

November 15, 2016

## Submission Re. Civil Nuclear Transfers to India Bill 2016

Dear reader,

Submissions are most often written to inform policy. However, they may also be useful to have placed on record—in the archives of government—corrections and addendums to what is known about the process and politics of a given policy. This submission is of the latter kind, in the hope that it will further contribute to what is known about how this Bill came to pass.

Opting for brevity over comprehensiveness, I summarise the relevant events as follows:

- Writing in November and December 2011, I vehemently argued against any exports of nuclear material to India as a nuclear-weapon state and non-signatory to the Nuclear Nonproliferation Treaty of 1968 (NPT).<sup>1</sup>
- At its December 2011 caucus meeting, and at the initiative of then Australian Prime Minister and party leader Julia Gillard, the Labor Party voted to amend its policy platform to pave the way for uranium exports to non-NPT signatory states.
- In my essay published by *Crikey* and *Al Jazeera English* on December 5 and 7, 2011, respectively, I singled out the Lowy Institute as one of the key “lobby groups” behind this development.<sup>2</sup>
- Writing on December 5, 2011, and acting in concert with me for *The Canberra Times*, Marianne Hanson used precisely the same terms.<sup>3</sup>
- On December 12, 2011, the Lowy Institute issued a rebuttal addressed to me—making no mention of Hanson—on *Al Jazeera English* and their *Interpreter* blog.<sup>4</sup>
- On December 12, 2011, writing in *Crikey* I stood by my earlier characterisation of the Lowy Institute as a lobby group by restating my earlier claim that: “it is not the strength or frequency of criticism of the existing policy that is troubling to me, but the flawed arms control logic within, and moral grandstanding of, their arguments”.<sup>5</sup>
- To validate my earlier claims, on January 12, 2012, Senator Scott Ludlam requested in Parliament declarations from various government departments and offices about governmental funding of the Lowy Institute. On May 5, 2012, it was disclosed that several agencies had made sizable payments to the Lowy Institute for nondescript services in the relevant financial year.<sup>6</sup>
- Further to Senator Ludlam’s inquiries, on May 22, 2012, Senator Scott Ryan inadvertently brought about the disclosure that the Prime Minister and Cabinet’s Office had paid the Lowy Institute \$53,000 to publish a blog (one can presume) in favour of its policy

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<sup>1</sup> To be sure, several people opposed the proposed deal, including environmental groups in Australia (e.g. Jim Green of Friends of the Earth), scholars (e.g. Andy Butfofy), and arm control policy specialists in America (e.g. Joe Cirincione). However, I have only cited the contributions to this discourse by Marianne Hanson and myself because only we made the claim that the Lowy Institute was curiously behaving like a “lobbying” group. See: N.A.J. Taylor, ‘What’s the harm in selling uranium to India?’, *Al Jazeera English*, November 30, 2011, accessed at <http://www.aljazeera.com/indepth/opinion/2011/11/20111124133339485415.html> on November 15, 2016; N.A.J. Taylor, ‘Want Australian uranium? Join the NPT’, *Al Jazeera English*, November 30, 2011, accessed at <http://www.aljazeera.com/indepth/opinion/2011/12/2011125115448183516.html> on November 15, 2016; and N.A.J. Taylor, ‘Nuclear India to get Australian uranium’, *Al Jazeera English*, December 7, 2011, accessed at <http://www.aljazeera.com/indepth/opinion/2011/12/2011125115448183516.html> on November 15, 2016.

<sup>2</sup> See: N.A.J. Taylor, ‘Nuclear India to get Australian uranium’, *Al Jazeera English*, December 7, 2011, accessed at <http://www.aljazeera.com/indepth/opinion/2011/12/2011125115448183516.html> on November 15, 2016.

<sup>3</sup> Marianne Hanson, ‘Selling uranium to India a blow to arms control’, December 5, 2011, accessed at <http://www.canberratimes.com.au/federal-politics/editorial/selling-uranium-to-india-a-blow-to-arms-control-20111205-1ug2k.html> on November 15, 2016.

<sup>4</sup> See: Sam Roggeveen, ‘Lowy: Our commitment to open debate’, *Al Jazeera English*, December 12, 2011, accessed at <http://www.aljazeera.com/indepth/opinion/2011/12/2011129101457926784.html> on November 15, 2016.

<sup>5</sup> N.A.J. Taylor, ‘The Lowy Institute’s bizarre rebuttal’, *Crikey*, December 11, 2011, accessed at <https://blogs.crikey.com.au/this-blog-harms/2011/12/12/the-lowy-institute-bizarre-rebuttal/> on November 15, 2016.

<sup>6</sup> Scott Ludlum, ‘Question on Notice regarding Lowy Institute funding from government’, Australian Parliament Question Time, Question No. 1517, May 5, 2012, accessed at <http://scott-ludlam.greensmps.org.au/articles/question-notice-regarding-lowy-institute-funding-government> on November 15, 2016.

platform. These payments were previously undisclosed on the relevant posts, providing the misleading the reader into believing it was independent analysis.<sup>7</sup>

- Promptly after the news broke, the Lowy Institute revised their posts to reflect the sponsorship, however no such statement was added to earlier posts relating to the sale of uranium to India.
- Although these payments cannot be directly linked to the flurry of activity by the Lowy Institute in favour of uranium exports to India, it is contended that such a connection will in time come to light.

To be sure, there is nothing the present Turnbull Coalition government should and can do about moral bankruptcy of the Gillard Labor government or the Lowy Institute. However, I do see value in placing this alternative history on record for it illuminates how party platforms and policy are shaped by nefarious forces.<sup>8</sup>

Regardless of your stance on the sale of uranium to India, before this Bill is passed the precise nature of funding by various governmental agencies to the Lowy Institute over the relevant period must be more closely examined.

Go well,

N.A.J. Taylor

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<sup>7</sup> Anna Caldwell, 'Outcry over \$53k taxpayer funded Gillard Government online blogs outsourced by Department of Prime Minister and Cabinet to private think tanks the Lowy Institute and the Australia Institute of International Affairs', *The Courier Mail*, May 24, 2012, accessed at <http://www.couriermail.com.au/news/national/outcry-over-53k-taxpayer-funded-gillard-government-online-blogs-outsourced-by-department-of-prime-minister-and-cabinet-to-private-think-tanks-the-lowy-institute-and-the-australia-institute-of-international-affairs/story-e6freooo-1226364956697> on November 15, 2016.

<sup>8</sup> For instance, one scholarly paper provides an otherwise thorough account of this episode, yet curiously leaves this entire episode absent, see: Ramesh Thakur, 'Follow the yellowcake road: balancing Australia's national interests against international anti-nuclear interests', *International Affairs*, Vol.89 Is.4, 2013.