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SUBMISSION TO THE JOINT STANDING COMMITTEE
ON TREATIES

INQUIRY INTO NUCLEAR NON-PROLIFERATION AND DISARMAMENT

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The Uniting Church's commitment to peace

The Uniting Church congratulates the Government on this review and welcomes the opportunity to contribute to this Inquiry.

The Uniting Church in Australia is committed to being a peacemaking church and to working for peace and justice in the world. In 2003 the National Assembly of the Church adopted a statement entitled *Uniting for Peace*¹. It states the Church's belief that

reliance on weapons for peace and security can never achieve a just and lasting peace. Security achieved through armament is sustained by fear of the enemy and can never see the world reconciled;

and that

genuine global security will only be achieved by working for an end to the trade in illegal weapons and the arms trade, preventing the proliferation of nuclear or other weapons of mass destruction, and requiring progressive disarmament of all nations.

This most recent resolution continues the Uniting Church's long commitment to work for a world free from nuclear weapons. It affirms past commitments to work for 'general and complete disarmament'², the abolition of all nuclear weapons³, support an end to the production of weapons-grade fissionable materials⁴, and previous calls on the Australian Government to support a comprehensive ban on nuclear testing⁵ and end our involvement in the nuclear fuel cycle.⁶

Christian affirmation about peace arises from the belief that Jesus Christ is our peace and that the call to

1 available: http://www.unitingjustice.org.au/images/pdfs/issues/uniting-for-peace/assembly-resolutions/10_unitingforpeace2003.pdf

2 Uniting Church in Australia, Third Assembly, May 1982, *Militarism and Disarmament*, available: http://www.unitingjustice.org.au/images/pdfs/issues/uniting-for-peace/assembly-resolutions/3_militarismdisarm1982.pdf

3 Uniting Church in Australia, Assembly Standing Committee, September 1988, *Statement on Nuclear Deterrence, Disarmament and Peace*, available: http://www.unitingjustice.org.au/images/pdfs/issues/uniting-for-peace/assembly-resolutions/5_disarmpeace1988.pdf

4 *Militarism and Disarmament*, op. cit.

5 *ibid.*

6 Uniting Church in Australia, Assembly Standing Committee, March 2000, *Nuclear Fuel Cycle Policy*, available: http://www.unitingjustice.org.au/images/pdfs/issues/living-sustainably/assembly-resolutions/8_nuclearfuelcycle2000.pdf

Christian discipleship includes working to end violence and fear. Christians believe that the gospel message is one of hope and transformation. The Biblical vision of peace leads us to understand the sacredness of all life and that God's will for humankind is for justice and wholeness for all people. The Church's opposition to nuclear weapons lies in the grave threat they pose to people and the planet. We reject any distinction between the production, possession, threatened use or use of nuclear weapons.⁷ We believe there is no greater threat to the peace of God in this world than that posed by weapons of mass destruction. Designed as they are to annihilate, their existence is entirely contrary to God's creative will for the world.

In this spirit, UnitingJustice Australia, the justice and advocacy unit of the Uniting Church National Assembly, makes this submission to the Joint Standing Committee on Treaties.

Non-proliferation and disarmament treaties

The world must be rid of nuclear weapons. Nuclear weapons are unique in their ability to cause catastrophic human suffering, and to severely diminish the Earth's capacity to support all life. We reject the notion of nuclear deterrence, that nuclear weapons keep the peace because no nation would risk a retaliatory attack from a nuclear-armed nation, as a threat of immense suffering and inhumanity. Nuclear weapons are intrinsically unstable, and represent a willingness to indiscriminately kill millions of civilians. Nuclear weapons are immoral and incompatible with any notions of peace, civility and human decency. A nuclear weapon-free world should be Australia's objective, as it should be the objective of all humanity.

Australia needs to place itself in a strong position to advocate for an end to the existence of nuclear weapons. We urge the Australian Government to become an international leader in nuclear disarmament, and in particular to drive stronger international initiatives in the lead-up to the 2010 review of the Nuclear Non-Proliferation Treaty (NPT).

The election of Barack Obama as the new US President brings hope for new opportunities for nuclear disarmament. During his election campaigning, Mr Obama made numerous statements which signal the possibility of positive changes in of US nuclear policy.

7 *Statement on Nuclear Deterrence, Disarmament and Peace*, op. cit.

For example, in a speech given to the Chicago Council on Global Affairs in April 2007, he stated:

if we want the world to deemphasize the role of nuclear weapons, the United States and Russia must lead by example... The United States should remove as many weapons as possible from high-alert, hair-trigger status.

However in this same speech Mr Obama also stated:

We can maintain a strong nuclear deterrent to protect our security without rushing to produce a new generation of warheads.

The Australian Government, as part of the international community, must take this opportunity presented by the election of Barack Obama, and remind the new US administration of its disarmament commitments under the NPT. No country should be given special exemption from their obligations, including the United States.

The Nuclear Non-Proliferation Treaty

While understanding that the Nuclear Non-Proliferation Treaty is far from a perfect instrument, the Uniting Church is committed to seeing Australia continue to support the treaty. The NPT is the only international treaty in which nuclear powers are explicitly committed to nuclear disarmament. Parties to the treaty must build on it.

Many nations continue to be frustrated by the refusal of the Nuclear Weapons States of the NPT to fulfil their disarmament obligations, which threatens the progression of the Treaty. We do not believe that non-proliferation can be achieved without steps towards complete disarmament; the two processes are fundamentally linked. If nuclear disarmament does not occur, non-proliferation will fail. International pressure on states that are failing to take any steps to disarmament must be applied consistently and impartially.

Despite the unequivocal commitment to disarmament given by the Nuclear Weapons States at the 2000 Review Conference, there has been very little action since to implement the 13 action points agreed to at that Review. The 2005 Review Conference was viewed largely as a failure, with states failing to agree on an agenda or to achieve progress on disarmament. Kevin Rudd, in 2006 as then Shadow Minister for Foreign Affairs, stated that following the 2005 Conference "the current non-proliferation regime is fundamentally fracturing. The consequences of the collapse of this regime for Australia are acute."⁸

The 2010 Review Conference will be crucial in determining the prospects for nuclear disarmament; a similar failure to achieve agreement and process in 2010 will severely damage the prospects for progress on nuclear disarmament in the future.

⁸ Kevin Rudd, Australian Shadow Minister for Foreign Affairs, Trade and International Security, *Leading not following, the renewal of Australian middle power diplomacy*, Sydney Institute, 19 September 2006

Australia as a middle power is potentially in a strong position to play a positive role in advancing the nuclear disarmament agenda. This has not been the case in recent times with Australia's position as a US ally, and its reliance on a nuclear-armed state for security, undermining any calls for strengthened disarmament and non-proliferation efforts. Australia has for many years maintained a confusing policy of stating the necessity, eventually, of eliminating nuclear weapons, but in the shorter term supporting the maintenance of US nuclear weapons as a way of keeping the peace. This must change to a clear and consistent policy of calling on all states possessing nuclear weapons to fulfil their disarmament obligations under the NPT.

We welcome the current Federal Government's co-chairing of the International Commission on Nuclear Non-proliferation and Disarmament as a signal of a redirection in Australia's involvement in the international non-proliferation and disarmament regime. Australia's renewed commitment to the elimination of nuclear weapons will be tested by our contribution to the 2010 Review Conference, and the force with which we demand and work for concrete, verifiable and transparent progress by the nuclear weapons states to reduce their nuclear arsenals.

Australia should, at the 2010 Review Conference and in the international sphere in the time leading up to this meeting, voice its support for the implementation of the 13 point plan agreed on at the 2000 Review Conference. Our efforts in 2010 should be part of a plan to unequivocally support United Nations resolutions that promote disarmament and non-proliferation, and to condemn all nuclear weapons states which are failing to fulfil their disarmament obligations.

The Comprehensive Test Ban Treaty

The Comprehensive Test Ban Treaty (CTBT) is another important pillar of the non-proliferation and disarmament regime and must be supported. As a treaty which bans all nuclear weapons test explosions and establishes an extensive system of monitoring and short-notice on-site inspections, it embodies an essential step to non-proliferation and disarmament. Under the terms of the treaty, however, all countries with nuclear power plants must sign and ratify it before it enters into force. As a signatory of the CTBT, Australia must continue to assert the importance of the treaty, and lobby those countries which have not ratified (including the United States and China) to do so.

The election of Barack Obama in the United States may bring a new phase in the CTBT and an ideal opportunity for a renewed international effort to bring the treaty into force. In August 2007, Mr Obama indicated his support for the Treaty:

As president, I will make it my priority to build bipartisan consensus behind ratification of the

Comprehensive Test Ban Treaty. In the meantime, the least we can do is fully pay our contribution to the CTBTO.⁹

A Nuclear Weapons Convention

The Uniting Church urges the Australian Government to support the implementation of a Nuclear Weapons Convention. A Nuclear Weapons Convention¹⁰ would complement rather than undermine existing nuclear weapons treaties, such as the NPT and the CTBT. A Nuclear Weapons Convention takes the crucial undertaking of Article VI of the NPT for nuclear weapons states to disarm, setting out a systemic program for achieving this goal. The Nuclear Weapons Convention would prohibit the development, testing, production, stockpiling, transfer, use and threat of use of nuclear weapons, as well as the production of fissile material suitable for making them (either highly enriched uranium or separated plutonium). It would require all nuclear-armed countries to destroy their nuclear weapons in stages, the last stage being to place all fissile material under international control to prevent nuclear weapons ever being made again. A Nuclear Weapons Convention would provide for the elimination of nuclear weapons – its implementation is crucial.

Australia should actively promote this initiative in the international arena, and in particular at the United Nations.

Uranium mining and export

The Uniting Church has traditionally taken a very strong stance against the use and export of uranium.

The UCA is committed to the development of environmentally benign, renewable energy sources and the cessation of uranium mining... We are concerned about the risks to human health, health of the environment, the generation of toxic wastes and the production of weapons of mass destruction.¹¹

The very close links between civilian and military nuclear facilities make the challenge of nuclear disarmament extremely difficult and raises serious questions about the continued mining of uranium for export. The International Atomic Energy Agency (IAEA) is under-resourced to adequately investigate the nuclear programs of all states, and so ensuring nuclear material is used only for peaceful civilian uses relies in many cases on states' good intentions and willingness to comply with their obligations

under the NPT or safeguard agreement with the IAEA.¹² A responsible position for the Australian Government to take, in light of this situation, is to ban the export of uranium to states that are not party to the NPT and to begin to cease export to states which are not meeting their NPT obligations.

The export of uranium to countries which are not meeting their obligations under the NPT weakens Australia's policy and practice on nuclear safeguards and nuclear non-proliferation. Australia's efforts at the new International Commission on Nuclear Non-Proliferation and Disarmament, and in the international arena in general, will, we believe, be strengthened by any moves we make to limit and reduce our uranium exports.

Uranium export agreement with China

We note that in September 2008, the Joint Standing Committee on Treaties recommended that a proposed uranium sales agreement with Russia not proceed, and also issued some strong recommendations for preconditions on Australian uranium exports. The existing agreement with China, signed by the previous Federal Government, fails to comply with the preconditions set for the agreement with Russia by the JSCT, and as such needs to be the focus of substantive review.

The China – Australia agreement signals a major weakening of Australian vigilance over nuclear weapons proliferation. Criticism of the agreement stems from broader concerns about the inadequacy of the NPT regime of safeguards and China's inconsistent record on nuclear reporting. The bilateral agreement relies on the IAEA inspection system, yet the IAEA administers safeguards in China according to the provisions of a 1998 Voluntary Offer Agreement. The IAEA inspects only three nuclear facilities in China, and of these, only one has a safeguards action plan in force. Furthermore, there appears to be serious deficiencies in China's system of accounting for its nuclear material, so much so that China may not have a precise inventory of the amount of material in its facilities.¹³ Given this, it is unreasonable to assume that Australian uranium will not directly or indirectly contribute to nuclear weapons proliferation.

9 quoted in the 2008 Presidential Candidates' Response to Seven Key National Security Questions from the Council for a Livable World, http://www.wagingpeace.org/menu/resources/surveys/2008_pres_cand/cand_quotes_page.php

10 A model Nuclear Weapons Convention was developed in 1997 and has been accepted as an official document in the United Nations since that time

11 Uniting Church in Australia, Assembly Standing Committee, March 2000, *Nuclear Fuel Cycle Policy*, available: http://www.unitingjustice.org.au/images/pdfs/issues/living-sustainably/assembly-resolutions/8_nuclearfuelcycle2000.pdf

12 Australian Conservation Foundation (ACF) and Medical Association for the Prevention of War (MAPW), 2006, *An Illusion of Protection*, available: http://www.mapw.org.au/files/downloads/illusion_of_protection_full3.5MB.pdf

13 *ibid.*

Summary of recommendations

- Australia should place itself in a strong position to advocate for an end to the existence of nuclear weapons and, in particular, drive stronger international initiatives in the lead-up to the 2010 review of the NPT.
- The Australian Government should take the opportunity to remind the new United States administration of its disarmament commitments under the NPT.
- Australia should, at the 2010 Review Conference and in the time leading up to this meeting, voice its support for the implementation of the 13 point plan agreed on at the 2000 Review Conference.
- Australia's efforts in 2010 should contribute positively and unequivocally to United Nations resolutions that promote disarmament and non-proliferation.
- Australia must be willing to condemn all nuclear weapons states which are failing to fulfil their disarmament obligations.
- Australia must continue to assert the importance of the Comprehensive Test Ban Treaty, and lobby those countries which have not ratified (including the United States and China) to do so.
- Australia must actively promote the Nuclear Weapons Convention in the international arena, and in particular at the United Nations.
- Australia should ban the export of uranium to states that are not party to the NPT and begin to cease export to states which are not meeting their NPT obligations.
- The Rudd Government should hold a substantive review of Australia's agreement to sell uranium to China.