



**Economic and Social
Council**

Distr.
GENERAL

E/CN.4/Sub.2/1987/NGO/3
12 August 1987

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS

Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Thirty-ninth session
Agenda item 10

DISCRIMINATION AGAINST INDIGENOUS POPULATIONS

Written statement submitted by the Four Directions Council,
a non-governmental organization in consultative status
(category II)

The Secretary-General has received the following communication which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[12 August 1987]

THE URANIUM INDUSTRY AND INDIGENOUS PEOPLES OF NORTH AMERICA

1. Among the market economies, the largest uranium-ore reserves are found in the United States, Australia, Canada, Namibia, South Africa and Niger. The United States dominated mining and milling until the 1970s, producing as much ore as all other States combined. United States deposits are relatively low-grade, however, compared to recently developed Canadian and Australian ore bodies, and most United States production ceased by 1985. Australian production, by contrast, has increased tenfold since 1978. In 1984, according to United Nations trade statistics, Australia accounted for 46 per cent of reported world uranium exports, and Canada for 42 per cent. The largest consumers of these exports are France, the Federal Republic of Germany, Japan, and the United States.

2. According to a 1981 report by the United States Department of Energy, about one tenth of known United States uranium reserves are found on Indian reservation lands. Uranium has been mined on the Navajo and Laguna Reservations in the south-west, and the Spokane Reservation in the State of Washington. In addition, two sites in the Black Hills of South Dakota, Edgemont and Bell Fourche, have operated on a small scale in the past and are still considered important reserves, and new exploration has begun near the Havasupai and Hopi Reservations.
3. The largest known United States deposit, the so-called Grants Mineral Belt centred at the town of Grants, New Mexico, lies partly under the Navajo, Acoma and Laguna Indian Reservations. Discovered in 1950 by a Navajo shepherd, the Grants field has accounted for one half of all United States uranium production since then. The Jackpile Mine is located on the Laguna Reservation, 1.5 km east of the town of Paguate, and, from 1955-1968, a number of mines and mills were operating near the towns of Shiprock and Tuba City on the Navajo Reservation. A government-sponsored study, published in the New England Journal of Medicine in 1984, confirmed exceptionally high rates of lung cancer among Navajo uranium miners.
4. The most common health risk associated with uranium mining is breathing radon-222 gas, which continues to seep from the crushed ore and mill tailings for hundreds of thousands of years. It is therefore essential to contain this material, and prevent it from either blowing away or spilling into water supplies. Responding to the widely publicized discovery that more than 600 homes in Grand Junction, Colorado, had been built on top of uranium mill tailings (House Report No. 95-649 [1978]), Congress targetted 22 abandoned uranium mines and mills for remedial action. Four are located on the Navajo Reservation (House Report No. 95-1480 [1978]). They were operated by Kerr-McGee, Vanadium Corp. of America, El Paso Natural Gas Co., and Texas Zinc Minerals to supply uranium to the Federal Government. The El Paso Natural Gas site, 10 km east of Tuba City, alone contains more than 700,000 cubic metres of materials, which has already blown over an area of 100 ha and lies, according to a 1986 Department of Energy report, within 3 km of several Navajo shepherding camps. The Kerr-McGee mill at Grants, 30 km from the Laguna Reservation, is also scheduled for action and contains some 33 million tonnes of tailings.
5. A mining and milling operation on the Spokane Reservation has been operated by Western Nuclear Inc. under lease from the Spokane Tribe since the early 1970s. Although relatively small by industry standards, accounting for no more than 4 per cent of United States capacity, this operation lies with 1.5 km of the Columbia River, which flows through the most populated areas of the region. In 1980, the mill was criticized by the Environmental Protection Agency for small but unacceptable leakage into ground-water supplies. It has accumulated more than 100 ha of mill tailings thus far.
6. As a result of falling prices, United States producers are now searching for new, higher grade deposits in hopes of regaining a competitive position in world markets. One of the areas attracting interest is the rim of the Grand Canyon in Arizona. Several small mines already have gone into operation within 20 km of the Canyon despite protests from the Havasupai, who live just downstream, and the Hopi, who view the area as sacred.

7. At the present time, most North American uranium mining is in Canada, chiefly in northern Saskatchewan and southern Ontario. In addition, Canadian firms act as a conduit for Australian and South African uranium, which account for about one fifth of all Canadian uranium exports, judging from data published by Statistics Canada.

8. Canada has thus far developed two deposits, a relatively low-grade deposit near the town of Elliot Lake in southern Ontario, and a much richer cluster of deposits in northern Saskatchewan near Lake Athabasca. Both are near Indian reserves and may affect off-reserve hunting and fishing areas. In addition, Canada is considering the development of deposits at Baker Lake (Northwest Territories) and Makkovik (Labrador), both of which involve lands which are claimed by indigenous groups.

9. The Elliot Lake region currently contributes about 45 per cent of Canada's uranium. There are two principal mining operations, one owned by Denison Mines, a privately-owned Canadian company, and the other by Rio Algom, which is 66 per cent controlled by Rio Tinto Zinc Co., a United Kingdom firm. Rio Algom's operations border Quirke Lake, the source of Serpent River, which flows 40 km to Serpent River Indian Reserve No. 7 and then into Lake Huron.

10. The Saskatchewan mining region, originally developed in 1942 to supply the United States (and later, United Kingdom) nuclear-weapons programmes, remained relatively small until rich new discoveries in the late 1970s gave it a competitive advantage over United States production centres. There are three existing production centres - Cluff Lake, Key Lake and Rabbit Lake. The largest, Key Lake, is owned by the Government of Canada (50 per cent), the Government of Saskatchewan (25 per cent), and Uranerzbergbau GmbH (Federal Republic of Germany) (25 per cent). Rabbit Lake was developed by a joint venture of Gulf Canada (a United States Gulf Oil affiliate) and Uranerzbergbau, then sold in 1982 to Eldorado Resources, owned by the Government of Canada. Amok Mines (Cluff Lake) is controlled by three French firms - the Compagnie Générale des Matières Nucléaires, or COGEMA (38 per cent), IMETAL (37 per cent), and Pechiney-Ugine Kuhlmann (25 per cent).

11. All three mines are located in areas still regularly used by the indigenous Dene people for subsistence hunting. Rabbit Lake, which was largely drained by the Gulf-Uranerzbergbau venture, was part of the west shoreline of Wollaston Lake; Lac la Hache Indian Reserve No. 220 lies on the east shore of Wollaston Lake, about 30 km away. The Dene community has vigorously opposed the mine, and blockaded access roads in June 1985.

12. The potential long-range health and environmental hazards of uranium mining and milling, especially for communities still dependent for a major part of their subsistence on hunting or fishing, need to be fully and publicly assessed before a project proceeds. Nowhere is there a stronger case for participation by indigenous peoples in the planning and supervision of development activities, or for their right to determine whether such activities will be permitted in their vicinity at all. In none of the uranium-mining projects described above was there a thorough advance assessment of risks, so far as we can ascertain, and the wishes of the indigenous community were taken into consideration only in those cases where the mine was to be physically located on land recognized as their property. It is difficult to avoid the conclusion that much of the human cost of North American uranium production has been borne, unwittingly and mostly unwillingly, by indigenous peoples.