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News story

# AUKUS partners' statement to the IAEA Board of Governors, 15 September 2023

UK Ambassador to the International Atomic Energy Agency (IAEA), Corinne Kitsell, gave a statement on behalf of Australia, the UK and the US on AUKUS.

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This statement was made on 14 September 2023 under agenda item 9: Transfer of the nuclear

materials in the context of AUKUS and its safeguards in all aspects under the Nuclear Non-Proliferation Treaty (NPT):

- “ Chair, I take the floor on behalf of Australia, the United Kingdom, and the United States to respond to comments made regarding Australia’s acquisition of naval nuclear propulsion technology.
- “ In response to the inclusion of this politically motivated and unnecessary agenda item, we refer Board members to our note verbale dated the 7th of September. In order to support the Board’s efforts to dedicate its limited time to address genuinely pressing issues, we have not taken procedural action against the addition of this agenda item in meetings of the Board. But to be clear, in common with many other Board members, that does not mean we support it.
- “ As we have done at previous Board meetings, an update will be provided on Australia’s naval nuclear propulsion programme under Any Other Business. We had intended to provide only a short reply under this item. However, due to the serious nature of some of the misleading assertions we have heard here today, as well as having been circulated in a recent nonpaper, it is important that we directly address some of the more egregious claims.
- “ We recognise that there are genuine questions amongst member states regarding naval nuclear propulsion in Comprehensive Safeguard Agreement (CSA) states. We will continue to engage in good faith with states, consistent with our approach to maintaining open and transparent engagement.
- “ Unfortunately, attempts at genuine discussion of this issue continue to be subject to ever-evolving attempts designed to sow mistrust in the Agency or undermine its independent mandate. We have now seen several iterations

of political manoeuvring by certain states to misrepresent the AUKUS partners' responsible and transparent approach to implementing their safeguards obligations. We have heard many differing and often self-contradictory arguments in this effort. Many of these arguments have been abandoned by their proponents when it became clear they carried no weight or did not reflect reality, only to be replaced by new disinformation.

- “ Chair, the Director General has been clear that the Agency already has ‘the necessary experience to develop the arrangements related to the use of nuclear material for naval nuclear propulsion in accordance with the Statute and relevant safeguards agreements’. Australia’s nuclear fuel cycle will remain under IAEA oversight, in accordance with the provisions in Australia’s CSA and AP, throughout the lifecycle of Australia’s naval nuclear propulsion program. The Director General has confirmed that it will be necessary for Australia’s Article 14 arrangement to allow the Agency to continue to fulfil its technical safeguards objectives. Australia, the United Kingdom, and the United States remain fully committed to ensuring the IAEA is able to fulfil its mandate.
- “ Chair, contrary to the disinformation being perpetuated by some member states, the Director General has also confirmed that – for any CSA state acquiring naval nuclear propulsion technology – he will transmit an Article 14 arrangement to the Board for ‘appropriate action’.
- “ As with the implementation of other provisions of states’ CSAs, the practical arrangements to be applied in Australia under Article 14 are the subject of bilateral in-confidence negotiations between Australia and the IAEA. Once negotiated, the arrangement will be brought to the Board. This is entirely consistent with the

exchange of letters between Australia and the Director General in 1978. To suggest that the Board will be bypassed is false. We do not accept attacks on the mandate, independence, expertise or professionalism of the Director General and the Secretariat.

- “ It is deeply concerning that some states are calling into question the ability of the Director General to perform the functions vested in him by the Statute and by decisions of the Board. The politicisation by some states of this technical issue risks undermining the independence of the Agency – the cornerstone of the non-proliferation regime. As stated by the Director General this is part of the legal framework set out in the CSAs concluded on the basis of INFCIRC/153, which the Board has authorized the Director General to conclude and implement. We have full confidence in the Director General that he will continue to fulfil his mandate with professionalism and integrity.
- “ Chair, Australia, the United Kingdom, and the United States continue to oppose proposals for a standing agenda item, a new ‘intergovernmental’ or other parallel process, or any effort that would undermine and politicize the independent technical mandate of the IAEA. We do not accept politically motivated attempts to disrupt the Agency’s implementation of safeguards agreements. We reject any suggestion that the Agency does not have a mandate to engage bilaterally with member states on issues relevant to the implementation of safeguards.
- “ All states rely on the rights – and obligations – enshrined in safeguards agreements to engage bilaterally and in confidence with the Agency. To impose new limits or conditions on this right would threaten member states’ confidence in the Agency’s ability to implement its safeguards mandate and could risk relegating the Agency’s implementation of safeguards to a secondary

position. This is completely inconsistent with the letter and spirit of the legal framework and would threaten to send us down a dangerous path.

- “ Chair, we welcomed the Director General’s decision to report to the June 2023 Board meeting on developments related to Australia’s naval nuclear propulsion programme, as well as his separate report on Brazil’s naval nuclear propulsion programme. The Director General has confirmed he will continue to provide reports on naval nuclear propulsion programmes as appropriate, and we support his prerogative in this regard.
- “ We welcome constructive Board discussions on NNP on the basis of reports by the Director General, including under apolitical agenda items when there are substantive developments to discuss falling within the IAEA’s remit.
- “ Australia, the United Kingdom, and the United States will continue to keep the Board updated on our ongoing engagement with the IAEA, including under Any Other Business at this meeting. We urge colleagues to reject deliberate efforts to disrupt the Agency’s independence and integrity.
- “ Thank you, Chair.”

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