

## **Fourth Extension to the Regional Cooperative Agreement for research, development and training related to nuclear science and technology<sup>1</sup>**

### **Background**

- 6.1 The Regional Cooperative Agreement for research, development and training related to nuclear science and technology (the RCA) entered into force on 12 June 1987 and was subsequently extended for five year periods in 1992, 1997 and 2002. The RCA establishes a regime for cooperative research, development and training projects to be undertaken between International Atomic Energy Agency (IAEA) member states in the Asia-Pacific region. It has been continually extended as a result of its usefulness as a regional framework.
- 6.2 The provisions of the RCA closely follow those of an original agreement of the same name concluded in 1972 (and extended in 1977 and 1982), but were updated to enhance overall coordination and supervision of cooperative projects carried out under RCA arrangements. RCA projects are implemented under the auspices of the Technical Cooperation Programme administrated by the IAEA.<sup>2</sup>

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1 Full Title: Fourth Agreement to Extend the 1987 Regional Cooperative Agreement for Research, Development and Training related to Nuclear Science and Technology, done at Vienna on 22 June 2006.

2 National Interest Analysis (NIA), para 6.

- 6.3 Australia became a party to the Regional Cooperative Agreement in 1977. The other participants are Bangladesh, Burma, China, India, Indonesia, Japan, the Republic of Korea, Malaysia, Mongolia, New Zealand, Pakistan, the Philippines, Singapore, Sri Lanka, Thailand and Vietnam.<sup>3</sup>

## The Fourth Extension Agreement

- 6.4 The purpose of the Fourth Extension Agreement is to extend the RCA for a further five year period. The extension agreement came into force on 26 February 2007 and as at November 2007, thirteen states had accepted the agreement.<sup>4</sup> The Committee notes that the other States that are yet to ratify are expected to do so when their domestic processes are completed.<sup>5</sup>
- 6.5 The extension agreement will not impose any new obligations and Australia's obligations will remain those accepted in the RCA, including promoting and coordinating cooperative research, development and training, attending meetings and making facilities and personnel available for cooperative projects, and reporting to the IAEA.<sup>6</sup>

## Nuclear non-proliferation

- 6.6 The RCA is an important mechanism in fulfilling the technical cooperation provisions of the Nuclear Non-Proliferation Treaty (the NPT). The NPT is the centrepiece of the non-proliferation regime, which, for 35 years, has helped keep the region free from nuclear weapons proliferation. Under the NPT, non-nuclear weapon states have foresworn nuclear weapons and accepted comprehensive safeguards to verify compliance with this commitment. However, they retain the right to research, develop and use nuclear energy for peaceful purposes.<sup>7</sup>

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3 NIA, para 7.

4 States, apart from Australia, which had not accepted the Agreement as at that date, were Mongolia, New Zealand and Thailand.

5 Dr John Easey, *Transcript of Evidence*, 8 May 2008, p. 21.

6 NIA, para 13.

7 NIA, para 5.

- 6.7 The Committee was informed of a lesser known aspect of the non-proliferation regime, which is that in exchange for not acquiring nuclear weapons, non-nuclear weapons states are 'guaranteed' access to nuclear science and technology for peaceful purposes.<sup>8</sup>
- 6.8 As a party to the NPT, Australia has made a commitment:  
... to facilitate ... the fullest possible exchange of equipment, materials and scientific and technical information for the peaceful uses of nuclear energy.<sup>9</sup>
- 6.9 The RCA is one of the main mechanisms by which Australia fulfils these obligations.
- 6.10 In addition to the benefits under the NPT, the RCA contributes to social and economic development in the region by strengthening regional regimes governing the safety and security of radioactive materials. This in turn assists in preventing potentially dangerous material and technical know-how from being utilised by terrorist organisations.<sup>10</sup>
- 6.11 Dr John Easey of the Australian Nuclear Science and Technology Organisation (ANSTO) told the Committee that:  
[o]n the practical side, the extensive networking that occurs between the counterpart agencies engenders a cooperative atmosphere that assists mutual understanding and facilitates regional contacts across a wide range of science and technologies and beyond.<sup>11</sup>

## **Collaborative projects**

- 6.12 The RCA allows Australia to participate in mutually beneficial collaborative projects with 16 regional countries and to maintain and extend a national capacity in cutting-edge nuclear technologies. Australia's technical support to the RCA has focused strongly on projects in the areas of radiation protection infrastructure, environment, health care and industrial applications of isotopes.<sup>12</sup> The

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8 Mr Ian Biggs, *Transcript of Evidence*, 8 May 2008, p. 21.

9 NIA, para 8.

10 NIA, para 9.

11 Dr John Easey, *Transcript of Evidence*, 8 May 2008, pp. 20-21.

12 Dr John Easey, *Transcript of Evidence*, 8 May 2008, p. 20.

Committee notes that the RCA programme has matured since its inception and moved from:

... being largely focussed on capacity building to being one that applies appropriate nuclear technologies to assist in addressing and providing environmentally sustainable solutions to development problems and challenges of collective importance.<sup>13</sup>

6.13 Dr Easey told the Committee that:

[t]he strong focus of the RCA program on the peaceful applications of isotopes and radiation to development and environmental sustainability offers clear benefits to the people of developing countries in our region.<sup>14</sup>

6.14 The Committee understands that the cooperation program covers the broad thematic sectors of human health, environment, industry, radiation protection, research reactor, agriculture and energy. Dr Easey outlined the nature of current cooperative activities in the health and environment areas and the Committee was particularly interested to note the significant input Australia has provided in healthcare. This includes projects to improve, upgrade and accelerate the training of medial personnel across the region.<sup>15</sup>

## **Australia's contributions to the RCA**

6.15 The budget of the RCA for 2007-08 is approximately \$6.27 million, about 80 percent of which is provided by the IAEA through its Technical Cooperation Fund. The remainder is sought through extra-budgetary support from donors in the region.<sup>16</sup>

6.16 Australia has the option of providing financial and 'in kind' contributions to facilitate effective implementation of cooperative projects. Australia is a long term major extra-budgetary donor and Australia's extra-budgetary financial support to date totals just under A\$7 million, which has been provided through AusAID, with other agencies, particularly ANSTO, providing considerable in-kind assistance in terms of provision of expertise, training and access to

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13 Dr John Easey, *Transcript of Evidence*, 8 May 2008, pp.19-20.

14 Dr John Easey, *Transcript of Evidence*, 8 May 2008, p. 20.

15 Dr John Easey, *Transcript of Evidence*, 8 May 2008, p. 20.

16 Dr John Easey, *Transcript of Evidence*, 8 May 2008, p. 20.

facilities.<sup>17</sup> The cost of in-kind contributions is met by relevant agencies from their existing resources.

## Implementation

6.17 Legislation is not required to give effect to the obligations contained in the Fourth Extension Agreement, which can be implemented by way of administrative action. The Committee notes that previous extension agreements have been implemented in this manner.

## Consultation

6.18 Relevant agencies consulted by the ANSTO have indicated their support for Australia's acceptance of the Fourth Extension Agreement. Information was also provided to the States and Territories through the Standing Committee on Treaties.

## Conclusion and recommendation

6.19 According to Dr Easey, the RCA:

... is an effective and visible vehicle for the discharge of our obligations and commitments under article IV of the nuclear non-proliferation treaty ... Much of Australia's strong regional profile in nuclear science and technology is a result of the efforts that have been invested in the support of the RCA for more than 30 years.<sup>18</sup>

6.20 The Committee concurs with this view and recommends that binding treaty action be taken.

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17 Dr John Easey, *Transcript of Evidence*, 8 May 2008, p. 20.

18 Dr John Easey, *Transcript of Evidence*, 8 May 2008, pp 20-21.

**Recommendation 12**

**The Committee supports the *Fourth Agreement to Extend the 1987 Regional Cooperative Agreement for Research, Development and Training related to Nuclear Science and Technology* and recommends that binding treaty action be taken.**

**Kelvin Thomson MP**

**Committee Chair**