

# Rio Tinto Threaten Aboriginal Homeland

## Summary

The British mining company, Rio Tinto, has just bought the lease to a proposed uranium mine at Jabiluka in the Northern Territory of Australia. The uranium mine will be a nightmare with a devastating effect:

### Wildlife

It's located in the middle of Kakadu National Park, one of the world's most important and delicate wildlife havens. Kakadu is home to 2.5 million water birds, 900 plant species, 50 species of mammals and 100 species of amphibians and reptiles.

### Heritage

It's located in the middle of a World Heritage Site, one of only 25 Sites listed both for their cultural values and wildlife richness. Kakadu has the greatest area of ancient Aboriginal rock art in Australia. One of the most important Aboriginal archaeological sites is located at Jabiluka.

### Aboriginal Rights

It's located on land unjustly wrestled from the local Mirrar Aboriginal people. The Mirrar people were forced to sign away the mining rights to the land in 1982. Both a Senate Inquiry and a World Heritage Committee Mission have concluded that the mining agreement was unfair and unjust.

The Mirrar people are resolutely opposed to any new uranium mining on their land.

### The future

If extraction goes ahead, it will generate 20 million tonnes of radioactive tailings (a by-product of uranium mining). These tailings will remain radioactive for 250,000 years.

### The campaign

Jabiluka has been the focus of the most high profile environmental campaign in Australian history. After the Government gave the go ahead for the mine in 1998, a peaceful blockade at Jabiluka by indigenous and environmental campaigners resulted in over 500 arrests. In 2000 there were protests against the mine in every major city in Australia.

Jabiluka is intended to be the successor mine to the Ranger uranium mine, also located in Kakadu National Park, also now controlled by Rio Tinto. There have been 120 breaches of operational guidelines at the Ranger mine, including leaks of radioactive material. Despite generating millions in revenue, an inquiry found that the Mirrar people gained no net material benefit from the mine.

Rio Tinto have announced that they intend to sell their stake in the Jabiluka and Ranger mines. If this sale goes ahead it will guarantee that uranium mining continues for another 30 years in Kakadu National Park, posing an unacceptable risk to the environment and Mirrar society:

**Friends of the Earth in support of the Mirrar people are calling on Rio Tinto to safeguard the future of Kakadu National Park and the Mirrar people by handing the Jabiluka uranium lease over to Kakadu National Park.**

## Rio Tinto Enter Aboriginal Battleground

The British corporate mining giant Rio Tinto took over control of the Jabiluka uranium project in the summer of 2000. Rio Tinto bought the Australian company North Ltd, which in turn owned the majority share (68%) of Energy Resources Australia (ERA), the company which owns the Jabiluka uranium lease. ERA also operates Ranger, another uranium mine in Kakadu National Park which has been exploited for the last 18 years. The devastating social and environmental impacts of the Ranger mine have fuelled the protests of Aboriginal and environmental groups against the opening up of the Jabiluka uranium deposit.

## Opposition Grows

The project is opposed by the Mirrar aboriginal people who own the land, all of Australia's environmental groups, many church, trade union and community organisations and two-thirds of the Australian public. The project has also been severely criticised by the Australian Senate who called for the project to be halted.

In September 2000 the Australian Labour Party, the major opposition party, reaffirmed its policy of continued opposition to the Jabiluka mine. International opposition to the mine is also growing. Even the European Parliament has called for the Jabiluka mine to be stopped.

There have been numerous court actions and major protests in Australia against the Jabiluka mine since 1997 when it was given the go-ahead by the Australian Government. In October 1998 over 520 people were arrested after peacefully protesting at the Jabiluka site. In 1999 the Mirrar people won the Goldman Prize, an international award recognising outstanding environmental activism. In 2000 protests continued, culminating in November with a week of action in Brisbane, Melbourne, Cairns, Sydney and Perth.

## Stolen Aboriginal Land?

The Mirrar people are the Traditional Owners of the land within Kakadu National Park which encompasses the Jabiluka Mineral Lease, the Ranger Uranium Mine Project Area, the mining town of Jabiru and a significant

portion of the Kakadu World Heritage Area. The Mirrar are solely responsible for their country on which they have lived since time immemorial. Their occupation of this country is widely regarded as being one of the oldest continuing cultural practices on Earth. Yvonne Margarula is the Senior Traditional Owner and leader of the Mirrar people.

In 1982 the Jabiluka Mining Agreement was signed by the Northern Land Council, representing the Mirrar people, and Pan Continental Ltd, the first mining company to own the mining lease. This agreement emerged from the "bad old days" of Aboriginal mining agreements in which alcohol, duress, complex legal concepts, the exploitation of language difficulties, unconscionable conduct and outright lies were used to gain the "consent" of Aboriginal land owners.

The Mirrar and other Aboriginal people were led to believe that, just like Ranger, they would only gain proper title to their land if the Jabiluka mine was allowed to go ahead. They were led to believe that the Government and mining company would successfully oppose their land claim if the Jabiluka Agreement did not gain their consent. The Mirrar do not now accept the legitimacy of the 1982 Jabiluka Agreement. A recent Australian Senate inquiry in 1999 and an investigation by a World Heritage delegation have both found that it was flawed and recommended a new mining agreement be sought.

## Impacts of Uranium Mining

For more than twenty years the Mirrar have experienced the devastating impacts of another uranium mine within the boundaries of Kakadu National Park, located at Ranger, 22 km from Jabiluka and operated by the same company. The Mirrar believe that the mining and its associated impacts (such as the establishment of the mining town of Jabiru) are destroying their culture and society. They believe that the development of another uranium mine will have a devastating impact on Aboriginal people in the region and threatens to severely damage the Kakadu natural environment.

The following are some of the damaging social and environmental impacts of the Ranger mine :

## Social Impacts

The establishment of Ranger was accompanied by the creation of Jabiru, now the fifth largest town in the Northern Territory. Local Aboriginal people living in the Jabiru area are now outnumbered approximately 7:1 by non-Aboriginals.

In 1984 the first Commonwealth Social Impact Study of mining in the region found that:

*“the current (Aboriginal) culture is one in which disunity, neurosis, a sense of struggle, drinking, stress, hostility, of being drowned by new laws, agencies, and agendas are major manifestations. Their defeat on initial opposition to mining, negotiations leading to Ranger and Nabarlek, the fresh negotiations on Jabiluka and Koongarra, new sources of money, the influx of vehicles, together have led the Project to an unhappy verdict THAT THIS IS A SOCIETY IN CRISIS”* (p.299, emphasis transcribed).

In 1997, Energy Resources of Australia and the Northern Territory and Federal Government financed another Kakadu Region Social Impact Study. It found that local Aboriginal people had gained no net material benefit from mining royalties. Aboriginal people in the Jabiru area have among the worst health and housing statistics in Australia, including extremely high levels of alcohol abuse. Mining has failed to address the community's material and economic needs and has exacerbated social and cultural dislocation.

## Environmental Impacts

The Ranger mine has a very poor environmental record. More than 120 breaches of its operational guidelines have occurred in the last 15 years, including spills of radioactive materials. The Ranger uranium mine was designed to be a 'no release' mine, yet for the past five years Ranger has been routinely releasing contaminated water into the wetlands of Kakadu. Rivers and underground water systems do not respect administrative boundaries. Nearly all tropical, monsoonal rain that falls on the Jabiluka and Ranger project areas flows into the magnificent wetlands of Kakadu. As a result of the operations of Ranger, the wetlands of Kakadu are no longer considered a 'pristine' river system.

In May 2000 it was made public that ERA had experienced a major leak from the Ranger mine into the surrounding Kakadu National Park. The leak involved

the movement of liquid contaminated with manganese, uranium and radium. ERA failed to publicly report this leak for over a month, despite their duty to immediately do so.

An internal ERA report following this leak concluded that: “There has been a long term issue with the management and ultimate disposal of water on the lease that has not been adequately addressed. The Ranger staff face an increasingly intractable water management problem”. This confirmed the view of NGO's that the uranium mine was unsafe and posed a serious risk to the World Heritage Site.

Milling operations at Jabiluka to separate the uranium ore from the rock would result in the creation of 20 million tonnes of radioactive tailings (what is left when the uranium has been extracted). These have the potential to seep and erode into Kakadu and contaminate the natural resources of the Mirrar people. These tailings maintain almost all of their radioactivity for up to 250,000 years.

## Kakadu National Park - A Wildlife Haven

The Kakadu region is internationally famous for its outstanding conservation value. The region is home to 21 of Australia's 29 mangrove species, over 900 plant species, one third of Australia's bird species, 50 native mammals, 100 species of amphibians and reptiles, one quarter of Australia's fresh-water fish and an estimated 10,000 species of insects. Its wetlands are recognised under the Ramsar Convention and are home to 2.5 million water birds. Over 250,000 tourists visit Kakadu National Park each year.

Kakadu National Park is a World Heritage Site and one of less than 25 places in the world officially recognised by the World Heritage Commission for both cultural and natural values. The living cultural tradition of the Mirrar is an important part of the unique cultural values for which Kakadu has received World Heritage status. When seeking inclusion of Kakadu in the UN World Heritage List, the Australian Government specifically referred to an archaeological site which is part of the Jabiluka Mineral Lease - Malakananja II.

Although the Jabiluka site is within Kakadu National Park, the area is not legally part of the park. It is one of three uranium leases inside Kakadu which predate the proclamation of the park. Although the Jabiluka mineral lease shares the same World Heritage values as Kakadu National Park it is not afforded the same level of protection.

## **Australian Government Undermines Kakadu**

Energy Resources Australia was required in 1997 to produce an Environmental Impact Statement for the Jabiluka Project to be assessed by the Federal Government Environment Department, Environment Australia (EA). Despite the fact that EA raised serious concerns about the long term damage of the project to the environment, Aboriginal peoples and World Heritage values, the Environment Minister still approved the project.

In 1998, the Mirrar people successfully opposed the plans of ERA to use the Ranger mine's milling facilities to process the uranium from Jabiluka and to store the radioactive tailings. Energy Resources Australia therefore created new plans to process the ore at Jabiluka instead. Although this alternative plan significantly increases the environmental threat posed by the mine to the Jabiluka site, the Australian Government rejected the need for another Environmental Impact Statement. This was despite the view of the Government's Supervising Scientist who stated that : "I would recommend in the strongest possible terms to the Minister for the Environment, that ERA be required to prepare a new Environmental Impact Statement".

Instead, the Government only required a Public Environment Report to be submitted, a much weaker and inadequate environmental test. Despite the fact that Environment Australia once again raised serious concerns about the impact of the project and clear deficiencies in key project details, the Environment Minister, Senator Hill, approved the project.

## **Rio Tinto Threaten to Sell Jabiluka**

Construction at Jabiluka started on 16<sup>th</sup> June 1998. After completing construction of the tunnel into the Jabiluka ore body, ERA suspended operations at Jabiluka in September 1999 until the issue concerning where to mill the uranium and store the tailings could be resolved. Rio Tinto bought a 68% interest in ERA when they purchased the Australian mining group, North Ltd in 2000. They have recently stated that they are looking for a buyer for their stake in ERA. If Rio Tinto sell their controlling stake in the Jabiluka uranium mine it will guarantee that the deposit is exploited.

## **Recommendation**

**Friends of the Earth and the Mirrar people are calling on Rio Tinto to neither develop nor sell on the Jabiluka uranium mining lease. We are calling on Rio Tinto to hand it over to Kakadu National Park instead.**

## **Rio Tinto's Troubled Record**

Rio Tinto is the world's largest private mining company and has been at the centre of controversy surrounding many of its projects, including:

### **Namibia**

Supporting the former South African apartheid regime by mining uranium in Namibia in breach of a United Nations resolution.

### **West Papua**

Part ownership of the Freeport copper and gold mine in West Papua which has been associated with extensive environmental and human rights violations. In 1996 over 40 million tons of toxic tailings were dumped in the Otomona-Ajkaw river

### **Papua New Guinea**

Involvement in Panguna copper mine. This mine began a civil war between the government and Bougainville revolutionary army. In this conflict 15,000 islanders died. A court case began in the USA in September last

year on behalf of the local people against Rio Tinto.

### **Madagascar**

It's plans to mine for titanium dioxide on the coast of Madagascar, threatening highly biodiverse remnant old growth forest.

### **Hull, UK**

In July last year, the families of 200 workers of smelting works on the Humber, many of whom have died prematurely, sued the company for compensation.

---

### **Friends of the Earth**

26-28 Underwood Street

LONDON

N1 7JQ

Tel: 020 7490 1555

Email: [info@foe.co.uk](mailto:info@foe.co.uk)

Website: [www.foe.co.uk](http://www.foe.co.uk)

**March 2001**

**Author: Ed Matthew**

*Last Modified: 13 June 2001*

Printed on paper 100 per cent recycled from post-consumer waste

---

