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Australian Government

Australian Government response to the
Joint Standing Committee on Treaties report:

Agreement Among the Government of Australia, the
Government of the United Kingdom of Great Britain and
Northern Ireland, and the Government of the United
States of America for Cooperation Related to Naval
Nuclear Propulsion

February 2025

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On 5 August 2024, AUKUS partners took another significant step forward in facilitating Australia’s acquisition of conventionally armed, nuclear-powered submarines, with the signing of the *Agreement Among the Government of Australia, the Government of the United Kingdom of Great Britain and Northern Ireland, and the Government of the United States of America for Cooperation Related to Naval Nuclear Propulsion* (the ‘Agreement’).

The Agreement establishes a legally-binding framework to facilitate the transfer of nuclear material and equipment from the United Kingdom and the United States to Australia, as well as the communication and exchange of naval nuclear propulsion information between Australia, the United Kingdom and the United States. The Agreement supersedes the *Agreement between the Government of the United States of America, the Government of Australia, and the Government of the United Kingdom of Great Britain and Northern Ireland for the Exchange of Naval Nuclear Propulsion Information*, which was due to expire on 31 December 2025, and has facilitated the exchange of naval nuclear propulsion information to-date.

The Agreement will enable the transfer of Virginia class submarines from the United States to Australia from the early 2030s, as well as the transfer of information and equipment from the United Kingdom for use in Australia’s SSN-AUKUS submarines. Importantly, it also reinforces the AUKUS partners’ commitment to setting the highest non-proliferation standard, and is consistent with Australia’s international non-proliferation obligations. The Agreement entered into force on 17 January 2025.

The Government acknowledges the views of the Joint Standing Committee on Treaties (the Committee) in its inquiry into the Agreement. The Committee made eight recommendations in its report, tabled on 27 November 2024. The Government agrees to six recommendations, agrees in-principle to one recommendation and notes one recommendation.

The Government Response is outlined below.

Recommendation One
The Committee supports the Agreement among the Government of Australia, the Government of the United Kingdom of Great Britain and Northern Ireland, and the Government of the United States of America for Cooperation Related to Naval Nuclear Propulsion and recommends that binding treaty action be taken.
<p>Response to recommendation: Agreed</p> <p>The Government welcomes the support of the Committee. The Government has taken binding treaty action.</p> <p>On 17 January 2025, the Agreement entered into force following an exchange of diplomatic notes between Australia, the United Kingdom of Great Britain and Northern Ireland and the United States of America notifying of the respective completion of domestic requirements (in accordance with Article XIII.A of the Agreement).</p>

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Recommendation Two

The Committee recommends that the Government and the Australian Submarine Agency expand and enhance community education activities to inform the general population on how AUKUS is in the national interest, including the distinct advantages of nuclear-powered submarines.

Response to recommendation: Agreed

Building and maintaining an understanding of the program and how it contributes to Australia's national security and defence capabilities will remain an important line of effort in the Government's nuclear-powered submarine program. It will require ongoing consideration and communications within the context of the biennial National Defence Strategy.

Australian Government agencies will continue to provide public information to build the knowledge and understanding of the program and our progress in the Australian community.

Recommendation Three

The Committee recommends appropriate parliamentary scrutiny of any supplementary or additional instruments resulting from ratifying the AUKUS treaty.

Response to recommendation: Noted

The Government supports the intent of the recommendation.

The Government had intended the Defence portfolio to be subject to the Parliamentary Joint Committee on Defence (PJCD). The Government considers the PJCD would have been an important forum for ensuring appropriate parliamentary consideration of the AUKUS partnership and Australia's nuclear-powered submarine program. It is therefore regrettable that, despite the bi-partisan recommendation of the Joint Standing Committee on Foreign Affairs, Defence and Trade, Coalition Senators voted with Greens Senators against the PJCD Bill in the Senate on 4 July 2024. The Government hopes that a future Parliament will reconsider the establishment of the PJCD.

Any supplementary or additional instruments of treaty status will be subject to appropriate parliamentary scrutiny in accordance with Australia's treaty making process and existing parliamentary oversight mechanisms.

Recommendation Four

The Committee recommends that community and worker consultation, engagement and public transparency be prioritised in the development of the plan for the management, transportation and storage of AUKUS-related nuclear waste.

Response to recommendation: Agreed

The Government is committed to maintaining the highest levels of nuclear safety and stewardship, including in relation to radioactive waste. The Government notes that community and worker engagement is critical to build transparency and understanding of nuclear safety plans and the regulatory framework and licencing regime that will be in place

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to protect our workers, communities, and the environment. This will also be a priority of the new Australian Naval Nuclear Power Safety Regulator when established in 2025.

Recommendation Five

The Committee recommends that advice published by the Australian Naval Nuclear Power Safety Regulator be made publicly available within a timely fashion to enhance transparency.

Response to recommendation: Agreed in-principle

The Government agrees in-principle to the recommendation.

The Regulator will be required to report to the Minister on a range of matters. The Regulator will also prepare an annual report on its activities, decisions and performance, which will be made publicly available in accordance with legislation. The Regulator will be required to report to the Minister and Parliament in relation to certain nuclear safety incidents. The Regulator will publish guidance material including relevant codes to inform the regulated community, and the public, on its processes and decision-making.

The Government notes that under the *Australian Naval Nuclear Power Safety Act 2024* the appointed Director-General will have some discretion over the scope of information that is published. There will be aspects of the Regulator's functions and activities which cannot be made publicly available in order to protect Australia's and AUKUS partners' naval nuclear-powered submarine capability and information relating to military operations or activities.

Recommendation Six

The Committee recommends that the Australian Government launch an AUKUS career and employment opportunities promotion campaign and further enhance existing STEM and traditional trades engagement programs for local schools and tertiary education providers.

Response to recommendation: Agreed

The Government will continue to consider and review initiatives in line with Nuclear-Powered Submarine (NPS) Enterprise workforce planning and related arrangements.

The NPS Technical Student Support Scholarships announced in the 2024-25 Budget will include activities to promote STEM scholarships and career and employment opportunities related to the NPS Enterprise.

Australian Government agencies will also continue to work closely with state and territory governments, professional bodies, and stakeholders across the NPS Enterprise, to develop effective programs, and to support and enhance existing trades and STEM programs across relevant educational levels.

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Recommendation Seven

The Committee recommends that the Government partner with relevant State and Local governments to collaborate and coordinate on planning and delivery of enabling programs, infrastructure and works to support communities involved in the implementation of AUKUS.

Response to recommendation: Agreed

The Government is committed to working closely with state and local governments, particularly in South Australia and Western Australia, to achieve the outcomes listed in Recommendation Seven. Efforts to coordinate are multifaceted, with the primary forum of coordination occurring in formal steering groups and working groups created in both states across the three levels of government. The Government has entered into Cooperation Agreements with the governments of South Australia and Western Australia respectively to outline scope, intentions, rules and responsibilities for taking forward cooperation and implementation of the nuclear-powered submarine program under AUKUS.

Recommendation Eight

The Committee recommends that the Australian Submarine Agency enhance engagement and consultation with the local Traditional Owner group and First Nations peoples; and with local environmental groups.

Response to recommendation: Agreed

The Australian Submarine Agency is committed to ongoing engagement and consultation with local Traditional Owner groups and First Nations peoples. These engagements will continue and increase, ensuring First Nations' voices and perspectives are heard, while the Australian Submarine Agency also continues to increase cultural understanding and awareness in the nuclear-powered submarine enterprise.

The Australian Submarine Agency is also committed to continuing and enhancing engagement and consultation with local environmental groups, including to maintain transparency over development approvals, construction, operation and radioactive waste management activities.