



# Nunavummiut Makitagunarningit

## *POSITION STATEMENT*

### **WHY NUNAVUT NEEDS A PUBLIC INQUIRY INTO URANIUM MINING**

IQALUIT and BAKER LAKE – June 29, 2010

A petition initiated by Nunavummiut Makitagunarningit has been tabled in the Legislative Assembly calling for a public inquiry on whether or not to open Nunavut to uranium mining.

Nunavut is in danger of being on the receiving end of one of the biggest ‘snow jobs’ in its history. The uranium industry has come to town, and the elected leaders of our public government may be willing to let bureaucrats in Nunavut and Ottawa decide whether or not its arrival is in our public interest.

Some other jurisdictions in Canada have concluded that it is not in their best interest. In British Columbia, Nova Scotia and the City of Ottawa, elected leaders and citizens have debated the wisdom of uranium mining and nuclear power. They have decided that the risks outweigh the rewards, and they have banned uranium exploration and mining in their jurisdictions.

Similarly, the new government in Greenland banned uranium mining in the country as one of its first acts upon taking office last November.

Contrary to the messaging coming from the heads of land claims organizations and some senior government officials, Nunavummiut Makitagunarningit believes that a uranium industry in Nunavut would pose serious risks to the environment, to public health and safety, and to Inuit traditions and practices.

For whatever reasons, the elected leaders of our public government have not been willing or able to publicly acknowledge those risks – or examine whether Nunavut is ready to deal with them.

Those who would have us believe Nunavut’s regulatory system can protect us against the risks of a project like Kiggavik say: “The company must prove it can build and operate its project in an environmentally and socially responsible manner.”

But this is not about a single project – it is about an entire industry. As a hunter in Baker Lake recently told the Nunavut Impact Review Board (NIRB), “Everyone knows that this review is not really about the Kiggavik proposal, yes or no. This review is about opening the Kivalliq – and Nunavut as a whole – to uranium mining, yes or no. ... In 20 years there could be several or many mines, with several or many roads between them, and everything else that comes with additional mines.”

Some other jurisdictions in Canada have decided they are comfortable with the uranium industry polluting their lands. Saskatchewan is, and so is Ontario. Both of these jurisdictions have pitched their future health and wellbeing on their ability to regulate the uranium industry. And both of them made their decisions openly, through public inquiries.

Nunavut, on the other hand, is about to leave the decision to a regulatory process led by bureaucrats and federal politicians.

Why does this matter? Why shouldn't we let Nunavut's regulators make the decision? For one, a determination on a single project cannot address the magnitude of the decision. It simply isn't appropriate or fair to 'use' a regulatory process intended to review individual projects to make decisions about an entire sector of the mining industry.

When it comes to uranium, a public inquiry creates the accountability that a regulatory process (including an environmental assessment process) cannot. There are three reasons why Nunavut needs a public inquiry.

First, a public inquiry is more transparent, flexible and democratic than a regulatory process is.

- The members of the Nunavut Impact Review Board (NIRB) are not elected, and so are not directly accountable to the public.
- The impact review process is highly technical and difficult for the public to understand, so it cannot properly gauge public acceptability.
- The scope of NIRB's process is defined by the Nunavut Land Claims Agreement – which requires the Board to focus on the environmental and socio-economic effects of a single project rather than the impacts of an entire industry.
- A public inquiry would force Nunavut's experts to come out and say what they think about uranium mining. Does Nunavut's Chief Medical Officer of Health think uranium mining is safe? If he does, what evidence did he use to make his decision? (Especially when the City of Ottawa's Chief Medical Officer of Health does not.) The public deserves to know this.
- In a public inquiry, Nunavut's elected representatives would be responsible for framing the issues, setting the scope of inquiry and calling evidence. Rather than leaving the decision in the hands of federal bureaucrats (and a few from Nunavut), our own elected MLAs would examine the issues on behalf of all Nunavummiut.

Second, a public inquiry is important because Nunavut's organizations have already shown themselves incapable of protecting the public interest in matters of uranium.

- Representative Inuit organizations have overturned their long-standing opposition to uranium mining without involving beneficiaries in the decision-making process, putting

in place a policy that absolves them from responsibility by leaving regulators to decide on their behalf.

- Without public consultation or research, the Government of Nunavut has implemented essentially the same policy.
- The Nunavut Planning Commission has already determined that the people of the Kivalliq region support the Kiggavik project, allowing the project to proceed to an environmental assessment without regard for the democratic standard set in Baker Lake by a public plebiscite conducted by the Hamlet in 1990. At that time, just over 90% of votes cast in Baker Lake were against the Kiggavik project.
- Today, the same project may be developed because a very small group of politicians have decided behind closed doors that it should proceed.

Third, our land claims institutions are not equipped to deal with the complex long-term and cumulative effects of a nascent uranium industry in the territory.

- The health and safety of animals and people depends on government's capacity to enforce regulations, build infrastructure and implement programs to support the industry. Programs might include socio-economic monitoring, job training, social programs and collaborative wildlife monitoring. Are these programs in place? Are they enough?
- Nunavut's regulatory process is proponent driven. A public inquiry is not. It is not in the proponent's interest to criticize government regulations if they are inadequate for protecting the environment. Are we confident our regulations are adequate?
- What about infrastructure? Are we going to trust AREVA Resources (the proponent; [http://www.arevaresources.com/exploration/kiggavik\\_scissons/](http://www.arevaresources.com/exploration/kiggavik_scissons/)) to tell us whether the Kivalliq region has the necessary medical infrastructure to deal with the possible results of uranium mining?
- Let us be clear. The NIRB is not a regulator or policy maker. Its primary role is to provide advice to government on environmental decisions. The NIRB does not control purse strings or decide how much to spend on inspection and enforcement or other programs and services.

So far our elected leaders have been asleep at the switch and the tough questions still wait to be answered. Unless a public inquiry is called, we will never know whether uranium mining is the right choice for Nunavut.

The effects of uranium mining will last for thousands of years. Do we not owe it to ourselves, to our children and to our grandchildren to take enough time and care to make sure that we have it right?

Under the rules of the Legislative Assembly, the Government of Nunavut has until August 6 to respond to the MLA for Baker Lake, who along with the MLA for Quttiktuq tabled signed copies of the petition in the Assembly.

We urge the Premier and Cabinet to choose transparency and democratic accountability, and call a public inquiry. If they do not, future generations will judge them harshly.

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