**Independent and Peaceful Australia Network Inc. (IPAN)**
*IPAN Patrons: Emeritus Professor Ian Lowe AO and Kellie Tranter, Lawyer & Human Rights Advocate*

# Submission to the AUKUS Public Inquiry

**Submitted by:** The Independent and Peaceful Australia Network Inc. (IPAN)
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## About IPAN

The Independent and Peaceful Australia Network (IPAN) is a national grassroots network of community, faith and peace groups, trade unions, and concerned individuals aiming to build public dialogue and pressure for change to a truly independent foreign policy for Australia. Such a policy gives the Australian government a positive role in solving international conflicts peacefully. IPAN's vision is an independent and peaceful Australia that is free of foreign military bases and free of interventions by foreign governments, corporations, or vested interests that diminish Australia's sovereignty.

In 2022, IPAN released the findings of its *People's Inquiry: Exploring the Case for an Independent and Peaceful Australia*, 'Charting Our Own Course' drawing on 280+ submissions and extensive public consultations involving several thousands of people through questionnaire responses, public meetings, group discussions, and webinars from a wide range of civil society organisations.

IPAN recommends the *'Charting our Own Course'* report to the AUKUS Public Inquiry. While largely compiled from material received prior to the time of the AUKUS announcement (meaning few submissions pertained to the specifics of AUKUS), the report makes clear the manner in which the US, in particular, has for some time been laying the ground for a military agreement, such as AUKUS, that is very much to the advantage of the US and the disadvantage of Australia. This is clear in, for example, the discussion by Associate Professor Jeannie Rea, who compiled the section of the IPAN report on "Unions and Workers' Rights," on the impact of the Defence Trade Controls Act 2012 on staff undertaking certain fields of tertiary research in Australia.

Since 2024, IPAN has made seven formal submissions to government and regulatory bodies on matters directly related to AUKUS and nuclear-powered submarines (see Source Documents below).

## Executive Summary

The Independent and Peaceful Australia Network (IPAN) submits that AUKUS-related projects should be cancelled. IPAN considers that the AUKUS security partnership represents a profound vulnerability rather than a strength for Australia. It compromises Australian sovereignty, risks entangling Australia in conflicts driven by the strategic priorities of other states, and diverts public resources from genuine security challenges, including climate disruption, economic inequality, housing insecurity, and pressures on healthcare and education.

IPAN has grave concerns about changes to the National Disability Insurance Scheme (NDIS), for example, which leave people whose lives are already complicated by the need to navigate disability, increasingly being required to repeatedly justify their entitlement to support when subsidies are unquestioningly paid to the (in general) US corporations involved in the manufacture of either the hardware or software designed to implement the various AUKUS 'pillars'. In this context, we also note

the deplorable drop in service provision by the Federal government, for example the closure of stand alone Medicare Offices and Australian Taxation Office (ATO) offices.

The nuclear-powered submarine pathway is a high-cost, multi-decade project dependent on overseas industrial capacity, technology access, transfer approvals and continuing US and UK cooperation. The Government's initial estimate was up to 368 billion Australian dollars, while the Parliamentary Budget Office has stressed the uncertainty inherent in a program of this duration and complexity. [1] [2]

The Naval Nuclear Propulsion Agreement does not guarantee delivery of specified submarines, reactors or fuel on a fixed timetable, but it does impose long-term responsibilities on Australia for radioactive waste and certain nuclear-risk liabilities. [3] [2] [4] On these issues, Andrew Lawrence in the Guardian notes how the recent US documentary entitled 'To Use a Mountain' depicts the 'vast potential for devastation' in the six rural communities across the United States that were designated by the 1982 Nuclear Waste Policy Act as 'the permanent site[s] for more than 90,000 tons of high-level nuclear waste'. [5] Alliance ties between Australia and the United States suggest that a similar fate awaits communities here also.

IPAN is concerned that implementation of AUKUS—including Submarine Rotational Force–West, nuclear-related infrastructure at HMAS Stirling and Henderson, and deeper military integration—could increase Australia's exposure to crisis escalation while limiting practical control over the use of Australian facilities. The program also creates long-term environmental, radioactive-waste, regulatory and community consequences that require full public scrutiny. [6] [7] [8] [9]

IPAN further notes the semiotic 'trick' of insisting on the term 'rotation' or 'rotational' to enable government claims, particularly by Defence Minister Marles, that AUKUS maritime facilities are not 'bases'. IPAN completely rejects this claim. Regardless of the choice of language, these facilities are 'bases', as defined by James R. Blaker in 1990 and adopted by Catherine Lutz in her The Bases of Empire monograph; that is, they are 'installations routinely used by military forces'. [10]

IPAN therefore calls for the immediate suspension of further AUKUS commitments, cancellation of the program, and a comprehensive, transparent parliamentary inquiry into its strategic rationale, costs, environmental consequences, sovereignty implications and alternatives.

Pending cancellation, the Government should make no further approvals or commitments for interconnected AUKUS developments at HMAS Stirling and Henderson without a full, transparent and cumulative environmental assessment, and should publicly disclose independently verifiable information about environmental harms, risks and long-term liabilities.

IPAN argues that national security should be understood through the principles of human security, common security and a self-reliant, non-aligned foreign policy. Australia's security will be better served by diplomacy, peacebuilding, regional cooperation and non-offensive territorial defence than by further militarisation and dependence on nuclear-powered submarines.

IPAN advocates for:

- a self-reliant, non-offensive defence posture focused on defending Australian territory, maritime approaches and communities;
- greater investment in diplomacy, conflict prevention, peacebuilding, humanitarian assistance, regional cooperation and climate resilience;
- institutionalising peace in government by expanding the Minister for International Development's role to include peacebuilding, consolidating peacebuilding functions under one Deputy Secretary, and increasing resources for conflict prevention; and
- signing and ratifying the Treaty on the Prohibition of Nuclear Weapons, ending reliance on the United States policy of neither confirming nor denying the presence of nuclear weapons on

visiting or transiting vessels and aircraft, and strengthening Australia's regional nuclear-free-zone commitments. [11] [12]

A reoriented policy can provide a credible, self-reliant territorial-defence capability while expanding diplomacy, peacebuilding, humanitarian capacity, regional cooperation and climate resilience. These are practical investments in Australian and regional security, not an absence of defence policy. IPAN has identified 13 specific recommendations for consideration. While prioritising these recommendations is a challenge, as advocates for human security IPAN and its members regard climate change as a matter of the utmost urgency. We note how the iconic Australian writer Tim Winton, referring to the "incineration of cities", argues that this is no "natural calamity". Rather: "This is something that is being done to us. Knowingly. Which makes it a crime." [13]

## Recommendations

The AUKUS agreement is strategically flawed, financially irresponsible, environmentally dangerous, and fundamentally undemocratic. IPAN calls on the Inquiry to recommend:

1 **Immediate suspension of the AUKUS nuclear submarine program pending a comprehensive Parliamentary inquiry.**

2 **A full, transparent Parliamentary inquiry into the entire AUKUS agreement, examining strategic rationale, financial costs, environmental and safety implications, sovereignty impacts, and alternatives.**

3 **Cancellation of the Submarine Rotational Force – West (SRF-West) Project at HMAS Stirling.**

4 **Cancellation of the Nuclear Submarine Construction Yard at Osborne Naval Shipyard.**

5 **Full respect for Indigenous rights under UNDRIP, including free, prior and informed consent, before any nuclear activities are authorised on or near Indigenous lands.**

6 **Respect for State and Territory nuclear prohibition laws, with no Federal override.**

7 **Pending cancellation of Submarine Rotational Force–West, and before any further approval, construction, operation or commitment at HMAS Stirling or Henderson, require a full, transparent and cumulative environmental assessment of the interconnected developments at HMAS Stirling and Henderson, including nuclear-support activities, waste management, port and dry-dock infrastructure, operations and effects on communities and waters.**

8 **Pending cancellation of AUKUS-related projects, require the Department of Defence to publicly disclose independently verifiable information on their environmental harms, risks and long-term liabilities, including the underlying results of environmental monitoring. Such disclosure must not be treated as a substitute for cancellation.**

9 **Redirection of AUKUS Pillar 2 investment towards university- and civilian-led research and development, regional technology partnerships and international governance measures for lethal autonomous weapons and hypersonic systems.**

10 **Public disclosure of the conditions, permissions, supply-chain dependencies and maintenance arrangements on which the independent operation and sustainment of the submarine capability would depend.**

11 **Australia should sign and ratify the Treaty on the Prohibition of Nuclear Weapons.**

**12 Australia should end the practice of relying on the United States policy of neither confirming nor denying the presence of nuclear weapons on visiting or transiting vessels and aircraft.**

**13 Reorientation of Australia's foreign and defence policy toward diplomacy, conflict prevention, and genuine regional partnership.**

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## IPAN's responses to the specific areas of the AUKUS Public Inquiry

## 1. What is the likelihood of AUKUS submarines being delivered on time and on budget?

Whether or not the submarines are delivered on time is not the central issue for IPAN. Our primary concern is that AUKUS does not provide a genuinely self-reliant defence for Australia. Instead, it deepens Australia's dependence on the United States and United Kingdom for technology, industrial capacity, approvals and strategic direction. Australia's security would be better served by a non-offensive defence posture focused on protecting Australian territory and maritime approaches, supported by diplomacy, regional cooperation and civil resilience.

AUKUS also represents a major diversion of public resources from these priorities. The very large sums committed to nuclear-powered submarines and associated infrastructure could instead strengthen Australia's independent defence capacity and also address the needs that affect the security and wellbeing of everyday Australians, including housing, healthcare, education, climate resilience and essential public services. IPAN is concerned about the egregious cost blow-out of monies that should be spent in fields that benefit all everyday Australians rather than be gifted as subsidies to manufacturers of AUKUS hardware and software materials.

IPAN nevertheless provides the following response to the Inquiry's question on delivery, cost and schedule.

IPAN also draws attention to the 'capture' of governments and corporations by the AUKUS mythology and to the revolving door through which former members of both Houses of Parliament move into defence-industry lobbying. A recent *Four Corners* program and an *ABC* online report published the following day, Tuesday 25 August, on the activities of Christopher Pyne, former Minister for Defence in the Morrison Government, are pertinent. The ABC article reported that: 'An event in Washington this year [2026] showed the pulling power of the lobbying sector. Every year, Pyne and Partners holds a conference dedicated to AUKUS, attracting big defence contractors, senior government officials, and high-ranking military officers from the three AUKUS partner nations.' Noting that tickets for the three-day event were priced at $4,950, the article explained that the 'keynote speaker' at the $950-a-head conference dinner was 'the chief of the Australian Navy, Admiral Mark Hammond, who at the time was preparing to step up as the chief of the defence force', a position to which he was elevated to in July 2026.

Notwithstanding the activities of the plethora of politically affiliated lobbyists such as Pyne, IPAN assesses the likelihood of the AUKUS nuclear-powered submarine pathway being delivered on time and on budget as extremely low. The pathway announced in March 2023 envisaged a multi-decade sequence of United States and United Kingdom submarine rotations, the prospective sale of United States Virginia-class submarines, and construction of the first Australian-built SSN-AUKUS submarine in the early 2040s. Each stage depends on continuing political commitments, industrial capacity, approvals and cooperation among three governments. [3]

Australia has committed roughly 10 billion Australian dollars to support submarine industrial capacity in the United States and United Kingdom. This comprises a commitment of 3 billion United States dollars, estimated by the Parliamentary Library at approximately 4.7 billion Australian dollars,

to help uplift the United States submarine industrial base through to 2035–36, and 4.6 billion Australian dollars over ten years to expand Rolls-Royce Submarines' production capacity in Derby and contribute to SSN-AUKUS design costs. These payments support overseas industrial capacity on which the pathway depends, but they do not guarantee that Australia will receive submarines on a fixed timetable. [14] [15] [16]

The scale of the overall financial commitment compounds this delivery risk. The Australian Government's initial estimate placed the cost of the nuclear-powered submarine program at between 268 billion and 368 billion Australian dollars. The Parliamentary Budget Office's 2023 costing, based on Department of Defence data as at March 2023, estimated whole-of-program costs of 367.6 billion Australian dollars in 2022–23 prices for the period from 2023–24 to 2053–54. This total included a 122.9 billion Australian dollar contingency. The Parliamentary Budget Office noted that both the cost estimate and expenditure profile would need to be updated as the long and complex program matures. [3] [2]

The Naval Nuclear Propulsion Agreement establishes a legal framework through which the United States and United Kingdom may transfer naval nuclear propulsion plants, related equipment and material to Australia. Article I makes cooperation conditional on the originating party determining that it promotes, and does not create an unreasonable risk to, its own defence and security. Article IV(A) provides that a transfer is subject to terms and conditions acceptable to the United States or United Kingdom and mutually agreed in writing by the relevant parties. The accompanying Understanding says that the United States and United Kingdom should make best efforts and should not unreasonably withhold information, material or equipment, but it guides implementation only and does not alter or form an integral part of the Agreement. These provisions do not guarantee that Australia will receive specified submarines, reactors or fuel on a fixed timetable. [4]

The Agreement was developed with limited public debate and without a binding parliamentary vote on the overall AUKUS decision. The Joint Standing Committee on Treaties examined the Naval Nuclear Propulsion Agreement in 2024, received 260 submissions and held four public hearings. However, it did not conduct a single comprehensive inquiry into the entire AUKUS program, including its strategic rationale, financial costs, environmental consequences, sovereignty implications and alternatives. [17]

The Agreement also allocates substantial legal and financial responsibilities to Australia. Article IV(E) requires Australia, subject to Article IV(F), to indemnify the United States and the United Kingdom against liability, loss, costs, damage or injury, including third-party claims, arising from nuclear risks connected with the design, manufacture, assembly, transfer or utilisation of material or equipment transferred, or to be transferred, under the Agreement. Article IV(F) qualifies this obligation in two limited circumstances: it does not apply to the extent that the United States or United Kingdom has received payment from a third party for the same liability; and, in relation to a conventionally armed nuclear-powered submarine that has been in service with the United States Navy, it does not apply until that submarine is transferred to Australia. [4]

Separately, Article IV(D) makes Australia responsible for the management, disposition, storage and disposal of spent nuclear fuel and radioactive waste resulting from the operation of transferred naval nuclear propulsion plants. This includes waste generated through submarine operations, maintenance, decommissioning and disposal. [4]

The Government's pathway anticipates delivery of the first Australian-built SSN-AUKUS submarine only in the early 2040s. The intended transfer of three United States Virginia-class submarines from the early 2030s is expressly subject to United States congressional approval. Delivery is therefore dependent on decisions and capacity outside Australia's control, including United States transfer decisions, United Kingdom design and propulsion-system capacity, technology access, specialised maintenance arrangements and supply chains. These dependencies raise questions not only about

timetable and cost, but also about whether the proposed capability can be procured, sustained and operated as an independent Australian capability. [3] [4]

In IPAN's assessment, the combination of a multi-decade schedule, an initial cost estimate of up to A$368 billion, dependence on overseas industrial capacity and approvals, and Australia's assumption of long-term waste and indemnity responsibilities makes on-time, on-budget delivery highly uncertain.

## 2. Given changing geopolitical realities, does AUKUS enhance or jeopardise Australia's security?

IPAN considers that Submarine Rotational Force–West, the expansion of nuclear-related infrastructure and deeper force integration would increase Australia's exposure to conflict and reduce its practical freedom to decide whether Australian facilities support particular United States or United Kingdom operations.

IPAN is concerned that Submarine Rotational Force–West would make HMAS Stirling and associated Western Australian facilities a forward operating location for United States and United Kingdom nuclear-powered submarines in the Indo-Pacific. From 2027, the arrangement is intended to provide for a rotational presence of one United Kingdom and up to four United States submarines. Although the Government states that these platforms will not be permanently based in Australia, the United States elements will operate under the Australia–United States Force Posture Agreement and United Kingdom participation will be governed by separate arrangements. [6] For those unfamiliar with the details of the Force Posture Agreement, IPAN recommends Bevan Ramsden's meticulously researched Pearls and Irritations article entitled 'US-Australia "Force Posture Agreement" undermines sovereignty, must be terminated'. [18]

The extent to which Australia could withhold the use of its facilities, personnel or support for a particular United States or United Kingdom operation remains unclear. IPAN is concerned that this may reduce Australia's practical capacity to prevent Western Australian facilities being used in support of military action contrary to Australia's interests, and reinforces the need for transparent parliamentary scrutiny of the operational arrangements. [6]

Nuclear-powered vessels and associated infrastructure require rigorous safety, emergency-response and environmental arrangements. IPAN is concerned that the location of nuclear-powered submarine operations near populated coastal communities could expose those communities to severe consequences if a radiological incident occurred. [19]

These concerns arise from the manner in which AUKUS is being implemented: the presence of foreign submarines, the use of Australian facilities for alliance operations and the absence of clear public information about operational arrangements. In IPAN's view, these factors can make Australia more, rather than less, exposed to crisis escalation.

Research supports the case for prioritising conflict prevention, diplomacy and inclusive peacebuilding alongside any security policy. A joint United Nations–World Bank study concluded that scaled-up preventive action could save between 5 billion and 70 billion United States dollars each year globally, while also reducing the human and social costs of violence. The Institute for Economics and Peace has estimated that peacebuilding and conflict-prevention measures can produce substantial cost savings when they are effective, but the outcomes depend on local conditions, the quality of institutions and sustained political commitment. [20] [21]

The evidence does not justify fixed universal success rates for peacebuilding or military interventions. It does, however, support IPAN's contention that a militarised approach to security does not make Australia safer. [20] [21]

## 3. What are the costs and impacts of AUKUS on Australia's economy, workforce, industry, and research sectors, and what are the opportunity costs for other national priorities?

The up-to-368-billion-Australian-dollar commitment to acquire nuclear-powered submarines [2] represents, in IPAN's view, a serious opportunity cost at a time when Australians face housing insecurity and pressure on education, healthcare and welfare services, and increasing levels of poverty. Recent Australian Council of Social Service (ACOSS) and UNSW Sydney research found that the proportion of Australians living below the poverty line rose from 12.4 per cent in 2020–21 to 14.2 per cent in 2022–23—an increase of 593,000 people. The report attributed the post-pandemic rise to the removal of temporary income supports and large increases in rents. [22]

IPAN questions the expenditure on AUKUS when the JobSeeker allowance has now fallen to 68 per cent of the age pension, plunging its marginalised recipients into an even more parlous financial state that, in a cost-of-living crisis, will barely permit a subsistence lifestyle. ACOSS analysis shows that the rate of both pensions and unemployment benefits were the same in the 1970s, and the rate of payment for the Newstart Allowance was still about 92 per cent of the pension in 1990. The payment gap has widened as a result of policy choices made by governments, with pension settings linked more closely to wages while JobSeeker has largely been indexed only to prices. [23]

The economic case for prevention is also strong. A joint United Nations–World Bank study estimated that scaled-up prevention could save between 5 billion and 70 billion United States dollars annually worldwide. Institute for Economics and Peace analysis has estimated an average 1:16 cost-savings ratio for peacebuilding and actions leading to conflict prevention, while recognising that this is a modelled estimate rather than a fixed return applicable in every context. [20] [21] The economic case for prioritising diplomacy and peace over militarisation is therefore substantial.

The asserted uplift of a sovereign defence industry requires particular scrutiny. Australia may operate the submarines, but the pathway remains dependent on foreign reactor technology, access permissions, supplier capacity, specialist maintenance arrangements and approved supply chains. These dependencies substantially limit the degree of industrial and operational sovereignty that can credibly be claimed. [4]

The workforce opportunity cost is particularly acute. Skilled workers diverted to defence and nuclear manufacturing represent an opportunity cost when Australia faces persistent shortages in construction trades, health professions, care and support occupations, engineering, information and communication technology, and science. [24]

The wider securitisation of Australia–China relations may affect the research ecosystem on which Australian innovation has long relied. The sources cited identify concerns that research-security requirements and heightened scrutiny of foreign links can add compliance burdens, discourage some China-linked collaborations, and contribute to visa or appointment delays affecting postgraduate students and researchers. Such effects may extend beyond narrowly defined defence and security research. They should be examined as consequences of broader research-security policy settings associated with AUKUS and related security measures, rather than attributed to AUKUS alone. [25]

Australian budget settings show a substantial disparity between defence expenditure and official development assistance. The Defence portfolio's 2022–23 budget materials record major resourcing for defence, while the 2023–24 official development assistance budget was 4.77 billion Australian dollars. IPAN considers that this imbalance warrants greater investment in diplomacy, conflict prevention and regional development. [26] [27]

In terms of research options for young Australians, IPAN expresses deep concern that, with the direction of such high levels of public funds to educational projects related to AUKUS, talented young Australians who aspire to contribute to Australian society through research careers will have an ever-diminishing set of future options. The majority of these options will, of necessity, lead to their

involvement in the development of military hardware that is ultimately designed to take lives. It is essential that a full range of education options that include fields related to the public good such as health, architecture, environment planning and climate science are funded to a level that make their pursuit an attractive option for early career researchers.

## 4. Can AUKUS nuclear accidents in port or Australian waters be absolutely averted or contained, can nuclear waste be stored safely, and what are the environmental and community impacts, especially for First Nations peoples?

### *The Nuclear Waste Crisis*

Australia bears legal responsibility for the management, disposition, storage and disposal of spent nuclear fuel and radioactive waste arising from transferred naval nuclear propulsion plants under Article IV(D) of the Naval Nuclear Propulsion Agreement. This includes waste generated through submarine operations, maintenance, decommissioning and disposal. [4]

The experience of Finland and Sweden demonstrates that establishing a deep geological disposal pathway requires decades of technical development, regulatory assessment and community engagement. The absence of operating high-level waste repositories in several advanced nuclear states also demonstrates the long-term uncertainty of this task. The 2014 radiological release at the Waste Isolation Pilot Plant in New Mexico, which is not a high-level waste repository, illustrates the safety and cost consequences of poor waste-management practices. [28] [29]

Australia has stated that it will manage radioactive waste generated by its own Virginia-class and SSN-AUKUS submarines, including waste generated through operations, maintenance and decommissioning. However, public material does not identify an authorised permanent disposal facility. IPAN considers that comparisons between submarine-related waste and hospital waste are misguided and, at worst, misleading, because some low-level waste from naval nuclear submarines may require long-term isolation. [7] [30] [31]

The proposed Controlled Industrial Facility at HMAS Stirling has a narrower role than the whole-of-program waste challenge. The Australian Submarine Agency (ASA) describes it as a facility for accepting, categorising, treating, packaging and temporarily storing low-level radioactive waste from submarine operations. (For an organisation formed in July 2023, the ASA appears to have an inordinate degree of decision-making power in AUKUS processes.)

The Australian Radiation Protection and Nuclear Safety Agency have stated that it will not be permitted to accept or manage intermediate-level radioactive waste, high-level radioactive waste or spent nuclear fuel. [7]

The Commonwealth proposes temporary on-site storage for low-level radioactive waste, but no publicly identified and authorised permanent disposal pathway exists. The Australian Submarine Agency and the Australian Radiation Protection and Nuclear Safety Agency have acknowledged that some low-level waste may require storage for up to 300 years, whereas the proposed Controlled Industrial Facility has a nominal life of up to 50 years. This gap creates a material risk that temporary storage will be prolonged in practice. [7]

Section 8A of the Australian Naval Nuclear Power Safety Act 2024 prevents the regulator from licensing the storage or disposal in Australia of spent nuclear fuel that is not from an Australian submarine. However, the provision does not expressly prohibit the management, storage or disposal of other radioactive components from United Kingdom or United States submarines, including used reactor components. This leaves an important aspect of the long-term waste-management task unresolved. [32]

That unresolved issue must be considered against Australia's history of radioactive-waste management and siting. Community resistance has opposed proposed nuclear-waste facilities at

Muckaty, Woomera, the Flinders Ranges and Kimba. Australia still has no authorised national radioactive-waste repository, adding to uncertainty about where AUKUS-related waste and radioactive components would ultimately be managed or disposed of. [31]

The waste challenge cannot be assessed in isolation from the wider development of HMAS Stirling and Henderson. A full cumulative assessment is required of nuclear-support activities, radioactive-waste management, port and dry-dock infrastructure, and effects on surrounding communities and waters. [8] [9]

### *Risk of Catastrophic Accidents*

ARPANSA's emergency-exposure guidance recognises that radiological emergencies may require exceptional protective actions for workers and affected communities. IPAN is concerned that a serious reactor incident in or near a populated port could require complex emergency response, evacuation and decontamination arrangements. [19]

The proposed Controlled Industrial Facility at HMAS Stirling is located near the ocean. IPAN is concerned about the need for transparent assessment of natural-disaster, transport and operational risks, including the capability and experience required for handling radioactive material. [7] [31]

### *Disregard for First Nations Rights*

IPAN has not identified public evidence that free, prior and informed consent has been obtained from the relevant Traditional Custodians before proposed nuclear-waste activities are authorised. Such consent is imperative to acknowledging, respecting and ensuring the rights of Indigenous peoples as recognised under international law.

Article 29.2 of the United Nations Declaration on the Rights of Indigenous Peoples states: "States shall take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of Indigenous people without their Free Prior and Informed Consent". [33] For example, IPAN is not aware of the Australian Submarine Agency having consulted with the Traditional Custodians of Meeandip (Garden Island) or other affected areas to obtain this consent.

The United Nations Special Rapporteur on Toxics and Human Rights, Marcos A. Orellana, visited Australia in September 2023 and documented that the introduction of high-level radioactive waste into Australian territory from nuclear-powered submarines under AUKUS poses significant management challenges. He also emphasised the importance of free, prior and informed consent in relation to nuclear-waste management sites. [34]

Article 30 of the United Nations Declaration on the Rights of Indigenous Peoples is also directly relevant, requiring that military activities shall not take place in Indigenous peoples' lands or territories unless justified by a relevant public interest or otherwise freely agreed with or requested by the Indigenous peoples concerned. [33]

The Inquiry should recommend that no further approval, construction, operation or commitment at HMAS Stirling or Henderson proceed unless and until a full, transparent and cumulative assessment is completed, publicly available and subject to effective community and First Nations participation.

## 5. What is the status of transparency, public consultation, and parliamentary oversight regarding AUKUS decisions?

The AUKUS deal was initially developed with no public debate despite its enormous cost and high stakes. While the Joint Standing Committee on Treaties later received 260 submissions and held four public hearings on the treaty in 2024, there has been no binding parliamentary vote on the overall AUKUS decision and no single comprehensive inquiry into the full AUKUS program, its costs, risks and alternatives. [17]

This democratic deficit is compounded by the Federal Government's intention to enact laws that override existing State and Territory laws prohibiting nuclear activities and waste storage.

Transparency concerns also arise from the Department of Defence's own public reporting. Its 2024–25 Annual Report records AUKUS-related activity across policy, capability, industry, infrastructure and technology, but does not provide a cumulative environmental account of the connected developments at HMAS Stirling, Henderson or other AUKUS-related facilities. [35]

Section 516A of the Environment Protection and Biodiversity Conservation Act 1999 requires Commonwealth entities to report on how their activities accord with ecologically sustainable development, the environmental effects of their activities, measures to minimise those effects, and mechanisms to review those measures. The Defence Annual Report does not identify section 516A or use the expression "ecologically sustainable development", and its compliance index does not identify where the required reporting is located. [36] [37]

IPAN's position is that AUKUS-related projects should be cancelled. Pending cancellation, however, the Department of Defence must be required to make public full, regular and independently verifiable information about their environmental consequences. This must include the effects of operations, exercises, infrastructure and radioactive-waste management, together with the underlying results of environmental monitoring. Disclosure is necessary for public and parliamentary scrutiny of the program's harms, risks and long-term liabilities; it cannot legitimise or substitute for cancellation. [35] [38]

Regulation 111 of the Australian Naval Nuclear Power Safety Regulations 2025, made under section 135 of the Australian Naval Nuclear Power Safety Act 2024, prescribes State and Territory laws that do not apply in relation to a regulated activity. These include Western Australia's Nuclear Waste Storage and Transportation (Prohibition) Act 1999 and South Australia's Nuclear Waste Storage Facility (Prohibition) Act 2000. Regulation 111 also applies to other State or Territory provisions regulating nuclear activities, subject to the stated exception for provisions predominantly concerned with work health and safety or environmental protection. [39] [40]

The Act, s135 (Operation of State and Territory laws) states the following:

'If a law of a State or Territory, or one or more provisions of such a law, is prescribed by the regulations, that law or provision does not apply in relation to a regulated activity.'

This would override:

| Jurisdiction | Legislation | Key Prohibition |
|---|---|---|
| Western Australia | *Nuclear Waste Storage and Transportation (Prohibition) Act 1999* | Prohibits storage, disposal, or transportation of nuclear waste |
| South Australia | *Nuclear Waste Storage Facility (Prohibition) Act 2000* | Prohibits construction or operation of nuclear waste storage facilities |
| Northern Territory | *Nuclear Waste Transport, Storage and Disposal (Prohibition) Act 2004* | Prohibits construction and operation of nuclear waste storage facilities |

These State laws were enacted by Western Australian and South Australian parliaments to prohibit specified nuclear-waste-related activities. IPAN is concerned that their disapplication for regulated activities would diminish State legislative control over nuclear activities and waste management. [39]

The establishment of the Australian Naval Nuclear Power Safety Regulator as an entity reporting directly to the Minister for Defence, rather than extending the role of the Australian Radiation Protection and Nuclear Safety Agency, which reports to the Minister for Health, raises serious concerns about regulatory independence and potential conflicts of interest in the oversight of a Defence-led program of critical public importance. [40]

Although the Act includes statutory independence provisions, IPAN remains concerned that the regulator's institutional location, appointment and reporting arrangements may not provide the degree of structural separation required to maintain public confidence in its oversight role.

The Radiation Health and Safety Advisory Council has stated that the regulator should be independent of operators and departments overseeing any aspect of purchase, manufacture, maintenance and operation of the program. IPAN considers that the proposed structure does not meet this principle. [41]

The absence of an independent, publicly accessible cumulative assessment is especially concerning where environmental referrals and regulatory processes have proceeded in stages. At the Fremantle hearing held as part of the AUKUS Public Inquiry's public-hearing process, evidence from Mia Pepper raised concerns that public material and opportunities for participation have been limited, and that relevant Commonwealth and Western Australian processes did not assess all nuclear components together. [8] [9]

These concerns about transparency and participation are reinforced by public opinion. A July 2025 poll commissioned by The Australia Institute found that two-thirds of Australians, 66 per cent, wanted a parliamentary inquiry into AUKUS, while fewer than half, 49 per cent, believed that the agreement would make Australia safer. The same polling found that, when the estimated cost of AUKUS submarines was identified, only about one-quarter of respondents considered them worth the price. [42]

Proceeding with further regulations and approvals without adequate public scrutiny or a clear social licence raises serious democratic concerns.

## 6. Could the technological advancements of AUKUS Pillar 2 be achieved through other mechanisms?

The technologies identified under AUKUS Pillar 2 are not unique to AUKUS and in this sense could most certainly be achieved through other mechanisms. While Pillar 2 covers advanced capabilities including artificial intelligence, autonomous systems, quantum technologies and cyber capabilities, its publicly disclosed work is not confined to general scientific cooperation.

AUKUS Pillar 2 includes military-integration outputs: the launch and recovery of uncrewed underwater vehicles from torpedo tubes on British and United States submarines; artificial-intelligence algorithms on P-8A maritime patrol aircraft to process data from sonobuoys, which are underwater sensors used to detect submarines; quantum technologies for positioning, navigation and timing, including Australian quantum optical atomic-clock work intended to help communications and navigation systems operate when Global Positioning System signals are degraded; and the Hypersonic Flight Test and Experimentation Project Arrangement, which supports joint development, testing and evaluation of hypersonic systems. [43] [44] [45]

IPAN contends, first, that Australia should not pursue autonomous lethal weapons by any means. Second, although AUKUS Pillar 2 includes quantum technologies, the available public material shows that Australian-funded quantum research is being integrated into a trilateral military-capability framework. Australian-developed quantum clocks have been trialled in the United States under AUKUS, and the outcomes are to be shared among the three partners to inform future defence operations. This may support Australian industry and research institutions, but it also directs

Australian capability towards shared military objectives rather than independently determined Australian priorities. [45] [46]

Where Australia genuinely requires and desires technological advances, they could be pursued through alternative mechanisms that do not require entanglement in a nuclear submarine program, subordination of Australian foreign policy to United States strategic objectives, or the same risk of promoting a regional arms competition and escalation risk.

Australia could pursue artificial intelligence, autonomous systems, quantum science and cyber security through transparent, civilian-controlled research partnerships; direct collaboration with universities, public research agencies and industry; bilateral or multilateral arrangements with a wider range of countries; and international regulatory and standards-setting bodies.

Australia already has strong research institutions, universities and industry partnerships capable of developing advanced technologies through civilian and multilateral frameworks. Investment in these sectors through independent research programs, partnerships with Association of Southeast Asian Nations and Pacific nations, and engagement with multilateral technology-governance bodies would deliver technological advancement without the strategic and sovereignty costs of AUKUS.

The billions committed to AUKUS Pillar 2 could instead support a well-funded, publicly accountable sovereign research program. Such a program could build Australian capability and serve priorities determined by Australia, including civilian innovation, regional cooperation, environmental monitoring, maritime safety, disaster response, secure communications and cyber resilience.

The alternatives should also include responsible international governance. The deployment of uncrewed and autonomous weapons systems and hypersonic weapons can compress decision-making timeframes in crises, increasing the risk of miscalculation and accidental escalation. Australia could support civilian research and regional cooperation while leading diplomatic efforts to regulate and restrict lethal autonomous weapons and hypersonic glide vehicles, rather than contributing to a regional arms race. [47] [48]

Any international cooperation should be subject to democratic oversight, public-interest tests, human-rights safeguards and transparent assessment of its regional consequences.

## 7. What is the strategic rationale for Australia's commitment to AUKUS?

IPAN considers that the Government has not adequately identified a direct threat to Australia, explained the theory of deterrence on which AUKUS rests, or shown how nuclear-powered submarines are suited to Australia’s own defence needs.

Before committing to this pathway, the Inquiry should ask what specific threat AUKUS is intended to deter, whether the proposed capability would deter that threat, and whether it would instead increase the risk of Australian involvement in a United States–China conflict.

IPAN’s concern is not that Australia should ignore regional tensions, but that the Government has not made a transparent strategic case showing why dependence on the US alliance, a nuclear-powered submarine capability and deeper integration with US military planning, are preferable to a self-reliant, non-offensive defence posture, diplomacy and regional security cooperation. [49][50]

## 8. What are the impacts of AUKUS on the operational capability of the ADF?

AUKUS does not enhance the operational capability of the Australian Defence Force in ways that serve Australia's genuine defence needs. The program is designed to produce submarines capable of offensive operations in distant theatres as part of US-led coalitions, not to defend Australia's own territory and maritime approaches. This represents a fundamental misalignment between Australia's genuine defence requirements and the capabilities being acquired.

Operational capability must include the capacity to sustain, maintain and make sovereign decisions about the capability in a crisis. Dependence on United States and United Kingdom decisions for reactor supply, technology access, specialised maintenance and approved supply chains may constrain that capacity. The Inquiry should test whether the proposed pathway provides an independently sustainable Australian capability or a capability contingent on continuing foreign approval and industrial availability. [4]

Moreover, the diversion of defence resources to the nuclear submarine program crowds out investment in capabilities that would more directly serve Australia's territorial defence, including maritime patrol, cyber defence, and disaster response capabilities. The ADF's capacity to respond to domestic emergencies, support Pacific neighbours, and conduct humanitarian operations is diminished when the overwhelming share of defence resources is committed to a single, distant-horizon capability.

The scale and duration of AUKUS Pillar I expenditure are likely to constrain Australia's capacity to fund alternative defence, resilience and civil-security capabilities for decades. [2]

## 9. Are there cost-effective and achievable alternatives to AUKUS that better enhance Australia's peace and security?

Yes. IPAN advocates for a comprehensive alternative defence and security policy based on the following principles:

**A Self-Reliant, Non-Offensive Defence Posture:** Australia needs a defence force capable of defending its territory and maritime approaches, not one designed for interoperability in United States-led offensive operations. A non-aligned, non-offensive defence posture would, in IPAN's view, enhance genuine security while reducing the risk of being drawn into conflicts that do not serve Australian interests. [50]

**Prioritising Diplomacy and Conflict Prevention:** IPAN considers diplomacy and conflict prevention central to Australian security. The evidence supports the proposition that prevention can reduce human and economic costs, although outcomes vary between contexts. The hundreds of billions committed to AUKUS could instead fund a comprehensive diplomatic and peacebuilding program that positions Australia as a constructive regional leader. [20] [21]

**Institutionalising Peace in Government Structure:** IPAN supports structural reforms including (as one option for consideration) expanding the Minister for International Development role to include peacebuilding, consolidating all areas working on peace under one Deputy Secretary, and increasing resourcing for conflict prevention and peacebuilding. [51]

IPAN's Alternative Self-Defence Policy

IPAN proposes a policy of non-nuclear armed neutrality: a self-reliant, non-offensive defence posture focused on protecting Australian territory and maritime approaches, rather than joining wars between other powers. It combines independent defence capacity and civil resilience with active diplomacy, peaceful regional relations, United Nations peacekeeping and humanitarian assistance. This approach offers a practical alternative to AUKUS, foreign military dependence and participation in United States-led conflicts. [50]

These responsibilities should not be confined to a single ministerial portfolio. Peacebuilding, conflict prevention and regional cooperation should be central considerations in Defence and Foreign Affairs policy. IPAN supports a shift towards multilateral, partnership-based cooperation with Pacific and South-East Asian countries, including commitments to non-militarisation and nuclear exclusion.

**Signing and Ratifying the Treaty on the Prohibition of Nuclear Weapons:** Australia should sign and ratify the Treaty on the Prohibition of Nuclear Weapons, consistent with its regional nuclear-free-zone commitments. [52]

A self-reliant approach would retain Australia's capacity to contribute to United Nations peacekeeping, humanitarian operations and disaster response, while concentrating defence resources on the protection of Australian territory and maritime approaches. Funds directed away from AUKUS could support both a comprehensive diplomatic and peacebuilding program and elements of a non-nuclear territorial-defence capability. [50]

## 10. What are the implications of AUKUS for regional peace and security, including Australia's relations with China, ASEAN, and the Pacific Islands nations, including commitments under the Treaty of Rarotonga?

IPAN considers that AUKUS is inconsistent with the objects and regional confidence underpinning Australia's non-proliferation and Treaty of Rarotonga commitments. By creating the first transfer of weapons-grade highly enriched uranium between nuclear weapon states and a non-nuclear weapon state, AUKUS relies on a non-proliferation treaty provision that permits nuclear material to be removed from routine safeguards for a non-proscribed military activity. [11]

> "For Australia to operate nuclear-powered submarines, it will have to become the first non-nuclear-weapon state to exercise a loophole that allows it to remove nuclear material from the inspection system of the International Atomic Energy Agency (IAEA)... 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." [30]

The United States policy of neither confirming nor denying the presence of nuclear weapons on military assets means that Australian officials cannot publicly confirm or deny whether visiting United States vessels carry nuclear weapons. IPAN is concerned that this policy is inconsistent with the transparency needed for public confidence in Australia's nuclear-free commitments. [12]

Australia's relations with China—its largest trading partner—may be affected by a program widely understood to be linked to strategic competition in the Indo-Pacific. IPAN believes that the proposed submarine arrangements contribute to a major military build-up and opposes Australian involvement in any future United States-led war against China. [49]

Further to the issue of relations with China, IPAN notes the desirability of the government working actively to improve links of this nature through negotiated agreements and other forms of diplomatic engagement that prioritise human security over military solutions. In fact, this approach to relations with all Indo-Pacific neighbours would result in greatly improved ties with these nations generally.

IPAN expresses its grave concern at what has been the clear stalling or even withdrawal of funds from the study of and research into the languages and societies of countries such as China and other sites in the Indo-Pacific region. We call for the immediate provision of funds to support such educational and research endeavours as a means of enhancing understanding of these places that are of such strategic trade importance to Australia.

We note that former diplomat Alison Broinowski has presented a strong argument in her recent Pearls and Irritations article entitled 'Australia must rebuild its Asian language capability'. Broinowski argues that 'Australia's Asian-language capability has declined for decades' in a way that has weakened the country's 'ability to understand and engage with our neighbours'. She nevertheless commends the relatively modest expenditure of 2.5 million dollars outlined in the May 2026 announcement of the Federal Government's Fluency in Asian Languages program. [53] [54]

IPAN is concerned that AUKUS may undermine Australia's credibility as a regional partner in the Pacific and its commitments under the Treaty of Rarotonga, which established the South Pacific as a nuclear-free zone. [52]

Nuclear weapons must also be recognised as weapons of mass destruction, designed for the destruction of cities and populations. The continuing inability of Australian authorities to confirm or deny the presence of nuclear weapons on visiting United States vessels is therefore not a procedural detail; it bears directly on Australian sovereignty and on confidence in Australia's nuclear-free commitments. [12]

FOI documents obtained by former Senator and submariner Rex Patick make it clear that the newly established Australian Federal Police (ADF) AUKUS Command are likely to be involved in maintaining AUKUS related facilities and public order, designed to inhibit protest and dissent, impacting on democratic processes in Australia.

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## Source Documents

The following IPAN submissions form the primary source material for this submission and are available on the IPAN website (www.ipan.org.au):

| Date | Submission |
|---|---|
| November 2025 | Submission to the ANU National Security College Community Consultation on Australia's National Security |
| July 2025 | Submission to ARPANSA re: Radiological Safety of the Proposed Controlled Industrial Facility (CIF), HMAS Stirling |
| July 2025 | Submission re: Draft Australian Naval Nuclear Power Safety Regulations — Public Consultation |
| March 2025 | Submission re: Draft Impact Assessment Report, Submarine Construction Yard Strategic Assessment, Osborne, South Australia |
| February 2025 | Submission to the Submarine Rotational Force – West (SRF-West) Project, Department of Defence |
| February 2024 | Submission to the Senate Standing Committee on Foreign Affairs, Defence and Trade re: Australian Naval Nuclear Power Safety Bill 2023 |
| August 2026 | Submission to the Parliamentary Joint Committee on Defence: Inquiry into the Department of Defence Annual Report 2024–25 |

**Note: The IPAN *People's Inquiry Report (2022) — Charting Our Own Course* — is also a foundational source document for this submission and is available at: https://ipan.org.au/wp-content/uploads/CHARTING-OUR-OWN-COURSE_softcopylinks.pdf**