

XV. Use of Force and War

International humanitarian law – Additional Protocol I to 1949 Geneva Conventions – International Fact-Finding Commission – Australian declaration under Article 90

On 25 September 1992 the Department of Foreign Affairs and Trade issued a news release which read as follows:

Australia has accepted the competence of the International Fact-Finding Commission established under Article 90 of Additional Protocol I to the 1949 Geneva Conventions to investigate breaches of international humanitarian standards under the Geneva Conventions regime.

Australia's acceptance will add to the growing international acceptance of the Commission and will significantly increase the protection of individuals under international humanitarian law.

Australia lodged a declaration accepting the competence of the Commission with the Swiss Federal Council in Berne on 23 September 1992. The declaration follows the ratification by Australia on 21 June last year of Protocols I and II of the Geneva Conventions.

In an innovative measure and as part of the process of strengthening international humanitarian law, Article 90 of Protocol I sets up the International Fact-Finding Commission as a mechanism to ensure compliance with the Geneva Conventions. The Commission is empowered to enquire into any events alleged to be a grave breach or other serious violation of the Conventions or of Protocol I.

An enquiry can be instituted by the Commission on the request of a Party which has made a declaration under Article 90.

By making its declaration, Australia can request enquiries to be made regarding the conduct of other parties which accepted the competence of the Commission. As well, other parties which have made similar declarations would be able to request enquiries in relation to Australia.

The effect of the declaration is to increase the protection that Australian civilians and prisoners of war would have in any future hostilities.

The Commission comprises 15 members elected from persons nominated by parties which have made declarations under Article 90. At present, 28 States have made declarations including Norway, Canada, Russia, Spain Italy, New Zealand and Switzerland. Each has a representative on the Commission.

Australia's declaration under Article 90 will enable the nomination of an Australian candidate for election to the Commission.

International humanitarian law – Alleged breaches of international humanitarian law – Australian representations – Israeli deportation of Palestinians

On 6 January 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, issued a news release which read in part:

The Acting Minister for Foreign Affairs and Trade, Mr Kerin, today deplored Israel's decision to deport twelve Palestinians from the Occupied Territories.

Mr Kerin said that the deportations, if carried out, would contravene Article 49 of the Fourth Geneva Convention, which prohibits the deportation of civilians from territories under military occupation. ...

The decision to deport the twelve Palestinians came after attacks on Israeli settlers in the Occupied Territories, including the death of one settler.

Mr Kerin said that such attacks were to be condemned, but any criminal charges that might arise out of such incidents should be brought to a court of law. To date Israel had not produced any evidence that might link the twelve to the death of the Israeli settler.

Mr Kerin said that apart from the deportation orders, the situation in the Occupied Territories, where friction between Israeli settlers and Palestinians was aggravating an already tense situation, continued to be of serious concern. He reiterated Australia's opposition to Israeli settlements in the territories.

On 18 December 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, issued a news release which read in part:

The Minister for Foreign Affairs and Trade, Senator Gareth Evans, said today that he deplored Israel's deportation of 418 Palestinians from the occupied territories.

Senator Evans said that the deportations contravened Article 49 of the Fourth Geneva Convention which prohibited the deportation of civilians from territories under military occupation.

"This is the single largest number of Palestinians deported from the territories since the practice was begun in 1967", Senator Evans said.

"Australia acknowledges that Israel faces a difficult security situation, but that is not justification for action which breaches international law."

Senator Evans said that the deportations to Lebanon without the consent of that Government were also an infringement of Lebanon's sovereignty. Lebanon's path to national reconciliation would not be helped by such action.

On 22 December 1992 the Department of Foreign Affairs and Trade issued a news release which read in part:

The Department of Foreign Affairs and Trade today called in the Israeli Charge d'Affaires, Mr David Goren, to express the Government's deep concern about Israel's deportation of 415 Palestinians from the occupied territories.

Departmental officials told Mr Goren that the Australian Government condemns Israel's action which is contrary to the Fourth Geneva Convention and which threatens to disrupt the Middle East peace process.

Officials stressed to the Charge d'Affaires that there was an urgent need to address the immediate humanitarian needs of the deportees.

Mr Goren was told that Australia urged Israel to abide by United Nations Security Council resolution 700 which "demands that Israel, the occupying Power, ensure the safe and immediate return to the occupied territories of all those deported".

International humanitarian law – Alleged breaches of international humanitarian law – Australian representations – Bosnia–Herzegovina

On 6 August 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, issued a news release which read in part:

The Minister for Foreign Affairs and Trade, Senator Gareth Evans, today called for immediate, unimpeded and continuous access to be given to the Red Cross to all detention camps in the former Yugoslavia, particularly those in Bosnia–Herzegovina.

Australia's action has been taken in support of the United Nations Security Council's demand that all parties comply with their international humanitarian obligations. Australia's Acting Permanent Representative to the UN wrote to the President of the Security Council on 5 August conveying the Australian Government's deep distress at the widespread violation of the most basic principles of humanitarian law in the course of this conflict.

Senator Evans said that Australia would support a request by the United States for the convening of an exceptional session of the UN Commission on Human Rights in Geneva, of which Australia is a member, to discuss the deterioration of the human rights situation in the former Yugoslavia.

"The international community cannot stay silent in the face of such massive abuses of basic human rights", Senator Evans said. "It is the civilian population that is suffering most in this situation and we must continue to do all we can to provide assistance."

Senator Evans stressed that the key requirement remained the need to renew a political dialogue between the warring parties.

Use of force – Iraq – Australian support for United Nations Security Council resolutions – Australian support for "no-fly zone" in Southern Iraq

On 17 July 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, issued a news release which read as follows:

Australia shared international concern that Saddam Hussein continued to deny access by United Nations Special Commission inspectors to the Agriculture Ministry building in Baghdad, the Minister for Foreign Affairs and Trade, Senator Gareth Evans, said today.

Senator Evans said that Iraq must comply with United Nations resolutions including those aimed at locating and destroying weapons of mass destruction.

The inspectors were authorised by United Nations Security Council resolutions 687 and 707 to enter the building, but access was still being denied

and they had been harassed and intimidated. The Iraqi Government had unconditionally accepted resolution 687, and had a clear obligation to abide by it.

In addition, Iraq had rejected the UN arrangements under which it could sell its oil to buy food, had failed to renew the agreement with the UN allowing humanitarian workers to practise in Iraq, and had refused to participate in the current session of the Iraq/Kuwait boundary commission.

Australia called on Iraq to accept all of its international responsibilities, including allowing the UN inspectors to proceed with their tasks without further delay.

On 16 August 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, issued a news release which read as follows:

The Minister for Foreign Affairs and Trade, Senator Gareth Evans, said today that Australia remained concerned at Iraq's refusal to end the repression of its Kurdish and Shia citizens.

Senator Evans said that Iraq continued in breach of United Nations resolution 688 which required it to end repression of its citizens, allow humanitarian access to those in need, and to make facilities available for this purpose.

He said the forces of Saddam Hussein had been conducting military operations against, particularly, Kurdish communities in the North of Iraq and the Shia in the South.

In the North, a blockade by Iraq and its refusal to facilitate relief operations was causing immense hardship to the Kurds.

In the south, there were reports of bombing of Shia villages and widespread dislocation of civilians who were being denied humanitarian assistance.

Senator Evans said he was particularly disturbed by the report of the Special Rapporteur on Iraq for the United Nations Commission on Human Rights, detailing blatant violations of the human rights of the Shia population in direct contravention of resolution 688.

Senator Evans again called on Iraq to accept all of its international responsibilities immediately, including allowing humanitarian aid to the wounded and displaced, and to end its repressive military activity.

On 18 August 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, said in the course of an answer to a question without notice (Sen Deb 1992, Vol 154, p 17):

The international community, including the United States, has for the past two years consistently called on Iraq to comply with the UN Security Council resolutions or to face the consequences, and the Australian Government fully endorses that approach. Through our contacts at the UN and through consultations with senior officials in Washington and other capitals, we have kept ourselves closely informed about developments relating to Iraq.

We are greatly concerned that Iraq persists in flouting the authority of the UN resolutions by not cooperating with the UN's plans for disclosure and destruction of its weapons of mass destruction; by continuing to violate the human and political rights of the Kurds and the Shia, contrary to

resolution 688; by failing to renew the Memorandum of Understanding with the UN under which the humanitarian program in Iraq operates; by refusing to allow oil to be exported in accordance with Security Council resolutions 706 and 712; by refusing to participate in UN-sponsored talks on setting the Iraq-Kuwait border; and, indeed, by repeatedly asserting its claim to Kuwait in contravention of resolution 687.

The UN resolutions, particularly resolution 687, authorise such further steps as may be required to implement all the provisions of the resolution and to secure peace and security in the area. The United States Government has said on many occasions, and certainly not just since the presidential election campaign has heated up, that it does not rule out any option to force Iraq to comply with the will of the international community as expressed in those resolutions.

As to the second part of Senator Jones's question about the current state of Australia's commitment, if I can answer in this respect on behalf of Senator Robert Ray, whose responsibility it is, Australia has been a longstanding contributor to the multinational naval force carrying out sanctions duties in the Gulf and the Red Sea. HMAS *Darwin* completed its latest tour of duty in the Red Sea in July. There is presently a gap in our commitment due to operational reasons.

There is a small office in Bahrain which supports Australia's ship deployment in the Middle East and Australia's contribution to UNSCOM [United Nations Special Commission] inspections in Iraq. We have contributed a number of military and civilian specialists to the work of UNSCOM, the UN body that is charged with locating and rendering harmless Iraq's weapons of mass destruction and missiles. ... Australia also has 12 military observers attached to UNTSO [United Nations Truce Supervision Organisation] on UN peacekeeping activities covering Israel, Syria and Lebanon.

As to the final part of the question – what Australia's role might be in any future enforcement exercise in the Middle East – it is simply not appropriate for me to speculate about the further steps that Australia might take were Saddam Hussein to continue to deny UN inspectors access to military installations. Certainly, it would obviously be preferable for all concerned if the Iraqi Government were to see sense now and comply with the resolutions, as it is obligated to do. Saddam Hussein would be very ill-advised to underestimate the will of the international community to enforce compliance in all these respects.

On 20 August 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, said in the course of an answer to a question without notice (Sen Deb 1992, Vol 154, p 341):

As honourable senators would have seen in the press, the UK has announced that it does intend to contribute military aircraft to patrol a no-fly zone in southern Iraq to protect the Shi'ite. Prime Minister Major has said the Security Council resolutions provide the legal authority for this action to be taken. It is expected that similar decisions will be taken shortly by both the United States and France.

As to the Australian reaction to this, as I said in the Senate on 18 August, a couple of days ago, the Government is greatly concerned that Iraq has persistently flouted the authority of the UN resolutions right across the board and in particular in relation to the Shi'ite. The special rapporteur appointed by the Commission on Human Rights to inquire into the human rights situation in Iraq briefed the Security Council last week. In a scathing critique of Iraqi repression of civilians, he confirmed that Iraq was flagrantly in breach of the human rights provisions of resolution 688, particularly as they affected the Shi'ite and the Kurds. Again, as I said in the press release on 16 August, the Australian Government calls on Iraq to end its repressive military action against the Shi'ite and to allow humanitarian aid to the wounded and displaced.

So, in light of that, against that background of concern and statements, we would support the UK proposal to patrol a no-fly zone in southern Iraq to protect the Shi'ite from attacks by Iraqi aircraft. We are awaiting final details, but we expect that the prohibition would prevent Iraqi aircraft from flying south of the thirty-second parallel. It would supplement, of course, another prohibition which has been in effect for more than a year on Iraqi aircraft flying north of the thirty-sixth parallel to protect the Kurds.

As to the likely effect of all this, we certainly hope that the declaration of a no-fly zone will not lead to renewed hostilities with Iraq. The no-fly zone in the north of the country has operated for more than a year without leading to military clashes. That gives some grounds for confidence in that respect, but it is really up to Saddam Hussein. Again, as I said a couple of days ago, Saddam Hussein would be very ill-advised to underestimate the determination of the international community in seeing him comply with UN resolutions in all respects, including his treatment of the civilian population.

United Nations General Assembly - Forty-seventh regular session - Arms control and disarmament issues

On 28 September 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, addressed the Forty-seventh Session of the General Assembly of the United Nations on "The United Nations: New Opportunities, New Challenges". In the course of his address, Senator Evans said the following:

The end of the Cold War notwithstanding, a major preventive effort is still necessary by the international community in relation to the military threat to security posed by continuing arms build-ups. The climate for such an effort is certainly now encouraging. International endeavours in this field are finally producing results. After over 20 years, agreement has finally been reached on a Chemical Weapons Convention text. It is an historic achievement, and one for which Australia has worked particularly hard. Unanimous endorsement of this Convention, with a recommendation for its universal signature and ratification, would be one of the major outcomes of this 47th Session of the General Assembly.

We should also build on the success we have had in concluding the Convention to reinvigorate our efforts to reach agreement on other elements of the multilateral disarmament agenda. The benefits to mankind of the end of the Cold War will be quickly lost unless progress made in bilateral arms control

and disarmament negotiations between the United States and the former Soviet Union is carried into the multilateral arms control process.

We must re-double our efforts to achieve a world free from nuclear weapons, and the threat of nuclear war. We must work harder to obtain universal membership of the Nuclear Non-Proliferation Treaty and ensure its indefinite extension unamended in 1995. We should also continue the progress that has been made since the Gulf War to strengthen the IAEA nuclear safeguards system and tighten export controls on nuclear and nuclear-related dual-use items. We should build on the moratorium on nuclear testing advanced by Russia and France. And I urge Member States to support once again the Resolution Australia will co-sponsor at this Session on the Comprehensive Test Ban Treaty.

Increased transparency in military activities should continue to be a key objective for all Members of the General Assembly. I regard the UN Register of Conventional Arms Transfers established by UNGA 46 as an important step in this process. Australia welcomes the Secretary-General's report on the operation of the Register and supports its adoption.

At the recent Non-Aligned Summit in Jakarta, leaders expressed their deep concern over the negative impact of global military expenditure, and their support for the attainment of security at lower levels of armaments. We must all work to make good these pledges, thereby releasing sorely needed funds to help free the peoples of the world from want as well as from the fear of war and destruction.

On 23 December 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, issued a news release which read in part:

The 47th regular session of the United Nations General Assembly (UNGA 47) had been very successful from Australia's point of view, the Minister for Foreign Affairs and Trade, Senator Gareth Evans, said today. The General Assembly is due to adjourn in New York on 23 December (24 December AST). ...

A further significant development was a consensus resolution commending the Chemical Weapons Convention. The negotiation of this instrument was the major disarmament achievement of 1992, and one in which Australia played a leading role. This was complemented by record positive support for a resolution jointly sponsored by Australia, New Zealand and Mexico in support of a comprehensive test ban and the consensus adoption of a resolution endorsing the UN Register of Conventional Arms Transfers.

Disarmament – Nuclear disarmament and nuclear tests moratoria – Australian views

On 17 June 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, said in the course of an answer to a question without notice (Sen Deb 1992, Vol 153, p 3793):

The Australian Government is delighted by the news that Presidents Bush and Yeltsin have announced agreement to major further cuts in their strategic arsenals beyond the reductions that were anticipated and agreed in the START [Strategic Arms Reduction Treaty] talks. While some details have yet to be

clarified, it is clear that the two leaders have given very positive effect to their unilateral statements in January offering to negotiate deep cuts beyond the START agreement limits.

Today's announcement focuses in particular, and very encouragingly in that respect, on heavy and multiple warhead intercontinental ballistic missiles. According to President Bush, at the latest by 2003 the US and Russia are to cut their strategic nuclear systems to between 3,000 and 3,500 warheads each. That is significantly below the level agreed to in START, which was approximately 6,000 warheads each. ...

In the case of the other nuclear weapon states – the UK, France and China – I think this is an appropriate occasion for the Australian Government to call on them, as I now do, to follow the example of Russia and the United States and to start the process of implementing cuts in their nuclear arsenals. We do not accept that the smaller size of their arsenals in any way frees them from their continuing obligation to negotiate measures of nuclear disarmament. In this context, we consider also that a cessation of nuclear testing is an essential component of nuclear disarmament, and we call on the UK, the United States and China, as a first step, to follow France and Russia in their current moratorium on testing.

Such a universal moratorium leading to a comprehensive test ban treaty would achieve a longstanding Australian policy objective, quite apart from anything else, and contribute in a practical way to the process of nuclear disarmament which has been given, again I say, such a welcome further impetus by today's agreement between the United States and Russia.

On 6 August 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, issued a news release which read in part:

Senator Evans said the agreement between the United States and Russia on 17 June to reduce their long-range nuclear weapons arsenals by two-thirds, was a far-reaching agreement which Australia warmly welcomed.

"We must now build on these achievements to ensure a world free from nuclear weapons and the threat of nuclear war", Senator Evans said. "While other nuclear weapon states have made some cuts in their arsenals, we urge them to follow the example set by Russia and the United States, and make further substantial cuts in their arsenals.

"Continuing efforts must be made to prevent the horizontal proliferation of nuclear weapons, including through the indefinite extension of the Nuclear Non-Proliferation Treaty in 1995, and through universal membership of the Treaty.

"We must also build on the moratoriums on nuclear testing announced by Russia and France, and enforce a ban on testing everywhere, for all time."

On 22 October 1992 the Acting Minister for Foreign Affairs and Trade, Neal Blewett, issued a news release which read as follows:

The Acting Minister for Foreign Affairs and Trade, Neal Blewett, today welcomed the signing of a decree in Moscow earlier this week by President Yeltsin which will prolong Russia's current moratorium on nuclear tests until July 1993.

"This is another step forward towards a Comprehensive Test Ban treaty of which Australia has long been a major proponent", Dr Blewett said.

"In his announcement, President Yeltsin drew parallels between the Russian decision to extend its moratorium and the French and, more recently, United States actions in putting in place such moratoriums. We have welcomed these developments.

"We now call on the other nuclear weapons states, the United Kingdom and China, to introduce moratoriums as soon as possible and for all five states to extend indefinitely this ban until the negotiation of a Comprehensive Test Ban Treaty is concluded."

Disarmament – Proposed Comprehensive Nuclear Test Ban Treaty resolution – United Nations General Assembly vote – Australian reaction

On 10 December 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, issued a news release which read as follows:

The Minister for Foreign Affairs and Trade, Senator Gareth Evans, said today that Australia warmly welcomed the overwhelming vote in the United Nations General Assembly earlier today in support of a Comprehensive Nuclear Test Ban Treaty (CTBT).

The resolution, jointly sponsored by Australia, New Zealand and Mexico, was adopted by a record vote of 159 in favour, 4 abstentions (United Kingdom, France, China and Israel) and 1 vote against (United States).

Senator Evans said this represented a decisive step towards a CTBT which, when concluded, would ban all nuclear tests in all environments for all time.

"Australia particularly welcomes the decision by France to move from a negative vote to an abstention – a positive step in the direction of a CTBT", Senator Evans said.

"The vote in the General Assembly and the decisions by France, Russia and the United States to place a moratorium on their nuclear testing help reinforce Australia's call for the remaining nuclear weapons states to end their testing programs and support a CTBT."

Senator Evans said that Australia had been at the forefront of initiatives to bring about a CTBT, including joint sponsorship with New Zealand and Mexico of the annual resolution at the United Nations.

Australia would continue to press for a CTBT, in particular for accelerated progress in the treaty negotiations next year in the Conference on Disarmament in Geneva.

Disarmament – Non-proliferation of weapons of mass destruction – Extended Mandate of Missile Technology Control Regime – Australian support

On 3 July 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, issued a news release which read in part:

Australia has welcomed an important development in the international community's attempts to prevent the proliferation of weapons of mass destruction.

The Minister for Foreign Affairs and Trade, Senator Gareth Evans, said today that the Missile Technology Control Regime (MTCR) had decided to extend its mandate from one that mainly embraced nuclear delivery systems to one which includes missiles capable of delivering biological and chemical weapons.

Australia is one of 22 countries making up the MTCR.

Senator Evans said that the MTCR's decision to extend its mandate, taken at its meeting in Oslo just ended, was a major step forward in circumstances where increasingly there was a threat of countries acquiring missiles and possibly using them for the delivery of chemical or biological weapons.

"Australia is an active participant in the regime and has made an important contribution to achieving this result", Senator Evans said.

He urged all countries to adopt MTCR guidelines when exporting sensitive missiles and related technology. Observance by as many states as possible will contribute to limiting the risks of proliferation of delivery systems for weapons of mass destruction and to fostering international security.

Weapons – Nuclear weapons tests by China and the United States – Australian reactions

On 22 May 1992 the Acting Minister for Foreign Affairs and Trade, John Kerin, issued a news release which read as follows:

The Acting Minister for Foreign Affairs, John Kerin, has condemned yesterday's nuclear test by China.

"It is particularly disappointing that China, after a two year pause, has seen fit to test when both Russia and France have in place suspensions of their testing programs as a lead to other nuclear weapon states."

According to the world's seismological network, in which the Australian Seismological Centre plays a key role, the Chinese have conducted a very large test, certainly much greater than the self imposed limit of 150 kilotonnes accepted by the United States, and Russia in the Threshold Test Ban Treaty.

"It is very disturbing that the Chinese are conducting tests of such extraordinary size. This could indicate efforts to build even more powerful warheads than those currently possessed by China", said Mr Kerin.

"The centre of our hopes for a de-escalation of the threat of nuclear confrontation has been the remarkable steps taken by the two major nuclear powers, the United States and Russia, to end their nuclear arms race and stop the production of new nuclear weapons.

"While it is certainly regrettable that another test has taken place, it would be particularly unfortunate if the Chinese Government is working counter to one of the most hopeful and constructive developments of this decade.

"Last December, the United Nations General Assembly gave the highest level of support ever to the resolution advanced by Australia, New Zealand and

Mexico calling for a comprehensive test ban. I want to appeal to all nuclear weapon states to heed that call.

It is imperative that these countries take the lead in halting and reversing the nuclear arms race, including through the immediate cessation of all nuclear testing. The more that do so, the greater will be the isolation of any that continues in the face of the clear demands from the world community for an end to such testing.

"The unprecedented opportunity provided by the positive decisions of France and Russia should not be missed if we are to avoid a resurgence of nuclear weapon competition," Mr Kerin said.

On 23 September 1992 the Acting Minister for Foreign Affairs and Trade, Neal Blewett, issued a news release which read as follows:

The Acting Minister for Foreign Affairs and Trade, Dr Neal Blewett, has expressed regret at the nuclear explosion which took place at the Nevada test site on 18 September [1992]. The test, which was detected by the Australian Seismological Centre and confirmed by United States authorities this week, had an estimated yield of between 1–10 kilotonnes of TNT.

"Australia has welcomed the suspension of nuclear testing by Russia and France and, in the light of these forward looking decisions, is disappointed that nuclear testing by others continues to take place", Dr Blewett said.

"Whilst Australia acknowledges as a positive step the limitations on numbers and yields of nuclear tests announced by the US Administration in July, Australia continues strongly to support a comprehensive Test Ban Treaty which would prohibit all nuclear testing in all environments for all times, and we again call on all nuclear weapon states to suspend indefinitely their testing programs."

Weapons – Nuclear Non–Proliferation Treaty – China and France

On 13 March 1992 the Acting Minister for Foreign Affairs and Trade, John Kerin, issued a news release which read as follows:

The Acting Minister for Foreign Affairs and Trade, Mr John Kerin, today welcomed the acceptance by China and Latvia of new non–proliferation commitments and action by the International Atomic Energy Agency to strengthen its safeguards system. He said these developments were part of an encouraging trend for increased support for international arrangements to prevent the proliferation of weapons of mass destruction.

Mr Kerin stressed that the only long term means of controlling and eventually eliminating such weapons was through effective multilateral agreements strongly supported by the international community.

"I am therefore very pleased to welcome the recent action by China to formally accede to the Nuclear Non–Proliferation Treaty, as well as its recent decision to comply with the Guidelines of the Missile Technology Control Regime", Mr Kerin said.

A stream of accessions in the past year has brought to 148 the number of states adhering to the Treaty, confirming it as the most widely adhered to arms control agreement in the world today.

"Australia has long urged China and other countries still outside the NPT to become members. China's accession, along with those recently of Latvia and Lithuania, are testament to the role of the Treaty as the cornerstone of the nuclear non-proliferation regime, and will set an example to those few states yet to join."

On 4 August 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, issued a news release which read as follows:

The Minister for Foreign Affairs and Trade, Senator Gareth Evans, today warmly welcomed the announcement by France that it had completed its formal procedures for the ratification of Nuclear Non-Proliferation Treaty (NPT) on 3 August.

"Australia has long urged France to join the NPT", Senator Evans said.

"We are confident that its accession will encourage those few remaining countries still outside of the Treaty to seek membership."

Senator Evans said that ratification of the NPT was another in a series of very positive steps in French policy.

Other steps had included a more stringent nuclear supply policy, and a suspension of nuclear testing in the South Pacific which Australia very much hoped would become permanent.

"The NPT has seen a flood of new adherents over the past year including, importantly, China and South Africa, bringing the total membership to 149", Senator Evans said.

"France's ratification means that all five Permanent Members of the United Nations Security Council and all Nuclear Weapon States are now members of the Treaty."

Senator Evans said that the NPT was the most widely adhered to and successful arms control Treaty in existence and was working strenuously for the Treaty's indefinite extension. A decision on its future would be taken at the next NPT conference in 1995.

Weapons – Nuclear Non-Proliferation Treaty – Newly independent States of former Soviet Union

On 13 March 1992 the Acting Minister for Foreign Affairs and Trade, Mr John Kerin, issued a news release which welcomed the accessions to the Nuclear Non-Proliferation Treaty of China, Latvia and Lithuania. The news release read in part:

Mr Kerin acknowledged international concern about the potential for proliferation from the newly independent countries which have emerged from the former Soviet Union. He urged them to accede to the NPT as Non-Nuclear Weapon States as soon as possible and to institute stringent systems of export controls for material and items related to weapons of mass destruction.

On 4 May 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, provided the following answer to a question without notice concerning a meeting of the Nuclear Suppliers Group held the previous month in Warsaw (Sen Deb 1992, Vol 152, p 2028):

The other major focus of that Warsaw meeting was the situation in the former Soviet Union. The meeting made a special appeal to the CIS states other than Russia, which is a member of the Nuclear Suppliers Group, to promptly accede to the Nuclear Non-Proliferation Treaty as non-nuclear weapons states, to accept full scope IAEA safeguards and to implement effective nuclear export controls. Again, I think it is fair to say that Australia played a leading role in that particular outcome.

On 4 August 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, issued a news release which read in part:

Senator Evans said he was also looking forward to accession to the NPT by all the Newly Independent States of the former Soviet Union, in particular Belarus, Kazakhstan and Ukraine.

These Republics had entered into commitments to join the NPT at the earliest possible time when they signed the Protocol to the Strategic Arms Reduction Treaty (START) in Lisbon in May.

Senator Evans said that he had written to the Foreign Ministers of those countries welcoming their commitments under the START Treaty and urging prompt follow-up action on NPT membership and the submission of all their nuclear facilities to International Atomic Energy Agency safeguards.

On 6 August 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, issued a news release which read in part:

Senator Evans said that although there had been some concern about the control of nuclear weapons in the former Soviet Republics of Belarus, Ukraine and Kazakhstan, their decision to sign the protocol to the START Treaty negotiated by the United States to cover these weapons and the non-nuclear weapon status of these three states was reassuring. "We urge all states involved to ratify this Treaty and protocol as soon as possible to give effect to these reductions", he said.

Senator Evans said that he had written personally to the Foreign Ministers of Belarus, Ukraine and Kazakhstan urging prompt action to implement their treaty-level undertakings to join the Nuclear Non-Proliferation Treaty as non-nuclear weapon states.

On 13 November 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, issued a news release which welcomed the accessions to the Nuclear Non-Proliferation Treaty of Azerbaijan and Uzbekistan. The new release read in part:

"It is vital that the international community be reassured that the break-up of the former Soviet Union not lead to the emergence of new nuclear weapon states or the spread of nuclear weapons technology to additional countries.

"Adherence to the NPT and the establishment of effective export controls by the New Independent States (NIS) are essential first steps to prevent proliferation."

Senator Evans said he hoped the accession of Azerbaijan and Uzbekistan to the NPT would encourage other New Independent States of the former Soviet Union to join the Treaty in the very near future.

He again called in particular on Belarus, Kazakhstan and Ukraine to move quickly to join the NPT as non-nuclear weapon states in keeping with their obligations under the Lisbon Protocol to the Strategic Arms Reduction Treaty (START) signed in May.

He expressed concern at reports that Ukraine might be seeking to assert control over nuclear weapons on its territory.

"Australia has been active in encouraging universal adherence to the NPT and in urging the NIS to take steps to prevent the spread of nuclear materials and expertise from their territories", Senator Evans said.

Senator Evans said he had written to NIS Foreign Ministers, encouraging early membership of the NPT as non-nuclear weapon states and underlining the importance of adopting effective nuclear export controls.

Australia's participation in an eight nation export control mission to the NIS in May (with Canada, France, Germany, Italy, Japan, the United States and the United Kingdom) also demonstrated international recognition of Australia's productive role in preventing the proliferation of nuclear weapons and other weapons of mass destruction.

Weapons – Nuclear Non-Proliferation Treaty – Namibia, Niger and Burma

On 13 November 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, issued a news release which read in part:

The Minister for Foreign Affairs and Trade, Senator Gareth Evans, today welcomed a number of further accessions to the Nuclear Non-Proliferation Treaty (NPT).

Namibia, Niger, Azerbaijan and Uzbekistan have recently joined the NPT and Burma announced its decision to do so at the UN General Assembly in October.

Burmese accession will bring the membership of the Treaty to 155 states.

Senator Evans said Burma's decision and the accession of China to the NPT earlier in the year meant that all states in the Asia Pacific region, with the sole exception of Vanuatu, were now members of this most important arms control treaty.

"The stream of new adherents to the NPT over the past eighteen months reflects strong and increasing international support for the nuclear non-proliferation regime since the Gulf War", Senator Evans said.

Weapons – Nuclear Non-Proliferation Treaty (NPT) – Australian urging of the Democratic People's Republic of Korea to comply with requirements under the NPT

On 31 March 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, said in the course of an answer to a question without notice (Sen Deb 1992, Vol 151, p 1373):

We have been very deeply concerned by the evidence of substantial, unsafeguarded nuclear facilities in North Korea which could, indeed, be

intended for a nuclear weapons program. Assessments vary as to how long it would take North Korea to become a nuclear weapons state, if that is indeed the country's intention. But a worse case scenario, which Mr Gates [Director of the CIA], for example, was outlining [before United States Senate in February 1992], is one which could have North Korea a nuclear weapons state within a very short space of time – indeed, a matter of months rather than years.

We would, of course, regard such a development as fundamentally destabilising in the Asia-Pacific region and, indeed, as the most serious security threat in our region. Our judgment is shared by nearly all of our friends and allies, with whom we have been making vigorous attempts to persuade the DPRK not to pursue such a course. Our concerns have been put very directly and in strong terms to DPRK Ministers and officials. We have worked very hard with others such as Japan and the US to register this message. We have also impressed on countries which have close links with the DPRK, such as China, the dramatic security implications of such a development. It is in fact the case that all major powers in the region, including China, Russia and Japan, have made clear that they are opposed to a North Korean nuclear weapons capability.

I think it has been generally acknowledged that Australia has been very active on this issue, indeed at the forefront of efforts within the International Atomic Energy Agency, to have the DPRK ratify and implement the safeguards agreement that it signed on 30 January this year, as required by its accession back in 1985 to the nuclear non-proliferation treaty. Implementation of that would bring with it IAEA inspections, which are essential to the verification of North Korea's intentions with its nuclear program. The DPRK's signature of a safeguards agreement and its bilateral agreements with South Korea have been very welcome signs of progress on the Korean Peninsula generally. But we, I have to say, are very far from confident of the DPRK's intentions on unconditional implementation, particularly in view of the country's past record.

I take this further opportunity, in the strongest possible terms, to urge North Korea to quickly allow International Atomic Energy Agency inspections and to therefore allay the concerns which are very widespread in the international community about its nuclear intentions. If the international community cannot be reassured in this way, we will be faced with a very serious situation indeed in which further measures will need to be considered. For obvious reasons, I do not want to canvass what those measures might be – that will be a matter for the international community as a whole. I hope very much indeed that it will not come to that.

Weapons – Nuclear weapons – Non-proliferation of nuclear weapons – Iraq – Article IV of Treaty on the Non-Proliferation of Nuclear Weapons (NPT) – United Nations Security Council Resolutions

On 26 February 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, answered a question upon notice from Senator Jones (Sen Deb 1992, Vol 151, p 295). The question and answer were as follows:

With reference to a report in the *Weekend Australian* titled "How the West Gave Saddam the Bomb" by Nicholas Rufford and David Deppard, which states that Iraq had everything it needed to build a nuclear bomb in 1991 had the Gulf War not intervened:

(Q1) Was Iraq unwittingly helped to build such a bomb by information gleaned from the Imperial College, London, and also by the freely available scientific literature?

(Q2) Did Iraq copy one of the West's most closely guarded secrets, the nuclear centrifuge developed by URENCO, a nuclear manufacturing alliance of Britain, Germany and the Netherlands?

(Q3) Did Iraq successfully build nuclear bombs using technology obtained from the West?

(Q4) Was Iraq, because it was a party to the Non-Proliferation Treaty, entitled to receive the benefits of nuclear technology in return for promising to use it peacefully?

(Q5) Did inspectors from the United Nations' International Atomic Energy Agency regularly check to ensure that there were no breaches of NPT rules by Iraq; if so, has the United Nations International Atomic Energy Agency tightened up the rules to ensure that Iraq and other countries who are parties to the NPT do not follow a similar path to that taken by Iraq?

(Q6) Are any measures in place to stop Saddam Hussein from reactivating Iraq's nuclear program?

SENATOR EVANS: The answer to the honourable senator's question is as follows:

I am aware of the article to which the honourable senator refers. My response to the specific issues raised are as follows:

(A1) On the basis of information now available, it is reasonable to conclude that Iraq actively applied to its nuclear weapons development program information gained both from freely available scientific literature and from the normal overseas academic study programs of Iraqi students (including at the Imperial College, London).

(A2) Inspections undertaken by International Atomic Energy Agency/United Nations Special Commission (IAEA/UNSCOM) personnel indicate that Iraq was developing concurrently designs for two types of uranium enrichment centrifuge. Both types were at least similar to designs used by URENCO, and an examination of components discovered in Iraq has led the IAEA/UNSCOM inspectors to conclude that substantial assistance was afforded to Iraq by a person, or persons, with knowledge of URENCO-type centrifuges. In the opinion of the IAEA/UNSCOM experts who took part in the relevant 12-15 January 1992 inspection, however, the Iraqis' centrifuge enrichment program had not progressed to the point where they could have started a sizeable production of centrifuges, although, given time, they would have been successful in such production.

(A3) No.

(A4) Article IV of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) sets out a moral and political undertaking by Parties to facilitate, and a

right for all Parties to participate in, "... the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy". This provision, however, deliberately falls short of setting out an automatic legal "entitlement" to which a Party might appeal in order to receive particular nuclear cooperation benefits, nor does it dictate the terms the relevant parties might mutually agree for such cooperation.

(A5) Yes, with regard to nuclear material and facilities which had been declared to the IAEA. Iraq's nuclear weapons program essentially was based on undeclared materials and facilities. As a result of the revelations about Iraq's nuclear weapons program, the IAEA and its member states are involved in a major program to strengthen IAEA safeguards, in particular as regards possible undeclared materials and facilities, with the clear aim of avoiding any repeat of the Iraqi experience.

The Government believes the experience with Iraq demonstrates the need for, and value of, advanced reporting procedures and comprehensive international export controls for sensitive items. We are seeking actively to strengthen export controls, both through the work of the Nuclear Suppliers Group, of which Australia is a member, and by promoting as a norm the adoption of fullscope safeguards as a requirement for new nuclear supply.

Australia is taking a leading role in these efforts, both through bilateral and multilateral consultations with likeminded states and through its position on the IAEA Board of Governors. In September last year, I led the Australian delegation to the IAEA General Conference and emphasised the Government's concern about these issues. At the same conference, Australia took the initiative to introduce a resolution calling for the strengthening of the safeguards system, a resolution which I am pleased to record was adopted by consensus.

The Government intends to maintain its strong support for the IAEA safeguards program and is determined to see prompt and effective action taken to strengthen it.

(A6) Yes. On 11 October 1991 the United Nations Security Council under its Resolution 715 (1991) accepted an IAEA proposal for the future ongoing monitoring and verification of Iraq's compliance with Resolutions 687 and 707 (1991). The former prohibits Iraq's acquisition of, and research and development related to, nuclear weapons and nuclear-weapons-usable material, while the latter prohibits all nuclear activities in Iraq except the use of isotopes for medical, agricultural or industrial purposes. The program set out in Resolution 715 (1991) is designed to provide confirmation that all of Iraq's nuclear capabilities prohibited by Resolution 687 have been destroyed, removed or rendered harmless and assurance that such capabilities are not resurrected in the future by verifying that only those nuclear activities permitted under Resolution 707 are undertaken by Iraq.

Weapons - Non-proliferation of nuclear weapons - Role of International Atomic Energy Agency (IAEA) - Strengthening of IAEA safeguards - Iraq - Democratic People's Republic of Korea

On 10 August 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, issued a news release which read in part:

A senior officer of the Department of Foreign Affairs and Trade, Mr John Tilemann, has been appointed to a key position with the International Atomic Energy Agency (IAEA) in Vienna, the Minister for Foreign Affairs and Trade, Senator Gareth Evans, announced today. ...

Senator Evans said that Mr Tilemann's appointment came at a particularly important time for the IAEA. The Agency was facing the challenging tasks of straightening its safeguards system and increasing its contribution to improved nuclear safety.

Together with the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the IAEA forms the basis of the international nuclear non-proliferation regime. In addition to its international inspection role which is a crucial element of international security, the IAEA also undertakes important work on nuclear safety and technical assistance.

The IAEA also has an important Secretariat role in preparation for the 1995 NPT conference which will decide on extension of the Treaty.

The following is extracted from an item by Bill Wise in the Department of Foreign Affairs and Trade publication *Insight* of 19 October 1992 (Vol 3 No 7, p 9):

The vital role of International Atomic Energy Agency (IAEA) safeguards in international non-proliferation was a key issue at a meeting of the agency held in Vienna from 21 to 25 September.

The 36th regular session of the General Conference of the IAEA coincides with pressing financial constraints on the agency and increased demands in the nuclear safeguards and nuclear safety activities. ...

Iraq's continuing non-compliance with United Nations Security Council resolutions underlined the need to maintain support from non-proliferation arrangements as well as political momentum for the strengthening of safeguards.

The conference adopted a resolution co-sponsored by Australia which condemned Iraq's behaviour. The resolution supported UN Special Commission and IAEA inspections of Iraq and called on Iraq to comply and cooperate fully in their implementation.

Australia also co-sponsored a resolution on the strengthening of IAEA safeguards which was adopted by consensus. The resolution reflected concern among agency members that the safeguards system should be made more efficient.

The Democratic People's Republic of Korea's (DPRK) Nuclear Non-Proliferation Treaty safeguards agreement with the IAEA entered into force in April and a number of steps to implement the agreement have been taken.

At the conference Australia and others welcomed the DPRK's actions and called on the DPRK to cooperate fully with the secretariat in completing implementation of the agreement. They also called on the DPRK to fulfil the obligation it entered into with the Republic of Korea to implement a bilateral nuclear inspection system on the Korean peninsula. ...

On the staffing of the IAEA Secretariat, Australia co-sponsored a resolution calling for increased representation of women.

Weapons – Pakistani admission of nuclear weapon capability – Australian reaction

On 14 February 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, issued a news release which read as follows:

Australia is deeply disturbed by Pakistan's admission to possession of nuclear weapons capability, the Minister for Foreign Affairs and Trade, Senator Gareth Evans, said today.

Despite earlier repeated denials of the existence of a nuclear weapons research and development program, Pakistan's Foreign Secretary, Mr Shaharyar Khan, last week said in Washington that Pakistan now possesses all the components and technological expertise to assemble nuclear weapons.

"While the Pakistani Foreign Secretary appears to have been deliberately frank about his country's nuclear weapons program, which we welcome after years of statements which were less than this, Australia is nevertheless concerned about this confirmation of the international community's suspicions", Senator Evans said. "Pakistan's admission has essentially the same significance as India's detonation of a nuclear explosive device in 1974.

"Neither act contributed to the security of South Asia, and both challenge the international nuclear non-proliferation regime, which the overwhelming majority of the community of nations subscribes to as fundamental to their security.

"Pakistan's program runs starkly counter to the current dramatic global disarmament and nuclear non-proliferation progress being experienced: for example, significant reductions being agreed in United States and Russian nuclear arsenals; adherence to the NPT by France, China and South Africa; conclusion of IAEA fullscope nuclear safeguards agreements by Argentina and Brazil; agreement between the two Koreas on the removal of the nuclear weapons threat from the Korean Peninsula; and even optimism flowing from the commencement of the Middle East peace process.

"Surely recent developments – in particular the ROK/DPRK agreements on nuclear non-proliferation – show that a solution to regional tensions is not beyond South Asian governments, given the requisite political will.

"Australia's hopes that the greater transparency that now exists about the Pakistani nuclear weapons program will provide a basis for winding back and eliminating the nuclear rivalry in the region. Australia is optimistic that the current Five Power Proposal (or a broadly similar approach) may provide an acceptable basis for progress." (The United States is currently seeking agreement to talks which would involve India, Pakistan, China, Russia and the United States in a wide-ranging exchange on security and nuclear non-

proliferation issues on the Subcontinent. The initiative is known as the "Five Power Proposal".)

Senator Evans said that Australia did welcome assurances by Pakistan that it had frozen its nuclear weapons program, that it would not explode a nuclear device, and that it would not transfer sensitive nuclear technology to third countries.

Weapons – Non-proliferation of nuclear weapons – United States discontinuance of production of weapons grade nuclear material – Australian reaction

On 14 July 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, issued a news release which read in part:

The Minister for Foreign Affairs and Trade, Senator Gareth Evans, today warmly welcomed the decision by President Bush to discontinue production of plutonium and highly-enriched uranium for nuclear explosive purposes.

"Ending the production of weapons grade nuclear material, as part of a wider initiative to strengthen non-proliferation efforts globally, is an historic step in preventing the further proliferation of nuclear weapons", Senator Evans said.

"Australia has long supported the principle of prohibiting the production of nuclear explosive material, and has supported efforts at the United Nations to promote an international convention to that end."

Weapons – Nuclear weapons – Non-proliferation of nuclear weapons – Nuclear Suppliers' Group – Dual-use items – New supply to non-nuclear weapons States

On 4 May 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, provided the following answer to a question without notice (Sen Deb 1992, Vol 152, p 2028):

Australia has been playing a very active role in recent times, particularly since the end of the Gulf war, in strengthening the nuclear non-proliferation regime, particularly International Atomic Energy Agency safeguards and controls on nuclear exports. We have also been putting international pressure on North Korea specifically to fulfil the non-proliferation obligations it has entered into.

This morning's newspaper report does refer to the highly successful outcome of the Nuclear Suppliers Group meeting which was held in Warsaw last month. The meeting significantly extended current controls by adopting a new control regime for 65 nuclear dual-use items. It was in this nuclear dual-use area that Iraq was able in recent years to continue purchases and that serious gap in controls has now been closed.

The meeting also adopted a common declaration requiring full scope IAEA safeguards as a necessary condition for new nuclear supply to non-nuclear weapons states. That declaration is particularly gratifying to Australia because we have led an international coalition and worked very assiduously on this issue over many years to achieve this result. The meeting called on other nuclear suppliers to follow suit. I might say in this respect that Argentina

announced just last week that it had amended its nuclear export policy to require full scope safeguards as a condition of supply. I take this opportunity to urge those remaining nuclear suppliers, notably China, which have not yet adopted a full scope safeguards policy, to do so without further delay.

Weapons – Non-proliferation of nuclear weapons – Plutonium shipments – Alleged plutonium stockpiling by Japan – Nuclear safeguards agreements

On 15 September 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, answered a question without notice from Senator Coulter concerning the anticipated voyage from France to Japan of a ship carrying plutonium (Sen Deb 1992, Vol 154, p 862). Part of the question and answer were as follows:

Firstly, do Government assessments confirm that the use of plutonium in mixed oxide fuels for Japan's thermal nuclear power plants could be constrained by high costs, thus creating a substantial plutonium stockpile? Secondly, does the Government accept that the growing trend towards separation, transportation and stockpiling of plutonium poses a serious threat to the non-proliferation regime, which has already lost credibility for its failure to prevent the illegal nuclear weapons programs of such countries as Iraq, Israel, India and Pakistan?

SENATOR GARETH EVANS: As to the second question, Japan does have longstanding plans for a nuclear fuel recycling program, of which one element is the use of plutonium in mixed oxide fuels and light water reactors. The Japanese Government remains committed to that recycling program as part of its policy of reducing dependence on energy imports. It does not seem to be dissuaded unduly by the economics of it. The Australian Government would not support the stockpiling by Japan or, for that matter, any other non-nuclear weapon state of plutonium in excess of that required for its energy program. On that point, we are reassured by Japan's clear and frequent statements that as a fundamental principle it will not possess plutonium beyond the amount required for nuclear electricity generation.

As to the last question, the rate of plutonium separation and the use of that plutonium is increasing but not at anything like the rate which was forecast 20 years ago when there were predictions that plutonium would replace enriched uranium as the main nuclear fuel. Separated plutonium does pose nuclear non-proliferation risks, but these have long been recognised and measures have been taken with the IAEA safeguard system to develop and implement appropriate safeguards for the reprocessing and utilisation of plutonium. There are also strict guidelines, as Senator Coulter should be aware, on plutonium transportation and physical protection. ...

It is worth saying, though, in answer to some of the suggestions in the first part of Senator Coulter's question that the non-proliferation regime has not, as he asserted, lost credibility. The disclosures of Iraq's clandestine nuclear program obviously did reveal some areas where the regime needed to be strengthened. But in the last year, the international community has taken a number of measures to achieve that objective, particularly in regard to the strengthening of safeguards and the tightening of nuclear export controls.

On 16 September 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, provided an additional response to the question without notice of 15 September (Sen Deb 1992, Vol 154, p 957). The relevant part of the question and Senator Evans' response were as follows:

(Q) In view of Australia's membership of the International Atomic Energy Agency, has Australia been in any way consulted specifically in relation to the security of this shipment and any future shipments from France or Britain back to Japan?

(A) Australia has discussed security arrangements for the shipments with Japan and the European Atomic Energy Community (EURATOM), in the course of regular consultations under Australia's nuclear agreements with Japan and EURATOM.

Australia has also discussed the security of the shipments with the United States, which has a 1987 agreement with Japan on physical protection and safety arrangements for the shipments, including the preparation of a detailed transportation plan.

The United States recently announced that, after careful consideration, it had advised Japan of its approval of the transportation plan.

Japan has also made available publicly information on the physical protection arrangements for the shipments, including information on the construction and equipment of the transport ship and the escort ship, although obviously certain details such as the routes will not be disclosed on security grounds.

Australia is satisfied that the physical protection and safety arrangements for the shipments meet or exceed international standards, including those of the International Atomic Energy Agency, for the transport of plutonium.

On 11 November 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, answered a question upon notice from Senator Reynolds (Sen Deb 1992, Vol 156, p 2830). The question and answer were, in part, as follows:

With reference to the situation described by the "Japanese Citizens Concerned about Plutonium" in its advertisement in the *Australian* of 5 November 1992 "Can Australia Stop the Death Ship?":

(Q1) Can the Government explain why it has not protested to Japan about the planned plutonium shipments?

(Q5) Will Australian uranium be involved in the first or subsequent shipments?

The answer to the honourable senator's question is as follows:

(A1) The Government appreciates the genuine concern in Australia and in the international community about the plutonium shipments and considers that ensuring their safety and security must be the paramount objective. The Government does not accept, however, a number of the advertisement's claims about the safety of the shipments which are technically unsubstantiated and unsustainable.

Strict international guidelines on safety and physical protection measures for plutonium transportation are in place, having been developed over many

years, including by the International Atomic Energy Agency (IAEA). They include stringent testing to ensure the integrity of the casks in which plutonium is transported.

The Government has conducted an intensive examination of all aspects of the planned shipments to ensure that any implications for Australia could be fully considered. Australian and Japanese officials have discussed the security and safety arrangements for the shipments in the course of regular consultations under the 1982 Agreement between Australia and Japan for Cooperation in the Peaceful Uses of Nuclear Energy. Australia has also discussed the arrangements with the European Atomic Energy Community (EURATOM) and with the United States, which has an agreement with Japan on physical protection and safety arrangements for the shipments. Under that agreement, the United States has approved the transportation plan for the shipments. Japan has also provided publicly information on arrangements for the shipments, including information on the construction and equipment of the transport ship and its escort vessel.

As I said in my answer of 16 September to a question without notice in the Senate (Senate *Hansard* pp 961, 962), on the basis of all these exchanges and careful examination of all the issues, the Government has satisfied itself that the physical protection and safety arrangements for the shipments meet or exceed international standards for the transport of plutonium.

In regard to the advertisement's criticism of Japan's planned plutonium use, as I said in the Senate on 15 September in answer to a question without notice (Senate *Hansard* pp 864, 865), the Government would not support the stockpiling of plutonium by Japan or any other non-nuclear weapon state. In this context, the Government accepts Japan's clear and frequent statements that, as a fundamental principle, it will not possess plutonium in excess of the amount required for its nuclear power program.

Japan is almost totally reliant on imported fuel for power production and has pursued nuclear fuel reprocessing as one way of enhancing its energy independence. The plutonium shipped from Europe will be used on an ongoing basis in Japan's nuclear fuel recycling program. All nuclear facilities in Japan are subject to continuing intensive IAEA safeguards and the Government has no reason to doubt Japan's commitment to the use of nuclear energy for peaceful purposes only, in accordance with its obligations under the Nuclear Non-Proliferation Treaty.

In all of these circumstances, a Government protest to Japan would not be appropriate. The Government will, however, continue to take the closest possible continuing interest in all aspects of the issue and in particular in the question of safety and security of the shipment.

(A5) Australian-obligated plutonium is not involved in the first shipment. Australia is, however, a significant supplier of uranium to the Japanese nuclear fuel cycle and, under the 1982 Australia and Japan nuclear cooperation agreement, Australian-obligated nuclear material may be reprocessed, subject to stringent safeguards and physical protection requirements specified in the agreement. A proportion of the plutonium returned to Japan over time will therefore have an Australian safeguards obligation.

Any such material will always be subject to an Australian bilateral safeguards agreement. While in the jurisdiction of Japan, it is subject to the 1982 nuclear cooperation agreement between Australia and Japan.

While in France, the material is subject to the nuclear safeguards agreements between Australia and France and Australia and EURATOM. Those agreements provide strict controls to ensure that all Australian-obligated nuclear material (including plutonium) is used exclusively for peaceful, non-explosive purposes, is fully accounted for, and is subject to internationally agreed levels of physical protection.

On 25 November 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans said in the course of an answer to a question without notice (Sen Deb 1992, Vol 156, p 3459):

We do accept Japan's clear statements that as a fundamental principle it will not possess any plutonium in excess of the amount required for its present and planned nuclear power program. The plutonium to be shipped from Europe will be used on an ongoing basis in Japan's nuclear fuel recycling program. We will certainly continue to monitor that situation.

Sea law aspects of parliamentary questions on the *Akatsuki Maru* are addressed in Chapter VI pp 444-46 of this volume.

Weapons - Non-proliferation of nuclear weapons - Nuclear safeguards agreements - Australia-Mexico Nuclear Cooperation Agreement

On 28 February 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, issued a news release which read in part:

Australia has concluded a nuclear cooperation agreement with Mexico.

The Minister for Foreign Affairs and Trade, Senator Gareth Evans, and the Minister for Primary Industries and Energy, Mr Simon Crean said today that the Agreement covered cooperation in peaceful uses of nuclear energy and the transfer of nuclear material.

It was signed in Canberra today (28 February 1992)

The Agreement formed part of Australia's network of nuclear safeguards agreements, bringing the total number of those agreements to fourteen. It provided a legal framework which would permit the sale of Australian uranium to Mexico for peaceful uses should that country in the future have a need to import Australian uranium for its nuclear power program.

The Agreement conformed with the Government's nuclear policy statement tabled in Parliament on 23 May 1985. The text of the Agreement would be presented to Parliament shortly.

It was a further contribution to the international non-proliferation regime based on the Treaty on the Non-Proliferation of Nuclear Weapons to which both countries are parties. It was also consistent with the objectives of the South Pacific Nuclear Free Zone Treaty (the Treaty of Rarotonga) and the Treaty for the Prohibition of Nuclear Weapons in Latin America (the Treaty of Tlatelolco) which Australia and Mexico respectively were instrumental in establishing.

The Ministers noted that in addition to covering nuclear material transferred between the two countries, the Agreement provided for other possible cooperation in the development and application of nuclear energy for peaceful purposes.

Weapons – Chemical weapons – Negotiation of Chemical Weapons Convention – Australian role

On 19 March 1992, the Minister for Foreign Affairs and Trade, Senator Gareth Evans, presented to the Conference of Disarmament, in Geneva, an Australian draft of a proposed compromise text of the Chemical Weapons Convention then under negotiation. Following are extracts from Senator Evans' address to the Conference on Disarmament:

This is not the occasion either to recount the horrors of past use of chemical weapons, or to construct brutal scenarios about their possible use in a world where proliferation has already occurred. Nor is there a need for me, before this audience, to spell out the great costs to trade in the chemical industry which are likely to flow from failure here. But I do want to begin by recalling the immense investment of political capital which already exists in the early conclusion of a Chemical Weapons Convention (CWC).

In recent years we have had many meetings, many of them attended at the highest levels, devoted to expressing our unanimity about the urgency of concluding a convention:

- in Paris, in January 1989, 149 States which were party to the 1925 Geneva Protocol met and called for the earliest possible conclusion of a CWC;
- in Canberra, at the Government Industry Conference Against Chemical Weapons in September 1989, the international chemical industry expressed the strongest possible support for a CWC and undertook to contribute actively to its implementation;
- in New York, year after year, the United Nations General Assembly has adopted unanimous resolutions calling for the urgent conclusion of a CWC;
- Heads of State, from the CSCE [Conference on Security and Co-operation in Europe] in Europe and from the group of Latin American States in the Mendoza Declaration and in the Cartagena Declaration, have recently been united in calling for the urgent conclusion of a CWC;
- President Bush has called in a highly publicised way for the completion of a CWC by mid-1992; and
- the Conference on Disarmament's [CD] own mandate calls on this conference to achieve a final agreement on the Convention by 1992.

So over and again, for year after year, at gathering after gathering, we and others representing our countries have said that a Convention is within our grasp. There is complete unanimity in the international community about the need to conclude a CWC in the shortest possible timeframe. But for all our

agreement on these points, there have been too few answers to the question of just how to achieve this.

The very thorough work here at the CD has, of course, continued to advance the process. ...

We in Australia have been developing, and very actively pursuing in recent weeks, some ideas which we believe will help us to conclude the Convention rapidly. But we are acutely conscious that it will not be possible to carry those ideas forward without inspired leadership from Ambassador von Wagner, and indeed without inspired support from all of you for his efforts.

Let me preface my description of our text by making it clear what is not. Australia has not sought to establish an alternative or parallel negotiating process to that which you in Geneva have pursued, and over which you have laboured so diligently and for so long. And our text does not seek to be in any way an alternative to, or substitute for, the remarkable achievement which the Rolling Text represents.

The production of a model compromise text was begun as an exercise for ourselves – designed to test amongst Australian officials the validity of the claim that a Convention, which we want very much for our own national security reasons, was indeed within our grasp. ...

I now believe strongly that if the international community is able to make the same relatively small leaps of imagination that we have done, and to grapple in the same spirit of compromise with the few remaining unresolved issues, then we can indeed have an instrument which will materially and significantly contribute to the security of us all. And we can have that Convention soon.

THE TEXT

A great deal of our text should be very familiar to you and the other ambassadors here. Fully 80 per cent of it is drawn directly and unambiguously from agreed language in the Rolling Text. Moreover, no part of the Rolling Text – save in cases of redundancy or repetition – has been omitted from our text. The precious achievements of the CD are all represented in our work: nothing that has been so far agreed (recognising of course that in negotiations of this kind nothing is finally agreed until everything is agreed) has been altered or subtracted in the text before you.

So our text is not an alternative to the Rolling Text. Our text is no more, and no less, than an accelerated refinement of the Rolling Text. Eighty per cent of it is an embodiment, in treaty format, of all the achievements of the CD to date. The remaining 20 per cent is our response to issues where agreement does not already exist: our text here advances a model for the kind of compromises which it will be necessary for all parties to make if agreement is to be reached.

Failure in this respect would, moreover, have a disabling impact on other multilateral disarmament efforts. Questions would arise, endlessly and forcefully, about the efficacy of multilateral disarmament and indeed of the CD itself. ...

I do not bring it to you today as a final package. It is not something to which, in its entirety, we ask now that you either agree or not agree. ...

[I]t may be helpful for me now to address a few important specific areas to illustrate the way in which we have gone about drawing together opposing positions into what we believe should be mutually acceptable language.

Verification Annex

The very heart of the Convention for which we are all striving will be, necessarily, an effective verification regime. Central to our text is the Verification Annex which we have created, bringing together elements from a number of parts of the Rolling Text: its significance is demonstrated not least by its relative bulk. In it, as in all of our text, we have sought to strike a balance – here between effective verification, which must be the hallmark of this treaty, and on the other hand, excessive intrusiveness, which sound reasons of sovereign interest demand that we guard against.

We believe that there is a broad measure of agreement that new ground needs to be broken to ensure the effectiveness of the verification regime we want to put in place. Our consultations have indicated that member countries of the CD are not questioning the fundamental direction in which we are heading, but are now looking in a very practical way to see how their concerns either about effectiveness or intrusiveness are protected.

We have retained what is a basic, non-negotiable requirement for many, namely the spontaneity and immediacy of Challenge Inspection. But we have also written in very specific provisions which would deter a State Party from any casual abuse of the uniquely intrusive regime which Challenge Inspection represents.

We should not be frightened of intrusiveness, which ultimately is the best guarantee of effectiveness and the best guarantee therefore of the security of us all: after all, it is only those countries which are in breach of the Convention who will have anything to fear from properly conducted intrusive inspections. But at the same time we have to avoid creating a monster which allows States Parties to use the convention for purposes for which it is not designed. I hope, and believe, that those competing objectives can be accommodated, and have been in our drafting.

Article IX

On Challenge Inspection, for example, and taking the CD's Working Paper 352 as a basis, our approach envisages shortened timelines, improved measures for securing the site, strengthened managed access procedures and an elimination of the concept that access is circumscribed by reference to national security concerns, legal obligations and proprietary rights. These are all concerns of those whose preoccupations are, properly enough, with the effectiveness of the regime.

But we have, of course, in our consultations, encountered continuing concern over the possibility of abuse of the Challenge Inspection regime. Accordingly we have introduced in our draft specific measures designed to ensure that there is no abuse. ...

I should add that we, along with many whose concerns are about intrusiveness, see resort to Challenge Inspection as a highly political act, and therefore very much an option of last resort. To ensure that it remains so, we

believe that there must be a truly credible regime for routine inspections under Article VI. There is a clear link between Article VI and Article IX, and an effective verification regime under Article VI is essential to maintain this link.

Article VI

On routine inspection our text is consonant with the recent work of the CD's Verification Working Group, which is considering how Schedule III and other relevant CW-capable facilities will be monitored by data reporting and international on-site verification. In our view such an approach provides the best possible balance given the emerging view that current coverage in the Rolling Text of these facilities is inadequate.

Australia shares the view that to restrict the coverage of on-site verification activity only to facilities producing Schedule I and II chemicals, while ignoring others which could be readily adaptable to chemical weapons production, would be to build a grave deficiency into the Convention. We fully acknowledge that Schedule I and II facilities are of particular concern, and have accordingly emphasised inspection arrangements for facilities producing these chemicals. But for the Convention to be effective it must allow for inspection of CW-capable facilities. It was clear to us that many countries are of this view.

Equally, many others have concerns that such an extension of verification activity would overwhelm the CWC Secretariat, industry and national governments. We have sought to address those concerns by stipulating a 100 tonnes per annum threshold on whether a facility will be subject to declaration and thereby to possible inspection. Australia judges – on the basis of detailed technical advice – that such a threshold would significantly limit the potential burden on the Secretariat, industry and governments, while ensuring that facilities which pose a real risk to the Convention can be monitored. ...

Article XI

We recognise that Article XI raises for many countries important issues of principle, chiefly as to how national rights to economic and technological development are to be guaranteed as nations implement their obligations under the Convention.

May I emphasise at the outset that Australia has no interest whatsoever in hindering either the future development of our own industry or the legitimate aspirations of developing countries. For good economic reasons the chemical industry in the industrialised world, and its governments, share a concern that the Convention not hinder trade unnecessarily. With all this in mind, the Australian text advances what we consider is another balanced compromise between the emphases of various delegations on the issue of, in shorthand, export controls.

We are proposing that the Convention clearly outlaw restrictions which could be said to be designed to impede the development and promotion of technological knowledge. We also believe it appropriate that parties undertake to ensure that their national restrictions are applied completely consistently with the objectives and purposes of the Convention: this requirement is set out

in Article XI para 1(d). This means that CWC Parties in good standing should be able to expect that there would be no restrictions placed on them in the field of chemistry, including in the trading of chemicals.

Of course the high ideals enshrined in this Convention can only be achieved by parties monitoring responsibly their national chemicals trade. National machinery must be able to ensure that our individual chemical industries give no assistance whatsoever to those still bent on inflicting the scourge of chemical weapons on us all. It is clear that present export control regimes, including the policy harmonisation work of the Australia Group, will need to be significantly modified to ensure consistency with the Convention. But we are equally persuaded, from our wide consultations, that if we do not achieve a Convention, significantly more draconian export controls regimes will necessarily emerge – and so damage the prospects for the development of legitimate chemical industries and trade in many parts of the world.

Following is a correction made by Senator Evans in his concluding intervention to the Conference on Disarmament on 19 March 1992:

One very specific thing that I want to take into account right now is a very serious omission I made in the course of my speech this morning in not referring to the Cartagena Declaration, in addition to the Mendoza Declaration, as part of the important recent history of commitment to chemical weapons reform.

On 24 March 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, said in the course of an answer to a question without notice (Sen Deb 1992, Vol 151, p 922):

As has been well known, the conclusion of the global convention to outlaw chemical weapons and eliminate existing stockpiles has been a fundamental objective of Australian foreign policy for some years. We have been pursuing the issue of chemical weapons through a number of other regional and related initiatives, including the holding of the government–industry conference here in 1989.

However, our judgment has been that, notwithstanding almost 20 years of discussion and negotiations by the international community at the Conference on Disarmament in Geneva, where the actual treaty text is being negotiated, there was a real unlikelihood of agreement being reached in the near future unless some major new external stimulus was applied to the negotiating process.

Accordingly, after quite a lot of thought and attention by my Department over the past few months, I presented to the conference in Geneva last Thursday a complete revised draft text prepared by Australia with the aim of accelerating those negotiations to completion this year. The text contains, in fundamentally reshaped form, the results of the negotiations so far agreed in Geneva, but breaks major new ground in setting out in the form of a finished treaty text what we believe are the most credible compromises available for the some 20 per cent of remaining outstanding issues. ...

The effort involved in preparing this text – because it is an extraordinarily complex convention and if achieved will be the most substantial multilateral disarmament agreement ever reached – was a really outstanding one. ...

I believe that our text does represent a watershed in the negotiations by demonstrating in particular that agreement is achievable and realistic within the timeframe of the next few months. In this respect, I was very much heartened by the response within the conference to the initiative. More than half of the CD membership – 23 of the other 38 countries involved – responded to the initiative on the day, which is an unprecedented number to respond in any session. Almost all of those were openly positive in their response to the Australian proposal. A couple were studiously neutral; none was negative.

The following is extracted from an item in the Department of Foreign Affairs and Trade publication *Backgrounders* of 27 March 1992 (Vol 3 No 5, p 2):

The CD [Conference on Disarmament] is the world's only standing diplomatic forum for the negotiation of multilateral disarmament measures. The CD was established by the First United Nations Special Session on Disarmament (UNSSOD 1) in 1978 and met for the first time in 1979. The CD replaced its predecessor bodies, the Conference of the Committee on Disarmament and the so called Eighteen Nation Disarmament Committee (ENDC), which oversaw the conclusion of the Nuclear Non Proliferation Treaty (NPT) in the 1968. The NPT today remains a cornerstone of international security and arms control and disarmament measures, and an eloquent tribute to the importance of such negotiating forums.

The present day CD has a permanent membership of 39, comprising Algeria, Argentina, Australia, Belgium, Brazil, Bulgaria, Burma, Canada, China, Cuba, Czechoslovakia, Egypt, Ethiopia, France, Germany, Hungary, India, Indonesia, Iran, Italy, Japan, Kenya, Mexico, Mongolia, Morocco, the Netherlands, Nigeria, Pakistan, Peru, Poland, Romania, Russia, Sri Lanka, Sweden, the United Kingdom, the United States, Venezuela, Yugoslavia, and Zaire. In general, the composition of the CD reflects the different geographic and political groupings of the wider global community. Australia is traditionally an active participant in its discussions.

The CD's current agenda includes consideration of a nuclear test ban, of radiological weapons, of outer space disarmament, of conventional arms transfers, of assurances of no first use of nuclear weapons by nuclear weapon states, and chemical weapons issues.

The international community recognised over two decades ago that the existing international legal measures against chemical weapons in the 1925 Geneva Protocol which contains a prohibition on use of chemical weapons only and did not prohibit manufacturing or stockpiling, did not provide sufficiently rigorous strictures against the development and use of chemical weapons. Nor did it have a mechanism for verifying compliance and catching cheats. Although the incidence of use since the Protocol was concluded has been relatively low, growing concern over chemical weapons as an element of the East/West confrontation of the 1960s and 1970s put the issue firmly on disarmament agendas.

Progress to date

Ironically, the same East/West confrontation and bilateral suspicions which put chemical weapons on the CD's agenda for many years slowed progress on

chemical weapons issues in the CD's early years. Much useful work on technical issues was, however, done at that time. A major impetus to the negotiations was the establishing of a negotiating mandate for the conclusion of CW Convention in the CD in February 1984, and the tabling by then Vice President Bush of a draft CW Convention in April 1984.

While much good work has been undertaken in the ensuing years in Geneva, progress has been slower than Australia and like minded countries would prefer. Australia has given vigorous support to the negotiating process throughout, including by mounting the highly successful September 1989 Government Industry Conference Against Chemical Weapons in Canberra, in the course of which the international chemical industry for the first time affirmed its opposition to chemical weapons and its support for the Convention. Australia has also taken the lead (in the so called Australia Group) in coordinating discussions between those countries implementing national chemical export controls on an interim basis pending agreement on a global convention.

The 1991 General Assembly of the United Nations called formally in a resolution for the CD to conclude this work on a draft CWC in 1992. The General Assembly has for many years unanimously adopted resolutions calling for the earliest possible conclusion of the Convention.

The prospect of the possible use of chemical weapons by Iraq in the Gulf War in 1991 underlined to all the dangers posed by the unrestricted spread of chemical weapons and led to renewed efforts in Geneva and elsewhere towards the conclusion of the Conventions. A further boost to the negotiations was President Bush's announcement in May 1991 that the United States would destroy all its chemical weapons by the year 2002, and that the United States wanted the Convention concluded by mid 1992.

Over the years of chemical weapons negotiations in Geneva, the outcome (in terms of agreed language) has been incorporated into a lengthy document called the "rolling text". Over 80 per cent of the wording of the Australian draft text is drawn direct from the rolling text, and in no case (other than cases of obvious redundancy and overlap) has any agreed wording from the Rolling Text not been incorporated into the Australian draft. The Australian draft firmly incorporates and does not seek to displace the outcome to date of all negotiations which have occurred in Geneva. ...

It must be recognised that the CD's rolling text seeks to achieve through one legal instrument what in the nuclear field is achieved by a network of separate legal arrangements (the Statute of the IAEA, the Nuclear Non Proliferation Treaty (NPT), an individual state's NPT safeguards agreement with the IAEA, and the less than treaty status subsidiary arrangements to the latter). The verification provisions were also negotiated against a background of East/West tension which emphasised the need for the respective rights and responsibilities of individual parties and the international community to be spelled out with absolute clarity as to even matters of detail. Subsequent UN Special Commission experience in dealing with Iraq suggests that such specificity will be required in managing rogue parties effectively.

On 13 November 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, issued a news release which read in part:

The Minister for Foreign Affairs and Trade, Senator Gareth Evans, has welcomed the historic action by the United Nations General Assembly in endorsing the Chemical Weapons Convention.

The First Committee of the General Assembly formally adopted yesterday a resolution commending the treaty to the international community.

The resolution was adopted by consensus – the most universal level of support possible.

"Consensus support for the resolution means that no member of the international community has chosen to stand back from the Treaty", Senator Evans said.

"The prospects for the convention achieving universal support are now very good and the international community can look forward with confidence to a future free from the scourge of chemical weapons."

The way is now clear for all states to sign the Convention, with no procedural steps remaining before its opening for signature.

Senator Evans said that among other benefits, this would ensure a much more certain and more liberal environment for the international chemical industry's trade activities.

Weapons – Defence exports – Applications to export from Australia

On 28 April 1992 the Minister representing the Minister for Defence, Mr Bilney, answered a question upon notice from Mr Campbell (HR Deb 1992, Vol 183, p 1928). The question and part of the answer were as follows:

(Q) What (a) defence export applications were approved in 1990–91 and (b) exports were reported against the applications in respect of, (i) Fiji, (ii) Marshall Islands, (iii) Federated States of Micronesia, (iv) New Caledonia, (v) New Zealand, (vi) Papua New Guinea, (vii) Solomon Islands, (viii) Tonga, (ix) US Forces, The Philippines, (x) Vanuatu, (xi) Western Samoa, (xii) France, (xiii) Federal Republic of Germany, (xiv) Italy, (xv) United Kingdom, (xvi) Bangladesh, (xvii) Brunei, (xviii) Hong Kong, (xix) India, (xx) Indonesia, (xxi) Japan, (xxii) Malaysia, (xxiii) the Philippines, (xxiv) Republic of Korea, (xxv) Singapore, (xxvi) Taiwan and (xxvii) Thailand?

The Minister for Defence has provided the following answer to the honourable member's question:

(a) There were 1,645 defence export applications approved in 1990–91 with a total value of \$168,889,399.

(b) The following table shows the value of exports reported against the approved applications for the countries as requested. These statistics embrace all defence related goods controlled under Regulation PB, Schedule 13 of the Customs (Prohibited Exports) Regulations and therefore include some cryptographic goods for financial institutions and non-military lethal goods such as sporting rifles and related ammunition.

[There followed a table entitled "Defence Export Applications Approved in 1990-91 and Actual Exports Reported Against These Approved Applications".]

Weapons - Defence exports - Argentine controls - Australian reaction

On 1 May 1992 the Minister for Foreign Affairs and Trade, Senator Gareth Evans, issued a news release which read in part:

The Minister for Foreign Affairs and Trade, Senator Gareth Evans, today welcomed Argentina's announcement of a new comprehensive regime to prevent Argentine exports being misused for the development of weapons of mass destruction.

President Menem of Argentina announced on 27 April measures to prevent exports of Argentine-origin sensitive goods, technology and services being diverted by others to the illicit production of chemical, biological, or nuclear weapons, or missile capabilities.

"Argentina has demonstrated over recent months its absolute commitment to shared and central disarmament objectives", Senator Evans said. "It has set an example of regional leadership and statesmanship." ...

"I welcome particularly Argentina's decision, as a significant emerging nuclear supplier, to ban export of sensitive nuclear technologies, and to require states wishing to obtain nuclear reactors or enriched uranium, and related technology, to accept IAEA (International Atomic Energy Agency) fullscope safeguards", said Senator Evans.

"Australia consistently has encouraged all nuclear supplier states to adopt fullscope safeguards as a condition for nuclear supply. Argentina's announcement, coming so soon after the similar statement by the Nuclear Suppliers Group (NSG) at its March meeting in Warsaw, therefore is particularly satisfying.

"In view of Argentina's clear commitment to non-proliferation, I hope Argentina will now accept the NSG's invitation for it to become a member of the group. A logical next step would be accession to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), a step I encourage Argentina to take."