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# **SECURITY & DEFENCE**



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# **AUKUS Briefing Book**

**(2022 Inaugural Edition)**

**Edited by**

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## **The AUKUS BRIEFING BOOK (2022 Edition)**

Published by Arizona State University, in association with the ***Security and Defence PLuS***, an initiative of the ***PLuS Alliance***.

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The ***Security and Defence PLuS*** is an academic research and educational collaboration aimed at advancing the AUKUS agreement between Australia, the United Kingdom, and the United States of America. Announced in September 2021, the AUKUS agreement is a first-of-its-kind pact between the governments of Australia, the UK, and the U.S. designed to foster deeper integration of security and defence priorities, including through cooperation in science, technology, industry, intelligence, and the military.

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## Preface

The purpose of this briefing book is to provide the greater national security community and the public with a resource to better understand the AUKUS partnership and its many initiatives and lines of effort. The first version of this briefing book is organized and presented to serve both novices and experienced scholar-practitioners. For the individual who is unfamiliar with the AUKUS partnership, the executive summary and other initial sections contain the most basic, essential, and important information and analysis. For the more experienced scholar or national security practitioner, later chapters serve as a single comprehensive resource containing foundational texts, including official primary source documents, and access or links to the various critical analyses and related research.

Because we are publishing this first edition of the briefing book on the first anniversary of the announcement of the AUKUS partnership, there is far less information available than there will be for future versions of the book. As the AUKUS partnership grows and matures, we expect to update the briefing book regularly. To make this resource more valuable, ***Security and Defence P<sub>L</sub>uS*** needs your feedback. If you have a recommendation or constructive criticism to help us improve the next version, or take issue with the accuracy of any content, please email us at [AUKUSbook@plusalliance.org](mailto:AUKUSbook@plusalliance.org).

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## Executive Summary

On September 15, 2021, the leaders of the United States, the United Kingdom, and Australia surprised the world with the announcement of a trilateral partnership called AUKUS.<sup>1</sup> According to the joint statement, the AUKUS partnership sought to deepen diplomatic, security, and defense cooperation in the Indo-Pacific region by promoting deeper information and technology sharing as well as deeper integration of security and defense-related science and technology.<sup>2</sup> The announcement came as a surprise to even the most connected individuals of the national security communities in all three countries, and many experts agreed that it marked a turning point in Indo-Pacific security and the demonstrated long-term resolve of all three countries (especially Australia) to counter the influence of the People's Republic of China (PRC) and the long-term balance of military power.<sup>3</sup>

The AUKUS announcement held the attention of national and international media for two related reasons. First, the primary initiative of the partnership was an agreement from the United States and the United Kingdom to support Australia in acquiring nuclear powered submarines for the Royal Australian Navy. The leaders made it clear that the details of such an arrangement would be negotiated over the next 18 months, giving their governments until March 2023 to make the partnership a reality and “determine and optimal pathway forward.”<sup>4</sup> This alone would have been big news, as Australia had a reputation for its commitment to nuclear non-proliferation and had, just six years earlier, embarked on a \$66 billion (U.S.) defense contract with France's Naval Group to build 12 diesel-electric submarines to replace its aging Collins-class boats. But the second reason for the attention of national and international media was the fact that neither Australian, UK, nor U.S. leaders had told the leaders of France about the new agreement or that it would mean the cancellation the contract with the Naval Group, a French defense contractor partially owned by the French government.<sup>5</sup>

Although it is too soon to effectively assess the possible damage to longer-term relations with France, both the Australian and U.S. governments made real attempts to repair the damage done by the diplomatic gaffe associated with the AUKUS rollout.

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<sup>1</sup> Alexander Ward and Paul McLeary, “Biden Announces Joint Deal with U.K. and Australia to Counter China,” *Politico*, September 15, 2021, <https://www.politico.com/news/2021/09/15/biden-deal-uk-australia-defense-tech-sharing-511877>.

<sup>2</sup> Joseph Biden, Boris Johnson, and Scott Morrison, “Joint Leaders Statement on AUKUS” (The White House, September 15, 2021), <https://www.whitehouse.gov/briefing-room/statements-releases/2021/09/15/joint-leaders-statement-on-aukus/>.

<sup>3</sup> Joe Wheatley, “Fear, Honour, and AUKUS in the Indo-Pacific,” *The Strategy Bridge*, November 9, 2021, <https://thestrategybridge.org/the-bridge/2021/11/9/fear-honour-and-aukus-in-the-indo-pacific>.

<sup>4</sup> Biden, Johnson, and Morrison, “Joint Leaders Statement on AUKUS.”

<sup>5</sup> Dusty Jones, “Why A Submarine Deal Has France At Odds With U.S., U.K. And Australia,” *NPR*, September 19, 2021, <https://www.npr.org/2021/09/19/1038746061/submarine-deal-us-uk-australia-france>.

After France recalled its ambassadors from both Washington, D.C., and Canberra, Australia, the Biden administration and the Morrison government engaged French counterparts and apologized for the oversight. Australia ended up agreeing to pay \$584 million (U.S.) to France's Naval Group in a settlement finalized by the new Australian government of Prime Minister Anthony Albanese in May of 2022.<sup>6</sup>

### **AUKUS Partnership Organization**

Although this edition of the AUKUS Briefing Book is published more than six months shy of the self-imposed March 2023 deadline for an "optimal pathway," the three governments have released many details about the partnership and continue to release details periodically. Perhaps the most important details released in the last year have been the framework for operationalizing the entire partnership and the approval of the legally binding agreement to support Australia's acquisition of nuclear submarines.

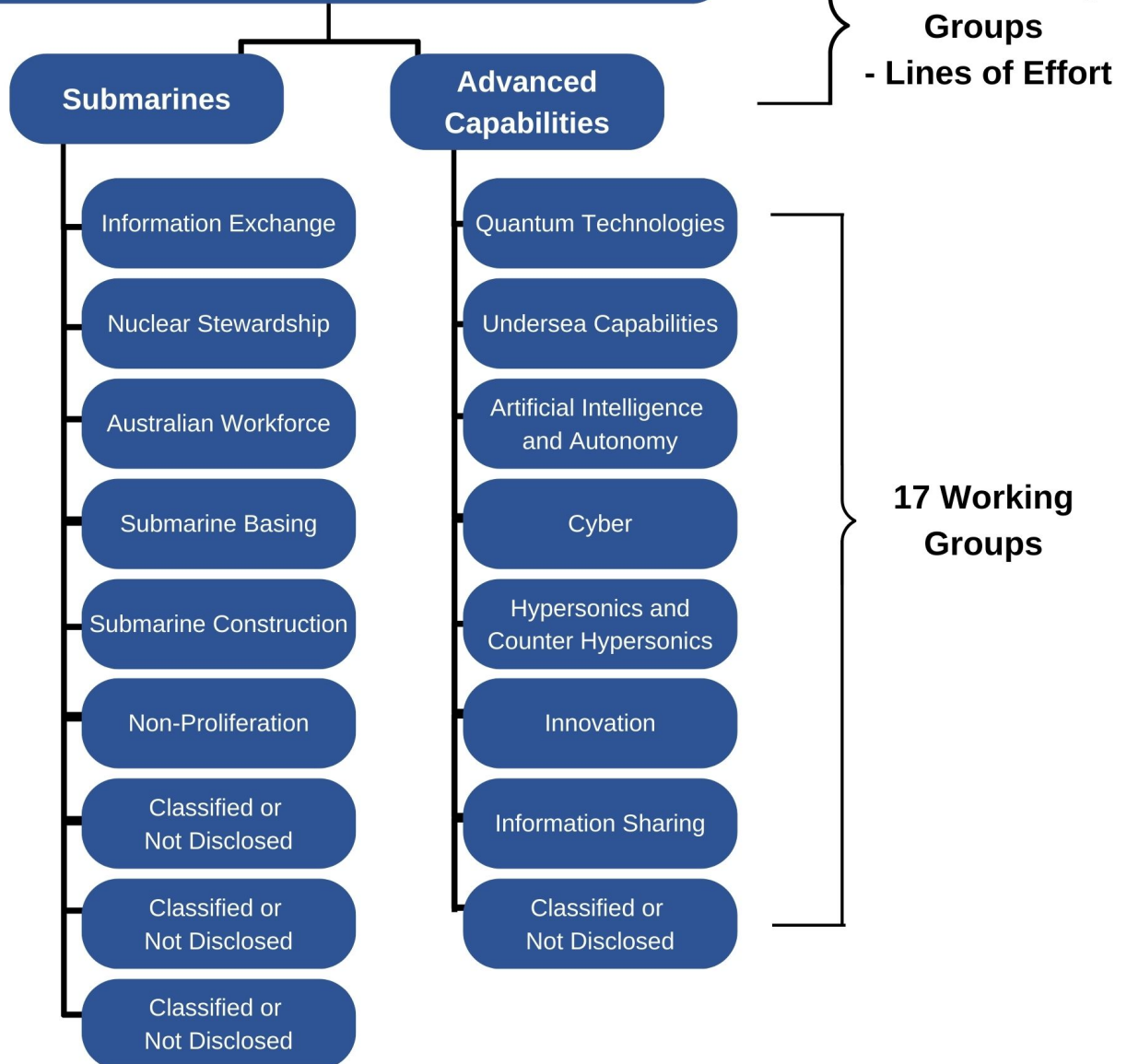
At this time, the AUKUS partnership has no overarching binding agreement; however, the "first initiative" of the partnership has a negotiated binding agreement that came into force on February 8, 2022, after each government completed the necessary binding actions. The official short title is the Exchange of Naval Nuclear Propulsion Information Agreement (ENNPIA).

The AUKUS partnership has a three-tiered governance framework consisting of a Senior Officials Group, two Joint Steering Groups (each overseeing a major line of effort), and 17 working groups. See diagram on the next page.

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<sup>6</sup> Josh Taylor, "Aukus Pact: Australia Pays \$830m Penalty for Ditching Non-Nuclear French Submarines," *The Guardian*, June 11, 2022, <https://www.theguardian.com/world/2022/jun/11/aukus-pact-australia-pays-830m-penalty-for-ditching-non-nuclear-french-submarines>.

# Senior Officials Group



## Nuclear Submarines

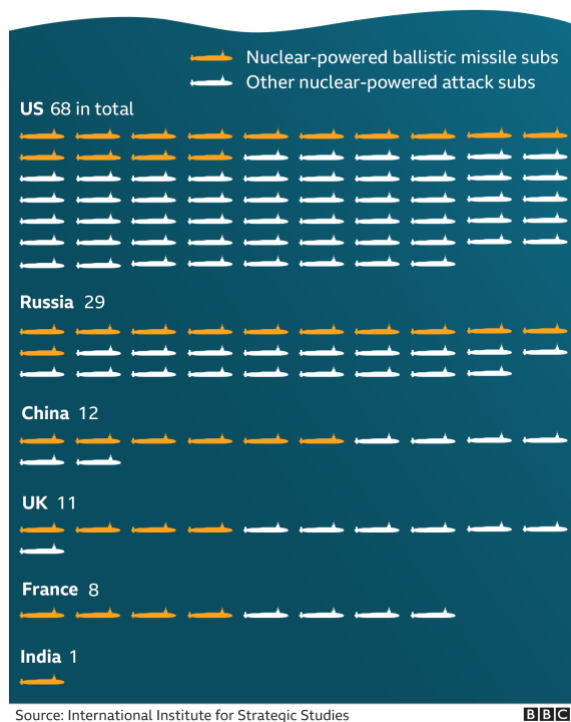
Only six countries in the world, all of them nuclear-armed, have nuclear-powered attack submarines. Australia is set to join this exclusive club as the seventh member, and the only one to not possess nuclear weapons.<sup>7</sup> The nuclear-powered attack submarines (SSNs) that are a part of the AUKUS headline initiative have marked differences from diesel-powered attack submarines (SSKs). SSKs, the submarines that were a part of Australia's original submarine deal with France's Naval Group, have a distinct disadvantage in that they must resurface periodically to allow their batteries to

<sup>7</sup> Sam Roggeveen, "How Nuclear Subs Could Transform Australia, Its Alliance and Asia," *The Interpreter*, September 16, 2021, <https://www.lowyinstitute.org/the-interpreter/how-nuclear-subs-could-transform-australia-its-alliance-and-asia>.

recharge—an operation known as “snorting.”<sup>8</sup> In comparison, SSNs nuclear-powered batteries need only be recharged about every 15 years and only need to surface as crewmembers require it, enabling them to take on longer-range missions. SSNs are also much faster than SSKs. With these advantages, SSNs can both chase and run from targets, while SSKs must wait for targets to come into range.<sup>9</sup>

Although details are still being developed to guide the optimal path forward, the Australian SSNs are likely to run on highly enriched uranium (HEU). Both the U.S. and UK submarine fleets use HEU to power their SSNs. HEU, compared to low enriched uranium (LEU), does not require as big a reactor, and the fuel has a much longer life span. For instance, the Virginia-class HEU lasts for 33 years—the life of the submarine—while submarines using LEU must be refueled every one to three years.<sup>10</sup> The use of HEU for the AUKUS SSNs carries with it additional proliferation concerns—as it can be used to make nuclear weapons—which will be discussed in greater detail below.

#### Who has nuclear submarines?



<sup>8</sup> Sylvia Pfeifer, Demetri Sevastopulo, and Anna Gross, “The nuclear technology behind Australia’s Aukus submarine deal,” *The Financial Times*, September 19, 2021, <https://www.ft.com/content/aa5c9fd5-891b-4680-b3c7-5a55d03f673c>.

<sup>9</sup> Hugh White, “SSN vs SSK,” *The Interpreter*, September 29, 2021, <https://www.lowyinstitute.org/the-interpreter/ssn-vs-ssk>.

<sup>10</sup> Anastasia Kapetas, “Limiting the Nuclear-Proliferation Blowback from the AUKUS Submarine Deal,” *The Strategist*, September 21, 2021, <https://www.aspistrategist.org.au/limiting-the-nuclear-proliferation-blowback-from-the-aukus-submarine-deal/>.

## 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.

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<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/>.

Some experts have argued that Australia already has a significant submarine gap as it has only six Collins-class attack submarines, which can only generate two operational submarines at any one time, with perhaps some surge capability in the most exceptional circumstances. Yet, even with this minimal capability, it was all the way back in 2009 when the Australian Defence White Paper first identified the need to build 12 submarines to replace the Collins class and projected a delivery date from 2025 to 2034.<sup>16</sup> The deal with France's Naval Group was already behind that production timeline when Australia cancelled the deal in September 2021. Now that the AUKUS partnership has Australia starting from scratch, current estimates have the delivery of Australia's first nuclear submarine in the mid-2040s.<sup>17</sup> This means that the Royal Australian Navy must find ways to either extend the life of the six Collins-class submarines, which were expected to begin retirement in the late 2020s, or find some other capability-based solution.<sup>18</sup>

The looming specter of the submarine gap has motivated several proposals aimed at helping Australia close this gap sooner. For example, the AUKUS working group in the U.S. Congress has proposed that the U.S. Navy immediately (in 2023) allow Australia's Navy to send officers to train with American sailors and prepare the Australians for eventually getting their own submarines.<sup>19</sup> However, those officers would long be retired by the 2040s, when Australia is expected to deliver its own domestically built submarine. Additionally, there has been some discussion about Australia purchasing U.S.-made Virginia-class attack submarines in the interim to help mitigate this gap and help Australia develop its own infrastructure for building and maintaining nuclear-powered submarines.<sup>20</sup> Marcus Hellyer of the Australian Strategic Policy Institute (ASPI) has raised the additional options of acquiring a conventional submarine, such as the Swedish A26, or a non-submarine option that uses other technology and domains to produce similar effects, such as B-21 bombers and specialized munitions.<sup>21</sup>

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<sup>16</sup> Marcus Hellyer, "Australia Already Has a Submarine Capability Gap," *The Strategist*, November 5, 2021, <https://www.aspistrategist.org.au/australia-already-has-a-submarine-capability-gap/>.

<sup>17</sup> Anthony Galloway, "Expect Submarine Delays, Marles Says, as He Plans for Defence Capability Gap," *Sydney Morning Herald*, June 6, 2022, <https://www.smh.com.au/politics/federal/expect-submarine-delays-marles-says-as-he-plans-for-defence-capability-gap-20220606-p5argk.html>.

<sup>18</sup> Department of Defence, "2016 Defence White Paper" (Australian Government, 2016), <https://www.defence.gov.au/about/publications/2016-defence-white-paper>. p 91

<sup>19</sup> Mallory Shelbourne, "New AUKUS Caucus Bill Calls for U.S.-Australia Sub Training Pipeline," *USNI News*, n.d., <https://news.usni.org/2022/06/15/new-aukus-caucus-bill-calls-for-u-s-australia-sub-training-pipeline>.

<sup>20</sup> Joseph Trevithick and Thomas Newdick, "Australia Was Poised To Get Virginia Class Nuclear Submarines Says Former Defense Minister," *The War Zone*, June 10, 2022, <https://www.thedrive.com/the-war-zone/australia-was-poised-to-get-virginia-class-nuclear-submarines-says-former-defense-minister>.

<sup>21</sup> Marcus Hellyer and Andrew Nicholls, "How to Bridge the Capability Gap in Australia's Transition to Nuclear-Powered Submarines," *The Strategist*, July 21, 2022, <https://www.aspistrategist.org.au/how-to-bridge-the-capability-gap-in-australias-transition-to-nuclear-powered-submarines/>.



## Advanced Capabilities

During his visit to the United States in July of 2022, Australian Defence Minister Richard Marles emphasized the importance of the advanced capabilities line of effort of the AUKUS partnership. While most readers will understand the concepts of cyber capabilities and creating an ecosystem for innovation and information sharing between the three countries, the use of quantum technologies, artificial intelligence (AI) and autonomy, and hypersonics are less well understood. The following links provide more detailed information on several of these advanced capabilities:

Advanced Capabilities: <https://crsreports.congress.gov/product/pdf/IF/IF11105>

Quantum Technologies: <https://crsreports.congress.gov/product/pdf/IF/IF11836>

Artificial Intelligence and Autonomy: <https://gjia.georgetown.edu/2021/11/22/swords-and-shields-autonomy-ai-and-the-offense-defense-balance/>

Hypersonics and Counter-hypersonics: <https://sgp.fas.org/crs/weapons/R45811.pdf>

## Chapter Overview

The following chapters contain critical primary source material regarding the AUKUS partnership.

Chapter 1 – Joint Statements and Official Documents: This section provides a comprehensive collection of documents issued jointly by the three governments. The full text of the ENNPIA agreement and the fact sheet issued on April 5, 2022, provide the most information.

Chapter 2 – Australia Official Statements and Documents: This chapter contains public-facing material from the Australian government. Report 199 and the Australian National Interest Analysis provide in-depth examination of ENNPIA and its benefits to Australian national security. Report 199 also contains input from a minority of organizations that dissented to the AUKUS partnership and/or ENNPIA specifically.

Chapter 3 – United Kingdom Official Statements and Documents: While there are fewer official statements from the United Kingdom, the House of Commons summary of the AUKUS agreement provides an excellent summary of issues from the UK perspective and provides a useful section on additional reading that is very reflective of the articles and greater discourse surrounding AUKUS at the time of publication.

Chapter 4 – United States Official Statements and Documents: The U.S. chapter provides not only the official releases of the Federal Government and Department of Defense, but also information from the offices of the congressional AUKUS working group and related publications from the Congressional Research Service.



Chapter 5 – International Official Statements and Documents: This chapter contains documents pertaining to the relationship between AUKUS’ nuclear submarine deal and nuclear non-proliferation, including statements from the IAEA and Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

Chapter 6 – Timeline of News and Commentary: This chapter includes a comprehensive (but not exhaustive) month-by-month timeline of major AUKUS developments and relevant commentaries and analyses from experts in all three AUKUS member countries, and from countries across the region and the world.

Chapter 7 – Glossary

## **Chapter 1 - Joint Statements and Official Documents**

This chapter contains all the statements and official documents issued jointly by the three governments in the first year of the AUKUS partnership. Together they represent the coordinated public face of this partnership.

## **1.1 – Exchange of Naval Nuclear Propulsion Information Agreement (ENNPIA)**

September 15, 2021

This is the text of the actual agreement between the three countries for naval nuclear propulsion information. The document's preamble states the rationale and key conditions of the agreement, emphasizing common defense objectives, existing arrangements for mutual defense, and a reaffirmation of the commitment to obligations under the NPT.

The rest of the document covers technical issues, including protection, classification, and dissemination of information, guaranties, provisions for intellectual property, and definitions. For example, a country may share its own nuclear propulsion information with another country outside of the agreement, but it may not share information that originated from another AUKUS member without the originating government's permission.

In the final provisions section, the agreement spells out the requirement for a six-month notice if a country wishes to terminate the agreement.

The agreement also contains two annexes for technical requirements and security requirements.

**AGREEMENT BETWEEN THE GOVERNMENT OF AUSTRALIA,  
THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT  
BRITAIN AND NORTHERN IRELAND, AND THE GOVERNMENT  
OF THE UNITED STATES OF AMERICA FOR THE EXCHANGE  
OF NAVAL NUCLEAR PROPULSION INFORMATION**

The Government of Australia ("Australia"), the Government of the United Kingdom of Great Britain and Northern Ireland (the "United Kingdom"), and the Government of the United States of America (the "United States") (collectively, the "Parties"),

Recalling their leaders' announcement of an enhanced trilateral security partnership among the Parties called AUKUS, of which the first initiative is a shared ambition to support Australia in acquiring nuclear-powered submarines for the Royal Australian Navy;

In this regard, recalling that the Parties have embarked on a trilateral effort to seek an optimal pathway to deliver this capability;

Considering that the United Kingdom and Australia are participating with the United States in international arrangements pursuant to which they are making substantial and material contributions to their mutual defense and security;

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;

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); and

Taking into consideration the United States Atomic Energy Act of 1954, as amended,

Have agreed as follows:

**ARTICLE I**  
**General Provision**

While the United States, the United Kingdom, and Australia are participating in international arrangements for their mutual defense and security and making substantial and material contributions thereto, each Party may communicate to and exchange with the other Parties information, in accordance with the provisions of this Agreement, provided that the communicating Party determines that such cooperation will promote and will not constitute an unreasonable risk to its defense and security.

**ARTICLE II**  
**Exchange of Information**

Each Party may communicate to or exchange with the other Parties naval nuclear propulsion information as is determined to be necessary to research, develop, design, manufacture, operate, regulate, and dispose of military reactors, and may provide support to facilitate such communication or exchange, to the extent and by such means as may be mutually agreed.

**ARTICLE III**  
**Responsibility for Use of Information**

The use of any information (including design drawings and specifications) communicated or exchanged under this Agreement shall be the responsibility of the Party receiving it, and the originating Party does not provide any indemnity, and does not warrant the accuracy or completeness of such information and does not warrant the suitability or completeness of such information for any particular use or application.

**ARTICLE IV**  
**Conditions**

A. Cooperation under this Agreement shall be carried out by each of the Parties in accordance with its applicable laws.

B. Nothing in this Agreement shall preclude the communication or exchange of naval nuclear propulsion information that may be transmissible under other arrangements or agreements between any of the Parties.

C. Cooperation under this Agreement shall require the application of International Atomic Energy Agency safeguards with respect to all nuclear material in all peaceful nuclear activities within the territory of Australia, under its jurisdiction, or carried out under its control anywhere. Implementation of the Agreement between Australia and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons, signed at Vienna on July 10, 1974, and the Protocol Additional to the Agreement between Australia and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons, signed at Vienna on September 23, 1997, shall be considered to fulfill this requirement.

## **ARTICLE V**

### **Guaranties**

A. The Parties shall accord full security protection to classified information communicated or exchanged pursuant to this Agreement in accordance with the Annexes to this Agreement, and in accordance with applicable national law and regulations of the Parties. In no case shall any Party maintain security standards for safeguarding classified information made available pursuant to this Agreement less restrictive than those set forth in the Annexes to this Agreement in effect on the date this Agreement comes into force.

B. Unclassified naval nuclear propulsion information communicated or exchanged pursuant to this Agreement shall be accorded at least the same level of protection by the recipient Party as that accorded to such information by the originating Party. The Parties shall consult with each other regarding the appropriate protection for such information.

C. Naval nuclear propulsion information communicated or exchanged pursuant to this Agreement shall be made available through channels existing or hereafter established for the communication or exchange of such information between the Parties.

D. Naval nuclear propulsion information communicated or exchanged pursuant to this Agreement shall not be communicated or exchanged by the recipient Party or persons under its jurisdiction to any unauthorized persons or beyond the jurisdiction or control of the Parties. Any Party may stipulate the degree to which any of the information communicated or exchanged by it or persons

under its jurisdiction pursuant to this Agreement may be disseminated or distributed; may specify the categories of persons who may have access to such information; and may impose such other restrictions on the dissemination or distribution of such information as it deems necessary.

#### **ARTICLE VI**

#### **Dissemination of Information**

Nothing in this Agreement shall be interpreted or shall operate as a bar or restriction to consultation or cooperation in any field of defense by any Party with other nations or international organizations. No Party, however, shall communicate or exchange naval nuclear propulsion information made available by another Party pursuant to this Agreement to any other nations, foreign or international entities, or individuals who are not nationals of the Parties. No Party shall communicate or exchange naval nuclear propulsion information made available by another Party pursuant to this Agreement to an individual who is not its national and who is a national of another Party without the consent of that other Party.

#### **ARTICLE VII**

#### **Classification Policies**

Mutually determined classification policies shall be maintained with respect to all classified information communicated or exchanged under this Agreement. The Parties shall consult with each other on the classification policies.

#### **ARTICLE VIII**

#### **Intellectual Property**

Without prejudice to any future agreement or arrangement between the Parties as to Intellectual Property in the context of the design, construction, operation, regulation, and disposal of a naval nuclear-powered vessel:

A. With respect to any invention or discovery employing information which has been communicated or exchanged pursuant to Article II of this Agreement, and made or conceived by the recipient Party, or any agency or corporation owned or controlled thereby, or any of their agents or contractors, or any employee of any of the foregoing, after the date of such communication or exchange but during the period this Agreement is in force:

1. in the case of such invention or discovery in which rights are owned by the recipient Party, or any agency or corporation owned or controlled thereby, the recipient Party shall, to the extent owned by any of them:

(a) transfer and assign to the originating Party all right, title, and interest in and to the invention or discovery, or patent application or patent thereon, in the country of that originating Party, subject to (i) the retention of a royalty-free, non-exclusive, irrevocable license to use for the governmental purposes of the recipient Party and for the purposes of mutual defense; and (ii) the grant to the other, non-originating Party a royalty-free, non-exclusive, irrevocable license to use for the governmental purposes of such Party and for the purposes of mutual defense; and

(b) grant to both the originating Party and the other Party a royalty-free, non-exclusive, irrevocable license for the governmental purposes of the originating Party and the other Party and for purposes of mutual defense in the country of the recipient Party or third countries, including use in the production of material in such countries for sale to the recipient Party by a contractor of that originating Party or for the other Party.

B. With respect to any invention or discovery, or patent application or patent thereon, or license or sublicense therein, covered by paragraph A of this Article, each Party:

1. may, to the extent of its right, title, and interest therein, deal with the same in its own country as it may desire, but shall in no event discriminate against citizens of any Party in respect of granting any license or sublicense under the patents owned by it in its own or any other country;

2. hereby waives any and all claims against any Party for compensation, royalty, or award, and hereby releases the other Parties with respect to any and all such claims.



C. 1. No patent application with respect to any classified invention or discovery employing classified information which has been communicated or exchanged pursuant to Article II may be filed:

(a) by any Party or any person in the country of any Party except in accordance with agreed conditions and procedures; or

(b) in any country not a party to this Agreement.

2. Appropriate secrecy or prohibition orders shall be issued for the purpose of giving effect to this paragraph.

#### **ARTICLE IX Definitions**

For the purposes of this Agreement:

A. "Classified information" means information, data, materials, services or any other matter with the security designation of United States Confidential or higher, United Kingdom OFFICIAL-SENSITIVE or higher, and Australia Protected or higher applied under the laws, regulations and government-wide policies of the Parties respectively. Classified information also includes information designated by the Government of the United States as "Restricted Data," or "National Security Information"; that designated by the Government of the United Kingdom as "Atomic" and "Naval Nuclear Propulsion Program Information (NNPPI)"; and for the Government of Australia, the Australian equivalent as mutually determined by the Parties.

B. "Naval nuclear propulsion information" means classified information and unclassified information concerning the design, arrangement, development, manufacture, testing, operation, administration, training, maintenance, or repair of the propulsion plants of naval nuclear-powered vessels and prototypes, including the associated shipboard and shore-based nuclear support facilities.

C. "Unclassified naval nuclear propulsion information" means naval nuclear propulsion information that requires safeguarding or dissemination controls pursuant to and consistent with the applicable law, regulations, and government-wide policies of the United States but is not classified information.

D. "Military reactor" means a reactor for the propulsion of naval vessels.

E. "Person" means:

1. any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, government agency, or government corporation other than the United States Department of Energy, the United Kingdom Ministry of Defence, or the Australian Department of Defence (or successor entity tasked with the delivery of a naval nuclear propulsion program); and

2. any legal successor, representative, agent, or agency of the foregoing.

F. "Reactor" means an apparatus, other than an atomic weapon, in which a self-supporting fission chain reaction is maintained and controlled by utilizing uranium, plutonium, or thorium, or any combination of uranium, plutonium, or thorium.

#### **ARTICLE X**

##### **Final Provisions**

A. This Agreement shall enter into force for all Parties on the date of the last note in an exchange of diplomatic notes among the Parties providing notification that each Party has completed all domestic requirements for the entry into force of this Agreement. This Agreement shall remain in force until December 31, 2023, and shall automatically extend for four additional periods of six months each, unless superseded by a subsequent agreement. Any Party may, by giving at least six months written notice to the other Parties, terminate this Agreement.

B. If any Party at any time following the entry into force of this Agreement materially breaches, terminates, or abrogates this Agreement, the other Parties shall each have the right to require the return or destruction of any naval nuclear propulsion information communicated or exchanged pursuant to this Agreement.

C. Notwithstanding the suspension, termination, or expiration of this Agreement or cessation of cooperation hereunder for any reason, Articles III, V (paragraphs A, B, and D), VI, VII, and VIII of this Agreement shall continue in effect so long as any naval nuclear propulsion information communicated or exchanged pursuant to Article II of this Agreement remains in the recipient Party or under the recipient Party's jurisdiction or control.

D. The Parties may enter into implementing arrangements (IA) to implement the provisions of this Agreement. For the avoidance of doubt, in the case of any inconsistency between an IA and this Agreement, the provisions of this Agreement shall prevail.

E. The Parties shall settle any disagreements arising in the implementation or interpretation of this Agreement through mutual consultations and negotiations without recourse to any dispute settlement mechanisms.

In witness whereof, the undersigned, being duly authorized by their respective Governments, have signed this Agreement.

Done at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in three originals.

For the Government of  
Australia:

For the Government of the  
United Kingdom of Great  
Britain and Northern Ireland:

For the Government of the  
United States of America:

**TECHNICAL ANNEX TO THE AGREEMENT BETWEEN THE GOVERNMENT OF AUSTRALIA, THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA FOR THE EXCHANGE OF NAVAL NUCLEAR PROPULSION INFORMATION**

The following implementing provisions are agreed between the Parties in connection with the Agreement Between the Government of Australia, the Government of the United Kingdom of Great Britain and Northern Ireland, and the Government of the United States of America for the Exchange of Naval Nuclear Propulsion Information (hereinafter referred to as "the Agreement"), of which this Technical Annex is an integral part:

SECTION I

With respect to the communication or exchange of naval nuclear propulsion information pursuant to Article II of the Agreement, the following specific provisions shall apply:

- A. All cooperative efforts and communication or exchange of any information pursuant to Article II of the Agreement shall be controlled by the Director, United States Naval Nuclear Propulsion Program, the Director General Nuclear to the United Kingdom Ministry of Defence, and the Secretary of the Australian Department of Defence, using mutually established procedures.
- B. This cooperation shall be carried out in such a manner as to not adversely affect the programmatic resources of each Party's naval nuclear propulsion program.
- C. The receiving Party shall assume any responsibility or liability arising from such Party's use or application of information transferred pursuant to Article II of the Agreement, and shall hold the originating Party harmless in all respects for any liability or claim arising from the use or application of this information.
- D. If any persons are to be involved in any aspect of, or share information pertaining to or transferred pursuant to Article II of the Agreement, the participation of such persons shall be agreed upon in advance by all Parties.
- E. Each Party shall keep the other Parties informed with regard to applications of any information transferred pursuant to Article II of the Agreement.

## SECTION II

With respect to all naval nuclear propulsion information to be transferred pursuant to Article II of the Agreement, the following additional requirements shall apply:

- A. All provisions of the Agreement shall apply to such information and to any application or use which results from or is derived from the transfer of such information.
- B. The administrative controls established pursuant to the Agreement for the handling of information marked as "RESTRICTED DATA", "ATOMIC", and the Australian equivalent as mutually determined by the Parties shall apply to information marked as "RESTRICTED DATA", "ATOMIC", and the Australian equivalent as mutually determined by the Parties, transferred under Article II of the Agreement.
- C. The administrative controls for the handling of classified "NATIONAL SECURITY INFORMATION" and unclassified naval nuclear propulsion information transferred under Article II of the Agreement shall be as mutually established between the Director of the United States Naval Nuclear Propulsion Program, the Director General Nuclear to the United Kingdom Ministry of Defence, and the Secretary of the Australian Department of Defence.

**SECURITY ANNEX TO THE AGREEMENT BETWEEN THE GOVERNMENT OF AUSTRALIA, THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA FOR THE EXCHANGE OF NAVAL NUCLEAR PROPULSION INFORMATION**

The following are the security arrangements between the Parties for the protection of naval nuclear propulsion information communicated or exchanged pursuant to the Agreement Between the Government of Australia, the Government of the United Kingdom of Great Britain and Northern Ireland, and the Government of the United States of America for the Exchange of Naval Nuclear Propulsion Information (hereinafter referred to as "the Agreement"), of which this Security Annex is an integral part:

SECTION I - PERSONNEL SECURITY

A. No individual shall be entitled to access naval nuclear propulsion information solely by virtue of rank, appointment, or security clearance. Access to naval nuclear propulsion information shall be afforded only to those individuals whose official duties require such access and who have been cleared by the Party providing such access. No individual shall be granted access unless it is affirmatively determined that such access will not endanger the national security, or pose an undue risk to the common defense and security.

B. Prior to affording access to naval nuclear propulsion information, a determination of eligibility and suitability (decision to grant security clearance) for each individual to be afforded such access shall be made by a responsible authority, as determined by each Party.

C. The decision as to whether the granting of a clearance will not endanger the national security or pose an undue risk to the common defense and security shall be a determination based on all available information. Prior to this determination, an investigation shall be conducted by a responsible authority, as determined by each Party, and the information thus developed shall be reviewed and adjudicated using criteria developed by the Party making the determination. The Parties agree that these criteria may be revised. Each Party shall make available to the others the established criteria used in making access determinations and shall notify the others if significant changes occur to the criteria.

D. The minimum scope and extent of such investigation shall be related to the nature and significance of the access to be afforded in accordance with the criteria developed by the Party conducting the investigation.

E. When immediate access to naval nuclear propulsion information is essential for the individual concerned to carry out the individual's assigned task, and the delay caused by awaiting full clearance would be detrimental to the national interest, the responsible authority empowered to grant such clearance may authorize a provisional clearance based on the records immediately available. In each such case, the responsible authority, as determined by each Party, shall institute immediately the procedures necessary to satisfy the full clearance requirements set forth in the above paragraphs.

F. Each establishment handling naval nuclear propulsion information shall maintain an appropriate record of the clearance of individuals authorized to have access to such information at that establishment. Each clearance shall be reviewed periodically to ensure that it conforms with the current standards applicable to the individual's employment, and shall be re-examined as a matter of priority when new information is received which indicates that continued employment involving access to naval nuclear propulsion information may no longer be consistent with the interests of security.

G. Effective liaison shall be maintained between the national agencies responsible for national security and the agencies responsible for the clearance determination and program execution to assure prompt notification of information with derogatory implications developed subsequently to the grant of security clearance.

## SECTION II - PHYSICAL SECURITY

A. Naval nuclear propulsion information shall be protected physically against espionage, sabotage, unauthorized access, or any other hostile activity. Such protection shall be commensurate with the importance of the security interest involved.

B. Programs for physical security of naval nuclear propulsion information shall be established so as to assure:

1. Proper protection of naval nuclear propulsion information on hand for immediate use, in storage, or in transit;

2. The establishment of security areas, with controlled access, when deemed necessary by reason of the sensitivity, character, volume, and use of the naval nuclear propulsion information and the character and location of the building or buildings involved. Perimeter barriers (natural or structural) shall be established when considered necessary to prevent or impede access by unauthorized individuals because of the particular sensitivity or revealing characteristics of the naval nuclear propulsion information involved;

3. A system of controlled access which shall embody procedures for authorization by a responsible authority, accurate methods of personnel identification, and accountability for identification media, and a means of enforcing limitations on movement and access to security areas; and

4. The exchange of information regarding security system technologies, and information relating to their application to nuclear or nuclear related facilities.

### SECTION III - CONTROL OF CLASSIFIED INFORMATION

A. Document and information control programs shall be maintained which will have for their basic purposes:

1. Classification in strict accord with the sensitivity of the information involved.

2. Control of access.

3. Ready accountability commensurate with the degree of sensitivity.

4. Periodic review for purposes of downgrading or declassification.

5. Destruction when no longer needed.

B. Information or material shall be classified strictly in accordance with applicable classification policies. The authority to classify naval nuclear propulsion information shall be granted to the minimum number of individuals and at the highest administrative levels consistent with operational requirements and such individuals shall be charged with strict compliance with classification standards. To promote uniformity, the following special rules shall be observed:

1. Documents shall be classified according to content and not necessarily according to relationship to other documents.



2. Classification of a file or group of documents physically connected shall be at least as high as that of the most highly classified document therein.

3. Each document shall bear only one classification, even though separate pages, paragraphs, sections, or components thereof may bear different classifications and the over-all classification shall be at least as high as the highest classified portion of the document.

4. Documents and material shall be conspicuously marked so that current classifications are clearly visible and readily understandable. For information that is orally communicated, the communicating Party shall clearly state the applicable classification level before it is communicated.

5. When a document is reproduced, all original security markings thereon shall also be reproduced or shown on each reproduction.

C. The use of naval nuclear propulsion information shall be limited to approved locations, as determined by each Party. Except during the periods when such information is in use by authorized personnel, it shall be stored in repositories of approved design and construction. Naval nuclear propulsion information stored and/or processed in computer systems shall be protected against unauthorized access, destruction, and illegal modification. The nature and extent of the protection given shall be commensurate with the assessed threat to and vulnerability of the systems involved. Threats, vulnerabilities, and resultant risks shall be assessed by an approved responsible authority, as determined by each Party. The level of protection demanded in computer systems dealing with naval nuclear propulsion information shall be commensurate with that demanded by non-naval nuclear propulsion information classified at the same levels. In addition, security controls shall be implemented to ensure that personnel who are not authorized for access to naval nuclear propulsion information, albeit security cleared for other classified information, cannot gain access to such information. The nature and quality of such controls shall be endorsed by an appropriate responsible authority, as determined by each Party.

D. Requirements for intra-Party transmission of naval nuclear propulsion information made available by another Party shall be as follows:

1. Top Secret naval nuclear propulsion information by military, diplomatic, or other official courier.

2. Secret and Confidential naval nuclear propulsion information by official courier or registered mail within the postal system of the United States. Secret and Confidential naval nuclear propulsion information by official courier only within the United Kingdom and within Australia.

3. All naval nuclear propulsion information transmitted by electronic means shall be encrypted when outside a physically secure environment approved by an appropriate responsible authority, as determined by each Party, for the protection of such information.

E. Naval nuclear propulsion information shall be transmitted between the United States, the United Kingdom, and Australia only by means of diplomatic pouch, by military, diplomatic or other official courier, or by other mutually acceptable means.

F. Accountability procedures shall be established to control dissemination of documents containing Secret or Top Secret naval nuclear propulsion information, including the assignment of accountability numbers to documents containing Top Secret naval nuclear propulsion information. Top Secret control officers shall be designated to maintain accountability registers for the receipt and dispatch of Top Secret documents. Receipts shall be used to evidence transfer of Top Secret, Secret and, when appropriate, Confidential documents.

G. Documents containing naval nuclear propulsion information, when no longer needed, shall be destroyed by burning, shredding, pulping, or any other method which assures complete destruction of the information contained therein. Work sheets, carbon paper, stenographer's notes, imperfect copies, computer printouts, the various types of data storage media, and similar material which warrant classification shall be safeguarded and destroyed in the manner prescribed for documents of the same classification. Destruction of Top Secret, Secret and receipted Confidential documents shall be evidenced by appropriate entries in accountability records.

#### SECTION IV - GENERAL REQUIREMENTS

A. Security Assurances. It is recognized that exchange of information may require individuals in the United States or the United Kingdom to visit Australia and vice versa. In furtherance of this activity, the responsible authority of the sponsoring Party shall furnish (in advance) to the responsible authority, as determined by the Party to be visited, an assurance in writing that the visitor is eligible for access to classified information in the country of the sponsoring Party. This assurance shall include the following data:

1. Full name (not initials) of the visitor;
2. Date and place of birth;
3. Citizenship;
4. Official title or description of official position;  
and
5. The kind of security clearance granted to the individual and the scope of investigation upon which the clearance determination was based.

B. Security of Classified Contracts. Every classified contract, sub-contract, consultant agreement, or other arrangement entered into by any Party to the Agreement, and relating to information exchanged under the Agreement, shall contain appropriate clauses imposing obligations to abide by the security arrangements set forth in this Security Annex.

C. Security Education. Responsibility for maintenance of adequate security shall rest at various executive and administrative levels and each individual shall be required to observe proper security measures. To assure that all individuals authorized access to naval nuclear propulsion information are properly advised, the Parties agree to maintain an adequate program to inform all persons of their responsibilities under the Agreement, including a specific initial indoctrination and orientation, periodic re-emphasis of individual responsibilities and a termination interview, stressing the continuing responsibilities for protection of naval nuclear propulsion information.

D. Loss or Compromise. In event of loss or possible compromise of naval nuclear propulsion information exchanged under the Agreement, any individual having knowledge of such loss or compromise shall be required to promptly report such loss or compromise to the appropriate responsible authority, as determined by each Party. The Party in whose jurisdiction the loss or possible compromise occurred shall undertake an immediate investigation into the circumstances surrounding the incident. The originating Party shall be notified promptly of the loss or compromise and the findings of the investigation.

E. Reports. Each Party shall from time to time submit such reports as are requested concerning the information communicated or exchanged under the Agreement and the dissemination of information on which particular restrictions have been placed by the providing Party.

F. Facility Index. Each Party shall maintain appropriate records of its approved non-Government facilities where naval nuclear propulsion information may be stored.

## SECTION V - CONTINUING REVIEW OF SECURITY SYSTEM

The Parties recognize that effective and prompt implementation of the security policies can be materially advanced through reciprocal visits of security personnel. Accordingly, the Parties agree to continue thorough exchange of views relative to security policies, standards, and procedures and to permit respective security working groups to examine and view at first hand the implementing procedures of the agencies responsible for the administration of the naval nuclear propulsion programs, such action to be undertaken with a view to achieving an understanding of adequacy and reasonable comparability of the respective systems.

## 1.2 – Joint Leaders Statement on AUKUS

September 15, 2021

This Joint Leaders Statement marked the official announcement of the creation of “an enhanced security partnership called ‘AUKUS.’” While the second paragraph emphasizes a “deeper” relationship to share a wide range of defense-related information (technology, science, industrial bases, supply chains), it was the third paragraph of the agreement that stole headlines and demonstrated the seriousness of the commitment. That paragraph highlights the commitment of the United States and the United Kingdom to support Australia in acquiring nuclear-powered submarines.

Other key points include:

- An 18-month timeframe to develop “an optimal pathway,” thus giving the three governments time to work out some critical details. (March 15, 2023)
- A commitment to maintaining strict adherence to nuclear non-proliferation standards.
- Collaboration in other areas, including cyber, artificial intelligence, quantum technologies, and (non-specific) undersea capabilities.

# Joint Leaders Statement on AUKUS

SEPTEMBER 15, 2021

As leaders of Australia, the United Kingdom, and the United States, guided by our enduring ideals and shared commitment to the international rules-based order, we resolve to deepen diplomatic, security, and defense cooperation in the Indo-Pacific region, including by working with partners, to meet the challenges of the twenty-first century. As part of this effort, we are announcing the creation of an enhanced trilateral security partnership called “AUKUS” — Australia, the United Kingdom, and the United States.

Through AUKUS, our governments will strengthen the ability of each to support our security and defense interests, building on our longstanding and ongoing bilateral ties. We will promote deeper information and technology sharing. We will foster deeper integration of security and defense-related science, technology, industrial bases, and supply chains. And in particular, we will significantly deepen cooperation on a range of security and defense capabilities.

As the first initiative under AUKUS, recognizing our common tradition as maritime democracies, we commit to a shared ambition to support Australia in acquiring nuclear-powered submarines for the Royal Australian Navy. Today, we embark on a trilateral effort of 18 months to seek an optimal pathway to deliver this capability. We will leverage expertise from the United States and the United Kingdom, building on the two countries’ submarine programs to bring an Australian capability into service at the earliest achievable date.

The development of Australia’s nuclear-powered submarines would be a joint endeavor between the three nations, with a focus on interoperability, commonality, and mutual benefit. Australia is committed to adhering to the highest standards for safeguards, transparency, verification, and accountancy measures to ensure the non-proliferation, safety, and security of nuclear material and technology. Australia remains committed to fulfilling all of its obligations as a non-nuclear

weapons state, including with the International Atomic Energy Agency. Our three nations are deeply committed to upholding our leadership on global non-proliferation.

Recognizing our deep defense ties, built over decades, today we also embark on further trilateral collaboration under AUKUS to enhance our joint capabilities and interoperability. These initial efforts will focus on cyber capabilities, artificial intelligence, quantum technologies, and additional undersea capabilities.

The endeavor we launch today will help sustain peace and stability in the Indo-Pacific region. For more than 70 years, Australia, the United Kingdom, and the United States, have worked together, along with other important allies and partners, to protect our shared values and promote security and prosperity. Today, with the formation of AUKUS, we recommit ourselves to this vision.

### **1.3 – Remarks by President and Prime Ministers**

September 15, 2021

The on-the-record remarks of the three leaders added more clarity to the official joint statement. Prime Minister Scott Morrison emphasized how the agreement should enhance Australia's contribution to the network of partnerships in the Indo-Pacific region, naming specifically ANZUS, ASEAN, the Quad, and Five Eyes, while also mentioning "bilateral strategic partners" and "...our dear Pacific family." The Australian PM also made clear his administration's intent to "build these submarines in Adelaide, Australia." This comment sparked a great deal of analysis in the defense community in the following months as to just how long this would take.

Prime Minister Boris Johnson emphasized the original points from the joint statement, but also highlighted that the agreement would create highly skilled jobs across the United Kingdom.

President Joseph Biden emphasized the strategic advantages of the new relationship to address threats and maintain stability in the Indo-Pacific. He also took the opportunity to mention the importance of France's role in the Indo-Pacific. (Note: A few days later, France would recall its Ambassador from the United States in protest of the deal.)



# Remarks by President Biden, Prime Minister Morrison of Australia, and Prime Minister Johnson of the United Kingdom Announcing the Creation of AUKUS

SEPTEMBER 15, 2021

East Room  
White House

5:01 P.M. EDT

PRIME MINISTER MORRISON: Well, good morning from Australia. I'm very pleased to join two great friends of freedom and of Australia: Prime Minister Johnson and President Biden.

Today, we join our nations in a next-generation partnership built on a strong foundation of proven trust.

We have always seen the world through a similar lens. We have always believed in a world that favors freedom; that respects human dignity, the rule of law, the independence of sovereign states, and the peaceful fellowship of nations.

And while we've always looked to each other to do what we believe is right, we have never left at — each other. Always together. Never alone.

Our world is becoming more complex, especially here in our region, the Indo-Pacific. This affects us all. The future of the Indo-Pacific will impact all our futures.

To meet these challenges, to help deliver the security and stability our region needs, we must now take our partnership to a new level — a partnership that seeks to engage, not to exclude; to contribute, not take; and to enable and empower, not to control or coerce.

And so, friends, AUKUS is born — a new enhanced trilateral security partnership between Australia, the United Kingdom, and the United States. AUKUS: a partnership where our technology, our scientists, our industry, our defense forces are all working together to deliver a safer and more secure region that ultimately benefits all.

AUKUS will also enhance our contribution to our growing network of partnerships in the Indo-Pacific region: ANZUS; our ASEAN friends; our bilateral strategic partners, the Quad; Five Eyes countries; and, of course, our dear Pacific family.

The first major initiative of AUKUS will be to deliver a nuclear-powered submarine fleet for Australia. Over the next 18 months, we will work together to seek to determine the best way forward to achieve this. This will include an intense examination of what we need to do to exercise our nuclear stewardship responsibilities here in Australia.

We intend to build these submarines in Adelaide, Australia, in close cooperation with the United Kingdom and the United States.

But let me be clear: Australia is not seeking to acquire nuclear weapons or establish a civil nuclear capability. And we will continue to meet all our nuclear non-proliferation obligations.

Australia has a long history of defense cooperation with the United States and the United Kingdom. For more than a century, we have stood together for the course of peace and freedom, motivated by the beliefs we share, sustained by the bonds of friendship we have forged, enabled

by the sacrifice of those who have gone before us, and inspired by our shared hope for those who will follow us.

And so, today, friends, we recommit ourselves to this cause and a new AUKUS vision.

PRIME MINISTER JOHNSON: I'm delighted to join President Biden and Prime Minister Morrison to announce that the United Kingdom, Australia, and the United States are creating a new trilateral defense partnership, known as AUKUS, with the aim of working hand in glove to preserve security and stability in the Indo-Pacific.

We're opening a new chapter in our friendship, and the first task of this partnership will be to help Australia acquire a fleet of nuclear-powered submarines, emphasizing, of course, that the submarines in question will be powered by nuclear reactors, not armed with nuclear weapons. And our work will be fully in line with our non-proliferation obligations.

This will be one of the most complex and technically demanding projects in the world, lasting for decades and requiring the most advanced technology. It will draw on the expertise that the UK has acquired over generations, dating back to the launch of the Royal Navy's first nuclear submarine over 60 years ago; and together, with the other opportunities from AUKUS, creating hundreds of highly skilled jobs across the United Kingdom, including in Scotland, the north of England, and the Midlands, taking forward this government's driving purpose of leveling up across the whole country.

We will have a new opportunity to reinforce Britain's place at the leading edge of science and technology, strengthening our national expertise. And perhaps most significantly, the UK, Australia, and the U.S. will be joined even more closely together, reflecting the measure of trust between us, the depth of our friendship, and the enduring strength of our shared values of freedom and democracy.

Only a handful of countries possess nuclear-powered submarines, and it is a momentous decision

for any nation to acquire this formidable capability and, perhaps, equally momentous, for any other state to come to its aid. But Australia is one of our oldest friends, a kindred nation and a fellow democracy, and a natural partner in this enterprise.

Now, the UK will embark on this project alongside our allies, making the world safer and generating jobs across our United Kingdom.

Thank you. Over to you, Mr. President.

PRESIDENT BIDEN: Thank you, Boris. And I want to thank that fellow down under. Thank you very much, pal. Appreciate it, Mr. Prime Minister.

I'm honored today to be joined by two of America's closest allies — Australia and the United Kingdom — to launch a new phase of the trilateral security cooperation among our countries.

As Prime Minister Morrison and Prime Minister Johnson said, I want to thank you for this partnership, your vision  
as we embark together on this strategic mission.

Although Australia, the UK, and U.S. partnership — AUKUS — it sounds strange with all these acronyms, but it's a good one, AUKUS — our nations will update and enhance our shared ability to take on the threats of the 21st century just as we did in the 20th century: together.

Our nations and our brave fighting forces have stood shoulder-to-shoulder for literally more than 100 years: through the trench fighting in World War I, the island hopping of World War II, during the frigid winters in Korea, and the scorching heat of the Persian Gulf. The United States, Australia, and the United Kingdom have long been faithful and capable partners, and we're even closer today.

Today, we're taking another historic step to deepen and formalize cooperation among all three of

our nations because we all recognize the imperative of ensuring peace and stability in the Indo-Pacific over the long term.

We need to be able to address both the current strategic environment in the region and how it may evolve. Because the future of each of our nations — and indeed the world — depends on a free and open Indo-Pacific enduring and flourishing in the decades ahead — ahead.

This is about investing in our greatest source of strength — our alliances — and updating them to better meet the threats of today and tomorrow.

It's about connecting America's existing allies and partners in new ways and amplifying our ability to collaborate, recognizing that there is no regional divide separating the interests of our Atlantic and Pacific partners.

Indeed, this effort reflects a broader trend of key European countries playing an extremely important role in the Indo-Pacific.

France, in particular, already has a substantial Indo-Pacific presence and is a key partner and ally in strengthening the security and prosperity of the region.

The United States looks forward to working closely with France and other key countries as we go forward.

And finally, this initiative is about making sure that each of us has a modern capability — the most modern capabilities we need — to maneuver and defend against rapidly evolving threats.

AUKUS will bring together our sailors, our scientists, and our industries to maintain and expand our edge in military capabilities and critical technologies, such as cyber, artificial intelligence, quantum technologies, and undersea domains.

You know, as a key project under AUKUS, we are launching consultations with Australia's acquisition of conventionally armed, nuclear-powered submarines for its navy — conventionally armed.

I want to be exceedingly clear about this: We're not talking about nuclear-armed submarines. These are conventionally armed submarines that are powered by nuclear reactors. This technology is proven. It's safe. And the United States and the UK have been operating nuclear-powered submarines for decades.

I have asked Secretary Austin and the Department of Defense to lead this effort for the U.S. government in close collaboration with the Department of Energy and Department of State.

Our governments will now launch an 18-month consultation period to determine every element of this program — from workforce, to training requirements, to production timelines, to safeguards and nonproliferation measures, and to nuclear stewardship and safety — to ensure full compliance with each of our nation's commitments under the Nuclear Non-Proliferation Treaty.

We'll all undertake this effort in a way that reflects the longstanding leadership in global nonproliferation and rigorous verification standards, in partnership and consultation with the International Atomic Energy Agency.

So, I want to thank the Prime Minister — Prime Minister Morrison and Prime Minister Johnson for their friendship, but mostly important for their leadership and partnership as we undertake this new phase of our security cooperation.

And the United States will also continue to work with ASEAN and the Quad, as was stated earlier; our five treaty allies and other close partners in the Indo-Pacific; as well as allies and partners in Europe and around the world to maintain a free and open Indo-Pacific, and build a

future of peace, opportunity  
for all the people of the region.

We're joining together. Partnerships are getting stronger. This is what we're about.

I want to thank you all. And I look forward to seeing both of you in person very soon, I hope.

Thank you. Thank you.

5:12 P.M. EDT

## **1.4 – AUKUS Leaders’ Level Statement**

April 5, 2022

Almost seven months after the original AUKUS announcement, the three administrations released the AUKUS Leaders’ Level Statement, and each of the three governments published nearly identical fact sheets on the agreement. The public statement added “hypersonics and counter-hypersonics” as well as “electronic warfare” to the list of areas for expanded information sharing. Just six weeks earlier, Russia massively expanded its invasion of Ukraine in a “special military operation” on three fronts.



## BRIEFING ROOM

# AUKUS Leaders' Level Statement

APRIL 05, 2022 • STATEMENTS AND RELEASES

Today, the leaders of the Australia-UK-US (AUKUS) partnership – Prime Minister Scott Morrison of Australia, Prime Minister Boris Johnson of the United Kingdom, and President Joseph R. Biden, Jr. of the United States – assessed progress under AUKUS.

We reaffirmed our commitment to AUKUS and to a free and open Indo-Pacific. In light of Russia's unprovoked, unjustified, and unlawful invasion of Ukraine, we reiterated our unwavering commitment to an international system that respects human rights, the rule of law, and the peaceful resolution of disputes free from coercion.

We are pleased with the progress in our trilateral program for Australia to establish a conventionally armed, nuclear-powered submarine capability. We are fully committed to establishing a robust approach to sharing naval propulsion technology with Australia that strengthens the global non-proliferation regime.

We also committed today to commence new trilateral cooperation on hypersonics and counter-hypersonics, and electronic warfare capabilities, as well as to expand information sharing and to deepen cooperation on defense innovation. These initiatives will add to our existing efforts to deepen cooperation on cyber capabilities, artificial intelligence, quantum technologies, and additional undersea capabilities. As our work progresses on these and other critical defense and security capabilities, we will seek opportunities to engage allies and close partners.

## 1.5 – Fact Sheet: Implementation of the AUKUS partnership

April 6, 2022

This published fact sheet disclosed the extent of behind-the-scenes discussions and high-level meetings. The fact sheet revealed that the partnership was framed around two lines of effort (submarines and advanced capabilities) and had a three-tiered structure for collaboration including a Senior Officials Group, joint steering groups, and lower-level working groups. The Senior Officials Group involves the national security advisors of all three countries meeting periodically to assess progress. There are two joint steering groups, one for each line of effort, and 17 working groups (nine for the submarines line of effort and eight related to the other advanced capabilities line of effort).

Key points:

- Combined teams conducted site visits in Australia to determine the baseline of Australia's nuclear stewardship, infrastructure, workforce, and capabilities.
- The Australian government plans to establish a submarine base on its east coast.
- The Australian government began the process of readying the infrastructure in South Australia for a nuclear-powered submarine construction yard.
- AUKUS partners have been in consultations with the IAEA; the IAEA director issued a statement of confidence on March 7, 2022.
- The advanced capabilities line of effort includes the following eight areas (likely reflective of the working groups):
  - o The AUKUS Undersea Robotics Autonomous Systems (AURAS) project
  - o The AUKUS Quantum Arrangement (AQuA) to accelerate investments to deliver quantum capabilities focused on positioning, navigation, and timing
  - o Artificial intelligence and autonomy
  - o Advanced cyber
  - o Hypersonic and counter-hypersonic capabilities
  - o Electronic warfare
  - o Innovation
  - o Information sharing

# FACT SHEET: Implementation of the Australia – United Kingdom – United States Partnership (AUKUS)

## 6 April 2022

Today, Prime Minister Scott Morrison of Australia, Prime Minister Boris Johnson of the United Kingdom, and President Joseph R. Biden, Jr. of the United States reviewed progress in implementing the Australia – United Kingdom – United States (AUKUS) partnership. The leaders reaffirmed their commitment to a free and open Indo-Pacific, and more broadly to an international system that respects human rights, the rule of law, and the peaceful resolution of disputes free from coercion – a commitment whose importance has only grown in response to Russia’s unprovoked, unjustified, and unlawful invasion of Ukraine.

Implementation of the AUKUS partnership has now begun. It has two related lines of effort.

- **Submarines.** AUKUS will provide Australia with a conventionally armed, nuclear powered submarine capability at the earliest possible date, while upholding the highest non-proliferation standards.
- **Advanced capabilities.** AUKUS will develop and provide joint advanced military capabilities to promote security and stability in the Indo-Pacific region.

### Senior-Level Meetings

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Since AUKUS was announced on September 15, 2021, the three countries have held multiple high-level meetings.

- **Senior Officials Group.** On March 10, 2022, National Security Advisors from the three allies met virtually to review AUKUS progress and provide direction to the trilateral partnership going forward.
- **Joint Steering Groups.** The three countries have held multiple Joint Steering Group meetings for each of the two AUKUS lines of effort, including in-person sessions in Canberra, London, and Washington, D.C.

- **Working Groups.** Seventeen trilateral working groups have been established (nine relating to conventionally armed nuclear-powered submarines, and eight relating to other advanced military capabilities); each has met multiple times.

### Australia’s Future Conventionally Armed Nuclear-Powered Submarine Capability

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When AUKUS was announced in September 2021, Prime Minister Morrison, Prime Minister Johnson, and President Joe Biden agreed to determine, by March 2023, the optimal pathway for an Australian conventionally armed, nuclear-powered submarine capability. AUKUS partners have taken important steps toward implementation.

- **Information exchange.** The Exchange of Naval Nuclear Propulsion Information Agreement (ENNPIA) entered into force on February 8, 2022, enabling AUKUS partners to share naval nuclear propulsion information trilaterally.
- **Nuclear stewardship.** For several weeks in February, combined teams from Australia, the United Kingdom and the United States visited multiple sites in Australia to baseline its nuclear stewardship, infrastructure, workforce, and industrial capabilities and requirements. On February 28, findings were considered by the Joint Steering Group on submarines. The Joint Steering Group will use this information as it develops the optimal pathway for Australia to acquire nuclear-powered submarines.
- **Australia workforce.** Initial steps are underway to ensure Australia has a workforce with the necessary skills, training, and qualifications to build, operate, and sustain a conventionally-armed nuclear-powered submarine capability. For example, a cohort of Australian personnel have commenced higher-education and training opportunities in nuclear science and engineering.

- **New submarine base.** Prime Minister Morrison announced, on March 7, Australia's plan to establish a future submarine base on the east coast of Australia to support the basing and disposition of future nuclear-powered submarines. This new facility will operate in conjunction with Australia's existing submarine base in Western Australia.
- **Nuclear Powered Submarine Construction Yard.** The Australian Government is taking initial steps to secure additional land on which to build the Nuclear-Powered Submarine Construction Yard, including land adjacent to the existing Osborne North Shipyard in South Australia.
- **Non-proliferation.** Since the announcement of AUKUS, our nations have been engaging proactively with the International Atomic Energy Agency on the non-proliferation aspects of our partnership. Following the initiation of technical consultations with the IAEA, IAEA Director General Rafael Mariano Grossi reported to the IAEA Board of Governors on March 7 that Australia, the United Kingdom, and the United States "are committed to ensuring the highest non-proliferation and safeguards standards are met." [<https://www.iaea.org/newscenter/statements/iaea-director-generals-introductory-statement-to-the-board-of-governors-7-march-2022>]
- **Quantum technologies.** The AUKUS Quantum Arrangement (AQuA) will accelerate investments to deliver generation-after-next quantum capabilities. It will have an initial focus on quantum technologies for positioning, navigation, and timing. Together, we will integrate emerging quantum technologies in trials and experimentation over the next three years.
- **Artificial intelligence and autonomy.** Trilateral cooperation on artificial intelligence (AI) and autonomy will provide critical enablers for future force capabilities, improving the speed and precision of decision-making processes to maintain a capability edge and defend against AI-enabled threats. Early work is focused on accelerating adoption, and improving the resilience of, autonomous and AI-enabled systems in contested environments.
- **Advanced Cyber.** In light of the importance of the cyber domain to advanced capabilities, we are focusing our efforts on strengthening cyber capabilities, including protecting critical communications and operations systems.
- **Hypersonic and counter-hypersonic capabilities.** The AUKUS partners will work together to accelerate development of advanced hypersonic and counter-hypersonic capabilities.
- **Electronic warfare.** The electromagnetic spectrum is increasingly contested. The three countries will work together to share understanding of tools, techniques, and technology to enable our forces to operate in contested and degraded environments.
- **Innovation.** Our work on innovation aims to accelerate our respective defense innovation enterprises and learn from one another, including ways to more rapidly integrate commercial technologies to solve warfighting needs.
- **Information sharing.** We will expand and accelerate sharing of sensitive information, including as a first priority enabling workstreams that underpin our work on agreed areas of advanced capabilities.

## Advanced Capabilities

AUKUS partners have made strong progress in the four advanced capabilities that the President and Prime Ministers identified in September 2021, and have recently initiated work in four additional areas. As we mature trilateral lines of effort within these and other critical defense and security capabilities, we will seek to engage allies and close partners as appropriate.

- **Undersea capabilities.** Through the AUKUS Undersea Robotics Autonomous Systems (AURAS) project, our nations are collaborating on autonomous underwater vehicles, which will be a significant force multiplier for our maritime forces. Initial trials and experimentation of this capability are planned for 2023.

## **1.6 – Readout of AUKUS Joint Steering Group Meetings**

July 31, 2022

This AUKUS Joint Steering Group readout emphasized the steps taken to meet the highest non-proliferation standards and highlighted progress in defining the optimal pathway to providing Australia with conventionally armed, nuclear-powered submarines at the earliest possible date. The advanced capabilities working groups set a course to focus on bolstering combined military capabilities, including by accelerating near-term capabilities in hypersonics and counter-hypersonics, as well as cyber. The readout ended with a stated intent to engage with allies and partners on these and other critical defense technologies.

# Readout of AUKUS Joint Steering Group Meetings

JULY 31, 2022 • STATEMENTS AND RELEASES

Australia, the United Kingdom, and the United States of America recently held meetings of the AUKUS Joint Steering Groups, which were established as part of the governance structure of the AUKUS partnership in September 2021. The delegations discussed the intensive work under way and the progress that has been made since the announcement of AUKUS. Both meetings were held at the Pentagon, with additional sessions at the White House where the delegations met with National Security Advisor Jake Sullivan.

The Joint Steering Group for Australia's Nuclear-Powered Submarine Program met on July 25-28, continuing its progress on defining the optimal pathway to provide Australia with conventionally-armed, nuclear-powered submarines at the earliest possible date while ensuring the highest standards of nuclear stewardship, including the responsible planning, operation, application and management of nuclear material, technology and facilities.

The participants took stock of ongoing progress to deliver on our leaders' commitment to set the highest possible non-proliferation standards, including through continued close consultation with the International Atomic Energy Agency. They welcomed the publication of the working paper on 'Cooperation under the AUKUS partnership' for the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear

Weapons. The paper details our proposal to provide complete power units to Australia, Australia's commitment that it will not conduct enrichment, reprocessing or fuel fabrication in connection with its nuclear-powered submarine program, and our engagement with the IAEA to find a suitable verification approach. They noted the introductory remarks of the IAEA Director General to the June Board of Governors in which he expressed "satisfaction with the engagement and transparency shown by the three countries thus far" and noted that he plans to present a report on AUKUS to the September Board.

The Joint Steering Group for Advanced Capabilities met on July 28-29, reviewing progress across critical defense capabilities. The participants decided to bolster combined military capabilities, including by accelerating near-term capabilities in hypersonics and counter-hypersonics, as well as cyber. They also recommitted to deepening cooperation on

information-sharing and other previously agreed working groups. As work progresses on these and other critical defense capabilities, we will seek opportunities to engage allies and close partners.

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## **Chapter 2 – Australia Official Statements and Documents**

Australia is widely seen as the primary beneficiary of the AUKUS partnership. In essence, Australia has the most to gain and the most to lose in the arrangement. The loss of the sunk expenditure on the Naval Group submarine contract, the potential cost of nuclear-powered submarines, and the significant timeline to delivery, coupled with the related submarine capability gap, all make AUKUS a significant political issue in Australia. The official documents of the Australian government reflect the political debate in the Australian Parliament and the efforts of the Department of Defence to explain AUKUS to the general public and news media.



## 2.1 – Prime Minister and Foreign Minister Joint Statement on AUKUS

September 16, 2021

On the day following the announcement of the AUKUS partnership, Australian PM Morrison and Foreign Minister Marise Payne issued a joint statement focused on informing the general public of the agreement. In the statement, they emphasized the advantages of nuclear-powered submarines over conventional, diesel-powered submarines. They also dedicated several paragraphs to describing the decision to cancel the Attack-class conventional submarine program, which began in 2015 in partnership with France and Lockheed Martin Australia. The two leaders addressed concerns among constituents and the defence industry regarding the potential loss of jobs and the “talent pool” of the submarine workforce. The end of the statement emphasized additional capabilities that Australia will acquire from the United States, including long-range strike capabilities, and a \$1 billion investment to begin building a “sovereign guided weapons manufacturing enterprise.” Additional capabilities to be purchased include:

- Tomahawk cruise missiles
- Joint air-to-surface standoff missiles (extended range) (JASSM-ER)
- Long-range anti-ship missiles (extended range) (LRASM)
- Precision strike guided missiles for land forces (unspecified)

# **Joint media statement: Australia to pursue nuclear-powered submarines through new trilateral enhanced security partnership**

## **Joint media statement:**

- **Prime Minister, The Hon Scott Morrison MP**
- **Minister for Foreign Affairs and Minister for Women, Senator the Hon Marise Payne**

Australia, the United Kingdom and the United States have agreed to the creation of an enhanced trilateral security partnership – AUKUS.

The security challenges in the Indo-Pacific region have grown significantly. Military modernisation is occurring at an unprecedented rate and capabilities are rapidly advancing and their reach expanding. The technological edge enjoyed by Australia and our partners is narrowing.

AUKUS will build on the three nations' longstanding and ongoing bilateral ties, and will enable the partners to significantly deepen cooperation on a range of emerging security and defence capabilities, which will enhance joint capability and interoperability. Initial efforts under AUKUS will focus on cyber capabilities, artificial intelligence, quantum technologies, and additional undersea capabilities.

This is an historic opportunity for the three nations, with like-minded allies and partners, to protect shared values and promote security and prosperity in the Indo-Pacific region.

AUKUS will complement Australia's network of strategic partnerships, including with our ASEAN friends, our Pacific family, our Five Eyes partners, the Quad and other like-minded partners.

## **First initiative under AUKUS**

The first initiative under AUKUS is for Australia to acquire nuclear-powered submarine technology, leveraging decades of experience from the US and UK.

Under AUKUS, the three nations will focus immediately on identifying the optimal pathway to deliver at least eight nuclear-powered submarines for Australia.

Over the next 18 months, Australia, the UK and US will intensely examine the full suite of requirements that underpin nuclear stewardship and demonstrate a clear pathway to becoming a responsible and reliable steward of this sensitive technology. Australia will establish a Nuclear-Powered Submarine Taskforce in the Department of Defence to lead this work.

Nuclear-powered submarines do not have the same limitations that face conventional submarines on weapons storage, speed and endurance. They can stay completely submerged for many months, limiting the opportunities for detection by adversaries.

As a three-ocean nation, it is necessary for Australia to have access to the most capable submarine technology available. As a nation, we are ready to take the step to pursue the most advanced submarine technology available to defend Australia and its national interests.

Australia has no plans to acquire nuclear weapons and this proposal will remain consistent with Australia's longstanding commitment to nuclear non-proliferation. All three nations are deeply committed to upholding leadership on global non-proliferation.

The Government's intention is to build the nuclear-powered submarines in South Australia, maximising the use of Australian workers.

Building the submarines in Australia is the best way to develop a strong and effective sustainment industry, which will enable us to meet every requirement to safely operate and maintain nuclear-powered submarines.

### **Attack class submarine program**

The pursuit of nuclear-powered submarine technology means that Australia will no longer proceed with the Attack class conventional submarine program with Naval Group.

The Government would like to thank the Attack class submarine workforce, Naval Group, the Government of France and Lockheed Martin Australia for their efforts to date. However, accelerating changes to regional security make conventional submarines unsuited to our operational needs in the decades ahead.

The Government will actively work with industry to ensure the people and skills developed under the existing program are not lost to the Government's Naval Shipbuilding Enterprise as we establish a new program to support the delivery of nuclear-powered submarines to the Navy.

The existing submarine workforce are prime candidates for the unprecedented work that needs to be performed across the Enterprise over the coming decades, where we will rely on their expertise more than ever.

The Government will partner with our Australian-owned sovereign shipbuilder, ASC, to manage and implement a new Sovereign Shipbuilding Talent Pool.

The Government is committed to finding a role within the Sovereign Shipbuilding Talent Pool for each and every skilled shipbuilding worker impacted by this announcement.

The Sovereign Shipbuilding Talent Pool will re-deploy the existing shipbuilding workforce throughout current and new shipbuilding programs, while building the nuclear-powered submarine skills that will be crucial for the success of the nuclear-powered submarine program.

This decision was not taken lightly. Our partnership with the Government of France and Naval Group on the Attack class conventional submarine program would have resulted in the most capable and lethal conventional submarine ever built.

As likeminded liberal democracies, Australia and France share a common commitment to the rules-based global order that has delivered stability and prosperity to the Indo-Pacific.

We look forward to continuing to work closely and positively with our French counterparts. France is a key friend and partner to Australia and the Indo-Pacific.

### **Other capabilities**

The Government will also acquire additional long-range strike capabilities for the Australian Defence Force.

Throughout the decade, Australia will rapidly acquire long-range strike capabilities to enhance the ADF's ability to deliver strike effects across our air, land and maritime domains.

These include:

- **Tomahawk Cruise Missiles**, to be fielded on our Hobart class destroyers, enabling our maritime assets to strike land targets at greater distances, with better precision.
- **Joint Air-to-Surface Standoff Missiles (Extended Range)** will enable our F/A-18F Super Hornet and in future, our F-35A Lightning II, to hit targets at a range of 900km.
- **Long-Range Anti-Ship Missiles (Extended Range) (LRASM)** for the F/A-18F Super Hornet.
- Continuing collaboration with the United States to develop **hypersonic missiles** for our air capabilities.
- **Precision strike guided missiles** for our land forces, which are capable of destroying, neutralising and suppressing diverse targets from over 400km.
- Accelerating \$1 billion for a **sovereign guided weapons manufacturing enterprise** – which will enable us to create our own weapons on Australian soil.

These capabilities, coupled with the planned Life-of-Type Extension of Australia's Collins class submarine fleet, will enhance Australia's ability to deter and respond to potential security challenges.

The management of this transition, and other capability acquisition options that will meet Australia's strategic requirements, will be at the forefront of consultations through AUKUS over the next 18 months.

[ENDS]

## 2.2 – Australia National Interest Analysis

November 22, 2021

On November 22, 2021, the Australian Parliament issued its mandatory analysis of the “Agreement between the Government of Australia, the Government of the United Kingdom of Great Britain and Northern Ireland, and the Government of the United States of America for the Exchange of Naval Nuclear Propulsion Information” (ENNPIA). This is a mandatory analysis for new treaties and international agreements or modifications to existing treaties. These are called Australian Treaty National Interest Analysis (ATNIA).

The analysis determined that the ENNPIA was in the national interest of Australia, stating:

“The ENNPIA contributes to Australia’s national interests by allowing Australia to access critical naval nuclear propulsion information from the United States and United Kingdom not otherwise available to Australia. Without access to such restricted information, Australian officials are unable to effectively determine the optimal pathway to acquire nuclear-powered submarines for the royal Australian navy. The ENNPIA is therefore necessary for Australia to adequately and appropriately consider the implications and associated obligations of pursuing the acquisition of nuclear-powered submarines.”

**National Interest Analysis [2021] ATNIA 7**

**with attachment on consultation**

**Agreement between the Government of Australia, the Government of the United Kingdom of Great Britain and Northern Ireland, and the Government of the United States of America for the Exchange of Naval Nuclear Propulsion Information**

(Canberra, 22 November 2021)

**[2021] ATNIF 10**

## **NATIONAL INTEREST ANALYSIS: CATEGORY 1 TREATY**

### **Agreement between the Government of Australia, the Government of the United Kingdom of Great Britain and Northern Ireland, and the Government of the United States of America for the Exchange of Naval Nuclear Propulsion Information**

(Canberra, 22 November 2021)

**[2021] ATNIA 7**

**[2021] ATNIF 10**

#### **Nature and timing of proposed treaty action**

1. The proposed treaty action is to bring into force the *Agreement between the Government of Australia, the Government of the United Kingdom of Great Britain and Northern Ireland, and the Government of the United States of America for the Exchange of Naval Nuclear Propulsion Information* (the ENNPIA). For the ENNPIA to enter into force, the Parties must notify each other of the completion of their necessary domestic procedures through an exchange of notes. The ENNPIA will enter into force between all Parties on the date of the last note in that exchange of notes (Article X).
2. Australia will send its note as soon as practicable after the completion of domestic processes.

#### **Overview and national interest summary**

3. The purpose of the ENNPIA is to establish a legally-binding framework for the disclosure and use of information related to naval nuclear propulsion among the Governments of Australia, the United States and United Kingdom.
4. On 16 September 2021, Prime Minister Scott Morrison, US President Joe Biden and UK Prime Minister Boris Johnson announced a new enhanced trilateral security partnership between Australia, the United Kingdom, and the United States — called AUKUS. The first major initiative under AUKUS was to support Australia's acquisition of conventionally-armed nuclear-powered submarines for operation by the Royal Australian Navy. Australia, the United Kingdom, and the United States will intensively examine the full suite of requirements that underpin the delivery of these submarines, including ensuring Australia is a responsible and reliable steward of this technology.
5. Submarines are an essential part of Australia's naval capability, providing a strategic advantage in terms of surveillance and protection of our maritime approaches. Nuclear-powered submarines, when compared to conventional submarines, maintain superior characteristics of stealth, speed, manoeuvrability, survivability, and almost limitless endurance. Nuclear-powered submarines can operate with a lower risk of detection and deter actions against Australia's interests. The ENNPIA is critical to an intensive examination of the full suite of requirements that underpin the delivery of these submarines being considered as part of an 18-month consultation period.

6. The ENNPIA contributes to Australia's national interests by allowing Australia to access critical naval nuclear propulsion information from the United States and United Kingdom not otherwise available to Australia. Without access to such restricted information, Australian officials are unable to effectively determine the optimal pathway to acquire nuclear-powered submarines for the Royal Australian Navy. The ENNPIA is therefore necessary for Australia to adequately and appropriately consider the implications and associated obligations of pursuing the acquisition of nuclear-powered submarines.



## **Reasons for Australia to take the proposed treaty action**

7. The ENNPIA will provide significant benefit to Australia. Most importantly, it will permit the transfer of US and UK naval nuclear propulsion information to Australia that is critical to enabling and identifying the optimal pathway for acquiring a nuclear-powered submarine capability in Australia.
8. In addition to the transfer to Australia and use of such information, the ENNPIA will provide an invaluable mechanism for enabling Australian civilian and military personnel to receive access to critical training and education from US and UK counterparts necessary to learn how to safely and effectively operate such a capability for Australia.
9. The ENNPIA will also enable Australia to develop the necessary skills and knowledge to create a world's best practice regulatory and safety regime to guarantee the safe operation of naval nuclear propulsion and to ensure compliance with Australia's international obligations, including under the Treaty on the Non-Proliferation of Nuclear Weapons.
10. Access to relevant naval nuclear propulsion information from the United Kingdom and the United States; together with the ability to leverage their expertise, is critical to Australia meeting important and stringent regulatory and stewardship requirements for safely acquiring, operating, and sustaining a nuclear-powered submarine capability. Such information may vary across numerous topic areas, including design, safety, regulation, operation, training, environmental protection, workforce, and force structure; and will be invaluable to Australia evaluating the full suite of requirements necessary to acquire such a capability.
11. Finally, the disclosure of naval nuclear propulsion information is restricted under US domestic law. It can only be disclosed to foreign nations, including Australia, in instances where an agreement such as the ENNPIA is in force. The United Kingdom is equally restricted in its ability to disclose such nuclear-related information with Australia because of its pre-existing treaty obligations to the United States under the *US-UK Agreement for Co-operation on the Uses of Atomic Energy for Mutual Defense Purposes of 1958*. The trilateral nature of the ENNPIA will therefore also provide the United Kingdom with the necessary authority to share its naval nuclear propulsion information with Australia. Consequently, without the ENNPIA being in place, Australia cannot receive any naval nuclear propulsion-related information from either the United States or United Kingdom in order to determine the optimal pathway for Australia to acquire nuclear-powered submarines for the Royal Australian Navy.

## **Obligations**

### *Scope*

12. The ENNPIA will only facilitate information sharing on naval nuclear propulsion. It does not support the transfer of any equipment or technology, nor does it support the sharing or transfer of any information on civil nuclear matters, beyond those incidentally related to naval nuclear propulsion.
13. Classified and unclassified naval nuclear propulsion information related to research, development, design, manufacture, operation, regulation, and disposal may be

communicated or exchanged between the Parties (Article II). Such information may only be communicated or exchanged if the communicating Party determines that such cooperation will not constitute an unreasonable risk to its defence and security (Article I). Importantly, the ENNPIA does not authorise any specific activities beyond information exchange. Any activity beyond the exchange of information between the Parties in order to evaluate and consider the requirements necessary to achieve the optimal pathway to deliver nuclear-powered submarines for the Royal Australian Navy is not authorised.

14. The ENNPIA requires the application of International Atomic Energy Agency safeguards with respect to all peaceful nuclear activities within the territory of Australia, consistent with its obligations the *Treaty on the Non-Proliferation of Nuclear Weapons*, the *Agreement between Australia and the International Atomic Energy Agency for the Application of Safeguards* (1974) and the *Protocol Additional to the Agreement between Australia and the International Atomic Energy Agency for the Application of Safeguards* (1997) (Article IV). The ENNPIA does not authorise, and will not support, the sharing or transfer of any information related to nuclear weapons. The ENNPIA also does not authorise the sharing or transfer of any non-naval nuclear propulsion related sensitive information.
15. The ENNPIA also provides the ability for the Parties to enter into implementing arrangements to implement the provisions of the Agreement, as may be required or useful (Article X(D)).

#### *Protection of Naval Nuclear Propulsion Information*

16. Noting the sensitivity of naval nuclear propulsion information and the restrictions on use and dissemination under US domestic law, the ENNPIA has specific requirements in relation to the use, dissemination, handling and protection of such information.
17. The ENNPIA covers information designated (and defined) as classified information, as well as unclassified naval nuclear propulsion information (which while not classified by the United States, still requires appropriate controls) (Article IX(A) and (C)). The specific requirements regarding the administrative and security controls applicable to accessing and communicating this information, including requirements on physical security, personnel security, and control of classified information, are further detailed in the Technical and Security Annexes to the ENNPIA.
18. Each Party commits to protect the information under conditions no less stringent than those afforded by the originating Party, and pursuant to the specific storage, transmittal, access, and clearance requirements detailed in the ENNPIA and its Annexes (Article V). This means that while Australia may use the naval nuclear propulsion information during the 18-month consultation period for government purposes, it is subject to the stringent requirements contained in existing Australian security frameworks and systems.
19. The ENNPIA obligates each Party not to communicate or exchange naval nuclear propulsion information provided to them by another Party to any other nation, foreign or international entities. However, each Party can communicate or exchange naval nuclear propulsion to their own nationals, or where consent of the relevant Party has been provided, to a national of that other Party (Article VI).

### *Intellectual Property*

20. The intellectual property provisions in the ENNPIA are focused on circumstances where patentable subject matter may be generated by a recipient Party as part of the information exchange activities, within the duration of the Agreement. These intellectual property provisions are specifically negotiated without prejudice to future agreements or arrangements Australia may enter into with the United States and United Kingdom concerning the design, construction, operation, regulation and disposal of a nuclear-powered submarine, which will require additional intellectual property consideration and negotiation (Article VIII).
21. Under the ENNPIA, where an invention or discovery (where it is patentable) is owned by a recipient Party and utilises naval nuclear propulsion information of another Party (the originating Party), the ENNPIA sets up a licensing regime to that patentable subject matter for all Parties (Article VIII(A)).
22. Under this regime, a recipient Party would retain ownership of the invention in their jurisdiction, but would transfer and assign ownership of the invention to the originating Party in that originating Party's jurisdiction, subject to retention of a license to use that invention for government and mutual defence purposes in the originating Party's jurisdiction (Article VIII(A)(1)(a)). The recipient Party would also grant a license for government and mutual defence purposes licence to both other Parties to that invention, including for production and sale in the recipient jurisdiction (Article VIII(A)(1)(b)).
23. With respect to the title or licensing arrangements described above, to the extent of the rights or interests granted, no Party can discriminate against citizens of any Party in respect of granting any license or sublicense under the patents owned by it in its own or any other country (Article VIII(A)(1)).
24. The Parties also waive all claims against any other Party for compensation, royalty, or award, and agree to release the other Parties with respect to any and all such claims in relation to such patented or patentable subject matter (Article VIII(B)(2)).

### *Visits / Personnel Exchanges / Training*

25. As part of the approved scope of information to be exchanged (Article II), the ENNPIA will also support the ability for visits, training, and secondments of civilian and military personnel of one Party with either or both Parties, where such training or secondments involve access to naval nuclear propulsion information. Where the Parties agree to carry out specific training or secondment activities, these would be subject to either implementing arrangements under the ENNPIA or pursuant to separate agreements or arrangements.
26. The ENNPIA also supports visits for the purposes of security assurances between the Parties by the relevant responsible security authorities (Security Annex, Section IV (A)).

### *Disagreement*

27. Any disagreement that may arise between the Parties in the implementation or interpretation of the ENNPIA will only be resolved through mutual consultation and negotiation without recourse to any dispute settlement mechanisms (Article X).

### **Implementation**

28. Australia's implementation of the ENNPIA will be led by the Department of Defence in consultation with the Department of Foreign Affairs and Trade and the Attorney-General's Department. Specific activities, engagement and access to information authorised by the ENNPIA are likely to occur pursuant to mutually determined implementing arrangements.
29. Domestic implementation of the ENNPIA does not require changes to Australian laws or regulations.

### **Costs**

30. The ENNPIA does not contain provisions concerning costs. Each Party will bear their own incidental costs.
31. Any costs that may arise in relation to training, exchange of personnel or provision of subject matter experts will be negotiated and set out in either Implementing Arrangements, or carried out pursuant to other government to government mechanisms.
32. No regulatory costs associated with this treaty action are anticipated.

### **Future treaty action**

33. The ENNPIA does not specify processes for its amendment. However, if the Parties jointly agreed to amend the ENNPIA pursuant to general principles of international law, for Australia any such amendment would be subject to Australia's domestic treaty-making requirements, including tabling in Parliament and consideration by JSCOT.
34. The ENNPIA is only intended to facilitate the sharing of naval nuclear propulsion information. A subsequent agreement would need to be negotiated to support transfers of equipment, materials or technology related to nuclear naval propulsion. Following the 18 month AUKUS consultation period, and once the requirements and commitments related to nuclear-powered submarines for the Royal Australian Navy are understood and evaluated, such an agreement would be negotiated and would be subject to Australia's domestic treaty-making requirements, including tabling in Parliament and consideration by JSCOT.

### **Termination**

35. The ENNPIA will remain in force until December 31, 2023 and shall automatically extend for four additional periods of six (6) months each, unless superseded by a subsequent agreement or otherwise terminated (Article X).

36. Any Party can terminate the ENNPIA (inclusive of its Annexes) by giving at least six (6) months written notice to the other Parties, which will have the effect of terminating the entire agreement (Article X(A)).
37. In the event a Party terminates or materially breaches the ENNPIA, or determines it to be invalid, the other Parties have the right to require the return or destruction of any naval nuclear propulsion information exchanged under the ENNPIA (Article X(B)).
38. Obligations relating to use and non-disclosure of naval nuclear propulsion information, intellectual property, and security will continue in force notwithstanding any termination, expiration, or suspension of the ENNPIA, for the duration that naval nuclear propulsion information provided under the ENNPIA remains in the recipient Party's jurisdiction or control (Article X(C)).

International Agreements and Policy Division  
Nuclear Powered Submarine Task Force  
Department of Defence

## **ATTACHMENT ON CONSULTATION**

### **Agreement between the Government of Australia, the Government of the United Kingdom of Great Britain and Northern Ireland, and the Government of the United States of America for the Exchange of Naval Nuclear Propulsion Information**

(Canberra, 22 November 2021)

**[2021] ATNIA 7**

**[2021] ATNIF 10**

## **CONSULTATION**

### *Commonwealth Departments*

39. The Department of Defence consulted with the Department of the Prime Minister and Cabinet, Department of Foreign Affairs and Trade, and Attorney-General's Department. No concerns have been identified.

### *State and Territory Governments*

40. Due to the unique and expedited nature of the ENNPPIA, and noting its limited information sharing scope, the Department of Defence has not consulted with State and Territory Governments. No action is expected to be required from States or Territories to implement the ENNPPIA.

### *Public Consultation*

41. No public consultation has been undertaken as the ENNPPIA relates to national security and operational capability matters.

## 2.3 – Report 199 – Australian Parliament

December 2021

The Joint Standing Committee on Treaties of the Australian Parliament published this report of its review of the ENNPIA. The committee declared its support for the agreement and recommended that Parliament and the government take binding treaty action. The committee completed its review action in just seven days (rather than the standard 20).

Other key points:

- The analysis points out that there is **no provision for exchange of equipment.**
- **Training or secondment activities will need additional negotiated agreements.**
- There is no dispute settlement mechanism.
- \$300 million was approved for the operation of the Nuclear-Powered Submarine Task Force (134 staff) to help determine the optimal “viable pathway.”
- Australia notified the IAEA of its intent in the AUKUS partnership and will continue to engage the IAEA for at least 18 months.
- Nuclear propulsion is considered a non-proscribed military activity within the NPT regime. Non-proscribed military activities are *not* prohibited by the NPT.
- Only six countries, all of them nuclear-armed, operate nuclear-powered submarines.

PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

# Report 199

## *Agreement for the Exchange of Naval Nuclear Propulsion Information*

Joint Standing Committee on Treaties

December 2021  
CANBERRA



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# Members

## *Chair*

Mr Dave Sharma MP

## *Deputy Chair*

Mr Peter Khalil MP

## *Members*

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Senator Andrew Bragg

Mr Russell Broadbent MP

Senator Raff Ciccone

Senator Dorinda Cox

Mr Jason Falinski MP

Ms Nicolle Flint MP

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Senator David Van

Mr Josh Wilson MP

## **Committee Secretariat**

Mr Greg Ward, Committee Secretary

Dr Fiona Allen, Inquiry Secretary

Mr Kevin Bodel, Senior Researcher

Ms Cathy Rouland, Office Manager

# Terms of reference

The Committee's resolution of appointment empowers it to inquire into and report on:

- 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
- any question relating to a treaty or other international instrument, whether or not negotiated to completion, referred to the Committee by:
  - either House of the Parliament
  - a Minister
- 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.

# Abbreviations

AGD	Attorney-General's Department
ATNIA	Australian Treaty National Interest Analysis
ATNIF	Australian Treaty Not yet In Force
ATS	Australian Treaty Series
AUKUS	Enhanced trilateral security partnership between Australia, the United Kingdom, and the United States
CCWA	Conservation Council of Western Australia
DFAT	Department of Foreign Affairs and Trade
ENNPIA	Exchange of Naval Nuclear Propulsion Information Agreement
IAEA	International Atomic Energy Agency
ICAN	International Campaign to Abolish Nuclear Weapons
IPAN	Independent and Peaceful Australia Network
JSCOT	Joint Standing Committee on Treaties
NIA	National Interest Analysis
NPT	Treaty on the Non-Proliferation of Nuclear Weapons
UNESCO	United Nations Educational, Scientific and Cultural Organization
UK	United Kingdom
US	United States
WADA	World Anti-Doping Agency



# List of recommendations

## Recommendation 1

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- 2.88 The Committee supports the proposed *Agreement between the Government of Australia, the Government of the United Kingdom of Great Britain and Northern Ireland, and the Government of the United States of America for the Exchange of Naval Nuclear Propulsion Information* and recommends binding treaty action be taken.

# Executive summary

This report reviews one proposed treaty action: *Agreement between the Government of Australia, the Government of the United Kingdom of Great Britain and Northern Ireland, and the Government of the United States of America for the Exchange of Naval Nuclear Propulsion Information* (the proposed Agreement/ENNPIA).

The proposed Agreement relates to the acquisition by Australia of nuclear-powered submarines for the Royal Australian Navy. This would be the first initiative of the AUKUS enhanced trilateral strategic partnership between Australia, the United Kingdom and the United States announced in September 2021.

The proposed Agreement would establish a legally-binding framework for the disclosure and use of information related to naval nuclear propulsion among the three nations, without which it would not be possible for Australia to determine the optimal pathway to deliver the submarine capability.

Given the 18-month timeframe established for determining the optimal pathway, the Committee agreed to a request from the Defence Minister for expedited consideration of the proposed Agreement. The Committee completed its inquiry within 7 rather than the standard 20 joint sitting days.

While the Committee acknowledges significant matters remain to be determined during the 18-month consultation process, the proposed Agreement itself does not raise any significant concerns for the Committee. Any transfers of equipment, materials or technology that follow would be the subject of a subsequent agreement and further Committee scrutiny.

Importantly, the Committee found there would be no weakening of Australia's commitment to its nuclear non-proliferation obligations as a result of this agreement, which is limited to the exchange of information. While Australia is

seeking the optimal pathway to obtaining nuclear-powered submarines, it would not be acquiring nuclear weapons, and sharing knowledge for this purpose is specifically ruled-out by the proposed Agreement.

The Committee acknowledges that non-proliferation issues arise in relation to the proposed acquisition of nuclear-powered submarines, and will seek to remain informed of the Australian Government's ongoing engagement with the International Atomic Energy Agency.

The Committee supports this treaty action and recommends binding treaty action be taken.

This report also contains the Committee's review of one minor treaty action: 2021 Amendment to Annex I of the *International Convention against Doping in Sport*.

The Committee supports this minor treaty action and agreed binding treaty action be taken.

# 1. Introduction

- 1.1 This report contains the Joint Standing Committee on Treaties' review of the *Agreement between the Government of Australia, the Government of the United Kingdom of Great Britain and Northern Ireland, and the Government of the United States of America for the Exchange of Naval Nuclear Propulsion Information* (Canberra, 22 November 2021).
- 1.2 The Committee's resolution of appointment empowers it to inquire into any treaty to which Australia has become a signatory, on the treaty being tabled in the Parliament.
- 1.3 The treaties, and matters arising from them, are evaluated to ensure that ratification is in the national interest, and that unintended or negative effects on Australia will not arise.
- 1.4 Prior to tabling, major treaty actions are subject to a National Interest Analysis, prepared by the Australian Government. This document considers the treaty, outlines the treaty obligations and any regulatory or financial implications, and reports the results of consultations undertaken with state and territory governments, federal, state and territory agencies, and with industry or non-government organisations.
- 1.5 The Committee takes account of this document in its examination of the treaty text, in addition to other evidence taken during the inquiry program.
- 1.6 A copy of the treaty considered in this report and the associated documentation may be accessed through the Committee's website at:
  - [www.aph.gov.au/Parliamentary\\_Business/Committees/Joint/Treaties/ENNPIA](http://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Treaties/ENNPIA).

- 1.7 This report also contains the Committee's review of one minor treaty action: 2021 Amendment to Annex I of the *International Convention against Doping in Sport*.

## **Conduct of the Committee's review**

- 1.8 The major treaty action reviewed in this report was advertised on the Committee website from the date of referral. Submissions for the treaty action were requested by 26 November 2021. 106 submissions were received.
- 1.9 The Committee held two public hearings in Canberra and by videoconference/teleconference on Monday, 29 November 2021 and Friday, 3 December 2021. The transcripts of evidence from the public hearings may be obtained from the Committee Secretariat or accessed through the Committee's website.
- 1.10 A list of submissions received is at Appendix A and a list of witnesses who appeared at the public hearings is at Appendix B.

## 2. Exchange of Naval Nuclear Propulsion Information Agreement

*Agreement between the Government of Australia, the Government of the United Kingdom of Great Britain and Northern Ireland, and the Government of the United States of America for the Exchange of Naval Nuclear Propulsion Information*

### Introduction

- 2.1 This chapter examines the *Agreement between the Government of Australia, the Government of the United Kingdom of Great Britain and Northern Ireland, and the Government of the United States of America for the Exchange of Naval Nuclear Propulsion Information* (ENNPIA/proposed Agreement), which was signed in Canberra on 22 November 2021 and tabled in the Parliament later on the same day.<sup>1</sup>
- 2.2 The proposed Agreement would establish a legally-binding framework for the disclosure and use of information related to naval nuclear propulsion

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<sup>1</sup> *Agreement between the Government of Australia, the Government of the United Kingdom of Great Britain and Northern Ireland, and the Government of the United States of America for the Exchange of Naval Nuclear Propulsion Information* (Canberra, 22 November 2021) [2021] ATNIF 10, hereafter ENNPIA.

among the governments of Australia, the United States (US) and United Kingdom (UK).<sup>2</sup>

## Background

- 2.3 According to the National Interest Analysis (NIA), the proposed Agreement relates to the acquisition by Australia of nuclear-powered submarines for the Royal Australian Navy, which is the first initiative of the AUKUS (Australia, United Kingdom, United States) enhanced trilateral security partnership.<sup>3</sup>

## AUKUS

- 2.4 The AUKUS enhanced trilateral security partnership was announced jointly by Australia, the UK and US on 16 September 2021. Through AUKUS, the three governments undertook to:

- promote deeper information and technology sharing
- foster deeper integration of security and defence-related science, technology, industrial bases and supply chains
- deepen cooperation on a range of security and defence capabilities including cyber, artificial intelligence, quantum technologies and undersea capabilities.<sup>4</sup>

- 2.5 With regard to the partnership's first initiative, the acquisition by Australia of nuclear-powered submarines, the announcement stated there would be a 'trilateral effort of 18 months to seek an optimal pathway to deliver this capability', with Australia to leverage expertise from the US and UK.<sup>5</sup>

- 2.6 In the announcement, Australia undertook to adhere to 'the highest standards for safeguards, transparency, verification, and accountancy

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<sup>2</sup> National Interest Analysis [2021] ATNIA 7 with attachment on consultation, *Agreement between the Government of Australia, the Government of the United Kingdom of Great Britain and Northern Ireland, and the Government of the United States of America for the Exchange of Naval Nuclear Propulsion Information* (Canberra, 22 November 2021) [2021] ATNIF 10, hereafter NIA, paragraph 3.

<sup>3</sup> NIA, paragraph 4.

<sup>4</sup> The Hon Scott Morrison MP, Prime Minister of Australia, 'Joint Leaders Statement on AUKUS', Media Release, 16 September 2021, [www.pm.gov.au/media/joint-leaders-statement-aukus](http://www.pm.gov.au/media/joint-leaders-statement-aukus), viewed 23 November 2021.

<sup>5</sup> The Hon Scott Morrison MP, Prime Minister of Australia, 'Joint Leaders Statement on AUKUS', Media Release, 16 September 2021, [www.pm.gov.au/media/joint-leaders-statement-aukus](http://www.pm.gov.au/media/joint-leaders-statement-aukus), viewed 23 November 2021.

measures to ensure the non-proliferation, safety, and security of nuclear material and technology'.<sup>6</sup> Australia stated it remained 'committed to fulfilling all of its obligations as a non-nuclear weapons state, including with the International Atomic Energy Agency'. And together, the three nations stated their deep commitment to upholding their leadership on global non-proliferation.<sup>7</sup>

## **Nuclear-powered submarines and Australia's national interest**

- 2.7 In announcing the enhanced trilateral security partnership, the three countries stated AUKUS would 'help sustain peace and stability in the Indo-Pacific region ... to protect our shared values and promote security and prosperity'.<sup>8</sup>
- 2.8 Submarines, according to the NIA, are an essential part of Australia's naval capability and provide a 'strategic advantage in terms of surveillance and protection of our maritime approaches'.<sup>9</sup>
- 2.9 In comparison to conventionally powered submarines, nuclear-powered submarines are said by the NIA to exhibit superior stealth, speed, manoeuvrability, survivability, and endurance, such that they can 'deter actions against Australia's interests'.<sup>10</sup>

## **Requirement for the proposed Agreement**

- 2.10 The NIA stated disclosure of naval nuclear propulsion information is restricted under US domestic law. It is only when there is an agreement such as ENNPPIA in force that such information can be disclosed to a foreign nation. Due to its pre-existing treaty obligation with the US, the UK is equally restricted from disclosing naval nuclear propulsion information. The

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<sup>6</sup> The Hon Scott Morrison MP, Prime Minister of Australia, 'Joint Leaders Statement on AUKUS', Media Release, 16 September 2021 [www.pm.gov.au/media/joint-leaders-statement-aukus](http://www.pm.gov.au/media/joint-leaders-statement-aukus), viewed 23 November 2021.

<sup>7</sup> The Hon Scott Morrison MP, Prime Minister of Australia, 'Joint Leaders Statement on AUKUS', Media Release, 16 September 2021, [www.pm.gov.au/media/joint-leaders-statement-aukus](http://www.pm.gov.au/media/joint-leaders-statement-aukus), viewed 23 November 2021.

<sup>8</sup> The Hon Scott Morrison MP, Prime Minister of Australia, 'Joint Leaders Statement on AUKUS', Media Release, 16 September 2021, [www.pm.gov.au/media/joint-leaders-statement-aukus](http://www.pm.gov.au/media/joint-leaders-statement-aukus), viewed 23 November 2021.

<sup>9</sup> NIA, paragraph 5.

<sup>10</sup> NIA, paragraph 5.



proposed Agreement would provide for Australia to receive naval nuclear propulsion-related information from the UK and the US.<sup>11</sup>

2.11 The proposed Agreement, according to the NIA, is ‘critical to an intensive examination of the full suite of requirements that underpin the delivery of these submarines being considered as part of an 18-month consultation period’.<sup>12</sup>

2.12 The NIA foreshadowed that the proposed Agreement would also facilitate training and education for Australian civilian and military personnel on the safe and effective operation of naval nuclear propulsion technology.<sup>13</sup> It would, therefore:

... enable Australia to develop the necessary skills and knowledge to create a world’s best practice regulatory and safety regime to guarantee the safe operation of naval nuclear propulsion and to ensure compliance with Australia’s international obligations, including under the Treaty on the Non-Proliferation of Nuclear Weapons.<sup>14</sup>

## Provisions of the proposed Agreement

### Preamble

2.13 Statements in the Preamble recall and affirm:

- the first initiative of AUKUS is a shared ambition to support Australia in acquiring nuclear-powered submarines for the Royal Australian Navy
- the Parties have embarked on a trilateral effort to seek an optimal pathway to deliver this capability
- common defence and security will be advanced by the exchange of naval nuclear propulsion information concerning military reactors
- the Parties’ respective obligations under the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).<sup>15</sup>

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<sup>11</sup> NIA, paragraph 11.

<sup>12</sup> NIA, paragraph 5.

<sup>13</sup> NIA, paragraph 8.

<sup>14</sup> NIA, paragraph 9.

<sup>15</sup> ENNPJA, preamble.

## Key articles in the proposed Agreement

### *Information to be communicated or exchanged*

- 2.14 Article II of the proposed Agreement provides for naval nuclear propulsion information to be communicated or exchanged as it is determined to be necessary to research, develop, design, manufacture, operate, regulate, and dispose of military reactors, or to facilitate such communication or exchange.<sup>16</sup>
- 2.15 The NIA confirmed visits, training and secondments of civilian and military personnel are included in the scope of Article II, where this involves access to naval nuclear propulsion information.<sup>17</sup>

### *Naval nuclear propulsion information*

- 2.16 The proposed Agreement defines ‘naval nuclear propulsion information’ as:
- ... classified information and unclassified information concerning the design, arrangement, development, manufacture, testing, operation, administration, training, maintenance, or repair of the propulsion plants of naval nuclear-powered vessels and prototypes, including the associated shipboard and shore-based nuclear support facilities.<sup>18</sup>

### *Nuclear weapons and other exclusions*

- 2.17 Under the proposed Agreement, ‘Reactor’ is defined to exclude nuclear weapons:
- ... an apparatus, other than an atomic weapon, in which a self-supporting fission chain reaction is maintained and controlled by utilizing uranium, plutonium, or thorium, or any combination of uranium, plutonium, or thorium.<sup>19</sup>
- 2.18 The NIA confirmed the proposed Agreement would not authorise or support the sharing or transfer of any information related to nuclear weapons.<sup>20</sup>

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<sup>16</sup> ENNPPIA, article II.

<sup>17</sup> NIA, paragraph 25.

<sup>18</sup> ENNPPIA, article IX(B).

<sup>19</sup> ENNPPIA, article IX(F).

<sup>20</sup> NIA, paragraph 14.

- 2.19 Further, the proposed Agreement ‘does not support the transfer of any equipment or technology, nor does it support the sharing or transfer of any information on civil nuclear matters, beyond those incidentally related to naval nuclear propulsion’.<sup>21</sup>

*Sharing of information is subject to defence and security considerations*

- 2.20 Parties would be able to communicate and exchange information under the proposed Agreement, provided the ‘communicating Party determines that such cooperation will promote and will not constitute an unreasonable risk to its defense and security’.<sup>22</sup>
- 2.21 The technical annex of the proposed Agreement, which sets out implementing provisions with regard to the communication or exchange of naval nuclear propulsion information, provides that cooperation must not adversely affect the resources of each Party’s naval nuclear propulsion program.<sup>23</sup>
- 2.22 Other provisions in the technical annex include:
- the authority in each jurisdiction to control cooperative efforts and communication or exchange of any information under the Agreement
  - liability for the use of information to be assumed by the receiving Party
  - the need for participation by persons in any aspect of the Agreement to be agreed in advance by all Parties.<sup>24</sup>
- 2.23 The annex also makes provisions with regard to administrative controls for the handling of information under the proposed Agreement.<sup>25</sup>

*Additional laws or arrangements that apply to activities under the proposed Agreement*

- 2.24 Article IV, which specifies various conditions on the proposed Agreement, provides for cooperation under the proposed Agreement to be carried out by

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<sup>21</sup> NIA, paragraph 12.

<sup>22</sup> ENNPJA, article I.

<sup>23</sup> ENNPJA, Technical Annex (section I(B)).

<sup>24</sup> ENNPJA, Technical Annex (section I).

<sup>25</sup> ENNPJA, Technical Annex (section II).

each of the Parties in accordance with each Party's applicable laws.<sup>26</sup> These applicable laws are not specified or otherwise limited.

- 2.25 The proposed Agreement does not preclude communication or exchange of naval nuclear propulsion information under other arrangements or agreements between the Parties.<sup>27</sup>
- 2.26 Parties may enter into implementing arrangements for the provisions of the proposed Agreement but where there is any inconsistency, the provisions of the proposed Agreement would prevail.<sup>28</sup>
- 2.27 Implementing arrangements are likely, according to the NIA, for specific activities, engagement and access to information authorised by the proposed Agreement.<sup>29</sup>
- 2.28 In particular, the NIA stated that where training or secondment activities occur under the proposed Agreement, these would be subject to implementing arrangements made under the proposed Agreement or provided for under 'separate agreements or arrangements'.<sup>30</sup>

### *No indemnity or guarantee as to accuracy or completeness of information*

- 2.29 The use of information communicated or exchanged under the proposed Agreement is the responsibility of the Party receiving the information. The originating Party does not provide any indemnity, warrant the accuracy or completeness of the information, or warrant the suitability or completeness of the information for any particular use or application.<sup>31</sup>

### *Protecting and disseminating information*

- 2.30 Under the proposed Agreement, Parties make a range of guarantees with regard to the security of information provided according to Article II,

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<sup>26</sup> ENNPPIA, article IV(A).

<sup>27</sup> ENNPPIA, article IV(B).

<sup>28</sup> ENNPPIA, article X(D).

<sup>29</sup> NIA, paragraph 28.

<sup>30</sup> NIA, paragraph 25.

<sup>31</sup> ENNPPIA, article III.

including that conditions applied by the receiving Party be no less stringent than those of the originating Party.<sup>32</sup>

2.31 Parties would consult to maintain mutually determined classification policies.<sup>33</sup>

2.32 While the proposed Agreement would not restrict consultation or cooperation in defence with other nations or international organisations, no Party could communicate or exchange naval nuclear propulsion information provided under the proposed Agreement to any other nation, foreign or international entity, or individual who is not a national of the Parties.<sup>34</sup>

2.33 Further, the proposed Agreement would not allow for any Party to communicate or exchange information made available by another Party under the proposed Agreement to an individual who is not its national and who is a national of another Party, without the consent of that other Party.<sup>35</sup>

#### *Security annex*

2.34 The proposed Agreement contains a security annex. Section I of the security annex deals with access to naval nuclear propulsion information and security clearance procedures for personnel. It includes the requirement that no individual is to be granted access unless it is affirmatively determined such access will not endanger national security or pose an undue risk to common defence and security. The annex specifies the considerations that must be taken prior to affording a person access to naval nuclear propulsion information.<sup>36</sup>

2.35 Section II deals with arrangements for the physical security of the information exchanged or communicated under the proposed Agreement including the requirement that it be protected physically against espionage, sabotage, unauthorised access or any other hostile activity.<sup>37</sup>

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<sup>32</sup> ENNPPIA, article V.

<sup>33</sup> ENNPPIA, article VII.

<sup>34</sup> ENNPPIA, article VI.

<sup>35</sup> ENNPPIA, article VI.

<sup>36</sup> ENNPPIA, Security Annex (section I).

<sup>37</sup> ENNPPIA, Security Annex (section II).

- 2.36 Section III specifies document and information control programs for classified information, including the authority to classify naval nuclear propulsion information and rules for classification.<sup>38</sup>
- 2.37 Section IV contains provisions for security assurances; security of classified contracts; security education; actions in the case of loss or compromise of naval nuclear propulsion information; reports; and records of facilities where naval nuclear propulsion information may be stored.<sup>39</sup>
- 2.38 Section V allows for reciprocal visits of security personnel to achieve an understanding of the adequacy and reasonable comparability of each Party's security system.<sup>40</sup>

### *International Atomic Energy Agency safeguards*

- 2.39 Cooperation under the proposed Agreement requires Australia to maintain its International Atomic Energy Agency (IAEA) NPT safeguards agreements with respect to all nuclear material in all peaceful nuclear activities within the territory of Australia, under its jurisdiction, or carried out under its control.<sup>41</sup>
- 2.40 Australia would fulfill this requirement by maintaining the following existing agreements with regard to peaceful nuclear activities:
- *Agreement between Australia and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons*, signed at Vienna on 10 July 1974
  - *Protocol Additional to the Agreement between Australia and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons*, signed at Vienna on 23 September 1997.<sup>42</sup>

### *Intellectual property*

- 2.41 The provisions with regard to intellectual property in the proposed Agreement operate without prejudice to any future agreements or

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<sup>38</sup> ENNPPIA, Security Annex (section III).

<sup>39</sup> ENNPPIA, Security Annex (section IV).

<sup>40</sup> ENNPPIA, Security Annex (section V).

<sup>41</sup> ENNPPIA, article IV(C).

<sup>42</sup> ENNPPIA, article IV(C).

arrangements in the context of the design, construction, operation, regulation, and disposal of a naval nuclear-powered vessel.<sup>43</sup>

2.42 If there is an invention or discovery made by the recipient Party during the period the Agreement is in force, that employs information provided under the Agreement, and where the rights are owned by the recipient Party:

- the recipient Party retains ownership of the rights in the invention or discovery in their jurisdiction
- all right, title and interest in and to the invention or discovery, patent application or patent in the country of the originating Party is to be transferred and assigned to the originating Party, subject to:
  - the recipient Party retaining a royalty-free, non-exclusive, irrevocable licence for governmental purposes and for the purposes of mutual defence
  - the recipient Party granting to the other non-originating Party a royalty-free, non-exclusive, irrevocable licence for governmental purposes and the purposes of mutual defence.<sup>44</sup>

2.43 With respect to any invention or discovery, patent application or patent, licence or sublicense covered by the provisions above, each Party:

- may to the extent of its right, title and interest, deal in its own country as it may desire, but cannot discriminate against citizens of any Party in respect of granting any licence or sublicense under the patents owned by it in its own or any other country
- waives any and all claims against any Party for compensation, royalty, or award and releases the other Parties from all such claims.<sup>45</sup>

2.44 No patent application with respect to any classified invention or discovery employing classified information exchanged or communicated under the proposed Agreement, may be filed:

- in a country of any Party except in accordance with agreed conditions
- in any country not a Party to the proposed Agreement.<sup>46</sup>

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<sup>43</sup> ENNPJA, article VIII.

<sup>44</sup> ENNPJA, article VIII(A).

<sup>45</sup> ENNPJA, article VIII(B).

<sup>46</sup> ENNPJA, article VIII(C).

### ***No dispute settlement mechanism***

- 2.45 Parties agree to settle any disagreements with regard to the implementation or interpretation of the proposed Agreement through ‘mutual consultations and negotiations without recourse to any dispute settlement mechanisms’.<sup>47</sup>

### **Entry into force and duration**

- 2.46 The proposed Agreement would enter into force for all Parties on the date of the last notification that each Party has completed all domestic requirements for the entry into force of the Agreement.<sup>48</sup>
- 2.47 Evidence to the Committee suggests Australia, the US and UK would complete their respective domestic processes during the course of January 2022.<sup>49</sup>
- 2.48 Provisions in the proposed Agreement mean it could remain in force until 31 December 2025. The proposed Agreement would:
- remain in force until 31 December 2023
  - automatically extend for four additional periods of six months each unless superseded by a subsequent agreement or otherwise terminated.<sup>50</sup>

### **Termination**

- 2.49 Any Party may terminate the proposed Agreement by giving at least six months written notice to the other Parties.<sup>51</sup>

### ***Return or destruction of information***

- 2.50 If any Party materially breaches, terminates or abrogates the proposed Agreement, other Parties have the right to require the return or destruction of any naval nuclear propulsion information communicated or exchanged under the Agreement.<sup>52</sup>

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<sup>47</sup> ENNPPIA, article X(E).

<sup>48</sup> ENNPPIA, article X(A).

<sup>49</sup> Mr Scott Dewar, Former First Assistant Secretary, International Policy and Agreements, Department of Defence, *Committee Hansard*, Canberra, 29 November 2021, page 5.

<sup>50</sup> ENNPPIA, article X(A).

<sup>51</sup> ENNPPIA, article X(A).

<sup>52</sup> ENNPPIA, article X(B).



### *Provisions to remain in effect*

2.51 Notwithstanding the suspension, termination or expiration of the proposed Agreement or cessation of cooperation for any reason, the following Articles would continue in effect so long as any naval nuclear propulsion information communicated or exchanged remains in the recipient Party or recipient Party's jurisdiction or control:

- Article III—Responsibility for use of information
- Article V (A, B, D)—Guaranties
- Article VI—Dissemination of information
- Article VII—Classification policies
- Article VIII—Intellectual property.<sup>53</sup>

### **Implementation**

2.52 The Department of Defence would lead Australia's implementation of the proposed Agreement, in consultation with the Department of Foreign Affairs and Trade (DFAT) and the Attorney-General's Department (AGD).<sup>54</sup>

2.53 No legislative or regulatory measures are required for the proposed Agreement to be implemented in Australia.<sup>55</sup>

### **Cost**

2.54 As there are no provisions in the proposed Agreement with regard to costs, each Party would bear their own incidental costs.<sup>56</sup>

2.55 According to the Department of Defence, the Australian Government has approved funding of up to \$300 million for the operation of the Nuclear-Powered Submarine Task Force. As of 25 November 2021, the task force had 134 staff, including secondees from the Department of the Prime Minister and Cabinet, DFAT, AGD, the Australian Nuclear Science and Technology Organisation, the Australian Radiation Protection and Nuclear Safety Agency, the Department of Education, Skills and Employment, and 10 contractors.<sup>57</sup>

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<sup>53</sup> ENNPJA, article X(C).

<sup>54</sup> NIA, paragraph 28.

<sup>55</sup> NIA, paragraph 29.

<sup>56</sup> NIA, paragraph 30.

<sup>57</sup> Department of Defence, *Submission 105*, pages [3-4].

2.56 There are no anticipated regulatory costs.<sup>58</sup>

### *Amendment*

2.57 There are no provisions in the proposed Agreement that provide for amendments to be made to the Agreement.

2.58 Under international law, Parties could though jointly agree to amend the proposed Agreement, and any such amendment for Australia would be subject to Australia's domestic treaty-making requirements, including tabling in Parliament and consideration by the Committee.<sup>59</sup>

## **Nuclear non-proliferation**

2.59 Because of the destructive power of nuclear weapons, the international community has imposed a strong regulatory regime on the possession and trade in nuclear materials and the industrial machinery used to process, refine and store those materials. Two of the treaties involved in this regulation are relevant to the Committee's inquiry into the proposed Agreement:

- the NPT<sup>60</sup>
- the *Agreement between Australia and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons* (safeguards agreement).<sup>61</sup>

2.60 The NPT establishes an international framework that is intended to prevent non-nuclear weapon states from acquiring nuclear weapons, while permitting the development of 'research, production and use of nuclear energy for peaceful purposes'.<sup>62</sup>

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<sup>58</sup> NIA, paragraph 32.

<sup>59</sup> NIA, paragraph 33.

<sup>60</sup> *Treaty on the Non-Proliferation of Nuclear Weapons* (London, Moscow, Washington, 7 January 1968) [1973] ATS 3, hereafter NPT.

<sup>61</sup> *Agreement between Australia and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons of 1 July 1968* (Vienna, 10 July 1974) [1974] ATS 16, hereafter safeguards agreement. Australia is party to a number of other nuclear non-proliferation treaties that are not relevant to the consideration of ENNPIA.

<sup>62</sup> NPT, article IV.

- 2.61 The NPT requires that a non-nuclear weapon state concludes a 'safeguards agreement' with the IAEA for the purpose of verifying that it is complying with the obligations of the NPT.<sup>63</sup> Parties to the NPT cannot transfer nuclear material or related equipment to a non-nuclear weapon state unless that nuclear material or equipment is subject to a safeguards agreement.<sup>64</sup> For Australia, this is the safeguards agreement referred to above.
- 2.62 While the proposed Agreement contains an article specifically stating that in implementing ENNPIA, Australia will comply with its nuclear non-proliferation obligations,<sup>65</sup> the proposed Agreement itself is limited to the exchange of naval nuclear propulsion information.<sup>66</sup> The relevant non-proliferation treaties to which Australia is party do not prohibit the exchange of this type of information, and so the proposed Agreement itself presents no challenge to Australia's obligations under the non-proliferation treaties.
- 2.63 Non-proliferation obligations become relevant to the proposed Agreement because the purpose of the proposed Agreement is to support the acquisition of nuclear-powered submarines. The preamble to the proposed Agreement states:
- Recalling their leaders' announcement of an enhanced trilateral security partnership among the Parties called AUKUS, of which the first initiative is a shared ambition to support Australia in acquiring nuclear-powered submarines for the Royal Australian Navy ...<sup>67</sup>
- 2.64 At the hearing on 29 November 2021, Mr Scott Dewar, Former First Assistant Secretary, International Policy and Agreements, Department of Defence, stated:

The first major initiative under AUKUS is to support Australia's acquisition of conventionally armed nuclear-powered submarines for operation by the Royal Australian Navy. Acquiring nuclear powered submarines is a major decision for Australia.<sup>68</sup>

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<sup>63</sup> NPT, article III(1).

<sup>64</sup> NPT, article III(2).

<sup>65</sup> NIA, paragraph 14.

<sup>66</sup> ENNPIA, article II.

<sup>67</sup> ENNPIA, preamble.

<sup>68</sup> Mr Dewar, Department of Defence, *Committee Hansard*, Canberra, 29 November 2021, page 1.

2.65 Article 14 of Australia's safeguards agreement with the IAEA sets out the conditions under which Australia can use nuclear material for a non-proscribed military activity that is not in conflict with Australia's non-proliferation obligations. Article 14 states:

If Australia intends to exercise its discretion to use nuclear material which is required to be safeguarded under this Agreement in a nuclear activity which does not require the application of safeguards under this Agreement, the following procedures shall apply:

- (a) Australia shall inform the Agency of the activity, making it clear:
  - (i) That the use of the nuclear material in a non-proscribed military activity will not be in conflict with an undertaking Australia may have given and in respect of which Agency safeguards apply, that the nuclear material will be used only in a peaceful nuclear activity; and
  - (ii) That during the period of non-application of safeguards the nuclear material will not be used for the production of nuclear weapons or other nuclear explosive devices;
- (b) Australia and the Agency shall make an arrangement so that, only while the nuclear material is in such an activity, the safeguards provided for in this Agreement will not be applied. The arrangement shall identify, to the extent possible, the period or circumstances during which safeguards will not be applied. In any event, the safeguards provided for in this Agreement shall apply again as soon as the nuclear material is reintroduced into a peaceful nuclear activity. The Agency shall be kept informed of the total quantity and composition of such unsafeguarded nuclear material in Australia and of any export of such nuclear material; and
- (c) Each arrangement shall be made in agreement with the Agency. Such agreement shall be given as promptly as possible and shall relate only to such matters as, inter alia, temporal and procedural provisions and reporting arrangements, and shall not involve any approval or classified knowledge of the military activity or relate to the use of the nuclear material therein.<sup>69</sup>

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<sup>69</sup> Safeguards agreement, article 14.

- 2.66 During the Committee hearing on 29 November 2021, Ms Katrina Cooper, First Assistant Secretary and Head, AUKUS Taskforce, DFAT, affirmed Australia's ongoing commitment to the nuclear non-proliferation regime:

Australia is unwavering in its support for the global non-proliferation regime, with the nuclear non-proliferation treaty as its cornerstone. Our AUKUS partners are equally committed. Australia is a foremost proponent of the nuclear non-proliferation treaty. We have exemplary credentials, and we stand by our record. In undertaking AUKUS cooperation, we'll comply fully with our non-proliferation obligations and commitments, including under the South Pacific Nuclear Free Zone Treaty. Our record outside the NPT is also longstanding and strong, including our work on the Non-Proliferation and Disarmament Initiative, the Proliferation Security Initiative and the Australia Group. We'll continue to adhere to the highest standards of safeguards for transparency and verifications.<sup>70</sup>

- 2.67 The Committee heard evidence that there are complex and unresolved non-proliferation issues. Professor Donald Rothwell referred to the 'novelty of the AUKUS arrangement' with respect to its NPT implications.<sup>71</sup> Mr Jesse Clarke, Assistant Secretary, Office of International Law, AGD, advised, 'we will grapple with the many issues that arise under the nuclear non-proliferation treaty regime with the IAEA in our pursuit of our steadfast commitment to maintain our obligations under the nuclear non-proliferation treaty regime'.<sup>72</sup>

- 2.68 Ms Cooper advised the Committee that discussions with the IAEA concerning Australia's non-proliferation obligations in relation to nuclear-powered submarines had commenced and were underway:

We notified the International Atomic Energy Agency of our plans in relation to AUKUS at the outset, and we will continue to engage closely with the IAEA throughout the 18-month consultation period. The Prime Minister recently met with the IAEA director-general, Raphael Grossi, and underlined the strength of our ongoing commitment to non-proliferation and to working closely with the IAEA.<sup>73</sup>

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<sup>70</sup> Ms Katrina Cooper, First Assistant Secretary and Head, AUKUS Taskforce, Department of Foreign Affairs and Trade (DFAT), *Committee Hansard*, Canberra, 29 November 2021, page 3.

<sup>71</sup> Professor Donald Rothwell, *Committee Hansard*, Canberra, 3 December 2021, page 3.

<sup>72</sup> Mr Jesse Clarke, Assistant Secretary, Office of International Law, Attorney-General's Department (AGD), *Committee Hansard*, Canberra, 29 November 2021, page 10.

<sup>73</sup> Ms Cooper, DFAT, *Committee Hansard*, Canberra, 29 November 2021, page 3.

2.69 Mr Clarke stated:

I think it's clear that naval nuclear propulsion is considered a non-proscribed military activity within the non-proliferation treaty regime. I should emphasise that such activities, non-proscribed military activities, are not prohibited by the NPT regime. A non-proscribed military activity does not include the use of nuclear material in nuclear weapons or other explosive devices.<sup>74</sup>

## Views on the proposed Agreement

- 2.70 The Committee received 106 submissions to the inquiry, the significant majority of which addressed the broader policy of the AUKUS enhanced trilateral security partnership and the perceived desirability or otherwise of Australia's acquisition of nuclear-powered submarines. This section confines itself to the views presented on the proposed Agreement itself, rather than seeking to cover the many other issues raised.
- 2.71 Professor Rothwell, in his evidence to the Committee, noted the proposed Agreement 'can properly be characterised as one that seeks to provide for an exchange of information with respect to naval nuclear propulsion information'.<sup>75</sup> It is 'an agreement to potentially agree on something more substantive at some undefined point in the future'.<sup>76</sup>
- 2.72 Some submissions and witnesses expressed concern that the intention to acquire nuclear-powered submarines would affect Australia's strategic independence, and expressed concern the decisions had the potential to raise tensions in the region. This included, the Medical Association for Prevention of War (Australia), the Independent and Peaceful Australia Network (IPAN), People for Nuclear Disarmament, and Australians for War Powers Reform.
- 2.73 Some submitters raised concerns about the acquisition of submarines drawing Australia into US war planning, destabilising the region, causing an arms build-up, and potentially leading to war with China.<sup>77</sup>

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<sup>74</sup> Mr Clarke, AGD, *Committee Hansard*, Canberra, 29 November 2021, page 8.

<sup>75</sup> Professor Donald Rothwell, *Committee Hansard*, Canberra, 3 December 2021, page 1.

<sup>76</sup> Professor Donald Rothwell, *Committee Hansard*, Canberra, 3 December 2021, page 1.

<sup>77</sup> For a range of views, see: Mr Bevan Ramsden, Committee Member, Independent and Peaceful Australia Network (IPAN), *Committee Hansard*, Canberra, 3 December 2021, page 7; Dr Sue Wareham, President, Medical Association for Prevention of War, *Committee Hansard*, Canberra,

## Nuclear non-proliferation

- 2.74 A number of submissions discussed the nuclear non-proliferation implications of the proposed Agreement.
- 2.75 Many of these submissions identified the prospect of Australia making use of Article 14 of Australia's safeguards agreement as a concern. BaseWatch Darwin, for example, stated:

Nuclear propelled submarines have long been recognised as a well defined loophole to the NPT framework. Australian entanglement risks further expanding the loophole, and in doing so inviting others to stretch the definition yet again. A number of international voices have expressed concern that this move by Australia may amount to a weakening of the NPT framework, and may fuel a regional arms race.<sup>78</sup>

- 2.76 The Medical Association for Prevention of War (WA Committee) discussed the precedent Australia's use of Article 14 of the safeguards agreement could set:

Only six countries, all of them nuclear-armed, operate nuclear-powered submarines. It is unprecedented for a non-nuclear armed nation like Australia to acquire nuclear-powered submarines. The exchange of this extremely sensitive information around the fuel and the technology that is needed to make nuclear weapons is a dangerous global precedent that other nations are likely to follow.<sup>79</sup>

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3 December 2021, page 9; Niall McLaren, *Submission 8*, page 1; Hunter Peace Group, *Submission 26*, page [1]; Jonathan Pilbrow, *Submission 28*, page [1]; David Noonan, *Submission 40*, page 4; Jane Brownrigg, *Submission 41*, page 1; IPAN, *Submission 43*, page [2]; Nick Deane, *Submission 45*, page [1]; Catharine Clements, *Submission 56*, page 1; Lorel Thomas, *Submission 60*, page [3]; Dr Sharon Matthews, *Submission 64*, page [1]; Christine Venner-Westaway, *Submission 68*, page [1]; Sydney Anti-AUKUS Coalition, *Submission 74*, pages [1-2]; Katherine Purnell, *Submission 77*, page [1]; Professor Emeritus Frank Stilwell, *Submission 83*, page [1]; Kathryn Kelly, *Submission 89*, page 2; Julie Marlow, *Submission 92*, page 1; Roger Jowett, *Submission 94*, page [1]; Paul Pearce and Ingrid Strewe, *Submission 104*, pages [1-2].

<sup>78</sup> BaseWatch Darwin, *Submission 51*, page [2]. See also: Adrian Glamorgan, *Submission 85*, page [2]; Australian Conservation Foundation, *Submission 87*, pages 2–3; People for Nuclear Disarmament, *Submission 21*, page [5]; Kathryn Kelly, *Submission 89*, page [1].

<sup>79</sup> Medical Association for Prevention of War (WA Committee), *Submission 58*, page 1. See also: Dr Graham Freeman, *Submission 11*, page [1]; Dr Philip White, *Submission 16*, page [3]; Jonathan Pilbrow, *Submission 28*, page [1]; Jane Brownrigg, *Submission 41*, page [1]; Dallas de Brabander, *Submission 42*, page [1]; Name Withheld, *Submission 47*, page [1]; Dr Sharon Matthews, *Submission 64*, page [1]; Sydney Peace and Justice Coalition, *Submission 66*, page [1].

- 2.77 On the other hand, Professor Rothwell pointed out that the proposed Agreement deals with the exchange of information and does not provide for the transfer of technology. According to Professor Rothwell, though there is broader debate on whether the AUKUS partnership could lead to NPT issues, he was of the view the proposed Agreement ‘does not cause ... any direct alarm in terms of inconsistency of this agreement with the NPT’.<sup>80</sup> Nevertheless, Professor Rothwell was of the view a stronger statement reaffirming Australia’s NPT obligations would have been appropriate.<sup>81</sup>

## Environmental issues

- 2.78 Environmental issues raised by submitters went to two broad issues beyond the provisions of the proposed Agreement: Australia’s capacity to deal with a nuclear incident, and the disposal of nuclear materials.
- 2.79 The Conservation Council of Western Australia stated the risks of nuclear submarine accidents are significant, and the environmental and wider impacts on Western Australia’s coast, marine life and community in the event of an accident or incident could be devastating.<sup>82</sup>
- 2.80 The Independent and Peaceful Australia Network argued building, operating and supporting the maintenance of nuclear-powered submarines could lead to the establishment of a nuclear industry in Australia, something it opposed. Such an industry, IPAN argued, would bring a range of dangerous issues associated with highly enriched, weapons-grade uranium and the disposal of radioactive waste.<sup>83</sup>

## Committee view

- 2.81 The AUKUS enhanced trilateral security partnership is a significant strategic development for Australia, as is the decision by the Australian Government to seek an optimal pathway for the acquisition of nuclear-powered submarines. Whilst these developments have a number of policy and

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<sup>80</sup> Professor Donald Rothwell, *Committee Hansard*, Canberra, 3 December 2021, page 3.

<sup>81</sup> Professor Donald Rothwell, *Committee Hansard*, Canberra, 3 December 2021, page 3.

<sup>82</sup> Conservation Council of Western Australia (CCWA), *Submission 48*, page [1]; Ms Mia Pepper, Nuclear Free Campaigner, CCWA, *Committee Hansard*, Canberra, 3 December 2021, page 8.

<sup>83</sup> IPAN, *Submission 43*, page [2]. See also: Marrickville Peace Group, *Submission 57*, page [2]; Sydney Anti-AUKUS Coalition, *Submission 74*, page [2]; Australian Conservation Foundation, *Submission 87*, pages 3-4.



political elements, and have attracted a deal of community interest, the Committee is conscious that the scope of this inquiry is limited to the proposed Agreement before the Committee, concerning the exchange of naval nuclear propulsion information.

- 2.82 The Committee is reassured by undertakings in the NIA and those provided by Australian Government witnesses that the proposed Agreement is only intended to facilitate the sharing of naval nuclear propulsion information and that a subsequent agreement would be required to support transfers of equipment, materials or technology. Any such agreement would be subject to Australia's domestic treaty-making requirements, including consideration by the Committee.<sup>84</sup>
- 2.83 Given the early stage of the project, much concern about the proposed Agreement expressed during the inquiry, while understandable and legitimate, was to some degree speculative or pre-emptive.
- 2.84 It is the case significant matters remain to be determined during the 18-month consultation process and any future action will be subject to further Committee scrutiny.
- 2.85 The Committee notes the concerns expressed by some submitters about Australia's commitment to the NPT. The Committee found no evidence to suggest Australia's steadfast commitment to its NPT obligations was wavering.
- 2.86 The Committee heard evidence that there are complex and unresolved non-proliferation issues raised by the proposal to acquire nuclear-powered submarines. On that basis, the Committee will seek to remain informed of the Australian Government's ongoing engagement with the IAEA.
- 2.87 The Committee is of the view the proposed Agreement is in the national interest and accordingly recommends binding treaty action be taken.

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## Recommendation 1

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- 2.88 The Committee supports the proposed Agreement between the Government of Australia, the Government of the United Kingdom of Great Britain and Northern Ireland, and the Government of the United States of America for the Exchange of Naval Nuclear Propulsion Information and recommends binding treaty action be taken.**

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<sup>84</sup> NIA, paragraph 34.

## 3. Minor treaty action

### *2021 Amendment to Annex I of the International Convention against Doping in Sport*

- 3.1 Minor treaty actions are generally technical amendments to existing treaties which do not impact significantly on the national interest. They are presented to the Committee with a short explanatory statement and are listed on the Committee's website.
- 3.2 The Committee can choose to formally inquire into these treaty actions, or accept them without a formal inquiry and report. Once considered they are incorporated into a formal report of the Committee at the next opportunity.
- 3.3 The Committee has been asked to consider the 2021 Amendment to Annex I of the *International Convention against Doping in Sport*.

### **Background**

- 3.4 The proposed treaty action is an amendment to Annex I of the United Nations Educational, Scientific and Cultural Organization (UNESCO) *International Convention against Doping in Sport* (the Convention). Annex I (Prohibited List – International Standard) identifies the substances and methods prohibited in sport and is an integral part of the Convention.
- 3.5 The Convention entered into force on 1 February 2007 and aims to 'harmonise anti-doping legislation, guidelines, regulations, and rules

internationally in order to provide a fair and equitable playing environment for all athletes'.<sup>1</sup>

- 3.6 Under the World Anti-Doping Code and since 2004, the World Anti-Doping Agency (WADA) has published an annually updated list of Prohibited Substances and Methods (the Prohibited List).<sup>2</sup> The WADA consults widely on possible amendments and Australia contributes to the consultation process.<sup>3</sup>
- 3.7 Under Article 34 of the Convention, WADA amendments to the Prohibited List must be approved by the Conference of Parties. From the date of the UNESCO Director-General's notification of amendments, States Parties have 45 days to express their objection to the proposed amendment. Unless two thirds of States Parties express an objection, the proposed amendment is deemed to be approved by the Conference of Parties. Amendments approved by the Conference of Parties enter into force 45 days after the Director-General notifies the Conference of Parties that amendments have been approved.<sup>4</sup>
- 3.8 If a State Party notifies the Director-General that it does not accept an amendment, the state remains bound by the Annexes as not amended.<sup>5</sup>

## The proposed treaty action

- 3.9 The proposed amendments to Annex I of the Convention would update the annex to reflect the 2022 Prohibited List, which was adopted by WADA on 14 September 2021.<sup>6</sup>

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<sup>1</sup> United Nations Educational, Scientific and Cultural Organization (UNESCO), 'International Convention against Doping in Sport', [en.unesco.org/themes/sport-and-anti-doping/convention](http://en.unesco.org/themes/sport-and-anti-doping/convention), viewed 22 November 2021.

<sup>2</sup> World Anti-Doping Agency, 'The Prohibited List', [www.wada-ama.org/en/what-we-do/the-prohibited-list](http://www.wada-ama.org/en/what-we-do/the-prohibited-list), viewed 22 November 2021.

<sup>3</sup> Explanatory Statement 6 of 2021, 2021 Amendment to Annex I of the *International Convention against Doping in Sport*, hereafter Explanatory Statement, paragraph 3; World Anti-Doping Agency, *World Anti-Doping Code International Standard: Prohibited List 2022*, page 3.

<sup>4</sup> *International Convention against Doping in Sport* (Paris, 19 October 2005) [2007] ATS 10, hereafter the Convention, article 34(1)–(3).

<sup>5</sup> The Convention, article 34(4).

<sup>6</sup> Explanatory Statement, paragraph 2.

- 3.10 The UNESCO Director-General notified States Parties of the proposed amendments to Annex I on 1 October 2021. The Explanatory Statement advised Australia did not intend to object to the amendments and the proposed amendments would enter into force for Australia on 1 January 2022.<sup>7</sup>

## Reasons to take the treaty action

- 3.11 According to the Explanatory Statement, harmonising the regulation of anti-doping arrangements across sports globally provides certainty and consistency for Australian athletes who are required to comply with WADA's Prohibited List.<sup>8</sup>
- 3.12 If a discrepancy came to exist between the Australian Government's agreed Prohibited List (Annex I of the Convention) and WADA's Prohibited List, Sport Integrity Australia stated it would be 'restricted in its ability to implement its anti-doping regime in accordance with the requirements of the World Anti-Doping Code'.<sup>9</sup>
- 3.13 The Explanatory Statement suggested the proposed treaty action would not impact significantly on the national interest and it would have negligible practical, legal or financial effect on Australia.<sup>10</sup>
- 3.14 Compliance with the proposed amendment to Annex I of the Convention would not require legislative amendment as the existing legislative framework incorporates the Prohibited List, as adopted by WADA and in force at the time.<sup>11</sup>

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<sup>7</sup> Explanatory Statement, paragraph 7.

<sup>8</sup> Explanatory Statement, paragraph 8.

<sup>9</sup> Explanatory Statement, paragraph 9.

<sup>10</sup> Explanatory Statement, paragraph 4.

<sup>11</sup> Explanatory Statement, paragraphs 10–11.

## Conclusion

- 3.15 The Committee supports this minor treaty action and agreed that binding treaty action be taken.

Mr Dave Sharma MP

Chair

15 December 2021

# Australian Greens Dissenting Report

## Summary of position

- 1.1 The Australian Greens do not support the acquisition of nuclear-powered submarines. We hold grave concerns that this procurement, and the trilateral AUKUS agreement facilitating it, will undermine peace, stability and safety in the Indo-Pacific region and indeed globally.
- 1.2 Further, we are particularly alarmed by the unjustified speed at which this committee process is being undertaken. The Morrison Government's disregard of due democratic process is deeply troubling—as is the Labor party's acquiescence on the matter—and fails to adequately prioritise community engagement on a matter of such significant public importance.

## Key issues

- 1.3 The Australian Greens maintain that the proposed acquisition of nuclear-powered submarines is highly provocative, and will dangerously escalate tensions in the Indo-Pacific region.<sup>1</sup>
- 1.4 In addition, we are concerned that the AUKUS agreement and the procurement of nuclear-powered submarine technology for military purposes significantly risks nuclear arms proliferation among non-nuclear armed states. We strongly support the concerns raised during the inquiry

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<sup>1</sup> International Campaign to Abolish Nuclear Weapons (ICAN), 'Nuclear-Powered Submarines: Briefing Note', [icanw.org.au/nuclear-powered-submarines-briefing-note/](https://icanw.org.au/nuclear-powered-submarines-briefing-note/), viewed 23 November 2021.

hearings that Australia's actions set a precedent for other nations that may seek to acquire nuclear technology for arms development.<sup>2</sup>

- 1.5 We contend that the presence of nuclear-powered submarines in Australia would make Australia a military target and increase the risk of domestic terrorism incidents and we note submitters to the inquiry share this view.<sup>3</sup>
- 1.6 Further, the Greens are alarmed that both the United States (US) and United Kingdom (UK) nuclear-powered submarines are reportedly fuelled with weapons-grade enriched uranium,<sup>4</sup> with Article II of the treaty inferring that Australia would acquire this same technology.<sup>5</sup>
- 1.7 We note that witnesses representing both the Department of Foreign Affairs and Trade and the Department of Defence at the first inquiry hearing were unable to definitively answer whether Australia would acquire this nuclear technology within the International Atomic Energy Agency's (IAEA) safeguards regime, or whether it would exploit the so-called non-proliferation 'loophole'<sup>6</sup> and therefore be exempt from inspection and compliance. The International Campaign to Abolish Nuclear Weapons' (ICAN) submission to the inquiry maintains the latter scenario would be invoked, and we share ICAN's concern that the Exchange of Naval Nuclear Propulsion Information Agreement (ENNPIA) significantly weakens the IAEA's important goal of restricting sensitive nuclear material and technology.<sup>7</sup>
- 1.8 We have significant concerns about the safety of nuclear-powered submarines. The catastrophic potential of nuclear power poses an unacceptable risk to our communities and the environment. The potential for long-term radiological contamination is significant, and the full impact of

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<sup>2</sup> Dr Marianne Hanson, Vice-Chair, ICAN, *Committee Hansard*, Canberra, 3 December 2021, page 9.

<sup>3</sup> ICAN, 'Nuclear-Powered Submarines: Briefing Note', [icanw.org.au/nuclear-powered-submarines-briefing-note/](https://icanw.org.au/nuclear-powered-submarines-briefing-note/), viewed 23 November 2021.

<sup>4</sup> ICAN, 'Nuclear-Powered Submarines: Briefing Note', [icanw.org.au/nuclear-powered-submarines-briefing-note/](https://icanw.org.au/nuclear-powered-submarines-briefing-note/), viewed 23 November 2021.

<sup>5</sup> *Agreement between the Government of Australia, the Government of the United Kingdom of Great Britain and Northern Ireland, and the Government of the United States of America for the Exchange of Naval Nuclear Propulsion Information* (Canberra, 22 November 2021) [2021] ATNIF 10, article II.

<sup>6</sup> ICAN, 'Nuclear-Powered Submarines: Briefing Note', [icanw.org.au/nuclear-powered-submarines-briefing-note/](https://icanw.org.au/nuclear-powered-submarines-briefing-note/), viewed 23 November 2021.

<sup>7</sup> ICAN, *Submission 67*, page [2].

radiation from nuclear-powered submarines on marine ecosystems is as yet unknown.

1.9 Additionally, we have serious reservations about the nuclear reference accident upon which the decision to allow nuclear-powered warships to visit Australia is assessed.<sup>8</sup> In our view it is extremely conservative in scope and fails to consider marine impacts or long-term repercussions of a nuclear incident on human life.

1.10 The Australian Greens are extremely concerned about how the storage and disposal of nuclear waste generated by submarines procured through this exchange of information would be managed. We share the concerns raised by a witness speaking on behalf of the Conservation Council of Western Australia (CCWA) in the second ENNPPIA hearing that the procurement of nuclear-propelled submarines will cost tens of billions of dollars, a cost that has not been considered by the government in its deliberations, and that:

... it can safely be assumed that nuclear waste would be dumped on Aboriginal land ... without the consent of affected traditional owners ... [noting] there's no repository for high-level nuclear waste anywhere in the world.<sup>9</sup>

1.11 We also express concerns about the significant relative costs associated with acquiring such technology. Australia does not at present have the domestic nuclear infrastructure to support nuclear-powered submarines, which we are concerned will increase our military and foreign policy reliance on the US and UK. Further, we do not support the establishment of a domestic nuclear industry, which would be extraordinarily expensive and deeply problematic on environmental, social and economic grounds. This view is supported by witnesses representing the Independent and Peaceful Australia Network (IPAN), who gave evidence at the committee hearing expressing their belief that the plan would 'require the establishment of a nuclear services industry' in Australia.<sup>10</sup> It is our view that the considerable diversion of resources that this capability acquisition will require could be better and more efficiently spent on other community-building projects that

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<sup>8</sup> Australian Radiation Protection and Nuclear Safety Agency, *The 2000 Reference Accident Used to Assess the Suitability of Australian Ports for Visits by Nuclear Powered Warships*, December 2000, [www.arpansa.gov.au/sites/default/files/ref\\_acc.pdf](http://www.arpansa.gov.au/sites/default/files/ref_acc.pdf), viewed 23 November 2021.

<sup>9</sup> Dr Jim Green, *Committee Hansard*, Canberra, 3 December 2021, pages 11-12.

<sup>10</sup> Mr Bevan Ramsden, Committee Member, Independent and Peaceful Australia Network (IPAN), *Committee Hansard*, Canberra, 3 December 2021, page 7.



actually address the root causes of instability and insecurity in the region and around the world (for instance, inequality, climate change).

- 1.12 The Australian Greens express serious concern about the expedited nature of this committee process. It is disappointing that this Committee, the majority of whom are from the Labor and Liberal/National parties, has denied the community the opportunity to meaningfully engage with this inquiry. We are not satisfied that the Morrison Government's request of this Committee to expedite consideration of this treaty is sufficiently justified. In our view, this inquiry should be extended to allow enough time for the community to properly engage. After all, it is the Australian community who are being asked to foot the bill—and bear the risk—for such an expensive and resource-intensive project.
- 1.13 We would like to note the bipartisanship of the Liberal/National and Labor parties on this issue. The Greens maintain that this habit of uncritically waving through matters relating to defence, foreign relations and security means that the public are not afforded the opportunity for meaningful and robust debate. It is our view that this diminishes the democratic process and provides no option for an alternative outcome, even if those alternatives better serve the public interest.
- 1.14 The Australian Greens further highlight the Government's 2019 report *Not without your approval: a way forward for nuclear technology in Australia* that emphasises that nuclear power would not be pursued without community support.<sup>11</sup> We contend that such a rushed committee process is discordant with this recent commitment, and therefore a longer committee process and engagement of the public is critical and necessary.
- 1.15 Finally, the Greens note and support the submissions to the Joint Standing Committee on Treaties (JSCOT) by individuals and community groups expressing their opposition to ENNPIA and the hasty committee process, including the People for Nuclear Disarmament, Friends of the Earth, the Medical Association for Prevention of War, ICAN, IPAN, CCWA, the Sydney Peace and Justice Coalition, and former senator and JSCOT committee member Scott Ludlam. The significant volume of submissions received in this extremely abbreviated timeframe clearly demonstrate the

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<sup>11</sup> House of Representatives Standing Committee on the Environment and Energy, *Not without your approval: a way forward for nuclear technology in Australia*, December 2019, [www.aph.gov.au/Parliamentary\\_Business/Committees/House/Environment\\_and\\_Energy/Nuclearenergy/Report](http://www.aph.gov.au/Parliamentary_Business/Committees/House/Environment_and_Energy/Nuclearenergy/Report), viewed 23 November 2021.

need for an extended committee process and meaningful community participation.

- 1.16 I would like to acknowledge Senator Steele-John's work on this dissenting report as the Australian Greens portfolio holder on Peace and Disarmament.

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### **Recommendation 1**

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- 1.17 The Australian Greens recommend that no binding treaty action be taken.

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### **Recommendation 2**

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- 1.18 The Australian Greens recommend that the committee process is extended to ensure the community is given adequate time to engage in this issue of significant public interest.

Senator Dorinda Cox  
Member

## A. Submissions

- 1 Scott Ludlam
- 2 Robert Heron
- 3 *Confidential*
- 4 Judith Morrison
- 5 *Name Withheld*
- 6 Colin Mitchell
- 7 Jennifer Forster
- 8 Niall McLaren
- 9 Keri James
- 10 Lawry Herron
- 11 Dr Graham Freeman
- 12 Andrew Williams
- 13 Benjamin Cronshaw
- 14 Goralyna Estarion
- 15 Dr John Paterson
- 16 Dr Philip White
- 17 Gabrielle Smith
- 18 Colin MacKenzie
- 19 Svyetlana Hadgraft
- 20 David Phelps

- 
- 21 People for Nuclear Disarmament
  - 22 *Name Withheld*
  - 23 Daren McDonald
  - 24 George Dale Hess
  - 25 Bryan Milne
  - 26 Hunter Peace Group
  - 27 Simon Wood
  - 28 Jonathan Pilbrow
  - 29 Paul Carrick
  - 30 *Confidential*
  - 31 Noel McCarthy
  - 32 *Name Withheld*
  - 33 *Name Withheld*
  - 34 Pamela Collett and James Lindsay
  - 35 *Name Withheld*
  - 36 Darryl Nelson
  - 37 Philip Browne
  - 38 Richard Lloyd
  - 39 Professor Colin Apelt
  - 40 David Noonan
  - 41 Jane Brownrigg
  - 42 Dallas de Brabander
  - 43 Independent and Peaceful Australia Network (IPAN)
  - 44 Pamela Jones
  - 45 Nick Deane
  - 46 Kevin Walsh
  - 47 *Name Withheld*
  - 48 Conservation Council of Western Australia
  - 49 Dr Norma Wood

- 
- 50 Richard Weatherley
- 51 BaseWatch Darwin
- 52 Diana Rickard and Greg Chapman
- 53 Australian Anti-Bases Campaign Coalition
- 54 *Name Withheld*
- 55 Australians for War Powers Reform
- 56 Catharine Clements
- 57 Marrickville Peace Group
- 58 Medical Association for Prevention of War (WA Committee)
- 59 Professor Donald Rothwell
- 60 Lorel Thomas
- 61 Jim Morris
- 62 David Cohan
- 63 Dr Christopher Crouch
- 64 Dr Sharon Matthews
- 65 Associate Professor Anitra Nelson
- 66 Sydney Peace and Justice Coalition
- 67 International Campaign to Abolish Nuclear Weapons (Australia)
- 68 Christine Venner-Westaway
- 69 Margaret Bryn-Burns
- 70 *Name Withheld*
- 71 Medical Association for Prevention of War (Australia)
- 72 Barbara Fletcher
- 73 Friends of the Earth Australia
- 74 Sydney Anti-AUKUS Coalition
- 75 Curtin University
- 76 Dr Peter Ross
- 77 Katherine Purnell
- 78 Graham Rayner

- 79 *Confidential*
- 80 Nikkoela Raffinde
- 81 Dr Peter Bennett
- 82 Dr Romaine Rutnam
- 83 Professor Emeritus Frank Stilwell
- 84 Grant Donohue
- 85 Adrian Glamorgan
- 86 Peter Griffin
- 87 Australian Conservation Foundation
- 88 Stephen Rix
- 89 Kathryn Kelly
- 90 Councillor Cath Blakey
- 91 *Name Withheld*
- 92 Julie Marlow
- 93 Dr Bronwen Evans
- 94 Roger Jowett
- 95 Dr Frederick Blamey
- 96 Dr Zohl Ishtar
- 97 Dr Marianne Hanson
- 98 *Name Withheld*
- 99 Julie Hart
- 100 Dr Andrew Mack
- 101 Geoff Maddox
- 102 Migrante Australia
- 103 M Marlee (Jewell)
- 104 Paul Pearce and Ingrid Strewe
- 105 Department of Defence
- 106 Katy Gerner

## B. Witnesses

### **Monday, 29 November 2021**

Canberra (by videoconference)

*Department of Defence*

*Department of Foreign Affairs and Trade*

*Attorney-General's Department*

### **Friday, 3 December 2021**

Canberra (by videoconference/teleconference)

*Professor Donald Rothwell*

*Australians for War Powers Reform*

*Conservation Council of Western Australia*

*Independent and Peaceful Australia Network (IPAN)*

*International Campaign to Abolish Nuclear Weapons (ICAN)*

*Medical Association for Prevention of War*

## **2.4 – Australian Government Brochures**

The Australian Department of Defence published three two-page glossary papers on AUKUS as part of its public communications efforts.

AUKUS: Trilateral Security Partnership – Explains that AUKUS is a partnership aimed at deepening defence capability and technology cooperation between the three countries. It explains the strategic context and highlights the first major initiative for nuclear-powered submarines.

Exchange of Naval Nuclear Propulsion Information – Explains the specific agreement on naval nuclear propulsion and reaffirms the obligations of AUKUS partners under the Treaty on the Non-Proliferation of Nuclear Weapons.

Nuclear Stewardship and Non-Proliferation – Explains Australia's policy and the AUKUS commitment to abide by the NPT.





Australian Government  
Department of Defence

# AUKUS: TRILATERAL SECURITY PARTNERSHIP

## A STEP-CHANGE IN OUR APPROACH TO REGIONAL SECURITY



'AUKUS' is an enhanced trilateral security partnership between Australia, the United Kingdom and the United States. AUKUS is based on our enduring ideals and a shared commitment of our three countries to a stable, secure and prosperous Indo-Pacific region.

AUKUS is deepening defence capability and technological cooperation between Australia, the UK and the US. Through our AUKUS partnership Australia will acquire conventionally armed, nuclear-powered submarines at the earliest possible date, while upholding the highest non-proliferation standards. AUKUS will also develop and provide joint advanced military capabilities to promote security and stability in the Indo-Pacific region.

For Australia, AUKUS is a step-change that complements our efforts to build a network of international partnerships - such as with ASEAN, our Pacific family, Five Eyes partners and like-minded partners in the region like the Quad.





## CHANGE IN OUR STRATEGIC ENVIRONMENT



The *2020 Defence Strategic Update* noted the strategic environment had deteriorated more rapidly than anticipated. The Indo-Pacific is now at the centre of strategic competition. Technological disruption and military modernisation is occurring at an unprecedented rate.

This is a pivotal moment for Australia to become a more capable power in the 21st century, in line with our commitment to a global rules-based order. Through AUKUS, we are strengthening our ability to support shared security and defence interests. AUKUS will also foster deeper integration of defence-related science, technology, industrial bases and supply chains.

## NUCLEAR-POWERED SUBMARINES



The first major initiative under AUKUS is a trilateral program to support Australia in acquiring at least eight nuclear-powered submarines for operation by the Royal Australian Navy. A submarine capability is essential to safeguard our maritime approaches, sea-lines of communication and to support a range of strategic effects that contribute to our national security.

Nuclear-powered submarines have superior characteristics of stealth, speed, manoeuvrability, survivability, and almost limitless endurance, when compared to conventional submarines. They can operate in contested areas with a lower risk of detection and deter actions against Australia's interests.

This is about nuclear-powered submarines. Australia has no intention of acquiring nuclear weapons and will remain a non-nuclear weapons state. Australia will continue to meet its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and other relevant agreements, including with the International Atomic Energy Agency.



For more info: [www.defence.gov.au/NPSTF](http://www.defence.gov.au/NPSTF)





Australian Government  
Department of Defence

# EXCHANGE OF NAVAL NUCLEAR PROPULSION INFORMATION

## DEEPENING TRILATERAL COOPERATION



The Exchange of Naval Nuclear Propulsion Information Agreement (the Agreement) enables the United Kingdom and the United States to transfer naval nuclear propulsion information to Australia. This information is critical for determining the optimal pathway to deliver a nuclear-powered submarine capability for Australia, the first initiative of the trilateral security partnership between Australia, the United Kingdom and the United States (AUKUS).

The Agreement supports the current 18-month consultation period as Australia, the UK and the US examine the full suite of requirements that underpin the delivery of nuclear-powered submarines for Australia.

Australia can leverage decades of technology, capability and design expertise from the UK and the US. The Agreement also provides a mechanism to enable Australian personnel to access invaluable training and education from their UK and US counterparts, necessary for learning how to safely and effectively operate nuclear-powered submarines.

## WHAT DOES THIS AGREEMENT COVER?



The Agreement relates only to the sharing of information related to naval nuclear propulsion. Australia is not seeking nuclear weapons and the Agreement does not allow for the sharing of any information related to nuclear weapons.

Importantly, the Agreement reaffirms the respective obligations of the AUKUS partners under the Treaty on the Non-Proliferation of Nuclear Weapons.

The Agreement includes obligations regarding the secure and safe handling, storage and sharing of information, as is usual for information-sharing agreements between States.

The Agreement is not a new defence alliance.



For more info: [www.defence.gov.au/NPSTF](http://www.defence.gov.au/NPSTF)



Australian Government  
Department of Defence

# NUCLEAR STEWARDSHIP AND NON-PROLIFERATION

**RESPONSIBLE NUCLEAR STEWARDSHIP IS FUNDAMENTAL TO AUSTRALIA  
OPERATING AND SUSTAINING NUCLEAR-POWERED SUBMARINES**

## NUCLEAR STEWARDSHIP



‘Stewardship’ refers to the responsible planning, operation, application and management of nuclear material, technology and facilities. Australia will be an effective steward by implementing international best practice controls and meeting the highest levels of safety, security and environmental protections.

The United States and United Kingdom are outstanding stewards of nuclear propulsion technology, with exemplary safety records. Australia is leveraging this experience to implement international best practice controls and meet the highest levels of safety, security and environmental protections.

Australia is not seeking nuclear weapons and remains a non-nuclear weapon state committed to its obligation under the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

The NPT provides enduring security benefits to all states by preventing the proliferation of nuclear weapons and committing nuclear weapon states to work towards disarmament.







## NON-PROLIFERATION

The NPT does not prohibit naval nuclear propulsion and Australia's acquisition of nuclear-powered submarines is in line with our long-standing commitment to the nuclear non-proliferation regime.

The International Atomic Energy Agency (IAEA) is charged with the verification of States' commitments under the NPT and related agreements. Australia, UK and US have informed the IAEA of their plans and will continue to engage with the IAEA throughout the examination of the full suite of requirements that underpin nuclear stewardship.

Australia is committed to upholding the highest possible standards for safeguards, transparency and verification, to ensure the non-proliferation of nuclear material.

Our record on nuclear non-proliferation is exemplary and we stand by our non-proliferation obligations and commitments.

### Australia will not:

- acquire nuclear weapons or have nuclear weapons on the submarines
- undertake uranium enrichment or reprocessing
- be required to refuel the submarines during their lifetime
- undertake uranium enrichment or reprocessing in support of this initiative.

### Australia will:

- maintain its exemplary nuclear non-proliferation credentials and continue to meet its international obligations, including under the NPT
- implement the highest possible standards to maintain the strength of the nuclear non-proliferation regime
- continue its longstanding history of safety and regulatory capability
- engage regularly with international and national nuclear regulators.



For more info: [www.defence.gov.au/NPSTF](http://www.defence.gov.au/NPSTF)

### **Chapter 3 – United Kingdom Official Statements and Documents**

The United Kingdom has provided fewer official documents on the AUKUS partnership. While the readout of the Joint Steering Group meetings provides much of the same information as the readouts from the other partner countries, the House of Commons publication on the AUKUS partnership provides a comprehensive early assessment of the partnership and serves as an informative companion to this briefing book.

### **3.1 – Readout of AUKUS Joint Steering Group Meetings**

December 17, 2021

The read-out of the two Joint Steering Group meetings published by the UK provided more detail on AUKUS deliberations than previous documents. According to the readout, the Joint Steering Groups met on separate days in Washington, D.C., to discuss each of the two AUKUS lines of effort. Most notable was the additional information on the advanced capabilities line of effort. From this document and the subsequently produced fact sheets, we can see that hypersonics and counter-hypersonics, electronic warfare, innovation, and information sharing were all added to this line of effort.

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# Readout of AUKUS Joint Steering Group Meetings

Australia, the United Kingdom and the United States of America recently held the inaugural meetings of the AUKUS Trilateral Joint Steering Groups.



Australia, the United Kingdom and the United States of America recently held the inaugural meetings of the AUKUS Trilateral Joint Steering Groups, which were established as part of the governance structure of AUKUS in September 2021. The Joint Steering Group for Advanced Capabilities met on December 9 and the Joint Steering Group for Australia's Nuclear-Powered Submarine Program met on December 14. Both meetings were held at the Pentagon.

The delegations reaffirmed the Leaders' vision that was laid out in September 2021 and discussed the intensive work underway across the governments and the significant progress made in the three months since the announcement of AUKUS.

The meetings were productive and the participants outlined next steps to continue the positive trajectory in implementation.

During the Joint Steering Group meeting on Advanced Capabilities, participants identified opportunities for collaboration on a range of critical capabilities and technologies. They committed to significantly deepen cooperation and enhance interoperability, and in so doing strengthen security and stability in the Indo-Pacific region and beyond. In particular, participants committed to finalising a program of work in relation to advanced capabilities by early 2022. Beyond the four initial areas of focus outlined in the Joint Leaders' Statement on AUKUS—cyber capabilities, artificial intelligence, quantum technologies, and additional undersea capabilities—participants also discussed other additional capabilities and agreed to identify potential opportunities for collaboration in those areas.



During the Joint Steering Group meeting on Australia's Nuclear-Powered Submarine Program, the participants reaffirmed the trilateral commitment to bring the Australian capability into service at the earliest possible date. The delegations agreed on the next steps over the 18-month consultation period to define the optimal pathway for Australia to acquire nuclear-powered submarines, and for the Working Groups to examine in detail the critical actions necessary to establish an enduring program in Australia. The participants reviewed achievements since September, including the signing of the Exchange of Naval Nuclear Propulsion Information Agreement and the path forward to bring that into force, which will enable full and effective consultation between the governments over the 18-month period.

The participants also discussed how they will work to ensure that the submarine program upholds their longstanding leadership in global non-proliferation, including through continued close consultation with the International Atomic Energy Agency. The participants underscored that the three countries remain steadfast in support of the nuclear non-proliferation regime and its cornerstone, the Nuclear Non-proliferation Treaty. They reaffirmed that the three governments will comply with their respective non-proliferation obligations and commitments and that they intend to implement the strongest possible non-proliferation standards.

Australia, the United Kingdom and the United States look forward to continuing to build on this momentum as they work together to deliver advanced defence and technology capabilities, including an Australian nuclear-powered submarine capability.

### **3.2 – The AUKUS Agreement – House of Commons Library**

October 11, 2021

This publication of the House of Commons Library provides a holistic summary of major issues surrounding the AUKUS agreement from the UK perspective. Its early assessment of international reactions is particularly helpful for understanding the geopolitical positioning of key countries in the region. It also provides a brief assessment of the significance of the partnership to each country and one of the earliest assessments of the long-term implications for non-proliferation. Finally, the document provides several early selections for further reading.

By Louisa Brooke-Holland,  
John Curtis,  
Claire Mills

11 October 2021

# The AUKUS agreement

## Summary

- 1 The announcement of AUKUS
- 2 International reaction
- 3 What does it mean for the UK?
- 4 What does it mean for Australia?
- 5 What does it mean for the US?
- 6 What does it mean for non-proliferation?
- 7 Context: the maritime significance of the Indo-Pacific/South China Sea
- 8 Further reading

### Contributing Authors

Antonia Garraway

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## Summary

In September 2021 the UK, Australia and the United States announced a new security partnership called AUKUS. The surprise agreement will see the three countries collaborate on new nuclear-powered submarines for the Royal Australian Navy and work together on areas such as cyber and artificial intelligence. The three countries said the agreement “will help sustain peace and stability in the Indo-Pacific.”<sup>1</sup> For the UK, it is a clear reflection of the UK’s tilt to the Indo-Pacific, articulated in the Integrated Review of security, defence and foreign policy.

However, there has been mixed reaction from the region, with some believing it will help address the military imbalance against China, while others fear it could spark an arms race or heighten the risk of conflict. And while the submarines are to be nuclear-powered, not nuclear-armed, the agreement has prompted much discussion of the effect it will have on nuclear non-proliferation efforts.

France, who will lose a multibillion contract to build new submarines for Australia, as a result of AUKUS, described the announcement as a “stab in the back”.

This paper explores some of potential implications of AUKUS, mindful that there are still many details of the agreement to come.

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<sup>1</sup> [“UK, US and Australia launch new security partnership”](#), Gov.uk, 15 September 2021

# 1

## The announcement of AUKUS

On 15 September 2021 Prime Minister Boris Johnson, US President Joseph Biden and Australian Prime Minister Scott Morrison [issued a joint statement](#) announcing the creation of an “enhanced trilateral security partnership” called AUKUS (Australia, the United Kingdom and the United States).<sup>2</sup>

A major part of the agreement is for the three countries to begin consultations to help Australia acquire nuclear-powered (not nuclear-armed) submarines. The initial scoping phase for this part of the agreement will take 18 months:

The development of Australia’s nuclear-powered submarines would be a joint endeavour between the three nations, with a focus on interoperability, commonality, and mutual benefit.<sup>3</sup>

The statement also announces plans for further collaboration to “enhance our joint capabilities and interoperability.” These will initially focus on cyber capabilities, artificial intelligence, quantum technologies and additional undersea capabilities.

### 1 Official announcements

- [UK Government](#) and [Prime Minister’s oral statement to the House](#)
- [Australian Government](#)
- [US Government](#) and [White House press briefing](#)

<sup>2</sup> [“UK, US and Australia launch new security partnership”](#), Gov.uk, 15 September 2021

<sup>3</sup> [“UK, US and Australia launch new security partnership”](#), Gov.uk, 15 September 2021

## 2 International reaction

The announcement was unexpected. Initial reaction was therefore just as much focused on the surprise about the announcement as it was about the content of the agreement.<sup>4</sup>

### 2.1 Response from Indo-Pacific nations

There was a mixed reaction from the countries in the Indo-Pacific.

#### China

For China, AUKUS “has seriously undermined regional peace and stability”. China’s foreign ministry spokesperson, Zhao Lijian, went on to say that the announcement has “intensified the arms race and undermined international non-proliferation efforts.” China accused the three countries of double standards over nuclear non-proliferation and of holding on to a “Cold War mentality.”<sup>5</sup>

A spokesperson for China’s London Embassy urged the UK “to take concrete actions to uphold the international nuclear non-proliferation regime, and avoid any action that would increase tension in the Asia Pacific region or compromise the peace and stability in the region.”<sup>6</sup>

#### Malaysia and Indonesia

Fears that this agreement will spark an arms race in the region, potentially heightening the risk of conflict, were also raised by Indonesia and Malaysia. Malaysia’s Prime Minister, Ismail Sabri Yaakob, said the project could “provoke other powers to take more aggressive action in this region, especially in the South China Sea.”<sup>7</sup> The Indonesian government issued a statement saying that it viewed the pact “cautiously” and was “deeply

<sup>4</sup> The Times recounts the secrecy surrounding negotiations in “[‘Like a scene from le Carré’: how the nuclear submarine pact was No 10’s biggest secret](#)”, 18 September 2021

<sup>5</sup> “[Foreign Ministry Spokesperson Zhao Lijian’s Regular Press Conference](#)”, Ministry of Foreign Affairs of the People’s Republic of China, 16 September 2021

<sup>6</sup> Embassy of the People’s Republic of China, “Embassy Spokesperson’s Remarks on the Newly-announced Military Partnership between UK, US and Australia”, 18 September 2021. The Embassy have also written two articles on AUKUS: “[Wang Yi: U.S.-Britain-Australia Nuclear Submarine Cooperation Poses Three Hidden Dangers](#)”, 28 September 2021 and “[Wang Yi: U.S.-Britain-Australia Nuclear Submarine Cooperation Causes Five Harms to the Region](#)” 29 September 2021.

<sup>7</sup> “[Australia seeks to ally Southeast Asian concerns over AUKUS nuclear submarine deal](#)”, ABC News, 20 September 2021



concerned over the continuing arms race and power projection in the region.”<sup>8</sup>

## The Philippines

Others, however, were more welcoming. The Philippines Foreign Secretary said AUKUS addresses the military “imbalance” in Southeast Asia, though he refrained from directly naming any specific country as being responsible for this imbalance. Teodoro Locsin Jr said there is an imbalance in the forces available to ASEAN member states and “the enhancement of a near abroad ally’s ability to project power should restore and keep the balance rather than destabilize it.”<sup>9</sup>

## Southeast Asia dynamics

Sebastian Strangio, the Southeast Asia editor of The Diplomat, says there are real fears among Southeast Asian states that their region will be the frontline of any future US/China conflict. He explains why they have a different view of China’s actions:

At a deeper level, Southeast Asian and American perceptions diverge to varying degrees on the question of exactly what threat China poses. While it fears a future of Chinese hegemony, the region has little appetite for the predominant U.S. view of its competition with China, as part of a global battle between democracy and authoritarianism, a framing that was echoed in the AUKUS announcement.<sup>10</sup>

## Japan

Japan has also welcomed the creation of AUKUS. Foreign Minister Toshimitsu Motegi said it strengthens engagement in the region.<sup>11</sup> Professor Tetsuo Kotani of Meikai University told the Defence Committee that while Japan understood the strategic implication for the decision, it was unfortunate the three countries did not deal with France in a different way, suggesting any resulting divisions may encourage China.<sup>12</sup>

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<sup>8</sup> [“Statement on Australia’s Nuclear-powered Submarines Program”](#), Ministry of Foreign Affairs of the Republic of Indonesia, 17 September 2021.

<sup>9</sup> [“Philippines throws support behind AUKUS pact”](#), Benar News, 21 September 2021

<sup>10</sup> [“What Does the New AUKUS Alliance Mean for Southeast Asia?”](#), The Diplomat, 17 September 2021. See also [“Why is southeast Asia so concerned about AUKUS and Australia’s plans for nuclear submarines?”](#), The Conversation, 20 September 2021

<sup>11</sup> [“Press Conference by Foreign Minister Motegi Toshimitsu”](#), Ministry of Foreign Affairs, 21 September 2021

<sup>12</sup> Defence Committee, [Oral evidence: The Navy: purpose and procurement](#), HC 168 2021-22, 21 September 2021 q109

## South and North Korea

On 20 September 2021 South Korean President Moon Jae-in and Boris Johnson discussed the AUKUS agreement during a meeting of the UN General Assembly. According to presidential spokeswoman Park Kyung-mee, the Prime Minister told President Moon that "AUKUS will not cause any regional problems," and Mr Moon responded, "I hope AUKUS will contribute to regional peace and prosperity." The remarks were interpreted as Moon taking a neutral stance on the pact.<sup>13</sup>

The South Korean military is said to want to develop nuclear-powered submarines<sup>14</sup>, and President Moon advocated for the country developing the technology in his 2017 election campaign. It was reported that in 2020 South Korea approached the US for its cooperation in supplying nuclear fuel, but the request was refused.<sup>15</sup>

A North Korean Foreign Ministry official condemned the deal saying it would "upset the strategic balance in the Asia-Pacific region". They further warned "these are extremely undesirable and dangerous acts which will upset the strategic balance in the Asia-Pacific region and trigger off a chain of nuclear arms race".<sup>16</sup> The remarks came a week after North Korea carried out two major weapons tests - that of a long-range cruise missile and a ballistic missile.

## India

Observing Delhi's relative silence about AUKUS, Tanvi Madan of the US-based Brookings Institution, says AUKUS is likely to be seen positively by India. Madan says India has deep concerns about Chinese actions and intentions, and AUKUS signals a reaffirmation of its partner nations' commitment to the region.<sup>17</sup>

## Other regional groupings

The US and Australia directly addressed concerns about AUKUS's impact on ASEAN (the Association of Southeast Asian Nations) and the Quad (US, India, Australia and Japan) in a joint statement on 17 September. The two countries reaffirmed their commitment to "Southeast Asia, ASEAN centrality, and

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<sup>13</sup> "[AUKUS comes as pressure on Seoul to join anti-China campaign](#)", The Korea Times, 23 September 2021.

<sup>14</sup> It has recently launched a new class of conventional-powered submarines able to launch long-range ballistic missiles also, see "[AUKUS's implications for Australia-South Korea defence collaboration](#)", The Strategist, Australian Strategic Policy Institute, B Paterson, 29 September 2021.

<sup>15</sup> "[AUKUS comes as pressure on Seoul to join anti-China campaign](#)", The Korea Times, 23 September 2021.

<sup>16</sup> "[Aukus could trigger a 'nuclear arms race'](#)", says North Korea", BBC News, 20 September 2021.

<sup>17</sup> "[India, the Quad and AUKUS](#)", Lawfare blog, 24 September 2021

ASEAN-led architecture” and to “working through the Quad to support Indo-Pacific partners to respond to the defining challenges of our time.”<sup>18</sup>

The Quad has been given more prominence since President Biden took office; he hosted the first in-person [leaders’ summit in Washington](#) a few days after announcing AUKUS. Covid and global health, improving regional infrastructure and education were the focus of that summit rather than security issues.<sup>19</sup>

The UK and Australia also participate in the Five Power Defence Arrangements, along with Malaysia, Singapore and New Zealand. Agreed in 1971 after the withdrawal of British forces from Malaysia and Singapore, it commits the five members to consult in the event of an external attack on either Malaysia or Singapore. There is no specific commitment for military intervention in such an event.

The UK, Australia and the US are part of the Five Eyes Intelligence network, alongside New Zealand and Canada. In 2018 six Southeast Asian countries [launched their own equivalent network](#), Our Eyes, to share intelligence on militant and extremist groups.

## 2.2

## France says AUKUS is a “stab in the back”

The French reaction was one of fury. France’s Foreign Minister, Jean-Yves Le Drian, described the AUKUS deal as a “stab in the back.”<sup>20</sup> Mr Le Drian said the announcement constitutes “unacceptable behaviour among allies and partners”, and France withdrew its ambassadors from Washington and Canberra in response.<sup>21</sup> France’s defence minister, Florence Parly, also cancelled a planned meeting with UK Defence Secretary Ben Wallace. Asked why France had not recalled its ambassador to the UK, Le Drian said UK’s role in the agreement was “opportunistic” and described the country as “the fifth wheel on the wagon”.<sup>22</sup>

Naval Group, the French company that was contracted to build Australia’s 12 conventional-powered submarines in a deal worth US \$36.2 billion, is majority owned by the French state.<sup>23</sup> The loss of the deal, therefore, has direct financial consequences for the French Government. Naval Group’s Chief

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<sup>18</sup> [“The Australia-U.S. Ministerial Consultations Joint Statement: An Unbreakable Alliance for Peace and Prosperity”](#), Australian Ministry for Foreign Affairs, 17 September 2021

<sup>19</sup> A helpful explanation of the Quad can be found in “Explainer: What exactly is the Quad and what’s on the agenda for their Washington summit?” by Ian Hall, *The Conversation*, 22 September 2021

<sup>20</sup> [“‘Stab in the back’: French fury as Australia scraps submarine deal”](#), *the Guardian*, 16 September 2021

<sup>21</sup> [“France recalls its ambassadors to the US and Australia over new national security partnership”](#), CNN, 18 September 2021

<sup>22</sup> [“Aukus: France’s ambassador recall is ‘tip of the iceberg’, say analysts”](#), *The Guardian*, 18 September

<sup>23</sup> Thales, the French defence company owns another 35%, [“Naval Group vows to claw back millions for cancelled submarine deal”](#), *Financial Times*, 26 September 2021.

Executive has said that they will seek repayment from Australia of “every cost that we incurred and every cost related to the demobilisation”.<sup>24</sup>

## Macron and Biden talk

A week after the deal was announced, President Biden and President Macron held discussions over the phone. A [read out](#) after the call stated “The two leaders agreed that the situation would have benefited from open consultations among allies on matters of strategic interest to France and our European partners”. They also committed to “open a process of in-depth consultations”, to try and ensure confidence.<sup>25</sup>

Asked a few weeks after the call if he was now confident that Mr Biden recognised France’s importance as an ally, Mr Macron replied “we will see.”<sup>26</sup>

## Le Drian gives further perspective

Giving evidence to the Sénat’s defence committee, a few weeks after the AUKUS deal was announced, Mr Le Drian gave further details of how France was told about the breaking of the Franco-Australian contract.

He claimed that he and the Naval Group had both received letters on 15 September “from the Australian ministry of defence that said everything is OK let’s continue.” The French foreign minister said this suggested “someone lied”. He added: “Something doesn’t add up and we don’t know what.”<sup>27</sup>

The foreign minister repeated several times that the AUKUS deal represented a “total loss of sovereignty” for Australia. He said the US’ strategy in the Indo-Pacific was based on “confrontation, even military confrontation”, and said France wanted to work with “other actors in the Indo-Pacific” to combat Chinese expansion in the region.

He stated that France still did not know what role the UK would play in the project. On UK-France relations he said “the ball is in the British camp. If they want to go forward confidence needs to be rebuilt.”

Perhaps of more longer-term interest is the potential competition between the UK and France for influence, given the UK’s stated ambition to be the “European partner with the broadest and most integrated presence in the Indo-Pacific.”<sup>28</sup>

## 2 France and the Indo-Pacific

France has the most significant presence in the Indo-Pacific region of any European country. It has several territories in the region including New Caledonia and French Polynesia, which are home to 1.6 million French citizens<sup>29</sup>, and significant defence assets.<sup>30</sup> Under President Macron, the Indo-

Pacific has [risen in importance](#) in France's foreign and defence policy. France in the last several years [sold frigates to Malaysia](#), and recently [secured a major arms deal](#) with India to supply 36 Rafale fighter aircraft.

In 2019 it released a defence strategy focused on the region, that said "France needs to reaffirm its strategic autonomy" in the region and pledged to deepen relations with Australia further and build on the submarine programme to develop "armament cooperation".<sup>31</sup> The breaking of the French-Australian contract jeopardises these plans.

While France is said to be particularly concerned by China's "assertive attitude" in the region, it sees itself as a "mediating, inclusive and stabilizing power", and has preferred to distance itself from US-China tensions in order to leave it more room for diplomatic manoeuvre.<sup>32</sup> Part of France's displeasure from the AUKUS deal also stems from a view that it will ramp up those tensions.

## 2.3

## EU reaction

EU Commission president, Ursula von der Leyen, demanded in an interview that Australia explain its actions, saying "one of our member states has been treated in a way that is not acceptable, so we want to know what happened and why."<sup>33</sup>

<sup>24</sup> ["Naval Group vows to claw back millions for cancelled submarine deal"](#), Financial Times, 26 September 2021.

<sup>25</sup> ["Joint Statement on the Phone Call between President Biden and President Macron"](#), The White House, 22 September 2021.

<sup>26</sup> ["Macron on French-US alliance: 'We will see'"](#), Politico, 5 October 2021.

<sup>27</sup> ["'Someone lied': French foreign minister accuses Australia of submarine betrayal in latest broadside"](#), The Guardian, 30 September 2021.

<sup>28</sup> [Integrated review of security, defence, development and foreign policy](#), CP 403, 16 March 2021. Library papers analysing the review and the related defence command paper are collated on the Library's website: [Integrated Review 2021](#).

<sup>29</sup> French overseas territories include seven Regions, Departments and Communities: Mayotte, La Reunion, the French Southern and Antarctic territories, New Caledonia, Wallis & Futuna, and French Polynesia, from ["France's defence strategy in the Indo-Pacific"](#), Ministère des Armées, 2019.

<sup>30</sup> Its permanent-based military assets are composed of 7,000 defence personnel, 15 warships and 38 aircraft: ["French Joint Commander for Asia-Pacific Outlines Paris' Indo-Pacific Defense Plans"](#), The Diplomat, 13 April 2021

<sup>31</sup> ["France's defence strategy in the Indo-Pacific"](#), Ministère des Armées, 2019, page 17.

<sup>32</sup> "France: A Bridge between Europe and the Indo-Pacific?", Centre for Strategic and International Studies, 1 April 2021.

<sup>33</sup> ["Aukus row: EU officials demand apology from Australia over France's treatment before trade talks"](#), The Guardian, 21 September 2021.

Josep Borrell Fontelles, the EU's High Representative for Foreign Affairs, wrote that:

[R]eactions were not just about a deal on submarines that did not go through, but about the wider ramifications for EU-US relations and the EU's role in the Indo-Pacific. The lack of consultations and communication between the close partners that we are, created real difficulties. It provided a negative image of an uncoordinated or even divided West, where we should show common resolve and coordination, not least as regards geostrategic challenges.<sup>34</sup>

He said that when he had met with EU Foreign Ministers they had “expressed clear solidarity with France”.

On 20 September, Mr Borrell gave [a speech on US-EU relations to the European Parliament](#), telling them the “Transatlantic partnership is vital and irreplaceable. But we need to place it on a stronger footing. AUKUS has been a wakeup call”.<sup>35</sup>

[The EU have not, however, allowed its solidarity with France to significantly curtail its relations with the US and Australia.](#)

It was [reported that](#) the inaugural meeting of the EU-US Trade and Technology Council, a new forum created as part of a wider push to reset transatlantic ties after they soured during the Trump administration, might be delayed because of France's objections. The meeting, however, [went ahead as planned](#). While Clément Beaune, France's European Affairs Secretary, said on the EU-Australia trade deal it would be “unthinkable to move forward on trade negotiations as if nothing had happened with a country in which we no longer trust”,<sup>36</sup> Mr Borrell responded “Let's not mix apples and pears,” when asked if the free-trade agreement would be delayed or derailed by the AUKUS diplomatic fallout. He added “We are not taking ad hoc action motivated by individual events. ... Trade agreements with Australia will continue down their path, and we will see how things develop.”<sup>37</sup>

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<sup>34</sup> “[United Nations General Assembly: One week in New York](#)”, High Representative of the EU for Foreign Affairs and Security Policy, blog post, 25 September 2021

<sup>35</sup> “[EU-US relations: Speech by High Representative/Vice-President Josep Borrell at the EP Plenary](#)”, [European External Action Service](#), 5 October 2021.

<sup>36</sup> “[EU-Australia trade deal runs aground over submarine furor](#)”, Politico, 19 September 2021.

<sup>37</sup> “[Subs snub won't sink Australia-EU trade deal, Brussels says](#)”, Financial Review, 17 September 2021.

## 3

## What does it mean for the UK?

For the UK, AUKUS reflects the UK's intention to tilt to the Indo-Pacific, as outlined in the [Integrated review of security, defence, development and foreign policy](#). The tilt is necessary, the Government says, because the region is "critical to our economy, our security and our global ambition to support open societies."<sup>38</sup> Prime Minister Boris Johnson told MPs the partnership demonstrates "Britain's generational commitment to the security of the Indo-Pacific" and how the UK can help Australia "preserve regional stability."<sup>39</sup> A senior White House official described UK involvement in AUKUS as a "down payment" on their effort to engage more deeply with the Indo-Pacific.<sup>40</sup>

It ties the UK, US and Australia together in a decades long submarine programme, something the Prime Minister described as one of the "great prizes" of the deal. The UK National Security Advisor, Sir Stephen Lovegrove, described it as "perhaps the most significant capability collaboration anywhere in the world in the past six decades."<sup>41</sup>

AUKUS comes with potentially lucrative defence and security opportunities for UK industry not just in submarine build but in the other areas mentioned in the joint statement, of cyber, artificial intelligence and quantum technologies. In recent years Australia has opted for BAE Systems Type 26 design for the Royal Navy for its new Hunter-class frigate. The submarine deal may help the Royal Navy with future submarine deployments in the Indo-Pacific by potentially providing maintenance and port facilities in Australia.<sup>42</sup>

However, the move has raised some concerns. Discussing the agreement in the House, MPs questioned whether the tilt to the Indo-Pacific risks focusing attention away from the security needs of the Euro-Atlantic. Keir Starmer, the Leader of the Opposition, said: "Whatever the merits of an Indo-Pacific tilt, maintaining security in Europe must remain our primary objective."<sup>43</sup> Ian Blackford, the SNP Westminster leader, raised concerns about Russia, saying: "with all the focus of this agreement on the Indo-Pacific, what risks are there that vigilant eyes are taken off the threats closer to home?"<sup>44</sup>

<sup>38</sup> [Integrated review of security, defence, development and foreign policy](#), CP 403, 16 March 2021.

Library papers analysing the review and the related defence command paper are collated on the Library's website: [Integrated Review 2021](#).

<sup>39</sup> [HC Deb 16 September 2021 \[AUKUS\]](#).

<sup>40</sup> ["Background press call on AUKUS"](#), White House, 15 September 2021

<sup>41</sup> ["Sir Stephen Lovegrove speech at the Council on Geostrategy"](#), Cabinet Office, 16 September 2021

<sup>42</sup> ["Britain's nuclear submarines to use Australia as a base for Indo-Pacific presence"](#), The Times, 20 September 2021

<sup>43</sup> [HC Deb 16 September 2021 \[AUKUS\]](#).

<sup>44</sup> [HC Deb 16 September 2021 \[AUKUS\]](#).

Responding to concerns about China’s response, the Prime Minister said the partnership “is not intended to be adversarial towards any other power.”<sup>45</sup> Members will discuss [AUKUS’ impact on Anglo-Chinese relations](#) in a Westminster Hall debate on 20 October 2021.

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<sup>45</sup> [HC Deb 16 September 2021 \[AUKUS\]](#).



## 4

## What does it mean for Australia?

Scott Morrison, the Prime Minister of Australia, said the new partnership will help “protect shared values and promote security and prosperity in the Indo-Pacific region.”<sup>46</sup> He cited growing security challenges in the region and the narrowing of the technological edge enjoyed by Australia and her allies, as some of the drivers of the new partnership. Euan Graham of the International Institute for Strategic Studies says the submarine switch “underlines the seismic change to Australia’s security environment” since the submarine contract was agreed with France in 2016.<sup>47</sup>

These changes include a sharp deterioration in Australia-China relations.<sup>48</sup> In Australia’s 2020 Defence Strategic Update states:

Australia now faces an environment of increasing strategic competition; the introduction of more capable military systems enabled by technological change; and the increasingly aggressive use of diverse grey-zone tactics to coerce states under the threshold for a conventional military response.<sup>49</sup>

Making the case for new nuclear-powered submarines, rather than the diesel-electric Australia had contracted France to provide, Morrison said Australia needs to have access to the most capable submarine technology available. Australia was already concerned about spiralling costs and delays to the Attack-class submarines, which may have contributed to the decision.<sup>50</sup>

Only six other countries currently operate nuclear-powered submarines.<sup>51</sup> Euan Graham says the agreement shows an unprecedented show of trust in Canberra by the US. He says “nuclear propulsion is prized among the crown jewels of national capability for the few who possess it”, observing that France has never transferred its own nuclear propulsion technology to anyone.<sup>52</sup> Senior US officials similarly emphasised the significance of their decision to share nuclear propulsion technology, describing the move as the “biggest strategic step” that Australia has taken in generations.<sup>53</sup> Christopher

<sup>46</sup> [“Australia to pursue nuclear-powered submarines through new trilateral enhanced security partnership”](#), Prime Minister of Australia’s office, 16 September 2021

<sup>47</sup> Euan Graham, [“Australia’s well-kept nuclear submarine secret”](#), IISS, 17 September 2021

<sup>48</sup> See [“China Discovers the Limits of Its Power”](#), The Atlantic, 28 July 2021 and [“Aukus: Australia’s big gamble on the US over China”](#), BBC News, 22 September 2021.

<sup>49</sup> [2020 Defence Strategic Update](#), Australian Department of Defence, 1 July 2020

<sup>50</sup> [“Australia reportedly looking at an alternative to its costly new French-designed submarine”](#), The Drive, 19 January 2021; [“Australia’s Attack Class submarine project faces criticism over rising costs and milestone delays”](#), ABC News, 20 January 2021

<sup>51</sup> The others being Russia, China, France, India, the US and UK, which are also nuclear weapon states.

<sup>52</sup> Euan Graham, [“Australia’s well-kept nuclear submarine secret”](#), IISS, 17 September 2021

<sup>53</sup> [“Background press call on AUKUS”](#), White House, 15 September 2021

Pyne, a former Australian Defence Minister, said having nuclear-powered submarines will be a “step change” in Australia’s capability.”<sup>54</sup>

The type of submarine is yet to be determined. It could be drawn from existing designs: the US Virginia class or the UK Astute class. Or from the next generation attack submarine programmes. The UK has begun a Submersible Ship Nuclear (Replacement) project to explore what follows Astute.<sup>55</sup> In terms of timing, AUKUS says only that it intends to bring the submarine into service “at the earliest achievable date.”<sup>56</sup> That is not likely to be until at least the late 2030s, and Australia will extend the life of its current Collins-class, although former Prime Minister Malcolm Turnbull is sceptical of the timings and worries Australia may be left with a submarine capability gap.<sup>57</sup>

### 3 Nuclear versus diesel-electric submarines

Nuclear propulsion offers “unambiguous advantages” over diesel-powered submarines, but this should not be “overhyped”, says Euan Graham.<sup>58</sup> Nuclear-powered submarines can remain submerged at length, unlike diesel-electric submarines which need to resurface, and therefore remain undetected for longer (in theory). However, they are not necessarily quieter and require more expensive infrastructure and maintenance.

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<sup>54</sup> Defence Committee, [Oral evidence: The Navy: purpose and procurement](#), HC 168 2021-22, 21 September 2021 q109

<sup>55</sup> [PQ 33156 \[Submarines\]](#), 21 July 2021. “Design work begins on successor to Astute-class submarines in £170 million deal”, Royal Navy, 17 September 2021. Naval news explores the options in: “[The 5 main options for Australia’s AUKUS nuclear submarine deal](#)”, Naval News, 29 September 2021

<sup>56</sup> “[UK, US and Australia launch new security partnership](#)”, Gov.uk, 15 September 2021

<sup>57</sup> “[Australia details its nuclear-submarine ambitions](#)”, Defense News, 16 September 2021; “[Trust is at the heart of Australia’s influence](#)”, War on the Rocks, 4 October 2021 (reprinted with permission from a speech given at the National Press Club of Australia on 29 September 2021).

<sup>58</sup> Euan Graham, “[Australia’s well-kept nuclear submarine secret](#)”, IISS, 17 September 2021

## 5

## What does it mean for the US?

A senior Biden Administration official said it:

Reflects the Biden administration's determination to build stronger partnerships to sustain peace and stability across the entire Indo-Pacific region. This new architecture is really about deepening cooperation on a range of defense capabilities for the 21st century.<sup>59</sup>

Asked about the message they were trying to send to China, the official stressed AUKUS was “not aimed at one country, but about advancing strategic interests, upholding international rules-based order, and promoting peace and stability in the Indo-Pacific”. China was not mentioned in the [Joint Statement](#) released by the leaders of the US, UK and Australia.

While the administration may have been keen to downplay the role China played in the US's calculus for the deal, commentators are united in believing that it was created to counter growing perceptions of a rising Chinese threat.

A few days after the agreement was announced Scott Morrison flew to Washington and met with senior Congressional leaders. The deal appears to have bi-partisan support in Congress, which is important as Congressional approval will be required to allow the US Government to share its nuclear-propulsion technology with Australia. The details of how the technology will be shared, to be worked on over the next 18 months, and in particular the guarantees Australia can provide on keeping the technology secure will be [of particular interest to Congress](#), and mean that AUKUS is not yet a done deal.

If approved, Australia will become only the second country, after the UK, that the US has agreed to share such sensitive technology with. The move underlines the [depth of cooperation](#) it is potentially opening up with Australia, but also the significance of the Indo-Pacific region to the US' foreign policy and defence strategies.

### Pivot to Asia becomes a reality

While President Obama's [strategy of a “pivot to Asia”](#), announced in 2011, did bring a greater focus to US diplomatic efforts in the region, it was often criticised as having few concrete achievements (though one of its tangible outcomes was a [deployment of US Marines to Darwin Australia on a rotational basis](#)).

President Trump focused US foreign policy on countering the threat from China. His administration's [2018 National Defense Strategy](#) was clear that

<sup>59</sup> “[Background Press Call on AUKUS](#)”, The White House, 15 September 2021.

China was a “strategic competitor”, that is “leveraging military modernization, influence operations, and predatory economics to coerce neighbouring countries to reorder the Indo-Pacific region to their advantage”. While the strategy advocated deepening partnerships in the region, critics say his administration did little in this regard.

President Biden’s administration has largely aligned with the previous administration’s assessment of China, although there has been a greater emphasis on re-building relationships with the US’ allies.

[Interim National Security Strategic Guidance](#) published by the White House in March 2021, stated that it would allow the US “to prevail in strategic competition with China or any other nation”. It stated further:

Our democratic alliances enable us to present a common front, produce a unified vision, and pool our strength to promote high standards, establish effective international rules, and hold countries like China to account. That is why we will reaffirm, invest in, and modernize the North Atlantic Treaty Organization (NATO) and our alliances with Australia, Japan, and the Republic of Korea – which, along with our other global alliances and partnerships, are America’s greatest strategic asset.

### What now for US-Europe relations?

Delays in the [Senate’s confirmation of the administration’s nominees for European ambassadors](#) and officials in the State Department’s Europe team, contributed to what many saw as an underestimation of the reaction of France, and made the process of smoothing relations in the aftermath more complicated.

In the longer term, while the Biden administration may have stated it wants to reaffirm its commitment to NATO, some have questioned whether transatlantic relations will now play second-string to the Indo-Pacific.

Maya Kandel, head of the US programme at the Institut Montaigne, argues that the AUKUS agreement clarifies that “the transatlantic relationship is not central to US foreign policy anymore: it is no longer the “cornerstone” of US engagement in the world” and that “NATO has moved to the backseat”.<sup>60</sup> She adds:

There certainly are continuities in foreign policy from Obama to Trump and from Trump to Biden, but focusing on these hides the most important aspect: over the past years, the United States has exited the post-Cold War era and has embraced a post-Atlantic strategy; Europeans are still working on the adjustment.<sup>61</sup>

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<sup>60</sup> [“The Submarine Deal: What it Says About the US, What it Means for Europe”](#), Institut Montaigne, 21 September 2021.

<sup>61</sup> Ibid.

Ian Lesser of the German Marshall Fund questioned why the American moves in the Indo-Pacific have to be interpreted as a zero-sum equation in which Europe's importance is diminished, saying "I don't see any diminution of American interest and commitment to European security in the wake of Afghanistan or the moves in Asia."<sup>62</sup>

Regardless of the relative importance Europe holds in US foreign policy, it seems clear that trust between them has been damaged by the announcement of the AUKUS deal and that has implications for American policy in the region. Rosa Balfour of Carnegie Europe argues "The diminished trust undercuts the possibility of the United States and the EU working together on China".<sup>63</sup> However, the two sides have shared interests in the region, and the priorities outlined in the EU's own [Indo-Pacific strategy](#) suggest that in the longer term there may be more opportunities than barriers to cooperation.

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<sup>62</sup> "[The Sharp U.S. Pivot to Asia Is Throwing Europe Off Balance](#)", New York Times, 28 September 2021.

<sup>63</sup> "[What the U.S.-British-Australian Security Pact Means for Europe](#)", Carnegie Europe, 21 September 2021.

## 6

## What does it mean for non-proliferation?

The AUKUS submarine deal is concerned solely with naval nuclear propulsion. It does not involve the transfer of nuclear weapons to Australia. As such, AUKUS does not contravene the Nuclear Non-Proliferation Treaty (NPT).<sup>64</sup> Nor does it contravene the or the [South Pacific Nuclear Free Zone Treaty](#).<sup>65</sup> New Zealand, which is a signatory to that treaty and has a long-standing anti-nuclear stance, has already stated that Australia's new nuclear submarines would not be permitted in its territorial waters.<sup>66</sup>

While the AUKUS deal does not contravene any treaty obligations, there are concerns that the deal sets a bad precedent for nuclear non-proliferation efforts more broadly, although opinions among experts differ.

The greatest concern is that the deal creates a precedent that the US, in particular, will struggle to prevent from “proliferating out of control around the world.”<sup>67</sup> James Acton of the Carnegie Endowment for International Peace considers the deal as setting a “troubling precedent for nuclear nonproliferation policy” as it will allow Australia to become the first non-nuclear weapon state to remove nuclear material from IAEA safeguards and inspections.<sup>68</sup> He says:

I have no real concerns that Australia will misuse this material itself, but I am concerned that this removal will set a damaging precedent. In the future, would-be proliferators could use naval reactor programs as cover for the development of nuclear weapons—with

<sup>64</sup> The NPT prohibits non-nuclear weapon states from acquiring nuclear weapons and weapons related technology and the nuclear weapon states from providing any assistance to this end. Under the terms of the treaty non-nuclear weapon states are able to access peaceful nuclear technology. the [IAEA's Comprehensive Safeguards Agreement](#) permits non-nuclear-weapon states to withdraw nuclear material from safeguards for use in a “non-proscribed military activity,” that is, naval reactors.

<sup>65</sup> The treaty prohibits the acquisition, possession, stationing and testing of nuclear weapons in the treaty zone but does not extend to nuclear propulsion.

<sup>66</sup> [“AUKUS submarines banned from New Zealand as pact exposes divide with Western allies”](#), The Guardian, 16 September 2021

<sup>67</sup> Sébastien Philippe, [“The new Australia, UK and US nuclear submarine announcement: a terrible decision for the nonproliferation regime”](#), Bulletin of the Atomic Scientists, 17 September 2021

<sup>68</sup> The [IAEA's Comprehensive Safeguards Agreement](#) permits non-nuclear-weapon states to withdraw nuclear material from safeguards for use in a “non-proscribed military activity,” that is, naval reactors.

the reasonable expectation that, because of the Australia precedent, they would not face intolerable costs for doing so.<sup>69</sup>

In an article for the Bulletin of the Atomic Scientists, Sébastien Philippe highlights the potential for other US allies, such as South Korea, to ask Washington for a similar arrangement, or the potential for cooperation on naval reactors between other nations such as Russia and China, in order to offset AUKUS. He also raises the prospect of would-be nuclear states, such as Iran, exploiting the precedent this creates to potentially divert nuclear material into a nuclear weapons programme. He observes:

Until now, it was the US commitment to nonproliferation that relentlessly crushed or greatly limited these aspirations toward nuclear-powered submarine technology.<sup>70</sup>

Several analysts have compared the AUKUS deal to the US/India civil nuclear cooperation deal in 2008<sup>71</sup> which, at the time, George Perkovich labelled as the “selective non-enforcement” of international non-proliferation rules.<sup>72</sup>

Yet, Ian Stewart, Executive Director of the James Martin Center argues that there is a “strong argument” to be made that a country like Australia, which has an IAEA Safeguards Additional Protocol in place, can “credibly possess nuclear submarines without undermining the nonproliferation norm”. He goes on to suggest that “if done right, the cooperation can potentially lead to a valuable model on how to apply safeguards to submarines”.<sup>73</sup>

Another element of the AUKUS deal which has also raised concern, is [Australia’s acquisition of Tomahawk land-attack cruise missiles from the US](#). While not in direct contravention of the [Missile Technology Control Regime \(MTCR\)](#),<sup>74</sup> the restraint on transfers of missile technologies that is inherent in the regime could potentially be undermined and set a dangerous precedent to other countries.<sup>75</sup>

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<sup>69</sup> James Acton, [“Why the AUKUS submarine deal is bad for nonproliferation – and what to do about it”](#), Carnegie Endowment for International Peace, 21 September 2021

<sup>70</sup> *ibid*

<sup>71</sup> This is examined in greater detail in [Nuclear weapons at a glance: India and Pakistan](#), House of Commons Library, December 2020

<sup>72</sup> George Perkovich, “Global implications of the US-India deal”, Daedalus, Winter 2010

<sup>73</sup> Ian Stewart, [“The Australian submarine agreement: turning nuclear cooperation upside down”](#), Bulletin of the Atomic Scientists, 17 September 2021

<sup>74</sup> The MTCR is an informal political understanding between Participating States that seeks to limit the proliferation of missile technologies. It is not a treaty and is not legally binding. The foundations of the MTCR are examined in [Nuclear weapons: disarmament and non-proliferation regimes](#), House of Commons Library, June 2016

<sup>75</sup> See [“The Missile Technology Control Regime at a crossroads”](#), SIPRI Topical Backgrounder, 1 October 2021

## 7

## Context: the maritime significance of the Indo-Pacific/South China Sea

The South China Sea is home to over 30,000 small islands and reefs, distributed across three archipelagos. The vast majority are not permanently occupied. Disputes over their sovereignty involve numerous countries across the region. Access to fisheries and oil and gas resources are one of the contributing factors to these disputes.

The area is also one of the world's major shipping routes. It is estimated that every year the South China Sea carries a one-third of global shipping,<sup>76</sup> and in 2016 more than 30 per cent of the global maritime crude oil trade, passed through those waters.<sup>77</sup> The Malacca Strait between Singapore and Indonesia is a particularly vulnerable 'chokepoint' for sea-borne trade.<sup>78</sup>

Over the last decade, there have been rising tensions over rival territorial claims in the East and South China Seas. China has been accused of taking unilateral actions, including the building of new islands, to strengthen its control over the area. Other nations such as the Philippines, Vietnam and Malaysia have also fortified or built upon existing islands and reefs in disputed waters.<sup>79</sup>

In 2016, an Arbitral Tribunal under the UN Convention on the Law of the Sea [ruled against actions taken by China](#) in a case brought by the Philippines. The prohibited actions included preventing Filipino fishermen from fishing in waters they had traditionally worked in, not preventing Chinese vessels from fishing in the Philippines Exclusive Economic Zone (EEZ) and China's construction of artificial islands and structures at Mischief Reef, part of the Philippines EEZ and continental shelf.<sup>80</sup> China [has ignored the ruling](#).

<sup>76</sup> "[How Much Trade Transits the South China Sea?](#)" China Power. August 2, 2017. Updated January 25, 2021. Accessed October 5, 2021.

<sup>77</sup> US Energy Information Administration, '[More than 30% of global maritime crude oil trade moves through the South China Sea](#)', 27 August 2018.

<sup>78</sup> Commons Library CBP 7481, '[The South China Sea dispute: July 2016 update](#)', July 2016. PP 5.

<sup>79</sup> The Asia Maritime Transparency Initiative [maps the more than 90 outposts](#) five claimants occupy (China, Malaysia, Philippines, Taiwan and Vietnam) on nearly 70 disputed reefs and islets spread across the South China Sea. Accessed 4 October 2021.

<sup>80</sup> The ruling also made judgements on whether certain maritime features in the South China Sea were "islands", "rocks", "low-tide elevations" (LTEs) or "submerged banks". This is important because, unlike fully entitled islands, rocks which cannot sustain human habitation or economic life of their own do not generate an EEZ and a continental shelf. Consequently, rocks do not give rights to resource exploitation beyond their territorial sea. Furthermore, LTEs or submerged banks do not generate any maritime zone. For more details see "[Legal Victory for the Philippines against China: A Case Study](#)", Global Challenges, Issue 1, Graduate Institute Geneva, February 2017,



The 2016 ruling did not take a position on who should have sovereignty in the area. The UK has [called on China to accept the ruling](#) while adhering to its longstanding stance of not taking a position on the sovereignty issue.

The UK has been more vocal in the last few years about the freedom of maritime navigation under international law in the South China Sea than sovereignty. In this regard it shares the views of other Western powers, including the US, which has been sending naval ships into the area to uphold this right. China claims that it supports the principle, provided its territorial waters are not violated.

The UK has also increased its naval exercises in the area. HMS Albion conducted a US style freedom of navigation operation by the Paracel islands in August 2018, and in early 2019 the Royal Navy [conducted two joint military exercises with the US Navy](#) in the South China Sea.

At the end of September 2021, the UK sent a warship through the Taiwan strait for the first time since 2008 (HMS Enterprise, a survey vessel, navigated the strait in 2019). HMS Richmond, a frigate deployed with the Royal Navy's aircraft carrier strike group, sailed through the strait on a trip from Japan to Vietnam.

The Chinese military followed the vessel and were reported to have warned it away. The People's Liberation Army also condemned the move saying it was behaviour that "harboured evil intentions".<sup>81</sup>

For more background information see:

- Commons Library CBP 8434, '[The South and East China Sea disputes: recent developments](#)', November 2018.
- Commons Library CBP 7481, '[The South China Sea dispute: July 2016 update](#)', July 2016.
- [The Minister for Asia's closing remarks](#), 'South China Sea: Freedom of Navigation', Commons Chamber Debate, Volume 679: 3 September 2020.
- HM Government Deposited Paper, '[UK government's position on legal issues arising in the South China Sea](#)', 3 September 2020.

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<sup>81</sup> "[China condemns Britain for Taiwan Strait warship mission](#)", Reuters, 27 September 2021.

## 8

## Further reading

- [“The Missile Technology Control Regime at a crossroads”](#), SIPRI Topical Backgrounder, 1 October 2021
- [“Analysis: The US-Australian alliance needs a strategy to deter China's grey-zone coercion”](#), United States Study Centre, 30 September 2021
- [“AUKUS: Lessons for Japan’s Defense Industry”](#), The Diplomat [online], 28 September 2021
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- [“The false promise of AUKUS”](#), European Council on Foreign Relations (ECFR), 29 September 2021
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## **Chapter 4 – United States Official Statements and Documents**

This chapter contains official background context on the U.S. motivations and intentions behind the AUKUS agreement, Congressional support for the pact, including a bipartisan bill in support of joint submarine officer training, as well as a research report regarding the nuclear information exchange component of the initiative.

#### **4.1 – Background Press Call on AUKUS**

September 15, 2021

This background press call, a transcript of which was later published by the White House, was held the afternoon before U.S. President Biden, UK Prime Minister Johnson, and Australian Prime Minister Morrison jointly announced the creation of the trilateral security pact, AUKUS. It discusses the motivations behind the formation of the pact, the various AUKUS initiatives and their roles in upgrading capabilities to strengthen deterrence in the region, as well as each country's commitment to safeguarding the rules-based order in the Indo-Pacific region.

## BRIEFING ROOM

# Background Press Call on AUKUS

SEPTEMBER 15, 2021 • PRESS BRIEFINGS

## Via Teleconference

9:03 A.M. EDT

MODERATOR: Hi, everyone. Thanks for joining us this morning. Just to kick us off with some ground rules at the top: To reiterate, this call is on background. It will be attributed to “senior administration officials.” The contents of this call are embargoed until 5:00 p.m. Eastern Time. And by joining this call, you are hereby agreeing to these ground rules. Again, the contents are embargoed until 5:00 p.m. Eastern.

Now, to quickly get into the topic of what we are discussing today: As you know, at 5:00 p.m., President Biden will be delivering remarks. He will be delivering remarks alongside Prime Minister Morrison of Australia and Prime Minister Johnson of the UK, and they will be announcing the creation of a new trilateral security partnership between our three nations focused on the Indo-Pacific region.

The partnership is named AUKUS — that is A-U-K-U-S. So the purpose of this briefing today is to discuss this new initiative. We have two senior administration officials. For your awareness, the speakers today are [senior administration official] and [senior administration official]. Hereafter, they will be referred to as “senior administration officials.”

So, with that, I will turn it over to our first briefer for some brief opening remarks. Over to you.

SENIOR ADMINISTRATION OFFICIAL: Thank you, and good morning to everyone. So as [senior administration official] indicated, the three leaders of our maritime democracies will, this evening or later today, announce the formation of a new trilateral security partnership. And AUKUS obviously represents Australia, United Kingdom, and the United States.

I think this is an historic announcement. It reflects the Biden administration’s determination to build stronger partnerships to sustain peace and stability across the entire Indo-Pacific



region. This new architecture is really about deepening cooperation on a range of defense capabilities for the 21st century.

And again, these relationships with Great Britain and Australia are time tested — our oldest allies, generally. This is designed not only to strengthen our capabilities in the Indo-Pacific but to link Europe, and particularly Great Britain, more closely with our strategic pursuits in the region as a whole.

I think, you know, Great Britain is very focused on the concept of “global Britain,” and their tilt is about engaging much more deeply with the Indo-Pacific, and this is a down payment on that effort.

This new architecture, this new alignment is about collaborating on joint capabilities and pursuing deeper interoperability. And you will see several things: One, we will announce a new architecture of meetings and engagements among our senior defense and foreign policy officials to share perspectives, to align views. But we will also announce efforts to spur cooperation across many new and emerging arenas — cyber; AI — particularly applied AI; quantum technologies; and some undersea capabilities as well.

We'll also work to sustain and deepen information and technology sharing, and I think you're going to see a much more dedicated effort to pursue integration of security and defense-related science, technology, and industrial bases, and supply chains. This will be a sustained effort over many years to see how we can marry and merge some of our independent and individual capabilities into greater trilateral engagement as we go forward.

I just want to underscore, just generally: Obviously, there are no better allies than the United Kingdom and Australia. This is about strengthening our alliances and working together to meet the challenges of the 21st century.

We undertake this effort as part of a larger constellation of steps, including stronger bilateral partnerships with our traditional security partners in Asia — Japan, South Korea, Thailand, the Philippines — and also stronger engagement with

new partners like India, Vietnam, and new formations like the Quad. And, as you know, the Quad will be held in person for this first time next week.

But for AUKUS, in addition to this set of strategic and defense-related steps, our first initiative as part of AUKUS is the three countries will announce, later today, a shared ambition to support Australia's desire to acquire nuclear-powered submarines. And we will launch a

trilateral effort of 18 months, which will involve teams — technical and strategic and navy teams — from all three countries to identify the optimal pathway of delivery of this capability.

And I think, as you know, the only country that the United States has shared, traditionally, this kind of nuclear technology for propulsion is Great Britain, and that arrangement dates back to 1958.

We are adding — this is a unique set of circumstances — Australia to that deep partnership to explore the best ways for Australia to pursue nuclear-powered submarines.

I do want to underscore that this will give Australia the capability for their submarines to basically — to deploy for longer periods. They're quieter. They're much more capable. They will allow us to sustain and to improve deterrence across the Indo-Pacific.

As part of that, we will work closely on efforts to ensure the best practices with respect to nuclear stewardship. I think you will see much deeper interoperability among our navies and our nuclear infrastructure people to ensure that our countries are working very closely together.

I just want to underscore that this is a fundamental decision — fundamental — that binds decisively Australia to the United States and Great Britain for generations.

This is the biggest strategic step that Australia has taken in generations. And it is noteworthy that it comes here during the 70th anniversary of ANZUS. So it's a substantial strategic alignment for Australia, building on a deep partnership with both countries.

I do want to underscore that the Biden administration remains deeply committed to American leadership and nonproliferation. This is nuclear propulsion. Australia has no intention of pursuing nuclear weapons. And Australia is, in fact, a leader in all nonproliferation efforts in the NPT and elsewhere.

Australia, again, does not seek and will not seek nuclear weapons; this is about nuclear-powered submarines. But it's a very important initiative that will basically set us on a new course of trilateral cooperation into the 21st century.

I'm going to ask my colleague if he'd like to jump in quickly, and then we will open it up for your questions. Thank you very much.

SENIOR ADMINISTRATION OFFICIAL: Thanks very much. I'll just follow up on what my colleague said about nonproliferation by adding that this partnership is, in many ways, possible

because of Australia's longstanding and demonstrated commitment to nuclear nonproliferation.

The partnership is going to be taken fully consistent with our respective nonproliferation obligations over the next 18 months during this consultation period.

Our shared objective is to maintain the strength of the nonproliferation regime and Australia's exemplary nonproliferation credentials. That will be central to the discussion. And, you know, as we embark on the effort for the next 18 months, we will be engaged fully with the IAEA.

So I'll stop there. I think we're ready now to turn to questions.

Q Hi. Thanks very much for doing this. [Senior administration official], I guess this question is mostly to you: What will this nuclear submarine technology allow Australia to do in the Indo-Pacific with regard to China? I imagine it makes Australia — Australian subs much more on a par with Chinese subs and other nuclear-powered technology, but if you could talk about that direct linkage please.

SENIOR ADMINISTRATION OFFICIAL: So, thank you for the question. I would say, just at a general level, nuclear-powered submarines really maintain superior characteristics of stealth and speed, maneuverability, survivability, and really substantial endurance.

And I think the challenge with conventionally powered submarines is that you have to surface regularly, the range is limited.

And I think what we're seeing in the Indo-Pacific region is a — is a set of circumstances where capabilities are more advanced. This allows Australia to play at a much higher level and to augment American capabilities that will be similar. And these — this is about maintaining peace and stability in the Indo-Pacific.

I would just underscore: That's the mission that we've undertaken for decades. We are determined to continue that effort, and I think Australia has basically indicated that they want to ensure that they're playing a strategic role in that overall effort.

Q Hi. Thank you. Thank you very much for this. I wanted you to tell us a little bit about how the UK is going to fit into this. I mean, are we going to be expecting to see more UK patrols? Will that involve British submarines, and what type of submarines might those be?

And on the (inaudible), we've heard that there might be some agreement to upgrade air cooperation that could possibly see U.S. bombers and fighters accessing Australian airfields in

the future. Is this part of the arrangement?

And also, we've heard maybe there could be an agreement about Australia producing its own munitions domestically.

Thank you.

SENIOR ADMINISTRATION OFFICIAL: Thank you. Those are — those are good, detailed questions. Let me just take — give you as much clarity as I can.

I think, as you know, the ministers from Australia are meeting with their counterparts here in Washington today and tomorrow. They will have more to say about how the United States and Australia intend to work together on a range of issues, both in terms of policy coordination and interoperability. And I'll leave it to them to specify any next steps with respect to American engagement directly with Australia.

I think, with respect to Great Britain, you have just seen the substantial deployment of British forces throughout the Indo-Pacific — very successful deployments of the aircraft carrier in supporting ships, lots of valuable port engagements.

Our strategic discussions — and I just want to underscore that this AUKUS negotiation transcended several months of very deep, very high-level engagements with both our military commands, our political leadership, and the people closest to our leaders in order to chart a common path on the way forward.

And I think what we heard in all those conversations is a desire for Great Britain to substantially step up its game in the Indo-Pacific. I think the process of this next 18 months is to help chart out what exactly that means.

Obviously, Great Britain has enormous responsibilities and interests in Europe and in the Middle East, but it also has deep historical ties to Asia. I think they've indicated to us that they do want to do more going forward, and I think this is a clear and decisive next step in that arena.

I do want to say that these are three equal partners. Great Britain has been a very strong strategic leader in this effort. They have, in many respects, helped mediate and engage on all the critical issues. And they are determined to play their role going forward.

Q Hi. Thank you for doing this, [senior administration official]. So, my question is — was related to China, but you sort of answered that in the first question.

President Biden talked about the EU Allies' engagement with Indo-Pacific partners, and you just mentioned that as well. This might be a little bit too early to talk about that, but will we see extension of this trilateral framework in the future? You know, will we include New Zealand in this framework and France and other countries that might also be interested to have a say in the Indo-Pacific region and the United States may have interests there? Thank you.

SENIOR ADMINISTRATION OFFICIAL: Yeah. I do want to underscore: We see this as a very rare engagement between Australia, Great Britain, and the United States.

We've done this only once before, as I indicated. That was almost 70 years ago with Great Britain. And, in fact, one of the reasons why we've done this with Australia with Great Britain is because of the experience, lessons learned, and history associated with this program, which will be extremely valuable in the engagement with Australia.

This technology is extremely sensitive. This is, frankly, an exception to our policy in many respects. I do not anticipate that this will be undertaken in other circumstances going forward. We view this as a one-off.

We do believe that this is complementary to other forms of security and political engagement in the region. I think the leaders of Australia and Great Britain will seek to underscore that this is meant to complement ongoing and existing security and political partnerships, and it's meant to send a message of reassurance and a determination to maintain a strong deterrent stance into the 21st century.

Thanks.

Q Thank you.

Q (Inaudible.) Can you just explain exactly how this is going to look, how it's going to work at 5:00 p.m., given the nature of who you said is going to announce it?

And then, my big question, if you could — just be explicit: What is the message you are sending to China today?

SENIOR ADMINISTRATION OFFICIAL: So, let me just say, today, there will be a virtual session that will be live between the three leaders. We'll kick it off with a little opening, and then each of the leaders will lay out specifically what they want to accomplish, what their ambitions are, and I think it will be an opportunity for each of them to lay out their vision for

the future and indicate the launch of this 18-month effort and how that effort to basically put the architecture around this ambitious partnership in place.

I do want to just underscore, very clearly: This partnership is not aimed or about any one country; it's about advancing our strategic interests, upholding the international rules-based order, and promoting peace and stability in the Indo-Pacific.

And I would just say that this — I would view this in context of our ongoing efforts — bipartisan efforts, over decades, to continue to play this critical role. The most dynamic, commercial, economic, most vibrant region in the world is the Indo-Pacific, but that vibrancy, that dynamism rests on confidence and peace and stability.

The United States has been the bedrock on that effort, and I think what this partnership and alignment seeks to underscore is that we want to continue to help play that role, but that we want to play it not only individually with a strong American commitment, but in partnership with other countries as well.

And so, you're going to see a number of things. Again, you've seen very strong statements and engagements with Japan and South Korea and the Philippines to date; new engagements with countries like Vietnam, Indonesia, and India.

And then, next week, you'll hear a discussion between leaders about how the Quad can deal with critical issues like the pandemic and infrastructure. This is all about developing an integrated, effective web of engagement about sustaining the operating system of Asia, the rules-based order that has been so good for all of us over these many years, and we hope into the future.

**Q** Hi, everyone. How soon do you think Australia will actually be able to field nuclear submarines? And how does this factor into their most recent order for new attack submarines? Is this going to retrofit the project that's already underway, modify that? You know, what is the timeline and process?

**SENIOR ADMINISTRATION OFFICIAL:** So, look, I'm going to let Australia answer questions about their arrangement with France for conventional submarines. I think that will be dealt with in the next couple of days. I would view this as a unique endeavor that involves the three countries that we've laid out more clearly.

I do want to just underscore that it's very hard to overestimate how challenging and how important this endeavor will be. Australia does not have a nuclear domestic infrastructure.

They have made a major commitment to go in this direction. This will be a sustained effort over years.

And everything that we've seen from Australia indicates that they're determined to proceed on this course, and we have high confidence — complete confidence — that they will be effective in this pursuit. But it will be lengthy and it will be detailed and it will be substantial.

Q Thank you so much for doing this call. I understand that you're saying that this move is — I understand that you're saying that this move is not about any one country. But, obviously, I would think that these are — these are submarines. This is about national security, when you're talking about enforcing rules and, you know, a rules-based order, and talking about having submarines that have more stealth capabilities.

That clearly seems like this is about security matters and this is about military threat. And it would seem like the only country that is not involved would be China. So, I guess, can you talk more about — it seems like this is a military move aimed at China. How can it not be?

SENIOR ADMINISTRATION OFFICIAL: Look, I have nothing further to add than what I've said. This is not aimed at any one country. This is about a larger effort to sustain the fabric of engagement and deterrence in the Indo-Pacific.

We have a history of innovation, upgrading capabilities. I would urge you to look at it in this context. And I would simply say that I think one of the things that the United States has done most effectively in the Indo-Pacific is to secure peace and stability and to be the ultimate guarantor of that rules-based order.

I think it'd be fair to say, over the last several years, there have been questions: Does the United States still have the stomach? Do we have the wit and wisdom that we want to continue to play that role?

What President Biden is saying with this initiative is: Count us in. We are all in for a deeper, sustained commitment to the Indo-Pacific, and we recognize that our — one of our critical roles is indeed the maintenance of peace and stability there.

Q Hi, thanks for doing this. Can you say if President Biden discussed this new partnership with President Xi on their call earlier this week?

SENIOR ADMINISTRATION OFFICIAL: Not in any specific terms, but President Biden did underscore our determination to play a strong, strong role in the Indo-Pacific. He reviewed some of the efforts that we've taken to date — engagements in Europe and the like.

I do want to just underscore that this effort, for obvious reasons — this is a huge deal in Australia — was undertaken with a high degree of discretion. And indeed, you know, only today we are briefing and rolling out our engagements with a variety of leaders accordingly.

We will debrief all interested parties and explain clearly what we — what our intentions are in the Indo-Pacific, in Europe, international organizations like the IAEA and others.

This is the intent to do this in a very straightforward, transparent way. This is a partnership that we're proud of, that we believe is reassuring and will have a positive impact on the Indo-Pacific.

MODERATOR: On that note, just a reminder, this call was on background, attributed to “senior administration officials,” and the contents are embargoed until 5:00 p.m. Eastern time.

Thank you all.

9:29 A.M. EDT



## **4.2 – Message to Congress on AUKUS**

December 1, 2021

This message from President Biden to the U.S. Congress transmits the text of the “Agreement between the Government of the United States of America, the Government of Australia, and the Government of the United Kingdom of Great Britain and Northern Ireland (the “United Kingdom”) for the Exchange of Naval Nuclear Propulsion Information” and expresses the president’s approval and authorization of the Agreement.

# A Message to the Congress on the Agreement between the Government of the United States of America, the Government of Australia, and the Government of the United Kingdom of Great Britain and Northern Ireland

DECEMBER 01, 2021

TO THE CONGRESS OF THE UNITED STATES:

I am pleased to transmit to the Congress, pursuant to section 123 d. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(d)), the text of an Agreement between the Government of the United States of America, the Government of Australia, and the Government of the United Kingdom of Great Britain and Northern Ireland (the “United Kingdom”) for the Exchange of Naval Nuclear Propulsion Information (the “Agreement”). I am also pleased to transmit my written approval, authorization, and determination concerning the Agreement. The memorandum submitted to me by the Secretary of Energy providing a summary position on the Agreement is also enclosed.

Pursuant to the enhanced trilateral security partnership called “AUKUS” announced earlier this year, our three governments are engaging in an 18-month consultation period to seek an optimal

pathway for delivery of nuclear-powered submarines for the Royal Australian Navy at the earliest achievable date. The Agreement would permit the three Parties to communicate and exchange Naval Nuclear Propulsion Information and would provide authorization to share certain Restricted Data as may be needed during trilateral discussions, thereby enabling full and effective consultations.

In my judgment, the Agreement meets all statutory requirements.

I have determined that the United Kingdom and Australia, by participating with the United States pursuant to international arrangements, are making substantial and material contributions to the mutual defense and security. The United Kingdom is party to the North Atlantic Treaty, and Australia is party to the Australia, New Zealand, and United States Security Treaty.

I have approved the Agreement, authorized its execution, and urge that the Congress give it favorable consideration.

JOSEPH R. BIDEN JR.

THE WHITE HOUSE,  
December 1, 2021.

### **4.3 – Congressional Research Service Report: AUKUS Nuclear Cooperation**

December 11, 2021

This Congressional Research Service (CRS) report explains the substance of the “Agreement between the Government of the United States of America, the Government of Australia, and the Government of the United Kingdom of Great Britain and Northern Ireland (the “United Kingdom”) for the Exchange of Naval Nuclear Propulsion Information,” as well as provisions of the Atomic Energy Act (AEA) of 1954, as amended (P.L. 83-703; 42 U.S.C. §§2153 et seq.), concerning the content and congressional review of such agreements.



Updated March 11, 2022

## AUKUS Nuclear Cooperation

On December 1, 2021, President Joseph Biden submitted to Congress an “Agreement among Australia, the United Kingdom, and the United States for the Exchange of Naval Nuclear Propulsion Information.” This In Focus explains the agreement’s substance, as well as provisions of the Atomic Energy Act (AEA) of 1954, as amended (P.L. 83-703; 42 U.S.C. §§2153 et seq.), concerning the content and congressional review of such agreements.

An accompanying message to Congress explains that the agreement would permit the three governments to “communicate and exchange Naval Nuclear Propulsion Information and would provide authorization to share certain Restricted Data as may be needed during trilateral discussions” concerning a project to develop Australian nuclear-powered submarines. This project is part of an “enhanced trilateral security partnership” named AUKUS, which the three governments announced on September 15, 2021. The United States has a similar nuclear naval propulsion arrangement only with the United Kingdom pursuant to the bilateral 1958 Mutual Defense Agreement.

The partnership’s first initiative, according to a September 15 Joint Statement, is an 18-month study “to seek an optimal pathway to deliver” this submarine capability to Australia. This study is to include “building on” the U.S. and UK nuclear-powered submarine programs “to bring an Australian capability into service at the earliest achievable date.” The study is “in the early stages,” according to a November 2021 non-paper from Australia, the United Kingdom, and the United States, which adds that “[m]any of the program specifics have yet to be determined.”

### Agreement Details

The agreement, which the governments signed on November 22, 2021, permits each party to exchange “naval nuclear propulsion information as is determined to be necessary to research, develop, design, manufacture, operate, regulate, and dispose of military reactors.” As noted, this information includes restricted data; the AEA defines such data to include “all data concerning ... the use of special nuclear material in the production of energy.” The AEA and 10 C.F.R. Part 810.3 define special nuclear material as plutonium, uranium-233, or enriched uranium.

The agreement, which entered into force on February 8, 2022, is to remain in force until December 31, 2023, when it will “automatically extend for four additional periods of six months each.” Any party may terminate its participation in the agreement with six months written notice. Should any party abrogate or materially violate the agreement, the other parties may “require the return or destruction” of any transferred data.

The agreement includes provisions to protect transferred data. For example, no party may communicate any information governed by the agreement to any “unauthorized persons or beyond” the party’s “jurisdiction or control.” In addition, a recipient party communicating such information to nationals of a third AUKUS government must obtain permission from the originating party. The agreement includes an appendix detailing “security arrangements” to protect transferred information.

### Related Nuclear Cooperation Agreements

The AEA authorizes and contains requirements for nuclear cooperation agreements governing both civil and military applications. The United States has nuclear cooperation agreements with both Australia and the United Kingdom that are relevant to the AUKUS agreement. The United Kingdom is a nuclear-weapon state under the nuclear Nonproliferation Treaty (NPT); Australia is not a nuclear-weapon state.

#### Civil Nuclear Cooperation Agreements

The United States and Australia first concluded a civil nuclear cooperation agreement in 1957. Those governments updated that agreement in 1979 and renewed it in 2010. Australia sells around 36% of its \$1 billion in uranium exports to the United States. The United States is also a major processor of Australian uranium sold to other countries. Australia does not currently possess any nuclear power plants, but it operates one research reactor. This agreement “specifically prohibits the transfer of restricted data under it,” as well as “sensitive nuclear technology, sensitive nuclear facilities and major critical components.”

As a nonnuclear-weapon state under the NPT, Australia has a comprehensive International Atomic Energy Agency (IAEA) safeguards agreement. Such agreements, according to the agency, are designed “to provide credible assurance to the international community that nuclear material and other specified items are not diverted from peaceful nuclear uses.”

The 1958 U.S. nuclear cooperation agreement with the European Atomic Energy Community (Euratom), renewed in 1995, provided the legal framework for civilian nuclear cooperation between the United States and United Kingdom. In anticipation of the latter’s withdrawal from the European Union (EU), and its legal association with Euratom, the two governments concluded a bilateral nuclear cooperation agreement in 2018. Following the required congressional review period, the new agreement entered into force on December 31, 2020, after the UK withdrawal from the EU. The agreement is to remain in force for 30 years.

## US-UK Mutual Defense Agreement

The Atomic Energy Act of 1946 (P.L. 79-585) restricted the sharing of nuclear weapons information with foreign governments, including the United Kingdom. However, an October 1957 Declaration of Common Purpose issued by President Dwight Eisenhower and UK Prime Minister Harold MacMillan stipulated that Eisenhower would request Congress to amend the Atomic Energy Act “as may be necessary and desirable to permit” bilateral nuclear cooperation. (For more information, see CRS Insight IN11762, *New Developments in the United States’ Strategic and Defense Ties with Australia*, by Bruce Vaughn.) Congress adopted an amendment to the Atomic Energy Act in 1958 (P.L. 85-479) authorizing U.S. government transfer to foreign governments of information, as well as certain components, related to nuclear weapons. This amendment also authorizes the export of nuclear reactors and related information for naval propulsion.

In 1958, the United States and United Kingdom concluded the U.S.–UK Mutual Defense Agreement (MDA). The United States subsequently transferred a nuclear plant and associated reactor fuel to the United Kingdom for use in a submarine. The agreement, which the two parties amended in 2014, “provides the necessary requirements for the control and transmission of submarine nuclear propulsion technology, atomic information and material between the UK and US, and the transfer of non-nuclear components to the UK.” The 2014 amendment extended the MDA until 2024.

## Atomic Energy Act Requirements

The AEA includes requirements for the content of nuclear cooperation agreements, related presidential determinations and other supporting information for submission to Congress, conditions affecting the implementation of an agreement, and procedures for Congress to consider and approve the agreement. (For more information, see CRS Report RS22937, *Nuclear Cooperation with Other Countries: A Primer*, by Paul K. Kerr and Mary Beth D. Nikitin.)

### Section 144 c. (2): Military Nuclear Reactor Data

This section permits the Nuclear Regulatory Commission and Department of Defense, with presidential authorization, “to communicate or exchange with that nation Restricted Data concerning research, development, or design, of military reactors.” The President must determine that “the proposed cooperation” and data communication “will promote and will not constitute an unreasonable risk to the common defense and security.”

### Section 123

AEA section 123 contains provisions governing nuclear cooperation agreements’ content, as well as associated congressional review procedures. Section 123 a. states that the proposed agreement is to include the terms, conditions, duration, nature, and scope of cooperation and lists

mandatory criteria for the agreement. This section mandates that nuclear cooperation agreements pursuant to AEA section 144 c. (2) contain

- a guarantee that safeguards on transferred nuclear material and equipment continue in perpetuity;
- a provision requiring the application of comprehensive IAEA safeguards to be applied in nonnuclear-weapon states;
- a prohibition on the retransfer of material or restricted data without U.S. consent;
- a requirement that the recipient state maintain physical security on transferred nuclear material;
- a prohibition on the recipient state’s use of transferred items or technology for any nuclear explosive device or for any other military purpose; and
- a provision specifying the U.S. right to demand the return of transferred nuclear materials and equipment, as well as any special nuclear material produced through their use, if the cooperating state detonates a nuclear explosive device or terminates or abrogates an IAEA safeguards agreement.

Section 123 d. specifies the procedure for congressional approval of agreements such as the AUKUS agreement.

Congress has the opportunity to review a nuclear cooperation agreement for 60 days of continuous session. The President must submit the text of the proposed agreement, along with required supporting documents, to the House Foreign Affairs Committee, the Senate Foreign Relations Committee, and the House and Senate Armed Services Committees. The agreement may enter into force after the end of the 60-day period unless, during that time, Congress adopts a joint resolution disapproving the agreement and the resolution becomes law.

At the beginning of this 60-day period, joint resolutions of approval or disapproval, as appropriate, are to be automatically introduced in each house. During this period, the committees are to hold hearings on the proposed agreement and “submit a report to their respective bodies recommending whether it should be approved or disapproved.” If no committee has reported the requisite joint resolution of approval or disapproval by the end of 45 days, it is automatically discharged from further consideration of the measure. After the joint resolution is reported or discharged, Congress is to consider it under expedited procedures, as established by Section 130 i. of the AEA.

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**Paul K. Kerr**, Specialist in Nonproliferation

**Mary Beth D. Nikitin**, Specialist in Nonproliferation

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#### **4.4 – Congressional Research Service Report: AUKUS and Indo-Pacific Security**

May 19, 2022

This latest CRS report explains the AUKUS partnership and its connection to Indo-Pacific security writ large. It provides a helpful summary of the security issues from the partners' perspectives as well as other regional perspectives. Additionally, it provides an overview of AUKUS and the overlapping security, intelligence, and defense agreements that affect the region.



May 19, 2022

## AUKUS and Indo-Pacific Security

### AUKUS Overview

Launched in September 2021, the Australia, United Kingdom (UK), United States (AUKUS) security pact is described by analysts as the most significant security arrangement among the three countries in a generation. Observers say the three allies launched AUKUS as a strategic response to China's growing military capabilities in the Indo-Pacific region (see **Figure 1**). President Biden stated that AUKUS will “update and enhance our shared ability to take on the threats of the 21<sup>st</sup> century” and noted that the three nations “stood shoulder-to-shoulder” and fought together in two world wars, Korea, and the Persian Gulf.

Although international attention initially focused on the proposed transfer of nuclear propulsion technology to Australia, observers say the pact's plan to develop advanced technologies and other military capabilities over the longer term may prove to be equally significant (see CRS In Focus IF11999, *AUKUS Nuclear Cooperation*). The agreement may also prompt closer cooperation on other security threats. In April 2022, for example, AUKUS leaders committed “to commence new trilateral cooperation on hypersonics, counter-hypersonics, and electronic warfare capabilities” in response to China's tests of its own hypersonic missiles, which Chairman of the Joint Chiefs of Staff General Mark Milley described as “very concerning.”

### AUKUS and U.S. Security Ties

The AUKUS agreement strengthens the United States' defense and intelligence ties with Australia and the UK while augmenting a number of existing multilateral security arrangements. By strengthening key U.S. alliances in the region through the AUKUS agreement and other multilateral initiatives, the Biden Administration may be seeking to address questions from regional partners about America's commitment and staying power in the Indo-Pacific. The United States and Australia are treaty allies under the 1951 Australia, New Zealand, United States alliance (see **Figure 2**) and the United States and the UK are members of the 1949 North Atlantic Treaty Organization (NATO) alliance. The United States, Australia, and the UK also are, along with Canada and New Zealand, part of the 1946 Five Eyes intelligence-sharing group. The United States joined with Australia, Japan, and India initially in 2007 and again in 2017 to form the Quadrilateral Security Dialogue (Quad). Australia and the UK are, along with Malaysia, New Zealand, and Singapore, part of the 1971 Five Power Defence Arrangements.

**Figure 1. Map of the Indo-Pacific**



Source: CRS. Boundaries from U.S. Department of State.

### Australia and AUKUS

AUKUS focuses mostly on developing military capabilities and opens the way for Australia to build nuclear-powered submarines. Australia initially plans to build approximately eight such submarines in Adelaide and to establish a new submarine base on its east coast. Currently, six countries operate nuclear-powered submarines; the UK, and now Australia, are the only nations with which the United States shares nuclear propulsion technology. Nuclear-powered submarines do not have the same limitations as conventional submarines and can stay submerged for many months. These steps appear to be part of a broader Australian effort to bolster its national security capabilities.

The Australian government is increasingly concerned by China's actions, including its imposition of trade restrictions in response to Australian calls for an inquiry into the origins of COVID-19, efforts to influence Australian politics, and expanding presence in the South Pacific. Canberra, in response, embarked on the biggest expansion of its defense capabilities since the Vietnam War, increasing military spending by 7.4% for FY2022-FY2023 to reach 2.11% of gross domestic product (GDP) and planning to boost the size of its military by approximately one-third. Prime Minister Scott Morrison warned that an “arc of autocracy” is challenging the world order and compared the present geopolitical situation to the strategic uncertainty of the 1930s. Defense Minister Peter Dutton stated that Australia must prepare for war. A 2021 poll found 75% of Australian voters felt China posed a

significant threat to Australia's national security and 59% supported the AUKUS agreement.

Through AUKUS, Australia is to acquire additional long-range strike capabilities to “deter and respond to potential security challenges,” including acquiring Tomahawk cruise missiles for its Hobart Class destroyers, Long-Range Anti-Ship Missiles for its F/A-18 Hornet aircraft, extended-range Joint Air-to-Surface Standoff Missiles for its F/A-18 and F-35A aircraft, hypersonic missiles, and unmanned underwater vehicles. The pact is a significant collaboration on capability development and, in the view of some analysts, “means China faces a powerful new defence alliance.”

Australia's Opposition Leader Anthony Albanese supports AUKUS and the decision to acquire nuclear-propelled submarines. He has stated that, if elected, his government would create an Advanced Strategic Research Agency (ASRA) to take advantage of AUKUS's provisions on technology sharing and research and development cooperation with the U.S. Defense Advanced Research Projects Agency (DARPA) and the UK's newly created Advanced Research and Invention Agency (ARIA).

### The United Kingdom and AUKUS

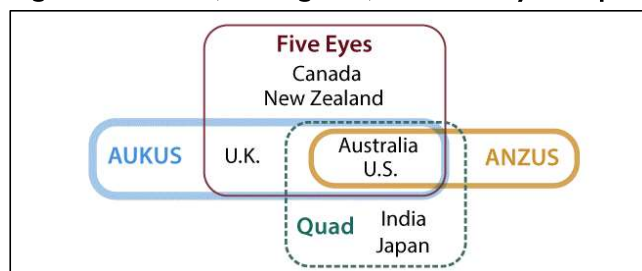
Following the UK's 2020 withdrawal from the European Union (*Brexit*), the government of Prime Minister Boris Johnson has promoted efforts to reassert a *Global Britain*. The UK's March 2021 *Integrated Review of Security, Defence, Development and Foreign Policy* emphasized deeper engagement in the Indo-Pacific region as a foreign policy priority. While describing Russia as the “most acute direct threat to the UK,” the *Integrated Review* framed China as a “systemic competitor.” AUKUS further confirmed the intention of the UK, a country often considered the United States' closest and most reliable ally, to expand its involvement in the Indo-Pacific region.

The UK conducted a high-profile demonstration of its renewed regional interest in 2021 with the deployment to the Indo-Pacific of a naval carrier strike group led by the new *HMS Queen Elizabeth*. The seven-month deployment, which included a U.S. destroyer, U.S. Marine Corps F-35 aircraft, and a Dutch frigate, in addition to several UK vessels, made several stops in the region, crossed the South China Sea, and engaged in exercises with regional partners. The UK has a relatively small permanent military presence in the Indo-Pacific region, with facilities in Bahrain, Brunei, Diego Garcia, Oman, Qatar, and Singapore; in 2021, UK officials announced the UK would station two new naval patrol vessels in the Indo-Pacific region for at least the next five years. To keep pace with evolving global security challenges, the Johnson government committed to new defense spending increases starting in 2020; in 2021, the UK had the world's third-highest defense expenditures, spending approximately \$72.7 billion (2.25% of GDP).

Close ties with Australia are a cornerstone of the UK's approach to the region. In addition to the elevated defense cooperation under AUKUS, the two countries signed a new bilateral free trade agreement in December 2021. In

February 2022, Prime Minister Johnson and Prime Minister Morrison announced additional areas of new bilateral cooperation and investment, including in science, technology, climate, and energy. The UK also announced a £25 million (approximately \$30.6 million) investment in projects to strengthen regional resilience against cyber threats, state threats, and threats to maritime security. In January 2022, Minister Dutton and UK Defense Minister Ben Wallace discussed the possibility of the UK basing defense assets in Australia and vowed increased cooperation in naval training, interoperability, and exercises. In 2018, Australia awarded an A\$35 billion (approximately \$25.6 billion) contract to the UK company BAE Systems for the construction of nine new Hunter-class anti-submarine warfare frigates. The two countries signed a Defence and Security Cooperation treaty in 2013.

**Figure 2. Defense, Intelligence, and Security Groups**



### Reactions to AUKUS

Regional reactions to AUKUS have been mixed. Japan, which signed a Reciprocal Access Agreement with Australia in January 2022, welcomed the launch of AUKUS “in the sense of strengthening engagement in the Indo-Pacific region.” New Zealand's Prime Minister Jacinda Ardern also welcomed the increased engagement of the United States and the UK in the region. Conversely, France described Australia's decision to scrap a previously signed A\$90 billion (approximately \$66 billion) deal to purchase 12 French-designed submarines and instead acquire nuclear-propelled submarine technology from the U.S. and the UK as “a stab in the back.” PRC officials said the AUKUS agreement undermines regional peace and stability and intensifies the arms race. Indonesia expressed concern “over the continuing arms race and power projection in the region.” Some analysts described India as welcoming AUKUS as a deterrent to China, while others see disagreement over whether AUKUS benefits or hurts India's interests.

### Congressional Interests

Congressional interest in AUKUS derives to a large extent from Congress's role in exercising oversight of the United States' treaty alliances with Australia and the United Kingdom as well as its oversight of the Administration's strategy toward the Indo-Pacific region at a time of increasing competition with China. Many Members are part of the Friends of Australia Caucus as well as the Congressional United Kingdom Caucus, the British American Parliamentary Group, and the newly formed AUKUS Caucus.

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Bruce Vaughn, Specialist in Asian Affairs

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#### **4.5 – Formation of AUKUS Working Group Announcements**

April 6, 2022

On the same day that the U.S. government (and the other AUKUS partners) announced greater details on the AUKUS agreement and areas of collaboration, members of the U.S. House of Representatives announced the formation of an AUKUS working group (aka *The AUKUS Caucus*) to serve as the “go-to” panel in the U.S. Congress for implementation of and collaboration on the new partnership.

# U.S. Rep. Gallagher, Colleagues: Announce formation of the new bipartisan AUKUS Working Group

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[wispolitics.com/2022/u-s-rep-gallagher-colleagues-announce-formation-of-the-new-bipartisan-aukus-working-group/](https://wispolitics.com/2022/u-s-rep-gallagher-colleagues-announce-formation-of-the-new-bipartisan-aukus-working-group/)

WASHINGTON, D.C. — Rep. Mike Gallagher (R-WI), along with a bipartisan coalition of members, announced the formation of the AUKUS Working Group to highlight Congressional interest in ensuring success of the trilateral AUKUS agreement. The Working Group will be co-chaired by Reps. Gallagher, Joe Courtney (D-CT), Blake Moore (R-UT), and Derek Kilmer (D-WA)—members who already have a deep experience in collaborating with America's counterparts in the new AUKUS alliance.

Reps. Courtney and Gallagher currently co-chair the bipartisan Congressional Friends of Australia Caucus, and Rep. Kilmer serves the as co-chair of the Congressional U.K. Caucus. Now, the AUKUS Working Group will provide a forum for congressional attention on the implementation of AUKUS and on completing the steps needed to strengthen our already-existing security relationship.

“AUKUS is a critical new partnership that should be at the forefront of our security architecture in the Indo-Pacific. While submarine technology sharing will be critical, AUKUS must not be limited to one domain. The AUKUS working group will play a key role in advancing the partnership across a variety of fronts with the sense of urgency that the moment deserves. I am proud to join my colleagues in this critical effort and I look forward to getting to work,” said Rep. Gallagher.

“For more than 70 years, the United States, Australia, and the United Kingdom have worked together to protect our common values and promote security and prosperity throughout the world. Now, as the strength of the international rule of law is being tested unlike it has in generations, the AUKUS agreement represents yet another critical partnership to strengthen our defense and security relationship to bolster our capabilities and deliver on our promise of ensuring maritime, technology, industrial base, and supply chain security in the Indo-Pacific region. The Working Group will work tirelessly to identify avenues of continued cooperation and enlist Congress to enable this agreement legislatively so there are no impediments to its successful implementation,” said Rep. Courtney. “The co-chairs of this group have identified themselves as strong supporters of strengthening security partnership in the Indo-Pacific, and I look forward to working with them to advance this unique alliance.”

“The partnership between the United States, the United Kingdom, and Australia helped lay the foundation for the free world for nearly a century,” said Rep. Moore. “Our shared history includes ending the First World War and defeating the axis powers and communism. Now, this critical alliance faces another foe. The Chinese hegemony's appetite for power and control now threatens regional stability and international order. Delivering an Australian nuclear submarine without cost-overruns and delivery delays establishes a key deterrent

against the CCP's ambitions for global dominance. Beyond an enormous deterrent value, AUKUS will sustain peace and prosperity across the globe as this partnership expands beyond simply defense. I look forward to this Working Group's role in providing robust congressional support for the AUKUS Alliance."

"If the past few months on the international stage have shown us anything, it's that our strategic alliances and partnerships with key allies across the globe are more important than ever. That includes the United States' continued effort to work with critical allies, the United Kingdom and Australia, to strengthen our security partnership in the Indo-Pacific," said Rep. Kilmer. "I look forward to continuing to work the Chairman Courtney and my bipartisan colleagues in the House to support this critical alliance."

#### Background:

On September 15, 2021, joint leaders of the United States, Australia, and the United Kingdom announced the creation of AUKUS to enhance each country's shared commitment to international security, and deepen diplomatic, security, and defense cooperation in the Indo-Pacific region. Since then, Joint Steering Groups have regularly met to continue their progress in implementing the agreement and to discuss additional opportunities on a range of critical capabilities and technologies.

# AUKUS Working Group Issues Statement As New Details Of The Trilateral Defense Alliance Emerge

April 6, 2022 | Press Release

WASHINGTON, DC – Today, Reps. Joe Courtney (D-CT), Mike Gallagher (R-WI), Derek Kilmer (D-WA), and Blake Moore (R-UT), Co-Chairs of the newly formed Congressional AUKUS Working Group, issued a statement welcoming the update from the leaders of the Australia-UK-US (AUKUS) partnership regarding progress on the implementation of the new defense alliance. The announcement from President Biden, Australian Prime Minister Scott Morrison, and UK Prime Minister Boris Johnson outlined new details of the AUKUS alliance, including a commitment between the three nations to jointly develop hypersonic weapons and capabilities to protect against them, undersea drones, advanced cyber capabilities, and other technologies in addition to the “crown jewel” of the agreement: nuclear submarine propulsion technology. Click here (<https://www.whitehouse.gov/briefing-room/statements-releases/2022/04/05/aukus-leaders-level-statement/>) to read more.

“The trilateral statement on the implementation of the AUKUS partnership is an encouraging update of the work done to date to translate that security agreement from a concept into real, tangible change,” **said the Co-Chairs in a joint statement.** “The statement identifies key action components in the short-term focused on unmanned undersea capabilities and quantum computer technologies, AI, and hypersonics. For the long-term work on development of a nuclear-powered, conventionally armed submarine, the statement describes concrete steps to establish submarine basing, a nuclear-qualified workforce, and new submarine construction facility. The bipartisan AUKUS Working Group looks forward to connecting with key officials in the Administration and British and UK Embassies to sustain Congressional support for this critical effort.”

The AUKUS Working Group, also known as the AUKUS Caucus, was founded by Reps. Courtney, Gallagher, Kilmer, and Moore, and will serve as the go-to panel in the U.S. Congress for implementation of and collaboration on the new undersea alliance. The members announced formation of the new bipartisan working group last week. Click here (</media-center/press-releases/aukus-working-group-issues-statement-new-details-trilateral-defense>) to read more.

#### **4.6 – Australia-U.S. Submarine Officer Pipeline Act**

The U.S. Submarine Officer Pipeline Act, a bipartisan bill, established an exchange program between the U.S. Navy and the Royal Australian Navy to integrate and train Australian sailors for the operation and maintenance of nuclear-powered submarines. Under the program, a minimum of two Australian submarine officers would be selected each year to participate in training with the U.S. Navy. Each Australian participant will:

- Receive training in the Navy Nuclear Propulsion School
- Enroll in the Submarine Officer Basic Course
- Be assigned to duty on an operational U.S. submarine



.....  
(Original Signature of Member)

117TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To direct the Secretary of Defense to establish a joint training pipeline between the United States Navy and the Royal Australian Navy, and for other purposes.

\_\_\_\_\_  
IN THE HOUSE OF REPRESENTATIVES

Mr. COURTNEY introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To direct the Secretary of Defense to establish a joint training pipeline between the United States Navy and the Royal Australian Navy, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. ESTABLISHMENT OF JOINT TRAINING PIPE-**  
4                       **LINE BETWEEN UNITED STATES NAVY AND**  
5                       **ROYAL AUSTRALIAN NAVY.**

6       (a) SENSE OF CONGRESS.—It is the sense of Con-  
7       gress that—

1           (1) the AUKUS partnership between Australia,  
2           the United Kingdom, and the United States presents  
3           a significant opportunity to enhance security co-  
4           operation in the Indo-Pacific region;

5           (2) parties to the AUKUS partnership should  
6           work expeditiously to implement a strategic roadmap  
7           to successfully deliver capabilities outlined in the  
8           agreement;

9           (3) the United States should engage with indus-  
10          try partners to develop a comprehensive under-  
11          standing of the requirements needed to increase ca-  
12          pacity and capability;

13          (4) Australia should continue to expand its in-  
14          dustrial base to support production and delivery of  
15          future capabilities;

16          (5) the delivery of a nuclear-powered submarine  
17          to the Government of Australia would require the  
18          appropriate training and development of future com-  
19          manding officers to operate such submarines for the  
20          Royal Australian Navy; and

21          (6) in order to uphold the stewardship of the  
22          Naval Nuclear Propulsion Program, the Secretary of  
23          Defense should work to coordinate an exchange pro-  
24          gram to integrate and train Australian sailors for

1 the operation and maintenance of nuclear-powered  
2 submarines.

3 (b) EXCHANGE PROGRAM.—The Secretary of De-  
4 fense, in consultation with the Secretary of Energy, shall  
5 carry out an exchange program for Australian submarine  
6 officers during 2023 and each subsequent year. Under the  
7 program, each year, two Australian submarine officers  
8 shall be selected to participate in the program. Each such  
9 participant shall—

10 (1) receive training in the Navy Nuclear Pro-  
11 pulsion School;

12 (2) following such training and by not later  
13 than July 1 of the year of participation, enroll in the  
14 Submarine Office Basic Course; and

15 (3) following completion of such course, be as-  
16 signed to duty on an operational United States sub-  
17 marine at sea.

18 (c) REPORT.—Not later than 180 days after the date  
19 of the enactment of this Act, the Secretary of Defense  
20 shall submit to the congressional defense committees a re-  
21 port on a notional exchange program for Australian sub-  
22 marine officers that includes initial, follow-on, and recur-  
23 ring training that could be provided to Australian sub-  
24 marine officers in order prepare such officers for com-  
25 mand of nuclear-powered Australian submarines.

## **Chapter 5 – International Official Statements and Documents**

The documents in this chapter pertain to efforts made through the IAEA to subject activities related to AUKUS trilateral nuclear cooperation to special authorization and review procedures. One document focuses on the U.S., UK, and Australian disapproval of such attempts and pushes back against the suggestion made in the second document that the matter be submitted to an unprecedented IAEA intergovernmental decision-making process. The third document discusses efforts being made by the AUKUS member states to uphold standards in the Treaty on the Non-Proliferation of Nuclear Weapons.

## **5.1 – Chinese Mission to United Nations: Statement by H.E. Ambassador Wang Qun on the Tri-Lateral Nuclear Submarine Cooperation Under AUKUS**

November 26, 2021

This statement by Wang Qun, Chinese Ambassador to the United Nations and Other International Organizations in Vienna, detailed China's concern over the AUKUS countries' decision to support Australia in acquiring eight nuclear-powered submarines and warned that such a move presents grave risks to non-proliferation norms. In addition, the statement expressed China's belief that the pact constitutes the formation of a military bloc that will exacerbate geopolitical tensions in the region. The statement requested that the United States, Australia, and the United Kingdom report to IAEA member states detailed information on the non-proliferation risks related to the deal and suggested that, since the matter goes beyond the existing mandate of the agency's secretariat, it should be subject to a formula to be worked out by the IAEA through the intergovernmental process.

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## Statement by H.E. Ambassador Wang Qun on The Trilateral Nuclear Submarine Cooperation under AUKUS

(From Chinese Mission to the United Nations and Other International Organizations in Vienna)

2021-11-26 23:40

Vienna, 26 November

Mr. Chairman and Colleagues,

On 15 September 2021, the United States, the United Kingdom and Australia announced their establishment of AUKUS, and with it, the three countries subsequently informed the IAEA that the United States and the United Kingdom would assist Australia in building at least eight nuclear-powered submarines.

The international community has expressed grave concern about the risk of the AUKUS. In the light of the above development, the Board of Governors of the Agency decided, by consensus, to set up a new and full agenda item entitled "Transfer of nuclear materials in the context of AUKUS and its safeguards in all aspects under the NPT" on 24 November.

This is a very unusual and extraordinary move, which, I believe, fully reflects the serious concerns of the Member States of the Board and shows that the matter goes beyond the existing mandate of the Agency's Secretariat and shall be subject a formula to be worked out by the Member States of the Agency through the intergovernmental process. China believes that the inclusion of the new agenda item within the Board is a step in the right direction towards a proper resolution of the issue.

Mr. Chairman and Colleagues,

While basing themselves on ideology, the United States, the United Kingdom and Australia have tried to set up a new military bloc by establishing AUKUS, exacerbating geo-political tensions.

At a time when the international community has all worked to promote solidarity in opposition of a new Cold War, the United States openly contradicted and departed from its recent political statement to the effect that "it will not seek a new Cold War" by ganging up for a small Anglo-Saxon "clique", with its geo-political and selfish interests overriding international solidarity. This is a typical Cold War mentality.

This move by the three countries will spur regional countries to accelerate their development of military capabilities, and even seek to cross the nuclear threshold while increasing the risk of military conflicts.

In the meantime, the United States has, on one hand, subjected some other countries to sanctions and suppression under the pretext of the latter's development of nuclear technologies, but it has, on the other hand, flagrantly engaged in transfer of nuclear-weapon materials and nuclear-weapon technologies to certain non-nuclear state. This is a classic case in point of a double-standard. China wishes to register its firm opposition to such a practice by the United States.

Mr. Chairman and colleagues,

The negative political implications of the trilateral nuclear-submarine cooperation under AUKUS are enormous. But given the mandate of the IAEA, China, while being here, will mainly look at this issue from the perspective of non-proliferation.

China believes that, in discussing the trilateral nuclear-submarine cooperation under AUKUS, it is imperative that the international community get straight the basic fact in the first place, i.e., what is the problem, and what's wrong with AUKUS and its deal? And what is the very essence of the AUKUS deal? This is the most fundamental question that must be clarified. In this context, we have to ask:

-- Whether the AUKUS deal involves nuclear materials?

-- Whether the nuclear material transferred under AUKUS involves nuclear-weapon materials?

-- Are the AUKUS-related nuclear materials under the jurisdiction or control of Australia are manufactured or to be manufactured by Australia on its own and indigenously ? Or such nuclear materials are to be transferred from the United States and the United Kingdom as Nuclear-Weapon States to Australia as a Non-Nuclear-Weapon State under the NPT?

In particular, given that the United States, the United Kingdom and Australia have already decided on their nuclear submarine cooperation, I hope that the three countries will clarify to the international community:

-- Whether the nuclear materials to be used in the naval reactors for propulsion of submarines under AUKUS are 93% HEU, based on the nuclear-weapon materials currently used by the US in its nuclear submarines, as widely believed by the international community and international experts?

-- If not, what exactly the kind of nuclear materials has the United States decided to provide to Australia?

In a nutshell, if nuclear-weapon materials are involved, they must be candidly clarified. And if there are nuclear-weapon materials transferred from nuclear-weapon states to a non-nuclear-weapon state, such acts of transfer must be candidly admitted. Such a fact is fundamental, and cannot afford to be obscured.

I hope that the United States, the United Kingdom and Australia will duly explain these fundamental questions of international concern, by providing full clarifications in a timely manner. These fundamental questions will help us get straight the fact before the Board Members as it pertains to the AUKUS deal, and the above fact is the basis for the serious and professional discussion to be undertaken within the Board. Only by getting straight the fact before us, can a proper formula be worked out.

Mr. Chairman, and colleagues,

If it can be confirmed that the trilateral submarine cooperation under AUKUS does involve nuclear weapons materials and does involve the transfer of such materials from nuclear-weapon states to a non-nuclear-weapon state, it will certainly give rise to a series of political, legal and technical issues affecting the international non-proliferation regime, global strategic stability and the international security order. And comprehensive and in-depth discussions shall be undertaken through the inter-governmental process.

I. The issues in political aspect as a result of the trilateral submarine cooperation under AUKUS.

Firstly, under AUKUS in relation to their trilateral submarine cooperation, it will be the first time, since the conclusion of the NPT, for Nuclear-Weapon States to engage in openly and directly export of tons of nuclear weapons materials to a Non-Nuclear-Weapon States, in explicit violation of the object and purposes of the NPT, to the detriment of the international non-proliferation regime with the NPT as its cornerstone.

-- And, as a result, what consequences will arise in reality?

Secondly, the international non-proliferation system has played an important role in helping maintain the post-war international order in promotion of the global strategic balance and stability.

-- Given the detrimental effect of AUKUS deal on the international non-proliferation system, what implications it will ensue for the global strategic stability and post-war international security order?

-- What will be its implications for other important international arms control treaties that are relevant to global strategic stability, such as the new US-Russian START Treaty?

Thirdly, given that Australia is, under AUKUS, to become the first non-nuclear-weapon state to acquire nuclear submarines, with nuclear-weapon materials from the United States and the United Kingdom as nuclear-weapon-states,

-- Whether, under such circumstances, other non-nuclear-weapon states can do the same accordingly?

In the 1980s, when Canada tried to import nuclear-powered submarines, the United States and Australia were the two countries with strongest opposition.

-- Are the arguments that the United States and Australia articulated, on the basis of the NPT, against Canada's intended import still valid today?

-- Has the NPT become irrelevant, or the United States, the United Kingdom and Australia three have changed their position by walking to the opposite side of the NPT?

Fourthly, the implication of the AUKUS deal on regional hot-spot issues. On the Iranian nuclear issue, for instance:

-- In terms of enriched uranium, why the United States and the United Kingdom demand that Iran cannot manufacture enriched uranium above 3.67%, while, on the other hand, openly and directly transferring to Australia tons of 90% highly-enriched nuclear-weapon materials?

-- In terms of breakout time, why the United States and the United Kingdom insist that the breakout time for Iran shall be one year as a minimum requirement, while allowing Australia to have a breakout time of only a few days or even hours by virtue of acquiring readily manufactured nuclear-weapon materials directly?

-- Is this a sheer act of double standard? At a time when the negotiations are scheduled to be resumed in Vienna to get the US and Iran back to the JCPOA, what message are the three countries trying to send out? What will be the implications for the negotiations to be resumed just in days?

-- What is the basis for the three countries' claim that Australia is a country "with exemplary non-proliferation credentials"? And what is their basis for such a claim?

-- Apart from Australia, what are the other countries with such exemplary non-proliferation credentials that are eligible for the assistance by the United States and the United Kingdom in this regard?

-- If Australia is a country with such exemplary non-proliferation credentials, why did it terminate the relevant agreement with France by shifting from uses of low-enriched uranium to other countries' highly-enriched uranium with high non-proliferation risks, in its nuclear submarine under AUKUS?

## II. The issues in legal aspects as a result of the trilateral sub-marine cooperation under AUKUS.

Firstly, in terms of the provisions of the NPT per se.

-- Under Article 1, the Nuclear-Weapon States shall undertake, inter alia, "not to transfer to any recipient whatsoever nuclear weapons" and "directly, or indirectly"; and they shall also undertake not "in any way" to assist, encourage, or induce any Non-Nuclear-Weapon States to manufacture or otherwise acquire nuclear weapons. So, what such explicit terms and provisions mean as "not to transfer directly or indirectly"? Or "not in any way to assist"?

-- Now that the United States and the United Kingdom have decided to transfer, in an open and direct manner, tons upon tons of nuclear-weapon materials, to Australia as a Non-Nuclear-Weapon State, how to look at the treaty obligations of the United States and the United Kingdom as Nuclear-Weapon States vis-a-vis Article 1 of the NPT?

-- Under Article 2, Non-Nuclear-Weapon States shall undertake, inter alia, "not to receive the transfer from any transferor whatsoever" of nuclear weapons "directly, or indirectly"; and they shall also undertake "not to seek or receive any assistance" in the manufacture of nuclear weapons. So, how to look at the treaty obligation of Australia as a Non-Nuclear-Weapon State, especially whether Australia directly violate NPT per Article 2?

Secondly, in terms of the object and purpose of the NPT.

-- What, in the first place, are exactly the object and purpose of the NPT?

-- Does the Treaty just prohibit the proliferation of the nuclear weapons in its totality? Is "nuclear weapon" per se just an empty concept, without physical nuclear-weapon materials and components?

-- Does the NPT just prohibit the proliferation of the whole nuclear weapon system, but not in terms of nuclear weapons when they are separated or converted into nuclear-weapon parts, components or materials?

-- And does the NPT just prohibit covert and clandestine nuclear proliferation, while allowing open and flagrant nuclear proliferation?

Thirdly, the relevant provision of the Vienna Convention on the Law of Treaties.

Under the relevant provisions of generally accepted norms of international law, especially, the Vienna Convention on the Laws of Treaties, it is the treaty obligation of any signatories or ratifiers to refrain from acts which would defeat the object and purpose of a treaty. Now that the United States, the United Kingdom and Australia, as Parties to the NPT, have decided to be engaged in direct and flagrant transfer of tons of nuclear-weapon materials.

-- Under such a circumstance, do such acts jeopardize the object and purpose of the NPT?

-- How to check such acts that may defeat the object and purpose of the NPT?

Fourth, the relevance of the catch-all policy.

Export control mechanisms, especially the Nuclear Suppliers Group (NSG) and MTCR, together with the NPT as the customary international law, constitute the current global non-proliferation regime. Within such export control mechanisms, they have adopted and implemented the "catch-all policy", by which, the members make their decision of denials to transfer of sensitive items and technology, on the basis of recipient countries' "capability" and "intention".

-- Given the decision of the United States and the United Kingdom to transfer tons upon tons of nuclear-weapon materials to Australia, what is the relevance of the catch-all policy with AUKUS deal going on?

## III. The issues in technical aspects as a result of the trilateral sub-marine cooperation under AUKUS.

Firstly, in terms of legal status.

-- How to look at the Agency's comprehensive safeguards agreement (CSA) template vis-a-vis the NPT?

-- Can the above CSA template contradict and override the NPT as its parent law?



Secondly, Article 14 of the CSA template.

As per Article 14 of the CSA template, even if applied, it is generally construed as a provision on nuclear materials, in a context of naval propulsion reactor, developed and manufactured indigenously by the relevant countries, instead of involving nuclear materials transferred.

-- What legal problem may ensue should Article 14 is extended to cover the nuclear materials transferred by providing the relevant safeguards?

Thirdly, the source or nature of nuclear weapon materials.

-- Can Article 14 apply to nuclear weapons materials of unknown or even illicit origin?

-- Just like in a case of banks, they shall not be engaged in handling transactions involving black money, or money of unknown or illicit origin. IAEA shall not, likewise, be engaged in providing safeguards to nuclear materials of unknown or illicit origin, otherwise, what difference does it make between "money-laundering" in a case of banks and "material-laundering" in the context of IAEA?

-- How to ensure the non-proliferation character of the IAEA be duly preserved?

Fourthly, the technical aspect of the Article 3 of the NPT.

Under Article 3, Non-Nuclear-Weapon States, like Australia, shall undertake to accept safeguards, covering all nuclear materials, equipment, and facilities "under its jurisdiction", or "under its control". But the Australia's nuclear submarine acquired under AUKUS will not resurface for a protracted period of time, under such a circumstance, if purely from a technical perspective,

-- In what way can the nuclear materials in Australia's naval propulsion reactors be subjected to IAEA's effective safeguards?

-- What is the relevance of the IAEA's comprehensive and full-scope safeguards if they cannot provide safeguards to nuclear sub-marines under the sea?

-- Whether and how should new formulas be explored to address the above lacuna?

In addition, many experts have many misgivings on the trilateral nuclear sub-marine under AUKUS, for instances,

-- Will the AUKUS deal undercut or even neutralize the international efforts to "minimize highly enriched uranium" as advocated by the United States and Australia?

-- Why the United States, the United Kingdom and Australia have failed notify the Agency, as required under the modified Code 3.1, of their pronounced plan even they have already decided to do so? How do the three countries envisage to fulfill their obligations in this regard?

In short, the above are merely a small portion of questions China is pondering, and far from all. The trilateral nuclear submarine cooperation under AUKUS not only bears on the integrity, effectiveness and authority of the NPT, but also affects the global strategic stability and post-war international security order, with issues covering a wide spectrum in political, legal, and technical aspects.

It is the hope of China that the on-going inter-governmental process should continue within the Board. As the next step, in order to work out the relevant issues in a more focused and effective manner, China wishes to propose establish a body in a nature of a special committee, open to all Member States of the Agency, as early as possible, so as to continue in-depth discussions and submit a report with recommendations to the Board of Governors and the General Conference of the Agency.

China maintains that, pending a proper formula worked out by Member States of the Agency through consensus, the United States, the United Kingdom and Australia should not go ahead with their nuclear sub-marine cooperation under AUKUS, whereas the secretariat of the IAEA, for its part, should not proceed on its own to negotiate the relevant safeguards arrangement with the three countries.

Mr. Chairman and Colleagues,

It is the hope of China that the the United States, the United Kingdom and Australia will listen to the voice of the international community, abandon the obsolete "Cold War" mentality and narrow geo-political concepts by revoking the wrong decision. And we hope the three countries will re-commit themselves to fulfilling international nuclear non-proliferation obligations under the NPT and work more to contribute to regional peace and stability.

In the meantime, we also call on the international community to work together to defend the object and purpose of the NPT with practical actions, safeguard the international nuclear non-proliferation regime and maintain global strategic stability and international peace and security.

Thank you, Mr. Chairman.

## **5.2 – AUKUS Statements: IAEA Board of Governors**

June 2022

This document includes the statements of the official U.S., UK, and Australian representatives to the IAEA delivered to the IAEA Board of Governors in June 2022. The statements expressed disapproval of the continued efforts made to include an agenda item on AUKUS in the Board of Governors' meetings, expressing the shared opinion that it is a politically driven effort that detracts from other important matters that demand the attention of the board. The U.S., UK, and Australian officials emphasized the IAEA Director General's satisfaction with the engagement and transparency shown by the three countries thus far and reiterated their commitment to continue trilateral cooperation in a manner that fully complies with and upholds non-proliferation standards.



# AUKUS STATEMENTS

As delivered at the IAEA Board of Governors Meeting, June, 2022

By PETERSCJ

9 MINUTE READ



JUNE 10, 2022

## IAEA Board of Governors, June 2022: Adoption of the agenda

### AUKUS Statement as delivered by Ambassador and UK Permanent Representative to IAEA and CTBTO, Corinne Kitsell OBE

Thank you Chair,

I take the floor on behalf of Australia, the United Kingdom, and the United States.

Chair,

Once again, there are genuinely urgent, pressing issues demanding this Board's undivided attention. Australia, the UK and the US have made, and continue to make, our position very clear. We believe an agenda item on AUKUS at this time is inappropriate, premature and unnecessary. We are disappointed to see an AUKUS agenda item added to the Board's agenda again.

Chair,

AUKUS partners are engaged in an open and transparent consultation process with the IAEA with regard to Australia's safeguards obligations related to Australia's acquisition of conventionally-armed, nuclear-powered submarines. We remain fully committed to transparency. Consistent with that commitment, at the March 2022 Board meeting, we provided an AUKUS update under the 'Any Other Business' agenda item. At this meeting, we will again update the Board under Any Other Business. We also circulated a non-paper to all Member States in advance of this meeting – as we have done at the March 2022 and November 2021 Board meetings.

Chair,

I reassert that Australia, the UK and the US do not support the inclusion of an agenda item on AUKUS. We see it as a politically-driven attempt that subtracts from the time available for the Board to address legitimate issues of concern. This is in stark contrast to our demonstrable commitment to transparency.

To be clear, we fully support the Director General's authority to report to the Board when he deems it appropriate, consistent with established practice for issues of this nature, and the technical independence of the IAEA – and we trust and expect that he will do so.

Chair,

Despite our sustained objections, we did not block consensus on the adoption of the agenda today. Given the important work before this Board this week, and the finite amount of time available, our priority is the Board being able to proceed swiftly to give its full attention to the most pressing issues of the day.

Thank you, Chair,

###

**IAEA Board of Governors Meeting**  
**6-10 June 2022**  
**Agenda Item 10: AUKUS**

**Statement by H. E. Mr Richard Sadleir, Resident Representative of Australia to the IAEA, on behalf of Australia, the United Kingdom, and the United States**

Chair,

I take the floor on behalf of Australia, the United Kingdom, and the United States.

We understand and welcome the interest of Board members in this trilateral effort. As noted at the adoption of the agenda, to support the Board's efforts to address genuinely pressing issues this week and to limit time spent on procedural matters, we did not block consensus on the addition of this agenda item. We will provide a substantive update on our non-proliferation efforts related to AUKUS under the AOB agenda item — the appropriate place for such an update and for any other statements on this issue.

Unfortunately, Chair,

We have just heard several troubling mischaracterisations and inaccurate assertions, which we will address now very briefly.

It remains our firm view that any agenda item on AUKUS, whether one-off or standing, is inappropriate and unnecessary at this juncture. The Director General's prerogative must be respected.

In his introductory statement to this Board, the Director General has affirmed his satisfaction with the engagement and transparency shown by our three countries, and informed States of his decision to present a report to the September Board. We fully support the Director General's right and authority to update the Board as he sees fit, and accordingly reiterate that the agenda item today is unnecessary.

Chair,

Repeated suggestions made by one country to create a 'special committee' risk undermining the IAEA's well-established mandate and authority to engage with Member States bilaterally on safeguards issues. We firmly reject this proposal.

Counterintuitively, we have heard one country assert [in the same statement] both that we have not engaged sufficiently with the IAEA, and that we should not engage with the IAEA.

We once again recall the Director General's expression of satisfaction with our engagement and transparency.

We will continue to engage with the IAEA on Australia's safeguards obligations related to its acquisition of a naval nuclear propulsion capability in an open and transparent manner.

Similarly, it is critical to the international non-proliferation regime that the IAEA continues to be allowed to fulfil its mandate to engage with Member States on safeguards issues with independence and without interference.

Chair,

Australia, the United Kingdom, and the United States will continue to undertake trilateral cooperation in a manner that is fully consistent with our respective non-proliferation obligations and reflects our longstanding leadership in the global non-proliferation regime.

We hope this item can swiftly conclude and that the Board be allowed to return to the genuinely pressing matters before us without further delay.

###

## **Agenda Item 15: AUKUS Statement under Any other business**

**Trilateral Statement on behalf of Australia, the United Kingdom, and the United States  
As delivered by U.S. Ambassador to the IAEA, Laura S.H. Holgate  
Vienna, Austria, June 10, 2022**

Chair,

I have the honor of speaking on behalf of Australia, the United Kingdom, and the United States in our effort to determine the optimal pathway for Australia to acquire conventionally armed, nuclear-powered submarines.

We remain firmly committed to engaging openly and transparently with all IAEA Member States on Australia's safeguards obligations related to its acquisition of a naval nuclear propulsion capability.

Chair,

The AUKUS endeavour will continue to be undertaken in a manner that is fully consistent with our respective non-proliferation obligations and reflective of our longstanding leadership in, and respect for, the global nuclear non-proliferation regime.

In a joint statement on April 6, 2022, our leaders reiterated that they are fully committed to establishing a robust approach to sharing naval nuclear propulsion technology in a way that strengthens the integrity of the regime.

Chair,

Since our last update to the Board in March 2022, we have furthered our consultations on determining a robust approach to sharing naval nuclear propulsion technology in a way that maintains and reinforces the non-proliferation regime. Senior officials and technical experts have held regular trilateral discussions in our capitals. We have also met with the Director General and the IAEA Secretariat in Vienna.

We are now at the halfway point of our 18-month consultation period, and we are pleased with the progress made in our early discussions.

And we can confirm that Australia's naval nuclear propulsion activities, including verification of the non-diversion of nuclear material from Australia's naval nuclear propulsion program, will occur within the framework of Australia's Comprehensive Safeguards Agreement (CSA) and its Additional Protocol (AP).

Additionally, Australia has decided to voluntarily commit not to domestically enrich or reprocess nuclear material in support of its nuclear-powered submarine program.

Chair,

We welcome, and highlight, the Director General's positive remarks at the beginning of this Board meeting, where he expressed his "satisfaction with the engagement and transparency shown by the three countries thus far."



There is a firm legal basis for the IAEA, through the Director General and the Secretariat, to engage Australia, with the support of AUKUS partners, on these issues. Both the Nuclear Non-Proliferation Treaty (NPT) and Australia's CSA with the IAEA permit naval nuclear propulsion activities — as do other CSAs between other States and the IAEA.

Ongoing open engagement is central to our approach. The global nuclear non-proliferation regime relies on such engagement taking place. Consultations with the IAEA and between and among partners will continue.

Chair,

We will continue to be guided by our shared objectives of setting the highest possible non-proliferation standards, strengthening the integrity of the non-proliferation regime, and maintaining Australia's exemplary non-proliferation credentials.

We welcome the Director General's pending report on these issues, which he indicated in his written statement will be submitted to the September Board. Issuing such a report is his prerogative, consistent with established practice and the technical independence of the IAEA.

When the Director General submits such a report, we would welcome the Secretariat also requesting an agenda item under which this Board can discuss that report at that meeting, should the Director General see an agenda item then as appropriate. We will in all cases continue to inform the Board of significant developments related to naval nuclear propulsion cooperation under AUKUS under Any Other Business at future meetings of this Board.


Thank you, Chair.

###

 [BoG, BoG AUKUS, IAEA, nuclear, Statements](#)  [News](#)

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### **5.3 – Cooperation Under the AUKUS Partnership – Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons**

July 22, 2022

This document submitted to the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons details steps being taken by the AUKUS member states to continue to uphold the NPT. It details the four key elements that frame AUKUS' approach to delivering SSNs to Australia. These include:

1. Australia not pursuing uranium enrichment or reprocessing;
2. The proposal that Australia would be provided with complete, welded power units;
3. Continuing to engage the IAEA regularly; and
4. Australia working 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.

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

22 July 2022

Original: English

## **ADVANCE UNEDITED VERSION**

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New York, 1–26 August 2022

### **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.

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## **Chapter 6 – Timeline of News and Commentary**

This chapter includes a comprehensive (but not exhaustive) timeline of major AUKUS developments and relevant commentaries and analyses from experts in all three AUKUS member countries, and from countries across the region and the world. Major themes discussed throughout the timeline include reactions to and repercussions of the AUKUS announcement; the strategic value of the pact for the region and each of the member countries; opportunities and challenges associated with the nuclear submarine deal and other areas of non-nuclear technological cooperation; regional receptions of the arrangement; and whether or how AUKUS fits into the growing regional architecture in the Indo-Pacific.

## 6.1 – September 2021

As the month of the AUKUS announcement, September 2021 was inundated with expert and observer commentary on the promises and pitfalls of the trilateral defense technology sharing pact between the United States, the United Kingdom, and Australia. While this timeline seeks to be comprehensive, it is not exhaustive—for a robust list of further reading on analyses published in the month of the AUKUS announcement, please see the “[Further Reading](#)” section of the House of Commons report on the AUKUS agreement. Most immediate reactions focused on AUKUS’ headline initiative, a nuclear submarine technology sharing agreement between the US, UK, and Australia that will see Australia acquiring at least eight nuclear-powered attack submarines (SSNs). The announcement of AUKUS effectively cancelled Australia’s previous conventional submarine deal with France and much of the commentary focused on the repercussions for France’s relations with all three countries. Analysis diverged on the strategic value of AUKUS for the region and each of the member countries. The most common benefits of the deal discussed included cooperation in cyber, AI, and quantum computing to compete with China in technology innovation, application, and rule-making, and improving the military balance in the region. Yet other pieces highlighted concerns regarding proliferation risks as well as timelines for the delivery of SSNs to Australia. Commentaries discussed the individual benefits for each of the three AUKUS countries. For the United States, AUKUS helps fill a gap in meeting operational requirements in the region and further anchors the US to the region. For Australia, observers indicated that AUKUS removes any doubts on its strategic stance in the region regarding US-China competition and greatly enhances its military capabilities. Yet, observers pointed to the uncertainty of American politics and cautioned against the possible implication that AUKUS is tying Australian foreign policy too tightly to the US. For the UK, AUKUS is the most prominent example of a “Global Britain” and its ‘tilt’ towards the Indo-Pacific. Still, many reactions called into question the relevance of the UK’s role in AUKUS. Reactions to the announcement in Southeast Asia were mixed; Indonesia and Malaysia worried about proliferation risks and Singapore and the Philippines welcomed the deal’s contribution to regional security. Taiwan and Japan both expressed their support of the deal, while India greeted the deal in a more subdued manner. Beyond the submarine deal, experts highlighted additional AUKUS-related activities that have the potential to turn Australia into a staging post for US power projection and military operations.

Title	Author	Publisher	Date	Link
AUKUS - Winners and Losers of the Trilateral Defense Technical Agreement	Diana Villiers Negroponte	Wilson Center	09/17/2021	<a href="https://www.wilsoncenter.org/article/aukus-winners-and-losers-trilateral-defense-">https://www.wilsoncenter.org/article/aukus-winners-and-losers-trilateral-defense-</a>

				<a href="#">technical-agreement</a>
Could the AUKUS Deal Strengthen Deterrence Against China—And Yet Come at a Real Cost to Australia?	James Curran	Council on Foreign Relations – <i>Asia Unbound</i>	09/20/2021	<a href="https://www.cfr.org/blog/could-aukus-deal-strengthen-deterrence-against-china-and-yet-come-real-cost-australia">https://www.cfr.org/blog/could-aukus-deal-strengthen-deterrence-against-china-and-yet-come-real-cost-australia</a>
The real potential of AUKUS is about far more than submarines	Fergus Hanson and Danielle Cave	Australian Strategic Policy Institute (ASPI) – <i>The Strategist</i>	09/20/2021	<a href="https://www.aspistrategist.org.au/the-real-potential-of-aukus-is-about-far-more-than-submarines/">https://www.aspistrategist.org.au/the-real-potential-of-aukus-is-about-far-more-than-submarines/</a>
What Does the AUKUS Deal Provide its Participants in Strategic Terms?	Sidharth Kaushal	Royal United Services Institute (RUSI)	09/21/2021	<a href="https://www.rusi.org/explore-our-research/publications/commentary/what-does-aukus-deal-provide-its-participants-strategic-terms">https://www.rusi.org/explore-our-research/publications/commentary/what-does-aukus-deal-provide-its-participants-strategic-terms</a>
Australia seeks to calm ASEAN nerves over AUKUS, nuclear weapons	Kentaro Iwamoto	<i>Nikkei Asian Review</i>	09/21/2021	<a href="https://asia.nikkei.com/Politics/International-relations/Indo-Pacific/Australia-seeks-to-calm-ASEAN-nerves-over-AUKUS-nuclear-weapons">https://asia.nikkei.com/Politics/International-relations/Indo-Pacific/Australia-seeks-to-calm-ASEAN-nerves-over-AUKUS-nuclear-weapons</a>
Why the AUKUS Submarine Deal Is Bad for Nonproliferation—And What to Do About It	James M. Acton	Carnegie Endowment for International Peace	09/21/2021	<a href="https://carnegieendowment.org/2021/09/21/why-aukus-submarine-deal-is-bad-for-nonproliferation-and-what-to-">https://carnegieendowment.org/2021/09/21/why-aukus-submarine-deal-is-bad-for-nonproliferation-and-what-to-</a>

				<a href="#">do-about-it-pub-85399</a>
AUKUS, a Golden Opportunity for “Global Britain”?	Georgina Wright	Institut Montaigne	09/23/2021	<a href="https://www.institutmontaigne.org/en/blog/aukus-golden-opportunity-global-britain">https://www.institutmontaigne.org/en/blog/aukus-golden-opportunity-global-britain</a>
AUKUS: France’s strategic outcry	Eglantine Staunton	Lowy Institute – <i>The Interpreter</i>	09/24/2021	<a href="https://www.lowyinstitute.org/the-interpreter/aukus-france-s-strategic-outcry">https://www.lowyinstitute.org/the-interpreter/aukus-france-s-strategic-outcry</a>
Far from breaking with the past, AUKUS advances Australia’s commitment to collective defence	Ashley Townshend	Australian Strategic Policy Institute (ASPI) – <i>The Strategist</i>	09/24/2021	<a href="https://www.aspistrategist.org.au/far-from-breaking-with-the-past-aukus-advances-australias-commitment-to-collective-defence/">https://www.aspistrategist.org.au/far-from-breaking-with-the-past-aukus-advances-australias-commitment-to-collective-defence/</a>
Don’t Sink the Nuclear Submarine Deal: The Benefits of AUKUS Outweigh the Proliferation Risks	Caitlin Talmadge	<i>Foreign Affairs</i>	09/27/2021	<a href="https://www.foreignaffairs.com/articles/unit-ed-states/2021-09-27/dont-sink-nuclear-submarine-deal?check_logged_in=1&amp;utm_medium=promo_email&amp;utm_source=flows&amp;utm_campaign=registered_user_welcome&amp;utm_term=email_1&amp;utm_content=20220625">https://www.foreignaffairs.com/articles/unit-ed-states/2021-09-27/dont-sink-nuclear-submarine-deal?check_logged_in=1&amp;utm_medium=promo_email&amp;utm_source=flows&amp;utm_campaign=registered_user_welcome&amp;utm_term=email_1&amp;utm_content=20220625</a>
AUKUS: Good Goals, Bad Implementation	Bradley Bowman and Mark Montgomery	<i>Defense One</i>	09/27/2021	<a href="https://www.defenseone.com/ideas/2021/09/aukus-good-goals-bad-">https://www.defenseone.com/ideas/2021/09/aukus-good-goals-bad-</a>

				<a href="#"><u>implementation/185652/</u></a>
AUKUS is deeper than just submarines	Arzan Tarapore	East Asia Forum	09/29/2021	<a href="https://www.eastasiaforum.org/2021/09/29/a-ukus-is-deeper-than-just-submarines/"><u>https://www.eastasiaforum.org/2021/09/29/a-ukus-is-deeper-than-just-submarines/</u></a>
China's AUKUS Response Highlights Beijing's Bunker Mentality	Bonnie Girard	<i>The Diplomat</i>	09/30/2021	<a href="https://thediplomat.com/2021/10/chinas-aukus-response-highlights-beijings-bunker-mentality/"><u>https://thediplomat.com/2021/10/chinas-aukus-response-highlights-beijings-bunker-mentality/</u></a>

## 6.2 – October 2021

As the dust began to settle following the excitement and speculation surrounding the AUKUS announcement, much of the analysis in October highlighted potential challenges for effectively and efficiently implementing the submarine deal. Some of the potential challenges discussed included cost, timeframe, safety, negotiations on what proportion of the subs would be built in Australia, infrastructure requirements for their arrival, uncertainty regarding which nuclear regulatory regime the subs would operate under, negotiations on education and training matters, and nuclear maintenance. While many experts focused on the issues associated with the protracted timeline for submarine delivery, others pointed out near-term benefits of the arrangement, such as AUKUS-related US aircraft deployments to Australia. Contrary to analyses that argued AUKUS enhances deterrence in the Indo-Pacific, other observers contented that AUKUS would only contribute to a regional arms race in Asia, increase tensions, and potentially cause China and Russia to double down on their own naval partnership. Some critiques of the deal pointed to the over-militarization of US Asia policy and failure to address other important issues in the region, namely in the economic sphere. Several pieces highlighted AUKUS as evidence of an updated US approach to the region—one that increasingly prioritizes *minilateralism* and elevates the importance of the maritime domain. Commentaries continued to track the post-AUKUS fall-out with France. Of note, observers called attention to France's decision to undergo a strategic review of its Indo-Pacific policy and pointed out the potential shift to prioritize France-Japan and France-India partnerships over Anglo-French cooperation in the region.

Title	Author	Publisher	Date	Link
More Than Submarines: Implications of AUKUS in the Air Domain	Douglas D. Jackson	Council on Foreign Relations – <i>Asia Unbound</i>	10/05/2021	<a href="https://www.cfr.org/blog/more-submarines-implications-aukus-air-domain">https://www.cfr.org/blog/more-submarines-implications-aukus-air-domain</a>
In defence of AUKUS	Oriana Skylar Mastro and Zack Cooper	Lowy Institute – <i>The Interpreter</i>	10/05/2021	<a href="https://www.lowyinstitute.org/the-interpreter/defence-aukus">https://www.lowyinstitute.org/the-interpreter/defence-aukus</a>
The AUKUS trade-off	Dana Allin and Erik Jones	International Institute for Strategic Studies (IISS) – <i>The Survival Editors' Blog</i>	10/11/2021	<a href="https://www.iss.org/blogs/survival-blog/2021/10/the-aukus-trade-off">https://www.iss.org/blogs/survival-blog/2021/10/the-aukus-trade-off</a>
AUKUS: U.S. Navy Nuclear-Powered Forward Presence	Brent Sadler	Heritage Foundation	10/12/2021	<a href="https://www.heritage.org/">https://www.heritage.org/</a>



Key to Australian Nuclear Submarine and China Deterrence				<a href="#">defense/report/aukus-us-navy-nuclear-powered-forward-presence-key-australian-nuclear-submarine-and</a>
AUKUS and the dawn of realpolitik minilateralism in the Indo-Pacific	Alessio Patalano	<i>Nikkei Asian Review</i>	10/13/2021	<a href="https://asia.nikkei.com/Opinion/AUKUS-and-the-dawn-of-realpolitik-minilateralism-in-the-Indo-Pacific">https://asia.nikkei.com/Opinion/AUKUS-and-the-dawn-of-realpolitik-minilateralism-in-the-Indo-Pacific</a>
Southeast Asian Responses to AUKUS: Arms Racing, Non-Proliferation and Regional Stability	William Choong and Ian Storey	ISEAS Yusof Ishak Institute	10/14/2021	<a href="https://www.iseas.edu.sg/articles-commentaries/iseas-perspective/2021-134-southeast-asian-responses-to-aukus-arms-racing-non-proliferation-and-regional-stability-by-william-choong-and-ian-storey/">https://www.iseas.edu.sg/articles-commentaries/iseas-perspective/2021-134-southeast-asian-responses-to-aukus-arms-racing-non-proliferation-and-regional-stability-by-william-choong-and-ian-storey/</a>
AUKUS spurs French strategic review with tilt toward Japan, India	Eri Sugiura	<i>Nikkei Asian Review</i>	10/19/2021	<a href="https://asia.nikkei.com/Politics/International-relations/Indo-Pacific/AUKUS-spurs-French-strategic-review-with-tilt-toward-Japan-India">https://asia.nikkei.com/Politics/International-relations/Indo-Pacific/AUKUS-spurs-French-strategic-review-with-tilt-toward-Japan-India</a>

America Is Turning Asia Into a Powder Keg: The Perils of a Military-First Approach	Van Jackson	<i>Foreign Affairs</i>	10/22/2021	<a href="https://www.foreignaffairs.com/articles/asia/2021-10-22/america-turning-asia-powder-keg">https://www.foreignaffairs.com/articles/asia/2021-10-22/america-turning-asia-powder-keg</a>
AUKUS and Australia's Nuclear Capabilities	Mercy A. Kuo	<i>The Diplomat</i>	10/27/2021	<a href="https://thediplomat.com/2021/10/aukus-and-australias-nuclear-capabilities/">https://thediplomat.com/2021/10/aukus-and-australias-nuclear-capabilities/</a>
The unintended consequences of the AUKUS deal	Lyle Goldstein	<i>Defense News</i>	10/29/2021	<a href="https://www.defensenews.com/opinion/commentary/2021/10/29/the-unintended-consequences-of-the-aukus-deal/">https://www.defensenews.com/opinion/commentary/2021/10/29/the-unintended-consequences-of-the-aukus-deal/</a>

### 6.3 – November 2021

In November, AUKUS progressed with Australia's signing of the The Exchange of Naval Nuclear Propulsion Information Agreement, or ENNPIA, marking the initial steps towards implementing the nuclear-powered submarine deal. Analyses continued to grapple with the implications of AUKUS for each of the member countries, the region, and the globe. Much of the commentary focused on the specific benefits and drawbacks for Australia of AUKUS, with several pieces contending Australia to be the main player with the most to gain (and lose) from the deal. Yet, other observers sought to highlight the UK's central role in initiating AUKUS amidst minimization of its relevance in some commentaries, and still others pointed to the myriad factors that motivated US interests in AUKUS. In acknowledgement of the US-France Joint Statement issued at the end of October, some observers contended that bilateral relations were on the mend. Experts weighed in on the possibility of Japan joining AUKUS in the future. Commentary on the implications for and reception of AUKUS in the Pacific Islands suggested misalignment between Australian and Pacific Islander interests.

Title	Author	Publisher	Date	Link
What drove the United States to AUKUS?	Charles Edel	Australian Strategic Policy Institute (ASPI) – <i>The Strategist</i>	11/03/2021	<a href="https://www.aspistrategist.org.au/what-drove-the-united-states-to-aukus/">https://www.aspistrategist.org.au/what-drove-the-united-states-to-aukus/</a>
AUKUS and Australia's relations in the Pacific	Soli Middleby, Anna Powles, and Joanne Wallis	East Asia Forum	11/04/2021	<a href="https://www.eastasiaforum.org/2021/11/04/aukus-and-australias-relations-in-the-pacific/">https://www.eastasiaforum.org/2021/11/04/aukus-and-australias-relations-in-the-pacific/</a>
It's AUKUS, not A(UK)US	Euan Graham	Australian Strategic Policy Institute (ASPI) – <i>The Strategist</i>	11/10/2021	<a href="https://www.aspistrategist.org.au/its-aukus-not-aukus/">https://www.aspistrategist.org.au/its-aukus-not-aukus/</a>
Japan 'more than willing' to help ensure AUKUS success	Jack Norton	Australian Strategic Policy Institute (ASPI) – <i>The Strategist</i>	11/12/2021	<a href="https://www.aspistrategist.org.au/japan-more-than-willing-to-help-ensure-aukus-success/">https://www.aspistrategist.org.au/japan-more-than-willing-to-help-ensure-aukus-success/</a>
AUKUS, Japan and the Indo-Pacific: Strategic rationales and challenges	Michito Tsuruoka	European University Institute	11/2021	<a href="https://cadmus.eui.eu/bitstream/handle/1814/72960/QM-AX-21-051-EN-">https://cadmus.eui.eu/bitstream/handle/1814/72960/QM-AX-21-051-EN-</a>

				<a href="#">N.pdf?sequence=1&amp;isAllowed=y</a>
The AUKUS Trilateral Security Partnership and what It Means for Australia	Thomas Wilkins	Sasakawa Peace Foundation	11/15/2021	<a href="https://www.spf.org/iina/en/articles/thomas_03.html">https://www.spf.org/iina/en/articles/thomas_03.html</a>
After the AUKUS Crisis, Are France-U.S. Relations Back on Track?	Pierre Marcos	Center for Strategic and International Studies (CSIS)	11/16/2021	<a href="https://www.csis.org/analysis/after-aukus-crisis-are-france-us-relations-back-track">https://www.csis.org/analysis/after-aukus-crisis-are-france-us-relations-back-track</a>
Australia Signs Nuclear Propulsion Sharing Agreement with U.K., U.S.	Dzirhan Mahadzir	USNI News	11/22/2021	<a href="https://news.usni.org/2021/11/22/australia-signs-nuclear-propulsion-sharing-agreement-with-u-k-u-s">https://news.usni.org/2021/11/22/australia-signs-nuclear-propulsion-sharing-agreement-with-u-k-u-s</a>
Why Did AUKUS Happen? Because the World Changed	Michael Shoebridge	The International Centre for Defence and Security (ICDS)	11/24/2021	<a href="https://icds.ee/en/why-did-aukus-happen-because-the-world-changed/">https://icds.ee/en/why-did-aukus-happen-because-the-world-changed/</a>

## 6.4 – December 2021

In December, Australia, the UK, and the US held the inaugural meetings of the AUKUS Trilateral Joint Steering Groups at the Pentagon. The debate maintained a focus on what each of the member countries stands to gain or lose through AUKUS, with some observers arguing that AUKUS was not a strong signal of US commitment to the region. Commentators continued to contest whether and to what degree AUKUS curtailed Australian sovereignty over its foreign and defense policy. Experts extended analysis on what AUKUS means for the UK and underscored the benefits to the British economy and military industries. Experts weighed in on AUKUS' implications for Taiwan, maintaining it represented a near-term success in signaling resolve to deter China, but arguing that more needed to be done directly with Taiwan. Opinions in India remained divided on whether AUKUS provided more maneuverability in its relations with China, complemented or detracted from the Quad, and enhanced security in the Indian Ocean or detracted from Indian influence. Concerns surrounding AUKUS' implications for nonproliferation continued to be a focus of much of the analysis as China and Russia raised the issue at the IAEA Board of Governors meeting. The discourse on AUKUS continued to expand beyond the nuclear submarine deal to place more emphasis on the technology-related aspects of cooperation as well as how AUKUS fits into the evolving Indo-Pacific architecture.

Title	Author	Publisher	Date	Link
What is AUKUS and what is it not?	Michael Shoebridge	Australian Strategic Policy Institute (ASPI)	12/2021	<a href="https://ad-aspi.s3.amazonaws.com/2021-12/What%20is%20AUKUS%20and%20what%20is%20it%20not.pdf?VersionId=uAcnyQeum5lvEdiJYxSRW5SubMT2AMIV">https://ad-aspi.s3.amazonaws.com/2021-12/What%20is%20AUKUS%20and%20what%20is%20it%20not.pdf?VersionId=uAcnyQeum5lvEdiJYxSRW5SubMT2AMIV</a>
AUKUS sub deal triggers debate on nuclear safeguards	Fumi Matsumoto and Koya Jibiki	<i>Nikkei Asian Review</i>	12/01/2021	<a href="https://asia.nikkei.com/Politics/International-relations/Indo-Pacific/AUKUS-sub-deal-triggers-debate-on-nuclear-safeguards">https://asia.nikkei.com/Politics/International-relations/Indo-Pacific/AUKUS-sub-deal-triggers-debate-on-nuclear-safeguards</a>
AUKUS: Why Britain Was the Big Winner	David Camroux	<i>The Diplomat</i>	12/02/2021	<a href="https://thediplomat.com/2021/12/aukus-why-britain-was-the-big-winner/">https://thediplomat.com/2021/12/aukus-why-britain-was-the-big-winner/</a>
SPECIAL REPORT: U.S., Australia Increasing Tech Transfer to Take on China	Yasmin Tadjdeh	<i>National Defense</i>	12/10/2021	<a href="https://www.nationaldefensemagazine.org/articles/2021/12/10/us-australia-increasing-tech-">https://www.nationaldefensemagazine.org/articles/2021/12/10/us-australia-increasing-tech-</a>

				<a href="#"><u>transfer-to-take-on-china</u></a>
AUKUS and the Indo-Pacific: Stakeholders Weigh their Wins and Losses	Harsh V. Pant and Rahul Kamath	Observer Research Foundation	12/10/2021	<a href="https://www.orfonline.org/research/aucus-and-the-indo-pacific/"><u>https://www.orfonline.org/research/aucus-and-the-indo-pacific/</u></a>
Changing My Mind About AUKUS	Sam Roggeveen	<i>War on the Rocks</i>	12/16/2021	<a href="https://warontherocks.com/2021/12/changing-my-mind-about-aucus/"><u>https://warontherocks.com/2021/12/changing-my-mind-about-aucus/</u></a>
How the United States Can Use AUKUS to Strengthen Nuclear Nonproliferation	Ariel (Eli) Levite and Toby Dalton	Carnegie Endowment for International Peace	12/16/2021	<a href="https://carnegieendowment.org/2021/12/16/how-united-states-can-use-aucus-to-strengthen-nuclear-nonproliferation-pub-86024"><u>https://carnegieendowment.org/2021/12/16/how-united-states-can-use-aucus-to-strengthen-nuclear-nonproliferation-pub-86024</u></a>
Australian parliamentary inquiry upholds AUKUS information agreement		<i>Kyodo News</i>	12/17/2021	<a href="https://english.kyodonews.net/news/2021/12/bc3fca4da7d8-australian-parliamentary-inquiry-upholds-aucus-information-agreement.html?phrase=school%20teachers&amp;words="><u>https://english.kyodonews.net/news/2021/12/bc3fca4da7d8-australian-parliamentary-inquiry-upholds-aucus-information-agreement.html?phrase=school%20teachers&amp;words=</u></a>
AUKUS' Short- and Long-Term Implications for Taiwan	Fu S. Mei	Pacific Forum - <i>PacNet</i>	12/28/2021	<a href="https://pacforum.org/wp-content/uploads/2021/12/PacNet60.2021.12.28.pdf"><u>https://pacforum.org/wp-content/uploads/2021/12/PacNet60.2021.12.28.pdf</u></a>

## 6.5 – January 2022

In January, the Australian and British Foreign and Defence Ministers held talks for the first time since the AUKUS pact was announced, emphasizing the importance of the three countries' cooperation in cyberspace, quantum technology, and AI. The discourse on AUKUS shifted to place a greater emphasis on the possibility of expanding the pact to include other partners, such as South Korea and Japan. Commentators explored how AUKUS may contribute to a shift toward multipolarity in the Indo-Pacific. Other analysis highlighted the connection between ensuring AUKUS' enduring success and the need to remove impediments to tactical-to-national integration across the Australian national security enterprise.

Title	Author	Publisher	Date	Link
Australia's AUKUS Opportunity: Fixing National to Tactical	Dougal Robertson & Chris McInnes	ADBR	01/03/2022	<a href="https://adbr.com.au/aukus-airpower-advantage/">https://adbr.com.au/aukus-airpower-advantage/</a>
AUKUS, Alliance Coordination, and South Korea	Sea Young (Sarah) Kim	Korean Economic Institute of America	01/04/2022	<a href="https://keia.org/the-peninsula/aukus-alliance-coordination-and-south-korea/">https://keia.org/the-peninsula/aukus-alliance-coordination-and-south-korea/</a>
Reshaping the Indo-Pacific Construct through Strategic Geopolitical Convergences: AUKUS as a Harbinger of a Multipolar Hegemony in the Region	Rashi Randev	Air University – <i>Journal of Indo-Pacific Affairs</i>	01/20/2022	<a href="https://www.airuniversity.af.edu/JIPA/Display/Article/2904531/reshaping-the-indo-pacific-construct-through-strategic-geopolitical-convergence/">https://www.airuniversity.af.edu/JIPA/Display/Article/2904531/reshaping-the-indo-pacific-construct-through-strategic-geopolitical-convergence/</a>
Australia, Britain work on advancing Aukus deal as China's clout grows		<i>South China Morning Post</i>	01/21/2022	<a href="https://www.scmp.com/news/asia/australasia/article/3164214/australia-britain-work-advancing-aukus-deal-chinas-clout">https://www.scmp.com/news/asia/australasia/article/3164214/australia-britain-work-advancing-aukus-deal-chinas-clout</a>
Is 'AUKUS Plus' a Viable Option?	Jagannath Panda	<i>The Diplomat</i>	01/26/2022	<a href="https://thediplomat.com/2022/01/is-aukus-plus-a-viable-option/">https://thediplomat.com/2022/01/is-aukus-plus-a-viable-option/</a>

## 6.6 – February 2022

In February, the three Foreign Ministers of the member countries met to discuss progress made in implementing initiatives within the AUKUS trilateral security partnership, and the Exchange of Naval Nuclear Propulsion Information Agreement entered into force this month. In another February development, the diplomatic repercussions of the AUKUS announcement continued as France removed Australia from its list of key Indo-Pacific partners. Analysts highlighted the steps Australia took to safeguard nonproliferation norms and underscored the importance of Australia's membership in both AUKUS and the Quad, the two primary groupings that are expected to have the most impact on how regional and international orders are rearranged. Polling on Southeast Asian views of regional groupings revealed mixed opinions on AUKUS, with a slight lean toward negative perceptions related to concerns over the weakening of ASEAN centrality, a regional arms race in Asia, and the risk of undermining the nuclear weapons regime against proliferation.

Title	Author	Publisher	Date	Link
The Quad and AUKUS show messy, creative democracies hard at work	Michael Shoebridge	Australian Strategic Policy Institute (ASPI) – <i>The Strategist</i>	02/14/2022	<a href="https://www.aspistrategist.org.au/the-quad-and-aukus-show-messy-creative-democracies-hard-at-work/">https://www.aspistrategist.org.au/the-quad-and-aukus-show-messy-creative-democracies-hard-at-work/</a>
AUKUS partners ready to exchange naval nuclear propulsion information	Fatima Bahtić	<i>Naval Today</i>	02/22/2022	<a href="https://www.navaltoday.com/2022/02/22/aukus-partners-ready-to-exchange-naval-nuclear-propulsion-information/">https://www.navaltoday.com/2022/02/22/aukus-partners-ready-to-exchange-naval-nuclear-propulsion-information/</a>
Aukus: France drops Australia as key Indo-Pacific partner after sub snub		<i>South China Morning Post</i>	02/23/2022	<a href="https://www.scmp.com/news/asia/australasia/article/3168033/aukus-france-drops-australia-key-indo-pacific-partner-after">https://www.scmp.com/news/asia/australasia/article/3168033/aukus-france-drops-australia-key-indo-pacific-partner-after</a>
Southeast Asians' View of Quad and AUKUS: Some Thaw, But Not Yet Warm	William Choong	Fulcrum	02/23/2022	<a href="https://fulcrum.sg/southeast-asians-view-of-quad-and-aukus-some-thaw-but-not-yet-warm/">https://fulcrum.sg/southeast-asians-view-of-quad-and-aukus-some-thaw-but-not-yet-warm/</a>



## 6.7 – March 2022

In March, former Australian Prime Minister Morrison revealed that a new submarine base would be built on the east coast of Australia to support the nation's future nuclear-powered submarines, providing deployment opportunities in both the Indian and Pacific Oceans. Analysts suggested that, given their shared values and strategic visions for the Indo-Pacific, an AUKUS-France partnership should be seriously considered.

Commentaries argued the need for both Quad and AUKUS member countries to reconcile the groupings' exclusive orientations with more inclusive agendas by better articulating their benefit to the region. Experts explained the significant potential of AUKUS to revolutionize the way partner countries co-develop and co-produce armaments while underscoring the various barriers that must be first be overcome to achieve that goal.

Title	Author	Publisher	Date	Link
Australia to build additional submarine base to bolster its efforts under AUKUS pact	Fatima Bahtić	<i>Naval Today</i>	03/07/2022	<a href="https://www.navaltoday.com/2022/03/07/australia-to-build-additional-submarine-base-to-bolster-its-efforts-under-aukus-pact/">https://www.navaltoday.com/2022/03/07/australia-to-build-additional-submarine-base-to-bolster-its-efforts-under-aukus-pact/</a>
Reframing France's Relationship with AUKUS	Simmi Saini Wittlück	Institute for Security and Development Policy – <i>ISDP Voices</i>	03/18/2022	<a href="https://www.isdp.eu/fr/ances-with-aukus/">https://www.isdp.eu/fr/ances-with-aukus/</a>
AUKUS, the QUAD and the EU: Inclusive and Exclusive Visions for the Indo-Pacific	Rory Medcalf	Italian Institute for International Political Studies	03/18/2022	<a href="https://www.ispionline.it/en/publicazione/aukus-quad-and-eu-inclusive-and-exclusive-visions-indo-pacific-34201">https://www.ispionline.it/en/publicazione/aukus-quad-and-eu-inclusive-and-exclusive-visions-indo-pacific-34201</a>
Making AUKUS Work	Jennifer D. P. Moroney and Alan Tidwell	Rand – The Rand Blog	03/22/2022	<a href="https://www.rand.org/blog/2022/03/making-aukus-work.html">https://www.rand.org/blog/2022/03/making-aukus-work.html</a>

## 6.8 – April 2022

April was a busy month for AUKUS, with the leaders of the three member countries issuing a joint statement and releasing a fact sheet on the implementation of AUKUS. The joint statement's mention of furthering technology cooperation to include hypersonics and electronic warfare capabilities was a focus of much of the analysis. Experts argued that this enhanced focus on the non-nuclear technological cooperation could open avenues for cooperation with other partners. The U.S. Congress also announced that an AUKUS Working Group would be formed. Of additional note, reports about Japan's informal invitation to join AUKUS—which turned out to be false—prompted a flurry of expert commentary on the benefits of and barriers to realizing “JAUKUS.” Debate continued about what the implications of AUKUS meant for the three member countries and whether the grouping might function as a de facto alliance.

Title	Author	Publisher	Date	Link
Is AUKUS really an 'Alliance'?	Thomas Wilkins	National University of Singapore – Institute of South Asian Studies	04/01/2022	<a href="https://www.isas.nus.edu.sg/papers/is-aucus-really-an-alliance/">https://www.isas.nus.edu.sg/papers/is-aucus-really-an-alliance/</a>
AUKUS submarine deal gets a boost in US Congress	Farrah Tomazin	<i>The Sydney Morning Herald</i>	04/02/2022	<a href="https://www.smh.com.au/world/north-america/aucus-submarine-deal-gets-a-boost-in-us-congress-20220402-p5aa8s.html">https://www.smh.com.au/world/north-america/aucus-submarine-deal-gets-a-boost-in-us-congress-20220402-p5aa8s.html</a>
AUKUS can be a good platform for cooperation with India	David Brewster	Lowy Institute – <i>The Interpreter</i>	04/04/2022	<a href="https://www.lowyinstitute.org/the-interpreter/aucus-can-be-good-platform-cooperation-india">https://www.lowyinstitute.org/the-interpreter/aucus-can-be-good-platform-cooperation-india</a>
AUKUS nations commit to developing hypersonics, drone subs, cyber	Colin Clark	<i>Breaking Defense</i>	04/05/2022	<a href="https://breakingdefense.com/2022/04/aucus-nations-commit-to-developing-hypersonics-drone-subs-cyber/">https://breakingdefense.com/2022/04/aucus-nations-commit-to-developing-hypersonics-drone-subs-cyber/</a>
The Case for 'JAUKUS'	Philip Shetler-Jones	<i>Japan Forward</i>	04/15/2022	<a href="https://japan-forward.com/the-case-for-jaukus/">https://japan-forward.com/the-case-for-jaukus/</a>
AUKUS Members Strengthen Cooperation in Developing Hypersonic Missiles		Warsaw Institute	04/25/2022	<a href="https://warsawinstitute.org/aucus-members-strengthen-cooperation-developing-hypersonic-missiles/">https://warsawinstitute.org/aucus-members-strengthen-cooperation-developing-hypersonic-missiles/</a>

## 6.9 – May 2022

In May, analyses of AUKUS placed it in the broader developing regional architecture in the Indo-Pacific. Observers focused on whether, and how, it fit alongside other groupings like the Quad and how regional players' (dis)engagement with AUKUS could shape its future trajectory. Experts weighed in on the specific challenges Australia faces in implementing and sustaining AUKUS and highlighted the need to invest more in the foreign service. Commentators continued to speculate on AUKUS' near-to-mid-term implications for Australia.

Title	Author	Publisher	Date	Link
ASPI AUKUS update 1: May 2022	Marcus Hellyer and Ben Stevens	Australian Strategic Policy Institute (ASPI) – <i>Strategic Insights</i>	05/2022	<a href="https://ad-aspi.s3.amazonaws.com/2022-05/ASPI%20AUKUS%20update%201.pdf?VersionId=IB063VndLfT5t5YHsDDwHvxWnKViC4m1">https://ad-aspi.s3.amazonaws.com/2022-05/ASPI%20AUKUS%20update%201.pdf?VersionId=IB063VndLfT5t5YHsDDwHvxWnKViC4m1</a>
Making Australia fit for AUKUS	Lesley Seebeck	Australian Strategic Policy Institute (ASPI) – <i>The Strategist</i>	05/04/2022	<a href="https://www.aspistrategy.org.au/making-australia-fit-for-aukus/">https://www.aspistrategy.org.au/making-australia-fit-for-aukus/</a>
AUKUS and the Eastern Indo-Pacific's Evolving Security Architecture	Girish Luthra	Observer Research Foundation	05/10/2022	<a href="https://www.orfonline.org/research/aukus-and-the-eastern-indo-pacifics-evolving-security-architecture/">https://www.orfonline.org/research/aukus-and-the-eastern-indo-pacifics-evolving-security-architecture/</a>
AUKUS: More than meets the eye	Jada Fraser	Lowy Institute – <i>The Interpreter</i>	05/17/2022	<a href="https://www.lowyinstitute.org/the-interpreter/aukus-more-meets-eye">https://www.lowyinstitute.org/the-interpreter/aukus-more-meets-eye</a>
How Much Will AUKUS Change Australia?	Zack Cooper	Marsh McLennan - <i>Brink</i>	05/24/2022	<a href="https://www.brinknews.com/how-much-will-aukus-change-australia/">https://www.brinknews.com/how-much-will-aukus-change-australia/</a>

## 6.10 – June 2022

A major development for AUKUS in June, the U.S. Congress introduced the bipartisan “Australia-U.S. Submarine Officer Pipeline Act,” which would help the Royal Australian Navy train its future submarine warfare officers with U.S. sailors. Experts underscored the need to address the challenges to AUKUS-related technology cooperation posed by the U.S. export control process. Meanwhile, China sought to halt progress on the nuclear submarine deal by maintaining that every IAEA member must reach a consensus and decide on the matter jointly before the three AUKUS countries take any further action. In another nuclear-related development, physicists proposed a new method for inspecting nuclear fuel onboard SSNs that would not endanger military secrets. Australia-France relations took a step forward with new Australian Prime Minister Anthony Albanese vowing to mend the bilateral relationship and announcing that the country would pay a €555m (\$584m; £476m) settlement with France's Naval Group. Analyses reflected on the messy conception of AUKUS but concluded that it will have important long-term implications, particularly for Australia, as an important addition to the growing minilateral architecture in the region. Commentators picked up on comments made by the Australian Defence Minister that U.S. and Australian forces must not be just interoperable but “interchangeable.” Some see this as further evidence that Australia is ceding foreign policy autonomy to its alliance partner.

Title	Author	Publisher	Date	Link
The Quad and AUKUS strengthen Australia's hand in a contested Indo-Pacific	Thomas Wilkins	Australian Strategic Policy Institute (ASPI) – <i>The Strategist</i>	06/01/2022	<a href="https://www.aspistrategist.org.au/the-quad-and-aucus-strengthen-australias-hand-in-a-contested-indo-pacific/">https://www.aspistrategist.org.au/the-quad-and-aucus-strengthen-australias-hand-in-a-contested-indo-pacific/</a>
The NTIB Is Dying: Is AUKUS Next? Congress Must Apply Life Support Soon	William C. Greenwalt	American Enterprise Institute	06/01/2022	<a href="https://www.aei.org/oped/the-ntib-is-dying-is-aucus-next-congress-must-apply-life-support-soon/">https://www.aei.org/oped/the-ntib-is-dying-is-aucus-next-congress-must-apply-life-support-soon/</a>
China says all IAEA member states must agree before Aukus nuclear sub project begins	Liu Zhen	<i>South China Morning Post</i>	06/07/2022	<a href="https://www.scmp.com/news/china/diplomacy/article/3180773/china-says-all-iaea-member-states-must-agree-aucus-nuclear-sub">https://www.scmp.com/news/china/diplomacy/article/3180773/china-says-all-iaea-member-states-must-agree-aucus-nuclear-sub</a>
New AUKUS Caucus Bill Calls for U.S.-Australia Sub Training Pipeline	Mallory Shelbourne	USNI News	06/15/2022	<a href="https://news.usni.org/2022/06/15/new-aucus-caucus-bill-calls-for-u-s-australia-sub-training-pipeline">https://news.usni.org/2022/06/15/new-aucus-caucus-bill-calls-for-u-s-australia-sub-training-pipeline</a>
Aukus: Australia's new PM vows 'reset' with France after submarine row	Tiffanie Turnbull	BBC News	06/24/2022	<a href="https://www.bbc.com/news/world-australia-61919761">https://www.bbc.com/news/world-australia-61919761</a>

Nuclear breakthrough hands AUKUS deal huge boost to safeguard military secrets	Ian Randall	<i>Express</i>	06/26/2022	<a href="https://www.express.co.uk/news/science/1631093/nuclear-submarine-aukus-deal-uk-Australia-us-military-secret">https://www.express.co.uk/news/science/1631093/nuclear-submarine-aukus-deal-uk-Australia-us-military-secret</a>
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## 6.11 – July 2022

While AUKUS commentary continued to spotlight the nuclear submarine deal as speculation swirled on whether Australia would be supplied with British or American subs, several pieces highlighted the importance of the partnership's cooperation in critical defense technologies. Remarks by Australian Defence Minister Marles on the intent to bring U.S.-Australia interoperability into a new era of "interchangeability" prompted reactions ranging from excited approval to wary caution. Also of note, two Chinese think tanks published a report on AUKUS that strongly condemns the partnership.

Title	Author	Publisher	Date	Link
Laying the foundations for AUKUS: Strengthening Australia's high-tech ecosystem in support of advanced capabilities	Jennifer Jackett	United States Studies Center	07/07/2022	<a href="https://www.ussc.edu.au/analysis/strengthening-australias-high-tech-ecosystem-in-support-of-advanced-capabilities">https://www.ussc.edu.au/analysis/strengthening-australias-high-tech-ecosystem-in-support-of-advanced-capabilities</a>
Australian Defense Minister: AUKUS Subs a Huge Project to 'Pull Off'	Richard R. Burgess	<i>Sea Power Magazine</i>	07/07/2022	<a href="https://seapowermagazine.org/australian-defence-minister-aukus-subs-a-huge-project-to-pull-off/">https://seapowermagazine.org/australian-defence-minister-aukus-subs-a-huge-project-to-pull-off/</a>
France can help Albanese fix AUKUS	Alan Kuperman	Lowy Institute – <i>The Interpreter</i>	07/14/2022	<a href="https://www.lowyinstitute.org/the-interpreter/france-can-help-albanese-fix-aukus">https://www.lowyinstitute.org/the-interpreter/france-can-help-albanese-fix-aukus</a>
Australia to Pick Nuclear Submarine Design in Early 2023, Says Official	Heather Mongilio	USNI News	07/14/2022	<a href="https://news.usni.org/2022/07/14/australia-to-pick-nuclear-submarine-design-in-early-2023-says-official">https://news.usni.org/2022/07/14/australia-to-pick-nuclear-submarine-design-in-early-2023-says-official</a>
AUKUS innovation potential is bigger than the subs	Joseph Brookes	InnovationAus	07/18/2022	<a href="https://www.innovationaus.com.aukus-innovation-potential-is-bigger-than-the-subs/">https://www.innovationaus.com.aukus-innovation-potential-is-bigger-than-the-subs/</a>
Australia almost no chance to buy any submarine from current US building program, experts say	Tory Shepherd	<i>The Guardian</i>	07/20/2022	<a href="https://www.theguardian.com/world/2022/jul/20/australia-almost-no-chance-to-buy-any-submarine-from-current-us-building-program-experts-say">https://www.theguardian.com/world/2022/jul/20/australia-almost-no-chance-to-buy-any-submarine-from-current-us-building-program-experts-say</a>
CACDA Successfully Held the Press Conference about the Research Report on the Nuclear Proliferation Risk of AUKUS Collaboration on Nuclear-powered Submarines	军控协会	China Arms Control and Disarmament Association	07/20/21	<a href="http://www.cacda.org.cn/a/ENGLISH/Activities/2022/0720/4405.html">http://www.cacda.org.cn/a/ENGLISH/Activities/2022/0720/4405.html</a>
Beijing warns AUKUS submarine project sets	Stephen Dziedzic	ABC News	07/21/2022	<a href="https://www.abc.net.au/news/2022-07-21/beijing-warns-">https://www.abc.net.au/news/2022-07-21/beijing-warns-</a>

a 'dangerous precedent' and threatens non-proliferation				<a href="https://www.aspi.gov.au/aokus-nuclear-submarine-nonproliferation-weapons/101257714">aokus-nuclear-submarine-nonproliferation-weapons/101257714</a>
How to bridge the capability gap in Australia's transition to nuclear-powered submarines	Marcus Hellyer and Andrew Nicholls	Australian Strategic Policy Institute (ASPI) – <i>The Strategist</i>	07/21/2022	<a href="https://www.aspi.org.au/how-to-bridge-the-capability-gap-in-australias-transition-to-nuclear-powered-submarines">https://www.aspi.org.au/how-to-bridge-the-capability-gap-in-australias-transition-to-nuclear-powered-submarines</a>
Marles' alliance rapture discards Australia's self-reliance	James Curran	<i>The Financial Review</i>	07/24/2022	<a href="https://www.afr.com/policy/economy/marles-alliance-rapture-discards-australia-s-self-reliance-20220721-p5b3lt">https://www.afr.com/policy/economy/marles-alliance-rapture-discards-australia-s-self-reliance-20220721-p5b3lt</a>
French navy warns AUKUS nuclear submarine plan will be 'much more difficult' for Australia	Andrew Greene	ABC News	07/28/2022	<a href="https://www.abc.net.au/news/2022-07-29/french-navy-warns-aokus-nuclear-submarine-plan-will-be-much-more/101280638">https://www.abc.net.au/news/2022-07-29/french-navy-warns-aokus-nuclear-submarine-plan-will-be-much-more/101280638</a>
Indonesia criticises submarine loophole in nuclear non-proliferation treaty that underpins AUKUS deal	Stephen Dziedzic	ABC News	07/29/2022	<a href="https://www.abc.net.au/news/2022-07-29/indonesia-aokus-deal-criticism-at-united-nations/101282786">https://www.abc.net.au/news/2022-07-29/indonesia-aokus-deal-criticism-at-united-nations/101282786</a>

## Chapter 7 – Glossary

Acronym	Definition
AEA	Atomic Energy Act of 1954
AI	Artificial intelligence
ANZUS	Australia-New Zealand-United States Security Treaty
AQuA	AUKUS Quantum Arrangement
ASEAN	Association of Southeast Asian Nations
ASPI	Australian Strategic Policy Institute
ATNIA	Australian Treaty National Interest Analysis
AUKUS	The enhanced trilateral security partnership between Australia, the United Kingdom, and the United States
AURAS	AUKUS Undersea Robotics Autonomous Systems
CRS	Congressional Research Service
ENNPIA	Exchange of Naval Nuclear Propulsion Information Agreement
Five Eyes	An intelligence alliance comprising Australia, Canada, New Zealand, the United Kingdom, and the United States
HEU	Highly enriched uranium
IAEA	International Atomic Energy Agency
JASSM-ER	Joint air-to-surface standoff missiles (extended range)
LEU	Low enriched uranium
LRASM	Long-range anti-ship missiles (extended range)
NNWS	Non-nuclear weapons state
NPT	Treaty on the Non-Proliferation of Nuclear Weapons
NTIB	National Technology and Industrial Base
PM	Prime Minister
PRC	People's Republic of China
Quad	The Quadrilateral Security Dialogue between Australia, India, Japan, and the United States
SSK	Diesel-powered attack submarine
SSN	Nuclear-powered attack submarine