

Submission  
No 48

## INQUIRY INTO URANIUM MINING AND NUCLEAR FACILITIES (PROHIBITIONS) REPEAL BILL 2019

**Organisation:** International Campaign to Abolish Nuclear Weapons Australia  
Inc.

**Date Received:** 17 October 2019

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**Submission to the New South Wales parliamentary Standing Committee on State  
Development  
'Inquiry into the Uranium Mining and Nuclear Facilities  
(Prohibitions) Repeal Bill 2019'**

**International Campaign to Abolish Nuclear Weapons Australia**

**October 2019**

**Introduction to this submission**

The International Campaign to Abolish Nuclear Weapons Australia Inc. (ICAN) welcomes the opportunity to contribute a submission to this Inquiry and we would welcome an opportunity to appear before a hearing of the Committee.

This submission will focus exclusively on the nuclear weapons proliferation and security risks associated with nuclear power (including small modular reactor technologies).

ICAN is a campaign founded in Australia and made up of partner organisations in 103 countries. In 2017 ICAN won the Nobel Peace Prize “for its work to draw attention to the catastrophic humanitarian consequences of any use of nuclear weapons and for its ground-breaking efforts to achieve a treaty-based prohibition on such weapons”.<sup>1</sup>

ICAN has played a leading role in establishing a UN Treaty on the Prohibition of Nuclear Weapons (TPNW) and in encouraging nations to sign and ratify the Treaty. ICAN Australia is currently working to educate Australian parliamentarians about the clear need for Australia to sign and ratify the TPNW.

**Historical connections between nuclear power and nuclear weapons**

There is a long history of nation-states using civil nuclear programs as cover for weapons programs – five of the ten countries that have produced nuclear weapons did so under cover of a civil program (South Africa, Pakistan, India, Israel and North Korea) and power reactors have been used to produce plutonium for weapons in most or all of the other five nation-states (the 'declared' weapons states according to the NPT).<sup>2</sup> Of these, South Africa is the only nation to have halted its nuclear weapon program. Today's arsenals are estimated

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<sup>1</sup> <https://www.nobelprize.org/prizes/peace/2017/summary/>

<sup>2</sup> Nuclear Monitor #804, 28 May 2015, 'The myth of the peaceful atom',  
<https://www.wiseinternational.org/nuclear-monitor/804/myth-peaceful-atom>

to be 13,885 weapons in total in the nine nuclear capable states.<sup>3</sup> All nuclear weapon states are considered to be modernising their nuclear arsenals.<sup>4</sup>

The basic technologies for power and weapons are the same:

- Uranium enrichment plants can produce low-enriched uranium for reactor fuel, or highly-enriched uranium for weapons.
- Reactors produce both electricity and fissile (weapons-usable) plutonium. The 'reactor grade' plutonium produced during routine operation of a power reactor is not ideal for weapons, but can be used nonetheless.<sup>5</sup> Further, reactors can be operated on a short irradiation cycle to produce plutonium that is ideal for weapons production.
- Reprocessing plants can be used to separate uranium and/or plutonium for re-use as reactor fuel, and they can be used to separate plutonium for weapons.

Two of the most troubling current international disputes – involving Iran and North Korea – both involve the alleged misuse or potential misuse of 'civil' nuclear technologies. Iran received its first nuclear research reactor in the 1960s from the US, and subsequently had contracts for fuel supply and other necessary steps in the nuclear cycle with the US, Germany and France. The politics has changed, but nuclear technology remains, with concern now centering on its enrichment technology. In North Korea the main concern is an 'experimental power reactor' (based on UK Magnox technology) which has been used to produce plutonium for weapons.

Because of the dual-use potential of nuclear technologies, a state with comprehensive nuclear fuel cycle facilities could develop nuclear weapons quite rapidly if desired. Therefore, the more widely nuclear technologies are spread, the more states will have the latent capacity to develop nuclear weapons.<sup>6</sup> As the Global Fissile Material Report 2009 states, "A civilian program could carry a country along a path of latent proliferation, in which the country moves closer to nuclear weapons without actually having to make an explicit decision to acquire them."<sup>7</sup>

There has been an interesting and important shift in recent years. A growing number of industry bodies and lobbyists acknowledge nuclear power/weapons connections – connections they have historically trivialised or denied altogether.<sup>8</sup> For example Michael Shellenberger from *Environmental Progress* pro-nuclear lobby group in the US said in 2018

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<sup>3</sup> Hans M. Kristensen and Matt Korda, 'Status of World Nuclear Forces', *Federation of American Scientists*, 2019, <https://fas.org/issues/nuclear-weapons/status-world-nuclear-forces/>

<sup>4</sup> SIPRI, 'Modernization of world nuclear forces continues despite overall decrease in number of warheads', 17 June 2019, <https://www.sipri.org/media/press-release/2019/modernization-world-nuclear-forces-continues-despite-overall-decrease-number-warheads-new-sipri>

<sup>5</sup> 'Can 'reactor grade' plutonium be used in nuclear weapons?', 6 June 2014, *Nuclear Monitor* #787, [www.wiseinternational.org/node/4247](http://www.wiseinternational.org/node/4247)

<sup>6</sup> Miller, S and Sagan, S 'Nuclear power without nuclear proliferation?', p.13 <https://www.mitpressjournals.org/doi/pdfplus/10.1162/daed.2009.138.4.7>

<sup>7</sup> International Panel of Fissile Materials 2009, *Global Fissile Material Report 2009* <http://fissilematerials.org/library/gfmr09.pdf>

<sup>8</sup> Andy Stirling and Phil Johnstone, 23 Oct 2018, 'A global picture of industrial interdependencies between civil and military nuclear infrastructures', *Nuclear Monitor* #868, <https://www.wiseinternational.org/nuclear-monitor/868/global-picture-industrial-interdependencies-between-civil-and-military-nuclear>

that "national security, having a weapons option, is often the most important factor in a state pursuing peaceful nuclear energy".<sup>9</sup>

## **There is no 'proliferation proof' reactor type or nuclear fuel cycle**

The Standing Committee on Environment and Energy may receive submissions asserting that one or another reactor type is proliferation-proof, or sweeping claims such as SMR Nuclear Technology's claim that the "operation of nuclear power plants for power generation does not enable the use of nuclear weapons" (submission #39).

However there is no type of reactor that is proliferation-proof:

- The UK Royal Society stated in 2011: "There is no proliferation proof nuclear fuel cycle. The dual use risk of nuclear materials and technology and in civil and military applications cannot be eliminated."<sup>10</sup>
- Likewise, John Carlson, former Director-General of the Australian Safeguards and Non-Proliferation Office, noted in 2009 that "no presently known nuclear fuel cycle is completely proliferation proof".<sup>11</sup>

A thorium enthusiast claims that thorium is "thoroughly useless for making nuclear weapons."<sup>12</sup> But the proliferation risks associated with thorium are comparable to the risks associated with conventional uranium reactor technology.<sup>13</sup>

Fast neutron reactors can be and have been used to produce fissile material for nuclear weapons (in France, for example). A troubling example is the 'Prototype Fast Breeder Reactor' (PFBR) under construction in India. The PFBR has a blanket with thorium and uranium to breed fissile uranium-233 and plutonium respectively; in other words, it will be ideal for weapons production. India plans to use fast reactors to produce weapon-grade plutonium for use as driver fuel in thorium reactors – plans which are highly problematic with respect to weapons proliferation and security as John Carlson, the former Director-General of the Australian Safeguards and Non-proliferation Office, has repeatedly noted.<sup>14</sup>

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<sup>9</sup> 'How Nations Go Nuclear: An Interview With M.I.T.'s Vipin Narang', 28 August, 2018, <http://environmentalprogress.org/big-news/2018/8/28/vipin-narang-interview>

<sup>10</sup> The Royal Society, 'Fuel cycle stewardship in a nuclear renaissance' 13 October 2011 <https://royalsociety.org/topics-policy/projects/nuclear-non-proliferation/report/>

<sup>11</sup> John Carlson, 2009, 'Introduction to the Concept of Proliferation Resistance', [www.foe.org.au/sites/default/files/Carlson%20ASNO%20ICNND%20Prolif%20Resistance.doc](http://www.foe.org.au/sites/default/files/Carlson%20ASNO%20ICNND%20Prolif%20Resistance.doc)

<sup>12</sup> Tim Dean, 16 March 2011, 'The greener nuclear alternative', <https://www.abc.net.au/news/2011-03-16/thoriumdean/45178>

<sup>13</sup> 'Thor-bores and uro-sceptics: thorium's friendly fire', Nuclear Monitor #801, 9 April 2015, [www.wiseinternational.org/nuclear-monitors](http://www.wiseinternational.org/nuclear-monitors) or [www.foe.org.au/anti-nuclear/issues/nfc/power-weapons/thorium](http://www.foe.org.au/anti-nuclear/issues/nfc/power-weapons/thorium)

<sup>14</sup> John Carlson, 2014, first submission to Joint Standing Committee on Treaties, inquiry into Australia–India Nuclear Cooperation Agreement, Parliament of Australia, <https://www.aph.gov.au/DocumentStore.ashx?id=79a1a29e-5691-4299-8923-06e633780d4b&subId=301365>  
See also: John Carlson, 2015, supplementary submission to Joint Standing Committee on Treaties, 'Suggested revisions to the text of 5 September 2014, as requested by JSCOT at the hearing of 9 February 2015', <https://www.aph.gov.au/DocumentStore.ashx?id=242f5715-24fd-4b3e-8a4f-4c30651d1dc4&subId=301365>

Fusion reactors could be used to produce fissile material for weapons – as explained by fusion scientist Dr. Daniel Jassby in a 2017 article. “A reactor fueled with deuterium-tritium or deuterium-only will have an inventory of many kilograms of tritium, providing opportunities for diversion for use in nuclear weapons.”<sup>15</sup>

An enthusiast of 'integral fast reactors' (IFR) claims they "cannot be used to generate weapons-grade material."<sup>16</sup> But in fact, IFRs could (if they existed) be used to produce plutonium for weapons. Dr George Stanford, who worked on an IFR R&D program in the US, notes that proliferators "could do [with IFRs] what they could do with any other reactor – operate it on a special cycle to produce good quality weapons material."<sup>17</sup>

Molten salt reactors could be used to produce fissile material for weapons. Commenting on molten salt reactors and sodium-cooled fast reactors, and drawing on the experiences of the Molten Salt Reactor Experiment and the Experimental Breeder Reactor II in the US, Lindsay Krall and Allison Macfarlane (a former chair of the US Nuclear Regulatory Commission) state:

"Finally, treatment of spent fuels from non-traditional reactors, which by Energy Department precedent is only feasible through their respective (re)processing technologies, raises concerns over proliferation and fissile material diversion. Pyroprocessing and fluoride volatility-reductive extraction systems optimized for spent fuel treatment can – through minor changes to the chemical conditions – also extract plutonium (or uranium 233 bred from thorium). Separation from lethal fission products would eliminate the radiological barriers protecting the fuel from intruders seeking to obtain and purify fissile material. Accordingly, cost and risk assessments of predisposal spent fuel treatments must also account for proliferation safeguards."<sup>18</sup>

## Small modular reactors and nuclear weapons proliferation

Some nuclear advocates argue that small modular reactors (SMRs) would address the four key issues with nuclear power: costs, safety, waste, and proliferation.

However, SMRs do not reduce the risk of proliferation. As Kennette Benedict, Executive Director of the *Bulletin of the Atomic Scientists*, states, "Small modular nuclear reactors may be attractive, but they will not, in themselves, offer satisfactory solutions to the most pressing problems of nuclear energy: high cost, safety, and weapons proliferation."<sup>19</sup>

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<sup>15</sup> Daniel Jassby, 19 April 2017, 'Fusion reactors: Not what they're cracked up to be', *Bulletin of the Atomic Scientists*, <https://thebulletin.org/2017/04/fusion-reactors-not-what-theyre-cracked-up-to-be/>

<sup>16</sup> Barry Brook, 9 June 2009, 'An inconvenient solution', *The Australian*, <http://bravenewclimate.com/2009/06/11/an-inconvenient-solution/>

<sup>17</sup> George Stanford, 18 Sep 2010, 'IFR FaD 7 – Q&A on Integral Fast Reactors', <http://bravenewclimate.com/2010/09/18/ifr-fad-7/>

<sup>18</sup> Lindsay Krall and Allison Macfarlane, 2018, 'Burning waste or playing with fire? Waste management considerations for non-traditional reactors', *Bulletin of the Atomic Scientists*, 74:5, pp.326-334, <https://tandfonline.com/doi/10.1080/00963402.2018.1507791>

<sup>19</sup> Benedict, K 'Are small nuclear reactors the answer?', *Bulletin of Atomic Scientists*, 29 January 2014 <http://thebulletin.org/are-small-nuclear-reactors-answer>

Academics M.V. Ramana and Zia Mian state, "Proliferation resistance imposes sometimes contradictory requirements. One way to lower the risk of diversion of fuel from nuclear reactors is to minimize the frequency of refuelling because these are the periods when the fuel is out of the reactor and most vulnerable to diversion, and so many SMR designers seek longer periods between refuelling. This is the case for SMRs belonging to the fourth family. However, in order for the reactor to maintain reactivity for the longer period between refuellings, it would require starting with fresh fuel with higher uranium enrichment or mixing in plutonium. Therefore, any reduction of proliferation risk at the reactor site by reducing refuelling frequency, will be accompanied by an increase in the proliferation risk elsewhere."<sup>20</sup>

SMRs that produce significant amounts of plutonium each year without the initial expense of a gigawatt-scale nuclear power program could become the technology of choice for proliferators. In the early 1990s, the director of the Turkish Atomic Energy Authority said Argentina's 25-MW CAREM SMR design "was too small for electricity generation and too big for research or training, however, very suitable for plutonium production".<sup>21</sup>

Countries with an interest in developing nuclear weapons will be those most interested in acquiring SMRs. For example, Saudi Arabia has an interest in acquiring a South Korean-designed System-integrated Modular Advanced Reactor (SMART) and also has a clear interest in developing a nuclear weapons capability. With extensive technology transfer and training, Saudi Arabia would be on the path to developing a latent nuclear weapons capability. There is real concern that such actions will lead to proliferation risks and tensions in an already volatile region.<sup>22</sup>

Industry and governments have historically been coy about power/weapons connections but that is fast changing. For example a 2017 report by Rolls-Royce openly argues that a government-subsidised SMR program would partly relieve the Ministry of Defence of the "burden" of paying for its own programs – in particular, the costs associated with workforce education and training. The Rolls-Royce report states:

"The indigenous UK supply chain that supports defence nuclear programmes requires significant ongoing support to retain talent and develop and maintain capability between major programmes. Opportunities for the supply chain to invest in new capability are restricted by the limited size and scope of the defence nuclear programme. A UK SMR programme would increase the security, size and scope of opportunities for the UK supply chain significantly, enabling long-term sustainable investment in people, technology and capability.

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<sup>20</sup> Ramana, M.V and Mian, Zia 'One size doesn't fit all: Social priorities and technical conflicts for small modular reactors', *Energy, Research and Social Science*, June 2014  
[www.sciencedirect.com/science/article/pii/S2214629614000486](http://www.sciencedirect.com/science/article/pii/S2214629614000486)

<sup>21</sup> Green, Jim 'Small modular reactors and nuclear weapons proliferation', Nuclear Monitor Issue: #872-873, 7 March 2019

<https://wiseinternational.org/nuclear-monitor/872-873/small-modular-reactors-and-nuclear-weapons-proliferation>

<sup>22</sup> Green, Jim, 'Small modular reactors: a chicken-and-egg situation', Nuclear Monitor Issue: #800, 19 March 2015

<https://www.wiseinternational.org/nuclear-monitor/800/small-modular-reactors-chicken-and-egg-situation>

"Expanding the talent pool from which defence nuclear programmes can draw from would bring a double benefit. First, additional talent means more competition for senior technical and managerial positions, driving excellence and performance. Second, the expansion of a nuclear-capable skilled workforce through a civil nuclear UK SMR programme would relieve the Ministry of Defence of the burden of developing and retaining skills and capability. This would free up valuable resources for other investments."<sup>23</sup>

## **Industrial supply chains and civil/military nuclear interconnections**

Much of the discussion about interconnections between the civil nuclear industry and weapons proliferation – including the discussion above – focuses on the production of fissile material, in particular plutonium and highly-enriched uranium. Another set of important interconnections receive much less attention: industrial supply chains involving the wider nuclear skills, education, research, design, engineering and industrial capabilities.

A number of researchers have produced detailed information regarding these interconnections in recent years. For example British researchers Andy Stirling and Phil Johnstone begin a detailed analysis with this summary:<sup>24</sup>

"Noting the increasingly unfavourable economic and operational position of nuclear power around the world, this paper reviews evidence for a hitherto neglected connection between international commitments to civil and military nuclear infrastructures.

Reviewing well established understandings of interlinkages associated with fissile materials and other nuclear weapons related substances, the paper surveys a distinct – and currently potentially more important – kind of interdependency that has up to now received virtually no policy attention. This relates to the national industrial supply chains necessary for the manufacture and operation of nuclear propelled submarines, that are deemed central to strategic military doctrine in a few states – and to burgeoning ambitions in a number of others.

One of the most striking features of these interdependencies, is that evidence is so strong in strategic military literatures, but that the issue is typically so neglected in energy policy analysis. So the repercussions extend beyond specific domains of civil and military nuclear policy making in themselves – significant as these may be.

Across a range of countries, arguably the most important implications arise for the rigour and transparency of mainstream academic and energy policy analysis and the

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<sup>23</sup> Rolls-Royce, 2017, 'UK SMR: A National Endeavour', <https://www.uknuclearsmr.org/wp-content/uploads/2017/09/V2088-Rolls-Royce-SMR-Report-Artwork-Web.pdf>

<sup>24</sup> See for example: Andy Stirling and Phil Johnstone, 23 Oct 2018, 'A global picture of industrial interdependencies between civil and military nuclear infrastructures', Nuclear Monitor #868, <https://www.wiseinternational.org/nuclear-monitor/868/global-picture-industrial-interdependencies-between-civil-and-military-nuclear>

quality and accountability of wider democratic processes – that are failing to give due attention to the evident force of these connections.

With civil nuclear power now increasingly recognised to be growing obsolescent as a low carbon energy source, but key military capabilities evidently depending so strongly on its maintenance, a potentially important new window of opportunity may be opening up for robust measures to reduce global military nuclear threats."

## **Safeguards and other institutional controls**

Given that there is no proliferation-proof reactor type or nuclear fuel cycle, safeguards and other institutional controls are vital to nuclear non-proliferation efforts.

Those institutional controls include such things as reprocessing policies. On a positive note, one could cite the ban on reprocessing in the U.S. since the 1970s and U.S. efforts to limit the spread of reprocessing technology worldwide. On a negative note, one could cite Australian policy – Australia requires permission for the reprocessing of Australian-Obligated Nuclear Materials but no such request has ever been refused, even when it leads to the stockpiling of separated plutonium (in Japan, for example).

Proliferation concerns would be lessened if the international safeguards system was rigorous and properly funded. Sadly, it is neither. There are many problems and limitations with the international safeguards system. In articles and speeches during his tenure as International Atomic Energy Agency (IAEA) Director General from 1997– 2009, Dr. Mohamed El Baradei said that the Agency's basic rights of inspection are "fairly limited", that the safeguards system suffers from "vulnerabilities" and "clearly needs reinforcement", that efforts to improve the system have been "half-hearted", and that the safeguards system operates on a "shoestring budget ... comparable to that of a local police department".

Problems with safeguards include:

1. Chronic under-resourcing. Dr. El Baradei told the IAEA Board of Governors in 2009: "I would be misleading world public opinion to create an impression that we are doing what we are supposed to do, when we know that we don't have the money to do it."<sup>25</sup> Little has changed since 2009. Meanwhile, the scale of the safeguards challenge is ever-increasing as new facilities are built and materials stockpiles grow.
2. Issues relating to national sovereignty and commercial confidentiality adversely impact on safeguards.
3. The inevitability of accounting discrepancies. Nuclear accounting discrepancies are commonplace and inevitable due to the difficulty of precisely measuring nuclear materials. The accounting discrepancies are known as Material Unaccounted For (MUF). There have

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<sup>25</sup> Mohamed El Baradei, 16 June 2009, 'Director General's Intervention on Budget at IAEA Board of Governors', [www.iaea.org/newscenter/statements/director-generals-intervention-budget-iaea-board-governors](http://www.iaea.org/newscenter/statements/director-generals-intervention-budget-iaea-board-governors)



been incidents of large-scale MUF in Australia's uranium customer countries such as the UK and Japan.<sup>26</sup>

4. Incorrect/outdated assumptions about the amount of fissile material required to build a weapon.

5. The fact that the IAEA has no mandate to prevent the misuse of civil nuclear facilities and materials – at best it can detect misuse/diversion and refer the problem to the UN Security Council. As the IAEA states: "It is clear that no international safeguards system can physically prevent diversion or the setting up of an undeclared or clandestine nuclear programme."<sup>27</sup> Numerous examples illustrate how difficult and protracted the resolution (or attempted resolution) of such issues can be, e.g. North Korea, Iran, Iraq in the 1970s and again in the early 1990s. Countries that have breached their safeguards obligations can simply withdraw from the NPT and pursue a weapons program, as North Korea has done.

6. Safeguards are shrouded in secrecy – to give one example, the IAEA used to publish aggregate data on the number of inspections in India, Israel and Pakistan, but even that nearly worthless information is no longer publicly available.

7. There are precedents for the complete breakdown of nuclear safeguards in the context of political and military conflict – examples include Iraq, Yugoslavia and several African countries.

8. Currently, IAEA safeguards only begin at the stage of uranium enrichment. Application of IAEA safeguards should be extended to fully apply to mined uranium ores, to refined uranium oxides, to uranium hexafluoride gas, and to uranium conversion facilities, as well as enrichment and subsequent stages of the nuclear fuel cycle. The Joint Standing Committee on Treaties (JSCT) recommended in 2008 that "the Australian Government lobbies the IAEA and the five declared nuclear weapons states under the NPT to make the safeguarding of all conversion facilities mandatory."<sup>28</sup> However the Australian Government rejected the recommendation in its 2009 response to the JSCT report.<sup>29</sup>

9. There is no resolution in sight to some of the most fundamental problems with safeguards such as countries invoking their right to pull out of the Nuclear Non-Proliferation Treaty (NPT) and developing a weapons capability as North Korea has done. More generally, responses to suspected non-compliance with safeguards agreements have been highly variable, ranging from inaction to economic sanctions to UN Security Council-mandated decommissioning programmes. Some states prefer to take matters into their own hands: Israel bombed and destroyed a nuclear reactor in Iraq in 1981, the US bombed and

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<sup>26</sup> See section 4 in: 'The Nuclear Safeguards System: An Illusion of Protection', 2010, [https://www.mapw.org.au/wp-content/uploads/2018/01/Illusion-ExecSumm\\_1.7MB1.pdf](https://www.mapw.org.au/wp-content/uploads/2018/01/Illusion-ExecSumm_1.7MB1.pdf)

<sup>27</sup> IAEA, 1993, *Against the Spread of Nuclear Weapons: IAEA Safeguards in the 1990s*.

<sup>28</sup> Joint Standing Committee on Treaties, 2008, 'Report 94: Review into Treaties tabled on 14 May 2008', [www.aph.gov.au/parliamentary\\_business/committees/house\\_of\\_representatives\\_committees?url=jsct/14may2008/report1/fullreport.pdf](http://www.aph.gov.au/parliamentary_business/committees/house_of_representatives_committees?url=jsct/14may2008/report1/fullreport.pdf)

<sup>29</sup> Australian Government, 2009, 'Government Response to Report 94 of the Joint Standing Committee on Treaties: Australia-Russia Nuclear Cooperation Agreement'

destroyed a reactor in Iraq in 1991 and Israel bombed and destroyed a suspected reactor site in Syria in 2007.

## **Australia and the nuclear weapons option**

Australia has never been closer to developing a nuclear weapons capability than in 1969 under the Gorton government. Cabinet documents reveal that the Jervis Bay power reactor project on the south coast of New South Wales, which was approved by cabinet, was motivated, in part, by a desire to bring Australia closer to a weapons capability. John Gorton later said: "We were interested in this thing because it could provide electricity to everybody and it could, if you decided later on, it could make an atomic bomb."<sup>30</sup>

Given this history, any moves towards nuclear power could be read as a proliferative signal to our neighbours. In other words, if Australia were to adopt nuclear power, other states in our region might seek this technology in order to lower the barriers to a weapons capability – even if there was no such agenda in Australia. As academic Dr. Mark Diesendorf and former Australian diplomat Richard Broinowski recently noted: "[I]f Australia follows the nuclear path, it provides our neighbours – especially Indonesia, Singapore and Malaysia – with an incentive to follow."<sup>31</sup>

Some politicians and academics have entertained the idea of developing nuclear weapons in Australia since the 1950s. Most recently, defence analyst, Hugh White has said that Australia should consider developing its own nuclear weapons in the event of souring relations with China and decreased confidence in the US alliance (including 'extended nuclear deterrence').<sup>32</sup> Such proposals are dangerous for several reasons, including that support for nuclear weapons serves to legitimise the worst weapon of mass destruction. Further, Australia would be in no position to be criticising other nations seeking a nuclear weapons capability if Australia itself sought the same capability. It would also encourage other countries in our region – such as Japan, South Korea, Indonesia – to develop nuclear weapons.<sup>33</sup>

The refusal of the current Australian government to sign the United Nations' Treaty on the Prohibition of Nuclear Weapons is immensely problematic in this respect. The Treaty was adopted by an overwhelming majority of the world's nations on 7 July 2017. The Treaty challenges long-held assumptions about the role of nuclear weapons in our world, declaring

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<sup>30</sup> Hyland, T, 'When Australia had a bombshell for US', 6 July 2008, *The Sydney Morning Herald*, <https://www.smh.com.au/national/when-australia-had-a-bombshell-for-us-20080705-32ai.html>

<sup>31</sup> Diesendorf, M and Broinowski, R, 'Is the push for nuclear power a covert push for nuclear weapons?', 26 August 2019: <https://reneweconomy.com.au/is-the-push-for-nuclear-power-a-covert-push-for-nuclear-weapons-95422/>

<sup>32</sup> <https://www.smh.com.au/politics/federal/nuclear-arsenal-must-be-on-australia-s-agenda-argues-defence-expert-20190701-p52306.html>

<sup>33</sup> Wareham, Sue 'Our own nuclear weapons? That's the exact opposite of what we should do', 9 July 2019 <https://www.canberratimes.com.au/story/6261965/our-own-nuclear-weapons-thats-the-exact-opposite-of-what-we-should-do>

them illegal for all nations and for all time. This Treaty is now half-way towards entry into force, with 70 signatories and 26 states parties.<sup>34</sup>

Other nations could be forgiven for concluding that Australia's refusal to sign the Treaty signals an unwillingness to forego the weapons options. Those concerns would be heightened by the introduction of nuclear power to Australia, particularly when Australia has abundant renewable energy options and has no solution to the disposal of its nuclear waste that has already accumulated. Those concerns would be heightened further still if the introduction of nuclear power was accompanied by the acquisition of enrichment and/or reprocessing technology.

## **Recommendations**

ICAN Australia strongly recommends that New South Wales categorically rejects nuclear power. ICAN Australia believes that the risks of nuclear proliferation are too great.

The Standing Committee on State Development should recommend that the Federal Government sign and ratify the Treaty on the Prohibition of Nuclear Weapons. Australian accession to the Treaty would be all the more important if proposals to introduce nuclear power are seriously entertained.

The Standing Committee on State Development must consider the existing obligations of Australia to the nuclear Non Proliferation Treaty (NPT), including the key obligation to work towards complete and total disarmament (in Article VI).

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<sup>34</sup> <https://icanw.org.au/learn/the-treaty/>