Indigenous Peoples Presentation:
Peaceful Uses Result in Genocide
Speaker: Ms. Jacqui Katona, Gundjehmi Aboriginal Corporation

Mr Chairperson, delegates, distinguished panel members and NGO colleagues. I'd like to thank the organisers of this NGO forum for an opportunity to speak with you today on the Indigenous Testimony of the Nuclear Age. I am employed by my countrymen, the Mirrar Aboriginal people in Kakadu National Park in Australia’s Northern Territory, as Executive Officer of the Gundjehmi Aboriginal Corporation and my area of expertise is the effects of uranium mining on the land of the Mirrar people. Contributions to this presentation come from Indigenous peoples who have witnessed and continue to live through and suffer considerable harm as a result of the effects of the nuclear fuel cycle.

There is an urgent critical dialogue in which governments, participating in the NPT, must engage with Indigenous peoples. We believe the debate cannot treat disarmament and non-proliferation separately from the mining of uranium, the testing of weapons, nuclear research and the storage of toxic waste. Some may define these activities as “peaceful uses”, however, for our peoples the outcome is genocide. Indigenous peoples bring these concerns to the attention of this forum on behalf of all living things – our families our hope and future lies with the earth and all things living.

We join the international community in celebrating the reduction of nuclear weapons, however, it is our expectation that without weapons, required for military purposes, uranium production and toxic waste storage would also experience reduced demand. Article IV of the NPT is particularly relevant to this issue. It is the cost of “peaceful use” which is borne by Indigenous peoples. “Peaceful use” is advocated as an important inalienable right of nuclear and non-nuclear weapons states but these peaceful uses belie a devastating conflict at source - conflict which results in the devastation of Indigenous peoples lives and the destruction of Indigenous rights, values and beliefs. We believe the loss of our peoples and these cultural foundations diminish the global community and are an unacceptable disproportionate representation of the negative impact of the nuclear weapons and power industry experienced by Indigenous peoples.

We believe this activity makes nuclear and non-nuclear weapons states complicit in nuclear proliferation. “Peaceful use”, we believe, is a convenient status which in some cases allows governments to pursue clandestine nuclear weapons development. It is our desire to participate with the honourable signatories to the NPT to ensure that definitions of “peaceful use” do not continue to justify the imminent threat to the lives of people in our communities. Without any formal procedures to legitimately recognise the importance of these issues, however, there is no alternative but to continue to raise these matters controversially.

The enjoyment and exercise of the rights of many Indigenous nations are impaired directly as a result of the nuclear fuel cycle and its “peaceful uses”. Our sacred sites are desecrated, our economies are destroyed, our communities are overwhelmed and marginalised and our ceremonies to honour our land are prevented. The deaths in our communities resulting from
"peaceful use" deplete the foundations of our society. The outcomes of Indigenous contact with the nuclear fuel cycle is a generational impact of cultural destruction "Peaceful use" in fact perpetuates genocidal practices of colonisation in Indigenous communities.

Allow me to inform you of the experience of the Mirrar Aboriginal people in Northern Australia as an example of Australia's proliferation of activity in the nuclear fuel cycle and the failure of current measures.

Twenty five years ago it was decided, by the Australian government, after a federal inquiry that development of uranium mines would go ahead despite the opposition of our people and despite our legislative right to prevent the development. This right was itself extinguished by legislation. An agreement was negotiated on behalf of our people by the Northern Land Council for financial income which was expected to provide water, power, housing, roads, sewerage, education and health. These are services which most communities regard as citizenship entitlements.

- The Australian government has recently been forced to admit that there has been no tangible benefit to our people as a result of uranium mining. Twenty kilometres from the currently operating Ranger Uranium Mine again on the land of the Mirrar people the Australian government has now approved the development of another uranium mine known as Jabiluka.

- Despite criticism from the European Parliament and the World Heritage Committee in defence of the Mirrar people’s position the Australian government continues to pursue the project.

- At present neither the Australian government nor the mining company will release detailed information on their proposal for milling and storage of tailings waste on-site at the Jabiluka project. This is in spite of the mining company, Energy Resources of Australia, being forced to admit that inadequate planning has taken place in relation to water storage at the Jabiluka project area. All these issues combine to increase the cultural, social and economic uncertainty for Indigenous peoples in our area.

While we believe Australia is complicit in perpetuating the nuclear fuel cycle, we also believe Australia is not unique in this respect. State parties must actively commit themselves to true non-proliferation. We believe the NPT process must extend its vision to embrace a vehicle for monitoring the production of uranium for "peaceful use".

One third of the world's uranium reserves lie within Australian earth. The vast majority of these deposits are located in close proximity to Indigenous communities, have been imposed against the wishes of Indigenous peoples and continue to operate with complete indifference to the rights of our people.

- The massive and currently operating Olympic Dam uranium on the lands of the Kokatha peoples, the site of an explosion last year, has also led to the wholesale destruction of sacred sites in the area.

- Heathgate Resources, a subsidiary of US company General Atomics, has received federal approval for an in situ leach uranium mine at a uranium deposit known as Beverley. Some forty (40) per cent of the acid solution remains in the ground, leaching
acids and uranium into the local groundwater. Independent recommendations for water testing have not been implemented.

- Nuclear tests have been undertaken in close proximity to the Aboriginal people of Maralinga, again in South Australia, in the 1950s. The Tjarutja people, many of whom have died, continue to experience the effects of radiation have pursued the Australian and British governments for compensation and rehabilitation of the lands upon which the tests took place. There has been no genuine commitment by the Australian government to resolve the remaining issues of contamination.

The Australian government is now considering proposals for the storage of toxic waste dumps within South Australia and other locations against the express wishes of Aboriginal peoples.

Indigenous people in Australia respectfully ask: - Why is Australia undertaking an increase in uranium production if a genuine reduction in the utilisation of nuclear weapons arsenal is taking place? We believe we have a right to this information to manage the nuclear risk and damage already experienced by our communities. It is information vital to our peoples overcoming powerlessness and entrenched disadvantage.

The peoples of the South Pacific including Belau, Tahiti, Mururoa, and the Marshall Islands expect to experience the devastating effect of nuclear testing for many generations. There is yet to be implementation of commitment to denuclearisation in these territories.

In Utah, Indigenous Navajo Downwinders are attempting to overcome the legacy of uranium mining after being assured by their government that mining posed no threat. This legacy includes the deaths of many of their peoples and remaining uncertainty about the future for continuing generations who must live with the exposure to radiation of their forebears.

The Western Shoshone Nation here in the United States continues to experience human rights violations of their sovereign directly as a result of ongoing nuclear activity. The Nevada Test site has seen over nine hundred bombs detonated in violation of the Ruby Valley Treaty. Since 1997 there have been eleven subcritical tests on Western Shoshone lands and radioactive toxic waste storage facilities accept over five truckloads of waste into Western Shoshone lands every day to be stored above ground. These activities are directly attributable to the continuing proliferation of nuclear weapons. The Western Shoshone believe this activity to breach the obligations of the United States under the NPT. The Western Shoshone are now forced to manage the present nuclear risk and damage to their communities.

Potential and ascertained irreversible genetic effects are the legacy of proliferation for our communities the responsibility for which must be borne by the global community in pursuing non-proliferation. “Peaceful use” does not provide a prevention strategy for the illness and impairment of rights of future generations of Indigenous peoples affected by nuclear activity.

Indigenous peoples are committed to resolve the overwhelming effects of nuclear activity - it is a matter of our survival - and we require the cooperation and commitment of governments to do so. Constructive dialogue with Indigenous peoples must take place to restore authority and jurisdiction to Indigenous institutions. We believe, our communities have a right to access broad sustainable economic choices not narrowly focussed, limited options for uranium extraction, or radioactive toxic waste storage. This requires governments to honour obligations to our peoples, not only as citizens or stakeholders, but as legitimate landowners and sovereign peoples.
The future of many Indigenous communities can be dramatically influenced through the genuine motivation of parties to the NPT to eradicate nuclear weapons and to realistically define "peaceful use" of nuclear materials.

We believe the NPT process must actively and formally become informed of the nature of supply of raw materials to the nuclear fuel cycle in respect of Indigenous rights and environmental standards and exercise responsibility for establishing and implementing adequate safeguards.

We recognise that the NPT has become the most universally accepted international treaty enjoying the support of 187 states parties. The NPT has heralded brave steps in security and confidence for the world's populations but fails to recognise that without change to levels of production of nuclear materials there can be no claim of genuine non-proliferation. Implicit in non-proliferation is the elimination of further demand for nuclear raw materials and the limitation to demand for storage space for radioactive toxic waste.

The global community cannot aim to build a sanctuary of peace through disarmament only - uranium mining, testing and storage of toxic waste must be eliminated. These are inextricably linked to the nuclear threat, immediate dangers inherent in the development of nuclear weapons. We believe it is the elimination of these elements of the nuclear fuel cycle which must ultimately be used as the test for the success of the NPT.

True confidence requires transparency and the courage to set performance indicators which reflect successful outcomes for humanity, not a paradigm which merely reinforces the status quo. A future with renewable sources of sustainable non-nuclear energy production must enjoy the support and momentum created through the implementation of international standards set by instruments such as the NPT.

With respect, I propose a resolution for acceptance by this forum for future action on these issues within the NPT process. That the NPT Review 2000 resolve:

(i) to become directly informed of the issues of uranium mining, testing, rehabilitation, and toxic waste storage affecting Indigenous communities through the establishment of relevant and formal reporting procedures and the provision of resources adequate to the task of the timely compilation of relevant information and findings; and

(ii) that there is commitment to the establishment of an Indigenous committee which reports to the NPT process officially and regularly on various States actions to address the issues of disadvantage arising from findings of such reporting relevant to Indigenous communities.

We remain committed to work constructively with this and all other forums to overcome the legacy of the nuclear age. We can only gain confidence from this process when genuine and measurable commitments to all aspects of nuclear non-proliferation are finalised. The legacy for our peoples is the permanent and irreversible effects of radiation on people for thousands of generations and lands for many thousands of years.

We retain hope that the challenges that lie ahead for the NPT and the global community can accommodate recognition of the rights of the world's oldest living continuous civilisations. Any
definition of security must demand that Indigenous futures are not defined by compromise in place of a nuclear free world.

Thank you for the important opportunity to contribute these issues to your deliberations.

Ms. Jacqui Katona
Executive Officer
Gundjehm Aboriginal Corporation
Jabiru, Northern Territory, Australia