

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

Dear Members of the Standing Committee

I am deeply concerned about potential Australian uranium sales to China.

I do not believe there are any safeguards we could put in place to ensure that our uranium would only end up being used for peaceful purposes in a safe way in state of the art nuclear power stations. China is not a democracy. The democratic checks and balances which could help ensure that this was the case do not exist. The total lack of transparency of Chinese government operations and the suppression of human rights of anyone who dares speak out about anything that is considered to be against the interests of the government creates an environment that is inherently high risk. If Australia sells uranium to China we would be complicit in any outcomes such as uranium being used for non peaceful purposes and for nuclear power stations not operating or being maintained in a safe manner, or for all waste not being contained in a safe manner for the required tens of thousands of years.

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.

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".

What's worse is that because 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 mixed with, uranium from elsewhere.

I am deeply concerned to learn that if Australian uranium was exported to China no attempt would be made to track Australian uranium per se, because Australian uranium is indistinguishable from, and mixed with, uranium from elsewhere. 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 safeguards. 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. He did not explain what the Chinese regime has done to earn that trust. The documented scant regard that China has for human rights, for transparency, for environmental safeguards make it highly unwise to assume that trust.

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. Indeed the Australian government has bent over backwards 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).

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."

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 (cheered on by the Australian government) is undermining those norms with proposed nuclear transfers to non-NPT state India.

Amnesty International released a report in June 2006 criticising the Chinese regime for fueling 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.

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."

Finally the argument that we might as well sell uranium to the Chinese regime since the only alternative is that other suppliers will fill the gap. That argument is morally bankrupt and wrong — Australia could and should encourage the Chinese regime to pursue renewable energy options and energy efficiency measures rather than nuclear expansion.

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 17%. 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.

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