

pages 1-5, 18-19 and 21 redacted under s 33(a)(iii); s 47C and s 47E(d).

pages 6-17 redacted under s 33(a)(iii) and s 47E(d).

page 20 redacted under s 47C and s 47E(d)

Page redacted

Treaty on the Prohibition of Nuclear Weapons

Number of Signatory States: 84

Number of States Parties: 44

State	Signature	Deposit	Deposit Type
Algeria	20 September 2017		
Angola	27 September 2018		
Antigua and Barbuda	26 September 2018	25 November 2019	Ratification
Austria	20 September 2017	8 May 2018	Ratification
Bangladesh	20 September 2017	26 September 2019	Ratification
Belize	6 February 2020	19 May 2020	Ratification
Benin	26 September 2018		
Bolivia (Plurinational State of)	16 April 2018	6 August 2019	Ratification
Botswana	26 September 2019	15 July 2020	Ratification
Brazil	20 September 2017		
Brunei Darussalam	26 September 2018		
Cambodia	9 January 2019		
Cape Verde	20 September 2017		
Central African Republic	20 September 2017		
Chile	20 September 2017		
Colombia	3 August 2018		
Comoros	20 September 2017		
Congo	20 September 2017		
Cook Islands		4 September 2018 *	Accession
Costa Rica	20 September 2017	5 July 2018	Ratification
Côte d'Ivoire	20 September 2017		
Cuba	20 September 2017	30 January 2018 *	Ratification
Democratic Republic of the Congo	20 September 2017		
Dominica	26 September 2019	18 October 2019	Ratification
Dominican Republic	7 June 2018		
Ecuador	20 September 2017	25 September 2019	Ratification
El Salvador	20 September 2017	30 January 2019	Ratification
Fiji	20 September 2017	7 July 2020	Ratification
Gambia	20 September 2017	26 September 2018	Ratification
Ghana	20 September 2017		

State	Signature	Deposit	Deposit Type
Grenada	26 September 2019		
Guatemala	20 September 2017		
Guinea-Bissau	26 September 2018		
Guyana	20 September 2017	20 September 2017	Ratification
Holy See	20 September 2017	20 September 2017	Ratification
Honduras	20 September 2017		
Indonesia	20 September 2017		
Ireland	20 September 2017	6 August 2020	Ratification
Jamaica	8 December 2017		
Kazakhstan	2 March 2018	29 August 2019	Ratification
Kiribati	20 September 2017	26 September 2019	Ratification
Lao People's Democratic Republic	21 September 2017	26 September 2019	Ratification
Lesotho	26 September 2019	6 June 2020	Ratification
Libya	20 September 2017		
Liechtenstein	20 September 2017		
Madagascar	20 September 2017		
Malawi	20 September 2017		
Malaysia	20 September 2017		
Maldives	26 September 2019	26 September 2019	Ratification
Malta	25 August 2020		
Mexico	20 September 2017	16 January 2018	Ratification
Mozambique	18 August 2020		
Myanmar	26 September 2018		
Namibia	8 December 2017	20 March 2020	Ratification
Nauru	22 November 2019		
Nepal	20 September 2017		
New Zealand	20 September 2017	31 July 2018 *	Ratification
Nicaragua	22 September 2017	19 July 2018	Ratification
Nigeria	20 September 2017	6 August 2020	Ratification
Niue		6 August 2020	Accession
Palau	20 September 2017	3 May 2018	Ratification
Panama	20 September 2017	11 April 2019	Ratification
Paraguay	20 September 2017	23 January 2020	Ratification

State	Signature	Deposit	Deposit Type
Peru	20 September 2017		
Philippines	20 September 2017		
Saint Kitts and Nevis	26 September 2019	9 August 2020	Ratification
Saint Lucia	27 September 2018	23 January 2019	Ratification
Saint Vincent and the Grenadines	8 December 2017	31 July 2019	Ratification
Samoa	20 September 2017	26 September 2018	Ratification
San Marino	20 September 2017	26 September 2018	Ratification
Sao Tome and Principe	20 September 2017		
Seychelles	26 September 2018		
South Africa	20 September 2017	25 February 2019	Ratification
State of Palestine	20 September 2017	22 March 2018	Ratification
Sudan	22 July 2020		
Thailand	20 September 2017	20 September 2017	Ratification
Timor-Leste	26 September 2018		
Togo	20 September 2017		
Trinidad and Tobago	26 September 2019	26 September 2019	Ratification
Tuvalu	20 September 2017		
United Republic of Tanzania	26 September 2019		
Uruguay	20 September 2017	25 July 2018	Ratification
Vanuatu	20 September 2017	26 September 2018	Ratification
Venezuela (Bolivarian Republic of)	20 September 2017	27 March 2018	Ratification
Viet Nam	22 September 2017	17 May 2018	Ratification
Zambia	26 September 2019		

* A note, statement, declaration, or reservation, is attached to the signature or depositary action.

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Ministerial Submission

MS20-001187
Cleared: Amanda Gorely
26 October 2020

FOR: Senator the Hon Marise Payne
INFO: Senator the Hon Simon Birmingham

Action Requested By: 16 November 2020
Reason for Urgency: To make any necessary preparations ahead of the Treaty's entry into force.



Treaty on the Prohibition of Nuclear Weapons - Entry into Force in January 2021

Key Issues: On 24 October, the Treaty on the Prohibition of Nuclear Weapons obtained the fiftieth ratification necessary to enter into force in 90 days. The Treaty will enter into force on 22 January 2021. As a non-party, the Treaty's entry into force will not create legal obligations for Australia. [s 33\(a\)\(iii\)](#)

We recommend Australia maintain its well-known principled position of opposition to the treaty following its entry into force.

Recommendation:

That you:

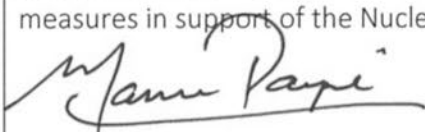
- a) Agree to maintain Australia's well-known principled position of opposition to the Treaty on the Prohibition of Nuclear Weapons (TPNW) in the lead-up to and following its entry into force, and continue to focus on practical measures in support of the Nuclear Non-Proliferation Treaty (NPT).

Decision:

Agreed / Not Agreed

Domestic/Media Considerations: Media has reported on the Treaty having received the required number of ratifications to trigger its entry into force. The ALP has welcomed its imminent entry into force.

Action: Maintain Australia's well-known principled position of opposition to the treaty and focus on practical measures in support of the Nuclear Non-Proliferation Treaty (NPT).



Marise Payne

13 / 01 / 2021

Information:

Noted

Simon Birmingham

From: Amanda Gorely, FAS ISD - Ambassador for Arms Control & Counter-Proliferation - [s 22\(1\)\(a\)\(ii\)](#)

Contact: [s 22\(1\)\(a\)\(ii\)](#)

Can this proposal be funded from within your existing divisional allocation (departmental/aid)? Not Applicable
If the proposal is high risk/high value (over \$100m) Has the concept been approved by the Aid Governance Board? Not Applicable

Consultation: LGD, OTP



Background:

s 47E(d)

, the Treaty on the Prohibition of Nuclear Weapons (TPNW or 'Ban Treaty') has now obtained the requisite fiftieth instrument of ratification to trigger a 90-day process leading to its entry into force on 22 January 2021. A list of ratifying countries is at **Attachment A**.

2. When the TPNW opened for signature in 2017, then-Foreign Minister Bishop agreed, consistent with our ongoing opposition to the Treaty, we not sign s 47E(d). We recommend Australia maintain its well-known principled position of opposition to the TPNW and continue to focus on practical and effective measures in support of the NPT. Suggested points to draw from on our position on the treaty are at **Attachment B**.

3. As a non-party, the TPNW's entry into force will not create legal obligation for Australia. The Treaty obligates its States Parties to encourage those not party to it to sign and ratify. s 33(a)(iii)

Several of our Indo-Pacific neighbours are among those that have ratified, including New Zealand, Fiji, Samoa, Bangladesh, Malaysia and Vietnam.

s 33(a)(iii)

5. The TPNW provides that the UN Secretary-General hold a meeting of States Parties within one year with meetings thereafter held biennially. s 33(a)(iii)

s 33(a)(iii)

Treaty on the Prohibition of Nuclear Weapons

Number of Signatory States: 84

Number of States Parties: 50

Region	Signed <u>and</u> ratified (or – for Cook Islands only – acceded)
Africa	6 (Botswana, Gambia, Lesotho, Namibia, Nigeria, South Africa)
Latin America & Caribbean	21 (Antigua & Barbuda, Belize, Bolivia, Costa Rica, Cuba, Dominica, Ecuador, El Salvador, Guyana, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Saint Kitts & Nevis, St Lucia, St Vincent & Grenadines, Trinidad & Tobago, Uruguay, Venezuela)
Pacific	10 (Cook Islands, Fiji, Kiribati, New Zealand, Niue, Nauru, Palau, Samoa, Tuvalu, Vanuatu)
ASEANs	4 (Laos, Malaysia, Thailand, and Vietnam)
Europe	5 (Austria, Holy See, Ireland, Malta, and San Marino)
South Asia	2 (Bangladesh and Maldives)
Other	2 (Kazakhstan and Palestine)
TOTAL	50

ATTACHMENT A

Algeria	20 September 2017		
Angola	27 September 2018		
Antigua and Barbuda	26 September 2018	25 November 2019	Ratification
Austria	20 September 2017	8 May 2018	Ratification
Bangladesh	20 September 2017	26 September 2019	Ratification
Belize	6 February 2020	19 May 2020	Ratification
Benin	26 September 2018		
Bolivia (Plurinational State of)	16 April 2018	6 August 2019	Ratification
Botswana	26 September 2019	15 July 2020	Ratification
Brazil	20 September 2017		
Brunei Darussalam	26 September 2018		
Cabo Verde	20 September 2017		
Cambodia	9 January 2019		
Central African Republic	20 September 2017		
Chile	20 September 2017		
Colombia	3 August 2018		
Comoros	20 September 2017		
Congo	20 September 2017		
Cook Islands		4 September 2018 *	Accession
Costa Rica	20 September 2017	5 July 2018	Ratification
Côte d'Ivoire	20 September 2017		
Cuba	20 September 2017	30 January 2018 *	Ratification
Democratic Republic of the Congo	20 September 2017		
Dominica	26 September 2019	18 October 2019	Ratification

ATTACHMENT A

Dominican Republic	7 June 2018		
Ecuador	20 September 2017	25 September 2019	Ratification
El Salvador	20 September 2017	30 January 2019	Ratification
Fiji	20 September 2017	7 July 2020	Ratification
Gambia	20 September 2017	26 September 2018	Ratification
Ghana	20 September 2017		
Grenada	26 September 2019		
Guatemala	20 September 2017		
Guinea-Bissau	26 September 2018		
Guyana	20 September 2017	20 September 2017	Ratification
Holy See	20 September 2017	20 September 2017	Ratification
Honduras	20 September 2017	24 October 2020	Ratification
Indonesia	20 September 2017		
Ireland	20 September 2017	6 August 2020	Ratification
Jamaica	8 December 2017	23 October 2020	Ratification
Kazakhstan	2 March 2018	29 August 2019	Ratification
Kiribati	20 September 2017	26 September 2019	Ratification
Lao People's Democratic Republic	21 September 2017	26 September 2019	Ratification
Lesotho	26 September 2019	6 June 2020	Ratification
Libya	20 September 2017		
Liechtenstein	20 September 2017		
Madagascar	20 September 2017		
Malawi	20 September 2017		
Malaysia	20 September 2017	30 September 2020	Ratification

ATTACHMENT A

Maldives	26 September 2019	26 September 2019	Ratification
Malta	25 August 2020	21 September 2020	Ratification
Mexico	20 September 2017	16 January 2018	Ratification
Mozambique	18 August 2020		
Myanmar	26 September 2018		
Namibia	8 December 2017	20 March 2020	Ratification
Nauru	22 November 2019	23 October 2020	Ratification
Nepal	20 September 2017		
New Zealand	20 September 2017	31 July 2018 *	Ratification
Nicaragua	22 September 2017	19 July 2018	Ratification
Nigeria	20 September 2017	6 August 2020	Ratification
Niue		6 August 2020	Accession
Palau	20 September 2017	3 May 2018	Ratification
Panama	20 September 2017	11 April 2019	Ratification
Paraguay	20 September 2017	23 January 2020	Ratification
Peru	20 September 2017		
Philippines	20 September 2017		
Saint Kitts and Nevis	26 September 2019	9 August 2020	Ratification
Saint Lucia	27 September 2018	23 January 2019	Ratification
Saint Vincent and the Grenadines	8 December 2017	31 July 2019	Ratification
Samoa	20 September 2017	26 September 2018	Ratification
San Marino	20 September 2017	26 September 2018	Ratification
Sao Tome and Principe	20 September 2017		
Seychelles	26 September 2018		

ATTACHMENT A

South Africa	20 September 2017	25 February 2019	Ratification
State of Palestine	20 September 2017	22 March 2018	Ratification
Sudan	22 July 2020		
Thailand	20 September 2017	20 September 2017	Ratification
Timor-Leste	26 September 2018		
Togo	20 September 2017		
Trinidad and Tobago	26 September 2019	26 September 2019	Ratification
Tuvalu	20 September 2017	12 October 2020	Ratification
United Republic of Tanzania	26 September 2019		
Uruguay	20 September 2017	25 July 2018	Ratification
Vanuatu	20 September 2017	26 September 2018	Ratification
Venezuela (Bolivarian Republic of)	20 September 2017	27 March 2018	Ratification
Viet Nam	22 September 2017	17 May 2018	Ratification
Zambia	26 September 2019		

* A note, statement, declaration, or reservation, is attached to the signature or depositary action.

Why has Australia not signed the Treaty on the Prohibition of Nuclear Weapons (TPNW)?

- . The treaty has been signed by 50 States and will enter into force on 22 January 2021.
- . Australia does not support the TPNW or “ban treaty” but this does not equate to a lack of support for nuclear disarmament.
- . Australia is committed to the goal of a peaceful, secure world free of nuclear weapons
 - pursued in an effective, pragmatic and realistic way.
- . Our long-held focus is on progressing nuclear non-proliferation and disarmament through a progressive, practical approach that:
 - engages all states, especially nuclear weapon states
 - acknowledges the realities of the international security environment, including countries’ security concerns and perspectives
 - builds trust rather than division between nuclear weapon states and non-nuclear weapon states
 - acknowledges the centrality of the Nuclear Non-Proliferation Treaty (NPT) as the cornerstone of the disarmament and non-proliferation system.
- . The ban treaty will be ineffective in eliminating a single nuclear weapon, as it:
 - was negotiated without the involvement of nuclear weapon states and none have signed or ratified the treaty
 - does not set out how disarmament would be verified or enforced in practice
 - distracts from the cornerstone NPT and other key treaties by creating parallel obligations
 - deepens divisions between nuclear weapon states and non-nuclear weapon states, and
 - ignores the crucial realities of the global security environment, including increased major-power tensions.
- . The ban treaty is also incompatible with our US alliance and US extended deterrence
 - so long as the threat of nuclear attack and coercion exists, US extended deterrence will serve Australia's fundamental national security interests
 - we must be realistic about the environment in which we operate.
- . While not an easy or quick process, Australia will continue to advocate practical steps towards nuclear disarmament, including through:
 - strengthening the NPT and the global non-proliferation machinery
 - coordinating the cross-regional Non-Proliferation and Disarmament Initiative (NPDI) [12 members: Australia, Canada, Chile, Germany, Japan, Mexico, the Netherlands, Nigeria, the Philippines, Poland, Turkey and the UAE]

- promoting the entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT), including through our candidacy to head the CTBT Organisation
 - supporting commencement of negotiations on a Fissile Material Cut-off Treaty (FMCT)
 - working with nuclear weapon states and non-nuclear weapon states on further developing nuclear disarmament verification, risk reduction, and transparency measures
 - crucially, building the global trust and support necessary for substantive progress on disarmament.
- . The “quick fix” promised by the ban treaty is illusory.

If raised: Has Australia lobbied countries to withdraw their ratifications or not join the TPNW?

- . Australia has not been engaged in any lobbying of countries either to refrain from joining the Treaty or to withdraw their ratifications.
- . We raise our concerns regarding the Treaty, as appropriate, in forums where arms control is discussed and debated, including in UN disarmament forums.

If raised: Australia has become increasingly isolated in our Pacific region in its failure to support the Ban Treaty? How are many regional countries, including New Zealand, in a position to ratify while Australia is not?

- . We share with Pacific countries the goal of a peaceful and secure world free of nuclear weapons, but Australia’s approach is based on our own national security interests.
- . We will continue to work with all States on towards the ultimate goal of a world free of nuclear weapons.
- . Australia has ratified the dedicated South Pacific Nuclear Weapon Free Zone Treaty (‘Treaty of Rarotonga’) and will continue to work on nuclear disarmament matters with our Pacific neighbours through this arrangement and the cornerstone Nuclear Non-Proliferation Treaty (NPT).

s 33(a)(iii)

If raised: What are the implications, legal or otherwise, for Australia of an in-force Ban Treaty?

- . As a non-signatory, the treaty’s entry into force won’t create legal obligations for Australia.

If raised: Compensation for nuclear testing

- . Australia acknowledges the historical impact of nuclear testing in the Pacific
 - this is a key reason why Australia championed both the Comprehensive Nuclear Test Ban Treaty (CTBT) and the South Pacific Nuclear Weapons Free Zone (Treaty of Rarotonga), and we continue to encourage those yet to sign or ratify the CTBT to do so
 - we encourage the states involved to address outstanding compensation issues in relation to past nuclear testing, but we note that compensation is primarily an issue to be resolved by the concerned countries themselves.

Background

On 24 October 2020, the TPNW received the 50th ratification necessary to enter into force in 90 days (22 January 2021). New Zealand and a number of other Pacific island countries (Cook Islands, Fiji, Kiribati, Nauru, Niue, Palau, Samoa, Tuvalu) are parties to the treaty.

s 33(a)(iii)

No nuclear weapon states are parties to the treaty and are unlikely to become so.

Labour Motion on Nuclear Weapons

(a) (i)

- Australia marked the Hiroshima and Nagasaki anniversaries.
- Amb Court represented Australia at the Hiroshima memorial event
- A number of Ambassadors, including the Ambassador for Arms Control and Counter-Proliferation, marked the occasion through social media

(ii)

- Australia supports NPT as cornerstone of nuclear non-proliferation and disarmament
- The Non-Proliferation and Disarmament Initiative Statement issued in Nagoya in November 2019 reflected our strong support for the NPT (FM co-chaired)

(iii)

- Australia supports the goal of a world without nuclear weapons.
- In our view the Ban Treaty will not achieve this goal as no nuclear weapons states were involved in the negotiation and have signalled they will not join.

(b) (i)

- The international security climate is under pressure.
- Australia supports the international system of weapons monitoring and engages actively in helping to develop essential verification tools

(ii)

- Australia notes report - is engaged in efforts internationally to reduce nuclear risks

(c) (i) (A)

- Disappointed that COVID 19 led to the postponement of the NPT Review Conference
- Work continues on implementing this critical treaty.

(B)

- Australia supports the extension of New START – Underlined in the Nagoya NPDI statement and by FM in her 2019 statement to the Conference on Disarmament.
- On INF – US withdrew due to Russian non-compliance after extensive efforts to bring them back into compliance.
- Welcome renewed dialogue between the US and Russia on strategic stability and arms control.
- As noted in the AUSMIN statement, we support China joining trilateral discussions with the US and Russia on arms control.

(ii)

- Australian diplomats are actively engaged in bilateral, regional and multilateral efforts on arms control.
- FM appointed Amb for Arms Control and Counter-proliferation in December 2019.
- Virtual Bilateral official dialogues with US & Japan respectively took place last week.
- Australia presided over the Conference on Disarmament this year.

From: Amanda Gorely
To: [s 47F](#)
Cc: Vanessa Wood; [s 22\(1\)\(a\)\(ii\)](#)
Subject: Notice of Motion [SEC=OFFICIAL]
Date: Monday, 31 August 2020 12:59:25 PM
Attachments: Labour Motion on Nuclear Weapons.docx



Here you go [s 47F](#)

AG

Amanda Gorely
Ambassador for Arms Control and Counter-Proliferation
First Assistant Secretary
International Security Division
Department of Foreign Affairs and Trade
Ph [s 22\(1\)\(a\)\(ii\)](#)
Mobile [s 22\(1\)\(a\)\(ii\)](#)
Twitter @AusArmsControl

s 22(1)(a)(ii)

s 33(a)(iii); s 47C; s 47E(d); s 47F

Page redacted

Page redacted

From: Amanda Gorely
To: s 47F
Cc: Vanessa Wood; s 22(1)(a)(ii)
Subject: RE: Arms control / nuclear temp QTB [REDACTED]
Date: Monday, 31 August 2020 3:02:33 PM

[REDACTED]

Thanks s 47F -s 47E(d)

AG

Amanda Gorely
Ambassador for Arms Control and Counter-Proliferation
First Assistant Secretary
International Security Division
Department of Foreign Affairs and Trade
s 22(1)(a)(ii)

Twitter @AusArmsControl

From: s 47F @dfat.gov.au>
Sent: Monday, 31 August 2020 2:32 PM
To: Amanda Gorely <Amanda.Gorely@dfat.gov.au>
Cc: Vanessa Wood <Vanessa.Wood@dfat.gov.au>; s 22(1)(a)(ii)
s 22(1)(a)(ii) @dfat.gov.au>
Subject: Arms control / nuclear temp QTB [REDACTED]

[REDACTED]

Hi Amanda.

s 47E(d)

s 47F

Anniversary of Hiroshima and Nagasaki

- Australia marked the Hiroshima and Nagasaki anniversaries.
- Ambassador Richard Court represented Australia at the Hiroshima memorial event.
- A number of Ambassadors, including the Ambassador for Arms Control and Counter-Proliferation, marked the occasion through social media.

50th Anniversary of the Nuclear Non-Proliferation Treaty

- Australia supports the NPT as the cornerstone of nuclear non-proliferation and disarmament for the world.
- It is arguably the most successful arms control and non-proliferation agreement.
- The Non-Proliferation and Disarmament Initiative Statement issued in Nagoya in November 2019 reflected our strong support for the NPT; a meeting I [Foreign Minister] co-chaired.
- I am disappointed that COVID-19 has led to the postponement of the NPT Review Conference in 2020, but it is rescheduled for 2021.

“Weapons Ban” Treaty

- Australia supports the goal of a world without nuclear weapons.
- The Treaty on the Prohibition of Nuclear Weapons is unlikely to yield the results that its proponents seek.
- In our view the Ban Treaty will not achieve a practical result because no nuclear weapons states were involved in the negotiation, and they have signalled they will not join.
- This treaty risks undermining the Nuclear Non Proliferation Treaty by allowing states a lesser compliance and accountability framework.

Arms Control

- The international security climate is under pressure.
- Australia supports the international system of weapons monitoring and engages actively in helping to develop essential verification tools.
- Australia leads by example in this area, particularly in our support for, and our unimpeachable credentials with, the International Atomic Energy Agency (IAEA), and the Additional Protocols of the NPT.
- Australia notes the 2019 UK Parliamentary Committee report on International Relations and its assessment of nuclear weapons risks.
- As a Nuclear Weapons State and a Permanent Member of the UN Security Council, it is appropriate for the UK to consider the risks of nuclear weapons.
- Australia is engaged in a wide range of international efforts to reduce nuclear risks, including our clear support for the work and ideals of the Comprehensive Test Ban Treaty Organisation (CTBTO).

The Multilateral Arms Control Framework

- Australia supports the extension of New START – as clearly underlined in

the Nagoya Non-Proliferation and Disarmament Initiative (NPDII) statement; and as I clearly set out in my [Foreign Minister] 2019 statement to the Conference on Disarmament.

- It is important that as time passes, all parties to an arms control agreement consider evolving technologies, and the emergence of new parties who may meet the threshold to join such agreement.
- Arms control agreements are not set and forget instruments. They must be tended and nurtured if they are to remain relevant and appropriate for the age, as the decades move on.
- Australia welcomes renewed dialogue between all nations on all aspects of arms control and non-proliferation.

Australian Diplomacy

- Australian diplomats are actively engaged in bilateral, regional and multilateral efforts on arms control.
- I [Foreign Minister] created a new position called the Ambassador for Arms Control and Counter-Proliferation in December 2019.
- This appointment is a clear signal of Australia's determination to play a practical, pragmatic and effective role in global efforts to generate real advancements in arms control and non-proliferation.
- Ambassador Gorely undertook Virtual Bilateral official dialogues with the US & Japan as recently as last week.
- Australia presided over the Conference on Disarmament this year [copy of speech attached], and is a member of the Executive Council of the Organisation for the Prohibition of Chemical Weapons (OPCW).
- Australia is an unwavering supporter of the Comprehensive Test Ban Treaty Organisation (CTBTO).

From: [Amanda Gorely](#)
To: [s 47F](#)
Cc: [s 22\(1\)\(a\)\(ii\)](#)
Subject: TPNW Points [REDACTED]
Date: Monday, 26 October 2020 9:18:20 AM
Attachments: [TPNW Points.docx](#)



[s 47F](#) – here are the updated TPs.

AG

Amanda Gorely
Ambassador for Arms Control and Counter-Proliferation
First Assistant Secretary
International Security Division
Department of Foreign Affairs and Trade
[s 22\(1\)\(a\)\(ii\)](#)

Twitter @AusArmsControl

Why has Australia not signed the Treaty on the Prohibition of Nuclear Weapons (TPNW)?

- . The treaty has been signed by 50 States and will enter into force on 22 January 2021.
- . Australia does not support the TPNW or “ban treaty” but this does not equate to a lack of support for nuclear disarmament.
- . Australia is committed to the goal of a peaceful, secure world free of nuclear weapons
 - pursued in an effective, pragmatic and realistic way.
- . Our long-held focus is on progressing nuclear non-proliferation and disarmament through a progressive, practical approach that:
 - engages all states, especially nuclear weapon states
 - acknowledges the realities of the international security environment, including countries’ security concerns and perspectives
 - builds trust rather than division between nuclear weapon states and non-nuclear weapon states
 - acknowledges the centrality of the Nuclear Non-Proliferation Treaty (NPT) as the cornerstone of the disarmament and non-proliferation system.
- . The ban treaty will be ineffective in eliminating a single nuclear weapon, as it:
 - was negotiated without the involvement of nuclear weapon states and none have signed or ratified the treaty
 - does not set out how disarmament would be verified or enforced in practice
 - distracts from the cornerstone NPT and other key treaties by creating parallel obligations
 - deepens divisions between nuclear weapon states and non-nuclear weapon states, and
 - ignores the crucial realities of the global security environment, including increased major-power tensions.
- . The ban treaty is also incompatible with our US alliance and US extended deterrence
 - so long as the threat of nuclear attack and coercion exists, US extended deterrence will serve Australia's fundamental national security interests
 - we must be realistic about the environment in which we operate.
- . While not an easy or quick process, Australia will continue to advocate practical steps towards nuclear disarmament, including through:
 - strengthening the NPT and the global non-proliferation machinery
 - coordinating the cross-regional Non-Proliferation and Disarmament Initiative (NPDI) [12 members: Australia, Canada, Chile, Germany, Japan, Mexico, the Netherlands, Nigeria, the Philippines, Poland, Turkey and the UAE]

- promoting the entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT), including through our candidacy to head the CTBT Organisation
 - supporting commencement of negotiations on a Fissile Material Cut-off Treaty (FMCT)
 - working with nuclear weapon states and non-nuclear weapon states on further developing nuclear disarmament verification, risk reduction, and transparency measures
 - crucially, building the global trust and support necessary for substantive progress on disarmament.
- The “quick fix” promised by the ban treaty is illusory.

If raised: Has Australia lobbied countries to withdraw their ratifications or not join the TPNW?

- Australia has not been engaged in any lobbying of countries either to refrain from joining the Treaty or to withdraw their ratifications.
- We raise our concerns regarding the Treaty, as appropriate, in forums where arms control is discussed and debated, including in UN disarmament forums.

If raised: Australia has become increasingly isolated in our region in its failure to support the Ban Treaty? How are many regional countries, including New Zealand, in a position to ratify while Australia is not?

- We share with Pacific countries the goal of a peaceful and secure world free of nuclear weapons, but Australia’s approach is based on our own national security interests.
- We will continue to work with all States on towards the ultimate goal of a world free of nuclear weapons.
- We are a strong supporter of the South Pacific Nuclear Weapon-Free Zone Treaty.

If raised: What are the implications, legal or otherwise, for Australia of an in-force Ban Treaty?

- As a non-signatory, the treaty’s entry into force won’t create legal obligations for Australia.

Background

On 24 October 2020, the TPNW received the 50th ratification necessary to enter into force in 90 days (22 January 2021). A number of Pacific Island Countries (Cook Islands, Fiji, Kiribati, Nauru, New Zealand, Niue, Palau, Samoa, Tuvalu) are parties to the treaty). No nuclear weapons states are parties to the treaty and are unlikely to become so.

From: Amanda Gorely
To: s 22(1)(a)(ii)
Cc: s 22(1)(a)(ii)
Subject: RE: MS20-001187: Treaty on the Prohibition of Nuclear Weapons
Date: Thursday, 14 January 2021 4:17:00 PM

PROTECTED

Thanks s 22(1)(a)(ii) we are just in the process of putting some updated TPs in the system.

AG

Amanda Gorely
Ambassador for Arms Control and Counter-Proliferation
First Assistant Secretary
International Security Division
Department of Foreign Affairs and Trade
s 22(1)(a)(ii)

Twitter @AusArmsControl

-----Original Message-----

From: s 22(1)(a)(ii) @dfat.gov.au>
Sent: Thursday, 14 January 2021 4:10 PM
To: Amanda Gorely <Amanda.Gorely@dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>
Cc: s 47F dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>
Subject: FW: MS20-001187: Treaty on the Prohibition of Nuclear Weapons

PROTECTED

Hi Amanda and s 22(1)(a)(ii) - please find attached the signed and agreed Treaty on Prohibition of Nuclear Weapons.

PDMS - please file.

s 22(1)(a)(ii)

-----Original Message-----

From: s 47F dfat.gov.au>
Sent: Thursday, 14 January 2021 4:04 PM
To: s 22(1)(a)(ii) dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>
Cc: s 47F @dfat.gov.au>; s 47F @dfat.gov.au>
Subject: MS20-001187: Treaty on the Prohibition of Nuclear Weapons

PROTECTED

Good afternoon

Please find attached the signed abovementioned Ministerial Submission.

Many thanks

s 47F

| Strategic Coordinator
Office of the Minister for Foreign Affairs | Minister for Women Senator the Hon Marise Payne | Senator for
NSW
s 47F