

## **SUMMARY**

MAPW (Australia) has grave concerns about the proposed sales of uranium to Russia. Providing further nuclear material to Russia will exacerbate the terrorist, environmental and health risks associated with Russian nuclear facilities and materials.

The abolition of nuclear weapons is an imperative that is widely recognised by the most authoritative bodies and individuals in the world, and, very pleasingly, by the Australian government. This goal will be much more difficult, if not impossible, to achieve in a world with nuclear power reactors and the nuclear fuel chain operating on an even larger scale than currently.

Russia's nuclear arsenal, together with its continuing violation of its disarmament obligations under article 6 of the NPT, is a major global threat. There are worrying signs that Russia is embarking on a process of nuclear re-armament. US Missile Defence is contributing to this.

Safeguards cannot prevent Australian uranium from being used for nuclear weapons. Under the terms of the proposed Agreement, Australian uranium will pass through un-safeguarded facilities. The Agreement leaves open the dangerous possibility of reprocessing, whereby plutonium is separated from spent fuel.

Article IX of the Agreement allows Russia to withhold any information relating to its nuclear weapons program. Presumably this could include information on diversion of Australian uranium. This would automatically negate the whole purpose of safeguards.

Whistleblowers form an important part of the detection of illicit activity. They must be given legal protection. In Russia they receive not protection but punishment.

The track record of Russia (and the former USSR) with nuclear safety and environmental responsibility is appalling. Unfortunately, no sign has emerged since the demise of the USSR that its environmental management, especially of long-lived radioactive waste, has improved.

## **RECOMMENDATIONS**

MAPW (Australia) recommends

1. Uranium exports and nuclear power should be phased out while real solutions to climate change are implemented.
2. If Australian policy continues to allow some uranium sales, no uranium should be sold to any nuclear weapons state.
3. If, despite the risks inherent in doing so, the Australian government persists with plans to sell uranium to Russia, the following bare minimum conditions should be fulfilled before any such sales:
  - a) Russia's "reform" process to separate its civilian and military facilities is completed and independently verified.
  - b) Russia ratifies an additional IAEA protocol
  - c) Uranium enrichment in Russia comes under international control
  - d) Reprocessing of spent fuel is forbidden in all circumstances
  - e) Whistleblowers in Russia's nuclear facilities are guaranteed legal protection

- f) Russia demonstrates vastly improved nuclear waste management practices
  - 4. Australia should make clear to the US that plans to install Missile Defence facilities in Europe greatly undermine Russian perceptions of security and therefore undermine prospects for nuclear disarmament.
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## **INTRODUCTION**

MAPW has grave concerns about the proposed sales of uranium to Russia. The matters that concern our organisation are of such severity that we find it difficult to comprehend the blinkered world-view that has led to serious consideration of such sales. There are several distinct problems that the proposed sales would either create or intensify, and they are problems that go to the heart of our security as a nation and our national interest.

This agreement must be seen in its current context. That context is a world threatened by two overwhelming forces, each of which has the power to drastically alter the world as we know it. They are climate change; and a global stockpile of 26,000 nuclear weapons, over half of the latter being in Russia. Australia's foremost interests are in resolving these two threats. Other threats to our national interest are relatively minor by comparison.

The abolition of nuclear weapons is an imperative that has been recognised as such by many of the most authoritative bodies and individuals in the world, and, very pleasingly, by the Australian government. Prime Minister Rudd's announcement of June 9 that a Nuclear Non-Proliferation and Disarmament Commission will be established is an extraordinarily welcome confirmation of the government's commitment to this goal. However the goal will be much more difficult, if not impossible, to achieve in a world with nuclear power reactors and the nuclear fuel chain operating on an even larger scale than currently.

As MAPW's primary goal is the abolition of nuclear weapons, this submission will principally address the ways in which the proposed Agreement will undermine that goal. However we note also that, in relation to prospects for tackling climate change, the mantra of nuclear power as part of the solution is nothing more than wishful thinking.

Nuclear power is far too slow, too carbon intensive in every stage except the operation of the reactors, prohibitively expensive, too catastrophic when it goes wrong (as all technologies do on occasion), produces permanent toxic waste that no-one wants (including Australians, with Northern Territorians being no exception); and is inextricably bound with production of the most terrifying weapons in existence.

Therefore Australia's interest in finding solutions to global warming is greatly undermined by feeding a possible resurgence of an energy source that was largely discredited in Western nations decades ago. Such action on our part merely distracts research, funding and attention from real solutions, and wastes scarce time.

These matters will now be addressed in more detail.

## **1. RUSSIA REMAINS A MAJOR PART OF THE GLOBAL NUCLEAR WEAPONS PROBLEM**

Russia, as one of the two nations that has led the world to the brink of nuclear catastrophe, and as home to approximately 15,000 of the world's stockpile of 26,000 nuclear weapons<sup>1</sup>, warrants particular consideration as a potential uranium customer. While the Cold War has ended, there are disturbing signs that the dangers of that period could resurface. Significantly, we note that US insistence on deploying its missile defence systems in Europe is a major factor in undermining relations between Russia and NATO.

These signs include:

- In February 2007, the Russian Defence Minister Sergei Ivanov announced plans for building new intercontinental ballistic missiles, nuclear submarines and possibly aircraft carriers;
- Also in February 2007, Gen Yuri Baluyevsky, Chief of Staff of the Russian Armed Forces stated that Russia might abandon the 1988 Intermediate Nuclear Forces (INF) Treaty, which eliminated missiles with a range of 500 to 5,500 kms.
- In 2007, President Putin signalled Russian readiness to suspend its adherence to the 1990 Conventional Forces in Europe (CFE) Treaty, which limits deployment of military forces and hardware across Europe. In November the Duma voted unanimously to suspend Russian compliance with the Treaty.
- In August a further escalation of tension was apparent when Putin announced the resumption of flights by long-range strategic bombers capable of nuclear strikes against targets in the US.
- On January 19 this year, Gen. Baluyevsky warned Western governments that Russia claimed the right to use nuclear weapons "preventively".<sup>2</sup>

While none of these signs necessarily prove that a nuclear arms race involving Russia is about to commence again, it would be negligent for any government to discount the significance of these developments and the accompanying warnings.

## **2. RUSSIA CONTINUES TO VIOLATE ITS NPT OBLIGATIONS.**

MAPW believes that, as a bare minimum, Australia's uranium export policy should prohibit exports to any nuclear weapons state. These nine nations threaten humanity with the most terrifying and destructive weapons in existence, and each of them continues to undermine the NPT, either by violation of Article 6 disarmament obligations (Russia, the US, France, China and the UK) or by refusing to join the NPT (India, Israel and Pakistan), or, in the case of North Korea, development of nuclear weapons and withdrawal from the Treaty.

While the Australian government's refusal to sell uranium to India is welcome and commendable, it would be far more commendable and consistent if Australia were to also refuse to sell uranium to all those nations that have undermined the NPT.

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<sup>1</sup> It should be noted that some of Russia's stockpile are not actively deployed.

<sup>2</sup> Nancy Spannaus. "Russians reply to provocations by warning of nuclear war". *Executive Intelligence Review*. 1 Feb, 2008.

### **3. THE NOTION THAT AUSTRALIAN URANIUM WILL BE KEPT OUT OF RUSSIAN WEAPONS IS NAIVE**

#### **Un-safeguarded facilities**

In answers to "Frequently asked questions" on the Australia-Russia Nuclear Cooperation Agreement on the DFAT website, the Department states that Russia has given a treaty-level commitment to use Australian obligated nuclear material (AONM) only in facilities covered by its safeguards agreement with the IAEA. IAEA safeguards – limited as they are - are severely limited in their application in nuclear weapons states including Russia.

We are told on the website "Russia is completing a major reform of its nuclear industry to clearly separate its civil and military sectors". While Russia "has limited experience with IAEA inspections", we are told, ".....it is likely that the number of facilities eligible for IAEA inspections in Russia will increase beyond those already designated".

In other words, the Australian government is aware that there will remain un-safeguarded nuclear facilities in Russia (almost certainly an extremely large number of them), and is proceeding in the convenient and happy belief that all will be well once our uranium reaches Russia. We are asked to trust that a "reform" relating to Russia's vast, run-down and under-resourced nuclear weapons complexes will in fact be completed exactly as promised by the Russian government. MAPW notes with concern that Russia has not even ratified an IAEA additional protocol.

A more prudent approach would surely be to wait until this "reform" is complete before selling Russia the raw material for nuclear bomb fuel, although even this very basic recommendation would fall far short of what is needed.

Despite major international collaborative efforts going on over a number of years, the security of nuclear facilities, materials and weapons in Russia remain of profound concern. Dr Mohamed El Baradei, head of the IAEA, has recently estimated that only half of nuclear materials have been reasonably secured. Russia and states of the former USSR are involved in the large majority of documented instances of nuclear smuggling (currently over 1300 instances on the IAEA database).

Further cause for concern is Russia's relationship with Iran. In November 2007 it was reported that Russia was ready to send uranium to fuel Iran's Bushehr nuclear power station.<sup>3</sup> While we may not know the full nature of Iran's nuclear program, Western suspicions are such that the notion of fuelling Iran's fuel supplier seems, at the very least, inconsistent with an otherwise cautious approach towards Iran and its nuclear activities.

#### **Enrichment and reprocessing**

The most proliferation sensitive aspects of the nuclear fuel chain are uranium enrichment and fuel reprocessing. To make a nuclear weapon, either enriched uranium or plutonium is needed. Acquiring either of these materials is generally the greatest barrier to producing a nuclear weapon.

MAPW is pleased to note that, according to the Agreement, AONM will not be enriched to 20% or more, or reprocessed, without Australia's prior written

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<sup>3</sup> Russia ready to send uranium to fuel Iranian atomic power station. *Sunday Canberra Times* 18 November 2007.

consent. However even these stipulations are not sufficiently strong. Australia should require that facilities enriching AONM be under international monitoring and control.

In relation to reprocessing, while the proposed Agreement is a modest improvement on the recent nuclear agreement with China, which embodied blanket 'programmatic' approval for reprocessing, we note that Australia has not ever rejected a request to reprocess AONM. A far more effective stipulation would be a prohibition on reprocessing of AONM under any circumstances.

#### **"State secrets"**

Article IX of the Agreement states that information classified as "state secret" by Russia will not be exchanged. In other words, anything relating to Russia's nuclear weapons program can be withheld from the Australian government without violating the Agreement. Surely this renders the Treaty virtually meaningless as a guarantee of Australian uranium not being used for weapons.

#### **Violation of the Agreement**

We are assured that if Russia violates its commitments to the Agreement, Australia can suspend its uranium sales. By definition, it is too late then. Our uranium could have, by then, been diverted to a purpose or location for which it was not intended. In any event, if such diversion did occur, it would be very difficult to detect, and highly likely that this would never be known.

#### **Human rights and whistleblowers**

Under President Vladimir Putin, human rights in Russia have been degraded further, generally with very little reporting and awareness in the Western world. In August last year, on the eve of the APEC meeting in Sydney, former world chess champion and one of Russia's most prominent opposition political figures, Garry Kasparov, stated in an interview with *The Bulletin*<sup>4</sup> that Russia could not necessarily be trusted with Australian uranium. "Should Australian uranium end up in the wrong hands – and it's not too far-fetched to suggest that Russia under Putin is already in the wrong hands – Australia will not be able to act innocent or to claim ignorance", he said.

Kasparov continued "You can only be confident that the Kremlin will look out for itself, that they have zero obedience to the rule of law and that all sales are final." At the very least, he said, Australia should acknowledge that Russia's technology deals with countries like Iran and Syria are destabilising the world.

An important aspect globally of the detection of illicit nuclear activities is the role of whistleblowers. Scientists and others who become aware of illegal activities at nuclear facilities must be not only assured of their personal safety if they report such activities, but they should also in fact be encouraged to do so. Nothing in the current political climate in Russia gives hope that this will occur. Grigory Pasko, a Russian journalist who wrote articles revealing that Russia was secretly dumping nuclear waste in the Pacific Ocean, was jailed for two and a half years for treason.<sup>5</sup>

The inclusion of a clause in the Agreement to the effect that whistleblowers must be protected would help to strengthen claims that illicit activities will be detected.

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<sup>4</sup> Russian Roulette. *The Bulletin*. 21 August, 2007

<sup>5</sup> *ibid*

### **Contracts - premature ?**

MAPW notes that contracts for the supply of Australian uranium to Russia may be concluded before entry-into-force of the proposed Agreement. This raises the possibility of breach of contract obligations if Australia were to decide not to proceed with the sales, and therefore even greater pressure to overlook proliferation concerns and other problems that may arise.

### **Room for improvement?**

The Australian public is given assurances (for example at the DFAT - NGO consultation meeting held before the recent NPT PrepCom) that safeguards are regularly being upgraded. This necessarily means that there is room for improvement. Given this acknowledgement that safeguards are not perfect, the government cannot give meaningful assurances that our uranium will forever remain out of weapons. It takes approximately 3 kgs plutonium to make a nuclear weapon. Unless safeguards operate perfectly, they are not adequate.

## **4. AUSTRALIAN URANIUM WOULD ADD TO RUSSIA'S ENORMOUS NUCLEAR WASTE, SAFETY AND ENVIRONMENTAL CONTAMINATION PROBLEM**

Beyond the issues of Russia's nuclear weapons and the spread of fissile material, is the issue that most nuclear proponents wish to ignore: nuclear waste. While Russia's nuclear waste might seem irrelevant to Australia's national interest, the health of the planet that we all share cannot be simply addressed along national lines. Issues such as environmental refugees, and an increase in armed conflicts as environments become uninhabitable, render environmental issues central to more traditional notions of "security" and "national interest". In addition the Global Nuclear Energy Partnership – Australia's role in which seems unclear at this stage – is likely to place additional pressure on Australia to become a nuclear waste dump, which would be totally and directly contrary to our national interest.

The track record of Russia (and the former USSR) with nuclear safety and environmental responsibility is appalling. The lack of a "safety culture", which contributed to the Chernobyl catastrophe (the health and other effects of which are still the subject of a major cover-up by the nuclear industry) permeated the whole of the USSR's nuclear establishments. *US News and World Report* published a report in February 1992 "Moscow's dirty nuclear secrets: Four decades of recklessness and stupidity have left dozens of environmental horror stories".

Unfortunately, there has not emerged any sign since the demise of the USSR that these well-documented "horror stories" are a thing of the past and that environmental protection, especially from long-lived radioactive contamination, comes even close to adequate standards. When a K-159 Russian nuclear submarine sank in the Barents Sea in 2003, it was reported that more than 80 nuclear reactor compartments from decommissioned submarines are encased in storage containers at sea, and that they have to be repaired periodically to ensure they stay afloat.<sup>6</sup> The Kursk submarine which sank in 2000 had about 1.2 tonnes of enriched uranium in its reactors.

A further cause of major concern in relation to Russia's nuclear facilities is the exodus of nuclear scientists from positions that were previously prestigious and well-paid. The Carnegie Endowment for International Peace reported in 2001 that the world faced the prospect of a major nuclear weapons disaster because

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<sup>6</sup> Ashot Sarkissov. Rusty and Radioactive. NY Times op-ed. Sept 30, 2003

Russia's impoverished nuclear scientists were abandoning their posts in droves.<sup>7</sup> While this report referred to nuclear weapons rather than nuclear power facilities, it would be extraordinarily naïve to assume that the Russian government has maintained a well-resourced nuclear power sector while allowing its nuclear weapons facilities and expertise to fall into disrepair.

If, despite these indications of a system in crisis, the Australian government believes that there has in fact been an overhaul of safety procedures and waste management at all of Russia's nuclear facilities, then evidence of this should be produced *before* proceeding with an agreement that will add to the problem for all future generations of Russians, their neighbours, and, ultimately, the rest of us.

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<sup>7</sup> Cited in Patrick Cockburn, "Russia faces major nuclear disaster as experts quit in droves". <http://news.independent.co.uk>. Accessed 12 May, 2001