

Statement by Dr Guido Brunner, Member of the Commission, to the European Parliament on 10 May 1977 in reply to the oral question tabled by the Socialist Group on the disappearance of 200 tonnes of natural uranium

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I am glad that Mr Fellermaier has taken the initiative on behalf of the Socialist Group. Since this happened in 1968, a long time has passed and the matter has been reported in the press.

First let me confirm that late November/early December 1968, 200 tonnes of natural uranium did in fact disappear while being shipped from Antwerp to Genoa. But before I go into details, I should like to make a few preliminary comments.

It was the Euratom Security Supervision system which enabled us to confirm the disappearance of the uranium. Without this, its loss would have gone unnoticed. The American authorities, whom we informed of the occurrence at the time, also congratulated us on our discovery.

Our supervisory system imposes on those who deal with fissile material the duty to maintain written records, to write reports and to ensure safe keeping. Compliance with these duties is checked by inspections on site. In the case of any infringement, the Commission may impose sanctions ranging from admonishments to sequestration and the withdrawal of source materials or fissile material.

The Euratom security officials do not, however, have any police power. The Commission has no penal jurisdiction. Police supervision, prosecution and customs control are matters for the individual Member States. Consequently, the Euratom supervisory system did as much as it could in this matter; it exposed the disappearance of the uranium. Even the IAEA's supervisory system, which at that time was in its early days, could not have done more.

The security of nuclear material, what is called 'physical protection' is a matter for the Member States. All attempts made by the Commission to set up common guidelines in this field have so far failed because of the resistance of individual delegations in the Council.

One more point: the material we are talking about is natural uranium and not plutonium. To produce plutonium from natural uranium, first of all the uranium has to be transformed into metal or fuel rods and then irradiated in a reactor. Then the irradiated fuel rods must be further processed. This being so, the IAEA's guidelines on physical protection, which were revised in 1975, do not provide for any special measures in the case of natural uranium.

Furthermore, we have learned from past experience and improved the Euratom supervisory system. As far as we know, the Member States have also tightened up their security measures. Physical protection, a term which was unimportant in 1968, is not quite justifiably being paid more attention.

Now to the individual questions:

(1. Are the reports correct?)

I have already said that it is true that at the end of November, beginning of December 1968, 200 tonnes of natural uranium did in fact disappear while being shipped from Antwerp to Genoa. The uranium was loaded in Antwerp, not Rotterdam. At that time, the Director-General of the supply agency was Mr Franco Cancellario d'Alena and the Director of the Security Service was Mr Enrico Jacchia. Both gentlemen later left the service of the Commission, Mr Cancellario in 1971 and Mr Jacchia in 1973. Their resignations, however, had nothing to do with the matter we are discussing today. In that respect, no blame attaches to them.

(2. Who was the original owner of the uranium?)

The owner of the uranium was the Société Générale des Minerais which has its head office in Brussels. The uranium was stored in Hoboken, near Antwerp. The purchaser was the ASMARA CHEMICAL CO. LTD. OF HERSFELDEN near Wiesbaden. According to

the purchase agreement, the uranium was intended to be used for catalysts for use in the petrochemicals industry. In other words, the contract laid down that the uranium was to be used for non-nuclear purposes. The uranium was to be processed by the SAICA company of Milan.

(3. What action has the Commission taken - including action in collaboration with the authorities in the Member States concerned - to clarify the circumstances of the incident?)

When the Commission learned of the disappearance, it instituted an enquiry. At the same time, it informed the authorities of the three Member States concerned - i.e. Belgium, Germany and Italy. The other three Member States were also informed. The Belgian, German and Italian authorities instituted their own enquiries.

(4. Has the Commission established the whereabouts of the uranium?)  
As far as the Commission is aware, the authorities in the Member States have been unable to discover the whereabouts of the uranium.

(5. What steps has the Commission taken and what claims has it asserted in order to recover the uranium?)

Pursuant to the Euratom Treaty, the Commission has the power to withdraw from persons or undertakings which fail to observe their duties under the Treaty source materials and in particular fissile material. This presupposes that the owner and the whereabouts of the material is known. The Commission's powers extend solely to the territory of the Community.

(6. Whom did it inform of the incident?)

As I said earlier, the Commission informed the permanent representatives of the Member States and the American authorities about the matter. Informing the American authorities appeared expedient on two counts : from the very beginning, Euratom has worked in the closest cooperation with the USA, especially in matters of security and supervision.

(7. Why did it not inform the European Parliament or its appropriate authorities even on a confidential basis?)

Pursuant to the Euratom Treaty, the Commission must

be consulted on amendments to the chapter on safeguards. Control regulations themselves have hitherto been adopted without any participation by the Assembly.

On general political considerations it would have been a good idea to inform the President of the European Parliament confidentially. But this was impossible since the authorities of the Member States had been called in and the Commission was no longer solely responsible for matters relating to the enquiry. Moreover, supervision of security must be very confidential if it is to be successful.

Only when the procedure is confidential, are the undertakings concerned and the authorities of the Member States prepared to cooperate with Euratom Control. For this reason the Commission stated to the Council as long ago as 1969 that it would deal in the strictest confidence with all knowledge acquired within the framework of Euratom Control.

(8. What conclusions has the Commission drawn with regard to staffing, technical and security arrangements in order to prevent similar incidents?)

The Commission has proposed to the Council that the number of inspectors should be increased. The Council has endorsed this proposal. The Commission has further proposed that those responsible for transport and storage and agents should be included in the security system and that the data on utilization should be specified. These provisions are included in the new security regulations.

The Commission has also proposed that the provisions on physical protection should be harmonized throughout the Community. We have not yet been able to get this proposal through the Council.

(9. Have there been any other cases of this nature or of a similar nature?)

There has been one other minor case involving the ASMARA Chemical Company. This related to 212 kg of natural uranium, or one thousandth of the 200 tonnes we are talking about. The amount

purchased by ASMARA Chemicals could not be traced. When it was stated by the Euratom inspectors and the German authorities that ASMARA was responsible for the uranium, it was returned to the supplier within a few days.

Apart from this we have no knowledge of any cases of this or a similar nature.

(10. What precautions has the Commission taken to prevent the recurrence of such incidents?)

The Commission can take no precautions to prevent the recurrence of such incidents. This is for the Member States to do since they possess the requisite police power and power of search. The Member States also possess penal jurisdiction. The Euratom supervisory system can ensure that such incidents are brought to light. It has done this in the past and will continue to do so in the future.

From this incident I can only conclude that as regards the Community, we should do more to harmonize the provisions governing physical protection. This is particularly valid for transfrontier transportation of fissile material. So far our endeavours have met with resistance from the Member States. If public airing of this incident helps us to make progress in this field, then it will have proved advantageous not only to the Community but also to the citizens of the Community.

