

**Submission to Enquiry into Nuclear Non-Proliferation and Disarmament**

**To: Joint Standing Committee on Treaties**

**Feb 2009**

**Guilty Conscience**

This is the “guilty conscience enquiry”; the enquiry we have to have when our government opens the floodgates on uranium mining & export. Exporting uranium on such a large scale will inevitably cause the proliferation of nuclear weapons. If uranium is exported recklessly & irresponsibly, it will cause regional arms races. Australian “Safeguards” enable us to pretend we’re not causing proliferation or an arms race.

**Australia’s “Safeguards”**

The Australian Conservation Foundation (ACF) and the Medical Association for Prevention of War (MAPW) produced a report on “The unavoidable limitations of safeguards on nuclear materials & the export of uranium to China” in October 2006. They called the report “An Illusion of Protection” (a phrase from the 1970s Fox Report on uranium mining). Australia’s Safeguards are intended to prevent the diversion of Australian uranium (Australian Obligated Nuclear Material – AONM) from civilian uses into military uses. Australia’s Safeguards and Non-Proliferation Office (ASNO) has no verification capacity. It relies entirely on the International Atomic Energy Agency (IAEA) & its inspection system for verification. ASNO allows the importing state to keep account of where the AONM is. Allowing “flag-swapping” makes a useless safeguard even more farcical: only an equivalent quantity of AONM must be accounted for. This recognizes the reality that AONM looks just like uranium from any other source.

**Nuclear Weapons States (NWS)**

Relying on Nuclear Weapons States to account for AONM is a nonsense because the revolving door between their civil & their military facilities never stops spinning like a centrifuge. For example, the USA routinely uses power reactors to produce tritium for nuclear weapons (ACF/MAPW report, p 7).

The Non-Proliferation Treaty (NPT) allows the use of nuclear materials in civil nuclear energy programs, but prohibits their diversion to military uses. NWS are entitled to choose to which of their facilities IAEA Safeguards will apply. So the kindest description of Australian Safeguards as they apply to NWS is that they are a pious hope realised more in the breach than the observance.

None of the “declared” NWS are complying with their disarmament obligations under the NPT. The NWS group is an exclusive club which routinely tries to exclude any new members; but all existing members routinely violate the club’s own rules. Australia exports uranium to 4 of the 5 “declared” NWS (USA, UK, China & France) &

wants to export to the 5<sup>th</sup>, Russia (to its credit, the Treaties Committee has recommended that the agreement with Russia should not be ratified until several onerous conditions are met). In addition to violating its disarmament obligations, USA is blocking progress on the Comprehensive Test Ban Treaty (CTBT). USA is the only state openly developing new weapons & new ways of using weapons in war. How long will other NWS allow this without escalating their development of new weapons? – thus starting a high-tech arms race.

China is undemocratic & secretive, & has an appalling human rights record. Russia is undemocratic & secretive & has widespread human rights abuses. Theft of materials from Russian nuclear sites is common. Russia has had no IAEA Safeguards inspections since 2001. Despite this, ASNO told the Treaties Committee in 2008 that safeguards would ensure that AONM would not be used in Russian weapons. Safeguards? What safeguards? Significantly, the Committee demands that Russia comply with its disarmament obligations (which it won't do), & separate its civil & military facilities (which is difficult to do - & it won't do). The Committee knows exactly what must be done!!! Why aren't these conditions imposed on all bilateral agreements???

So much for NWS. There is absolutely no possibility that AONM is kept out of NWS weapons. The Australian people are way ahead of their government on this: 62% of Australians oppose uranium exports to countries with nuclear weapons (NewsPoll, Nov 2008).

### **What about Non-Nuclear Weapons States (NNWS)?**

“Nuclear energy is ... a dangerous fuel ... anyone that has an electricity program ipso facto ends up with a nuclear weapons capability.” (Paul Keating) The revolving door between civil & military facilities spins just the same in NNWS. But that doesn't stop Australia exporting to countries with a history of weapons research based on their civil programs (South Korea & Taiwan). Of the 60 countries which have built nuclear reactors, 20 have used civil nuclear facilities to produce weapons. India, Pakistan, Israel, South Africa & North Korea all used civil programs to produce weapons.

Safeguards have more hope of success in NNWS because the NPT requires the NNWS to accept IAEA safeguards on their nuclear infrastructure. The fact that safeguards have so often failed shows the impossible task faced by IAEA. The Office of Technology Assessment (US Congress) says the IAEA can't meet its own criteria of detecting the diversion of “significant quantities” of material in a “timely fashion”. Many states have developed weapons with less than the IAEA's defined “significant quantity” (ACF/MAPW report 2006, p 5). For example, it is easy to make a weapon equal to 20,000 tonnes of TNT with 4 Kg. of plutonium – the IAEA's “significant quantity” is 8 Kg. ASNO says there are 114.3 tonnes of AONM plutonium held overseas at December 2007. ASNO admits that every year its inventory reports include some Material Unaccounted For (MUF). Even as little as 0.1% of MUF plutonium would make 11 plutonium bombs able to destroy Nagasaki. IAEA's “timely fashion” detection is also completely impossible. “Conversion time” (time to

convert into a usable weapon) for plutonium & highly enriched uranium is 7 – 10 days (ACF/MAPW 2006, Foreword). ACF/MAPW conclude the timeliness goal is simply not attainable.

### **Things fall apart**

“The NPT disintegrates before our very eyes ...the current non-proliferation regime is ... fracturing. The consequences ... regional nuclear arms races ... impact on Australia’s long-term national security interests is immense.” (Kevin Rudd, Sydney Institute, Sept 2006).

He’s right! The system is collapsing under its own inadequacies & contradictions – and his Government just massively increased the IAEA’s intolerable burden by allowing open slather uranium mining & export.

Mohamed El Baradei, Director-General of the IAEA, says: the IAEA’s rights of inspection are “fairly limited”, the safeguards system has “vulnerabilities” & “needs reinforcement”, & the IAEA runs on a “shoestring budget ... comparable to a local police department” ([www.iaea.org/NewsCenter/Statements](http://www.iaea.org/NewsCenter/Statements)).

So we have “local police department” funding for the only agency doing inspections & verifying non-diversion of AONM. Australia’s so-called “safeguards” rely entirely on this under-funded “local police department”. In other words, Australia’s safeguards are not enforced & are probably not enforceable.

**If Australia exports uranium, it will be used in weapons.**

### **So how can the mining and export of uranium be justified?**

That’s outside this enquiry’s Terms of Reference. But this enquiry is only happening because the Government recently opened the floodgates on uranium. Uranium export is the cause of the armament & proliferation problem. **No NPT, CTBT or IAEA has ever looked like stopping nuclear armament & proliferation.** That has been the reality since 1945 – **and that’s the reason why uranium mining & export had been in long-term decline since the 1970s.** The only reason why this Dodo has risen from the ashes of Chernobyl is climate change/global warming.

**We are now told the plausible lie that nuclear power can help stop global warming.** It’s only plausible because the power generation produces no emissions. **But mining, processing & enriching uranium & building reactors produce huge emissions.** If done carelessly, as it is in the USA, enrichment can produce massive emissions which make coal power look climate-friendly. That’s not the only reason why nuclear power is a dead-end which could leave many of us dead.

- Nuclear power **isn’t economically viable**; reactors routinely go \$Billions over budget; decommissioning reactors is prohibitively expensive; nuclear research gets massive government subsidy but for 60 years has failed to solve the waste problem

- It's **too slow** – it takes over 10 years for reactors to start making a difference; wind, solar & wave power can be running in less than 12 months, saving emissions immediately
- High-grade ores will be used up in a few years; remaining **low-grade ores use more emissions** in mining & processing than can be saved in reactors
- It's **too dangerous** – Chernobyl displaced 350,000 people; 750,000 hectares of productive land remain off-limits; **there isn't an insurance company in the world which will write a policy for nuclear power**; only our loony governments are reckless enough to commit their hapless taxpayers to the incalculable costs of nuclear accidents; only a grossly irresponsible government would allow the mining & export of uranium (until recently we had one responsible government – in Western Australia); then there's the massively greater risk of nuclear weapons & nuclear terrorism - nuclear war between the superpowers was narrowly averted in 1983 – only our loony governments ...
- **All states** with nuclear weapons & all those wanting weapons **routinely breach the NPT**; the nuclear industry has more cowboys & crooks than a children's game
- Nuclear materials are so dangerous they must be protected by the military; this adds more to economic costs & justifies further erosion of our civil liberties – **it costs the earth and creates a police state** – it's the most anti-social industry ever
- Despite massive research for 60 years, there's **no answer to the radioactive waste problem**; on the other hand, we will have hundreds of thousands of years to work out a solution ...

All of the above is expressed better & at greater length by **Ian Lowe**, **"Reaction Time: Climate change & the Nuclear Option"**, (Quarterly Essay, Black Inc 2007).

## Conclusion

This Committee knows exactly what is wrong with the system & how to fix it. That much is evident from the conditions it seeks to impose on export to Russia: (1) that Russia should comply with its disarmament obligations & (2) that Russia separate its civilian & military facilities, stopping the flow of materials from civil to military.

The Committee knows the IAEA is chronically under-funded. The Committee knows the IAEA's inspection regime needs to be much more rigorous, especially in the case of NWS (nuclear weapons states).

All of these deficiencies can be fixed if there is the political will to fix them. I don't believe there's the political will to fix them – but I sincerely hope to be proved wrong.

Does the Australian Government have the political will to impose such conditions on every bilateral agreement as the Committee recommends in the case of Russia? I doubt it.

The Committee should recommend to the Government that all uranium export be suspended until all of the glaring faults in the NPT & the IAEA have been addressed. I predict they will not be addressed (at least not before some catastrophe) – so that the suspension of all uranium exports will need to be total & permanent.

If Australian uranium exports are not suspended, they will cause nuclear weapons proliferation & generate regional nuclear arms races.

Submission by: Bill Fisher

Feb 2009