

Submission to the Australian Parliament: Inquiry into Nuclear Power Generation in Australia

Submitted by: Greg Peak, 20 October 2024

On behalf of: Indigenous Communities

Introduction

This submission is made on behalf of Indigenous communities across Australia, in response to the inquiry into nuclear power generation in Australia. Indigenous Australians hold deep cultural, spiritual, and custodial relationships with the land, making any proposal for nuclear energy generation, mining, or waste storage on their traditional lands a matter of profound concern.

This submission outlines Indigenous perspectives on nuclear energy, addressing the potential environmental, health, and socio-cultural impacts, and emphasizes the need for Indigenous participation in decision-making processes. The goal is to ensure that the voices and rights of Indigenous Australians are fully respected and upheld in any discussions and actions taken regarding nuclear power generation in Australia.

1. Impact on Sacred Lands and the Environment

For Indigenous Australians, land is far more than a resource. It represents culture, spirituality, and identity. The potential construction of nuclear power plants, uranium mines, or nuclear waste storage facilities on Indigenous land raises significant concerns regarding the destruction of sacred sites, ecosystems, and traditional ways of life.

- **Cultural and Spiritual Connection to the Land:** Many of the areas considered for nuclear projects overlap with Indigenous lands, including lands under Native Title. For Indigenous Australians, these lands are inseparable from their cultural and spiritual practices. Development on these lands could permanently damage sacred sites, disrupt Dreaming stories, and violate Indigenous law, causing irreparable harm to their cultural identity.
- **Environmental Stewardship:** Indigenous communities have been the traditional custodians of the Australian landscape for millennia, using sustainable practices to protect and manage natural resources. The construction and operation of nuclear power plants and the long-term storage of radioactive waste risk contaminating water sources, ecosystems, and wildlife, which would be devastating to the environment and the communities that rely on it.
- **Long-term Environmental Risks:** The environmental risks posed by nuclear power generation, particularly radioactive waste management, are extensive and span generations. Nuclear waste remains hazardous for thousands of years, and there is no globally accepted solution for its safe disposal. Any leakages or accidents would disproportionately affect Indigenous communities, whose lands are often proposed as sites for waste storage.

2. Health Risks for Indigenous Communities

The historical experience of Indigenous Australians with uranium mining and nuclear testing highlights the significant health risks posed by nuclear-related activities. The Maralinga nuclear tests in the 1950s and 1960s, which took place on Indigenous lands, left a legacy of illness and environmental damage that continues to affect communities to this day.

- **Radiation Exposure:** Indigenous communities living near proposed nuclear power plants, uranium mines, or waste storage sites would be at higher risk of exposure to radiation. Even low levels of exposure over time can lead to serious health conditions, including cancer, birth defects, and chronic illnesses. The legacy of uranium mining, such as at the Ranger Uranium Mine, provides a stark reminder of the long-term health risks posed by radiation exposure.
- **Disproportionate Impact on Remote Communities:** Many Indigenous communities are located in remote areas where access to healthcare services is limited. In the event of a nuclear accident or radiation exposure, these communities would be particularly vulnerable due to the lack of immediate medical support. This increases the potential for long-term health impacts that could disproportionately affect Indigenous populations.

3. Lack of Proper Consultation and Consent

Indigenous Australians have consistently been excluded from meaningful consultation and decision-making processes regarding land use, particularly in relation to resource extraction and large infrastructure projects. This lack of proper consultation is a violation of Indigenous rights, as recognized by international law.

- **Free, Prior, and Informed Consent (FPIC):** Under the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), to which Australia is a signatory, Indigenous communities have the right to Free, Prior, and Informed Consent (FPIC) before any development takes place on their land. The principle of FPIC is crucial in ensuring that Indigenous people are given the opportunity to make informed decisions about projects that will affect their land, health, and livelihoods. However, past experiences, particularly in the mining and energy sectors, have shown that Indigenous consent is often bypassed or inadequately sought.
- **Genuine Inclusion in Decision-Making:** Indigenous communities must be actively included in all discussions regarding nuclear power generation, uranium mining, and waste storage. The government must establish a clear and transparent consultation process that ensures Indigenous communities are fully informed of the potential risks and benefits and are given the power to veto projects that threaten their land and way of life.

4. Economic Development and Environmental Justice

While nuclear power is often promoted as a solution to Australia's energy needs and as an economic development opportunity, Indigenous communities remain sceptical about the purported benefits, particularly given the historical lack of equitable economic outcomes from resource projects on Indigenous land.

- **Alternative Energy Solutions:** Indigenous communities favour renewable energy solutions, such as solar and wind power, which are not only more environmentally sustainable but also align with their values of land stewardship. Investing in renewable energy projects that respect Indigenous land rights could provide economic benefits without the environmental and health risks associated with nuclear power. Furthermore, these projects could create jobs and infrastructure in remote Indigenous communities while preserving cultural and environmental integrity.

- **Fair Distribution of Benefits:** In instances where resource development has occurred on Indigenous lands, Indigenous communities have often been left with few economic benefits. It is essential that any discussion of nuclear power generation includes provisions for fair economic compensation, job creation, and infrastructure development for Indigenous communities. However, this must be weighed against the potential for long-term environmental damage that could far outweigh any short-term economic gains.

5. Lessons from History: Uranium Mining and Nuclear Testing

Indigenous Australians have already experienced the destructive impact of nuclear energy and uranium mining, providing a cautionary tale for future projects. The Maralinga nuclear tests and ongoing uranium mining operations have left a legacy of environmental destruction, health problems, and cultural damage that continue to affect Indigenous communities.

- **Maralinga Nuclear Tests:** The British nuclear tests at Maralinga, conducted between 1956 and 1963, took place without the informed consent of the local Indigenous population. These tests led to widespread radioactive contamination, which continues to affect the health of Indigenous communities in the area. The Maralinga case serves as a reminder of the long-lasting and often unforeseen consequences of nuclear-related activities on Indigenous lands.
- **Uranium Mining:** Uranium mining operations, such as those at the Ranger Uranium Mine in the Northern Territory, have caused environmental damage and contamination of water sources. Indigenous communities have borne the brunt of these impacts, with little to no compensation or remediation efforts. The failure to address the legacy of uranium mining highlights the risks of further nuclear development in Australia, particularly on Indigenous land.

6. Ethical Considerations and the Right to Self-Determination

At the core of the debate over nuclear power generation is the issue of self-determination for Indigenous Australians. Indigenous people have the right to determine what happens on their land and to protect it for future generations.

- **Self-Determination:** The principle of self-determination, as enshrined in the UNDRIP, recognizes Indigenous peoples' rights to control their land, resources, and development. Nuclear power generation poses a threat to these rights, as it involves decisions that could have long-term and potentially irreversible consequences for Indigenous land and communities. Indigenous Australians must have the final say over whether nuclear projects proceed on their land.

Conclusion and Recommendations

Given the environmental, health, and cultural risks associated with nuclear power generation, and the unique relationship Indigenous Australians have with the land, this submission strongly urges the Australian Parliament to:

1. **Reject nuclear power generation on Indigenous lands:** The risks to the environment, health, and cultural heritage far outweigh any potential benefits.

2. **Prioritise renewable energy solutions:** Invest in solar, wind, and other renewable energy technologies that align with Indigenous values of environmental stewardship and offer sustainable, long-term economic benefits.
3. **Ensure Free, Prior, and Informed Consent (FPIC):** Respect Indigenous sovereignty by guaranteeing FPIC in all decisions related to nuclear power, uranium mining, and waste disposal on Indigenous lands.
4. **Address the legacy of past nuclear activities:** Provide ongoing support, health services, and environmental remediation to communities affected by previous nuclear testing and uranium mining.
5. **Develop a transparent consultation process:** Establish meaningful and inclusive consultation with Indigenous communities, ensuring their voices are heard and respected in all energy-related decisions.

This submission respectfully calls on the Australian Parliament to recognize the fundamental rights of Indigenous Australians and to prioritize sustainable, culturally respectful energy solutions that preserve the environment for future generations.

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