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Joint Standing Committee on Treaties
PO Box 6021, Parliament House, Canberra, ACT, 2600.
www.aph.gov.au/house/committee/jsct/8august2006/tor.htm

Submission to Joint Standing Committee on Treaties:
Inquiry into Proposed Uranium Export or Sales to China

From the Goddard Family

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I strongly oppose uranium sales to China for the reasons outlined below and due to the fact that increased sales or export of Uranium to ANY NATION is unwise, unsafe, and is not in the long term best interests of Australia citizens, or productive in the interests of climate change mitigation and as such, is not in the best interests of future generations of our planet.

Please see the petition;

<http://www.thepetitionsite.com/takeaction/737214963>

which clearly articulates an alternative path to safe, secure, sustainable supply of global energy needs, for global citizens (currently running at well over 600 signatures).

I strongly agree with the wording of this petition, and submit these words for your consideration in addition to the submission below.

1. Introduction

Nuclear power is the only energy source with a direct and repeatedly demonstrated connection to the production of Weapons of Mass Destruction (WMD). Four or five countries have used supposedly peaceful nuclear programs to develop arsenals of nuclear weapons - Israel, India, Pakistan, South Africa, and possibly North Korea.

The by-products of nuclear power, such as "depleted uranium," can be used to manufacture horrific weapons with long-lasting and poorly understood effects.

The five 'declared' nuclear weapons states - the US, the UK, Russia, France, and China; routinely transfer personnel from their 'peaceful' nuclear programs to their WMD programs, and the USA uses a power reactor to produce tritium for use in nuclear weapons.

The contribution of ostensibly peaceful nuclear programs to WMD proliferation has underpinned strong and sustained public opposition to uranium mining and export:

* A May 30, 2006 Newspan of 1,200 Australians found that 66% are opposed to any new uranium mines in Australia (including a clear majority for all major-party voters - 53% of Coalition voters and 78% of ALP voters).

Therefore, based on this survey, to go ahead with expansion of the nuclear industry in Australia would be to go against the wishes of the overwhelming majority of voters.

* A 2005 survey of 1,020 Australians carried out by the International Atomic Energy Agency found that 56% considered the Agency's 'safeguards' inspection system to be ineffective.

Therefore, based on this survey, to go ahead with the expansion of the nuclear industry in Australia would be to ignore the views of the majority of people who regard our safeguard inspection system is ineffective.

* A September 2005 SBS-commissioned Newspan of 1,200 Australians found that 53% were opposed to uranium exports to China, with 31% in favour.

These figures speak for themselves. The majority surveyed are AGAINST uranium exports to China.

2. Inadequate IAEA Safeguards.

IAEA Director-General Mohamed El Baradei has described the IAEA's basic inspection rights as "fairly limited", complained about "half-hearted" efforts to improve the system, and expressed concern that the safeguards system operates on a "shoestring budget" ... comparable to a local police department.

Yet the Australian government and the so-called safeguards office ASNO continue to peddle the fiction that there is no risk of diversion of Australian uranium to nuclear weapons production.

Australia is entirely reliant on the IAEA's flawed and under-resourced safeguards system to prevent Australian uranium and its by-products (collectively known as Australian obligated nuclear materials - AONM) being used in Chinese nuclear weapons.

The treaty text makes no provision for Australian inspections of AONM in China or of Chinese nuclear facilities using AONM. As a 'declared' nuclear weapons state, China is not subject to full-scope IAEA safeguards. Nuclear facilities using AONM would only be subject to voluntary inspections, but even this is no simple matter since Australian uranium is indistinguishable from, and can be mixed with, uranium from elsewhere.

Given that Australian uranium is indistinguishable from, and can be mixed with, uranium from elsewhere, no attempt is made to track Australian uranium per se. Indeed, all of Australia's uranium exports to China could be used in nuclear weapons without even breaching the terms of the agreement - so long as an equivalent amount of nuclear material is transferred into "safeguarded material."

This reality is directly at odds with statements made by Foreign Minister Alexander Downer.

Prime Minister John Howard has conceded that ultimately Australians must put our faith in the Chinese regime not to use Australian uranium in nuclear weapons. We need more than "faith and trust" when exporting uranium to any other nation.

There are numerous plausible scenarios which would make it difficult or impossible to safeguard AONM:

* The Chinese regime might be expected to permit safeguards so long as it wants further uranium from Australia. But Australian uranium exports to China will not last forever and could be terminated at any point in time for a variety of reasons.

* The Chinese regime promises military action in the event that Taiwan declares Independence, and Washington promises a military reaction in which Australia could become embroiled. In those circumstances, it would be all but impossible to prevent AONM being used in Chinese nuclear weapons. The US has ALREADY USED nuclear weapons on our Asian neighbours (and "depleted" uranium weapons both in Europe and Asia.)

* There is serious concern that the NPT/IAEA system could collapse. For example, the 2004 report of the UN Secretary-General's High Level Panel on Threats, Challenges and Change noted: "We are approaching a point at which the erosion of the non-proliferation regime could become irreversible and result in a cascade of proliferation." In such circumstances, it is unlikely that IAEA safeguards would continue to apply [anywhere]. Moreover, in such circumstances, there is no certainty whatsoever that fallback provisions, such as Australian inspections, would be feasible.

3. Australia's Meaningless Bilateral Agreements.

Provisions in bilateral uranium export agreements between Australia and customer countries have been gradually and repeatedly weakened since the basic framework was established in

1977 by the Fraser government. The provisions certainly do not guarantee that there will be no diversion of nuclear materials to WMD production.

The bilateral provisions are in some cases meaningless. For example, Australian consent is required before reprocessing spent nuclear fuel produced using Australian uranium. But consent to reprocess has never once been withheld by any Australian government - even [where] it leads to the stockpiling of plutonium [with] consequent regional tensions, as with Japan's enormous plutonium stockpile.

It is particularly disappointing that the treaty text envisages reprocessing, i.e. separation of weapons-useable Australian-obligated plutonium from spent nuclear fuel irradiated in China.

The Australian government has been obliging to facilitate plutonium separation - it plans to grant 'programmatic' consent to the Chinese regime to separate Australian-obligated plutonium from spent fuel rather than requiring Australian consent on a case-by-case basis (or refusing consent altogether).

Moreover, there does not seem to have been any consideration made to assess how safe the facilities which will use Australian uranium might be. Will they have any protection against terrorist attack or theft? Will they be sited in geologically stable regions? What safeguards are there against spills, contamination of the environment, etc?

4. China's Nuclear Weapons Program.

China's Communist regime maintains an active nuclear weapons program and refuses to ratify the Comprehensive Test Ban Treaty. The 2002 US Nuclear Posture Review refers to China's "ongoing modernization of its nuclear and non nuclear forces".

Last year, Zhu Chenghu, a general in the Chinese People's Liberation Army, said: "If the Americans draw their missiles and position-guided ammunition onto the target zone on China's territory, I think we will have to respond with nuclear weapons."

"We Chinese will prepare ourselves for the destruction of all the cities east of Xian. Of course, the Americans will have to be prepared that hundreds of cities will be destroyed by the Chinese."

5. China's WMD and Military Exports.

The Chinese regime has an appalling record of military exports. In 2001, the CIA reported that China had provided missile technology to North Korea and Libya as well as "extensive support" to Pakistan's nuclear program.

In 2003, the US government imposed trade bans on five Chinese firms for selling weapons technology to Iran.

The Chinese regime has recently expressed some willingness to follow WMD export norms. But that cannot be expected to last, especially given that the USA is undermining those norms with proposed nuclear transfers to non-NPT state India.

Indeed there is little reason to believe that the Chinese regime's professed support for export norms can be trusted or held as true or lasting. The same holds true for any other state Australia may consider exporting uranium to.

Amnesty International released a report in June 2006 criticising the Chinese regime for fuelling conflicts with "irresponsible", secret and growing conventional arms exports to a range of human-rights abusers.

According to Amnesty: "Its record in supplying arms to countries such as Iran, Myanmar (Burma), Pakistan and Sudan suggests ... a dangerously permissive approach to licensing arms exports." The report notes that China is the only major arms exporter not to sign up to any multinational agreements on arms export control.

Amnesty estimates that China exports at least \$A1.33 billion worth of arms annually although the regime's extreme secrecy makes it difficult to estimate the scale of its arms exports.

In June 2006, the US government accused four Chinese firms of illicit military exports, thus beginning a process "potentially leading" to a freeze of any assets the firms have under US jurisdiction.

US Treasury undersecretary for terrorism and financial intelligence Stuart Levey said the four Chinese firms supplied Iran with missile-related and dual-use components.

A US Treasury statement said: "The Chinese firms have provided, or attempted to provide, financial, material, technological or other support for, or goods or services in support of "Iranian missile programs that are capable of delivering weapons of mass destruction".

The statement said the exports included the Fateh-110 missile, with a range of 200kms, and the Fajr rocket systems, with ranges of 40-100kms. The four Chinese firms are: Beijing Alite Technologies Company, Ltd. (ALCO), LIMMT Economic and Trade Company, Ltd., China Great Wall Industry Corporation (CGWIC), and China National Precision Machinery Import/Export Corporation (CPMIEC).

6. Uranium Displacement.

China has insufficient uranium for both its civil and military nuclear programs, as the Chinese ambassador to Australia acknowledged in a December 2005 speech.

Therefore, Australian uranium sales would free up China's limited domestic reserves for the production of nuclear WMD.

To argue otherwise - as the government and the so-called safeguards office ASNO do, is simply dishonest.

As the Taipei Times editorialised on January 21, 2006: "Whether or not Aussie uranium goes directly into Chinese warheads - or whether it is used in power stations in lieu of uranium that goes into Chinese warheads - makes little difference. Canberra is about to do a deal with a regime with a record of flouting international conventions."

7. Human rights violations.

China is not a signatory to many international human rights and labour protection conventions and treaties.

According to Amnesty International, the Chinese regime is responsible for five out of every six executions carried out around the world. At least 2,468 executions were carried out in 2001 alone. Civil society safeguards such as whistleblower protections are absent.

There are examples of persecution of nuclear industry whistleblowers, such as Sun Xiaodi, who was concerned about environmental contamination at a uranium mine in north-west China and was abducted in April 2005 immediately after speaking to a foreign journalist.

8. Media Censorship.

The Chinese regime continues to tightly control the media. Of the 167 countries surveyed by Reporters Without Borders in 2005, China ranked 159th for press freedom, and China has more jailed journalists than any other country in the world.

If diversion of Australian uranium to China's WMD program took place, it is highly unlikely that the media would be able to uncover and report on the diversion.

9. Adverse Precedent.

Uranium sales to China would set a poor precedent. Would Australia then sell uranium to all repressive, secretive, military states ... or just some ... or just China?

Negotiations over uranium sales to China have already been used to justify proposed sales to India, and proposals to sell to India have led to suggestions that uranium might also be sold to other countries which have not signed the NPT, namely Pakistan and Israel.

Already, Australia exports uranium to:

- * nuclear weapons states (USA, UK, France)
- * states which refuse to ratify the Comprehensive Test Ban Treaty (e.g. USA)
- * states blocking progress on a Fissile Material Cut-Off Treaty (e.g. USA)
- * states which use supposedly peaceful nuclear facilities to produce material for nuclear weapons (USA - tritium production), and
- * states with a history of secret nuclear weapons research (e.g. South Korea).

The government has also approved uranium sales to one non-NPT state - Taiwan.

10. Public Safety & Environmental Concerns.

There are other serious concerns in addition to the potential use of Australian uranium in Chinese nuclear weapons. Wang Yi, a nuclear energy expert at the Chinese Academy of Sciences in Beijing, told the New York Times in January last year: "We don't have a very good plan for dealing with spent fuel, and we don't have very good emergency plans for dealing with catastrophe."

Additionally, adequate safeguards at Australian mine sites and for the transportation of uranium must be adequately addressed in an open and public manner. Already there have been a number of very worrying "incidents" reported at our three existing mines including leaks, water-table contamination, and radioactive contamination of workers. Whether all incidents have been reported is questionable - given government secrecy about such issues. Further mining and transportation can only increase the risk of some very serious incident or incidents.

11. The Drug Dealer's Defence.

It is claimed that Australia applies stricter safeguards than some other uranium supplier nations. However, all countries are reliant on the flawed and under-resourced safeguards system of the IAEA. Credit cannot be claimed for bilateral provisions since the key provisions - on enrichment and reprocessing - have never once been invoked.

Which leaves apologists of uranium exports to the Chinese regime with one last argument - that 'we' might as well sell uranium to the Chinese regime since the only alternative is that other suppliers will fill the gap.

Australia must encourage the Chinese regime to pursue renewable energy options and energy efficiency measures rather than nuclear expansion as should the Australian Government be actively pursuing and investing in the development of renewable, clean and sustainable energy supply options at home (such as: solar, tidal, wave, wind, geothermal).

The Chinese regime plans to increase the contribution of renewable energy to 15% by 2020 and nuclear's contribution is expected to grow from 2% to 4% over the same period.

Australia ought to encourage the Chinese regime to abandon the nuclear expansion and to increase the renewable target to 100%.

There are various mechanisms to facilitate this course of action - the Clean Development Mechanism of the Kyoto Protocol, the AP6 Climate Change Framework, bilateral relations, export industry support, etc.

12. Commercial Interests.

Mike Rann noted in his 1982 book: "Again and again, it has been demonstrated here and overseas that when problems over safeguards prove difficult, commercial considerations will come first."

That pursuit of profit regardless of WMD proliferation risks clearly underpins the proposal to export uranium to China.

It is frequently claimed that the sale of uranium to China will be a major source of export revenue. The claim is false - even the industry-funded Uranium Information Centre (UIC) envisages that Australia might obtain an export market to China of only about 3,000 tonnes annually compared to total current uranium exports to all countries of 10-12,000 tonnes. The UIC predicts that Australia might supply about one third of a predicted Chinese uranium demand of about 10,000 tonnes - and that assumes that the nuclear expansion proceeds as planned. Current demand in China is just 1,500 tonnes.

Uranium accounts for less than one third of one percent of Australia's total export revenue - \$573m/\$176,700m in 2005. Even with exports to China, and an expansion of Roxby Downs, and new mines, the likelihood of uranium accounting for more than 1% of export revenue is vanishingly small.

13. Providing the Incentive and the WMD Feedstock.

The major driver of China's nuclear weapons program is the US-led so-called missile defence program.

By actively supporting the US missile defence program, the Australian government is partly responsible for encouraging nuclear proliferation in China. By supplying uranium, we will potentially provide the WMD feedstock - or free up Chinese uranium for WMD.

So the government is encouraging nuclear proliferation in China and now plans to supply the regime with nuclear WMD feedstock. This is not a logical or defensible course of action. In fact, the Climate Change Action Group is clear, we believe that such an action as to supply China with Uranium is both wrong and very, very dangerous.

14. Indigenous Rights

Australian Aboriginal Elders have been clear on their wishes with regards to an expansion of the nuclear industry in Australia. Please visit <http://www.goldmanprize.org/node/86> or <http://www.iratiwanti.org/>

and see the words of Australian Aboriginal Elders who have been carefully dealing with uranium deposits for many tens of thousands of years. Hear and heed their words of wisdom: "The Poison, Leave It".

15. Summary

My direct family and I do not support the supply of Australian Uranium to China.

Anne Goddard aged 46

Natalie Goddard aged 17

Scott Goddard aged 13

FORM LETTER 2

NAME

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