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Australia's uranium deal with India 'risks weakening safeguards'

Former head of nuclear safety agency says new agreement will leave Canberra with no say over use of reprocessed plutonium

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Australia's agreement to sell uranium to India differs substantially from past nuclear deals and risks weakening safeguards, the former head of Australia's nuclear safety agency has warned.

Tony Abbott signed the agreement to make Australia a "long-term, reliable supplier of uranium to India" in New Delhi last month, but the terms of the deal have been made public only in the past week.

John Carlson, the former head of the Australian Safeguards and Non-Proliferation Office, said the deal appeared to waive "standard provisions" relating to nuclear safeguards in similar agreements with Japan, the US and South Korea.

"They've clearly left out a number of things that the Indians don't like," Carlson said.

Article six of the treaty grants India unprecedented open-ended "reprocessing consent", which could leave Australia without a say in how the nuclear material it shipped to India was used, he said.

When uranium is used to generate electricity, weapons-grade plutonium can be recovered as a byproduct and “reprocessed” to create more energy or to produce nuclear weapons.

“Where Australia has given reprocessing consent in the past, it’s on the basis that we approve downstream facilities where the plutonium will be used,” Carlson said. “But under the India agreement, we’re just not doing that.”

The treaty permits India to reprocess Australian uranium provided it does so in a US-approved facility. But Carlson, now a fellow at the Lowy Institute, said the US deal with India did not specify how the resulting plutonium should be managed. “Essentially we have no say over how the plutonium will be used,” he said.

Less-stringent International Atomic Energy Agency requirements would apply to the Indian nuclear program, which would prevent plutonium being used in a nuclear weapon, but not being employed in weapons-related research or transferred to a third country.

A confidential “administrative agreement” now being negotiated would be crucial, Carlson said. In every past deal such an agreement has allowed Australia to track the uranium it supplies, as well as any byproducts, including plutonium, generated in its production.

“If we don’t require India to track the material, then the agreement itself is ineffective,” Carlson said.

India’s 2013 uranium supply deal with Canada waived this requirement and the Indian government is exerting pressure on the US to do the same.

India is believed to have stores of up to 110 warheads and, like its neighbour Pakistan, is not a signatory to the 1968 nuclear non-proliferation agreement.

A 2012 report by India’s auditor-general found the country’s nuclear facilities were under-resourced and poorly regulated.

Carlson called on the parliamentary committee that reviews Australia’s treaties to be allowed to scrutinise the entire deal, including the confidential administrative agreement. “We need transparency,” he said.

A spokeswoman for the Department of Foreign Affairs and Trade said: “The nuclear cooperation agreement with India sets out strict conditions for the peaceful use and control of Australian uranium.

“The department is confident that negotiations on the administrative arrangement for the agreement will yield an outcome meeting Australia’s uranium export requirements.”

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