
2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Cooperation under the AUKUS partnership

Working paper submitted by Australia, the United Kingdom of Great Britain and Northern Ireland and the United States of America

Summary

The AUKUS partnership seeks to provide a conventionally armed, nuclear-powered submarine capability to Australia. Partners are committed to doing this in a way that meets the highest possible non-proliferation standards including by providing complete, welded power units so that Australia need not conduct uranium enrichment nor fuel fabrication, and are engaging with the IAEA to find a suitable verification approach. IAEA DG Grossi has repeatedly expressed his satisfaction at the level of transparency of this engagement, and will present a report on this to the IAEA Board of Governors in September.

1. In a joint statement on 6 April 2022, the leaders of Australia, the UK and the US reiterated their full commitment to establishing a robust approach to sharing naval nuclear propulsion technology with Australia that strengthens the global non-proliferation regime. This follows the September 2021 announcement of an 18-month consultation period that would determine the optimal pathway to acquire this capability.
2. The United Kingdom and the United States recognize their obligations under the Nuclear Non-Proliferation Treaty (NPT) not to assist any non-nuclear-weapon state to manufacture or otherwise acquire nuclear weapons, and will not provide Australia with any assistance in contravention of our obligations under the NPT. Consistent with its unwavering commitment as a non-nuclear weapon state under the NPT, Australia does not and will not seek nuclear weapons.
3. Naval nuclear propulsion cooperation under AUKUS will be conducted in a manner that is fully consistent with our respective obligations under the NPT, and relevant safeguards agreements with the International Atomic Energy Agency (IAEA). We continue to reassure NPT States Parties and the broader international community that they can have full confidence in our commitment to this process and to an outcome which achieves these goals. Transparency and close engagement with the IAEA are central to our approach.
4. Naval nuclear propulsion is consistent with Australia's NPT and IAEA safeguards obligations and its obligations under the South Pacific Nuclear Free Zone Treaty. Like the NPT, the IAEA's

model agreement for NPT verification, the Comprehensive Safeguards Agreement (CSA-INFCIRC/153) does not prohibit naval nuclear propulsion activities. INFCIRC/153 is the basis for most countries' CSAs, including Australia's, and in conjunction with the application of an Additional Protocol (AP), is the IAEA's current highest verification standard.

5. Australia, the UK and the US are working closely with the IAEA to ensure that the precedent set by Australia's acquisition of conventionally armed nuclear-powered submarines strengthens the global non-proliferation regime and closes the door to any potential misuse of these elements of the NPT framework for the purposes of developing a clandestine nuclear weapons program.
6. To this end, Australia's naval nuclear propulsion activities will occur within the framework of Australia's CSA and AP. This ensures that Australia's non-proliferation framework will continue to be underpinned by the IAEA's highest safeguards standards.
7. These agreements also provide the firm legal basis under which the IAEA, through the Director General and the Secretariat, is engaging Australia, and AUKUS partners. The international non-proliferation regime relies on such engagement taking place.
8. All states parties rely on an open exchange of safeguards information with the IAEA to advance their interests in the international non-proliferation regime. It is only with such an open exchange with the IAEA that states can pursue their right to access and use nuclear technology for non-proscribed purposes, consistent with their respective non-proliferation obligations.
9. It is important to emphasize that the receipt of nuclear material by Australia will not occur for many years. We have been working over the past months, trilaterally and in consultation with the IAEA, to structure future cooperation in a way that minimizes the challenge of verifying relevant activities within necessary information protection requirements, maximizes the international transparency that we can offer into those activities, and puts into practice the AUKUS leaders' commitment to meeting the highest possible non-proliferation standard.
10. As we seek an optimal pathway to deliver this capability to Australia, our approach is framed by four key elements:
 - Firstly, with regard to the nuclear fuel cycle, Australia has made it clear it will not pursue uranium enrichment or reprocessing in relation to this initiative. We can further confirm that Australia has no plans to undertake nuclear fuel fabrication as part of this effort.
 - Secondly, it is proposed that Australia would be provided with complete, welded power units. These power units are designed so that removal of any nuclear material would be extremely difficult and would render the power unit, and the submarine, inoperable. Further, the nuclear material inside of these reactors would not be in a form that can be directly used in nuclear weapons without further chemical processing, requiring facilities that Australia does not have and will not seek.
 - Thirdly, we are already engaging the IAEA regularly with respect to the development of a suitable verification approach to confirm the non-diversion of nuclear material from Australian nuclear powered- submarines. Developing the detail of the verification process will take some time, but we have already confirmed our approach will operate under Australia's CSA and its AP. We remain fully committed to providing the IAEA with full confidence at every step of the submarine's lifecycle that no diversion of nuclear material is taking place. This approach will contribute to setting the strongest possible precedent for other non-nuclear-weapon states that may wish to pursue naval nuclear propulsion.

- Fourth, Australia will work with the IAEA to continue to implement and deepen additional safeguards measures outside of the nuclear-powered submarine program to maintain international confidence that there is no undeclared nuclear material or activity in Australia. Those measures may include enhanced use of transparency and access under Australia's CSA and AP, and, where relevant, the voluntary development of new measures with the IAEA. Maintaining and strengthening IAEA assurance about the absence of undeclared activities in Australia will deepen confidence that nuclear material used in Australia's naval nuclear propulsion program is not being diverted and no facilities are being misused.
11. The combination of these factors will allow us to pursue AUKUS cooperation in a way that meets the non-proliferation objectives set by our leaders and builds confidence with the international community and the IAEA.
 12. In his remarks IAEA Director General Grossi has underlined the constructive and transparent approach undertaken by AUKUS partners as we have engaged with the IAEA during our consultation period:
 - In his introductory remarks at the March 2022 IAEA Board of Governors meeting, Director General Grossi noted that AUKUS partners' technical consultations with the IAEA had recently commenced, and remarked that: "all AUKUS partners and the IAEA Secretariat were committed to ensuring the highest non-proliferation and safeguards standards are met". He also informed the Board that the Secretariat had reminded the AUKUS partners of our respective obligations under our safeguards agreements and Additional Protocols and noted our responses that we understand those obligations and are fully committed to meeting them.
 - At the June 2022 IAEA Board of Governors meeting, Director General Grossi updated the Board further on the tempo of meetings that have taken place between AUKUS partners and the Agency and commented: "I would like to express my satisfaction with the engagement and transparency shown by the three countries thus far. In this, the Agency will work having verification and non-proliferation mandate as its guiding principle."
 - The Director General has also said he plans to present a report on our engagement at the September IAEA Board of Governors meeting. We fully anticipate that the Board will be kept appropriately updated by the Secretariat. We also welcome and respect the Director General's prerogative to engage the IAEA Board of Governors on safeguards matters as he deems appropriate.
 13. The international community can have confidence in our undertakings, especially because Australia's track record on nuclear non-proliferation is exemplary. Its actions will be consistent with its outstanding credentials. Illustrative of this point, in 2000, Australia was the first state to obtain the IAEA's 'Broader Conclusion', which is a safeguards conclusion drawn by the Secretariat for a State with a CSA and AP in force, that all nuclear material in a state remains in peaceful activities. Australia has received the Broader Conclusion every year since.
 14. We are open with meeting our commitment to open engagement and transparency. At all three IAEA Board of Governors' meetings since the AUKUS announcement, the partners have provided the Board with updates through the circulation of informative non-papers and trilateral update statements under Any Other Business - all are available on the websites of our respective Vienna Missions. We

welcome further opportunity to meet with our international partners to provide additional information on how we are progressing in developing our non-proliferation approach.

15. If there are further questions, please contact UK, US or Australian counterparts who would be happy to discuss these matters further.
