



# International Agreements Committee

## Corrected oral evidence: Amendments to the UK-US mutual defence agreement

Tuesday 8 October 2024

4 pm

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Members present: Lord Grimstone of Boscobel (The Chair); Lord Anderson of Swansea; Lord Boateng; Lord Etherton; Lord Fox; Lord German; Lord Hannay of Chiswick; Lord Howell of Guildford; Lord Marland; Lord Udny-Lister.

Evidence Session No. 1

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Questions 1 - 25

### Witnesses

**I:** Joe Pitt-Rashid, Director of Strategy and Policy for the Defence Nuclear Organisation, Ministry of Defence; Commodore Paul Carter, Deputy Director AUKUS Programme, Ministry of Defence; Roland Knott, Deputy Director Warhead Capability, Defence Nuclear, Ministry of Defence.

## Examination of witnesses

Paul Carter, Roland Knott and Joe Pitt-Rashid.

Q1 **The Chair:** Good afternoon, ladies and gentlemen. Welcome to this evidence session of the International Agreements Committee on amendments to the UK-US mutual defence agreement. Members will declare their interests when they speak for the first time during this session. The meeting is being broadcast live via the parliamentary website. A transcript of the meeting will be published on the committee website. You will have the opportunity to make corrections to this transcript where necessary. I wonder whether I can ask our witnesses to introduce themselves.

**Paul Carter:** Good afternoon. I am the deputy director for AUKUS pillar 1 programme delivery at the Ministry of Defence.

**Joe Pitt-Rashid:** I am the strategy and policy director for defence nuclear in the Ministry of Defence.

**Roland Knott:** I am deputy director for warhead capability in defence nuclear in the Ministry of Defence.

Q2 **The Chair:** Thank you for joining us this afternoon. I will ask the first question and then members of the committee will come in with further questions. Could I ask one of you to give a brief overview of the significance of the UK-US mutual defence agreement, which we will refer to as the MDA, to the UK's nuclear deterrence capabilities? What is its overall significance?

**Joe Pitt-Rashid:** The first thing I would point out, which you are probably well aware of, is that the MDA is premised upon the UK's status as an independent nuclear power. The signing of the MDA took place shortly after the UK had successfully tested a thermonuclear weapon. It is none the less the cornerstone of the special relationship and creates the framework for a huge part of our close collaboration with the United States, as it has done for over 65 years now.

It creates a framework for the exchange of naval nuclear propulsion technology, atomic information and material, and other related non-nuclear components. It very explicitly does not facilitate the transfer of nuclear weapons or explosive devices. It was created in the first instance to permit derogations from the US Atomic Energy Act 1946. It has been updated every five or 10 years since it was originally signed. As I say, it sits right at the heart of the special relationship between the UK and the US.

It has been a major source of efficiency and assurance in our stewardship of nuclear weapons and the development of our nuclear submarine force over the decades. I would also observe that some of the programmes that we develop in the nuclear enterprise are at the very forefront of scientific understanding, but, by their very nature, relatively few people are qualified and get to participate in those scientific programmes. Having

distinct scientific communities on either side of the Atlantic that can bring fresh perspectives to each other's shared challenges is very hard to put a value on but is absolutely at the heart of what we do.

**Q3 Lord Fox:** I have no interests to declare. Some of the amendments included in the MDA are to allow the UK to transfer materials and equipment for naval nuclear propulsion to the US, and to extend the scope from just submarines to submarines and naval vessels more broadly. What is the significance of this? What does it seek to achieve that could not have been done before? What lies beneath those amendments? Clearly, it is quite a big change.

**Joe Pitt-Rashid:** It may appear more significant at first than it is. It is really about future-proofing the framework for the decades ahead, recognising that we are engaged already in programmes that will persist for decades. That reciprocity provision, as you describe, enables the provision of nuclear propulsion technology from the UK to the US, should we judge that as something we want to pursue, but does not reflect any current programmatic intent to make use of that provision.

On the provisions about extending from specific submarine technology to wider naval technology, that just reflects the fact that some of the infrastructure in the US is not solely submarine specific and has wider naval purposes.

**Lord Fox:** We could have done this 10 years ago and did not, so something has changed that means that we want to have this. Was it us who wanted to have it or was it the United States?

**Joe Pitt-Rashid:** There are quite a lot of things in these amendments that are more about housekeeping than reflecting a particular change of intent. You will be aware that, as we have also amended Article III bis to make the treaty enduring, it made sense to take the opportunity to put in provisions that would be helpful in the future should we believe that we need them. Paul may want to add to that.

**Paul Carter:** No, not to that one. I will come on to it when we talk about ENNPJA.

**Q4 Lord Anderson of Swansea:** The original agreement involved major concessions by the US and great preference to the UK because of what you have called the special relationship. In the light of the developments since the original treaty or agreement, what has the experience been? Has it been largely, as some critics might say, a one-way street? How much have we been able to contribute to the reciprocal agreement?

**Joe Pitt-Rashid:** That is a fair question. I would observe that the US, in its communications with Congress about these amendments, has been very clear that it sees the MDA as being of mutual interest. One of the most obvious areas in which we make a contribution is our amazing scientific expertise, mainly in AWE and specifically around Aldermaston, where there is a whole raft of advanced nuclear physics and engineering expertise that we can share with the US when we work on and solve

problems. A great deal of learning and challenge goes on within that community. Having witnessed it in action, I would say that it is one of the very closest bits of collaboration that we have. They get huge value from that.

The other thing, of course, is that the US believes itself to derive great value from the UK's status as a nuclear weapons state. Although, as I said, we are an independent nuclear weapons state, supporting us in that endeavour, particularly with stewardship and nuclear security and safety, is of wider benefit to the US's national security interests.

**Lord Anderson of Swansea:** That said, is it fair to say that the exchange has been very largely one way, from the US to here?

**Joe Pitt-Rashid:** I would not characterise it as one way, but it is probably fair to say that we certainly derive great benefit from the relationship.

**Lord Boateng:** Is that benefit quantifiable?

**Joe Pitt-Rashid:** I thought you might ask a question like this. It has certainly saved us a lot of money over the decades. That is without doubt. I do not think I can put a figure on that for you, because it is all the things that we did not have to do over the decades that have rendered it a more efficient agreement than we might otherwise have had. I think that is all I need to say on that.

Q5 **Lord Etherton:** Looking at Article 4 and the new Article III, which is the transfer of equipment and information about naval nuclear propulsion, I see that the provision is for transfer to the recipient party or persons designated by the recipient party, so you potentially have third parties involved here. I wondered whether that was a change from the previous position or why it is in there. Does that raise any security issues regarding third parties?

**Joe Pitt-Rashid:** I might have to come back to you on that question. I am afraid I do not know the answer off the top of my head.

**The Chair:** We will make a note of that and come back to you on it.

Q6 **Lord Hannay of Chiswick:** To the best of our knowledge, does the United States have any agreements of a similar nature to this with any other country? I assume that, to some extent, AUKUS is a similar agreement as far as nuclear propulsion is concerned, but not other aspects of weapons matters. Could you just give a broadish answer to that? It would be useful.

**Joe Pitt-Rashid:** The answer is that this is unique in its breadth and depth. The US does not have a comparable agreement with other nations, although there are elements of collaboration, as you say, through AUKUS on nuclear propulsion that are in the nuclear sphere. The relationship between the UK and US is unique.

**Lord Hannay of Chiswick:** What about with France?

**Joe Pitt-Rashid:** I believe there is a level of collaboration at a very high level and some form of dialogue, but nothing that is in the same level of depth as we have with the US.

Q7 **Lord German:** On III bis, which you have talked about already, A, B and C are basically US to UK, and D is the other way around. You were not able to quantify the figure when the question was asked to you earlier, but three to one in any tennis match would not be as appropriate as two to two. Would you at least agree that there is more going in one direction than the other, or is III bis D way outside the perspective of what we know about?

**Joe Pitt-Rashid:** It is fair to say that there is a greater flow of materials and goods into the UK than out of the UK under the terms of this agreement. That is a reasonable thing to say.

**Lord German:** You cannot quantify it.

**Joe Pitt-Rashid:** No, I do not think that we could quantify it.

Q8 **Lord Hannay of Chiswick:** As a declaration of interest, I am a member of the European Leadership Network, which concerns itself with nuclear proliferation and disarmament. Going to Article III bis, which is, I think, the major change from previous versions of this agreement, it basically prolongs the agreements in MDA and will not, therefore, require the 10-year refresh arrangements, of which this is the last. I assume that I have correctly described that.

Moving on from that, very possibly due to unintended consequences, one of the results, therefore, is that this Parliament will no longer be involved in this agreement, as it has been at 10-year or, I think, earlier, five-year intervals. Perhaps you could confirm that that will be the case.

I will ask you a hypothetical question, which I do not want you to feel the need to answer in substance. Should the Government be pressed, in the process we are involved in now, to agree to report to Parliament at a 10-year interval on the operation of this agreement from our side, how it is working and how it is going, that would not contravene any part of the changed agreement that we are discussing now, because it would not involve saying that there would have to be a renegotiation with the United States. It would merely say that the British Government had undertaken to report to Parliament at an interval, so that Parliament could be kept informed. Could you handle those questions, please?

**Joe Pitt-Rashid:** In the first instance, you are right that the amendments to Article III bis will mean that we no longer need to bring the MDA in front of this committee for amendment or renewal. From a procedural perspective, therefore, we will not have hearings of this nature in the future. However, it is absolutely not our intent to reduce Parliament's ability to apply scrutiny. I cannot speak for what the Government's position would be, in answer to your second question, but I know that there is a firm commitment to ensuring that we have transparency and accountability to Parliament within the limits of national security.

**Lord Hannay of Chiswick:** If the Government were to agree to that—and I say “if”—that would not cut across any of our obligations that we have entered into with the United States to continue the agreements in MDA.

**Joe Pitt-Rashid:** I do not believe that it would.

**The Chair:** That was a very helpful answer. Thank you.

Q9 **Lord Fox:** Coming back to the question of what is substantive about the change, what was the motive driving the removal of the 10-year review? That review is a chance to do the sort of housekeeping that you have been doing, in such a way that it is there and there is a process available. Now if you want to change things, assuming this goes through unchanged, you will have to instigate a process in order to do so. I would suggest that that is actually a backward step rather than a forward step. What advantage do you get by setting this in concrete, versus having something that is flexible and can change with the times going forward?

**Joe Pitt-Rashid:** In the first instance, it is worth pointing out that that review clause applied specifically to Article III bis and this brings that article in line with the rest of the treaty, which is always assumed to be enduring. I can understand the point that you are making. The judgment that has been made between us and the US is that we retain discretion to review the agreement as required, should our Administrations so wish. Aligning Article III bis with the rest of the treaty to reflect the fact that there is no programmatic reason why we need to revisit or review those clauses, while retaining discretion to do so should we need to, is the kind of balanced judgment we have come out with.

Q10 **Lord Howell of Guildford:** Bearing in mind that the American congressional system is different from our own Parliament in many ways, do you have any light or information on how Congress is treating this change? Are there objections? Does the committee concerned have power to block it or change it? Can you give us a little light on that?

**Joe Pitt-Rashid:** I will do my best. I may need to write back to you to provide more information on that. My current expectation, partially in ignorance, is that the US congressional system will treat this as a relatively straightforward procedural update and good housekeeping for the maintenance of the MDA.

Q11 **Lord Boateng:** Mr Pitt-Rashid, do you regard the reduction in any shape or form of this House’s ability to scrutinise this provision as mere housekeeping?

**Joe Pitt-Rashid:** I would contest the view that we are reducing the House’s ability to scrutinise this agreement. I would be very happy to appear in front of this committee to assist scrutiny whenever you would like.

**Lord Boateng:** On what basis do you contest that assertion? There is no longer a requirement to bring any amendment before this committee. If that requirement is removed, you are reducing the ability of this House to

scrutinise this particular piece of work, are you not?

**Joe Pitt-Rashid:** It removes a procedural opportunity. I agree with that, but there is no intent to reduce your opportunity to scrutinise our work.

**Lord Boateng:** Is the removal of a procedure designed to permit that scrutiny housekeeping? Would you like to reconsider the use of the term "housekeeping" in relation to these measures?

**Joe Pitt-Rashid:** Yes, I am happy to reconsider the use of that term.

**Lord Boateng:** You would not describe it as housekeeping.

**Joe Pitt-Rashid:** No, in light of this conversation I would no longer describe it as housekeeping.

Q12 **Lord German:** Following on this conversation, I have before me what the procedure is in the US Congress. Is there any change being made to this process going forward for this MDA? Is there going to be any change in their proceedings and their oversight of it in the future?

**Joe Pitt-Rashid:** I do not know the answer to that. I would be very happy to write back on future congressional process.

**Lord German:** This is pretty important, because, in essence, if the US House and Senate have the opportunity to continue to look over these matters and yet we do not, clearly there is an imbalance there, which has either been thought about and disregarded, or been thought about, considered and thought appropriate. Which of the two is it?

**Joe Pitt-Rashid:** I do not know what the forward process for US congressional oversight is, so I am very happy to write back to the committee on that topic. I would observe that, as Lord Howell pointed out, there are many differences between the congressional role and the parliamentary role in our respective systems. I will not hazard to speculate on what the optimal balance might be, but I would expect that some difference in process and rights would persist.

**Lord German:** If there was an imbalance, as would be the case if there was no change to the US system but a change to the UK system, would you think that this matter ought to be brought to the attention of the House as a whole and the Government? Would you do so if that was the case?

**Joe Pitt-Rashid:** That might be a constitutional question that is outside of my own area of responsibility.

**Lord Boateng:** It certainly does not fall into the description of housekeeping.

**Joe Pitt-Rashid:** No, it would not.

Q13 **Lord Anderson of Swansea:** Gentlemen, you have dealt with the key amendments. There are other amendments. Would you say that they are,

in the main, simply updating minor technical amendments and should not detain us today?

**Joe Pitt-Rashid:** That would be our judgment. A lot of it is modernising language to reflect technical detail of the relationship. I do not think that there is anything in there that I would draw the committee's attention to in particular.

Q14 **Lord German:** This will be a well-trodden pathway, but, on the renewal at this point, the critics have said that the MDA is not in line with our commitment as signatories to the nuclear non-proliferation treaty. Could you rehearse for us the reasons and the rationale for reconciling those two opposing positions, as both members and signatories of the NPT and being a party to the MDA?

**Joe Pitt-Rashid:** You will be well aware that the MDA predates the NPT, and we have always taken the view that the two are entirely consistent. Indeed, Article V of the MDA prohibits the exchange of atomic weapons themselves. Article 1 of the NPT prohibits the transfer of nuclear weapons or nuclear explosive devices. The MDA does not provide for the exchange of nuclear weapons or nuclear explosive devices. Furthermore, we remain committed to our obligations under the NPT to, in good faith, pursue negotiations towards nuclear disarmament. We consider the two consistent, as they always have been.

**Lord German:** Could I ask you then, in good faith, where discussions on nuclear proliferation have gone? Who would be responsible for them and what actions have been taken in the last 10 years?

**Joe Pitt-Rashid:** That is a big topic. Responsibility for non-proliferation sits primarily with the Foreign Office, which leads our representation in the relevant UN committees where the non-proliferation treaty is governed. My own team works very closely with the Foreign Office on those topics. We are actually about to enter a particular first committee process at the UN, in which some of these topics are very likely to come up.

While the NPT remains a critical part of the non-proliferation architecture, it is clear that the wider global challenge on proliferation and disarmament is not in a good way at the moment. We see diversifying Russian capability and the build-up of Chinese nuclear capability. You will be well aware of the commentary around Iran's nuclear programme and, of course, destabilising action in North Korea. Those are all negative trends from a disarmament and global security perspective.

**Lord German:** Nevertheless, as you have said, we remain committed to this action. If you cannot tell us what we have done in the last 10 years to take that forward, perhaps that might be another matter you would like to write to us about.

**Joe Pitt-Rashid:** I might write to you, if that is okay, with detail of actions taken in the last 10 years to support non-proliferation.



**Q15 Lord Howell of Guildford:** This sounds like rather a general, superficial question, but actually there is a lot of concern behind it, which I would very much value your opinions on. We are making these changes to the MDA. In a sense, in the world in which we are dealing with the United States and this country in co-operation on nuclear power, which goes back decades to a completely different world from the world we have now, it does not sound very much. A lot of people are watching around the world to see how much Britain really is in this new deal, with all the power rising in Asia and with changes in the original special relationship, and how much we remain, are becoming or are in danger of being a puppet of Washington and the United States, a poodle and all the rest. When you worked on this, before it came to us in Parliament, was there concern and worry about our image in the world, in the Commonwealth and in the non-aligned countries, and our having too much reliance on an America that is a very different country from what it was 30 or 40 years ago, whose supremacy, which was unquestioned then, is questioned now?

**Joe Pitt-Rashid:** It is really important to stress that the UK's strategic nuclear deterrent remains independent and at the sole discretion and under complete political control of the British Prime Minister. We are very clear that we operate an independent deterrent under independent control of the political leadership in this country alone. The wider relationship with the United States for decades has been a source of strategic strength for the UK, as well as very pragmatic support for our nuclear deterrent. We expect that to continue in the decades ahead, both bilaterally and as part of the wider NATO alliance.

**Lord Howell of Guildford:** As you say, it is a source of strategic strength, but is it not a source of having a nuclear weapon at all? Could it not be the view around the world that the United Kingdom, unlike other countries, can apparently not get a nuclear capacity going without dependence on parts without which it would not work at all?

**Joe Pitt-Rashid:** I do not deny that it would probably be more expensive and elements of it would be more complex, but our entire relationship with the United States is premised upon the UK's status as independent nuclear power. That remains true, just as it was when the MDA was incepted.

**Lord Howell of Guildford:** When you are putting this all together, both in your department and with other colleagues in Whitehall, is this issue discussed, in that we must be careful about having a good partner in the United States and that we must not look as though we are the subordinate or satrap to the United States?

**Joe Pitt-Rashid:** I do not want to comment on the internal deliberations of the national security community in the UK. We give full consideration to many complex geopolitical issues in our internal work.

**Q16 Lord Fox:** Winding back to when this treaty was originally conceived, and I imagine that you probably were not involved with it at that point, there

was a very large and active civil nuclear programme within the United Kingdom. Of course the crossover between defence and civil is always limited, but there was an intellectual capacity that existed then, which made the assertion that we were an independent nuclear power much more credible than it is today. Would you agree that the virtual death of the civil nuclear programme within the United Kingdom makes your job of maintaining that independence harder?

**Joe Pitt-Rashid:** I think I mentioned earlier that there are tens of thousands of people employed in the defence nuclear enterprise across the UK, including about 7,000 at Aldermaston, where AWE has its main base. There are hundreds more in other nuclear sites around the United Kingdom. I totally understand the point that you are making. The defence nuclear enterprise alone in the UK is a very considerable capability and resource that we are able to draw on. Like I said, it makes a valued contribution to the United States under the terms of the MDA.

I work very closely with my colleagues in DESNZ, where there are areas of shared interest or the need to coordinate. For instance, the civil and defence nuclear enterprises both need a lot of the same skills. That is why, earlier in the year, we launched a joint nuclear skills plan for the civil and defence nuclear sectors, so that we can together double the number of apprentices and graduates going into the nuclear sector, in the expectation that some of those may move roles from civil to defence over the next decade. There are countries such as France and the US where the scale of their civil nuclear sector further bolsters their defence enterprise. That is definitely the case, but I would not say that we feel particularly impaired by—

**Lord Fox:** That acknowledgement in itself is an acknowledgement that we have lost something. In a sense, you are having to replace what is not there through your skills programmes and things like that, whereas things existed in the past that fed into the defence side of the nuclear programme. I am not asking you to bemoan something that is not there, since there is nothing much that we can do about it, but, in a sense, it must make your job harder that there is not that pool of intellectual capability and skills to feed into what you are seeking to achieve, whether it is at AWE or wherever.

**Joe Pitt-Rashid:** It would always be nice to have more expertise to draw on. That is a totally fair point that I would agree with. I would not want to give the impression that we feel a specific lack in that respect. I would also observe that, across the nuclear enterprise, we now have lots of programmes to modernise our enterprise that are about rebuilding and renewing capability, which we did not put much pressure on over the 1990s and 2000s, after the end of the Cold War. The challenge that you describe of assembling capability in the defence nuclear enterprise that we might have to build or rebuild is certainly familiar to me.

Q17 **Lord Boateng:** You have been unable to quantify the benefit of the MDA to the United Kingdom. Will these amendments to the MDA lead to an increase in nuclear defence spending and, if so, by how much?

**Joe Pitt-Rashid:** We do not anticipate that any of these amendments will lead to increases in spending.

**Lord Boateng:** You do not anticipate any increase in nuclear defence spending as a result of these amendments.

**Joe Pitt-Rashid:** That is correct.

**Lord Boateng:** You said, in answer to a question from one of my colleagues, that there is a greater benefit flowing to the UK from the MDA than there is from the UK to the US. Is that right?

**Joe Pitt-Rashid:** That is a reasonable characterisation.

**Lord Boateng:** Therefore, if you were to have, say, a US President who was not happy with a situation in which the UK derived more benefit from the MDA than the US and wanted to equalise things, would you, in those circumstances, give a different answer? There would be an increase in nuclear defence spending as a result of these amendments, would there not?

**Joe Pitt-Rashid:** I am just trying to make sure that I have followed the line of your question.

**Lord Boateng:** At the moment, to put it bluntly, the US subsidises the UK's nuclear defence capability, does it not?

**Joe Pitt-Rashid:** Yes, and I would say that we subsidise theirs in return, to some extent.

**Lord Boateng:** On the basis of your answers, on balance, they subsidise us in the sense that the benefit to us is greater.

**Joe Pitt-Rashid:** That is the net effect.

**Lord Boateng:** If you had a US President who was not willing for there to be a continuing subsidy at this level to the UK, these amendments would lead, would they not, to an increase in nuclear defence spending on the part of the United Kingdom?

**Joe Pitt-Rashid:** I do not think that these amendments would. I cannot see how the specific amendments in front of the committee would lead to that.

**Lord Boateng:** The MDA would cost the United Kingdom more.

**Joe Pitt-Rashid:** I do not think that the MDA itself would. Anything that you are describing would be subject to future diplomatic negotiation.

**Lord Boateng:** You cannot quantify the benefit to the UK and yet you are able to say that these amendments will not lead to an increase in defence spending.

**Joe Pitt-Rashid:** That is because they force us to take no action on expenditure that we would not otherwise take.

**Lord Boateng:** You have run these amendments by the Treasury, I hope.

**Joe Pitt-Rashid:** Yes, this will have been collectively agreed before it was brought to this committee.

**Lord Boateng:** The view of the Treasury is that there will be no increase in defence spending as a result of these amendments. Is that what you are telling us?

**Joe Pitt-Rashid:** I would not want to speak for the Treasury's own opinions, but that is my understanding.

**Lord Boateng:** You are here to speak for the Government, Mr Pitt-Rashid.

**Joe Pitt-Rashid:** That is very fair. My understanding is that there will be no increases in defence spending as a result of these amendments.

**Lord Boateng:** Is this something that you would like to write to us about when you have consulted the Treasury?

**Joe Pitt-Rashid:** I am happy to do that.

**Lord Boateng:** Thank you very much.

**The Chair:** We are shortly going to move on to the second part of this, which is on the AUKUS naval propulsion agreement. Are there any last questions on this first part that any committee member would like to ask before we do that?

Q18 **Lord Hannay of Chiswick:** If I could, I will ask a supplementary now, because it relates to the MDA and not to the AUKUS agreement. I am not sure whether you have seen the note that our clerks have produced on the state of the American ratification. If you have, perhaps you could say that you are at one with it; if you have not, you could let us know whether you have any doubts about it, so that we know that the work that our secretariat has done is on all fours with your view of ratification.

The timetable that the US has set itself—it seems to have set about this in an extremely businesslike way and, in fact, got started on ratification earlier than we did—is due to reach completion during the present Congress and the present Administration. Of course, the present Administration lasts until 20 January and the present Congress until about 5 January. It is important for us to know your view of the likelihood of that, although it is not under your control.

**Joe Pitt-Rashid:** As you anticipate with that final comment, the US process is a matter for the US Administration and their Congress, so I would not want to pass a comment that might prejudice that.

**Lord Hannay of Chiswick:** I am asking you whether your knowledge of the process leads you to the conclusion that it will be complete during the time of the present Administration and the present Congress.

**Joe Pitt-Rashid:** Based on my personal judgment, I would expect that to be the case.

Q19 **Lord Etherton:** Can I just ask about this issue that we have discussed quite a lot during this session, which is the removal of the ability to scrutinise amendments every 10 years? It might be said that there is a democratic deficit in that issue. It is an important one, and I want to try to really understand how important it is, either for the UK or for the US, that that amendment does take place. Can you give us some idea of what significance is attached to that issue and, if it is a lot of significance, why?

**Joe Pitt-Rashid:** I am not totally au fait with the committee's scrutiny of other international agreements, but my understanding is that it is not unusual for international agreements to pass through this committee at the moment they are agreed and then not to appear back to be re-ratified over the course of their lifespan. It would be consistent with the way in which many other treaties are treated, and, indeed, consistent with the majority of the articles within the MDA, if this were to be a single moment of ratification and scrutiny, and we were to move forward with the agreement in place, noting that any future amendments that were made would come back to this committee. If any changes were made, you would get the opportunity to scrutinise and ratify it again.

On your point about its significance, as I said earlier, from an internal administrative perspective, it brings the relevant article into line with the rest of the treaty and reflects the fact that there is no programmatic reason why we would need to revisit the articles of the treaty at a fixed date.

Q20 **Lord Anderson of Swansea:** But you would see no great disadvantages if this amendment were not proceeded with.

**Joe Pitt-Rashid:** I would have to check, but this has been carefully negotiated and resolved with the United States. It is something that we would have to discuss with the US, but I do not expect that it would react well.

**Lord Anderson of Swansea:** Do you mean that the US might have a view as to parliamentary scrutiny here?

**Joe Pitt-Rashid:** It might have a view. I would expect it to have a view on the relevant amendment and the removal of the review clause.

**Lord Anderson of Swansea:** How significant do we view it as being?

**Joe Pitt-Rashid:** As I said earlier, from an internal administrative perspective, we see no programmatic reason to maintain the review clause. It brings the article in line with the rest of the treaty. The practice

that the treaty would be scrutinised and ratified once and then implemented would be consistent with wider government practice.

**Lord Anderson of Swansea:** If it were to be removed, you would see no great disadvantage.

**Joe Pitt-Rashid:** It would be a peculiarity that is avoidable.

**Lord Anderson of Swansea:** That is not a disadvantage. It is a peculiarity.

**Joe Pitt-Rashid:** I will concede that it is not a great disadvantage.

**The Chair:** Thank you. Let us now move on to the AUKUS section. Lord Marland, I think you have a question you wish to ask on that.

Q21 **Lord Marland:** Thank you, Chair, and apologies for not being with you in person. It just occurred to me that there are two things that have underpinned this conversation. One is whether we are the junior partner in this relationship and how we prevent ourselves from being it. Secondly, I am not sure that the internal governmental due diligence has been accurate enough to provide answers to some of the very incisive questions that have been asked, so maybe this should be considered.

Putting that to one side, what is the value of this MDA to the AUKUS partnership and how does it interrelate with the agreement on naval nuclear propulsion that the Government signed recently?

**Paul Carter:** It is probably appropriate that I take that one. The first bit was about what the value of the MDA is in this agreement. It is probably worth saying that they are two completely separate agreements. The MDA is bilateral between us and the US, and has been going for some 60-plus years. The agreement that we have under AUKUS is the AUKUS naval nuclear propulsion agreement. It is a trilateral agreement between us, the UK and Australia. It is about conventionally armed nuclear-powered submarine capability, so not as wide and broad-ranging as the MDA in terms of weapons technology.

This is an extension of an agreement that we already had, which allows information sharing with Australia. Once this comes into force, it will enable us to transfer technology and equipment. For example, Rolls-Royce will be building the PWR3 technology reactors, which we will build on behalf of Australia for it to use in its construction, which it plans to do in Adelaide.

Without the MDA and the bilateral change, we could not be doing AUKUS pillar 1. We need the US technology. The future SSN that is going to be built in two countries, with probably a single supply chain, more or less, has trilateral technology. US technology is being inserted into our design to support AUKUS and make it a much more ambitious and lethal capability. That is the value. Without the MDA, we would not have the ENNPIA or AUKUS pillar 1.

Q22 **Lord Hannay of Chiswick:** Going back to a question that we asked

about the US MDA and its compatibility with the non-proliferation treaty, I take it, but perhaps you could confirm this, that in our view the AUKUS agreement is fully compatible with both our and Australia's obligations under the non-proliferation treaty. Of course, the Australian obligations are those of a non-nuclear state, whereas ours are those of a nuclear weapons state. I take it that that is our view. Has that view been buttressed by any expression of views by the director-general of the International Atomic Energy Agency as to its compatibility with the non-proliferation treaty?

**Joe Pitt-Rashid:** We believe that all these agreements are consistent with our obligations under the NPT. There is a dialogue under way with the IAEA to clarify and confirm that, so that it is clear to any interested observer exactly why that is true. That is our firm expectation.

**Lord Hannay of Chiswick:** So that is with director-general Rafael Grossi at the moment.

**Paul Carter:** As part of the AUKUS negotiations for pillar 1, and as part of ongoing activity, the Vienna IAEA is fully engaged in the process and the application of safeguards to the sale of nuclear propulsion technology to Australia, as are we.

We talk about the submarine and say "conventionally armed, nuclear-powered". It does not trip off the tongue, but that is to make it clear that this is about the transfer of nuclear propulsion technology, not nuclear weapons technology.

**Lord Hannay of Chiswick:** That is quite helpful, but I am not quite clear about whether Director-General Grossi has to offer an opinion on this at some stage or where that process is at.

I have heard it said that, by the time these nuclear-propelled submarines are built, it could very well be that the Australians, a non-nuclear weapons state, would not require any access at all to their propulsion units during the lifetime of the submarine. Is that a relevant factor?

**Paul Carter:** I will take the second question first. Then I might have to defer as to exactly how we are engaging with the director-general of the IAEA. As for the way in which we are going to transfer the nuclear propulsion technology to Australia—and we must remember that the Americans are going to sell three Virginia class submarines completely intact—we will transfer a fully built power module. Therefore, there will be no access to the fuel inside. Part of the work that we are doing with the IAEA is to understand how we apply safeguards to that. The Australians should have no requirement to access that technology, but they do have to safely dispose of it once they have used it. That is part of the requirement, and that is the same for the US transfer as well.

We are terming it the stewardship of nuclear technology, so it is not just safe operation but throughout its whole life cycle. They need to be able to understand what they are operating, but also how to safely dispose of it.

They will have reach-back capabilities to both the US and to us to support them in that capacity.

**Joe Pitt-Rashid:** Just to clarify your earlier question, yes, DG Grossi is engaged on this topic. Australia will need to confirm a bilateral agreement with the IAEA, and the UK and the US are supporting it in that.

Q23 **Lord Anderson of Swansea:** I recall that, at the time of AUKUS, there was intense anger in France, having had its own negotiations upstaged, and cries of “perfidious Albion” and so on. Has there been any attempt to placate France in any way since that time?

**Joe Pitt-Rashid:** We maintain a strong partnership with France on nuclear matters. I would say that the relationship is in a good place. Roland, you may want to say more about the exact collaboration that we do with the French.

**Lord Anderson of Swansea:** I was talking about AUKUS in particular.

**Joe Pitt-Rashid:** If your question was whether AUKUS upset the relationship, the answer is that the relationship with the French is very good.

**Lord Anderson of Swansea:** It did upset the relationship. It is a matter of fact.

**Joe Pitt-Rashid:** It did, but the relationship today is very strong and we collaborate very closely with them on matters of nuclear security.

Q24 **Lord Howell of Guildford:** Pursuing Lord Hannay’s line of inquiry, we are signatories to the NPT. We are supposed to be moving into a denuclearised world. In fact, the entire NPT regime is going in the opposite direction and looking extremely shaky at the moment. There are many aspects that fill the whole world with horror, not least the utterances from Moscow and other places.

When we come to something like this, do we, as a Government, and you, as a department, take care to explain to a rather bewildered public that we are still dedicated to trying to unwind the whole nuclear weapons nightmare? You will remember that, 14 years ago, we made some announcements about reducing warheads. That was then reversed in 2018 and hardly touched on the public consciousness at all. Do these sorts of situations worry you? Do you feel that your press relations department, your propaganda and your explanations need a bit of revision when we appear to be going in another direction?

**Joe Pitt-Rashid:** Nuclear proliferation worries me as an official and as a citizen. We think very carefully about how we demonstrate our commitment to our non-proliferation obligations. You will find that, in any official publication of the UK Government’s nuclear policy, just as we set out our approach to deterrence, we always affirm our commitment to non-proliferation and the ultimate goal of a world without nuclear weapons.



On more day-to-day topics, we put a great amount of diplomatic work into explaining exactly the ways in which the actions that we take today remain consistent with those obligations. The consistency of the MDA and AUKUS with the NPT, as we have discussed here today, is something that we routinely explain to various interested parties. Earlier this year, we put out a command paper that set out the full breadth of what we do across the nuclear enterprise. Our commitments to being a responsible nuclear weapons state were a very important part of that, and that was a communication aimed directly at the wider public and interested community in the UK. We are always talking about that at the same time as we talk about the unfortunate necessity of maintaining nuclear deterrence in the current global security environment.

**Lord Howell of Guildford:** I was astonished to hear from Commodore Carter a little earlier that we are, speaking technologically, as much in bed with the Americans over marine nuclear propulsion as we are over nuclear weapons. Perhaps this is a helpful, if not slightly impertinent, bit of assistance, but I hope that we take great care in distinguishing, for the public mind, nuclear-powered submarines and the treaty that we have signed on nuclear marine propulsion, which is one story, from nuclear-armed, which is another story.

In the case of the US navy, naval officials refused to co-operate with the rest of the American Government in the development of a nuclear component in submarine warfare for fear of becoming involved in political issues, whereas marine nuclear propulsion has gone on for years without any controversy at all. If that is so, is it right that we are in bed with the Americans?

**Joe Pitt-Rashid:** There are a couple of things about that. In the first instance, you are exactly right that that distinction between nuclear propulsion and nuclear weapons is incredibly important. They are completely separate topics and are dealt with in very different parts of the enterprise. The AUKUS deal concerns only nuclear propulsion.

**Lord Howell of Guildford:** That needs to be made very clear indeed. It creates a lot of confusion, even in this House.

**Joe Pitt-Rashid:** It does. The other thing that I would say is that the MDA originally provided for collaboration with the United States on nuclear propulsion. We will be making great use of US technology in the Dreadnought boat and the AUKUS boat. It is a UK submarine design. The PWR3 is a UK reactor vessel. The AUKUS programme, collectively, enables a great deal of investment into the UK nuclear propulsion industrial base. It is a source of strength for our industrial base and for our own nuclear propulsion technology.

Q25 **Lord Hannay of Chiswick:** I just wanted to pick up on that remark that you made about the nuclear relationship with France being now very positive. I note that the Government have agreed with the French Government to revisit and refresh the Lancaster House agreements. Does that cover the nuclear aspects of the Lancaster House agreements?

**Joe Pitt-Rashid:** I am not in a position to comment on what discussions may or may not be going on between the UK and France at this time.

**The Chair:** Can I thank you very much for attending today? You have been extremely helpful. You have very kindly undertaken to write to the committee on a number of matters. We are under great time pressure to produce our report, because of the CRaG timetable, so it would be of great benefit to the committee if you could send those letters as quickly as possible.

**Joe Pitt-Rashid:** That is no problem at all.

**The Chair:** Can I thank you again for attending today and for the constructive way in which you have answered our questions? Thank you very much.