NGO PRESENTATION TO THE NPT REVIEW CONFERENCE PREPARATORY COMMITTEE, NEW YORK, APRIL 2002

INDIGENOUS PERSPECTIVE

SPEAKER: Richard Salvador, Pacific Islands Association of NGOs (PIANO)

Mr. Chairperson, delegates, distinguished panel members and NGO colleagues,

I would like to take this opportunity again to express my thanks for allowing us to address you on the continuing relevance of the fate of Indigenous peoples in this forum. I also thank my colleagues, the organizers of these NGO Presentations, for being patient with the submission of this presentation. My name is Richard Salvador and I represent the Pacific Islands' Association of Non-Governmental Organizations, based in Port Vila, Vanuatu. In this capacity, I have been involved in and serve on the Global Council of the Abolition 2000 Network which many of you are familiar with.

During the preparations for this presentation, via email discussions across continents and oceans, me and my colleagues struggled to find relevant words to capture the real essence of our message and still stay within the narrow confines of the NPT. This is a difficult process when we attempt to confine an issue with broad implications on the environmental and human health contexts of Indigenous peoples' existence into the narrow limitations of the NPT. You will begin to see why when you take a broader view of what nuclear power and nuclear weapons production have done to Indigenous peoples.

I shall briefly share the story of one group of Indigenous peoples, the Adnyamathanha of Australia, and their problems with uranium mining, which produces the raw materials for nuclear weapons and nuclear power and the terrible situation they are forced to live in. But this is, as we know, just one aspect of a larger story of nuclear colonialism that undermines livelihoods of Indigenous peoples.

Often we feel short-changed whenever we are asked to present our case before the NPT States Parties because of so many structural limitations inherent in the real focus of the NPT itself. This is a treaty whose purpose seeks to monitor the non-proliferation of nuclear weapons and related nuclear technologies; these are activities whose ultimate consequences exceed the clearly defined goals of the NPT in its attempts to control and safeguard these dangerous materials. As such, the NPT fails to address critical matters that profoundly affect Indigenous peoples' safety and human rights. The real issue for many Indigenous peoples who have been victimized by the Nuclear Age is that of responsibility on the part of NPT States Parties for so much environmental devastation and negative
human health consequences. I need only to list some of the critical areas of Indigenous peoples' experience with uranium mining, the results of these mining activities, nuclear testings and nuclear power storage to illustrate a terrible situation that the Nuclear Age has bequeathed to us. In this instance, we call on NPT Member States to take very seriously the responsibility for what they have inflicted on Indigenous lands and peoples around the world. If we cannot address the importance of any continuing responsibility for what the Nuclear Age has inflicted on Indigenous peoples, who will do so? And where will they do it?

Firstly, I want to share the moving story related to us, by Ms. Jillian Marsh, a member of the Adnyamathanha of Australia and this year's Co-convenor of the NGO Presentation on Indigenous Peoples. She was unable to come and join us but she helped us to frame the issues as they really are in the context of the NPT. Her peoples' story strikes a chord in a terrible situation that appeals to our sense of humanity and calls into question everything this Treaty CHOOSES not to address, the true story behind the untold sufferings of the Nuclear Age. This and future conferences of the NPT Parties must be held accountable for what nuclear weapons production and nuclear technology have done. There are also responsibilities that each States Party must accept. In this instance, we call on Australia, the United States, and Canada to rethink their responsibilities for the terrible toll uranium mining companies from these three countries are inflicting on the Adnyamathanha People.

The Adnyamathanha People are dealing with the first stage of the nuclear fuel cycle - uranium mining on their land. Heathgate Resources, a subsidiary of the US company, General Atomics, opened the Beverley Uranium Mine in February 2001 after decades of planning and thwarted attempts. Also on Adnyamathanha land, the Honeymoon Uranium Mine owned by Southern Cross Resources, a Canadian company, has been aggressively pushing forward in an attempt to start mining this year. The processes of establishing a uranium mine on Indigenous lands within Australia are at the heart of what makes this industry so problematic. There are evidence that these mining activities, as in many similar places where Indigenous peoples live, exact a toll so heavy only accusations of genocide seem appropriate. As an Adnyamathanha person involved in managing cultural heritage over the past 10 years, Ms. Marsh has witnessed a steady decline in the hopes and aspirations of other Adnyamathanha concerned about cultural heritage, specifically their rights to land and their rights to be recognized as spiritual trustees of their land.

Over recent years the process of these mines becoming operational has seen repeated attacks on the Adnyamathanha people. Women and men are being physically assaulted in Native Title meetings, in the presence of lawyers employed under Commonwealth funding grants to administer Native Title. Children as young as 9 years old are being sprayed in the eyes with capsicum
spray by police at a site of protest, whilst adults are being confined in police vehicles for up to 7 hours in 40 degree celcius heat, without water. Public meetings are being held by mining companies accompanied by armed police and chaired by the current local member of Parliament. At the request of members of Parliament, Adnyamathanha people are "escorted" from the meeting by armed police for demanding an independent Chair. These experiences are far from peaceful, and do not empower Adnyamathanha in relation to managing their heritage in a culturally appropriate manner. Bullying, bribery, emotional and physical abuse, racism and prejudice are the terms of reference used by the Australian government, the mining industry, and the legal system. Those Adnyamathanha who openly challenge the legal system and the government policies as an inadequate and inappropriate framework for consultation are punished, marginalized and reputed as "radical" and "unreasonable".

To many of us, the story of the Adnyamathanha is a sad but familiar one. It is estimated that 70% of uranium deposits around the world are located on Indigenous peoples' lands. Over 70% of uranium mining are done on Indigenous lands, according to Winona LaDuke (See her "Native North America: The Political Economy of Radioactive Colonialism," In Churchill, Ward and Winona LaDuke, *The State of Native America: Genocide, Colonization, and Resistance.* Boston, MA: South End Press, 1992). Arjun Makhijani, scientist and president of The Institute for Energy and Environmental Research, has also shared how uranium mining extraction is fraught with racism (See his "Racism, Resources and Nuclear Weapons: Some Reflections on the Rodney King Case," http://www.totse.com/en/politics/green_planet/racism.html)

But this is just one aspect of the effects of nuclear chain. As for nuclear testing, of the eight nations in the world that have detonated nuclear weapons during the last 55 years, five have used the lands of indigenous peoples. The United States, Russia, Britain, France and China have tested their nuclear might on lands held sacred by the people of First Nations. The Western Shoshone nation of North America, the Marshall Islanders, and other South Pacific Islanders, Australian Aboriginals, the Kazakhs, and Tibetans are but a few of those whose land has been consistently contaminated with nuclear poison (see WILPF, Fact Sheet, "Indigenous Peoples and the Nuclear Age: Making the Connections").

In the Pacific Islands, an area which I represent and come from, and know something about, the situation is equally devastating. Marshall Islanders are struggling still to deal with the very real effects of US’s atomic tests. These tax this small Micronesian island’s resources as a small island developing state. We ask that America not simply walk away from assuming its continuing responsibilities for the damages inflicted by the atomic tests just because Marshall Islands is now an independent nation... While America has been somewhat open with the results of its tests, it has been much slower for the Polynesian islands ruled by France. We commend France for what it has done so far in terms of acknowledging some damage to the environment and strongly
urge the French Government to continue on this positive path toward opening more of the archives of its nuclear tests in Fangataufa and Mururoa (See “The Nuclear History of Micronesia and the Pacific,” Abolition 2000 website, http://www.abolition2000.org)

Nuclear tests on native lands include:
- A total of 106 nuclear tests have been conducted by the US in the Pacific, plus an additional 24 tests in the Christmas Islands just off Australia.
- 12 atmospheric tests were detonated in Australia between 1952 and 1957 by the UK, three at Monte Bello, two at Emu Field and seven at Maralinga.
- 14 nuclear tests were conducted in Algeria by the French, 4 atmospheric and 10 underground. From 1966 - 1990, a further 167 tests were conducted by the French on the atolls of Mururoa and Fangataufa in Polynesia.

Other affected communities include:
- The Kazakhs. Of the 713 tests conducted by Russia, 467 were at the Kazakhstan Test Site.
- Tibetan people. Lop Nor, near Tibet in the Sinkiang Province is home to the Uighur people, and also the place of Chinese nuclear tests.
- The Sami. An indigenous community in Norway whose practice of life as herds people was radically altered by their (continuing) experience of Chernobyl. Lichen, a main food source for reindeer, in their region was heavily contaminated by radioactive rain, causing the contamination of their herds (WILPF Fact Sheet, ibid).

With most of the mining activities taking place on these lands, combined with a legacy of environmental racism in uranium mining extraction, added to nuclear testings and nuclear waste storage, the combined result is tantamount to a legacy of genocide.

The international community has a right to know and an obligation to understand the devastation and disregard the nuclear industry perpetuates within the lives of Indigenous peoples.

While the NPT seeks to address the threat posed by nuclear weapons in the world while making provision for the peaceful uses of nuclear technology in Article IV, it fails to recognize or address the disproportionate impact of these activities on indigenous people and lands. The nuclear industry continues to perpetuate on-going and systematic invasion of Indigenous Peoples' countries and the destruction of Indigenous lands and cultures. While the threat of use of nuclear weapons by the eight nations who hold these weapons of mass destruction serves to create a real fear in the world, in indigenous communities the existence of uranium mines, nuclear waste dumps and nuclear test sites are a daily threat to life and to the continued existence of culture.
All of these lead us to question the very notion of right to "peaceful use" in the NPT. Only a narrow reading, even a denial, of the real life, non-peaceful situation Indigenous communities face as they struggle to survive with the leftover poison of the Nuclear Age allows NPT States Parties to deliberate year after year about the proper "safeguarding" practices with little notice of the actual impacts of nuclear weapons production and technology on entire nations of peoples.

As previous Indigenous speakers have raised to your attention in previous NPT forums, these activities are only one segment within the cycle of the nuclear industry. The negotiation and decision-making processes that take place in the context of mineral exploration and commercial mining, the storage of nuclear waste, and the conducting of atomic tests which mostly take place on Indigenous lands are far from peaceful. Article IV's reference to the "peaceful" uses, development, research and production of nuclear energy which are considered to be an inalienable right of all Member States of the Treaty need to be considered in the context of a more fundamental God-given inalienable right of human beings to life, liberty, and security.

Dr. Rosalie Bertell has conducted studies on the true impacts of the Nuclear Age on the environment and human health. She "has attempted to piece together a global casualty list from the nuclear establishments own data. The figures she has come up with are chilling - but entirely plausible" (See Eduardo Goncalves, "The Secret Nuclear War," in The Ecologist, March 22, 2001).

Using the official radiation risk estimates published in 1991 by the International Commission on Radiological Protection (ICRP), and the total radiation exposure data to the global population calculated by the UN Scientific Committee on the Effects of Atomic Radiation (UNSCEAR) in 1993, she has come up with a terrifying tally: 358 million cancers from nuclear bomb production and testing 9.7 million cancers from bomb and plant accidents 6.6 million cancers from the routine discharges of nuclear power plants (5 million of them among populations living nearby).

As many as 175 million of these cancers could be fatal. Added to this number are no fewer than 235 million genetically damaged and diseased people, and a staggering 588 million children born with what are called teratogenic effects diseases such as brain damage, mental disabilities, spina bifida, genital deformities, and childhood cancers. Furthermore, says Bertell, we should include the problem of non-fatal cancers and of other damage which is debilitating but not counted for insurance and liability purposes12 such as the 500 million babies lost as stillbirths because they were exposed to radiation whilst still in the womb, but are not counted as official radiation victims. It is what the nuclear holocaust peace campaigners always warned of if war between the old superpowers broke out, yet it has already happened and with barely a shot being fired. Its toll
is greater than that of all the wars in history put together, yet no-one is counted as among the war dead.

Its virtually infinite killing and maiming power leads [Dr.] Bertell to demand that we learn a new language to express a terrifying possibility: The concept of species annihilation means a relatively swift, deliberately induced end to history, culture, science, biological reproduction and memory. It is the ultimate human rejection of the gift of life, an act which requires a new word to describe it: omnicide" (Eduardo Goncalves, "The Secret Nuclear War," ibid.; see also R. Bertell, "Victims of the Nuclear Age," The Ecologist, November 1999, pp.408-411).

In light of these, there has never been any "peaceful use" of nuclear weapons and nuclear technology. Indigenous peoples have spoken out about their situation, calling for justice in whatever way it can come. The "Declaration of Salzburg" is one of many documents which describe the real impacts of the Nuclear Age by Indigenous peoples themselves. It is a Declaration produced by the September 1992 World Uranium Hearing in Salzburg). This Declaration was accepted by the UN Working Group on Indigenous Peoples and it is now an official UN document, available in English, Spanish, Russian and Chinese, copies of which may be obtained from the Center for Human Rights, Geneva, Switzerland (E/CN.4/Sub.2/AC.4/1994/7, 6 June 1994). We ask that you take this Declaration as the collective voice of Indigenous peoples on these matters and seek to resolve the outstanding issues of environmental pollution and negative human health. The Declaration and an accompanying Statement are found here: Declaration of Salzburg: http://www.nuclear-free.com/english/salzburg.htm

It may be highly unrealistic to call for a rewriting of the Treaty's provisions on "peaceful use,' and this is not what we are asking today. More importantly, we ask that NPT States Parties offer to meet with representatives of Indigenous peoples suffering from nuclear poisoning as a gesture of acknowledgement. For many festering wounds, acknowledgement of the problem is an important initial step to healing. Whatever solutions are forthcoming for many Indigenous peoples on these matters, for which we continue to seek, acknowledgement by this and future NPT conferences will help to increase awareness and add fuel to international efforts to deal with the ongoing legacy of nuclear weapons production and fuel chain.

We also request that NPT States Parties expand current discussions on NPT and IAEA safeguards mandates to include some critique offered by those who critically examine the actual impacts of nuclear technologies. This will be seen as a step toward accepting the responsibilities for the serious damages inflicted on Indigenous peoples and their immediate environmental surroundings.
In light of these, we recommend that at this and future prepcoms before 2005, NPT States Parties consider enabling a delegation of Indigenous people to have direct input on matters before the NPT on crucial areas where their environments and livelihoods have been severely devastated. Without appearing to be hopelessly over optimistic, we recommend that you remain open and willing to cooperate with NGO groups to explore all possible solutions because even absent direct input to NPT matters, the possibility exists for this and future NPT conferences to mandate, as an initial step, open-ended discussions between States Parties and Indigenous peoples on the best ways to proceed. Policy-wise, this conference could mandate a process whereby States Parties work directly with Indigenous peoples to ameliorate negative impacts of nuclear technology and then report at NPT conference.

At the Review Conference in 2000, a colleague of mine, another woman from Australia, Ms. Jacqui Katona, a representative of the Mirrar Aboriginal people, spoke to you regarding the creation of a committee through which Indigenous peoples could directly make their concerns known. Some States positively responded to the idea. We hope that there are still interests in pursuing this as a policy matter for this and the next prepcom.

Finally as a person representing the Pacific, I must say something about military colonialism in general. There is need to address the proliferation of missile technology and the continued use of Pacific Island nations for military use and control. What I have described above, nuclear colonialism, is like a cancer that must be rooted out at its root. There is little that we meaningfully distinguish between uranium mining and its draconian practices, testing of nuclear weapons AND colonialism. Indeed the two are like synonymous concepts as far as we are concerned. From where we stand, the two are systems of resource extraction and misuse/abuse of our lands which, in the final analysis, strip our of our dignity and violates our human rights. The narrow constraints of the NPT do not even begin to touch on so many important, and related, issues. We strongly urge you to consider these our regional concerns, expressed by our respective civil society groups, in your deliberations.

I end by saying that we have all come here from around the world, from across great distances, both representing governments and our communities where many of us are engaged in the daily struggles of survival as communities. The mass of the world’s population have entrusted us all, therefore, with a serious responsibility to consider the troubling manner in which countless nations have treated the earth and peoples by scorching and or polluting the planet beyond Nature’s immediate ability to heal itself – in pursuit of “security.” But there can never be real security when security is based on a narrow, anti-environmental, and therefore, unsustainable model of peace and security. A critical assessment of the concept of security and the means by which Nation-states pursue security is in order, and we hope that this NPT forum will contribute to a re-thinking of current models of security.
From start to end of the nuclear chain, we in many Indigenous communities have borne the brunt of the nuclear age. There is hardly any security when our environment is polluted beyond repair and a portion of humanity becomes the sacrificial lambs for a military-imposed "peace." We urge you to help us move to new levels of empathy, understanding, and peaceful co-existence.

Thank you all for your attention.