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IPAN's Vision: An Independent and Peaceful Australia

Committee Secretary
Joint Standing Committee on Treaties
PO Box 6021
Parliament House
Canberra ACT 2600

Independent and Peaceful Australia (IPAN) Submission

To the Joint Standing Committee on Treaties regarding:

The Agreement among 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 Cooperation Related to Naval Nuclear Propulsion

Dear Committee Secretary

The Independent and Peaceful Australia Network (IPAN) welcomes the opportunity to contribute this written submission. IPAN is a national body comprised of peace organisations, faith organisations, trade unions and environmental and anti-nuclear groups. IPAN campaigns for an Australia that acts independently of foreign influences and alliances in the best interests of the Australian people, seeking and promoting peaceful and mutually beneficial relations with all countries.

IPAN and its organisational members and individual members contribute submissions to national inquiries and consultations related to peace and defence and foreign policy matters – including raising concerns relating to nuclear waste issues and nuclear weapons.

In addition, in 2022, IPAN released its own findings of its People's Inquiry: Exploring the case for an Independent and Peaceful Australia¹, where a large number of the 280 submission writers raised concerns around storage of nuclear waste and the need for the Australian Government to sign and ratify the Treaty on the Prohibition of Nuclear Weapons.

IPAN and its many members have closely followed the AUKUS developments since the first announcement in September 2021.

IPAN and its members are greatly alarmed by the overall AUKUS plans regarding nuclear submarines as well as the related issue regarding low-level and high-level and nuclear waste that would result from the nuclear submarine arrangements.

In the past year IPAN has made the following written submissions

- Submission to the Senate Standing Committee on Foreign Affairs Defence and Trade Re: Australian Naval Nuclear Power Safety Bill 2023
- Submission re Australian Submarine Agency Licence Application to Site a Prescribed Radiation Facility known as the 'Controlled Industrial Facility'

In addition, in March 2024, IPAN gave evidence at a public hearing for the Inquiry into the Australian Naval Nuclear Power Safety Bill 2023 [Provisions] and Australian Naval Nuclear Power Safety (Transitional Provisions) Bill 2023 [Provisions].

IPAN therefore has a great interest in the 'Agreement' which is the subject of this submission – as well as AUKUS as a whole – and we initially detail here some of our broad concerns regarding AUKUS.

IPAN's extreme concerns with the overall AUKUS arrangements

Cost of AUKUS:

- We do not believe that the Australian Government can justify spending \$368 billion on the nuclear submarine deal, while
 - so many Australians are homeless or in housing insecurity – with rents unaffordable for many households and on top of this, home ownership completely out of the question for them.
 - so many Australian struggle to access or afford health and medical treatment and services, with many hospitals at crisis point due to underfunding
 - we have a grossly underfunded education system

Military Build-up for preparation for a US-led war with China

- We also believe that the submarine arrangements point to a massive military build-up which we believe can only be intended as preparation for a war against China. IPAN totally opposes Australia involving itself in yet another US-led war

Cost of AUKUS vs meeting pressing social needs

- IPAN believes that the Australian Government must reassess and re-align its spending priorities to meet the pressing needs of many Australians currently doing it tough, rather than committing extremely large and precious funds to submarines that ultimately are only about preparation for war

AUKUS arrangements continue the increasing militarisation of Australia

- IPAN is concerned about the continuing militarisation of Australia, which has been further reinforced by the AUKUS arrangements and provides benefits to weapons US and UK weapons companies – and questionable benefit to Australia

Further Loss of sovereignty for Australia

The AUKUS arrangements also serve to further reinforce Australia's pre-existing subservience to the USA and the UK – rather than Australia taking active steps to become more independent in terms of defence and foreign policy. One of the key messages from IPAN's People's Inquiry was for genuine independence and peaceful foreign policy for Australia.

Inquiry Chair Kellie Tranter, in her Executive Summaryⁱⁱ, stated the following

"[The Inquiry Report] calls for our nation to create space for debate when matters ought to be contested, and to be confident and mature enough to strive for a genuinely independent and peaceful foreign policy for Australia" (IPAN 2022, p.)

"Australia's involvement in world affairs at the behest and under the diktats of the US is not consistent with popular Australian views on the role of a peaceful participant cooperating in the consensual solution of world problems. For too long this country has facilitated US hegemony – absolute power over the rest of the world – and engaged in an alliance 'deeply rooted in US self-interest.' We have thus forsaken our independence. Australia is fighting in and invariably losing wars in which we have no direct interest, and for which there is little popular support and even less moral justification. This has been at huge personal and financial costs that are detrimental to the interests of the Australian people." (IPAN 2022, p.9).

IPAN is one of many organisations who share such concerns. The Australia Remade movement, which has a 'vision for the best version of us', developed from hundreds of conversations with Australians from across the country. Among the nine pillars that make up their vision is:

Pillar 9 'a proud contributor to a just world'ⁱⁱⁱ begins with a vision for Australia where

"We stand on our own two feet as we develop a fair and just approach to working with other countries. We do not blindly follow others, no matter how powerful.

It is of great concern to IPAN that Australia continues to follow US foreign policy, moving us even further away from standing on our own two feet in terms of foreign and defence policy.

Specific concerns held by IPAN regarding the Naval Nuclear Propulsion Treaty:

Outlined here are several issues that we urge the Joint Standing Committee on Treaties to carefully consider and which we believe constitute ground for this Committee to recommend to the Australian Government that they do not sign the **Naval Nuclear Propulsion Agreement**.

Despite Australia paying both US shipyards and UK shipyards billions of dollars, it appears there are no watertight arrangements in place to ensure Australia obtains the nuclear fuel, nuclear reactors outlined in the agreement nor ensuring that Australia will be able to construct nuclear-propelled submarines. It should be of significant concern to all Australians that our government is expending such vast sums of money without guarantees in place.

1. One Sided Agreement

In article Article IV E. it is stated that Australia shall indemnify, subject to paragraph F of this Article, the United States and the United Kingdom against any liability, loss, costs, damage or injury (including third-party claims) arising out of, related to, or resulting from Nuclear Risks connected with the design, manufacture, assembly, transfer, or utilization of any Material or Equipment, including Naval Nuclear Propulsion Plants and component parts and spare parts thereof, transferred or to be transferred pursuant to this Article.

It is a concern the agreement appears to be very one sided, in terms of responsibility and the question must be asked if this is in Australia's best interests

2. Threats posed by the nuclear weapons grade fuel and nuclear reactors

IPAN is extremely concerned about the threat posed by the nuclear weapons grade fuel and nuclear reactors. These reactors will be significant risks to the health of the Australian people who live or work within the nuclear zones associated with the storage of the imported nuclear fuel.

In addition there will be significant risks to the health posed by the construction of nuclear submarines and the designated facilities for disposal of nuclear waste produced by the activities to be carried out there.

The nuclear zones associated with the porting of foreign nuclear submarines will also pose a significant threat to the health of the Australian people.

3. Exposure to health risks

The Treaty clearly outlines that Special Nuclear Material to be transferred under the agreement, "*shall contain highly enriched uranium and, only with respect to irradiated fuel, may contain plutonium*", albeit "only in complete, welded Power Units pursuant to Article IV.B of the Agreement."¹

¹ ARTICLE VI Conditions and Guarantees, SECTION I – SPECIAL NUCLEAR MATERIAL

It is unacceptable that the Australia Government takes such risks with our population given the harmful health risks and effects associated with exposure to highly enriched uranium plutonium – of which many front line workers as well as communities will be at risk of exposure to.

4. Lack of Public consultation

Of further concern is the lack of public consultation with Australian people, despite the very real potential for harm in the community, especially for those who will be living and working in the nuclear zones which are defined in the Australian Naval Nuclear Power Safety Bill 2023.^{iv}

The 'National Interest Analysis [2024] ATNIA 14 with attachment on consultation', acknowledges that
"There has been no public consultation", with paragraph 55 stating that "No public consultation has been undertaken, given the classified scope of consultations between the Parties on the Agreement, including matters relating to national security and operational capability."

5. Australia's poor history of storage and disposal of nuclear waste

Australia has a poor history This Agreement requires Australia to *"be responsible for the management, disposition, storage, and disposal of any spent nuclear fuel and radioactive waste resulting from the operation of Naval Nuclear Propulsion Plants transferred pursuant to this Article, including radioactive waste generated through submarine operations, maintenance, decommissioning, and disposal."*²

Australia has a poor history with existing radioactive waste management and siting and does not have a waste management facility that can guarantee such disposition, storage and disposal of spent fuel and radioactive waste in a manner that is safe for our population, which would require safe storage for thousands of years.

In fact there does not appear to be any example world-wide of such a facility. It seems an enormous risk for Australia to take will put the Australian people's health at risk for many, many years.

6. Cost of \$368 billion for nuclear submarine with no guarantees

Of great concern is that the massive funding commitment of \$368 billion that Australia has committed to expend, there are no actual obligations on the UK and the USA to ultimately deliver the nuclear submarines. The Treaty 'Agreement' does not guarantee the cooperation of the UK or USA in fulfilling the objectives of the Agreement, if in doing so that would *"constitute an unreasonable risk to its (own) defence and security (Article I)."*

This is of enormous concern and reinforces the need for a review and reset of Australia's spending priorities.

7. Why is prohibition of detonation of a nuclear weapon by Australia even required in the 'Agreement'?

ARTICLE IV, Section F states the following

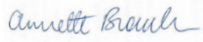
*"The United States and the United Kingdom shall have the right to cease further cooperation under this Agreement, including suspension or termination of transfers of Material and Equipment, and to require the return of any Material or Equipment transferred pursuant to 8 this Agreement, and any Special Nuclear Material produced through the use of any Material or Equipment transferred pursuant to this Agreement, if Australia: materially breaches its obligations under the NPT, the Australia-IAEA Safeguards Agreements, or the Article 14 Arrangement; terminates, abrogates, or otherwise withdraws from any of the foregoing agreements or arrangements; **or detonates a nuclear weapon or other nuclear explosive device [submission writer's emphasis]."***

² ARTICLE IV Naval Nuclear Propulsion Plants, Related Equipment, and Material, Section D

It is not at all clear why there a reference to the prohibition of detonation of a nuclear weapon in the Agreement'. It would seem a given that a signatory to the Nuclear Non-Proliferation Treaty (NPT) would not detonates a nuclear weapon - and it is not at all clear why the above clause needed to be inserted.

It is for these above reasons that IPAN strongly recommends that the Joint Standing Committee recommends that the Australia Government does not go ahead and sign this Agreement.

Yours sincerely



Annette Brownlie
IPAN Chairperson
On behalf of the Independent and Peaceful Australia Network



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ⁱ https://ipan.org.au/wp-content/uploads/CHARTING-OUR-OWN-COURSE_softcopylinks.pdf

ⁱⁱ https://ipan.org.au/wp-content/uploads/CHARTING-OUR-OWN-COURSE_softcopylinks.pdf

ⁱⁱⁱ <https://www.australiaremade.org/>

^{iv} https://www.aph.gov.au/Parliamentary_Business/Bills_Legislation/Bills_Search_Results/Result?bld=r7104