

General Conference

GC(66)/1/Add.3

Date: 29 August 2022

General Distribution

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Sixty-sixth regular session

Provisional Agenda

Supplementary item for inclusion in the provisional agenda

1. On 23 August 2022, the Director General received a request, submitted by the Permanent Mission of the People's Republic of China, for the inclusion of an item entitled "Transfer of the nuclear materials in the context of AUKUS and its safeguards in all aspects under the NPT" in the agenda of the 66th (2022) regular session of the General Conference.
2. Pursuant to the Rules of Procedure of the General Conference¹, this item is hereby placed on a supplementary list which will be circulated not later than 6 September 2022. The Note Verbale from the Permanent Mission of the People's Republic of China and the accompanying explanatory memorandum relating to the inclusion of this item are attached hereto.
3. It is suggested, for consideration by the General Committee, that in the provisional agenda this item follow the item circulated in document GC(66)/1/Add.2 and be discussed in the Plenary.

¹ Rules 13 and 20, GC(XXXI)/INF/245/Rev.1.



THE PEOPLE'S REPUBLIC OF CHINA
PERMANENT MISSION IN VIENNA

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23 August 2022

H.E. Mr Rafael Grossi
Director General of the IAEA

Excellency,

I'm writing to you to request, pursuant to Rule 13 of the Rules of Procedure of the General Conference, the inclusion of an item "Transfer of the nuclear materials in the context of AUKUS and its safeguards in all aspects under the NPT", a consensual agenda item of the Board, in the agenda of the sixty-sixth (2022) session of the General Conference of the International Atomic Energy Agency, on the basis of the existing inter-governmental discussions on the above matter at the Board of Governors meetings launched since November 2021. The relevant explanatory memorandum is hereby enclosed.

It is the hope of China that this letter, together with its relevant supporting document, will be duly circulated in a timely manner.

Please accept, Excellency, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to be 'Wang', written over a horizontal line.

Ambassador, Permanent Representative
Chinese Permanent Mission

Explanatory Memorandum

On September 15th 2021, the US, the UK and Australia announced the creation of AUKUS, under which the US and the UK will support Australia's acquisition of at least eight nuclear-powered submarines. This move by the above three countries, given it involves the transfer of nuclear weapon materials from nuclear-weapon states to a non-nuclear-weapon state, is in serious violation of the NPT with profound implications on the regional peace and stability, to the detriment of the effectiveness of NPT and the international non-proliferation regime.

On 24 November 2021, 7 March and 6 June 2022, the IAEA Board of Governors reviewed and conducted inter-governmental discussions, under the consensual agenda item "Transfer of the nuclear materials in the context of AUKUS and its safeguards in all aspects under the NPT", on AUKUS-related nuclear transfer and safeguards issues. There have been mounting calls by Member States, during the above inter-governmental discussions, that Australia, as a State Party to the NPT, shall fulfill its reporting obligations required in consistent with its CSA, including the Modified Code 3.1 and AP, and that the Director-General of the Agency shall fulfill his statutory obligations especially under Article XII of the Statute of the Agency.

Such informations are essential, and must be duly provided without further delay, as they constitute prerequisite of any safeguards measures to be worked out, through inter-governmental discussions, for the nuclear materials and facilities involved under AUKUS.

It is the hope of the China that the Member States will further advance their discussions, by taking into account of the Board's previous inter-governmental discussions and in conjuncture with the required reports to be presented by the Director-General of the Agency in consistent with the latter's statutory obligations, on this important issue in political, legal and technical aspects.

It is also the hope of China that, with the inclusion of the item "Transfer of the nuclear materials in the context of AUKUS and its safeguards in all aspects under the NPT" on the agenda of the General Conference, there will be more impetus injected into the inter-governmental discussions already launched within the Agency so as to help Member State channel their efforts towards a mutually acceptable solution to this issue, while preventing proliferation risks in safeguarding the validity and effectiveness of the NPT and the international non-proliferation regime.