a comprehensive and balanced programme of work which provides for substantive negotiations on all the four core issues on the agenda of the CD; namely, nuclear disarmament; negative security assurances; prevention of arms race in outer space; and fissile material treaty – so that nuclear weapons are not considered as a symbol of power, prestige, and political status. They also must not be viewed as necessary for national security. In such an idealistic world, the nuclear weapon States will be convinced to eliminate their nuclear weapons. It is, therefore, fundamental to devalue the perceived benefits of possessing nuclear weapons for a verifiable FMCT ensuring elimination of existing nuclear weapons which are in the custody of the nuclear weapon States.

To conclude; total disarmament by nuclear-armed States and resolving the regional military asymmetries challenges are essential for the prevention of horizontal nuclear proliferation. Thus, without transforming the Cold War arms control or the discriminatory nuclear nonproliferation regime into a nuclear disarmament or universal nuclear nonproliferation regime, changing the nuclear outlook of the Nuclear Weapon States and improving the South Asian security architecture, the future of FMCT remains uncertain.

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[27] International Atomic Energy Agency safeguards are intended to detect and deter the diversion of nuclear materials from peaceful nuclear programmes to military use. But the IAEA has had little ability to monitor whether States were conducting nuclear weapons activities in undeclared facilities. The limitations of this approach became clear after the 1991 Gulf War, when Iraq was revealed to have mounted a major nuclear weapon programme out its declared facilities. Randall Forsberg, William Driscoll, Gregory Webb, Jonathan Dean, *Nonproliferation Primer: Preventing the Spread of Nuclear, Chemical, and Biological Weapons* (London: MIT Press, 1995), p.66.

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[29] The CD started out as the Eighteen Nations Disarmament Committee (ENDC) in March 1962 and then became the Conference of the Committee on Disarmament (CCD) in 1969, expanding to 30 members. Both of these bodies were jointly chaired by the USA and the USSR. In 1983, the institution became the Conference on Disarmament and had 38 members until June of 1996 when the conference expanded to a membership of 61. In 1999, the membership expanded once again to 65 countries.

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[69] "Steps toward a Nuclear-Free World: Rose Gottemoeller", America. Gov, <http://www.america.gov/st/peacesec-english/2009/November/20091120115752SJhtr0P0.5813105.html>. Accessed on April 25, 2010.

[70] Zia Mian and A.H. Nayyar, "Playing the Nuclear Game: Pakistan and the Fissile Material Cut-off Treaty", op. cit.

[71] The State Department released a statement saying that an internal review had concluded that an inspection regime "would have been so extensive that it could compromise key signatories' core national security interests and so costly that many countries will be hesitant to accept it." Dafna Linzer, "U.S. Shifts Stance on Nuclear Treaty", Washington Post, July 31, 2004.

[72] Daryl G. Kimball, "Toward a Nuclear Freeze in South Asia", Arms Control Today, July/August 2009.

[73] The nuclear nonproliferation regime is an integrated network of treaties and other standard-setting arrangements which provide a comprehensive framework for the behaviour of States, international organizations and other actors in the nuclear area. See, John Simpson and Darryl Howlett, "The NPT Renewal Conference Stumbling toward 1995", International Security, Vol. 19, No. 1, Summer 1994, pp. 43-44.

[74] Article VI of NPT calls on parties to the Treaty to "pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race ... and to nuclear disarmament." However, The NPT did not set out a timetable for achieving the goals of Article VI. The U.S. and the Russian Federation claimed that their New START finalized on April 8, 2010, was an important contribution to the process of nuclear disarmament and a demonstration of their commitment to Article VI. But it does not meet the unequivocal undertaking under Article VI of the NPT to accomplish the total elimination of nuclear arsenals leading to nuclear disarmament.

[75] "India developing advanced fighter jets", Dawn, April 24, 2010.

[76] "China bigger threat than Pakistan: India", Dawn, May 24, 2009.

[77] Vladimir Radyuhin, "A threat to nuclear disarmament", The Hindu, May 2, 2010.

[78] As Russian Prime Minister Vladimir Putin put it recently, the anti-missile umbrella would make the U.S. feel so secure that it could "act with impunity" towards Russia, *ibid*.

[79] Daniel Horner, "India, U.S. Agree on Terms for Reprocessing", Arms Control Today, May 2010.

[80] The 123 agreements with Japan and the European Union are the only other ones that allow a country to reprocess spent fuel on its own territory; Switzerland has long-term U.S. consent to bring back plutonium from France and the United Kingdom where Switzerland sent its spent fuel for reprocessing. These States are parties to the NPT, *ibid*.

[81] This is only a small step away to its conversion to weapon-grade material. Moreover, under its agreement with the IAEA, following the civilian nuclear deal with the U.S. and the NSG waiver, there is little to prevent this from happening. The monitoring mechanism is weak and places no curbs on India's plans for additional reprocessing plants. Dr Maleeha Lodhi, "Avoiding a slippery slope", *op. cit*.