



## The JSCOT 2009 inquiry into Australia's nuclear treaties, and the Australian government's 2010 response

*"Let the world resolve afresh, from the ashes of this city, to work together for the common mission of peace for this Asia-Pacific century, and for a world where nuclear weapons are no more."*

-Kevin Rudd, Hiroshima, 2008

### **Background to the JSCOT Inquiry**

Kevin Rudd articulated this noble vision of a world free of nuclear weapons in the city that was obliterated in an instant by these weapons 65 years ago. He, along with President Obama of the United States a year later, outlined his vision for a world free of these inhumane weapons. Both recognised that it may not happen soon but it must happen and stressed the need to work towards the goal of zero nuclear weapons.

In a flurry of activity, Mr Rudd commissioned the International Commission on Nuclear Non-Proliferation and Disarmament, to be co-chaired by Australia and Japan, to investigate practical steps towards nuclear disarmament, similar to the Canberra Commission set up in the final days of the Keating government. He also asked the Joint Standing Committee on Treaties (JSCOT), a bipartisan committee which looks at Australia's treaty obligations and commitments, to look into how Australia could make the international treaties covering nuclear weapons more effective and how Australia could advance the cause of nuclear disarmament.

### **Response to the Committee's Report**

Just under a year later in September of 2009, the JSCOT released its long awaited report and four months later the government responded to the unanimous recommendations of the bipartisan committee. The response dashed much of the hope that this government, which seemed committed to acting as a forward thinking middle power, may show the global leadership necessary to really work towards the total abolition of nuclear weapons.

In responding, the government was conservative in its ambitions and vision. It accepted the majority of recommendations relating to important pre-existing treaties such as the Fissile Material Cut-Off Treaty and the Comprehensive Test Ban Treaty, both of which are vital for the non-proliferation regime. However, the Rudd Government chose not to show global leadership and push for a treaty that would once and for all consign nuclear weapons to the dustbin of history.

### **Nuclear Weapons Convention**

The JSCOT report had recommended that the government support a Nuclear Weapons Convention in international fora. This would have been a bold and decisive decision to seize the international momentum expressed by so many and backed by overwhelming public opinion to rid the world of nuclear weapons.

Instead, the government merely 'noted' the two recommendations. Whilst recognising a convention as a "long term goal", this is expressed in tentative and highly qualified language:

#### **JSCOT Report Recommendations**

##### *Recommendation 8*

The Committee recommends that the Australian Government make clear in international fora its support for the adoption of a Nuclear Weapons Convention.

##### *Recommendation 9*

The Committee recommends that the Australian Government allocate research and consultation resources to the development of a Nuclear Weapons Convention with a clear legal framework and enforceable verification.

*“The Government is firmly committed to a world free of nuclear weapons and recognises that at an **appropriate time**, the international community **may** need to explore **possible** legal frameworks, including a Nuclear Weapons Convention, for the eventual abolition of nuclear weapons. **It nonetheless sees this as a long term goal.**” [emphasis added]*

Obviously a NWC is not going to appear overnight. It will require tireless campaigning domestically and internationally but the negotiations must start somewhere. Australia is pivotal to the nuclear fuel chain due to our abundance of uranium. This affords us a significant amount of leverage. Also, in keeping with the Rudd Government’s vision of Australia acting as a middle power and as a conduit for US-Asia relations, we should put pressure on both the US and the nuclear powers in Asia to work together towards a future free of nuclear weapons. The adoption of a NWC would have been a forward thinking approach by Kevin Rudd and would have played to our strengths on the international stage.

There is an enormous momentum towards the abolition of nuclear weapons around the world. President Obama has stated on a number of occasions that he would like to see a world free of nuclear weapons including at his oft-quoted speech in Prague. He has instituted new policies that slowly have begun to take nuclear weapons off their privileged pedestal in defence planning. His actions are just the first step and it is up to staunch allies such as Australia to keep the pressure up for deeper and lasting disarmament measures leading to the goal of zero nuclear weapons. There has not been such an opportune moment to begin negotiations for the NWC in recent history.

### ***The Role of Parliament***

Along with merely ‘noting’ the recommendation relating to the NWC, the Rudd Government has so far chosen not to implement some actions that would have included parliamentarians in the non-proliferation and disarmament dialogue.

The JSCOT report recommended “that the Parliament adopt a resolution on the Parliament’s commitment to the abolition of nuclear weapons.” This symbolic gesture would have demonstrated to both domestic and international audiences that Australia is serious about supporting disarmament and non-proliferation with a final goal of zero nuclear weapons.

Neither Labor nor the Coalition have introduced such a motion and both have worked against a motion supporting the need for a Nuclear Weapons Convention moved by the Senator Ludlam of the Greens.

Parliamentarians play a vital role in raising disarmament with colleagues around the world and effecting change at the highest levels. The government must do more to support parliamentary delegations being informed and involved in this vital issue.

### ***MAPW Recommendations***

Kevin Rudd and Labor should:

- Follow the recommendations of the JSCOT report and signify their support for a Nuclear Weapons Convention internationally.
- Put pressure on the US and other nuclear weapon states to declare a ‘no first use’ policy.
- Reject any role for nuclear weapons in Australian defence policy.
- Work to increase the knowledge and role of parliamentarians in advancing the disarmament agenda abroad.