
The Parliament of the Commonwealth of Australia

Report 94

Treaties tabled on 14 May 2008

Agreement between the Government of Australia and the Government of the Russian Federation on Cooperation in the Use of Nuclear Energy for Peaceful Purposes (Sydney, 7 September 2007)

Treaty between the Government of Australia and the Government of the United States of America concerning Defense Trade Cooperation (Sydney, 5 September 2007)

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Contents

Membership of the Committee	v
Resolution of Appointment	vii
List of abbreviations	viii
List of recommendations	ix
1 Introduction	1
Purpose of the Report	1
Conduct of the Committee's Review	2
2 Agreement with the Russian Federation on cooperation in the use of nuclear energy for peaceful purposes	3
Introduction	3
Key Obligations.....	4
Russia's energy demands	6
Australia's uranium supply	6
Reasons for Australia to take treaty action	7
Non-Proliferation Treaty and IAEA safeguards	9
Opposition to the Agreement.....	11
Disarmament and nuclear weapons proliferation	13
IAEA safeguards and inspections	15
Russia's compliance with treaty obligations	18
Nuclear security	19
State secrets	20

'Material Unaccounted For'	20
Reprocessing	21
Uranium enrichment.....	21
Substitution and equivalence	22
Strengthening the IAEA safeguards regime	22
Human rights and rule of law.....	23
Environmental and waste management	24
Nuclear power as a greenhouse friendly option	25
Committee comment and recommendations.....	27
3 Treaty between Australia and the United States of America Concerning Defense Trade Cooperation	33
Introduction	33
Background	34
Obligations	35
Reasons for Australia to take treaty action	38
Entry into force and withdrawal.....	39
Costs.....	40
Other matters.....	41
Conclusion and recommendations	43
Dissenting Report - Senator Julian McGauran (Deputy Chair), Senator Simon Birmingham, Senator Michaelia Cash, Mr John Forrest MP and Mr Luke Simpkins MP	45
Appendix A – Submissions	55
Appendix B - Witnesses	57



Membership of the Committee

Chair	Mr Kelvin Thomson MP	
Deputy Chair	Senator the Hon Sandy Macdonald (until 30/6/08)	Senator Julian McGauran (from 1/7/08, elected Deputy Chair 2/9/08)
Members	Hon Kevin Andrews MP	Senator Andrew Bartlett (until 30/6/08)
	Mr John Forrest MP	Senator Simon Birmingham
	Ms Jill Hall MP	Senator David Bushby (until 1/7/08)
	Ms Belinda Neal MP	Senator Michaelia Cash (from 1/7/08)
	Ms Melissa Parke MP	Senator Don Farrell (from 1/7/08)
	Mr Luke Simpkins MP	Senator Scott Ludlam (from 4/9/08)
	Mr Chris Trevor MP	Senator Gavin Marshall (until 1/7/08)
	Ms Maria Vamvakinou MP	Senator Louise Pratt (from 1/7/08)
		Senator Glen Sterle (until 1/7/08)
		Senator Dana Wortley

Committee Secretariat

Secretary	James Rees (until 16/6/08)
	Siobhán Leyne (from 16/6/08 to 8/9/08)
	Russell Chafer (from 8/9/08)
Inquiry Secretaries	Sonya Fladun
	Julia Searle
Administrative Officers	Heidi Lushtinetz (until 6/6/08)
	Dorota Cooley
	Claire Young (from 2/7/08)



Resolution of Appointment

The Resolution of Appointment of the Joint Standing Committee on Treaties allows it to inquire into and report on:

- a) matters arising from treaties and related National Interest Analyses and proposed treaty actions and related Explanatory Statements presented or deemed to be presented to the Parliament;
- b) any question relating to a treaty or other international instrument, whether or not negotiated to completion, referred to the committee by:
 - (i) either House of the Parliament, or
 - (ii) a Minister; and

such other matters as may be referred to the committee by the Minister for Foreign Affairs and on such conditions as the Minister may prescribe.



List of abbreviations

ACF	Australian Conservation Foundation
AONM	Australian Obligated Nuclear Material
ASNO	Australian Safeguards and Non-Proliferation Office
AUA	Australian Uranium Association
CFE	Convention Forces in Europe Treaty
FOE	Friends of the Earth, Australia
IAEA	International Atomic Energy Agency
ICAN	International Campaign to Abolish Nuclear Weapons
ITAR	International Traffic in Arms Regulations
MAPW	Medical Association for Prevention of War (Australia)
MUF	Material Unaccounted For
NIA	National Interest Analysis
NPT	Treaty on the Non-Proliferation of Nuclear Weapons
NWS	Nuclear Weapons State
NNWS	Non Nuclear Weapons State
RIS	Regulation Impact Statement
WILPF	Women's International League for Peace and Freedom



List of recommendations

2 Agreement with the Russian Federation on cooperation in the use of nuclear energy for peaceful purposes

Recommendation 1

The Committee recommends that the Australian Government not proceed with ratification of the *Agreement between the Government of Australia and the Government of the Russian Federation on Cooperation in the Use of Nuclear Energy for Peaceful Purposes* until:

- (a) Russia's reform process to clearly separate its civilian nuclear and military nuclear facilities is completed and independently verified;
- (b) IAEA inspections are implemented for Russian facilities that will handle Australian Obligated Nuclear Materials;
- (c) The Government is satisfied that the Russian Federation is complying with its obligations under the *Treaty on the Non-Proliferation of Nuclear Weapons* (NPT) noting that this treaty is scheduled for review in 2010;
- (d) The Government is satisfied that Russia will not subsequently abandon this treaty or other nuclear treaties;
- (e) Further consideration is given to the potential ramifications for this agreement of recent political events affecting Russia;
- (f) Further consideration is given to Article IX of the Agreements, 'State Secrets', and the Government is confident that this article will not undermine the intent of this agreement;
- (g) Further consideration is given to the justification for secrecy of 'Material Unaccounted For'; and

- (h) The Australian Government discusses with the United States, United Kingdom, European Union, Canada and Japan, whether the problems of the past in relation to Russian nuclear material being stolen, have now been addressed satisfactorily.

Recommendation 2

The Committee reiterates its earlier recommendation, made in Report 81:

The Committee recommends that the Australian Government lobbies the IAEA and the five declared nuclear weapons states under the NPT to make the safeguarding of all conversion facilities mandatory.

Recommendation 3

The Committee recommends that Australian efforts to strengthen the resourcing of the IAEA be continued.

3 Treaty between Australia and the United States of America Concerning Defense Trade Cooperation

Recommendation 4

The Committee supports the *Treaty between the Government of Australia and the Government of the United States Concerning Defense Trade Cooperation* and recommends that binding treaty action be taken.