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To the Secretary of the Joint Standing Committee on Treaties,

As one of South Australia's foremost community campaign organisations, Friends of the Earth Adelaide (FoE Adelaide) works to address social and environmental justice issues through community action. In addition to campaigners working with on climate justice and urban issues, FoE Adelaide has two primary campaign collectives; the Clean Futures Collective and Reclaim the Food Chain. The Clean Futures Collective focuses on mining, energy and nuclear issues.

The collective is committed to creatively

- promoting sustainable, socially and ecologically conscious technologies
- supporting Indigenous communities adversely affected by the nuclear industry, particularly through uranium mining or nuclear waste dumping
- raising public awareness about mining and energy issues
- monitoring the activities of the nuclear industry

We congratulate the Rudd Government for calling this inquiry, welcome the opportunity to comment, and hope that the outcomes of this process contribute to Australia's role in the promulgation of a safe and secure nuclear-free global environment. Our submission follows, and we trust that our concerns are given due consideration,

Yours sincerely,

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Submission to the Inquiry of the Joint Standing Committee on Treaties into Nuclear Non-proliferation and Disarmament

By Friends of the Earth, Adelaide

Existing treaties: Australian support home and away

Currently the 1968 Nuclear Non-proliferation Treaty (NPT) fails to account for all of the known nuclear states in the world, and has been systematically undermined by the reticence and apparent deliberate contravention of Article VI requiring all Nuclear Weapon States (NWS) to move towards complete disarmament. While the nuclear powers of India, Pakistan and Israel remain uncommitted to the NPT, the necessary relationship of global cooperation required for denuclearisation will be extremely difficult, if possible at all. The absence of key players severely reduces the validity of the NPT, weakening the imperative to fully ratify the treaty by signatory states and promotes a culture of non-compliance. Similarly, the absence of both the United States and China as signatories to the Comprehensive Test Ban Treaty (CTBT) reinforces the global climate of distrust and suspicion, which provides the space for the escalation for the desire for nation states to become nuclear as a response to fear.

The compliance and regulatory aspects of the NPT also require significant improvement. The International Atomic Energy Agency (IAEA) is charged with the dual role of promoting disarmament and the spread of nuclear energy, where the latter has been repeatedly shown to be inextricably linked to the proliferation of nuclear weapons. Either the mandate of this organisation is changed to be specifically dedicated to disarmament, or a new independent organisation with this responsibility must be formed, with increased power of inspection and regulatory actions (such as sanctions) available to it.

This revised/new regulatory body could be mandated for by the development of a Nuclear Weapons Convention (NWC), requiring the immediate denuclearisation of the world. The NWC would be applicable to all nuclear and non-nuclear states and would provide the necessary decisive action that the NPT and CTBT have not and also support and expand the Nuclear Free Zones declared in the numerous multiparty treaties already in existence and formation.

Australia has significant responsibilities and influence as a uranium supplier to promote global disarmament. The participation of Australia in the Nuclear Suppliers Group endorses the continued expansion of nuclear power, which cannot be separated from nuclear proliferation. This group needs to be directed to manage existing global uranium stocks with an unequivocal resolution by the group to not contribute any further uranium into the global nuclear fuel cycle.

Finally, the United States is central to any meaningful move towards disarmament, and their leadership will shape the global response. Australia must direct significant diplomatic power towards supporting and influencing the move of the United States towards a true state of disarmament.

Recommendations:

- ***Call for the necessity for India, Pakistan, Iran and Israel to join the NPT***
- ***Call for the immediate application of Section VI of the NPT for all NWS to commence disarmament***
- ***Call for the mandate of the IAEA to be rationalised to enable the full pursuance of global nuclear disarmament by removing the contradictory goal of promoting peaceful nuclear use. Failing this, a new organisation, possibly stemming from the Nuclear Weapons Convention is required to uncompromisingly pursue complete global nuclear disarmament***

- ***Strengthen the NPT by calling for an increase in inspection power, including inspections without prior notice, and an expansion of the powers of the IAEA or another newly create independent organisation (possibly from a NWC)***
- ***Call for the US and China to sign the CTBT***
- ***Support the creation of a NWC***
- ***Call for the Australian Government to support the existing, and call for the expansion of Nuclear Free Zones***
- ***Alter the direction of the Nuclear Suppliers Group to halt any increase in available global nuclear materials***

Inside Australia: Walking the talk

The link between 'peaceful nuclear energy' and nuclear weapons has been demonstrated multiple times, notably by the *Weapons of Mass Destruction Commission* who recognises that the nuclear fuel cycle technologies are inherently dual use. Similarly, nuclear power is often put forward as an answer to climate change, but this too has been systematically debunked by multiple impartial players. As Al Gore summarised the erroneous nature of these 2 issues in 2006 *"For eight years in the White House, every weapons-proliferation problem we dealt with was connected to a civilian reactor program. And if we ever got to the point where we wanted to use nuclear reactors to back out a lot of coal ... then we'd have to put them in so many places we'd run that proliferation risk right off the reasonability scale."*

Australia must recognise and incorporate the reality of the nuclear fuel cycle into the management of our uranium resources. By being an exporter of uranium Australia either directly (use in production of weapons grade materials) or indirectly (freeing up other uranium to be enriched for weapon usage) contributes to the continuing existence of nuclear weapons. The safeguarding system is inadequate both under the IAEA which is under-funded, overstretched and operating under a contradictory mandate, and within Australia by the Australian Safeguards and Non-proliferation Office (ASNO) which is broadly recognised as being inadequate with the entire system requires review. There is a responsibility to continue to monitor the existing active nuclear material in the world while preventing any increase and progressively working towards complete decommissioning of all nuclear devices.

As an exporter of uranium, Australia has an incredible opportunity to significantly alter the direction of nuclear disarmament across the globe. Promising actions, such as the Federal Government decision not to export uranium to India provide hope. However the deal to supply nuclear material to China, the potential deal with Russia and the recognised failure of to adequately safeguard Australian uranium once it leaves the shores of the country are damaging to any efforts of denuclearisation. The only logical course of action to support global non-proliferation and disarmament is a cessation of the exportation of uranium.

Australia can pursue these objectives through the International Commission on Nuclear Non-Proliferation and Disarmament. However, to vindicate any moral position that Australia would take on the issue of disarmament, we must stop increasing global stocks of nuclear material and stand clear of any nuclear association, specifically the alliance with the United States which provides for the nuclear protection of Australia.

Recommendations:

- ***Recognise and address the dual nature of the nuclear fuel cycle via the cessation of all uranium exportation***
- ***Request an inquiry and review of the activities of ASNO, and if necessary a restructure of the organisation to deliver a truly accountable watchdog for the remaining off shore Australian uranium***
- ***Actively debunk the erroneous assertions that nuclear power is an answer to climate change***
- ***Support the Federal Government decision to not export uranium to India***
- ***Call for the Australian Parliament to support the findings of this committee with regard to the exportation of uranium to Russia***
- ***Call for a review of the agreement to export uranium to China***
- ***Support the effectiveness of the International Commission on Nuclear Non-Proliferation and Disarmament by calling for Australia to unequivocally move from under the nuclear protection of the United States***