

Joint Standing Committee on Treaties Inquiry into Nuclear Non-proliferation and Disarmament

Government Response

Comprehensive Nuclear-Test-Ban Treaty

Recommendation 1

The Committee recommends that the Australian Government promotes and supports efforts to achieve ratification of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) by the United States Senate, including by making clear that United States ratification of the CTBT would be positively received by Australia and other countries, and that Australia seeks a world without nuclear weapons.

Response

Supported. The Government fully agrees with the Committee that the CTBT is a critical element of global disarmament and non-proliferation efforts. Entry into force of the CTBT is a disarmament and non-proliferation priority for the Government. The Government will promote and support efforts to achieve ratification by all countries that must do so for the treaty to enter into force, including the United States.

In his address on 24 September 2009 to the sixth Article XIV Conference on Facilitating the Entry into Force of the CTBT, the Minister for Foreign Affairs, Mr Smith, said that Australia welcomed and encouraged the support of President Obama for the CTBT, and that US ratification would be a profound step towards entry into force of the treaty. Australia will continue to make clear to both the US Administration and, as appropriate, the Congress that Australia, a close ally, is strongly in favour of US ratification of the CTBT.

Recommendation 2

The Committee recommends that the Australian Government pursue diplomatic efforts to encourage ratification of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) by the remaining Annex II states whose ratification is required to achieve entry into force of the Treaty, and seek undertakings from these countries that they will not be the impediment to the CTBT entering into force.

Response

Supported. The Government will continue to take every appropriate opportunity to urge all states yet to ratify the CTBT to do so, especially the remaining Annex 2 states.

In his 24 September 2009 address to the Conference on Facilitating the Entry into Force of the CTBT, the Minister for Foreign Affairs, Mr Smith, reiterated Australia's strong support for the treaty and the urgent need for its swift entry into force. The Government will continue to use such multilateral opportunities, as well as bilateral discussions, to promote ratifications.

In 2009 Australia chaired the CTBT Organization's Preparatory Commission (CTBTO PrepCom). The CTBTO is responsible for ensuring the treaty's verification

mechanisms are ready to meet the treaty's requirements on entry into force. Australia works closely with the CTBTO PrepCom, including to promote ratification in our region, most recently through workshops in Jakarta in November 2008 and in Palau in May 2009.

Australia is a lead sponsor of a resolution in the UN General Assembly First Committee which calls for early entry into force of the CTBT. This year (2009), for the first time, all five Permanent Members of the UN Security Council (United States, China, France United Kingdom and Russia) co-sponsored the resolution.

Fissile Material Cut-Off Treaty

Recommendation 3

The Committee recommends that the Australian Government continue to pursue vigorous diplomatic efforts to promote negotiation of a verifiable Fissile Material Cut-Off Treaty (FMCT), as well as measures for safeguarding the vast existing stockpiles of weapons-usable fissile materials.

Response

Supported. Commencement of negotiations on a verifiable FMCT is a disarmament and non-proliferation priority for the Australian Government. As one of the six 2009 presidents of the Conference on Disarmament (CD), Australia worked tirelessly for the adoption of a program of work that included negotiation of a verifiable FMCT. Australia has also contributed much to the development of technical concepts for a future treaty. The Government was therefore disappointed that the CD could not agree on implementation of the work program in 2009.

In 2010, Australia will work for the adoption by the CD of a program of work that includes negotiation of an FMCT and for the commencement of negotiations.

Australia strongly supports the development of measures, whether as part of an FMCT or separately, to address the issue of excess stocks of fissile material in nuclear weapons programs, including measures to bring such stocks under International Atomic Energy Agency (IAEA) safeguards.

Australia actively promotes the development of the highest international standards for the protection of nuclear material, playing a lead role in the development and implementation of enhancements to the Convention on the Physical Protection of Nuclear Material, and working to finalise an update to IAEA guidelines on physical protection arrangements.

Australia welcomes President Obama's initiative to host a global Nuclear Security Summit in 2010. One of the issues the Summit will address will be how to ensure that stocks of fissile material are effectively secured.

Recommendation 4

The Committee recommends that the Australian Government ensure that adequate resourcing is made available to diplomatic staff in Geneva and, where appropriate, in other missions to enable Australia to take an active and involved role in negotiations for a Fissile Material Cut-Off Treaty (FMCT).

Response

Supported. The Government will ensure that adequate resources are available for Australia to take an active and constructive role in any FMCT negotiations.

The NPT and IAEA Safeguards

Recommendation 5

The Committee recommends that the Australian Government encourage all other uranium exporting countries to require that the countries to whom they export uranium have an Additional Protocol in place.

Response

Supported. The Government welcomes the Committee's focus on the Additional Protocol (AP). The AP is an integral part of the International Atomic Energy Agency (IAEA) safeguards system and, together with the Comprehensive Safeguards Agreement, constitutes the contemporary standard for IAEA safeguards. The Australian Government has made adherence to an AP a condition of supply for Australian uranium and nuclear material derived from it. The Australian Government takes every appropriate opportunity to urge other nuclear suppliers to impose similar requirements, including in forums such as the IAEA and the Nuclear Suppliers Group.

Australia also contributes to the universalisation of the AP by conducting outreach through seminars and courses.

Recommendation 6

The Committee recommends that the Australian Government abandon its zero real growth policy on the International Atomic Energy Agency's (IAEA) budget and work with other states to strengthen the IAEA's funding base.

Response

Supported. Australia will continue to work closely with the members of the IAEA Board of Governors to ensure the Agency is adequately resourced. At the August 2009 Board of Governors meeting, Australia joined consensus to support a 2.7% real increase in the IAEA's budget for 2010-2011.

In 2009 Australia made an assessed contribution to the IAEA's regular budget of AUD 9.7 million. In addition, Australia made voluntary contributions to the Technical Cooperation Fund (AUD 2.2 million) and the Nuclear Security Fund (AUD 450,000).

Fuel cycle multilateralisation

Recommendation 7

The Committee recommends that the Australian Government investigate further the potential merits and risks of fuel cycle multilateralisation proposals, including through:

- . discussion of such proposals at the 2010 Non-Proliferation Treaty Review Conference;
- . advocating within the Nuclear Suppliers Group for the development of restrictive criteria for the supply of sensitive nuclear technologies; and
- . engaging in dialogue with those countries in South-East Asia proposing to develop a nuclear energy industry.

Response

Supported. Recognising the potential for proposals relating to multilateral fuel assurance mechanisms and multilateralisation of the fuel cycle to reduce the risk of nuclear proliferation, the Government has and will continue to explore the potential merits and risks of such proposals in all relevant forums.

Several fuel assurance proposals are under consideration by the IAEA's Board of Governors, of which Australia is a member. Australia was one of 23 Board members to support a resolution 'Request by the Russian Federation regarding its Initiative to Establish a Reserve of Low Enriched Uranium (LEU) for the Supply of LEU to the IAEA for its Member States' which was adopted at the Board of Governors meeting on 27 November 2009.

Australia expects the issue of multilateral fuel assurances and multilateralisation of the fuel cycle to be considered at the 2010 Non-Proliferation Treaty Review Conference, and will take a constructive approach to the discussion.

As one of the forty-six members of the Nuclear Suppliers Group (NSG), Australia is closely involved in discussions in the NSG aimed at developing criteria for the supply of sensitive nuclear technologies.

Australia actively engages Southeast Asian countries on a wide range of nuclear issues, providing training and assistance on IAEA safeguards, and on the physical protection of nuclear material and facilities. Australia played a leading role in the establishment in 2009 of the Asia Pacific Safeguards Network.

Nuclear Weapons Convention

Recommendation 8

The Committee recommends that the Australian Government make clear in international fora its support for the adoption of a Nuclear Weapons Convention.

Response

Noted. The Government is firmly committed to a world free of nuclear weapons and recognises that at an appropriate time, the international community may need to explore possible legal frameworks, including a Nuclear Weapons Convention, for the eventual abolition of nuclear weapons. It nonetheless sees this as a long term goal.

Recommendation 9

The Committee recommends that the Australian Government allocate research and consultation resources to the development of a Nuclear Weapons Convention with a clear legal framework and enforceable verification.

Response

Noted. The Government currently places priority on a successful outcome to the 2010 Non-Proliferation Treaty (NPT) Review Conference, negotiation of a Fissile Material Cut-Off Treaty (FMCT) and entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT). All of these will contribute to creating the conditions necessary for a world free of nuclear weapons.

The Government also recognises the critical importance of strong and effective verification measures to the evolving nuclear disarmament architecture and is examining how Australia can best contribute to this work.

Other treaties

Recommendation 10

The Committee recommends that the Australian Government encourage an early conclusion to the negotiation of a replacement nuclear weapons reduction treaty by the United States and Russia, involving deep, verifiable and irreversible cuts, followed by its prompt ratification and entry into force.

Response

Supported. The Government welcomed the signature by Presidents Obama and Medvedev of the Joint Understanding for a follow-on to the Strategic Arms Reduction Treaty (START) which committed the United States and Russia to reduce their nuclear arsenals and delivery systems. This was an important step towards finalisation of an agreement to replace START, and a strong signal of Russia's and the United States' commitment to substantial progress on nuclear disarmament.

Australia calls for deeper, faster, more transparent and irreversible reductions in their nuclear arsenals by all nuclear-armed states.

Recommendation 11

The Committee recommends that Australia play a leading role in advocating for full recognition of a southern hemisphere nuclear weapons free zone and in developing formal links between all members of nuclear weapons free zones, and that the Australian Government raise the issue at the 2010 NPT Review Conference and consider hosting a conference on this issue.

Response

Supported. Australia has been a consistently strong supporter of the development of Nuclear Weapon-Free Zones (NWFZs) freely arrived at by member states.

The Government welcomed the 2009 entry into force of the African NWFZ (the Treaty of Pelindaba) which, in addition to making the African continent a NWFZ, in effect introduced a Southern Hemisphere NWFZ. At the 2009 United Nations General Assembly, Australia moved to co-sponsorship of resolutions calling for recognition of a NWFZ in the Southern Hemisphere and adjacent areas and a resolution on a Southeast Asian NWFZ.

Australia also co-sponsored a resolution supporting the convening of a conference of states parties and signatories to treaties by which NWFZs have been established. The aim of the conference would be to strengthen cooperation between parties to NWFZs. The conference would be held in New York in the lead up to the 2010 NPT Review Conference.

The Conference on Disarmament

Recommendation 12

The Committee recommends that the Australian Government undertakes strong diplomatic efforts to progress the work program of the Conference on Disarmament.

Response

Supported. The Government will continue to make every effort to progress the Conference on Disarmament's (CD) work program. Australia served as one of the Presidents of the Conference on Disarmament in 2009 and made a strong contribution to the adoption by the CD of a work program in May 2009. Australia was disappointed the work program was not implemented in 2009.

The CD's rules of procedure require that the Conference adopt a new program of work for 2010. Australia will continue to work with all CD member states for the adoption and implementation of a program of work for 2010 including negotiation of an FMCT.

International Commission on Nuclear Non-proliferation and Disarmament

Recommendation 13

The Committee recommends that the Australian Government continue to actively support the work of the International Commission for Nuclear Non-proliferation and Disarmament.

Response

Supported. The report of the International Commission on Nuclear Non-proliferation and Disarmament (ICNND) was received in Tokyo on 15 December 2009 by the Prime Ministers of Australia and Japan. The Prime Minister, Mr Rudd, welcomed the report as providing an important framework for practical discussions on how to advance the cause of non-proliferation and disarmament in 2010, which will be a critical year for the world.

The Government established and strongly supports the Commission. In the 2009-2010 budget the Government provided \$9.2 million over two years to enable ICNND's work to continue, including following the launch of its report.

The Department of Foreign Affairs and Trade established a secretariat to support the Commission, including to organise and service plenary and regional meetings of the Commission and to support high-level advocacy by the co-chairs and commissioners in a wide range of bilateral and multilateral meetings. The secretariat will continue to support the co-chairs and commissioners in their advocacy of the report over the months leading in to the NPT Review Conference in May 2010.

Recommendation 14

The Committee recommends that the Australian Government seeks to build the adequacy and the continuity of the resources allocated to diplomatic and expert capabilities in disarmament and nuclear non-proliferation within the Department of Foreign Affairs and Trade.

Response

Supported. The Prime Minister, in his National Security Statement to the Parliament in December 2008, articulated the Government's commitment to ensuring the adequacy and continuity of resources allocated to national security policy.

Within the Department of Foreign Affairs and Trade, the International Security Division, the Australian Safeguards and Non-Proliferation Office and Australia's overseas diplomatic network are responsible for implementing the Government's nuclear disarmament and non-proliferation agenda.

2010 NPT Review Conference

Recommendation 15

The Committee recommends that the Australian Government seeks to promote agreement to the Comprehensive Nuclear-Test-Ban Treaty and the Fissile Material Cut-Off Treaty at the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

Response

Supported. Entry into force of the Comprehensive Nuclear-Test-Ban Treaty and negotiation of a Fissile Material Cut-off Treaty are key non-proliferation and disarmament priorities.

The Government will vigorously pursue these objectives at the 2010 NPT Review Conference, as well as in other multilateral and bilateral fora.

Recommendation 16

The Committee recommends that the Australian Government seeks to promote universalisation of the Additional Protocol to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) at the 2010 NPT Review Conference.

Response

Supported. The Additional Protocol (AP) is an integral part of the International Atomic Energy Agency's (IAEA) safeguards system. The Government has made adherence to an AP a condition of supply for Australian uranium and nuclear material derived from it, and contributes to universalisation of the AP through outreach seminars and courses.

The Government will continue to press for universal adoption of the Additional Protocol, including at the 2010 NPT Review Conference.

Recommendation 17

The Committee recommends that the Australian Government pursue, in conjunction with the Indonesian Government, an event for parliamentarians at the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (2010 NPT Review Conference) designed to encourage more active parliamentary involvement in these issues.

Response

Noted. The Government works closely with Indonesia on non-proliferation and disarmament issues and will explore the possibility of jointly hosting an event for parliamentarians at the 2010 NPT Review Conference.

The role of Parliamentarians

Recommendation 18

The Committee recommends that the Presiding Officers agree to all outgoing official parliamentary delegations being briefed on nuclear disarmament and non-proliferation issues, with a mandate to raise these issues during discussions with other parliamentarians as appropriate.

Response (NOTE: The Presiding Officers will respond to Recommendations 18 to 22.)

Recommendation 19

The Committee recommends that the Presiding Officers agree to the Parliament's outgoing delegation program for 2010 being arranged so that the regular bilateral visit to the United States coincides with the 2010 NPT Review Conference, thus allowing parliamentarians an opportunity to participate in this Conference.

Recommendation 20

The Committee recommends that the delegation to the 121st Inter-Parliamentary Union Conference in October 2009 takes this report to that conference to promote further discussion of nuclear non-proliferation and disarmament issues.

Recommendation 21

The Committee recommends that the Parliament adopt a resolution on the Parliament's commitment to the abolition of nuclear weapons.

Recommendation 22

The Committee calls on parliaments around the world to support similar actions to those contained in recommendations 18, 19, 20 and 21.