



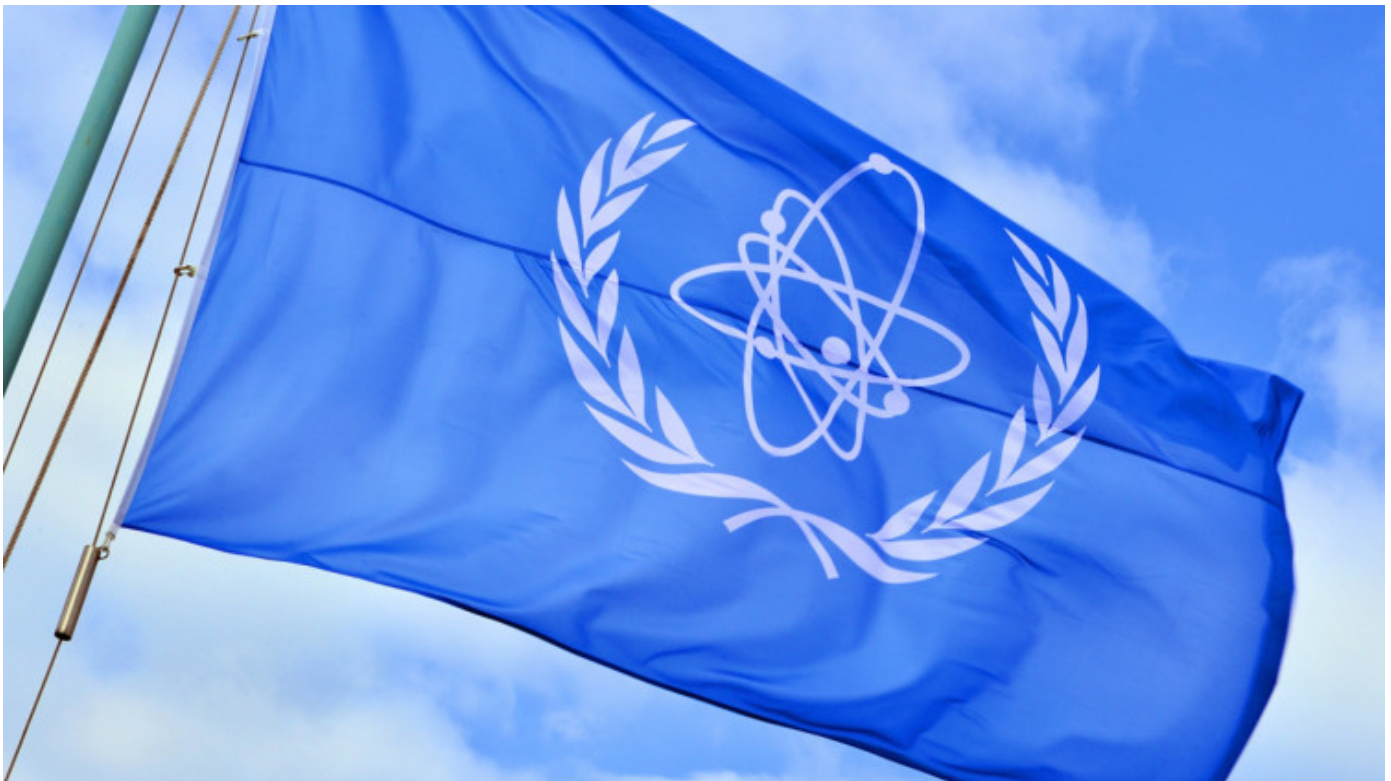
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# Director General Statement in Relation to AUKUS Announcement

14 Mar 2023

26/2023

Vienna, Austria



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1. An announcement has been made by Australia, the United Kingdom and the United States (the AUKUS Parties) on Australia's acquisition of conventionally armed, nuclear-powered submarines. I also received separate communications on this matter from the Prime Minister of Australia, the Hon Anthony Albanese MP, and the Foreign Minister, the Hon Penny Wong, as well as from the United Kingdom and the United States.
2. According to the announcement, the AUKUS Parties have agreed on three stages for the implementation of the AUKUS project during the next 3 decades which include: training and capacity building; acquisition of complete, conventionally armed, nuclear-powered submarines; and the acquisition of complete, welded power units for submarines to be built in Australia.

3. The AUKUS Parties have safeguards obligations which need to be implemented in accordance with their respective safeguards agreements and additional protocols with the Agency. Australia as a non-nuclear-weapon State (NNWS) party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) concluded with the Agency a Comprehensive Safeguards Agreement (CSA) in connection with the NPT and an additional protocol thereto (AP). Under the CSA, the Agency has the right and obligation to apply safeguards to all nuclear material in all peaceful nuclear activities within the territory of Australia, under its jurisdiction or carried out under its control anywhere, for the exclusive purpose of verifying that such material is not diverted to nuclear weapons or other nuclear explosive devices. Article 14 of Australia's CSA allows Australia to use nuclear material which is required to be safeguarded under the CSA in a nuclear activity, such as nuclear propulsion for submarines, provided that Australia makes an arrangement with the Agency in this regard.
4. The United Kingdom and the United States are nuclear-weapons States party to the NPT and have each concluded with the Agency a voluntary offer safeguards agreement (VOA) and an AP thereto. Under their VOA they need to report to the Agency international transfers of nuclear material to NNWSs and under the AP the exports of equipment specified in the AP.
5. The legal obligations of the Parties and the non-proliferation aspects are paramount. The Agency will continue to have its verification and non-proliferation mandate as its core guiding principle. It will exercise it in an impartial, objective and technical manner.
6. In a letter addressed to me, Foreign Minister Wong has formally requested the Agency to commence negotiations on an arrangement required under Article 14 of Australia's CSA. In accordance with the applicable norms (modified Code 3.1 of its Subsidiary Arrangements), Australia has also provided to the Agency preliminary design information related to this project.
7. This process involves serious legal and complex technical matters. The required arrangement under Article 14 of the CSA and the development of the necessary safeguards approach must be in strict conformity with the existing legal framework. Importantly, once that the arrangement is finalized, it will be transmitted to the Board of Governors of the IAEA for appropriate action.
8. In their communications, the AUKUS Parties reaffirmed their previously stated commitment that maintaining the integrity of the nuclear non-proliferation regime and Agency safeguards remains a core objective in relation to AUKUS. They also committed to maintaining the strength of the global nuclear non-proliferation regime and to fulfilling the non-proliferation and safeguards obligations under their

respective agreements with the Agency. I also note Australia's previous declaration to the Agency that it does not intend to pursue uranium enrichment or reprocessing in relation to AUKUS and that it has no plans to undertake nuclear fuel fabrication as part of this effort.

9. The Agency's role in this process is foreseen in the existing legal framework and falls strictly within its statutory competences. The Agency will conduct the work on this matter in an independent, impartial, and professional manner. I will ensure a transparent process that will be solely guided by the Agency's statutory mandate and the safeguards agreements and additional protocols of the AUKUS Parties. An effective arrangement under Article 14 of Australia's CSA to enable the Agency to meet its technical safeguards objectives for Australia under the CSA and AP will be necessary. Ultimately, the Agency must ensure that no proliferation risks will emanate from this project.
10. I will keep the Board of Governors and Member States of the IAEA informed of our future work as the discussions with the AUKUS Parties continue following Australia's notification of its intention to commence negotiations with the Agency on an arrangement under Article 14. As part of this process, I will also submit a report on this matter to the next regular session of the Board of Governors, to take place in Vienna in June 2023.

## More

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