



## Dissenting Report—Australian Greens

The Australian Greens do not believe the Fifth Agreement to Extend the 1987 Regional Cooperative Agreement for Research, Development and Training related to Nuclear Science and Technology done at Bali on 15 April 2011 should be simply rolled over for a further five year period, particularly in the wake of Fukushima.

The Committee's report perfunctorily dismisses the concerns and arguments provided in submissions and contrasts poorly with its past considered and detailed engagement on nuclear issues.

The Committee notes that there, "may have been an opportunity missed to upgrade the agreement rather than simply 'rolling it over'" and then goes on then to facilitate *precisely* that occurring by recommending that the agreement be simply rolled over.

The vague suggestion that next time the Agreement comes up for another rolling over some of the issues canvassed could be reviewed begs the question as to who is rolling over and for whom?

While the Committee and ANSTO may wax lyrical about the "important benefits for Australia" arising from this agreement, or the "important national interests in maintaining its participation" or the "important vehicle for Australia's cooperation with regional countries", it is equally *important* for Australia's government, parliament and uranium industry to face some facts.

While the nuclear industry's optimism may have a therapeutic function, it is not grounded in reality.

This is an industry deeply shaken by the global financial crisis, the ongoing Fukushima disaster with its regular revelations of more cover ups and duplicity, as well as fierce competition from renewable technologies which continue to outpace nuclear because they are more affordable and faster to install. Installed worldwide nuclear capacity decreased in the years 1998, 2006, 2009 and again in 2011, while the annual installed wind power capacity increased by 41 GW in 2011 alone. A total of 19 reactors were shut down in 2011 while only seven were started up that year, and only 2 more in 2012.

Since the Fukushima disaster three countries – Germany, Belgium and Switzerland– have announced nuclear phase out. Taiwan's government presented a new energy strategy in November 2011 to “steadily reduce nuclear dependency, create a low-carbon green energy environment and gradually move towards a nuclear-free homeland”. At least five countries – Egypt, Italy, Jordan, Kuwait and Thailand – have decided to not engage or reengage their programs. New build projects were officially cancelled in Brazil, France, India and the USA. Japan has restarted only two of its 54 reactors, and in both Bulgaria and Japan two reactors under construction were abandoned.

The rating agency Moodys explains that nuclear investment is risky and "a nuclear project could be the thing that pushes [the utility] over the edge – it's just another negative factor." The rating agency welcomed the decision by German utilities RWE and E.ON to abandon their U.K. new build plans as they “can instead focus on investment in less risky projects”.

Large and successful companies are making serious losses. TEPCO has lost 96 per cent of its share value since 2007. In the same period the French state utility EDF has lost 82 per cent of its value, the share price of the French state company Areva has fallen by 88 per cent. Siemens announced it would entirely withdraw from nuclear because it, "frees up funds that Siemens can redeploy in businesses with better visibility."

These and other cold hard facts and citations are provided in the recently released World Nuclear Industry Status Report available at [www.worldnuclearreport.org](http://www.worldnuclearreport.org).

Here in Australia BHP Billiton has put off the decision about the expansion of the Olympic Dam uranium mine for 2 years. The proponents of the Kintyre uranium mine in the Western Desert have also postponed any decision on mining after their pre feasibility study indicated the project would be making a loss with current uranium price.

Rather than the "cutting edge nuclear technologies" described in the report, nuclear technology is a dangerous and increasingly bankrupt 20<sup>th</sup> century technology. Technology and techniques for generating isotopes for medical diagnosis and treatment are well underway. In March 2010, the Canadian government Response to the Report of the Expert Review Panel on Medical Isotope Production committed to 100 per cent non-reactor production of radioisotopes from 2016.

The "grand bargain" established last century in the NPT that bestows the "inalienable right" to nuclear energy amounts this century to the inalienable right of an expensive industry to massive subsidies provided by taxpayers, the inalienable right to expose citizens to routine hazardous releases of radiation and the inalienable right to produce a riddle science cannot yet solve: large quantities of radioactive waste.

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As ICAN noted in its submission, "...the challenging but achievable goal of a world free of nuclear weapons will be more readily achieved and sustained in a world in which nuclear power generation is being or has been phased out. This is because the material and capacity to produce nuclear power intrinsically involves the capacity to produce fissile material usable for nuclear weapons. "

The submission from the Gundjeihmi Aboriginal Corporation representing the Mirarr people from whose land half of Australia's uranium exports are sourced, also expressed deep concern "about the fate of uranium sourced from their land with relation to this Agreement" due to the fact that "three of the signatories to the Agreement are Nuclear Weapon States (NWS): China, India and Pakistan,' and cited the authors of the UN system wide study into the implications of the accident at the Fukushima Daiichi nuclear power plant who stated the irrefutable fact that, "Nuclear science and technology can also be used to develop nuclear weapons. "

The Committee's report fails entirely to note the rather *important* fact that this agreement facilitates Australian nuclear cooperation with Pakistan and India – two states that developed clandestine nuclear weapons programs and which continue to defy the international community by standing outside the NPT without nuclear safeguards.

Pakistan, with which Australia has one cooperation agreement underway, is currently increasing its arsenal faster than any other state. India, with which Australia has two cooperation agreements underway, is modernising its nuclear forces while continuing protests against nuclear power are brutally repressed by the State.

Australia's credentials as a champion of the NPT and nuclear disarmament lack credibility while cooperation mandated under this agreement would undermine the NPT as a cornerstone of the non-proliferation regime by facilitating advancement of the domestic nuclear industries and expertise of non-NPT states.

The Mirarr state that, "The prospect of uranium from Mirarr land making its way to the poorly regulated nuclear industry of a Nuclear Weapon State is of grave concern to Mirrar," and add that in addition to concerns about nuclear proliferation, "Mirrar are worried about nuclear material originated from their lands causing injury, distress or illness as a result of a nuclear accident...particularly given the horrific impacts of just such a nuclear accident currently being experienced in Japan. The risk of further accidents at nuclear reactors elsewhere in the world continues to grow as reactors age and extreme weather events and other impacts of climate change heighten."

The Australian Conservation Foundation stated that any move to amend this Agreement should be coupled with explicit mechanisms that seek to assess and address the reality of the nuclear industry in 2012, noting that the ongoing Fukushima disaster has led to widespread reappraisal and review of the role of

safety of nuclear energy, "the lessons of which are not adequately reflected in the 'business as usual' approach that underpins this treaty and the accompanying National Interest Analysis."

The Australian Greens entirely agree that the government and Committee have failed to grasp the gravity of the lessons that must be learned from Fukushima. I sought clarification from ANSTO as to what mechanisms the Australian government or agencies have used to address unresolved concerns related to uranium, (as noted by the 2003 Senate Inquiry which found the sector characterised by a pattern of underperformance and non-compliance, an absence of reliable data, an operational culture that gives greater weight to short term considerations than long term environmental protection) and the wider nuclear industry in order to provide clear and contemporary evidence to help inform the Committee's consideration.

The response provided by ANSTO to my questions on notice as to actions taken on nuclear safety was a long list of meetings. While certainly some of these meetings at the IAEA, as well as Ministerial Conferences, and technical conferences and regulatory cooperation forums and international meetings of experts might be evolving the discussion, I do not glean any increased rigour in decisions being taken by Australia as a result of Fukushima.

ARPANSA the lead agency for our government indicates to me in Senate Estimates that it is participating in meetings, monitoring public domain documents, while stressing that its statutory role is as a national regulator with roles limited within the borders of Australia. When I ask questions of the Australian Safeguards and Non-Proliferation Office about reactor safety overseas I am referred to ARPANSA.

ASNO at least answers questions on notice truthfully; when I asked whether there has been any material change in the legal, regulatory or operational framework of the uranium sector in Australia since the Fukushima nuclear disaster, I was answered with a word of one syllable: no.

Given Australian uranium was in each of the reactors at Fukushima, this business as usual approach is unacceptable, especially when the report of Independent Commission established by the Japanese parliament found that the independence of the Japanese regulators, "was a mockery" because TEPCO had been able to, "manipulate its cosy relationship with regulators to take the teeth out of regulations." The report documents errors, wilful negligence and concludes that the accident was the result of "collusion between the government, the regulators and [Fukushima plant operator] TEPCO," and concludes that this "profoundly man-made disaster that could and should have been foreseen and prevented".

That is, the 36% of children found to have abnormal growths, cysts or nodules on their thyroids a year after the Fukushima disaster (as documented by the Fukushima Radioactive Contamination Symptoms Research after testing 38,000

children in the Fukushima Prefecture) could have been prevented. Likewise, the evacuation of 150,000 people, many of which are still dislocated, could have been prevented.

In the face of such damning report, it is irresponsible for the Committee to postpone examination of Australia's nuclear cooperation agreement in the light of evidence that Australia's bilateral safeguards agreements do not live up to the absolutist statements about them being the best in the world. The Prime Minister should rethink her statement that Fukushima, "doesn't have any impact on my thinking about uranium exports," a grossly irresponsible statement given the years of documented gross mismanagement of nuclear power in one of Australia's uranium customer countries.

Delusions held by industry and government about the safeguards system stopping nuclear material from entering weapons programs are also not grounded in reality. The Australian government's 1977 Fox Inquiry correctly noted that safeguards offer only an "illusion of protection." That's as true today as it was then.

With a similar clarity to the Fox Inquiry, the Independent Panel appointed by Japan's Parliament has exposed nuclear safety as a myth. The anzen shinwa "safety myth" has seen governments and industry stifle honest and open discussion of the risks, which this Committee has continued through failing to question the wisdom of Australia continuing nuclear cooperation when the lessons of Fukushima have simply not been learned.

Senator Scott Ludlam

