



## Medical Association for Prevention of War (Australia)

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1 October 2007

Prime Minister Yasuo Fukuda

Dear Prime Minister,

### **Re: Proposed US and Australian nuclear co-operation with India**

I write to urge your government, as an influential member of the Nuclear Suppliers Group (NSG), to ensure that the proposed transfer of nuclear materials and dual-use nuclear technologies from the United States to India, as spelled out between those two countries in the text of an agreement dated 1 August 2007, does not proceed.

If this agreement is implemented, it could only substantially weaken the international non-proliferation regime, currently already under severe strain; and erode prospects for a consistent, equitable, rules-based approach to the critical global security and health issue of nuclear non-proliferation.

I particularly urge the government of Japan, as a responsible member of the NSG, to closely examine the multiple ways in which this agreement conflicts with the NSG's guidelines and undermines the goal of nuclear non-proliferation that is the Group's sole reason for existence.

Representing physicians who understand that the use, testing, production, transportation, stockpiling and preparedness to use nuclear weapons constitute the most urgent and grave danger to human life and health, and that the proliferation of nuclear weapons is a profound danger to global security, we support full compliance with the disarmament and non-proliferation provisions of the Non-Proliferation Treaty (NPT). Moreover, we advocate strengthening and building on the NPT through the global prohibition of nuclear weapons through a Nuclear Weapons Convention, which alone can fulfill the promise of the NPT. We believe that the "Section 123" agreement between the United States and India runs counter to these objectives and increases the danger that proliferation will increase, not only in South Asia, but also in other regions of the world.

It is a matter of regrettable irony that the NSG was established on the basis of widespread concern following India's 1974 nuclear test explosion, conclusively demonstrating how nuclear technology transferred for peaceful purposes could be misused. The NSG was established in order to prevent the transfer of "peaceful" nuclear technologies to countries that had refused to join the NPT, and to regulate transfers to non-nuclear states in such a way as to prevent diversion to weapons programs. The NSG Guidelines, as described in the Group's official literature, "aim to ensure that nuclear trade for peaceful purposes does not contribute to the proliferation of nuclear weapons or other nuclear explosive devices ...".



Although Israel, India and Pakistan have acquired nuclear weapons outside the NPT and, therefore, have not violated any Treaty obligations by doing so, their status as nuclear weapon states has seriously undermined the international non-proliferation regime. There have been widespread calls for all three countries to eliminate their nuclear arsenals and to accede to the NPT as non-nuclear weapon states. The US-India agreement not only ratifies and rewards India's status as a nuclear weapon state outside the NPT, it also weakens the global norm against nuclear weapons proliferation.

A unique exception for India, as envisaged under the deal, would further aggravate the discriminatory nature of the nuclear non-proliferation regime and would inevitably encourage additional states to acquire nuclear weapons. It would further worsen the ongoing nuclear arms race in South Asia by significantly increasing India's capabilities for fissile material production for weapons, and entirely predictably stimulate a nuclear proliferative response by Pakistan, and possibly by China and other countries. Moreover, the radically boosted nuclear power program following as a consequence, would divert urgently needed massive investments in developing and deploying environmentally benign renewable sources of energy, including wind and solar. This, in turn, would have grave impacts on prospects for long-term energy security and limiting climate change.

In effect, the agreement circumvents and undermines both the NPT and the mission of the NSG. The NSG can and should uphold its responsibility to the international community to reject the waivers that the US is requesting in order to proceed with these transfers legally. The likely pressures to also apply such exceptionalism to Israel and Pakistan, and additional potential proliferating nations in the future, must also be considered.

Our organisations of professional doctors working for peace and disarmament also feel it is our professional duty to warn against the use of nuclear energy for power generation. These technologies are neither safe, sustainable nor economic and are fraught with unique, enormous and extraordinarily persistent dangers to the health of people and the environment. These dangers were once again made clear recently when damage from an earthquake caused multiple radioactive leaks from and forced the closure of the Kashiwazaki-Kariwa Nuclear Power Station. Furthermore, a study published in July in the European Journal of Cancer Care (2007, 16: 355-363), demonstrated a 24% rise in leukemia incidence in children around nuclear facilities in Canada, France, Germany, Great Britain, Japan, Spain and the US.

Physicians for Social Responsibility, the US affiliate of IPPNW, and Indian Doctors for Peace and Development, the Indian affiliate, together with IPPNW, issued the enclosed statement calling upon the Parliament of India and the United States Congress to reject this agreement as dangerous to international peace and security. That call has gone unheeded with the publication of the final agreement on 1 August.

I also wish to convey deep concern about the Australian government's intention follow suit and conclude a nuclear cooperation and safeguards agreement with India, paving the way for exports of Australian uranium to India. For all the reasons already outlined, this is deeply regrettable, would fuel nuclear proliferation, undermines the already strained NPT regime, and would be in breach of Australia's obligations under the South Pacific Nuclear Weapons Free Zone Treaty. This Treaty requires state parties "not to provide source or special fissionable material, or equipment or material especially designed or prepared for the processing, use or production of special fissionable material for peaceful purposes to: (i) any non-nuclear-weapon State unless subject to the safeguards required by Article III.1

of the NPT". The safeguards specified are full-scope safeguards, which are not applied to India.

The decision by the Australian government to pave the way for uranium sales to India is a complete about-face on 30 years of bipartisan Australian government policy not to sell uranium to states not party to the NPT, restated as recently as last year by Foreign Minister Alexander Downer. This decision is opposed by a very wide range of civil society organizations in Australia. The federal opposition Australian Labor Party has clearly stated that it will oppose any sales of Australian uranium to India should it win government in the federal election due before the end of the year.

I therefore urge your government to ensure that the NSG, as the final arbiter of international norms and common sense in this arena, reject the US-India nuclear agreement as contrary to the objectives of non-proliferation. I also urge you to convey to the Australian government that its proposed nuclear safeguards agreement and sales of Australian uranium to India would be unacceptable and inconsistent with its stated commitment to nuclear non-proliferation.

I further urge you to utilize other relevant fora, such as the IAEA, to support consistent application of NSG guidelines and the strengthening of international legal rules and sanctions for the prevention of nuclear proliferation and the promotion of nuclear disarmament.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Tilman A Ruff', is written over a light blue rectangular background.

Tilman A Ruff

Chair, Australian Management Committee, International Campaign to Abolish Nuclear Weapons

Immediate Past President, Medical Association for Prevention of War

Member, Board of Directors, International Physicians for the Prevention of Nuclear War

Associate Professor, Nossal Institute for Global health, University of Melbourne

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