
**Preparatory Committee for the 2015 Review
Conference of the Parties to the Treaty on the
Non-Proliferation of Nuclear Weapons**

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**Implementation of the action plan of the 2010 Review
Conference of the Parties to the Treaty on the
Non-Proliferation of Nuclear Weapons and previous
Review Conference outcomes****Report submitted by Australia**

1. Australia recognizes that the Treaty on the Non-Proliferation of Nuclear Weapons is the cornerstone of international efforts to prevent the proliferation of nuclear weapons and to achieve the objective of a world without nuclear weapons.
2. Australia also recognizes the importance of the conclusions and recommendations for follow-on actions (the "2010 action plan"), adopted by consensus at the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in addition to their implementation. The 2010 action plan is a comprehensive and forward-looking commitment to the nuclear disarmament and non-proliferation regime.
3. In recognition of the importance of the Treaty, Australia, together with nine other States parties (Canada, Chile, Germany, Japan, Mexico, the Netherlands, Poland, Turkey and the United Arab Emirates), has established a cross-regional, ministerial-level non-proliferation and disarmament initiative dedicated to taking forward the consensus outcomes of the 2010 Review Conference.
4. Consistent with action 20 of the 2010 action plan, Australia takes this opportunity to report on its implementation of the plan at the national level.



Report of national activities in support of the implementation of the action plan of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

Country: Australia

Date: 10 April 2012

I. Nuclear disarmament

A. Principles and objectives: *The Conference resolves that:*

Action 1 All States parties commit to pursue policies that are fully compatible with the Treaty and the objective of achieving a world without nuclear weapons.

Australia is fully committed to the goal of a world free of nuclear weapons. It holds itself to the highest standards of compliance with its non-proliferation obligations and actively encourages nuclear disarmament and non-proliferation, in accordance with the principles set forth in the Treaty.

Without diminishing such positive developments as the entry into force of the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms and the steps taken unilaterally by France and the United Kingdom of Great Britain and Northern Ireland, Australia encourages nuclear-weapon States to continue to do their utmost to fulfil their obligations under article VI, including by reaffirming commitments made to disarm under the Treaty and most recently at the 2010 Review Conference.

Australia would welcome confirmation by all nuclear-weapon States of a reduced role for nuclear weapons in national security policies and commitment by those States to pursue further reductions in the operational status of nuclear weapon systems in ways that promote international stability and security.

In addition to its national activities and policies in pursuit of this objective, Australia and nine other States parties have formed the Non-Proliferation and Disarmament Initiative dedicated to facilitating the implementation of the 2010 Review Conference outcomes.

Australia reaffirms its commitment to apply the principles of irreversibility, verifiability and transparency in relation to the implementation of its treaty obligations. Australia's support for, among others, the entry into force of the Comprehensive Nuclear-Test-Ban Treaty, the fissile material cut-off treaty, International Atomic Energy Agency (IAEA) safeguards, nuclear-weapon-free zones and transparency through reporting is consistent with that commitment.

Action 2 All States parties commit to apply the principles of irreversibility, verifiability and transparency in relation to the implementation of their treaty obligations.

B. Disarmament of nuclear weapons: *The Conference resolves that:*

Action 3 In implementing the unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals, the nuclear

weapon States commit to undertake further efforts to reduce and ultimately eliminate all types of nuclear weapons, deployed and non-deployed, including through unilateral, bilateral, regional and multilateral measures.

Action 4 The Russian Federation and the United States of America commit to seek the early entry into force and full implementation of the Treaty on Measures for the Further Reduction and Limitation of Strategic Offensive Arms and are encouraged to continue discussions on follow-on measures in order to achieve deeper reductions in their nuclear arsenals.

Action 5 The nuclear-weapon States commit to accelerate concrete progress on the steps leading to nuclear disarmament, contained in the Final Document of the 2000 Review Conference, in a way that

promotes international stability, peace and undiminished and increased security. To that end, they are called upon to promptly engage with a view to, inter alia:

- (a) Rapidly moving towards an overall reduction in the global stockpile of all types of nuclear weapons, as identified in action 3;
- (b) Address the question of all nuclear weapons regardless of their type or their location as an integral part of the general nuclear disarmament process;
- (c) To further diminish the role and significance of nuclear weapons in all military and security concepts, doctrines and policies;
- (d) Discuss policies that could prevent the use of nuclear weapons and eventually lead to their elimination, lessen the danger of nuclear war and contribute to the non-proliferation and disarmament of nuclear weapons;
- (e) Consider the legitimate interest of non-nuclear-weapon States in further reducing the operational status of nuclear weapons systems in ways that promote international stability and security;
- (f) Reduce the risk of accidental use of nuclear weapons; and
- (g) Further enhance transparency and increase mutual confidence.

Action 6

All States agree that the Conference on Disarmament should immediately establish a subsidiary body to deal with nuclear disarmament, within the context of an agreed, comprehensive and balanced programme of work.

As a member of the Conference on Disarmament, Australia supports the establishment of a subsidiary body to deal with nuclear disarmament, within the context of an agreed, comprehensive and balanced programme of work.

Australia has consistently called for the adoption by the Conference of a programme of work that would provide for the implementation of this action.

C. Security assurances: Without prejudice to efforts within the Treaty on the Non-Proliferation of Nuclear Weapons, the Conference resolves that:

- Action 7**
- All States agree that the Conference on Disarmament should, within the context of an agreed, comprehensive and balanced programme of work, immediately begin discussion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons; to discuss substantively, without limitation, with a view to elaborating recommendations dealing with all aspects of this issue, not excluding an internationally legally binding instrument. The Review Conference invites the Secretary-General of the United Nations to convene a high-level meeting in September 2010 in support of the work of the Conference on Disarmament.
- As a member of the Conference on Disarmament, Australia supports the discussion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, within the context of an agreed, comprehensive and balanced programme of work.
- Australia has consistently called for the adoption by the Conference of a programme of work that would provide for the implementation of this action.
- Australia's Minister for Foreign Affairs attended the high-level meeting on revitalizing the work of the Conference on Disarmament and taking forward multilateral disarmament negotiations, held in New York on 24 September 2010, and registered Australia's strong concern about the continuing failure of the Conference to resume substantive work.
- Action 8**
- All nuclear-weapon States commit to fully respect their existing commitments with regard to security assurances. Those nuclear-weapon States that have not yet done so are encouraged to extend security assurances to non-nuclear-weapon States parties to the Treaty.
- Action 9**
- The establishment of further nuclear-weapon-free zones, where appropriate, on the basis of arrangements freely arrived at among States of the region concerned, and in accordance with the 1999 Guidelines of the United Nations Disarmament Commission, is encouraged. All concerned States are encouraged to ratify the nuclear-weapon-free zone treaties and their relevant protocols, and to constructively consult and cooperate to bring about the entry into force of the relevant legally binding reservation.
- Australia is a strong supporter of nuclear-weapon-free zones freely arrived at by concerned States.
- Australia was an early champion of the South Pacific Nuclear Free Zone Treaty and ratified the Treaty on 11 December 1986.
- Australia advocates for all countries of the region to join the Treaty and continues to support United States moves to ratify its protocols without reservation.

protocols of all such nuclear-weapon-free zones treaties, which include negative security assurances. The concerned States are encouraged to review any related reservations.

Australia supported the renewed dialogue between Association of Southeast Asian Nation members and the nuclear-weapon States on possible signature by those States of the Protocol to the Treaty on the South-East Asia Nuclear-Weapon-Free Zone. Australia also encourages all States parties to the Treaty on a Nuclear-Weapon-Free Zone in Central Asia and the nuclear-weapon States to continue to work together to resolve their differences and enable signature of the protocols to that Treaty.

Australia co-sponsors the annual General Assembly resolution on the African Nuclear-Weapon-Free Zone Treaty (most recently resolution 66/23).

Australia continues to support the establishment of a Middle East zone free of nuclear weapons and other weapons of mass destruction, freely arrived at by regional States. The Government welcomed the outcome of the 2010 Review Conference on the 1995 Resolution on the Middle East, and will support constructive efforts to develop the implementation of a Middle East zone free of weapons of mass destruction and their means of delivery.

Action 10 All nuclear-weapon States undertake to ratify the Comprehensive Nuclear-Test-Ban Treaty with all expediency, noting that positive decisions by nuclear-weapon States would have the beneficial impact towards the ratification of that Treaty, and that nuclear-weapon States have the special responsibility to encourage Annex 2 countries, in particular those which have not acceded to the Treaty on the Non-Proliferation of Nuclear Weapons and continue to operate unsafeguarded nuclear facilities, to sign and ratify.

Australia was one of the earliest countries to ratify the Comprehensive Nuclear-Test-Ban Treaty, doing so in July 1998, and actively promotes further ratifications of the Treaty, particularly by Annex 2 States, to allow for its entry into force.

- Action 11
- Pending the entry into force of the Comprehensive Nuclear-Test-Ban Treaty, all States commit to refrain from nuclear-weapon test explosions or any other nuclear explosions, the use of new nuclear weapons technologies and from any action that would defeat the object and purpose of that Treaty, and all existing moratoriums on nuclear-weapon test explosions should be maintained.
- Action 12
- All States that have ratified the Comprehensive Nuclear-Test-Ban Treaty recognize the contribution of the conferences on facilitating the entry into force of that Treaty and of the measures adopted by consensus at the Sixth Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty, held in September 2009, and commit to report at the 2011 Conference on progress made towards the urgent entry into force of that Treaty.
- Action 13
- All States that have ratified the Comprehensive Nuclear-Test-Ban Treaty undertake to promote the entry into force and implementation of that Treaty at the national, regional and global levels.
- Australia has enacted national legislation (the Comprehensive Nuclear Test-Ban Treaty Act 1998 and the Non-Proliferation Legislation Amendment Act 2003) implementing the obligations of the Comprehensive Nuclear Test-Ban Treaty, in preparation for its entry into force. Through this legislation, a ban on nuclear testing is in force.
- Australia's Minister for Foreign Affairs outlined Australia's activities in pursuit of the entry into force of the Treaty during the Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty, in New York on 23 September 2011.
- Australia consistently urges States that have yet to do so to sign and/or ratify the Comprehensive Nuclear-Test-Ban Treaty.
- Australia welcomed the most recent ratification of the Treaty: Indonesia in February 2012.
- Australia's Minister for Foreign Affairs chaired the "Friends of the CTBT" ministerial meeting in New York on 23 September 2010.
- With Mexico and New Zealand, Australia is lead sponsor of the annual General Assembly resolution (most recently 66/64), which stresses the fundamental importance of the Treaty to nuclear disarmament and non-proliferation and urges its earliest entry into force.

- Action 14
- The Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization is to be encouraged to fully develop the verification regime for the Comprehensive Nuclear-Test-Ban Treaty, including early completion and provisional operationalization of the international monitoring system in accordance with the mandate of the Preparatory Commission, which should, upon entry into force of that Treaty, serve as an effective, reliable, participatory and non-discriminatory verification system with global reach, and provide assurance of compliance with that Treaty.
- Australia hosts the third-largest number of monitoring stations (20) in the Treaty's international monitoring system. Australia also actively supports the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization in developing other aspects of its verification regime, including a leading role in developing on-site inspection procedures.
- Australia works with the Preparatory Commission, through technical workshops and other outreach measures, to promote development of and cooperation among national data centres.
- Australia consistently calls upon all States to provide strong financial, technical and political support to the Preparatory Commission for its work on the Treaty verification regime.

E. Fissile materials: The Conference resolves that:

- Action 15
- All States agree that the Conference on Disarmament should, within the context of an agreed, comprehensive and balanced programme of work, immediately begin negotiation of a treaty banning the production of fissile material for use in nuclear weapons or other nuclear explosive devices in accordance with the report of the Special Coordinator of 1995 (CD/1299) and the mandate contained therein. Also in this respect, the Review Conference invites the Secretary-General of the United Nations to convene a high-level meeting in September 2010 in support of the work of the Conference on Disarmament.
- Australia is a strong proponent of the commencement of negotiations for a treaty banning the production of fissile material for use in nuclear weapons or other nuclear explosive devices, commonly known as the "fissile material cut-off treaty". In 2011, Australia encouraged the launch of treaty negotiations under the auspices of the Conference on Disarmament by co-hosting with Japan a series of expert side events in Geneva to discuss technical aspects of such a treaty, and to help build confidence and momentum to begin the negotiations in the Conference. Australia and Japan have submitted a working paper on these side events (NPT/CONF.2015/PC.I/WP.8).
- Australia has consistently called for the adoption by the Conference of a programme of work that would provide for the implementation of this action.
- Australia's Minister for Foreign Affairs attended the high-level meeting on revitalizing the work of the Conference on Disarmament and taking forward

multilateral disarmament negotiations, held in New York on 24 September 2010, and registered Australia's strong concern about the continuing failure of the Conference to resume substantive work.

- Action 16 The nuclear-weapon States are encouraged to commit to declare, as appropriate, to the International Atomic Energy Agency (IAEA) all fissile material designated by each of them as no longer required for military purposes and to place such material as soon as practicable under IAEA or other relevant international verification and arrangements for the disposition of such material for peaceful purposes, to ensure that such material remains permanently outside military programmes. n/a
- Action 17 In the context of action 16, all States are encouraged to support the development of appropriate legally binding verification arrangements, within the context of IAEA, to ensure the irreversible removal of fissile material designated by each nuclear-weapon State as no longer required for military purposes. Australia affirms its readiness to contribute to the development of appropriate legally binding verification arrangements, within the context of IAEA, to ensure the irreversible removal of fissile material designated by each nuclear-weapon State as no longer required for military purposes.
- Action 18 All States that have not yet done so are encouraged to initiate a process towards the dismantling or conversion for peaceful uses of facilities for the production of fissile material for use in nuclear weapons or other nuclear explosive devices. Australia has never had facilities for the production of fissile material for use in nuclear weapons or other nuclear explosive devices.
- F. Other measures in support of nuclear disarmament: The Conference resolves that:**
- Action 19 All States agree on the importance of supporting cooperation among Governments, the United Nations, other international and regional organizations and civil society aimed at increasing confidence, improving transparency and developing efficient verification capabilities related to nuclear disarmament. Australia is committed to supporting cooperation among Governments, the United Nations, other international and regional organizations and civil society aimed at increasing confidence, improving transparency and developing efficient verification capabilities related to nuclear disarmament. The present report is consistent with that commitment and outlines Australia's efforts in that regard.

Action 20

States parties should submit regular reports, within the framework of the strengthened review process for the Treaty, on the implementation of the present action plan, as well as of article VI, paragraph 4 (c), of the 1995 decision entitled "Principles and objectives for nuclear disarmament", and the practical steps agreed to in the Final Document of the 2000 Review Conference, and recalling the advisory opinion of the International Court of Justice of 8 July 1996.

In addition to the 2010 action plan, the present report takes in Australia's reporting on the implementation of article VI, paragraph 4 (c), of the 1995 decision entitled "Principles and objectives for nuclear non-proliferation and disarmament", and the practical steps agreed to in the Final Document of the 2000 Review Conference.

Australia's previous report on the implementation of article VI, paragraph 4 (c), of the above-mentioned 1995 decision bears the symbol NPT/CONF.2010/36.

Action 21

As a confidence-building measure, all the nuclear-weapon States are encouraged to agree as soon as possible on a standard reporting form and to determine appropriate reporting intervals for the purpose of voluntarily providing standard information without prejudice to national security. The Secretary-General of the United Nations is invited to establish a publicly accessible repository, which shall include the information provided by the nuclear-weapon States.

With other members of the Non-Proliferation and Disarmament Initiative, Australia has jointly developed a draft nuclear disarmament reporting form. The Initiative has shared the draft form with the nuclear-weapon States as a contribution to their discussions on disarmament transparency and the implementation of this action. The Initiative has a separate working paper on this issue.

Action 22

All States are encouraged to implement the recommendations contained in the report of the Secretary-General of the United Nations (A/57/124) regarding the United Nations study on disarmament and non-proliferation education, in order to advance the goals of the Treaty in support of achieving a world without nuclear weapons.

Australia welcomes the recommendations contained in the report of the Secretary-General of the United Nations (A/57/124) regarding the United Nations study on disarmament and non-proliferation education.

The Non-Proliferation and Disarmament Initiative announced in September 2011 that it would actively promote disarmament and non-proliferation education to achieve a world free of nuclear weapons. The Initiative has a separate working paper on this issue.

II. Nuclear non-proliferation

Action 23

The Conference calls upon all States parties to exert all efforts to promote universal adherence to the Treaty, and not to undertake any actions that can negatively affect prospects for the universality of the Treaty.

Australia actively promotes universal adherence to the Treaty and its principles.

In bilateral exchanges and statements in multilateral forums, Australia has consistently called for all

non-Treaty States to join the Treaty as non-nuclear-weapon States and without preconditions. Australia has also conducted regional outreach activities promoting adherence to and fulfilment of Treaty commitments, including by hosting capacity-building courses and workshops in Australia.

Australia currently chairs the Asia-Pacific Safeguards Network, an informal network of safeguards authorities, ministries and other organizations responsible for implementing safeguards in Asia and the Pacific. The objective of the Network is to promote safeguards best practice in the region through enhanced cooperation in areas such as training, professional development and the sharing of experience.

Australia participates in the IAEA Director General's Standing Advisory Group on Safeguards Implementation. It has also provided instructors for safeguards courses run by IAEA and other partners in Asia and the Pacific.

Australia presented a paper at the 2011 Forum Regional Security Committee Meeting, held at the Pacific Islands Forum Secretariat, to encourage and assist those Forum member States that had not done so to conclude and bring into force comprehensive safeguards agreements, additional protocols and small quantities protocols with IAEA. Australia will continue to engage with and support Forum members, when requested, on safeguards issues.

Australia actively supports the application of IAEA comprehensive safeguards, together with IAEA additional protocols, to all source or special fissionable material in all peaceful nuclear activities.

Australia has one of the world's leading nuclear safeguards and security regimes. It was the first country to sign and ratify its Additional Protocol (entry into force on 12 December 1997), the first to

Action 24
The Conference re-endorses the call by previous review conferences for the application of IAEA comprehensive safeguards to all source or special fissionable material in all peaceful nuclear activities in the States parties in accordance with the provisions of article III of the Treaty.

make such signature and ratification a condition of supply for uranium exports and the first for which IAEA was able to declare that all nuclear materials and activities of safeguards relevance had been appropriately declared and accounted for. Australia continues to work to promote universalization of and adherence to comprehensive safeguards agreements and additional protocols for all non-nuclear-weapon States.

See also paragraphs 3-5 of response to action 23.

Australia encourages all States that have not yet done so to bring into force comprehensive safeguards agreements and additional protocols with IAEA.

See also paragraphs 3-5 of response to action 23 and response to action 24.

Australia holds itself to the highest standards of compliance with its non-proliferation commitments and obligations, and cooperates fully with IAEA.

Australia consistently and strongly promotes universal compliance by States with their non-proliferation obligations, both under the Treaty and under their agreements with IAEA.

See also paragraphs 3-5 of response to action 23 and response to action 24.

Australia holds itself to the highest standards of compliance with its non-proliferation commitments and obligations, and cooperates fully with IAEA. Australia, in bilateral, regional and multilateral forums, including the IAEA Board of Governors, consistently calls upon all States to cooperate fully with IAEA and to comply with their international safeguards obligations.

The Conference, noting that 18 States parties to the Treaty have yet to bring into force comprehensive safeguards agreements, urges them to do so as soon as possible and without further delay.

The Conference underscores the importance in complying with the non-proliferation obligations, addressing all compliance matters in order to uphold the Treaty's integrity and the authority of the safeguards system.

The Conference underscores the importance of resolving all cases of non-compliance with safeguards obligations in full conformity with the IAEA statute and the respective legal obligations of Member States. In this regard, the Conference calls upon Member States to extend their cooperation to the Agency.

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| Action 28 | The Conference encourages all States parties which have not yet done so to conclude and to bring into force additional protocols as soon as possible and to implement them provisionally pending their entry into force. | Australia signed its Additional Protocol on 23 September 1997, with entry into force on 12 December 1997. Australia actively encourages all States that have not yet done so to bring into force additional protocols to their safeguards agreements with IAEA. See also paragraphs 3-5 of response to action 23. |
| Action 29 | The Conference encourages IAEA to further facilitate and assist the States parties in the conclusion and entry into force of comprehensive safeguards agreements and additional protocols. The Conference calls on States parties to consider specific measures that would promote the universalization of the comprehensive safeguards agreements. | See paragraphs 3-5 of response to action 23. Australia has offered assistance to some African States in the development of their safeguards agreements and arrangements with IAEA. |
| Action 30 | The Conference calls for the wider application of safeguards to peaceful nuclear facilities in the nuclear-weapon States, under the relevant voluntary offer safeguards agreements, in the most economic and practical way possible, taking into account the availability of IAEA resources, and stresses that comprehensive safeguards and additional protocols should be universally applied once the complete elimination of nuclear weapons has been achieved. | n/a |
| Action 31 | The Conference encourages all States parties with small quantities protocols which have not yet done so to amend or rescind them, as appropriate, as soon as possible. | Australia has never had a small quantities protocol. Australia consistently encourages all States parties with older small quantities protocols that have not yet done so to amend or rescind them, as appropriate, as soon as possible. |
| Action 32 | The Conference recommends that IAEA safeguards should be assessed and evaluated regularly. Decisions adopted by the IAEA policy bodies aimed at further strengthening the effectiveness and improving the efficiency of IAEA safeguards should be supported and implemented. | Australia affirms its support for these recommendations. As a member of the Board of Governors, Australia supports Board initiatives to continually strengthen the effectiveness and efficiency of IAEA safeguards, including through the use of information-driven safeguards. See also response to action 31. |

- Action 33
- The Conference calls upon all States parties to ensure that IAEA continues to have all political, technical and financial support so that it is able to effectively meet its responsibility to apply safeguards as required by article III of the Treaty.
- Australia always pays its assessed contribution and provides additional extrabudgetary contributions and in kind support.
- Australia is a strong proponent of IAEA carrying out its functions with the full cooperation of all States. One key element of Australia's support for IAEA is its active participation on the IAEA Board of Governors.
- Australia maintains a strong technology base and technical capabilities, which it makes available to contribute to international safeguards efforts. It also maintains an IAEA member State support programme to support the Agency's technical safeguards capabilities.
- Australia hosts a diagnostic laboratory, which is part of the IAEA network of analytical laboratories.
- Australia's uranium is exported for exclusively peaceful purposes and only to countries and parties with which Australia has a bilateral nuclear cooperation agreement. Such agreements include treaty-level assurances that Australian nuclear material will be used only for peaceful purposes, and that that material will be subject to IAEA safeguards. These agreements ensure that Australia's nuclear exports remain in exclusively peaceful use and may be retransferred only to a party with a bilateral nuclear cooperation agreement with Australia. Australia currently has 22 such bilateral agreements in force, covering 39 countries and Taiwan. In the case of non-nuclear-weapon States parties, IAEA safeguards must apply to all existing and future nuclear activities.
- Australia has ratified the 2005 amendment to the Convention on the Physical Protection of Nuclear Material, which is implemented via the Nuclear Non-Proliferation (Safeguards) Act 1987 and the Non-Proliferation Legislation Amendment Act
- Action 34
- The Conference encourages States parties, within the framework of the IAEA statute, to further develop a robust, flexible, adaptive and cost-effective international technology base for advanced safeguards through cooperation among Member States and with IAEA.
- Action 35
- The Conference urges all States parties to ensure that their nuclear-related exports do not directly or indirectly assist the development of nuclear weapons or other nuclear explosive devices and that such exports are in full conformity with the objectives and purposes of the Treaty as stipulated, particularly, in articles I, II and III of the Treaty, as well as the decision on principles and objectives of nuclear non-proliferation and disarmament adopted in 1995 by the Review and Extension Conference.

2007, and is working towards the implementation of IAEA information circular INFCIRC/225/Rev.5, which contains nuclear security recommendations on physical protection of nuclear material and nuclear facilities.

Australia ensures that nuclear-related exports do not assist the development of nuclear weapons or other nuclear explosive devices. Its export controls are based on multilateral best practice. In addition, Australian nuclear agencies cooperate closely with law enforcement and customs agencies to enhance Australia's capability to detect, deter and disrupt illicit trafficking in nuclear materials.

Australia is a member of both the Nuclear Suppliers Group and the Zangger Committee.

The Customs (Prohibited Exports) Regulations 1958 of the Customs Act 1901 state that any item on Australia's control list, the Defence and Strategic Goods List, requires authorization prior to export. The List incorporates the Nuclear Suppliers Group control list (parts I and II), the Zangger Committee Trigger List and annexes I and II to the Additional Protocol to the agreement between Australia and IAEA.

The Australian Government has also enacted the Weapons of Mass Destruction (Prevention of Proliferation) Act 1995. The Act and its associated regulations enable the Government to control the export or transfer of any goods and services that may assist a weapons of mass destruction programme and that are not controlled under other legislation.

See also paragraph 1 of response to action 35.

See paragraph 1 of response to action 35.

Action 36 The Conference encourages States parties to make use of multilaterally negotiated and agreed guidelines and understandings in developing their own national export controls.

Action 37 The Conference encourages States parties to consider whether a recipient State has brought into force IAEA safeguards obligations in making nuclear export decisions.

- Action 38 The Conference calls upon all States parties, in acting in pursuance of the objectives of the Treaty, to observe the legitimate right of all States parties, in particular developing States, to full access to nuclear material, equipment and technological information for peaceful purposes.
- Action 39 States parties are encouraged to facilitate transfers of nuclear technology and materials and international cooperation among States parties, in conformity with articles I, II, III and IV of the Treaty, and to eliminate in this regard any undue constraints inconsistent with the Treaty.
- Action 40 The Conference encourages all States to maintain the highest possible standards of security and physical protection of nuclear materials and facilities.
- Action 41 The Conference encourages all States parties to apply, as appropriate, the IAEA recommendations on the physical protection of nuclear material and nuclear facilities (INFIRC/225/Rev.4 (Corrected)) and other relevant international instruments at the earliest possible date.
- Action 42 The Conference calls on all States parties to the Convention on the Physical Protection of Nuclear Material to ratify the amendment to the Convention as soon as possible and encourages them to act in accordance with the objectives and the purpose of the amendment until such time as it enters into force. The Conference also encourages all States that have not yet done so to adhere to the Convention and adopt the amendment as soon as possible.
- Australia has consistently affirmed its support for the development of nuclear energy and technology for peaceful purposes, within a framework that reduces proliferation risk and adheres to the highest international standards for safeguards, security and safety.
- See responses to actions 35, 36 and 38.
- Australia maintains the highest possible standards of security and physical protection of nuclear materials and facilities, as was recently recognized by its being ranked first for security of its nuclear materials in the 2012 Nuclear Threat Initiative Nuclear Materials Security Index.
- See also paragraph 2 of response to action 35.
- See paragraph 2 of response to action 35.
- See paragraph 2 of response to action 35.

- Action 43 The Conference urges all States parties to implement the principles of the revised IAEA Code of Conduct on the Safety and Security of Radioactive Sources, as well as the Guidance on the Import and Export of Radioactive Sources approved by the IAEA Board of Governors in 2004.
- Action 44 The Conference calls upon all States parties to improve their national capabilities to detect, deter and disrupt illicit trafficking in nuclear materials throughout their territories, in accordance with their relevant international legal obligations, and calls upon those States parties in a position to do so to work to enhance international partnerships and capacity-building in this regard. The Conference also calls upon States parties to establish and enforce effective domestic controls to prevent the proliferation of nuclear weapons in accordance with their relevant international legal obligations.
- Action 45 The Conference encourages all States parties that have not yet done so to become party to the International Convention for the Suppression of Acts of Nuclear Terrorism as soon as possible.
- Action 46 The Conference encourages IAEA to continue to assist the States parties in strengthening their national regulatory controls of nuclear material, including the establishment and maintenance of the State systems of accounting for and control of nuclear material, as well as systems on regional level. The Conference calls upon IAEA member
- Australia has implemented the principles of the revised IAEA Code of Conduct on the Safety and Security of Radioactive Sources, in addition to the Guidance on the Import and Export of Radioactive Sources approved by the IAEA Board of Governors in 2004.
- See paragraph 1 of response to action 36.
- Australia deposited its instrument of ratification of the International Convention for the Suppression of Acts of Nuclear Terrorism on 16 March 2012, which it implemented in national legislation through the Nuclear Terrorism Legislation Amendment Act 2012.
- Australia has implemented its requirements under Security Council resolution 1540 (2004). In addition, it has taken every opportunity in its outreach on non-proliferation to inform Asian and Pacific countries of the goals and obligations of that resolution and to offer to work with them to further improve and strengthen their capacity to implement the resolution where possible.
- Australia, as a member of the IAEA Board of Governors, affirms its support for this recommendation. Australia further broadens its support for IAEA programmes through the Australian Safeguards Support Program.

- States to broaden their support for the relevant IAEA programmes.
- III. Peaceful uses of nuclear energy:** The Conference calls upon States parties to act in conformity with all the provisions of the Treaty and to:
- Action 47 Respect each country's choices and decisions in the field of peaceful uses of nuclear energy without jeopardizing its policies or international cooperation agreements and arrangements for peaceful uses of nuclear energy and its fuel cycle policies.
- Australia respects each country's choices and decisions in the field of peaceful uses of nuclear energy and engages in extensive cooperation with other States parties and international organizations in the further development of nuclear energy for peaceful uses.
- See also response to action 38.
- Action 48 Undertake to facilitate, and reaffirm the right of States parties to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy.
- Australia shares its experience with neighbouring countries in the safe application of nuclear science and technology through arrangements such as: the Regional Cooperative Agreement for Research, Development and Training Related to Nuclear Science and Technology for Asia and the Pacific; the Forum for Nuclear Cooperation in Asia; the IAEA technical cooperation programme; and other IAEA programmes.
- See paragraph 2 of response to action 38.
- Action 49 Cooperate with other States parties or international organizations in the further development of nuclear energy for peaceful purposes, with due consideration for the needs of the developing areas of the world.
- See paragraph 2 of response to action 48.
- Action 50 Give preferential treatment to the non-nuclear-weapon States parties to the Treaty, taking the needs of developing countries, in particular, into account.
- See paragraph 2 of response to action 48.
- Action 51 Facilitate transfers of nuclear technology and international cooperation among States parties in conformity with articles I, II, III, and IV of the Treaty, and eliminate in this regard any undue constraints inconsistent with the Treaty.
- See responses to actions 35, 36 and 38.

- Action 52
- Continue efforts, within IAEA, to enhance the effectiveness and efficiency of its technical cooperation programme.
- Australia is a long-standing contributor to the IAEA Technical Cooperation Fund and in 2011 made an extrabudgetary contribution in the amount of A\$ 100,000 for a study on the marine impacts of radiation from the Fukushima power plant.
- Australia's policy has been to pay its annual Fund contribution in full and on time, and to encourage other States to do the same.
- In addition, Australia plays a key role in cooperation on the peaceful uses of nuclear energy in Asia and the Pacific. Its nuclear-related agencies, the Australian Nuclear Science and Technology Organisation, the Australian Radiation Protection and Nuclear Safety Agency and the Australian Safeguards and Non-Proliferation Office, continue to provide experts to IAEA and to hold meetings with regional counterparts as part of bilateral cooperation agreements and IAEA projects.
- See response to action 52.
- Action 53
- Strengthen the IAEA technical cooperation programme in assisting developing States parties in the peaceful uses of nuclear energy.
- See paragraphs 1 and 2 of response to action 52.
- Action 54
- Make every effort and to take practical steps to ensure that IAEA resources for technical cooperation activities are sufficient, assured and predictable.
- In 2011, Australia contributed A\$ 100,000 to IAEA for a study on the marine impacts of radiation from the Fukushima power plant, to be administered by IAEA and conducted under the Regional Cooperative Agreement for Research, Development and Training Related to Nuclear Science and Technology for Asia and the Pacific, a treaty-level agreement to which Australia is a party.
- Action 55
- Encourage all States in a position to do so to make additional contributions to the initiative designed to raise 100 million dollars over the next five years as extrabudgetary contributions to IAEA activities, while welcoming the contributions already pledged by countries and groups of countries in support of IAEA activities.

- Action 56 Encourage national, bilateral and international efforts to train the necessary skilled workforce needed to develop peaceful uses of nuclear energy.
- Action 57 Ensure that, when developing nuclear energy, including nuclear power, the use of nuclear energy must be accompanied by commitments to and ongoing implementation of safeguards as well as appropriate and effective levels of safety and security, consistent with States' national legislation and respective international obligations.
- Action 58 Continue to discuss further, in a non-discriminatory and transparent manner under the auspices of IAEA or regional forums, the development of multilateral approaches to the nuclear fuel cycle, including the possibilities of creating mechanisms for assurance of nuclear fuel supply, as well as possible schemes dealing with the back-end of the fuel cycle without affecting rights under the Treaty and without prejudice to national fuel cycle policies, while tackling the technical, legal and economic complexities surrounding these issues, including, in this regard, the requirement of IAEA full scope safeguards.
- Action 59 Consider becoming party, if they have not yet done so, to the Convention on Nuclear Safety, the Convention on Early Notification of a Nuclear Accident, the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, the International Convention for the Suppression of Acts of Nuclear Terrorism, the Convention on the Physical Protection of Nuclear Material, and to ratify its amendment so that it may enter into force at an early date.
- See paragraph 2 of response to action 48.
- In 2012, Australia, in cooperation with IAEA, will be training international participants in radiological crime scene evaluation, reactor decommissioning and the regulation of uranium mining.
- See responses to actions 38 and 40.
- Australia recognizes the potential for proposals relating to multilateral fuel assurance mechanisms and multilateralization of the fuel cycle to reduce the risk of nuclear proliferation.
- Australia has supported, through its position on the IAEA Board of Governors, recent IAEA-managed multilateral fuel cycle projects and proposals.
- Australia supports further discussion of this issue in appropriate international forums.
- Australia is a party to the Convention on Nuclear Safety, the Convention on Early Notification of a Nuclear Accident, the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, the International Convention for the Suppression of Acts of Nuclear Terrorism and the Convention on the Physical Protection of Nuclear Material (and has ratified its amendment).
- See also response to action 45.

- Action 60 Promote the sharing of best practices in the area of nuclear safety and security, including through dialogue with the nuclear industry and the private sector, as appropriate. See paragraph 2 of response to action 48.
- Action 61 Encourage States concerned, on a voluntary basis, to further minimize highly enriched uranium in civilian stocks and use, where technically and economically feasible. Australia has minimized its possession and use of highly enriched uranium through the exclusive use of low-enriched uranium for its nuclear research reactor fuel and targets in the manufacture of medical and industrial radioisotopes.
Australia has also reduced its remaining stocks of highly enriched uranium.
Australia is sharing its experience in the use of low-enriched uranium in research reactors and radioisotope production, bilaterally and by participating in IAEA and Nuclear Energy Agency initiatives.
- Action 62 Transport radioactive materials consistent with relevant international standards of safety, security and environmental protection, and to continue communication between shipping and coastal States for the purpose of confidence-building and addressing concerns regarding transport safety, security and emergency preparedness. Australia works to meet the highest standards of safety, security and environmental protection in the transport of radioactive materials through its stringent regulation of nuclear activities, including uranium mining, which takes into consideration all IAEA requirements and recommendations.
- Action 63 Put in force a civil nuclear liability regime by becoming party to relevant international instruments or adopting suitable national legislation, based upon the principles established by the main pertinent international instruments. Australia works to meet the highest standards of safety, security and environmental protection in the transport of radioactive materials.
Australia supports the principles enshrined in the following nuclear liability conventions: the 1963 Vienna Convention on Civil Liability for Nuclear Damage as amended by the 1997 Protocol; the 1997 Convention on Supplementary Compensation for Nuclear Damage; and the 2004 Protocol to amend the Convention on Third Party Liability in the Field of Nuclear Energy, 1960, as amended by the Additional Protocol of 28 January 1964 and by the Protocol of 16 November 1982.

At the invitation of the Director General of IAEA, Australia chairs the International Expert Group on Nuclear Liability.

Action 64

The Conference calls upon all States to abide by the decision adopted by consensus at the IAEA General Conference on 18 September 2009 on prohibition of armed attack or threat of attack against nuclear installations, during operation or under construction.

Australia abides by the decision adopted by consensus at the IAEA General Conference on 18 September 2009 on prohibition of armed attack or threat of attack against nuclear installations, during operation or under construction.

IV. The Middle East, particularly implementation of the 1995 Resolution on the Middle East

1. The Conference reaffirms the importance of the Resolution on the Middle East adopted by the 1995 Review and Extension Conference and recalls the affirmation of its goals and objectives by the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. The Conference stresses that the resolution remains valid until the goals and objectives are achieved. The resolution, which was co-sponsored by the depositary States of the Treaty on the Non-Proliferation of Nuclear Weapons (the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America), is an essential element of the outcome of the 1995 Conference and of the basis on which the Treaty was indefinitely extended without a vote in 1995. States parties renew their resolve to undertake, individually and collectively, all necessary measures aimed at its prompt implementation.

Australia continues to support the establishment of a Middle East zone free of nuclear weapons as well as other weapons of mass destruction, freely arrived at by regional States. The Government welcomed the outcome of the 2010 Review Conference on the 1995 Resolution on the Middle East, and will support constructive efforts to develop the implementation of a Middle East zone free of weapons of mass destruction and their means of delivery.

2. The Conference reaffirms its endorsement of the aims and objectives of the Middle East peace process, and recognizes that efforts in this regard, as well as other efforts, contribute to, *inter alia*, a Middle East zone free of nuclear weapons as well as other weapons of mass destruction.

Australia affirms its readiness to support efforts towards convening a conference in 2012 on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction, and calls upon all relevant States to achieve a constructive outcome to this process.

Universal membership of and adherence to existing treaties and instruments would greatly facilitate the establishment of a Middle East zone free of weapons of mass destruction and their means of delivery. Australia is contributing to this objective through its efforts to achieve universal membership of the Treaty on the Non-Proliferation of Nuclear Weapons, the Comprehensive Nuclear-Test-Ban Treaty, the Biological Weapons Convention and the Chemical Weapons Convention, and its active support for the International Code of Conduct against Ballistic Missile Proliferation.

3. The Conference takes note of the reaffirmation at the 2010 Review Conference by the five nuclear-weapon States of their commitment to a full implementation of the 1995 Resolution on the Middle East.
4. The Conference regrets that little progress has been achieved towards the implementation of the 1995 Resolution on the Middle East.
5. The Conference recalls the reaffirmation by the 2000 Review Conference of the importance of Israel's accession to the Treaty and the placement of all its nuclear facilities under comprehensive IAEA safeguards. The Conference reaffirms the urgency and importance of achieving universality of the Treaty. The Conference calls on all States in the Middle East that have not yet done so to accede to the Treaty as non-nuclear-weapon States so as to achieve its universality at an early date.
6. The Conference stresses the necessity of strict adherence by all States parties to their obligations and commitments under the Treaty. The Conference urges all States in the region to take relevant steps and confidence-building measures to contribute to the realization of the objectives of the 1995 Resolution on the Middle East and calls upon all States to refrain from undertaking any measures that preclude the achievement of this objective.
7. The Conference emphasizes the importance of a process leading to full implementation of the 1995 Resolution on the Middle East. To that end, the Conference endorses the following practical steps:
- (a) The Secretary-General of the United Nations and the co-sponsors of the 1995 Resolution, in consultation with the States of the region, will convene a conference in 2012, to be attended by all States of the Middle East, on the establishment of a Middle East zone free of nuclear weapons and all
- Additional protocols on strengthened IAEA safeguards offers Middle East States an important confidence-building opportunity. Australia encourages all States to adopt additional protocols with IAEA, without delay or preconditions. Stronger safeguards are in the interests of all countries when they can prevent the emergence of more nuclear-weapon-capable States.
- Australia acknowledges the difficulty of achieving disarmament and non-proliferation goals without concurrent efforts to address the underlying political tensions that drive international conflicts. It urges all States parties to work to secure a regional political environment that is conducive to disarmament, non-proliferation and the creation of a Middle East zone free of weapons of mass destruction and their means of delivery.

other weapons of mass destruction, on the basis of arrangements freely arrived at by the States of the region, and with the full support and engagement of the nuclear-weapon States. The 2012 Conference shall take as its terms of reference the 1995 Resolution;

- (b) Appointment by the Secretary-General of the United Nations and the co-sponsors of the 1995 Resolution, in consultation with the States of the region, of a facilitator, with a mandate to support implementation of the 1995 Resolution by conducting consultations with the States of the region in that regard and undertaking preparations for the convening of the 2012 Conference. The facilitator will also assist in implementation of follow-on steps agreed by the participating regional States at the 2012 Conference. The facilitator will report to the 2015 Review Conference and its Preparatory Committee meetings;
- (c) Designation by the Secretary-General of the United Nations and the co-sponsors of the 1995 Resolution, in consultation with the States of the region, of a host Government for the 2012 Conference;
- (d) Additional steps aimed at supporting the implementation of the 1995 Resolution, including that IAEA, the Organisation for the Prohibition of Chemical Weapons and other relevant international organizations be requested to prepare background documentation for the 2012 Conference regarding modalities for a zone free of nuclear weapons and other weapons of mass destruction and their delivery systems, taking into account work previously undertaken and experience gained;
- (e) Consideration of all offers aimed at supporting the implementation of the 1995 Resolution, including the offer of the European Union to host a follow-on seminar to that organized in June 2008.

8. The Conference emphasizes the requirement of maintaining parallel progress, in substance and timing, in the process leading to achieving total and complete elimination of all weapons of mass destruction in the region, nuclear, chemical and biological.
9. The Conference reaffirms that all States parties to the Treaty, particularly the nuclear-weapon States and the States in the region, should continue to report on steps taken to implement the 1995 Resolution, through the United Nations Secretariat, to the President of the 2015 Review Conference, as well as to the Chairperson of the Preparatory Committee meetings to be held in advance of that Conference.
10. The Conference further recognizes the important role played by civil society in contributing to the implementation of the 1995 Resolution and encourages all efforts in this regard.

Other regional issue

1. The Conference strongly urges the Democratic People's Republic of Korea to fulfil the commitments under the Six-Party Talks, including the complete and verifiable abandonment of all nuclear weapons and existing nuclear programmes in accordance with the September 2005 joint statement, and urges the Democratic People's Republic of Korea to return, at an early date, to the Treaty and to its adherence with its IAEA safeguards agreement. The Conference also calls on the Democratic People's Republic of Korea and all States parties to fully implement all relevant nuclear non-proliferation and disarmament obligations. The Conference reaffirms its firm support for the Six-Party Talks and remains determined to achieve the satisfactory and comprehensive resolution to the issues involved through diplomatic means.
- Australia strongly urges the Democratic People's Republic of Korea to fulfil the commitments under the Six-Party Talks, including the complete and verifiable abandonment of all nuclear weapons and existing nuclear programmes in accordance with the September 2005 joint statement, and urges the Democratic People's Republic of Korea to return, at an early date, to the Treaty and to its adherence with its IAEA safeguards agreement.
- Australia fully implements all relevant nuclear non-proliferation and disarmament obligations, including relevant United Nations Security Council resolutions.