

18<sup>th</sup> March 2016

Royal Commission into Nuclear Fuel Cycle

GPO Box 11043

Adelaide Sa 5001

Dear Commissioner

I would like to respond to the tentative findings of the Royal commission into Nuclear Energy.

I am responding as a traditional owner and first nation person of the Northwest of South Australia known as the Anangu Pitjantjatjara Lands. We have sovereign rights over our tribal lands. Please refer to the UN Declaration on the Rights of Indigenous Peoples . I note Article 7(2),

Article 7(2) states:

Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.

Article 29 states:

1. Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.
2. States shall take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of indigenous peoples without their free, prior and informed consent.
3. States shall also take effective measures to ensure, as needed, that programmes for monitoring, maintaining and restoring the health of indigenous peoples, as developed and implemented by the peoples affected by such materials, are duly implemented.

Other rights allow us to breathe clean air, have clean water and clean land. You investigated a repository facility to store high level nuclear waste. Where do you intend to build such a facility? Where are the collective voices of those that you recorded from the APY Lands in relation to such a proposal? The Anangu Pitjantjatjara Yankunytjatjara has occupied their lands for over 120,000 years.

As your findings stated any risks associated with the proposal would have catastrophic outcomes. The damage would inevitably be irreversible. Do Governments and Industry have the right? This would damage industries such as fisheries, agricultural and tourism.

The damages to the environment to waters, land and animal would be catastrophic. Anangu people maintain a close connection to country and this factor would put the health of Anangu at a very high risk. Any such facility on our lands would be an act of genocide to the Anangu people. The past act of Atomic testing on Aboriginal land was a breach of human rights to Anangu people. It appears that you are not willing to learn from the mistakes of the past. This is re-opening past trauma and heightening grief and loss today.

Currently it is against the law to have such a facility as written in the Waste Storage Prohibition Act of SA.

I also note that the vision of the Awnrm Board is "A healthy and valued Region, managed responsibly now, for the future benefit of people and country". Re-opening the ground, risking contamination of water and land is not responsible management. The Pre-siding member who gave evidence to Commission is not a traditional owner for our region. He has no connection to country and his perspective is not relevant to our land and people. His perspective relates to Native Title Act which has no respect for land tenure rights of Indigenous people. He has no vested interest in the future of Anangu people and their land.

The Anangu people do not have a moral responsibility to store international waste on the land. If anyone has a moral responsibility it is the Australian Government and State Government for its' role in breaching human rights of Anangu in 1953 during the Atomic Testing and then failing to monitor land, water and people's health. You have a moral responsibility not to betray Anangu people again. Enough is enough.

We now see proposed changes to legislation Aboriginal Heritage Act, Waste Storage Prohibition Act to enable obstacles to be removed to influence and push a proposal through.

I say again that any such proposal will have grave consequences for us all not just Anangu and all future generations. You cannot eat money.

South Australia is too good to waste.

Yours sincerely,

ROSEMARY LESTER.

ANANGU YANKUNYTJATJARA.