

Declassified - FOI 678/22/23



Australian Government
Defence

Ministerial Brief for Action

MS22-900570

FOR: Deputy Prime Minister

Action Requested by: Friday 16 September,
subject to ODPM advice.

THROUGH: CDF

Reason for Urgency: s33(a)(iii)

CC: VCDF, Associate Secretary, DEPSEC SP&I, FASMECC

TREATY ON THE PROHIBITION OF NUCLEAR WEAPONS s33(a)(iii)

Key Issues:

In 2018, the Australian Labor Party (ALP) committed to signing and ratifying the Treaty on the Prohibition of Nuclear Weapons (the Treaty), subject to a number of conditions. s33(a)(iii)

Recommendations:

Decision

That you:

1. **sign** the attached joint letter to the Prime Minister s33(a)(iii) Signed/Not signed
s33(a)(iii)
2. **agree** s33(a)(iii) Agreed/Not agreed
s33(a)(iii)

Media Considerations:

Nil associated with this submission. We would expect a moderate level of domestic media interest on any update to Australia's policy position on the Treaty.

Signature

s22

Richard Marles

9 September 2022

Minister comments: s33(a)(iii)

Cleared by

Hugh Jeffrey
Acting Deputy Secretary
Strategy, Policy, and Industry Group

8 September 2022

s22

Contact Officer

Zoe Cameron
Assistant Secretary Strategic Policy and Guidance
s22

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Sensitivity: Yes.

1. The Treaty is internationally divisive. The US, the United Kingdom (UK) and France are all opposed to the Treaty. s33(a)(iii)
2. Lobby groups, in particular the International Campaign to Abolish Nuclear Weapons, will continue to apply domestic pressure for Australia to sign and ratify the Treaty, and will react negatively if the Government decides against this course of action.

Financial Impacts: No.

Systems/legislation/deregulation: No.

Consultation: Yes.

3. Lisa Clutterham, Acting Assistant Secretary Americas, United Kingdom and East Asia, International Policy Division.
4. Sophia Blix, Assistant Secretary Non-Proliferation and Technology Transfer, Nuclear Powered Submarine Taskforce.
5. Jeff Robinson, Assistant Secretary Disarmament Strategy and Capability, Department of Foreign Affairs and Trade, was consulted in the development of the attached letter.

Attachment

Attachment A Joint Deputy Prime Minister and Minister for Foreign Affairs letter to the Prime Minister s33(s)(iii)

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Background

Australia's policy approach to the Treaty on the Prohibition of Nuclear Weapons

6. The Treaty, which was adopted by the United Nations in 2017, aims to completely eliminate nuclear weapons. Australia is already a signatory to the Nuclear Non-Proliferation Treaty and the Treaty of Rarotonga, which seek to prevent the spread of nuclear weapons and promote nuclear disarmament. The Treaty differs from these arrangements in its expansiveness, which includes a broad-ranging 'complicity prohibition' whereby signatories undertake not to "assist, encourage or induce in any way" restricted nuclear activities by third party states. The Treaty currently has only 86 signatories; no nuclear-weapon or nuclear umbrella states have signed.
7. In 2018, the ALP committed to signing and ratifying the Treaty once in government, after taking account of the need to: ensure an effective verification and enforcement architecture; ensure the interaction of the Treaty with the Nuclear Non-Proliferation Treaty and, work to achieve universal support for the Treaty. The ALP reaffirmed this commitment at the ALP Special Platform Conference in March 2021. The Australian Government sent a non-executive parliamentarian, Ms Susan Templeman MP, to observe the First Meeting of State Parties from 21-23 June 2022.

s33(a)(iii)

Defence's approach

s33(a)(iii)

8. s33(a)(iii)

9. s33(a)(ii)

10. s33(a)(iii)

s33(a)(ii)

11. s33(a)(ii)

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