

**Statement by Head of the Australian Delegation, Ambassador
Michael Potts, Governor and Permanent Representative to the
International Atomic Energy Agency, to the 53rd Regular Session
of the IAEA General Conference**

16 September 2009

Madam President,
Director General,
Excellencies,
Distinguished Delegates,

My delegation congratulates you on your election, confident that your leadership will give our deliberations every opportunity for success.

We are very pleased to see you presiding over this conference given the close cooperation our missions enjoy and the close friendship between our two countries as neighbours across the Tasman Sea and in the South Pacific.

We warmly welcome the return of the Kingdom of Cambodia to the IAEA and the admission of the Republic of Rwanda.

Madam President

Australia has a strong record as a creative and energetic member of the international community working towards improving global peace and security. The Australian Government is determined to continue

in this tradition and has therefore announced that Australia will seek election as a non-permanent member of the United Nations **Security Council** in 2012, for the term 2013-2014. We have also been a consistent and generous contributor to international and regional peacekeeping operations.

In the field of non-proliferation and disarmament, Australia has been at the forefront of efforts to reduce the threat posed by nuclear weapons. Australia rejected the option – a real option at that time – of becoming a nuclear weapon state, and signed the Nuclear Non-Proliferation Treaty in 1970. In the 1990s, the Australian Government convened the Canberra Commission on the Elimination of Nuclear Weapons and made a significant contribution to the negotiation of the Comprehensive Nuclear Test Ban Treaty. Following in this tradition, the Australian Government last year established, with Japan, the **International Commission on Nuclear Non-Proliferation and Disarmament**, reflecting the Government's strong commitment to putting non-proliferation and disarmament at the forefront of Australia's foreign policy agenda.

The Commission aims to generate momentum in the global debate on nuclear disarmament and on preventing the further spread of nuclear weapons. The Commission's major report, expected by early 2010, aims to build international consensus in advance of the May 2010

conference to review the operation of the Nuclear Non-Proliferation Treaty (NPT).

At the same time, Australia is working with partners in Vienna, Geneva and New York towards an outcome from the Review Conference which reinforces and builds on previous consensus. Australia has the honour to chair the so-called Vienna Group of Ten, a group of states committed to producing text on safeguards and verification, safety and security, and peaceful uses, to assist the NPT Review Process.

Madam President

Australia believes that Member States of the Agency have a common interest in ensuring an effective IAEA **safeguards** system. The assurance that the safeguards system is effective – not least in terms of public confidence - is a central part of the NPT, provides the foundation for nuclear trade and cooperation, and is also important to continuing progress on nuclear disarmament.

Australia is pleased that safeguards authorities in the Asia-Pacific region agreed at a meeting in Seoul in April 2009 to establish the **Asia-Pacific Safeguards Network** (APSN) which will commence on 1 October 2009. Working closely with the IAEA, the Network aims to improve the quality, effectiveness and efficiency of safeguards

implementation in the region through enhanced cooperation via capacity building, professional development and the sharing of experience. The Director General of the Australian Safeguards and Non-Proliferation Office (ASNO) John Carlson has been elected the first Chair of the Network. The Statement of Principles for the Network will be circulated as a GOV/INF document.

Australia emphasises the importance of expanding the coverage of IAEA safeguards. We encourage NPT states which have yet to fulfil their obligations under the Treaty to conclude Comprehensive Safeguards Agreements as soon as possible. Australia welcomes the conclusion of Comprehensive Safeguards Agreements and Additional Protocols by Vanuatu, the Republic of Congo and Kenya. Australia urges expansion of safeguards coverage through universalisation of the NPT. We encourage those states that have not signed and ratified the Treaty to do so as soon as possible. Ultimately, safeguarding all nuclear activities in every state would be vital to a nuclear weapons-free world.

Australia also urges Member States to recognise that the Agency's core mission is to develop and strengthen the safeguards system to meet contemporary challenges. Agency inspectors require the necessary support and authority to fulfil their mission. Australia promotes this goal with the Agency through the Australian Safeguards

Support Program, and through our membership of the Director General's Standing Advisory Group on Safeguards Implementation.

We see the Additional Protocol as an integral part of the contemporary verification standard. Without it, the Agency cannot draw conclusions about the absence of undeclared nuclear activities in states. We strongly encourage those states yet to sign, ratify and implement an AP to do so as soon as possible. Of particular concern is the fact that several states with significant nuclear activities have yet to conclude an AP. Doing so would contribute greatly to global security, and should not be viewed as a burdensome new commitment, bargaining chip, or concession conditional on other states' actions.

It is important that states comply with their safeguards obligations and that Member States hold each other to account for safeguards violations. We need to reject any notion that IAEA safeguards are voluntary in character. Under the NPT, non-nuclear weapon states Parties have made a binding commitment to use nuclear energy only for peaceful purposes. Safeguards agreements are the means of verifying that commitment and set up obligations that are binding in international law.

Any additional legal obligations created by UN Security Council resolutions are appropriate given the special status of the IAEA with

respect to the UN Security Council. Failure to be vigilant in cases of actual or possible non-compliance would erode the credibility of the safeguards system and the global security architecture it supports. Responding firmly to compliance challenges will guard against proliferation and assist in realising peaceful use and disarmament objectives.

In this context, Australia, while acknowledging some recent instances of cooperation with the Agency, remains deeply concerned that **Iran** continues to act in violation of binding UNSC resolutions and IAEA Board requirements, and in a manner inconsistent with its safeguards obligations. We are particularly concerned that Iran has not cooperated with the Agency in addressing information which points to possible military dimensions to Iran's nuclear program. We encourage Iran to clarify and resolve these issues with the Agency and to engage in productive dialogue, including on nuclear issues, with the P5+1.

IAEA assessments have increased our concerns about the likelihood that **Syria** was conducting undeclared nuclear activities, including construction of a reactor with North Korean assistance. Such undeclared activities would be in breach of Syria's safeguards obligations. Syria's refusal to cooperate fully with the Agency in investigating these issues compounds our concern. We support the Agency's continuing efforts to establish the truth of the matter and urge Syria to cooperate in this effort.

Australia profoundly regrets **North Korea's** unilateral announcement of withdrawal from the NPT, non-compliance with its safeguards obligations and decision to cease all cooperation with the IAEA and defiance of UN Security Council resolutions. We urge the DPRK to abandon nuclear weapons and its nuclear programs in a complete, verifiable and irreversible manner. We urge the DPRK to comply with the NPT and its IAEA safeguards agreement, and with all relevant UNSC resolutions. This Conference must send a clear message to the DPRK that its actions are not acceptable.

Turning to another pillar of the Agency's work, Australia attaches great importance to **nuclear safety and security**, and works closely with the IAEA and our regional neighbours on these issues.

As a major uranium producer and exporter, we recognise the importance to safety and the environment of implementing best practice standards in uranium mining and processing. Australia was pleased to again co-host a lunch-time meeting during the General Conference this year, on the topic of “Uranium Production: Prospects and Challenges”.

We also attach great importance to the safe, reliable and timely transport of radioactive materials, which have an essential role in medical, scientific and industrial applications. We support the

activities of the International Committee on Denial of Shipments of Radioactive Materials. We note in this context that denials or delays have a serious impact on the shipment of short-lived medical isotopes, and that this problem has the potential to significantly exacerbate current supply shortages. We would like to work with the IAEA and others on practical solutions.

Australia is a strong supporter of the Agency's **nuclear security** program, evident in our further contribution of AUD 450,000 to the Nuclear Security Fund this year. Australia works closely with the Agency to develop guidance, training courses and security-related missions. We were pleased to host regional training courses this year on Security in the Transport of Radioactive Material and on Physical Protection of Research Reactors, and to chair an Agency meeting on the long-term management of disused and orphan radioactive sources. We work closely with our neighbours in the South East Asian region to identify and secure high risk radioactive sources and enhance legislative, infrastructure and security culture. Australia looks forward to making a strong contribution to the US Nuclear Security Summit in April 2009.

Madam President

Australia affirms the right of IAEA members to enjoy the benefits of **peaceful uses of nuclear energy** in accordance with their

international obligations. We take seriously our undertaking to facilitate the exchange of equipment, materials and scientific and technological information for peaceful uses. Australia holds 30-40% of the world's uranium reserves and is a major supplier to the global nuclear power industry. Last year we were again among the top dozen contributors to the Technical Cooperation Fund. Australia contributes extra-budgetary funds in our region to the Regional Cooperation Agreement for Research, Development and Training Related to Nuclear Science and Technology for Asia and the Pacific. Australia's nuclear science and technology organisation ANSTO is a designated IAEA collaborating centre for neutron scattering applications and hosted this year's Asia-Oceania Neutron Scattering Association school.

In relation to the continuing shortage of **supply of molybdenum-99**, Australia is pleased to report to the Conference that routine operation of the molybdenum-99 facility associated with Australia's OPAL research reactor has been given full regulatory approval. Commercial production has now commenced. ANSTO will be able to supply the domestic market, and is looking to ramp up production for export in an effort to mitigate the global shortfall. We are participating in the High Level Group, established by the OECD Nuclear Energy Agency, to address the Mo 99 shortage over the longer term. We recognise the strong role the Agency can play in this regard.

In closing, Madam President

The Australian delegation wishes again to pay **tribute to outgoing Director General Dr Mohamed ElBaradei**. We delivered a statement on behalf of the SEAP group and also in our national capacity during the recent Board meeting. But it would be remiss not to use this opportunity to register our deep appreciation for Dr ElBaradei's excellent service to the IAEA and his commitment to improving international peace and the contribution of nuclear technology to economic development, human health and well-being. We look forward to working very closely with incoming Director General Yukiya Amano and supporting him and the Agency in this important mission.

I thank you, Madam President.