

Radiating doubt

Australia's parliamentary debate on the Fox Report ended earlier this month. Peter Pockley reports from Sydney

IF anyone ever needed confirmation that uranium "debates" essentially reflect the politics of power and not the supposedly cool rationality and ultimate certainty of the scientific approach, the current Australian situation provides a nice case study. To the protests of the environmental movement, the Fraser government has announced a decision to allow mining to proceed on some uranium leases to fulfil existing export contracts with West Germany, Japan and United States for a total of 10,700 tonnes of uranium oxide.

This decision was announced within two weeks of the release of the long-awaited *First Report of the Ranger Uranium Environmental Inquiry** under the chairmanship of Mr Justice Russell Fox (hence the popular description "The Fox Report"). Fifteen months of thorough and judiciously fair collection of evidence and viewpoint, and detailed analysis thereof, was concentrated into the report which was commissioned in July 1975 under the Whitlam government's Environment Protection (Impact of Proposals) Act (1974). Three men—Judge Fox, medical Professor Charles Kerr and engineer Graeme Kelleher—were charged with examining a proposal by Ranger Uranium Mining Pty Ltd to recover 85,000 tonnes of U_3O_8 from an area 200 km east of Darwin in Australia's remote Northern Territory.

Because the total "reasonably assured and estimated additional uranium resources" of Australia amount, according to the Inquiry's figures, to about 353,000 tonnes of U_3O_8 —a significant fraction (nearly 10%) of the world total—the Inquiry accepted arguments that Australian decisions on uranium mining should be based on a thorough investigation of the nuclear scene world-wide. Indeed, when Mr Fraser tried to wind up the Inquiry by imposing an early deadline, as he was doing for most Whitlam-initiated inquiries which were in progress when he assumed office, Judge Fox publicly told him to go hang and Fraser had to give in. In retrospect, this was the first sign that there might not have been a close concurrence between the views of the Inquiry and the decisions of a government which is in favour of an expanding mining industry.

The First Report dealt with broad

issues brought to the fore by the discovery of massive uranium resources in several areas of Australia in the last 10 years, particularly in the Northern Territory. Though sparsely populated, much of the Territory is environmentally unique and also has large tracts of "reserves" through which the depressed Aboriginal peoples have special claims on discovered resources. The "findings" of the First Report are couched in generalised terms, with a sprinkling of—effectively—double negatives, which have allowed some differing interpretations by the original protagonists—miners and environmentalists—none of whom give the appearance of altering their original positions after the Report's publication. The Inquiry is now moving on to its next job, that of compiling a technical report on the environmental aspects of the proposed Ranger mine itself, and taking account of the untested effects of a recent Aboriginal Land Rights Bill.

To debate or not to debate?

The government's rapid decision to meet existing contracts, which had been put on ice pending the Fox Report, was clearly predetermined, and took scant regard of the Report's earnest final recommendation. This suggested

that no decision be taken in relation to the foregoing matters (i.e. the mining, milling and sale of uranium) until a reasonable time has elapsed and there has been an opportunity for the usual democratic processes to function, including, in this respect, parliamentary debate.

On announcing the government's decision, the Minister for Environment, Housing and Community Development, Mr Kevin Newman, promised a later debate in Parliament. The media divined that the issues at stake would split the country and both major political parties. The Labor Party and the union movement began to fulfil the prediction by publicly baring their souls, as has been their (destructive) wont in the past. In the event, however, the pragmatists in the Parliamentary Labor Party argued successfully in favour of retaining jobs for miners in the short term, and endorsed the government's green light for limited mining and export of uranium to meet existing contracts.

The increasingly confident uranium lobby—miners, the Atomic Energy Commission and the few nuclear experts in universities—engaged with

some aggression the numerically superior but collectively poorer environmentalists in strident clashes in the media, and the promised debate in Parliament, begun on the last day of November, was a fizz. Only a quarter of the total membership of the House of Representatives bothered to front up—or perhaps many members wanted to avoid being seen to be counted. The only highlight of the "debate" was the rare rebellion of one backbencher in the usually well-disciplined Liberal Party; Mr Don Chipp, a former minister passed over by Mr Fraser, proposed a two-year "moratorium" on uranium mining and export and threatened to cross the floor. The debate was defused, and probably buried, by being adjourned without a vote.

The environmentalists' hopes were then pinned on the union movement, elements of which had threatened withdrawal of labour on key links in the production chain (railway transport of processed ore to the ports, for example). But they were disappointed by the decision, early this month, of the powerful Australian Council of Trade Unions to endorse the government's decision. Thus has a test case, anticipated internationally as being of significance because of the thoroughness and (for uranium matters) rare openness of the Inquiry, become largely uninfluenced by public debate. The Parliamentary and industrial wings of the Labor Party have covered themselves by making strong noises against any extension of the present limited decisions to the sanctioning of uranium mining and export generally without "full public debate" or even a national referendum. But unless Labor wins power in Canberra again, it is virtually certain that the Fraser government will not stage such a debate and decision-making process.

Doubts remain

The Commissioners have become so worried about the government's interpretation of their final words that they are reported to have protested directly to Mr Newman saying that their two main conclusions are "findings" and do not amount to "recommendations" which can be used to justify the government's actions. The Commissioners must now be feeling that the wind of political forces may continue to blow so strongly over their heads as to drown out their voices.

The strongest thing the report seems to have still going for it is its uncompromising approach to the dangers of terrorist activity with fissile material and the inherent weakness of the Non-Proliferation Treaty and safeguards. They believe that proliferation is most likely to originate from fuel reprocessing plants and that "existing safe-

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guards may provide only an illusion of protection". On nuclear theft, the Report says "the risks are real and will tend to increase with the further spread of nuclear technology".

The moral argument against uranium mining and export, applied internationally, which says that Australia should not contribute further to the world's problems, has cut no ice with the government, which paints such protests as being against the national interest measured in terms of overseas earnings and jobs. In response, the environmentalists point to the Report's economic analysis which concluded that the contribution of the potential income from the Ranger deposit to national income is relatively small—only 0.1% in 1980–81, rising to about 0.5% in 1990–91, and declining to 0.4% by the end of the century.

On the question of disposal of radioactive wastes, the Report emphasises that, despite the claims of the nuclear industry, "the whole problem is one of first-rate international importance" and urges that "some internationally acceptable system (be) established for the disposal of high-level wastes, and international supervision of what is done".

Expert witnesses?

The Commissioners made a damaging but probably long overdue attack on the credibility of so-called "expert witnesses", many of whom, it is clear, they heard only with patient sufferance: "In considering the evidence", they say,

we have found that many wildly exaggerated statements are made about the risks and dangers of nuclear energy production by those opposed to it. What has surprised us more is a lack of objectivity in not a few of those in favour of it, including distinguished scientists.

From the published list of witnesses, it is not hard to identify the latter group.

In noting the strong emotional overtones of the evidence, the Commissioners found that "distinguished nuclear scientists" were to be found flatly opposed to each other, but "the final decisions should rest with the ordinary man and not be regarded as the preserve of any group of scientists or experts, however distinguished". And in a further attempt to prick the hardened skins of the nuclear lobby, the Commissioners say that "a few of the publicists for nuclear development characterise their opponents as lobbyists or dissidents, or worse". They go on:

We would wish to make it quite plain that before us the opposition has come from a wide cross-section of the general community, and we would not be prepared to conclude that their motives and methods are any less worthy or proper, or intelli-

Fox findings in full

The Fox Report's findings, reflecting the summarised evidence and its analysis of that evidence, may remain its most lasting contribution to an ever-widening debate. In full, they read as follows:

These findings and recommendations are to be read and understood in the context of the Report as a whole and with particular reference to the sections of the Report in which they are respectively discussed.

1. The hazards of mining and milling uranium, if those activities are properly regulated and controlled, are not such as to justify a decision not to develop Australian uranium mines.
2. The hazards involved in the ordinary operations of nuclear power reactors, if those operations are properly regulated and controlled, are not such as to justify a decision not to mine and sell Australian uranium.
3. The nuclear power industry is unintentionally contributing to an increased risk of nuclear war. This is the most serious hazard associated with the industry. Complete evaluation of the extent of the risk and assessment of what course should be followed to reduce it involve matters of national security and international relations which are beyond the ambit of the Inquiry. We suggest that the questions involved are of such importance that they be resolved by Parliament. In Chapters 15 and 16 we have gone as far as the terms of reference and the evidence permit in examining the courses open and in making suggestions.
4. Any development of Australian uranium mines should be strictly regulated and controlled, for the purposes mentioned in Chapter 16.
5. Any decision about mining for uranium in the Northern Territory should be postponed until the Second Report of this Commission is presented.
6. A decision to mine and sell uranium should not be made unless the Commonwealth Government ensures that the Commonwealth can at any time, on the basis of considerations of the nature discussed in this Report, immediately terminate those activities, permanently, indefinitely or for a specified period.
7. Policy respecting Australian uranium exports, for the time being at least, should be based on a full recognition of the hazards, dangers and problems of and associated with the production of nuclear energy, and should therefore seek to

limit or restrict expansion of that production.

8. No sales of Australian uranium should take place to any country not party to the Non-Proliferation Treaty. Export should be subject to the fullest and most effective safeguards agreements, and be supported by fully adequate back-up agreements applying to the entire civil nuclear industry in the country supplied. Australia should work towards the adoption of this policy by other suppliers.

9. A permanent Uranium Advisory Council, to include adequate representation of the people, should be established immediately to advise the Government, but with a duty also to report at least annually to the Parliament, with regard to the export and use of Australian uranium, having in mind in particular the hazards, dangers and problems of and associated with the production of nuclear energy.

10. The Government should immediately explore what steps it can take to assist in reducing the hazards, dangers and problems of and associated with the production of nuclear energy.

11. Policy with regard to the export of uranium should be the subject of regular review.

12. A national energy policy should be developed and reviewed regularly.

13. Steps should be taken immediately to institute full and energetic programs of research and development into (a) liquid fuels to replace petroleum and (b) energy sources other than fossil fuels and nuclear fission.

14. A program of energy conservation should be instituted nationally.

15. The policy of the Government should take into account the importance to Australia, and the countries of the world, of the position of developing countries concerning energy needs and resources.

Our *final recommendation* takes account of what we understand to be the policy of the Act under which the Inquiry was instituted. It is simply that there should be ample time for public consideration of this Report, and for debate upon it. We therefore recommend that no decision be taken in relation to the foregoing matters until a reasonable time has elapsed and there has been an opportunity for the usual democratic processes to function, including in this respect, parliamentary debate.

gently conceived, than, in general, are those of the supporters of nuclear development.

Political postscript

The 300 or so people at the Mary Kathleen mine in Queensland, the only active uranium producer at the moment, are dependent on the mine's continuance for employment and are now assured of a job for a few years while the existing contracts are fulfilled. But the investment-led recovery of the national economy, in which the hoped-for expansion of the mining industry played such a key role, has been thrown into confusion since the Fox Report and the decision to export. The massive 17½% devaluation at the

end of November, followed in only 9 days by a 2% revaluation and mostly inconsequential tariff cuts, have rocked the government and its traditional supporters in industry and the press.

The style of Mr Fraser was to purvey a well-controlled image of businessman-like decisiveness, repairing the damage allegedly caused by Mr Whitlam's Labor administration. Suddenly, and by its own hand, the government seems vulnerable. If a uranium debate really gets off the ground in 1977 following the Fox Report No. 2, it is anyone's guess as to whether the government will have things all its own way as it did with Report No. 1. □