



OPPOSE THE NUCLEAR LIABILITY BILL

NTUI is totally opposed to the Nuclear Liability Bill that proposes to bring a cap in nuclear liability in case of an accident/ disaster, and to further limit the liability of the power generation enterprise towards the disaster. It also notes with concern the underlying framework for the bill that envisages and supports the privatisation of nuclear power generation and is opposed to such a policy.

In principle we are opposed to any concept of limiting liability of the operator and exonerating the design, technology equipment suppliers for any of its actions. With no proven and tested technology for nuclear waste decontamination and nuclear radiation and contamination being the worst polluter, the “polluter-pays” principle has to be strictly adhered to. Capital can not be allowed to transfer all or part of costs arising as a consequences of its business to the state. We are opposed to any attempts of capital to shift the burden of the costs of its actions on the people through a budgetary liability. Corporate responsibility for all programmes of capital has to be fully recognised and enforced in the Bill.

We also recognise the grave and high risks involved in nuclear power generation, and oppose any attempts to reduce the responsibility of capital or the state towards disaster mitigation and rehabilitation. The precautionary principle should be the primary framework for the Bill and a measure of full liability for all onsite and offside consequence of accidents will foreground this principle. The provisions in the Bill include both the proposal to cap the rehabilitation amount, and to bring in a limitation in the period for responsibility towards rehabilitation. We believe that such a Bill should take into account the very long term, and inter-generational impacts of nuclear disasters and provide for full compensation and rehabilitation rights to affected people without the necessity burden of proof.

We are extremely concerned that the suppliers of technology and equipment are protected from any liability. The experience of the Bhopal Gas disaster clearly shows how less safe technology is exported to countries with lower safety and compensation norms, in order to cut costs and increase profits. Dual design and safety standard to increase profitability is an inherent tendency within an imperialist global order that devalues nations, regions and sections of people. A clear and strict design, technology equipment liability can contribute to containing such factors. We fear that in the absence of stringent liability clauses the country will be the recipient of projects that are lacking in safety standards.

We are aware that government attempts will be to cover nuclear establishments under various “safety” clauses, and prevent any form of information or democratic action, including actions by workers in the nuclear establishments to protect their own rights. This will become more opaque with private participation. In the context, this further places the burden on compensation rights and laws governing rehabilitation to ensure that nuclear establishments are forced to abide by best practices for ensuring safe operations, not only for workers in the establishment, but for the people in the potential affected area.

We therefore also strongly demand that any nuclear power generation programme in the country should have as a pre-condition, the formation of a Nuclear Safety Commission that is independently constituted to cover all nuclear power establishments with powers to enforce information disclosures, frame safety rules, risk assessment methodologies and protocols, periodic risk assessment report and safety audit and put it all in public domain. It should have powers to give safety directives including shut down of plants. The commission should include, beside credible independent experts, elected representatives of workers, scientists and professionals working in the industry and all other stakeholders of affected communities.

We are finally opposed to “development” where costs are transferred to local people, without their knowledge, and their full participation in the process of deciding development parameters. We see the nuclear cap bill in the context as another step towards further restricting participation of people in decisions of the industry, its establishment and operations. We therefore totally oppose the bill.

NTUI recognises the grave and high risks involved in nuclear power generation, and is therefore totally opposed to the Nuclear Liability Bill which seeks to limit the liability of the nuclear industry towards nuclear disasters.

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