

Submission to the Joint Standing Committee on Treaties re “Exchange of Naval Nuclear Propulsion Information Agreement (ENNPIA)”

By Dr Philip White

This Treaty should be rejected because the underlying premises are false or misleading.

The premises stated in the preamble include:

“Recognizing that their common defense and security will be advanced by the exchange of naval nuclear propulsion information concerning military reactors;

“Believing that such exchange can be undertaken without unreasonable risk to each Party’s common defense and security”

These premises are false. In fact, Australia’s security will not be advanced and there is an unreasonable risk to Australia’s defense and security. Hugh White (emeritus professor of strategic studies at the Australian National University, former deputy-secretary of the Department of Defence) states as follows:

“The new plan – to buy a nuclear-powered submarine instead – is worse [than the old plan]. It will make the replacement of the Royal Australian Navy’s fleet of Collins-class boats riskier, costlier and slower. It means an even bigger slump in our submarine capability over the next few dangerous decades. And it deepens our commitment to the United States’ military confrontation of China, which has little chance of success and carries terrifying risks.”¹

The preamble also states the following premise:

“Reaffirming their respective obligations under the Treaty on the Non-Proliferation of Nuclear Weapons, done at London, Moscow, and Washington on July 1, 1968 (NPT)”

This premise is misleading. It overlooks a key loophole in the Treaty on the Non-Proliferation of Nuclear Weapons. That loophole is that it does not cover ‘non-peaceful’ uses of nuclear energy. In a 6 October 2021 letter to President Biden, seven leading US non-proliferation experts stated:

“The IAEA is charged by the Treaty on the Nonproliferation of Nuclear Weapons with verifying that nuclear material in non-weapon states is not diverted to nuclear weapons. The IAEA is constrained, however, by Section 14 of its standard safeguard agreement, “Non-Application of Safeguards to Nuclear Material to be Used in [Non-Explosive] Non-Peaceful Activities,”⁷ which would allow a country to exempt HEU fuel from normal inspections for decades. This well-known loophole has not yet been tested.”²

As it now stands, it is most likely that any nuclear submarine acquired by Australia from the US or the UK would use HEU fuel, given that both those countries now use HEU fuel for their nuclear submarines.

These nuclear non-proliferation experts express the following concern in this regard:

“We ... are concerned that the AUKUS deal to supply Australia with nuclear-powered attack submarines fueled with weapon-grade uranium could have serious negative impacts on the global nuclear nonproliferation regime and thereby on US national security.”

They are concerned that countries including Iran, Brazil and South Korea could use the agreement between Australia, the UK and the US as a precedent to support their own interest in acquiring nuclear submarines. The experts express their concern for US national security, but the negative impacts also apply to the national security of Australia.

References

1. Hugh White, "From the submarine to the ridiculous", *The Saturday Paper*, 18 September 2021:
<https://www.thesaturdaypaper.com.au/2021/09/18/the-submarine-the-ridiculous/163188720012499#mtr>
2. Frank von Hippel et al, Letter to President Biden, 6 October 2021:
<https://sgs.princeton.edu/sites/default/files/2021-10/AUKUS-Letter-2021.pdf>