

**Statement by Ambassador Pankaj Sharma
Permanent Representative of India to the
Conference on Disarmament during the CD Plenary
under Agenda Item 2 on FMCT
held on May 20, 2021**

Mr. President,

Thank you for providing me the floor and contribute to our thematic debate

2. We were surprised to hear from you that the topic of today's thematic debate is Fissile Materials for Nuclear Weapons. This is the first time that such a topic is being suggested for our discussion at the CD and India strongly disagrees with this topic. The way the topic is framed does not indicate whether the purpose is to encourage production of fissile materials for nuclear weapons or ban their production, whether we are discussing characteristics, quality, procurement, sourcing or safeguarding of fissile materials and their use for nuclear weapons. In our view, this topic belongs to the IAEA and not to the Conference on Disarmament. India suggests that we keep our discussions focused on FMCT, which has been an integral part of the Agenda Item-2 and forms a core issue on the Agenda of this Conference.

3. We are satisfied, that at least the panelists adhered to the core issue of FMCT and I would like to thank the distinguished panelists, Ms. Emmanuelle Maitre, Ms. Laura Rockwood and Ambassador Robbert Gabrielse for their excellent presentations.

4. India aligns itself with the G-21 statement delivered by Iraq under this agenda item.

5. Without prejudice to the priority India attaches to nuclear disarmament, we support the negotiation in this forum of a universal, non-discriminatory and internationally verifiable FMCT that meets India's national security interests. India is a nuclear weapon state and a responsible member of the international community and will approach FMCT negotiations as such.

6. This Conference may recall that the first proposal for an FMCT goes back to more than 75 years in the form of Baruch Plan of 13 June 1946, which included the idea to stop any further production of nuclear materials for weapon purposes.

7. The UNGA resolution 48/75L adopted by consensus in 1993 envisaged FMCT as a significant contribution to non-proliferation in all its aspects. India co-sponsored this resolution and has supported all subsequent FMCT resolutions in the UNGA. India supported the establishment of an Ad hoc Committee on an FMCT in the CD in 1995 and in 1998 and did not stand in the way of consensus in 2009 on CD/1864 which provided inter alia for establishment of a Working Group to negotiate an FMCT. India also supported the proposal contained in CD/ 2014 tabled by Mexico as CD President in 2015. USA and France too have contributed to these efforts through their draft texts on FMCT tabled in 2006 and 2015 respectively. In the most recent substantive work on an FMCT, India participated in the work of the Subsidiary Body 2 on FMCT in 2018 and joined consensus on the outcome report CD/2139 under the able leadership of Ambassador Robbert Gabrielse of the Netherlands. Since 2019, this Conference has been prevented third year in a row, from commencing substantive work on FMCT. However, this does not undermine the value of efforts to advance our agenda including on an FMCT, undertaken by various Presidencies in the last three years, including the most recent ones this year by Ambassador

Marc Pecsteen of Belgium, Ambassador Goncalo Murao of Brazil and you Mr. President.

8. India joined the international consensus on FMCT in 1993 as it reflected with clarity the common understanding of the basic objective of the treaty. The mandate for the proposed treaty was explicitly reflected in the UNGA resolution 48/75L and reconfirmed by the Shannon Report in CD/1299 i.e. 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”. This mandate was also reaffirmed by the CD in 1998 and 2009 in its consensus decisions and reiterated in resolutions on FMCT in the UNGA. India is against reopening this mandate as it provides a clear and feasible basis for taking forward negotiations on this very complex subject. Changing the fundamental parameters of the proposed Treaty which enjoys broad international support, in our view, is intended by those seeking them only to create new obstacles for the early commencement of negotiations.

9. As to the scope, the FMCT must be a treaty for banning the *future* production of fissile material for nuclear weapons or other nuclear explosive devices. In our view, the FMCT is essentially about capping the future production of fissile material for weapon purposes.

10. The obligations and responsibilities arising from the treaty must apply in a non-discriminatory manner to all States Parties directly affected by the treaty’s obligations and responsibilities. The treaty would be global in character thus excluding any regional specificity. An FMCT, in our view, is certainly not a regional arms control treaty.

11. The treaty should continue to allow the unhindered production of fissile material for permitted purposes under the

treaty on a non-discriminatory basis. This would include the production of fuel for civil nuclear energy without prejudice to the variety of fuel cycles currently in use or envisaged for the future. Permitted purposes would also include non-proscribed military activities including production and use of fuel for naval propulsion.

12. Our support for FMCT negotiations in the CD is consistent with India's interest in strengthening the global non-proliferation regime that would add a measure of strategic predictability and a baseline for future global nuclear disarmament efforts. Given this objective and given the CD's vocation, it is essential that all relevant countries participate in these negotiations in the CD and contribute to its successful outcome. As such, India has actively participated in every relevant forum on this subject, including the GGE on FMCT established pursuant to the UNGA resolution 67/53 and the HLEPG on FMCT established pursuant to the UNGA resolution 71/259 and welcomed their respective reports A/70/81 and A/73/159 adopted by consensus. At the same time, India had noted that the work of the GGE on FMCT and the HLEPG on FMCT amounted to neither pre-negotiations nor negotiations on an FMCT, which should take place in the CD on the basis of the agreed mandate.

13. The Reports of the GGE on FMCT and the HLEPG on FMCT (A/73/159) underlined that the Treaty and its negotiation in the CD remains a priority enjoying broad international support and that the CD/1299 and the mandate contained therein remains the most suitable basis on which future negotiations should commence. In our view, this was the most significant conclusion of these consensus reports. These Reports constitute a valuable reference even though they do not bind the hands of future negotiators and are without prejudice to national positions. These Reports are the outcome of a most thorough inter-governmental assessment of FMCT in recent

years, and as such deserve in-depth consideration and examination. We join others in commending these Reports to members of the Conference not represented on the GGE and look forward to a productive discussion and hope that they will impart the much needed momentum for the commencement of FMCT negotiations in this Conference.

14. As to the suggestions for declaring a moratorium, India would like to underline that a moratorium on the production of fissile materials for nuclear weapons or nuclear explosive devices, can not be a substitute for an FMCT. With due respect to those who call for such a moratorium, I may remind them, that such a moratorium by its very nature is voluntary, reversible and not verifiable, unlike an FMCT which will impose a treaty obligation, and will be verifiable and irreversible. A moratorium will only weaken the resolve to negotiate an FMCT and set us back. This would be contrary to our mandate and objective. India, therefore, does not support the call for a moratorium.

15. India supports the CD as the world's single multilateral disarmament negotiating forum and we hope that its member states will redouble efforts to enable the Conference to commence substantive work at an early date. To conclude, this Conference should be allowed to fulfil its mandate as a negotiating forum by commencing negotiations on the basis of an early decision on its Programme of Work. In this respect, CD/1864, the last Consensus Programme of Work, adopted in 2009 under the Algerian Presidency, remains our collective sign post. We hope that we reach there sooner than later.

Thank you.
