

General Conference

GC(68)/19

Date: 11 September 2024

General Distribution

Original: English

Sixty-eighth regular session

Communication received from the Permanent Mission of the United Kingdom regarding the request to include in the agenda of the Conference an item entitled “Transfer of the nuclear materials in the context of AUKUS and its safeguards in all aspects under the NPT”

1. On 10 September 2024, the Secretariat received a Note Verbale from the Permanent Mission of United Kingdom, on behalf of the Permanent Missions of Australia, the United Kingdom and the United States of America, related to the request from the Permanent Mission of the People’s Republic of China to include in the agenda of the Conference an item entitled “Transfer of the nuclear materials in the context of AUKUS and its safeguards in all aspects under the NPT”.
2. As requested, the Note Verbale is herewith circulated for the attention of all IAEA Member States.



United Kingdom
Mission to the UN
Vienna

NOTE VERBALE 47/24

His Britannic Majesty's Mission to the United Nations and International Organisations in Vienna presents its compliments on behalf of the Permanent Missions of Australia, the United Kingdom, and the United States of America to the Secretariat of the International Atomic Energy Agency (IAEA).

The Permanent Missions of Australia, the United Kingdom, and the United States of America note with regret the proposed inclusion of a politically motivated agenda item (GC(68)/1/Add.2) by a single Member State to the agenda of the 68th (2024) regular session of the General Conference. We reiterate the concerns we have regularly expressed since November 2021 each time this item has been similarly added to the agenda of the Board of Governors, most recently in GOV/INF/2024/11.

We remain concerned that one Member State continues to politicise the issue of Australia's naval nuclear propulsion programme through the repeated addition of ad hoc items to the agenda of both the Board of Governors and the General Conference. We reiterate that this item has not been adopted as a standing agenda item and has never enjoyed consensus support. We understand from our extensive consultations, and from Board discussions, that the majority of IAEA Member States are of the view that this agenda item is unnecessary and unjustified and detracts from the limited and valuable time available for Member States to address urgent matters on a full and pressing schedule.



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In order to prevent further disruption, we will not take procedural action against the inclusion of this agenda item in this instance but we reserve the right to do so in the future, as required.

As Director General Grossi has stated, the Agency has a clear and long-established mandate to hold confidential discussions with Member States on safeguards implementation issues. The Treaty on the Non-Proliferation of Nuclear Weapons (NPT), IAEA Statute and Australia's Comprehensive Safeguards Agreement (CSA) and Additional Protocol (AP) provide a firm legal basis for the IAEA DG and Secretariat to engage with Australia on nuclear safeguards and verification issues. We strongly support the IAEA's impartiality, independence and mandate to engage with Member States on safeguards and verification implementation, free from outside political interference. Director General Grossi has indicated he will continue to report to the Board as the need arises, and we fully support his discretion to do so.

Australia, the United Kingdom, and the United States have engaged consistently, openly, and transparently with IAEA Member States and the Secretariat on genuine questions with regards to Australia's naval nuclear propulsion programme, including at the 66th and 67th General Conferences, the 2023 and 2024 NPT Preparatory Committees, and providing updates at all Board of Governors meetings since AUKUS was announced in September 2021. We are committed to continuing to keep the international community updated on the non-proliferation aspects of Australia's conventionally armed, nuclear-powered submarine programme and, in keeping with this approach, Australia will provide an update on the programme at this year's General Conference within its national statement.



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The United Kingdom Mission to International Organisations in Vienna avails itself of this opportunity to renew to the Secretariat of the IAEA the assurances of its highest consideration on behalf of the Permanent Missions of Australia, the United Kingdom, and the United States of America, and requests the Secretariat of the IAEA to circulate this Note to IAEA Member States.



UNITED KINGDOM MISSION
Vienna

10 September 2024