2010 Review Conference of the Parties to the Treaty on the Non-proliferation of Nuclear Weapons
10 May 2010

Main Committee III

Statement by Mr Jeremy Kruse
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(Check against delivery)

Thank you Mr Chairman

I wish to congratulate you on your appointment as Chair of this Committee and commend you for the careful, consultative approach you have taken to preparatory work. I assure you of my delegation’s full cooperation.

I wish firstly to set out Australia’s position on the issues covered by this Committee, and then to propose some elements we would like to see contained in the Committee’s report and the conference outcomes document.

Mr Chairman,

Australia unequivocally affirms the right of NPT parties to enjoy the benefits of peaceful uses of nuclear energy in accordance with the provisions of the treaty. Australia takes seriously its Article IV undertaking to facilitate exchanges for the peaceful uses of nuclear energy. As the holder of 23 percent of the world’s low cost uranium, the world’s third largest uranium producer, a party to numerous bilateral agreements on nuclear
cooperation and safeguards, and with a significant scientific base, Australia is a major contributor to development of nuclear energy worldwide.

Australia is among the main contributors to the IAEA Technical Cooperation Fund and, in our region, we make significant extra-budgetary contributions to the Regional Cooperation Agreement for Research, Development and Training Related to Nuclear Science and Technology for Asia and the Pacific. We have contributed in a practical way to cooperation among regional partners in areas such as nuclear medicine and nuclear applications for agriculture and water resources.

We would like to take this opportunity to welcome the announcement last week by US Secretary of State Clinton that the United States will make an additional commitment of $50 million for an IAEA Peaceful Uses Initiative.

Australia supports efforts to ensure that the peaceful use of nuclear energy takes place in a framework that reduces proliferation risk and adheres to the highest standards of safeguards, safety and security. Australia strongly believes that the comprehensive safeguards agreement together with an Additional Protocol should be recognized as the verification standard for non-nuclear-weapon States. We also believe that all states should adhere to internationally accepted standards of nuclear safety and security. We urge all states party to become party to relevant international conventions on nuclear safety and security and to take measures to strengthen nuclear safety and the security of nuclear materials and facilities.

While access to nuclear energy for peaceful purposes is a key benefit of adherence to the NPT, such access is not unconditional. It is subject to the Treaty’s overall non-proliferation objectives. Article IV of the Treaty makes this clear by linking the peaceful nuclear energy provisions to conformity with Article I and II. As the Review Conference established in 2000, Article IV rights are also linked to conformity with safeguards obligations under Article III.

NPT parties that comply with the Treaty’s non-proliferation and verification requirements have every right to benefit from the peaceful uses of nuclear energy. But states that violate their non-proliferation and safeguards obligations by their own actions cut themselves off from the benefits of peaceful nuclear cooperation. In cases of non-compliance, the IAEA Statute gives the Board the authority to curtail or suspend assistance and call for the return of materials and equipment, and suspend the non-complying member from the exercises of the privileges and rights of membership. Compliance issues are also relevant considerations for nuclear suppliers in determining whether proposed transfers are consistent with their responsibility to ensure they do not contribute to proliferation.

Australia does not consider it necessary or desirable for each state with a nuclear program to develop national enrichment or reprocessing facilities in order to exercise their rights.
under Article IV. Those technologies are usable both for peaceful purposes and for the production of fissile material for nuclear weapons. It would be a perverse outcome from the standpoint of international security to see a proliferation of national fuel cycle facilities. It is therefore worth giving serious consideration to multilateral approaches to the fuel cycle.

Australia believes a well-functioning market provides the best assurance of supply of nuclear fuel for states in good standing with their obligations under the NPT and safeguards agreements. We note, however, that fuel assurance mechanisms, backing up the market, can give extra assurance. Such fuel assurance mechanisms can thus serve to support both the Treaty’s peaceful use and non-proliferation objectives.

Australia is willing to consider positively any broadly-supported agreement to take forward proposals for multilateral approaches to the fuel cycle that are sound both on non-proliferation and commercial grounds.

In relation to Article X, Australia considers it important that this Conference comes to some understanding on appropriate international responses to a notice of withdrawal from the Treaty. We will have more to say on this topic in the subsidiary body created under this Committee.

Mr Chairman

To assist the Committee, I now wish to refer to some specific elements Australia would like to see reflected in the Committee’s report and in the Review Conference outcomes document.

As delegations will be aware, Australia and Japan have submitted a working paper proposing a New Package of Practical Nuclear Disarmament and Non-Proliferation Measures for the Review Conference. This has been circulated as conference working paper 9. In relation to Main Committee III issues, the New Package working paper proposes that States Parties endorse the following practical measures:

. Reaffirm the right of all States parties to the Treaty to develop, research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with Articles I, II and III of the Treaty, and support the work of the IAEA in assisting states, particularly developing countries, in the peaceful use of nuclear energy.

. Urge all states commissioning, constructing or planning nuclear power reactors to become party to the four international conventions relating to nuclear safety, namely the Convention on Nuclear Safety, Convention on Early Notification of a Nuclear Accident, Convention on Assistance in the Case of a Nuclear Accident or
Radiological Emergency, and Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management; and

Urge all states to take further measures to strengthen the security of nuclear materials and facilities, such as conclusion of the Convention on the Physical Protection of Nuclear Material including its 2005 Amendment and the International Convention for the Suppression of Nuclear Terrorism as a soon as practicable.

My delegation would like to see these elements reflected in the report of this Committee.

Delegations will also be aware that Australia, together with a number of other non-nuclear-weapon states comprising the Vienna Group of Ten, has prepared several working papers on issues of relevance to Main Committee III. These papers - covering Peaceful Uses, Nuclear Safety, Nuclear Fuel Cycle and Physical Protection - have been circulated as conference working papers 15, 18, 19 and 20. Each of these papers proposes specific draft review language, which has been crafted to facilitate convergence on key issues. We hope the draft language proposed in these papers will assist the work of the Committee.

Australia looks forward to working with other delegations in a constructive and positive spirit.

Thank you Mr Chairman