

revelations came at a time when Canada was entering the final round of GATT negotiations. At those meetings, Canada's major bargaining lever was its strength in natural resources. Thirdly, the Rabbit Lake, Saskatchewan, joint venture between GMCL and UCL was created to give Canada a preferred position in sales of uranium to West Germany and was in accordance with the so-called 'Third Option' policy outlined by Mitchell Sharp in 1972. Public disclosure of Canada's role in the cartel could have adversely affected Canadian-European relations, despite the fact that the French government through Uranex was an active member of the cartel and West German officials knew of the cartel's activities. As one Gulf Oil Corporation official noted: "the zeal with which Dr. W. Schlieder, head of the EEC Anti-trust Division, is enforcing the provision of the Treaty of Rome must surely give rise to anxiety." Finally, it was perhaps anticipated that the release of the five Canadian documents would have had a negative effect on Canadian-American relations.

Once the documents were released, however, then Minister of Energy, Mines and Resources, Alastair Gillespie, argued that Canada's role had not been a secret and had indeed been announced by the government early in 1972. Despite the extraordinary measures taken by the members to protect the privacy of the group, the cartel's existence was common knowledge to many individuals who were involved in, or closely related to, the world uranium industry. The initial Paris meetings of the cartel in February, 1972, were reported in many North American newspapers while subsequent meetings were noted in various nuclear industry trade journals.

Yet the information then available does not support the Liberal government's contention that the activities of the cartel were publicly known from 1972 to 1975. The newspaper accounts and government statements issued during this period only transmitted the information that representatives from uranium producing countries met from time to time to work on an agreement to stabilize uranium prices. The explicit details of the existence of a Policy and Operating Committee and Secretariat, and indeed of the cartel, and the fact that prices were fixed, were never publicly reported until the cartel ceased to operate (and this was not done with the support of any of the cartel members especially not Canada), or at least until the formation of the London-based Uranium Institute, which represents the interests of both uranium producers and consumers in the world. The intention of the cartel members to keep the organization secret was clear; the fact that it was not very successful at this task does not support the Canadian claim that the cartel was openly and purposefully discussed in public from its creation.

Gillespie's proclamation was surprisingly followed by the Canadian Cabinet's passage of an Order-in-Council (SOR/76-744) under the Atomic Energy Control Act entitled the Uranium Information Security

Regulation which silenced discussion of the subject in Canada. Unprecedented in Canadian history, the regulation was designed to prevent the release of information on the cartel to foreign governments. The regulation went further, however, in that it effectively 'gagged' discussion of the subject by the media, general public and Members of Parliament while in the House of Commons. Violation of the regulation was punishable by a five year prison term and/or a \$10,000 fine.

Gag order

Under heavy pressure from the Opposition Parties and growing public criticism that the regulation was a restriction of the fundamental right of freedom of speech, the 'gag order' was revised by the Trudeau Government on October 13, 1977 to allow discussion of documents already in the public domain on the uranium cartel. Yet it remained illegal for those with direct knowledge of the cartel to release new information (SOR/77-836). Despite this, the Conservative Party applied for judicial review of the original regulation in the Supreme Court of Ontario. The court ruled that the subject could be discussed in Parliament and that the regulation was properly promulgated under the



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Uranium stockpile at the Eldorado Nuclear Refinery at Port Hope, Ontario.