NUCLEAR WASTE MANAGEMENT ORGANIZATION
SOCIÉTÉ DE GESTION DES DÉCHETS NUCLÉAIRES

# NWMO Aboriginal Policy

APRIL 2014

## Background

The Nuclear Waste Management Organization (NWMO) was established in 2002 in accordance with federal legislation, the *Nuclear Fuel Waste Act* (*NFWA*), to study, recommend and implement an approach for the long-term management of used nuclear fuel in Canada. Used nuclear fuel is presently safely stored on an interim basis at licensed facilities at nuclear reactor sites. In 2005, the NWMO recommended that Canada proceed in a deliberate and collaborative way to contain and isolate the used fuel in a manner that safeguards people and respects the environment, now and in the future. In 2007, the Government of Canada selected the NWMO recommendation, Adaptive Phased Management (APM), as Canada's approach for the long-term management of used nuclear fuel. The NWMO is now implementing this approach. In May 2010, the NWMO launched a nine-step process to identify a safe location, and an informed and willing host for a deep geological repository and an associated Centre of Expertise. The objective of the process is to arrive at a single location that will ensure safety, security and protection of people and the environment over the long term.

APM has as its technical end point the containment and isolation of used nuclear fuel in a deep geological repository constructed in a suitable rock formation with ongoing monitoring and potential for retrievabililty over an extended period of time.

It is an important component of the NWMO's work to understand the nature of any impacts on Aboriginal rights, treaties and land claims resulting from the implementation of APM, and how Aboriginal peoples should be accommodated as a result of any impacts. The NWMO needs to ensure effective consultation with Aboriginal peoples and that all those affected have the opportunity for inclusive and meaningful involvement.

Aboriginal and western worldviews and knowledge systems are each unique; however, the interweaving of these two worldviews in the implementation of APM can bring opportunities to strengthen this work as we learn from one another.

The development of this Policy has benefited from advice from the NWMO Council of Elders, and through our relationships with Aboriginal organizations at the national, provincial and regional levels.

# Principles

The development of this Policy is guided by the following principles:

- Good decision-making among Aboriginal peoples regarding the NWMO's work must be built on a foundation of knowledge to ensure that informed choices can be made by Aboriginal communities in the spirit of partnership together with the NWMO.
- The NWMO recognizes, honours and supports the belief that Aboriginal peoples have a special relationship with the natural environment, and have unique stewardship responsibilities that are part of this relationship and are guided by the seven teachings.[1]
- Consideration for the safety and security of future generations is integral to the Aboriginal worldview and fundamental to decision-making processes of Aboriginal peoples, and is the responsibility of all people to future generations.
- Open and honest relationships are built on a foundation of trust and sharing of knowledge and information.
- The NWMO acknowledges that Aboriginal peoples are holders of Aboriginal Traditional Knowledge, and recognizes that Aboriginal Traditional Knowledge is essential and integral to decision-making.

# Policy

The NWMO recognizes and respects that Aboriginal peoples believe that all life is sustained by Mother Earth, and that, in carrying out our work, we all have a stewardship responsibility to protect and preserve the Earth for this and future generations.

The NWMO acknowledges, respects and honours that Aboriginal peoples – Indian, Inuit and Métis peoples of Canada – have unique status and rights as recognized and affirmed in s.35 of the *Constitution Act* (1982). The NWMO is committed to respecting the Aboriginal rights and treaties of Aboriginal peoples. The NWMO also recognizes that there may be unresolved claims between Aboriginal communities and the Crown to be taken into account in relation to a proposed site.

The NWMO will build relationships with Aboriginal communities, groups and peoples on a foundation of respect for languages and customs, cultural protocols, and political, social, economic and cultural institutions. The NWMO recognizes and will honour the diversity of spiritual beliefs and practices of people within and among Aboriginal communities.

The NWMO will pursue agreements with affected Aboriginal communities that are to the mutual benefit of all parties, including the recognition for potential provision of economic benefits, providing the opportunity for employment, education and capacity building, and ensuring that communities are involved in decisions affecting them.

[1] As referenced in the NWMO Council of Elders Mission Statement which states, "protect and preserve all creation: air, land, water, fire, plants, medicine, animals and humankind – guided by the seven universal teachings of love, trust, sharing, honesty, humility, respect and wisdom."

Aboriginal Traditional Knowledge can bring value to the decision-making process, and the NWMO will strive to interweave this knowledge with our work. The NWMO will ensure that traditional teachings and knowledge are protected as agreed with those who are carriers, ambassadors or stewards of the traditional teachings and knowledge in order to protect their intellectual and cultural property.

The NWMO will work with affected Aboriginal communities in implementing our mandate under the *NFWA*, and in the selection of a site as required by APM which was selected as Canada's plan for the long-term management of used nuclear fuel by the Government of Canada in 2007. The NWMO will work with the Crown regarding the Crown's duty to consult and accommodate as guided by decisions of the Supreme Court of Canada, and in fulfilling the NWMO's obligations under the *NFWA*. All our work will be guided by our commitment to collaborative planning and decision-making.

# Implementation

- The NWMO will strive to provide affected Aboriginal communities the needed resources and expertise to support capacity building, involvement and collaborative planning in decisions affecting them.
- The NWMO will strive to ensure that members of the community, including Elders, youth and women, have been provided an effective opportunity to participate.
- The NWMO will ensure that agreements set out clear and understandable terms for the roles of all parties.
- Timelines will be developed in a reasonable manner to allow affected Aboriginal people to review terms, and assess them against their own needs, community vision and aspirations.
- The NWMO recognizes that Aboriginal peoples have governments, which include traditional practices and laws, and that they work in partnership with other forms of government. The NWMO will work in a co-operative and respectful manner with these governments.
- Elders will continue to be an integral source of advice to the NWMO throughout implementation of APM.
- The NWMO will conduct ongoing cultural education programs and opportunities for the NWMO staff and decision-makers in order to facilitate communication across western science and Traditional Knowledge.

**Nuclear Waste Management Organization**

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