

## Non-Proliferation Concerns

The announcement of the AUKUS partnership and its headline initiative to deliver eight nuclear-powered attack submarines to Australia raised a range of concerns internationally about the implications for the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). This will be the first time that the United States will share nuclear technology with a foreign country since a 1958 mutual defense agreement with the United Kingdom; the United States has not otherwise shared such technology with another state since the NPT went into force in 1970.<sup>11</sup>

The AUKUS submarine deal would see Australia become the first country to exercise a “loophole” that allows it to remove nuclear material from the inspection system of the International Atomic Energy Agency (IAEA).<sup>12</sup> One concern is how this precedent could be exploited by other non-nuclear weapons states (NNWS) to divert materials from naval reactors and potentially use that material for weapons production.<sup>13</sup> Another concern is that the AUKUS submarine deal may create a more permissive environment that would embolden other countries to develop their own HEU-fueled nuclear submarines and their own HEU fuel.<sup>14</sup>

In recognition of these concerns, the three governments have set out to work in partnership with the IAEA to ensure full compliance with existing standards. In addition, the AUKUS countries announced an 18-month consultation process that will determine the safeguards and non-proliferation measures and how to ensure full compliance with each party’s NPT commitments prior to the construction of the submarines.<sup>15</sup>

## The Submarine Gap

Another major peripheral issue with the AUKUS partnership is Australia’s looming “submarine gap.” Loosely defined, the submarine gap explains a situation in which Australia finds itself without a relevant submarine capability in large part due to the aging Collins class and the significant time it may take for the AUKUS partnership to deliver its first SSN.

---

<sup>11</sup> Shayan Karbassi, “Legal Mechanisms of AUKUS Explained,” *Lawfare Blog*, September 24, 2021, <https://www.lawfareblog.com/legal-mechanisms-aukus-explained>.

<sup>12</sup> James Acton, “Why the AUKUS Submarine Deal Is Bad for Nonproliferation—And What to Do About It,” Carnegie Endowment for International Peace, September 21, 2021, <https://carnegieendowment.org/2021/09/21/why-aukus-submarine-deal-is-bad-for-nonproliferation-and-what-to-do-about-it-pub-85399>.

<sup>13</sup> Cathy Moloney, “AUKUS and the Nuclear Non-Proliferation Regime,” *The Interpreter*, September 28, 2021, <https://www.lowyinstitute.org/the-interpreter/aukus-and-nuclear-non-proliferation-regime>.

<sup>14</sup> Trevor Findlay and Frank N. von Hippel, “The Australia-UK-U.S. Submarine Deal,” *Arms Control Today*, Volume 51, Number 9, November 2021, <https://sgs.princeton.edu/sites/default/files/2021-11/vonhippel-2021-aukus.pdf>.

<sup>15</sup> John Carlson, “IAEA Safeguards, the Naval ‘Loophole’ and the AUKUS Proposal,” Vienna Center for Disarmament and Non-Proliferation, February 24, 2022, <https://vcdnp.org/iaea-safeguards-the-naval-loophole-and-the-aukus-proposal/>.