

Submission to Senate Inquiry: National Radioactive Waste Management Bill 2010.

From Dr Geoffrey Russell Evans

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A proposal to develop nuclear energy and nuclear materials, and then to dispose of the waste generated, is a multi-generational issue that needs to be guided by principles of equity, ecologically sustainable development and environmental justice. Furthermore, Australia has international obligations to protect the rights and well-being of the nation's indigenous people that must also be abided by in all decisions about industry policy, environmental management and economic and social development.

Unfortunately, current proposals to develop a radioactive waste disposal site on indigenous people's land, or in land near indigenous communities, including land at Muckaty, north of Tennant Creek in the Northern Territory, is in contradiction to equity, ecologically sustainable development and environmental justice principles. It constitutes a gross human rights violation that contradicts any claim Australian governments might have to meeting the nation's international obligations to protect the wellbeing of indigenous people – and therefore alternative waste disposal options need to be considered.

The production of radioactive waste should be avoided, as there is no way of safely disposing of it for the enormous length of time it is potentially dangerous. There is no need for the material to be produced, as there are ways of meeting the services provided to society by radioactive materials, for example in medical, industry and energy uses, without generating this waste.

However, given that there is a stockpile of radioactive waste that does need to be managed the critical issue is : 'how can this be done safely, ethically and where the costs and benefits are shared equitably?'

Imposing the disposal of radioactive waste onto the most impoverished and vulnerable communities in Australia, is totally the wrong direction for policy.

I write as a citizen of the country concerned about finding pathways to genuine sustainability, rather than supporting 'quick fixes' in which vulnerable communities, including impoverished indigenous communities, are sacrificed for political expediency.

I am also a former resident of Tennant Creek in the Northern Territory, having lived there between 1983 and 1990. I worked in Tennant Creek as a youth worker and as a Community Development program coordinator with the Aboriginal resource organisation, Julalikari Council, and also with members of the Aboriginal community in Elliot, north of Tennant Creek near Muckaty.

I am familiar with the Barkly region's indigenous community. I know the families affected by any proposal to develop a radioactive waste disposal site in the Muckaty area.

I know, and share, the concerns of local people and know the distress and division the proposal to dispose of radioactive waste at a dump site at Muckaty is causing in the community. I know from years of working with, and visiting country with the Warlmanpa people who are traditional owners and custodians of Muckaty that land is life, and healthy land provides a healthy life – and that therefore caring for country is a sacred obligation.

Persisting with a proposal for a waste dump in the Muckaty locality, or indeed in any indigenous lands, would be an act of racist oppression by a government that is willing to sacrifice the wellbeing of Australia's most vulnerable communities for short-term political expediency and the benefit of people living thousands of kilometres away.

Environmental justice is refers to public policy and decisions of governments and corporations that deny vulnerable communities their rights to procedural, distributional and relational justice – where environmental 'goods' and 'bads' are inequitably distributed because some communities lack the political and economic power relative to others. The political system is blind to their concerns.

A proposal to dispose of radioactive waste, a hazardous product of Western society, on the lands of indigenous people is colonialist exploitation of the most blatant kind - environmental injustice writ large – in which indigenous community's lack of power is exploited.

Governments should not exploit the terrible poverty of indigenous communities, or exploit and foster divisions in communities to achieve public policy goals. Indigenous communities need genuine development opportunities not have their lands use as the dumping sites of Western society's most hazardous and toxic wastes.

It is an indictment of Australia's governments that some indigenous people feel so desperate that they feel compelled to volunteer land they believe they have rights to as a disposal site for radioactive waste disposal, or for other hazardous activities.

Moreover, in the case of Muckaty, some traditional landowners have had their opposition to their lands being designated for radioactive waste disposal purposes ignored and denied by politicians and bureaucrats keen to jump at what seems to be a quick fix. Government should listen to the concerns of all traditional landowners of Muckaty, particularly the Ngapa Group, who reject proposals to dispose of radioactive material on their land.

A proposal to develop nuclear energy and nuclear materials for industry or medicine cannot be morally justified if it involves the production of radioactive waste materials which endure for many years (some for tens of thousands of years) and which cannot be safely and permanently disposed of. If those who benefit from such materials were obliged to they take the risks the technology would not be developed. However, because

developers can use 'out-of-sight, out-of-mind' approach the technology persists.

The disposal of radioactive materials is therefore a most grave ethical responsibility as the decisions made by governments and society will affect the well-being of people in current and future generations.

Government must not sacrifice the wellbeing of vulnerable indigenous communities, based on a spurious community 'consultation' process in which participants are so impoverished they see no way to achieve their basic entitlements as citizens without jeopardizing the very country they rely on for life. Governments should provide these basic human rights without forcing people to make such decisions.

Current stockpiles of radioactive waste should be stored and monitored at the sites of production and use. This would reduce risks in transport and remote 'out-of-sight, out-of-mind' storage.

Furthermore, it is the people who profit and benefit most from the use of hazardous materials and technologies such as radioactive wastes, who should take direct responsibility for its care - in the places where they live. They should not be allowed to foist the wastes onto other more vulnerable people – no matter how great the financial inducement. Such a 'duty of care' would be a most powerful incentive to the emergence of safe rather than risky technologies being deployed.

Science and technology is yet to find methods for safely, equitably and permanently disposing of radioactive waste. Public policy needs to be informed by ecologically sustainable development principles, such as the precautionary principle, as well as the principles of inter-generational and intra-generational equity.

The proposal to dispose of radioactive waste at Muckaty in the Northern Territory fails the test of sustainability and justice – and must be rejected.