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# ERODING THE SPIRIT OF A NUCLEAR FREE PACIFIC

A Pacific Network on Globalisation Discussion Paper Series

PAPER #3: AUKUS, the Indo-Pacific and a Destabilised Regional Security

## Introduction: purpose of this paper

As the last in this series, the purpose of this discussion paper is two-fold. First, it provides an overview of the security priorities articulated by Pacific Island Countries at a regional level and the ways in which Pacific Island Countries want these priorities to be addressed. Second, this paper asks to what extent and in what ways AUKUS and other key activities being undertaken in service of the Australian-US security agenda in the Pacific address these priorities. Five key areas are addressed: regional peace, climate change, ocean's governance, human security, and nuclear security. Particular attention is given to the implications AUKUS has for the rules-based nuclear security order in the region, most notably the Rarotonga Treaty. In exploring these issues, this paper also points to the different ways the Indo-Pacific Framing is being contested in the region. Ultimately, this paper concludes that AUKUS, and the broader pattern of militarisation of which it forms a crucial part, not only fail to address the most important security priorities of the Pacific, but actively undermine them, making the region less safe now and into the future.



## **Acronyms**

A2/AD - Area Access/Area Denial

AUKUS - the trilateral security pact signed by Australia, the UK and the US

ADF - Australian Defence Force

ANZUS - Australia, New Zealand, and the US defence alliance

DPWP - Defence Policy White Paper (Australia, 2016)

FPWP - Foreign Policy White Paper (Australia, 2017)

DCP - Defence Cooperation Program (Australia)

DSR - Defence Strategic Review (Australia, 2023)

DSU - Defence Strategic Update (Australia, 2020)

FOIP - Free and Open Indo-Pacific

FPA - Force Posture Agreement (Australia and the US)

HMAS - Her Majesty's Australian Ship

IAEA - International Atomic Energy Agency

NC3I - Nuclear command, control, communications, and intelligence

NPT - Nuclear Non-Proliferation Treaty

PIF - Pacific Islands Forum

PIFLM - Pacific Islands Forum Leaders Meeting

PMSP - Pacific Maritime Security Program

RAAF - Royal Australian Air Force

RAN - Royal Australian Navy

SCS - South China Sea

SEA - Southeast Asia

SOFA - Status of Forces Agreement

SPNFZ - South Pacific Nuclear Free Zone (Rarotonga Treaty)

SRF-West - Submarine Rotational Force West (UK, US, and Australia)

SSN - Nuclear-powered attack submarine

The Quad - the Quadrilateral Security Dialogue

TPNW - Treaty on the Prohibition of Nuclear Weapons

UK - United Kingdom

US - United States of America

USINDOPACOM - US Indo-Pacific Command

# **Introducing Regional Pacific Security Priorities**

Approaches to security in the Pacific are predominantly top down – they originate in international and regional declarations before being translated into national and local actions 1. Since independence, there has been a fairly consistent narrative and set of priorities among Pacific countries when it comes to regional security 2. This narrative of regional security has tended to go beyond (and often run counter to) the traditional security concerns of external powers in the region, encompassing environmental, social, economic, and political dimensions. As such, it is often described as centering an "expanded definition of security", i.e., one that recognises a range of traditional and non-traditional security issues, the interrelatedness of such issues, and therefore the need for a multi-dimensional security agenda.

Despite long standing development and security engagements, the degree to which these Pacific priorities have been supported by external powers and actioned through a regional security architecture largely controlled by these powers has been far from consistent. The US, Australia, and NZ in particular have repeatedly pushed for Pacific states to subscribe to their own distinct meanings of 'regional security' and approaches for solving the so-called regional security 'problem'. As this paper explores, this includes the most recent attempts to push the Indo-Pacific security framing in the region.

Nevertheless, since the early 2010's, and coinciding with an increasingly assertive Pacific diplomatic presence on the international stage3, there has been sharpening of regional articulations on security priorities among Pacific island countries. This has been accompanied by a strong and sustained push back against external powers attempting to redefine this new agenda in-line with their own priorities (articulated through the Indo-Pacific security framing).

This contemporary Pacific security agenda, like previous iterations, centres an expanded definition of security and its priorities can be traced across a variety of regional security declarations and treaties, Forum Communiques, Leaders' declarations, and statements from regional leaders (including both governments and regional institutions). Among the most important are:

- The "Blue Pacific Narrative", formulated in 2017;
- The Boe Declaration on Regional Security (the Boe Declaration), signed in 2018, and the Boe Declaration Action Plan (the Boe Action Plan) endorsed in 2019; and
- The 2050 Strategy for the Blue Pacific Continent (the 2050 Strategy) finalised in 2022 and endorsed by leaders in 2023.

In addition to these contemporary articulations of regional security, Pacific Island Countries and Territories continue to emphasise the importance of the South Pacific Nuclear Free Zone Treaty (the Rarotonga Treaty) – the region's first collective security mechanism – in addressing nuclear security.

Of course, these declarations, strategies, and treaties do not represent the sum total of how Pacific States define security - they have been chosen as key representative texts. It is important to note that other articulations of the issues to which they relate exist, as well as dissenting and assenting statements from individual leaders 4. Nevertheless, read together they articulate a clear and very widely supported set of security priorities centred around action on climate change, human wellbeing, and peace in the face of intensifying geostrategic competition 5.

The following section briefly explores the Blue Pacific Identity, the Boe Declaration, and the 2050 Strategy in turn. Following that, the paper presents a detailed examination of Rarotonga Treaty.

#### The Blue Pacific Narrative

The Blue Pacific Narrative was first endorsed by Pacific Island leaders at the 2017 Pacific Islands Forum Leaders' Meeting (PIFLM) in Apia as a vision of and platform for regional self-determination. Since its endorsement it has become firmly entrenched in the regional governance architecture and rhetoric, including with respect to regional security. Indeed, the Blue Pacific Narrative is understood as foundational for the Boe Declaration and the 2050 strategy for a Blue Pacific continent.

At its core, the Blue Pacific Narrative charts a path to respond to the question posed by former Secretary General of PIFS, Dame Meg Taylor with respect to Pacific Countries: "How do we ensure that we play a part in shaping and determining the regional security oceanscape, rather than being spectators on the sidelines?" It does so by presenting a deliberate challenge to notions of 'small, vulnerable, and fragile... as the dominant characterisations of the island states" with a "counter narrative emphasising the collective strength of 'large ocean states'" working through a revitalised regional governance architecture (as set out in the 2014 Framework for Pacific Regionalism). It also underscores the significance of the Pacific Ocean to the well-being and future of Pacific Island nations and positions Pacific Islanders as the custodians of their vast Oceanscape in a time of multiplying ocean threats. This is accompanied by a rejection that amid rapidly evolving regional dynamics, including mounting concerns about climate change and intensifying geopolitical interests and tensions, Pacific leaders are merely "passive collaborators or victims" 8.

A key underwriting security priority of the Blue Pacific Narrative thus encompasses the following: that geostrategic manoeuvrings can and will have a destabilising effect on the capacity of the region to meet key challenges like climate change if the region does not unite and advanced an approach to external engagement founded on "independence, sovereignty, and peace". At the heart of this is the "right to be 'friends to all' and to nurture genuine relationships with those countries that offer development and economic opportunities" 9, not just traditional Pacific powers.

This is both reiterated and expanded upon in the Boe Declaration.

#### The Boe Declaration on Regional Security

In 2018, at the Nauru PIFLM, leaders, including those from Australia and New Zealand, endorsed the Boe Declaration on Regional Security as the foundation for all future regional security responses 10. This was followed, at the 2019 PIFLM in Tuvalu, with the Boe Declaration Action Plan. The Boe Declaration (and its subsequent action plan) were responding to calls made in 2017 to expand the concept of regional security (and thus regional security governance) in line with the emergent Blue Pacific Narrative.

The Boe Declaration has as its core "an expanded concept of security", one "inclusive of human security, humanitarian assistance, prioritising environmental security, and regional cooperation in building resilience to disasters and climate change". It "reaffirms that climate change remains the single greatest threat to the livelihoods, security and wellbeing of the peoples of the Pacific" and reiterates the region's "commitment to progress the implementation of the Paris Agreement" 11. Moreover, reflecting the Blue Pacific Identity priorities, the Boe declaration is suggestive of Pacific Island control of and assertion over regional security governance with references to "Our ocean" and "Our Pacific peoples" in the main body of the text. It also sets out an anti-geostrategic competition agenda setting clear limits on the interference of other states in security matters - no single state is

named clearly implicating the US, Australia, and others besides China (as the US and Australia would have preferred) in calling out the impacts of unchecked geostrategic competition 12.

The only sections of Boe that could be said to resonate with the Indo-Pacific framing of security is a reference to the parties' commitment to a "rules-based international order" – the order that the Free and Open Indo-Pacific concept seeks to protect – and a commitment to developing Pacific national security strategies and strengthening national security capacity including through training. This latter point in particular resonates with Australia as it provides the opportunity to advance traditional security concerns through its longstanding Defence Cooperation Program (see Paper 2).

#### The Boe Action Plan

Where the Boe Declaration sketches broad security priorities and principles, the action plan offers much better clarity on these priorities and the specific measures called for to meet them. It is described as a "strategic tool" that "details the Blue Pacific's regional security priorities, strategies to address these priorities and national efforts which can be undertaken by Forum Members in support of these regional priorities...". Furthermore, it's positioned as playing a key role in "positively" and "proactively" shaping the regional security environment "by progressing specific, achievable and targeted activities under the relevant strategic focus areas prioritised under the Boe Declaration on Regional Security".

Significantly for the relationship between the Pacific's security agenda and that of the Indo-Pacific and its militarised elements, the Boe Action Plan "will provide the basis for strategic engagement with Forum Dialogue partners, international organisations, civil society and the private sector in areas of mutual interest."13

The targets set out through the Boe Action Plan emphasise climate security, human security and humanitarian assistance, and environmental and resource security alongside transnational crime, cybercrime and cyber-enabled crime.

Nowhere across these targets and the actions they specify, does major investments in military capability figure.

#### The 2050 Strategy

The 2050 strategy was developed with the intention of guiding the ambitions of the Blue Pacific Narrative over the next three decades. It does so by providing a "long-term vision for the Blue Continent and.... steps to achieve this vision." 14 While it includes issues beyond regional security, it offers a vision of a "peaceful, safe and secure Blue Pacific region which respects national sovereignty, and where people can realise their full potential as individuals, communities and nations, and where the region delivers Pacific coordinated responses to security challenges and contributes to building global peace and security".

Reflective of the Blue Pacific Identity it is championing, the 2050 strategy articulates a range of non-traditional security priorities that are fundamental to achieving this vision. It places a strong focus on inclusivity (both within the region and beyond), reiterating the importance of a "Friends to all" approach. Indeed, the 2050 strategy explicitly identifies "the long-standing security threats" posed by "ongoing geopolitical positioning by major powers in the region" through its impacts on "regional politics and security considerations". At the same time, the 2050 strategy specifically calls out partners to heed the security priorities of the region especially climate change. In the "Peace and

Security" thematic area, the 2050 strategy reiterates that climate change is the single greatest security threat to the region. Also of significance is the fact that the 2050 Strategy is noticeably silent on National Security Strategies – one of the core components of Boe amenable to Australian and US security interests.

#### Pacific nuclear security - an enduring priority

Because of their lived experience with the social and environmental horrors of nuclear testing, Pacific Island Countries and Territories have long been vocal advocates of nuclear security 15. In recent years they vigorously contested Japan's release of nuclear waste in the Pacific Ocean and were central to bringing the Treaty on the Prohibition of Nuclear Weapons (TPNW) into international law (more on this below). However, the centrepiece of Pacific's rules-based nuclear security order, and foundational document for nuclear security priorities, is the Treaty of Rarotonga 16.

The South Pacific Nuclear Free Zone, or Treaty of Rarotonga, was adopted in 1985 and is regarded as one of the region's key security achievements 17. As the region's first collective security mechanism it continues to make an important contribution to global as well as regional nuclear non-proliferation and security and remains a source of pride across Pacific Countries 18.

Several interrelated factors drove the push to establish the Treaty of Rarotonga, factors which are each addressed to varying degrees through the Treaty's preamble and provisions.

- 1. Deep-seated environmental concerns over the contamination of marine life and ecosystems through testing and dumping of nuclear material.
- 2. Outrage over the severe and long-lasting health impacts Pacific peoples were suffering from the radioactive fallout from nuclear tests.
- 3. Deep concerns over the dangers that nuclear weapons and the possibility of their use in a conflict, posed to regional peace and stability, especially at a time of heightened geopolitical competition between the US and the USSR.
- 4. A strong desire to bolster international disarmament efforts.

These concerns and convictions regarding nuclear security in the region can be understood to represent the "spirit" of the Treaty of Rarotonga, which exceeds in important ways the specific legal provisions of the Treaty's text.

Addressing both the spirit of Rarotonga and its actual provisions here is important because the Rarotonga Treaty represents something of a compromise on nuclear non-proliferation and security – it embodies the attempt to reconcile extremely divergent interests among the Forum member states at the time 19. Although there was generally a strong opposition to nuclear weapons, nuclear testing and nuclear waste dumping among Pacific and the Australian governments, some states, such as Australia, Fiji, and Tonga, were also keen to balance this opposition with their relationships with the US by limiting the scope of any nuclear treaty 20. Others, like Vanuatu, the Solomon Islands, and PNG, were intent on having the strongest possible anti-nuclear provisions. The final text, brought forward by Australia, envisioned a treaty that would meet the minimum requirements of a nuclear free zone, without significantly altering US security interests (i.e., the free movement of nuclear powered and nuclear armed vessels, aircraft etc.). Because of the contested circumstances of its creation, there are several important exemptions that undermine the application of the Rarotonga Treaty's strong antinuclear and pro-peace intentions legally, especially with regards to the military use of nuclear materials outside of nuclear weapons.

Because of these limitations, there have been increasing calls to strengthen the Treaty in the face of AUKUS and wider US-Australian nuclear militarisation 21. Indeed, prior to the recent 2023 Pacific Islands Forum Leaders Meeting (PIFLM), Forum Chair and PM of the Cook Islands, Mark Brown, said it might be time to "reinvigorate" the treaty, widely interpreted as a veiled reference to the need to better address the dangers posed by AUKUS (although it remains to be seen if the Cook Islands will continue to push for a stronger Rarotonga Treaty). 22

#### 1) A commitment to the protection of the environment

The Treaty's preamble states that parties are "determined to keep the region free of environmental pollution by radioactive wastes and other radioactive matter" 23. This is codified in Article 7 which sets out that parties will not *dump* radioactive wastes or other radioactive matter at sea in the treaty zone. Moreover, it states that parties agree to prevent dumping of radioactive material by anyone in territorial waters and will not assist or encourage dumping anywhere in the treaty zone (including in the high seas). Significantly, however, Article 7 does not cover the unintentional leaking of such material - an outcome that could occur from lost nuclear powered vessels etc.

#### 2) A commitment to peace and international non-proliferation efforts:

Regional peace is central to the Rarotonga Treaty. The preamble notes' the parties are "united in their commitment to a world at peace" and "gravely concerned that the continuing nuclear arms race" 24. Moreover, the preamble notes that the parties come together in the belief that a commitment to "regional arms control measures can contribute to global efforts to reverse the nuclear arms race and promote the national security of each country in the region and the common security of all" 25.

Article 4 on peaceful nuclear activities gives weight to this statement by entreating each party to "support the continued effectiveness of the international non-proliferation system..." 26.

Article 3 on the renunciation of nuclear explosive devices commits parties:

- 1. Not to manufacture or otherwise acquire, possess or have control over any nuclear explosive device by any means anywhere inside or outside the South Pacific Nuclear Free Zone;
- 2. Not to seek or receive any assistance in the manufacture or acquisition of any nuclear explosive device:
- 3. Not to take any action to assist or encourage the manufacture or acquisition of any nuclear explosive device by any State

It is important to note here that "Nuclear explosive device" is defined as "any nuclear weapon or other explosive device capable of releasing nuclear energy, irrespective of the purpose for which it could be used. The term includes such a weapon or device in unassembled and partly assembled forms but does not include the means of transport or delivery of such a weapon or device if separable from and not an indivisible part of it"27.

Article 5 on the prevention of stationing of nuclear explosive devices, states that each must prevent the stationing of any nuclear explosive device in its territory but that each party "remains free to decide for itself whether to allow visits by foreign ships and aircraft to its ports and airfields, transit of its airspace by foreign aircraft, and navigation by foreign ships in its territorial sea or archipelagic waters" outside of innocent passage.

Importantly "stationing" is defined by the Treaty as "emplantation [sic], emplacement, transportation on land or inland waters, stockpiling, storage, installation and deployment" but with the notable

absence of a threshold in terms of duration or repetition.

#### 3) A commitment to end nuclear testing

The preamble recognises "the terror which [nuclear weapons] hold for humankind and the threat which they pose to life on earth" and Article 6 on the prevention of testing of nuclear explosive devices commits parties to "prevent in its territory the testing of any nuclear explosive device" and to not "take any action to assist or encourage the testing of any nuclear explosive device by any State" 28.

#### 4) Other important provisions

Like all Nuclear Free Zone Treaties, the Rarotonga Treaty contains protocols for the five nuclear-weapon states recognized under the Nuclear Non-Proliferation Treaty – China, France, Russia, the United Kingdom, and the United States - to sign and ratify. These protocols, which are legally binding, commit the ratifying states *not* to manufacture, station or test nuclear explosive devices in their territories within the treaty's zone; use nuclear explosive devices against the parties to the treaty, or against territories where Protocol 1 is in force; and test anywhere within the treaty's zone.

In 1996 France and the United Kingdom signed and ratified all three protocols. China signed and ratified protocols 2 and 3 in 1987. Russia has also signed and ratified protocols 2 and 3, but with reservations. The US, however, has only signed protocols and still refuses to ratify them.

#### Important exemptions and limitations

As noted above, the contested circumstances of the Treaty's creation mean there are several important exemptions that limit the strength of its anti-nuclear, pro-peace intentions, especially with regards to the military use of nuclear materials outside of nuclear weapons.

#### 1) Lack of comprehensive regional coverage

Due to ongoing US colonial interests, certain areas, such as the Northern Pacific and Hawai'i, are excluded from the treaty's provisions resulting in an incomplete coverage of the region, especially in those areas where nuclear weapons present the greatest threat: the Northern Pacific (see figure 1).

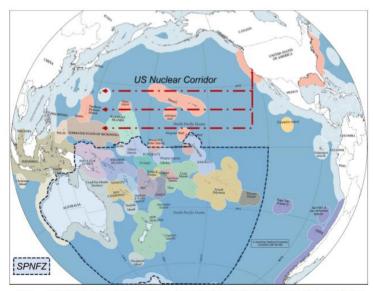


Figure - US Nuclear Corridor and the approximate boundaries of the South Pacific Nuclear Free Zone. Note that nuclear armed vessels are still able to transite though the SPNFZ. (adapted from ANU Carto GIS)

#### 2) Limited scope of prohibitions

The Treaty of Rarotonga's focus on "nuclear explosive devices" to the exclusion of all else (i.e., a comprehensive ban on all nuclear activities or materials that could have dual-use implications) is a key factor in allowing an expansion in the use of nuclear material for non-peaceful purposes. Indeed, because they are not considered nuclear explosive devices, the Treaty of Rarotonga does not expressly prevent parties from acquiring nuclear-powered vessels. Furthermore, it does not prohibit them from entering the treaty's zone, or parties' territorial waters, leaving it up to individual states to determine their own stance on permitting nuclear powered vehicles to enter their territorial waters29.

#### 3) Ratification by the US

Although not a failing of the Treaty itself, the US's ongoing refusal to ratify the Treaty's protocols should be cause for concern, as it raises questions about the US's commitment to some of the most important aspects of the treaty (such as stationing and testing nuclear weapons within the Treaty's zone).

# **Summary of Regional Security Priorities**

Read together, key texts on the contemporary Pacific security agenda firmly establish an expanded definition of security as the conceptual basis of regional security, one that prioritises action on climate change, peace, human wellbeing through attention to a range of human security considerations, environmental and resource security, nuclear security, and self-determination in regional affairs. Moreover, in setting out these priorities the Pacific security agenda at a regional level de-centres military-first approaches to regional (and national) security and emphasises peace. It also explicitly calls out geopolitical positioning (organised around militarisation) for the impact it has on regional stability.

Noting these regional security priorities, how does AUKUS, US-Australian militarisation, and the Indo-Pacific order they serve to uphold support such priorities? The short answer is they don't, but rather actively undermine these priorities in important ways.

The following section begins with a brief examination of the ways in which the Indo-Pacific security framing has been contested. This is followed by a more detailed look at the implications of the Indo-Pacific framing, AUKUS, and broader US-Australian militarisation on regional peace, climate action, oceans governance, human security, and finally, nuclear security.

# Regional security undermined: AUKUS, US-Australian militarisation and the contested Indo-Pacific security framing

Because of the widely supported articulation of a distinct regional identity and attendant set of regional security priorities it should come as no surprise that the externally-imposed Indo-Pacific security order is fiercely contested in the Blue Pacific. A number of current and former regional leaders and CSO voices have critiqued what they see as the attempted imposition of an Indo-Pacific security agenda in a region already charting its own course. Such voices have repeatedly called for external leaders, particularly the US and Australia, to listen to the voices of the region and align their engagements with the vision set out in the Blue Pacific Narrative, the Boe Declaration, and the 2050 Strategy. Prime Minister of Samoa Fiame Naomi Mata'afa in a recent address to the Lowy Institute said, in direct reference to the Indo-Pacific agenda, that: "[I]n the Pacific, we feel our partners have

fallen short of acknowledging the integrity of Pacific leadership, and the responsibility they carry for every decision made as a collective, and individually, in order to garner support for the sustainable development of our nations."30.

Moreover, the voices critiquing the Indo-Pacific have largely rejected the idea of complementarity between the Blue Pacific and the Indo-Pacific on the grounds of their fundamentally divergent values and visions for the region. Despite what proponents of the Indo-Pacific say, it is an inescapable fact that in contrast to the foundation of peace upon which the Blue Pacific is premised, the Indo-Pacific emerges from and continues to be guided by a deeply militarised conception of security (see papers 1 and 2). Australia's position as a full member of the Pacific Islands Forum and therefore technically subscribed to the Blue Pacific Narrative is especially problematic in this regard. As former PIF Secretary General Dame Meg Taylor notes in a recent policy brief for the Asia Society Policy Institute: "The Indo-Pacific strategy is incompatible with Blue Pacific priorities and values. While its architects argue that it aims to promote strategic equilibrium in the Pacific... [i]t really aims to create the conditions for continuing Western hegemony. It seeks to deny China a role as an economic partner to the region, in opposition to our interests of remaining friends to all in pursuit of a self-determined future." She goes on to identify and specifically critique AUKUS in this regard, writing: "The pursuit of AUKUS without reference to the Blue Pacific's firm and long-standing opposition to militarization further damages any arguments for complementarity."

Indeed, opposition to the Indo-Pacific has also been repeatedly expressed through opposition to AUKUS specifically - viewed as an important vehicle for imposing the Indo-Pacific security order. It is telling that only one Pacific leader publicly welcomed AUKUS as part of the US-Australian Indo-Pacific Strategy, Federated States of Micronesia (FSM) President David Panuelo31. Most other leaders and civil society have voiced deep concerns. Former Fijian Prime Minister Frank Bainimarama observed at the 76th session of the United Nations General Assembly that "[i]f we can spend trillions on missiles, drones and nuclear submarines, we can fund climate action" – making the explicit link between AUKUS and the Indo-Pacific militarised agenda and inaction on climate change - while Solomon Islands Prime Minister Manesseh Sogavare reiterated that "we [the Pacific] do not support any form of militarisation in our region that could threaten regional and international peace and stability"32. Ralph Regenvanu -Vanuatu's Minister for Climate Change Adaptation, Energy, and Environment - wrote that if Australia was serious about its anti-nuclear stance it should sign the Treaty on the Prohibition of Nuclear Weapons (TPNW) stating it is the "only way to assure us [the Pacific] that the subs WON'T carry nuclear weapons"33. Kiribati Prime Minister Taneti Maamau noted in relation to AUKUS that "Our people were victims of nuclear testing ... we still have trauma"34, capturing perfectly Australia and the US's total "inattention to the calls for solidarity with the region's Nuclear Free Pacific vision" that AUKUS represents 35. Furthermore, with respect to AUKUS and the broader geopolitical tensions it both responds to and serves to stoke, Cook Islands Prime Minister Mark Brown sought to remind people that "The whole intention of the Treaty of Rarotonga was to try to de-escalate what were at the time Cold War tensions between the major superpowers" (an issue explored in more detail below) 36. Finally, his sentiment echoes the words of the current Secretary General of the Pacific Islands Forum, Henry Puna, who noted "In our region, the potential for strategic miscalculation grows, further exacerbated by intensifying geopolitical competition"37. Finally, opposition has been powerfully articulated in the Pacific Elders' Voice's most recent statement:

We regret that the AUKUS agreement, and the proposed acquisition of Australia of nuclear-powered submarines, is escalating geopolitical tensions in our region and undermining Pacificled nuclear-free regionalism. It presents a major challenge to the Nuclear Non-Proliferation

Treaty. The South Pacific Nuclear Free Zone is also threatened by Australia's proposed basing of potentially nuclear-capable US B52 aircraft38.

These critiques of AUKUS and the broader Indo-Pacific agenda it supports invoke a range of consequences for regional security if the militarised security order pushed by the US and Australia does not continue to be resisted. Such consequences are explored in greater detail in the following section.

#### 1) Regional Peace

AUKUS, US-Australian militarisation and the militarised Indo-Pacific security agenda they support are deeply problematic for regional peace in a number of important ways. First, as touched upon in paper 1, the logics of the Indo-Pacific strategy conspire to erode the peace-driven "friends to all" approach advocated by the Pacific. This is only exacerbated by the expansive military build taking place through AUKUS as other US-Australia military collaborations. The deliberately exclusionary nature of these developments and hegemonic ambitions and the perilous zero-sum logic to which they are wedded creates a polarising political environment in which development is increasingly aligned with military objectives. The consequences of pursuing such a path are painfully apparent in the US territories like Guam where the US military has become the primary vehicle of delivering "development" and "security", thus narrowing the range of possible actions to those that enhance military strength (often to enormous social and environmental costs). Furthermore, such tensions have already been shown to have a direct impact on domestic politics where communities in PNG and representatives in Vanuatu have both expressed their deep concerns over what they see as the erosion of choice resulting from Australia and the US's manoeuvrings.

Second, and relatedly, the militarism underpinning the Indo-Pacific and explicitly advanced by AUKUS and other US-Australian military engagements, specifically military deterrence, actively escalates the possibilities for conflict and paints a target on Pacific lands and waters in event of such conflict. Here it is worth quoting a recent article by Noam Chomsky and Nathan J. Robinson at length:

China does not see that we are (supposedly) only trying to deter Chinese aggression when we take such steps as: building a hostile regional military alliance, flooding the surrounding territory with high-precision weaponry aimed at China, labelling China an "enemy," sending increasing numbers of warships to patrol its coast (ostensibly to enforce the Law of the Sea Convention—which we have not signed—and given the euphemism "freedom of navigation operations"), sending Australia a fleet of nuclear submarines to counter China, and conducting military exercises near China's shores.39

While the risk of immediate and devastating consequences in the case of possible conflict is concentrated in the US territories of the Northern Pacific and Hawaii, other states are being increasingly drawn into the danger zone, especially PNG.

Third, unlike the nuclear submarine aspect of AUKUS, pillar 2 and the other military technological developments such as underwater robotics, autonomous weapons, and hypersonic missiles being advanced by the US and Australia are not covered to the same degree by binding international agreements and governance architectures. Instead, shrouded in secrecy this indisputable arms race with China is leading to the proliferation of potentially dangerous new technologies largely beyond the scrutiny of domestic publics and the wider international community.

Finally, the militarised agenda associated with AUKUS and the broader Indo-Pacific security order may also lead to domestic militarisation within Pacific states themselves. With promises to support the development of new militaries in the region, the possible militarisation of regional police forces, and the deepening engagement with existing regional militaries, Australia and the US are potentially driving a military-first ideology among partner states. This is deeply concerning given the historical record of such militaries being used with devastating consequences on domestic populations as has been the case in Fiji.

Of course, all these issues have a crucial bearing on the wellbeing of Pacific peoples, which is addressed below in the context of threats AUKUS and associated developments under the Indo-Pacific agenda pose to human security regionally.

#### 2) Climate change

Despite repeated claims that the US Indo-Pacific Strategy and Australia take prioritising climate action seriously, their funding record and ongoing commitment to fossil-fuel intensive militarisation make a mockery of such a position.

It is patently obvious that the Indo-Pacific security framing, with its clear emphasis on military solutions, and AUKUS are not only failing to address the single greatest security threat to the region, but actively exacerbating it. AUKUS is the single greatest investment in security that Australia has ever made. Yet its enormous fossil fuel footprint (as yet undetermined) and cost both *actively* exacerbate the climate crisis and draw funds away from developing possible mitigation and adaptation pathways respectively. And this is to say nothing of the staggering US war machine grinding away across the globe, but increasingly so in the Pacific.

Indeed, the US military is the world's single largest consumer of oil – and as a result, one of the world's top greenhouse gas emitters. Under the logics of the Indo-Pacific, this footprint is being knowingly expanded as the US continues to build up its military capabilities and presence 40.

Beyond the material impact that militarisation has on climate change through increased emissions there are also the very real consequences of reduced cooperation between the worlds largest emitters. US-China tensions and the militarised foundations on which they have arisen are antithetical to the international collaboration needed to progress action on climate change. This breakdown in climate action would reach its zenith in the event of a conflict with China, which the US, supported by Australia, seems intent on stoking.

#### 3) Ocean governance

A clear security priority for the Pacific is collectively managing their oceanic resources sustainably as well as preventing and reversing, where possible, environmental damage in oceans and coastal ecosystems. Once again, large parts of AUKUS and the broader patterns of US-Australian militarisation both fail to address and actively undermine this security priority.

As presciently identified in the Peoples' Charter for a Nuclear Free and Independent Pacific: "only one nuclear submarine has to be lost in the sea... and the threat to the fish, and our livelihood is endangered for centuries." 41 The introduction of eight or more new nuclear powered submarines, operated by a nation with no history of operating and managing such vessels dramatically raises the possibility of accidents. Since the development of nuclear powered submarines, nine have sunk and many more accidents have occurred, some involving the release of radioactive material. Pacific

peoples have been assured of the safety of nuclear technologies of the past, only to suffer their extraordinarily devastating environmental (as well as social) effects.

Of course, other weapons capabilities also have the capacity to erode the wellbeing of ocean and coastal ecosystems, not just through the broader exacerbation of climate change noted above. The direct environmental consequences of military activities are enormous, and will only grow on the path being forged by the US and Australia.

Moreover, neither pillar of AUKUS is likely to bring any additional capabilities to the ocean governance that are more of a priority to Pacific Island Countries such illegal, unreported, unregulated (IUU) fishing 42. No nuclear submarine is going to be sent on missions to watch fishing boats, nor will drone swarms calibrated to track and destroy military targets. In this area then, perhaps the only aspect of Australian and US military engagements regionally that can be said to support oceans governance are the investments being made in maritime surveillance. These capabilities are likely to bring tangible improvements to the monitoring of IUU. However, it should be noted that such investments do not need the additional spending in nuclear submarines and other high-technology military hardware to function and overall, it is clear that under the Indo-Pacific security agenda priority has been given to developments that undermine ocean's governance.

#### 4) Human Security

Human security is broadly concerned with the well-being of individuals in a social, cultural, environmental, and physical sense. It emphasises four key aspects:

- Freedom from fear. I.e., protecting people from violence, conflict, and crime.
- Freedom from want. I.e., ensuring that people have access to basic necessities like food, clean water, shelter, healthcare, and education.
- Freedom to live with dignity. I.e., safeguarding human rights and preserving individual dignity by protecting people from human rights abuses, discrimination, and other threats.
- A healthy environment, including concerns related to climate change, natural disasters, and resource scarcity.

Human security for the vast majority of Pacific Islanders is thus about getting food on the table, ensuring they have good health, gaining access to economic opportunities, remaining physically and psychologically safe from violence and having access to a clean and healthy environment. AUKUS, the broader patterns of US-Australian militarisation and the Indo-Pacific security agenda they support fails to address any of these key concerns and can be said to actively undermine them in important ways.

The already extensive US military presence in the Pacific has a very poor record of environmental and social impacts, a record that is unlikely to get better as the permanent military footprint grows. Furthermore, as noted above, the intensifying military presence in various Pacific Countries and Territories will make a socially and environmentally devastating conflict more likely, but it puts Pacific peoples, lands and waters in harm's way too. This is intimately connected to the escalation of nuclear threats posed by the development of AUKUS and the expansion of US-Australian nuclear militarisation (explored in more detail below).

Additionally, Australian and US inaction on climate change, including the diversion of funding from mitigation and adaptation pathways demonstrates a clear undermining of their supposed commitment to upholding human security in the region.

#### 5) Nuclear Security

AUKUS and the broader processes of US-Australia (nuclear) militarisation being pursued through the Indo-Pacific security agenda are actively undermining the region's rules-based nuclear security order. This is most clear in relation to the Treaty of Rarotonga.

#### Rarotonga Treaty and Nuclear Security

Both Australia and numerous proponents of AUKUS have been quick to respond to claims that by joining AUKUS the Australian government is in breach of its obligations under the Rarotonga Treaty<u>43</u>. Their arguments centre on the following:

- 1. Rarotonga does not guarantee that all nuclear materials in the zone will be used exclusively for peaceful purposes.
- 2. Nuclear-powered submarines do not fall within the specific definition of "nuclear explosive devices" and are not prohibited by the treaty.
- 3. Australia will manage all radioactive waste generated by the submarines on Australian soil, it will not be dumped at sea.44

However, while these arguments seek to dispel the idea that Australia is technically in breach of the Treaty by joining AUKUS, they remain largely silent on the kind of breach Australia's actions represent to the *intent* of the Treaty. There has been little discussion about the implications that the broader militarisation agenda of which AUKUS is a part will have for the Rarotonga Treaty. Furthermore, as outlined in paper 2, the AUKUS governments' arguments about the non-proliferation standards of AUKUS do not attend to the broader destabilisation of the nuclear security architecture AUKUS represents (a consequence of relevance to the Treaty of Rarotonga too).

This kind of logic is captured in the recent Forum Leaders' Communique, which presented the following on AUKUS:

Leaders noted the update provided by Australia in relation to the Trilateral Security Pact between Australia, the United Kingdom and the United States (AUKUS), and welcomed the transparency of Australia's efforts, and commitment to compliance with international law, in particular the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the Rarotonga Treaty, and IAEA safeguard agreements 45.

The issues with such a logic and the ways in which Australia has been patently non-transparent are detailed below.

#### How does AUKUS undermine nuclear security?

At the broadest level, AUKUS has been criticised for going against the implicit meaning of the NPT and against the foundational principles of the entire nuclear security architecture: that non-military nuclear states remain that way in exchange for a process of de-armament among military nuclear states 46. Although the acquisition of nuclear submarines in not technically nuclear armament (they are not considered nuclear explosive devices), it is hard to argue that the development of nuclear-powered attack submarines is not an expansion of the military use of nuclear power.

More specifically, AUKUS has been the subject of significant criticism because of the worrying precedent it sets for the removal of nuclear material from the International Atomic Energy Agency (IAEA) inspection system (also known as the safeguards). For Australia to acquire nuclear-powered

submarines it must invoke a loophole in the Non-proliferation Treaty – Article 14 – which allows states to remove nuclear material from the IAEA oversight to be used for non-proscribed military purposes. Australia will be the first state in the history of the NPT to invoke Article 14 and while concerns about Australia misusing such material are relatively low, the precedent set by AUKUS could have significant and damaging ramifications. At the centre of these concerns is that future potential proliferators may exploit naval reactor programs to cover up nuclear weapons development programs. And, because the politics of non-proliferation enforcement rely on international credibility, "key states—including close U.S. allies—are less likely to respond robustly to proliferation threats when doing so would entrench a double standard"47. Significantly, there is precedence for this. When called upon by the US and allies to cease its uranium enrichment program, Iran asserted its "right to enrich" and "exploited a perceived double standard by comparing itself to Japan. This campaign was successful. Few other countries, even in Europe, were willing to support calls for Iran to abandon its enrichment and reprocessing programs. Germany, in particular, strongly resisted pressuring Iran to abandon its enrichment program—probably because it enriched uranium itself and feared it could come under similar pressure in the future"48.

Here, it is important to note that the arguments against sharing nuclear propulsion technology for the development of nuclear submarines on the basis of the risk it poses to nuclear proliferation is not new. In the 1980s, the United States actively prevented France and the UK from selling nuclear attack submarines to Canada because of "the danger of nuclear proliferation associated with the naval nuclear fuel cycle" 49. Indeed, until the announcement of AUKUS "it was the US commitment to non-proliferation that relentlessly crushed or greatly limited [the] aspirations toward nuclear-powered submarine technology" 50.

Noting these realities, there are some critics that think because of AUKUS it is reasonable to expect the proliferation of very sensitive military nuclear propulsion technology in the coming years and with that the potential for "literally tons of new nuclear materials under loose or no international safeguards" 51. There was already a growing interest in the development of nuclear submarines for national defence globally before AUKUS - Brazil, South Korea, and Iran have all expressed an interest in acquiring nuclear-powered, conventionally armed submarines – and some of these states have atrocious track records in managing nuclear material (South Korea and Iran in particular). With Australia setting the precedence for technology transfer to occur it is only likely such interest will continue to intensify and with it the risk of new nuclear weapons states.

An additional consequence of the AUKUS project is that the submarines will be using highly enriched uranium (HEU) – the type of nuclear material that is most easily converted to that used in nuclear weapons. The commitment to using HEU and expanding its use contributes to stalling a future treaty on the minimisation of HEU.

Finally, and perhaps most worryingly, such developments and the precedent that AUKUS is setting are occurring within the context of a broader destabilisation of the nuclear security architecture due to the Ukraine war and North Korean missile development project <u>52</u>.

#### How does AUKUS represent a threat to Rarotonga Specifically?

As numerous commentators, including many Pacific Island leaders have noted, while AUKUS is not technically in breach of the Rarotonga treaty, it is clearly in breach of the intent of the treaty and the underlying principles of regional security which it seeks to support.

It does so in several important ways:

#### 1) Raises the risk of proliferation by undermining the broader NPT regime

As noted above, the Rarotonga Treaty imposes clear obligations on parties to uphold the NPT regime. That AUKUS represents a considerable risk to the NPT regime through the precedence it sets regarding the transfer of nuclear material outside of the safeguard's regime has not been adequately addressed by Australia.

2) Both pillars of AUKUS represent a dramatic escalation in the military capabilities of Australia one of America's closest allies, thereby exacerbating the military dimensions of great power competition

AUKUS has already escalated tensions between China and the US and its allies. Despite protestations from Australia and the US, it is indefensible that AUKUS is an act of peaceful deterrence – it not only seeks to inject 8 highly sophisticated military vessels each capable of reaching and attacking the Chinese mainland within the world's most contested geopolitical arena, but it also sets out an ambitious agenda of military integration and expansion. In the context of China's rapid military expansion and the pre-existing "arms race" between the US and China53, it is inconceivable that the developments set in motion by AUKUS will not be read and responded to as a threat to be matched or even outmatched.

The implications for the Pacific of intensifying military competition between China and the US are significant and represent a direct threat to regional peace through an:

- Increasing presence of US and Australia military assets, personnel, and infrastructure with their attendant effects to people and place
- Increased risk of actual conflict in which military infrastructure in the Pacific would be targeted

As Cook Islands PM Mark Brown remarked: "The whole intention of the Treaty of Rarotonga was to try to de-escalate what were at the time Cold War tensions between the major superpowers." 54

- 3) As noted above, it significantly raises the risk of nuclear accidents with the possibility of devastating impacts for the region's marine environment and the peoples who depend on it.
- 4) In the context of the deepening US-Military integration, there is a very real possibility that Australia will, in the near future, undermine or even contravene Article 5 of the Treaty prohibiting the stationing of nuclear weapons.

Unlike the remote possibility of Australia seeking to acquire nuclear weapons for itself, the possibility that Australia may end up hosting US nuclear weapons, actively or passively (by means of strategic ignorance), is very real 55. Australia plays a substantial (and now expanding) role in supporting US nuclear strike capabilities (as detailed in paper 2) and it would be a small, but nonetheless significant step from this position to one in which Australia allows nuclear weapons to be stored at Australia-US joint facilities. At present Australia and the US continue to operate under a model of strategic ambiguity, exploiting a lack of clarity regarding the act of stationing in the Treaty of Rarotonga and the US policy of neither confirming nor denying the presence of nuclear weapons on board ships or planes to allow a defacto stationing. The Rarotonga Treaty prohibits nuclear weapons being transported on land or in inland waters but leaves these terms undefined in terms of time and duration. It is this "loophole" that has so far allowed the US to engage in the likely stationing of nuclear weapons in Australia without technically compromising Australia's treaty obligations. Nuclear armed submarines and nuclear armed aircraft, have since the Treaty's inception, repeatedly visited

and stayed in Australian ports and aircraft bases for extended periods of time to serve US strategic needs.

The possibility of such a change occurring is made all the more plausible by the repeated efforts to deepen Australia's commitment to the US now and into the foreseeable future. Of particular concern is the increased rotation of US nuclear capable B-52 bombers through RAAF base Tindal negotiated under the Enhanced Air Force Posture Initiative, the commitment to establishing a logistics base in Australia for US warfighting in the region, and the increased rotation of US and UK nuclear submarines 56.

A space to watch might be the Cocos Keeling Islands in the Indian Ocean, which, although they are Australian Territory, sit outside the Rarotonga treaty zone. US interest in establishing a military presence there was noted in 2012, and with the future of their base in Diego Garcia increasingly uncertain, such interests may come to the fore once again. A US base on Cocos Keeling could allow the US and Australia to overcome the legal-technical hurdles to actually storing nuclear armed weaponry on Australian soil long-term while remaining compliant with the Treaty. In such a scenario, the US could neither confirm nor deny the presence of such weaponry and Australia could claim to be strictly complying with their obligations under the Treaty 57.

## Conclusion

This paper has provided an overview of the security priorities articulated by Pacific Island Countries Territories at a regional level, and the ways in which Pacific Island Countries want these priorities to be addressed. As evidenced by the Blue Pacific Narrative, the Boe Declaration and Action Plan, and the 2050 Strategy, Pacific leaders have provided a clear vision of what regional security looks like and how external partners should align their activities to support this vision. This vision centres on an expanded definition of security that has at its core a commitment to peace, human wellbeing, and climate action. Despite this, Australia's largest investment in regional security and the broader sweep of US and Australian regional security engagements are not only failing to meet the Pacific's vision of security, but actively undermining it, making the region and its peoples less safe now and into the future. Across the areas of regional peace, climate change, ocean governance, human security, and nuclear security, AUKUS, US-Australian (nuclear) militarisation, and the Indo-Pacific security agenda bring little in the way of benefits, and a lot in the way of risks. Allowing these developments to continue will mean the Pacific region's lands, waters, and people are more at risk of the devastating consequences of climate change, great-power conflict, and nuclear pollution.

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- <u>55</u> Hugh White, 2019, "US could ask Australia to host nuclear missiles" ASPI Strategist, January 17. From: <a href="https://www.aspistrategist.org.au/us-could-ask-australia-to-host-nuclear-missiles/">https://www.aspistrategist.org.au/us-could-ask-australia-to-host-nuclear-missiles/</a>
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