

An Appeal to International Friends to Support the Ongoing Antinuclear Struggle in Koodankulam, South India

Human Rights Abuses against Underway

The State Cabinet of the southern-most state of Tamil Nadu in India gave clearance for the commissioning of the first unit of the Koodankulam nuclear power plant on March 19th, 2012. The start-up of the reactors was held back by strong peaceful resistance at the grassroots for last 8 months.

Soon after the state government's announcements, 6,000 armed policemen have surrounded the villages in the vicinity of Koodankulam reactor while 20,000 people have still managed to reach at the gates of the nuclear power station. Tamil Nadu's Additional Director General of Police (ADGP), 3 DIGs (Deputy Inspector Generals) and 10 SPs (Superintendents of Police) are present at Koodankulam presiding over this naked repression of people's democratic dissent.

- **16 people including 7 women on an indefinite hunger strike.**
- **Police and para-military forces is terrorising people by marching into the village every two hours and then withdrawing. They are threatened.**
- **The Idinthakarai village that is just 2-kilometers from the reactor, is at the forefront of the protests.**
- **Idinthakarai has a total population of around 12,000, but more have congregated to make it 20,000, more than half of which are young children. The police have blockaded the villages and cut off the water supplies today to this and other surrounding villages. It can turn out to be a state-sponsored carnage of its own civilians opposing nuclear energy who are forced to live next door to it.**
- **The closest home to the reactors is only 500 meters. These homes were constructed in 2006 for tsunami affected villagers, four years after the reactors were commissioned. Added to which are approximately 3 million people living in the 30 kilometers zone around the plant defying international stipulations and making the nuclear development technically illegal.**
- **A senior minister in the Union Government earlier this week had said that the anti-nuclear protestors should be dealt with an "iron fist".**
- **Mainstream media are providing misinformation such as the anti-nuclear movement has fizzled out when in fact it has not. (see Daily News Analysis, 19th March 2012).**
- **Blockades are placed all round the nuclear power plant and villages making it impossible for independent observers or media to see the arrests or any other untowards action to its citizens**
- **Women and children are involved in the agitation to the nuclear power station gates. In a previous confrontation at the gates in September 2011, women were harassed and charged with batons by police.**

Please could you highlight this emergency and the draconian state measures against the quest for the right to a healthy life in a so-called democratic society.

Background to the nuclear project and the protests:

The protest against the Koodankulam Nuclear Power Plant started as soon as the project was commenced in 1988. The agreement for the reactors was inked in 1988 by the then Indian Prime Minister Rajiv Gandhi and Michael Gorbachev, the President of USSR. More than 15,000 people gathered to protest in the neighbouring town of Kanyakumari in 1989 when the police opened fire indiscriminately, injuring several people.

After the collapse of the Soviet Union, the project itself went in a limbo, to be resumed after a decade in 1998. The people around the area have been protesting against the project ever since: court cases, petitions, letters to political leaders and policy makers and demonstrations

The nuclear accident in Fukushima in March 2011 and the ensuing downturn in public opinion about nuclear energy unleashed a new life to the Koodankulam protests. In August 2011, the people of Idinthakarai and other surrounding villages started agitations afresh: 125 people sat on hunger strike for 12 days while tens of thousands gathered in their support.

For the past 8 months after August 2011, people in Koodankulam have been protesting peacefully and non-violently for the right to a healthy life, consultation and transparency in government conduct.

The Government's attempts for dialogues: half-hearted, contemptuous and undemocratic

While the Indian Prime Minister claimed on-board his trip to Russia in December last year that the protests in Koodankulam are "overdone" and the government went "out of its way" to convince people about the safety of Koodankulam reactors, the activists have an entirely different story. After a 12-day hunger strike by more than 125 people in Idinthakarai in August 2011, when the Central Government agreed to respect Tamil Nadu State Cabinet's resolution to stop the construction and start dialogue with people, the People's Movement Against Nuclear Energy (PMANE) requested an open and democratic discussion between the 15-member Expert Committee appointed by the Indian Government and the 24-member independent Expert Panel organised by the movement. When the government refused it, the PMANE asked for some 50 essential documents pertaining to the safety, environmental impacts, emergency preparations and costs of the reactor to enable the agitating people to have an informed debate. The Central government declined to share these documents and has declared the hastily drafted report of its own Expert Committee as the final word. Obviously, people remain unconvinced.

Throughout the process of this dialogue between the PMANE and the Central Government's Expert Committee, the authorities kept building up cases against the activists, including charges of sedition and "war against the Indian state". The government's supportive media indulged in

worst kinds of malicious reporting about the Koodankulam activists, questioning their religious backgrounds and practically inciting violence against them by publicizing their mobile numbers and contact details in the Tamil language Dinamalar newspaper in November 2011. When the leading activists of Koodankulam Satyagraha complained about receiving obscene and threatening calls, the newspaper backtracked. Meanwhile, the workers of the Congress party, ruling at the Centre, repeatedly indulged in violence against activists and even attacked women and children. The struggling people stuck to their non-violent principles and did not provide any pretext to the government for crackdown.

What is Illegal at Koodankulam: Protests or the Reactors?

Now that the government has given the go-ahead for Reactor 1 in Koodankulam on March 19 and is trying to shift the focus on 'law and order' being disrupted by defiant people in the region and police is demanding the 'surrender' of leading activists, we must ask who are the real criminals?

Thousands have been arrested so far, but all they are doing is peaceful protests to air their views in a democracy.

The consistently non-violent movement against the nuclear power plant at Koodankulam has actually highlighted the brazen contempt for legal procedures by the government in its nuclear expansion for India and the dangers associated with it.

It is not only fundamental democratic rights and norms that have been violated with the construction of the Koodankulam Nuclear Power Plant but also other rules to do with the construction of nuclear reactors. There are at least eleven points of illegality:

1. There has been **no public hearing** in Koodankulam for Environmental Impact Assessment (EIA) for the first two reactors. The Nuclear Power Corporation of India Limited (NPCIL) defends its decision on the pretext that the Ministry of Environment and Forest rules did not mandate a compulsory public hearing in the 1980s when the project was first planned.
2. The EIA reports must be made available to people according to the established norm in the local language. However, in Koodankulam's case, the EIA report has been publicized not only too late, but also only in the English language.

3. A thorough and complete probe of geologists, hydrologists and oceanographers into the safety issues of the Koodankulam nuclear power plant has not been adequately conducted.
4. An illegal limestone mining project has been going inside the exclusion zone of KKNPP on which the NPCIL deny knowledge even though it is mentioned in the Tamil Nadu state government's records.
5. There have been **no safety drills and evacuation procedures** in the 30 kilometres radius of the Koodankulam project contravening IAEA and AERB regulations.
6. The nuclear development is a **gross violation of Coastal Regulation Zone (CRZ) rules** in constructing Reactors 1 and 2 within 500 meters from the High Tide Line (HTL), the Government's expert panel has defended it as the MoEF rules in 1989 allowed Department of Atomic Energy constructions within the HTL and CRZ rules were adopted only in 1991, subsequently revised in 2011.
7. The Koodankulam Reactors 1 and 2 **violate the Atomic Energy Regulatory Board instructions** of 1998 which require two sources of water (from the reservoirs of Pechiparai and Upper Kodyar) to ensure adequate water supply in the event of a loss of cooling accident, the largest potential hazards of reactors. Independent studies have [underlined the grave risk](#) this violation poses to KKNPP's safety. It was revealing in the post-Fukushima Safety Task Force Report of the NPCIL itself that while the Madras Atomic Power Station (MAPS) has a water reserve of 77.3 cubic meters per MWe, the Koodankulam reactors have only 5.1 cubic meters!
8. Indian experts are avoiding a crucial question in Koodankulam: why such eager reassurance from Indian nuclear officials when Russian agencies themselves have [questioned the safety](#) of VVER design reactors being built in Koodankulam, in their post-Fukushima safety audit?
9. The Inter-Governmental Agreement (IGA) signed secretly by the governments of India and Russia on liability in February 2008 has not been released to the public as it is in their interest.
10. The Nuclear Liability Rules recently notified to implement the Nuclear Liability Act have circumvented the Act itself by restricting the "product liability period" to a mere 5 years. This is blatant **undermining of the Indian parliament** under corporate pressure. The Russian authorities have said in the media that they will not abide by even this watered-down liability provisions.
11. 7 village panchayats, that are the direct elected representative bodies of the local people, in the Koodankulam region have **passed resolutions** against the nuclear project which further highlights the undermining of democratic procedures.

The irony is that anyone who has spoken out against the Koodankulam reactors is seen as seditious and several have been arrested under Section 124-A.

The dismissals of Public Interest Litigations (PIL) on nuclear energy projects in the Supreme Court of India have been cited as legal sanctions for these projects. Rather, the dismissals are to do with complex decision-making institutions and overspecialisation in modern society. It demonstrates the limitations of the Indian judicial system where the judiciary has to inevitably depend on the government and the nuclear authorities for expertise on financial and technical

matters which otherwise is not independently available in India. Another common reason for dismissing court cases against these illegalities have regularly centred on factors to do with 'crores of rupees having been spent on the nuclear plant and it cannot be stopped now'.

Just because crores of rupees have already been spent on the reactors is not a viable reason for then to continue with the constructions. The extravagant costs of nuclear reactors overlook the fact that:

1. This is a heavily subsidised means of producing power. Without government support, the nuclear power industry is not sustainable. This subsidisation ends up in higher taxation and inflation for the general public.
2. There are continual costs involved in the running and maintenance of the plant and the eventual decommissioning after an average of 30 years which would cost approximately half the cost of construction.
3. There are exorbitant costs in transporting and storing radioactive waste.

So overall, we can see that where it is easier for the state to criminalise anti-nuclear activists, those who can see through the myths of nuclear power continue to have an uphill struggle. We shall not allow a handful of elites to determine our energy futures for us and then damn us when we challenge their myths.

DAE Stitch-Ups on Switching off Nuclear Reactors

While the Tamil media is abuzz with how the the 'start-up' of Koodankulam has actually eased the power shortage in Tamil Nadu, the reactor has definitely not been commissioned and started commercial operation. Only the 'construction' work has resumed.

They need AERB clearance before the start-up. After the delay in last 3-4 months, they require a thorough check-up and drill. Croatian experts have been invited to recheck equipments. For actual commercial operation, it would take several month.

So this entire urgency of helping Tamil Nadu's power supply in the summers THIS YEAR was nothing more than a PR exercise!

Soon after the mock drill and hot run at the Koodankulam reactor in August 2011, the Department for Atomic Energy scientists argued that by stopping work on the reactors, the agitating people are creating a dangerous situation because some of the processes are not reversible. But the reality is, not only are the nuclear power plant stopped for regular

maintenance and emergency monitoring, in various cases, operational reactors had been shut down for reasons pertaining to popular disapproval, safety and costs.

Now that Reactor 1 has been given the go-ahead at the Koodankulam Nuclear Power plant on March 19, 2012, the Nuclear Power Corporation of India Limited and those who support them assume that the game is over, that the protesters have been defeated, and that a major irreversible process has occurred in nuclear expansion.

The nuclear authorities sold the commissioning of the reactors in that they will provide a solution for meeting the power crisis on a false PR basis. The nuclear plant will not be in a position to actually provide electricity until a year down the line. While the Tamil media is abuzz with how start-up of Koodankulam has actually eased the power shortage in Tamil Nadu, the reactor has definitely not been commissioned and started commercial operation. Newspapers such as the *Dinamalar* that kow-tows to the nuclear authorities has already reported that the Tamil Nadu's state power crisis has been resolved (March 23) even though the reactors are not even operating. Whilst the peaceful resistance has been on, there have been systematic increases in power cuts that have reached all the way to Chennai so as people buy into the idea of there being a desperate power crisis in the state.

The NPCIL needs AERB clearance before the start-up. After the delay in the last 3-4 months, the reactors require a through check-up and drill. [There is news](#) that Croatian experts are being invited to recheck equipment and vessels in the Koodankulam plant. For actual commercial operation, it would take several months, so the entire urgency of helping Tamil Nadu's power supply in the summer was nothing more than a misleading PR exercise.

Each 1000 MW reactor after energy distribution losses will only be able to provide about 300 MW to the cities where it is intended. After all, who would invest such vast sums in the power plant for neighbouring villages who will only feel the brunt of increased radiation not electricity throughout their surroundings.

Elsewhere, nuclear reactors have been stopped even after being built and even going critical. They have been stopped mainly for two reasons: the exorbitant costs in running them without the buffer of subsidies; and, civil action groups who have successfully mobilised against the nuclear authorities demanding that proper evacuation and safety procedures be followed. It is due to these obstacles that nuclear companies are turning to the east to fulfil their corporate ambitions because building them in the west has proven to be too much bother than it's worth.

India has now become the main dumping ground for nuclear technologies. For instance, the merged General Electric-Westinghouse in a previous life had built a nuclear boiling water reactor in East Shoreham in New York between 1973 and 1984. But it was never operated as in 1984 the Suffolk County Legislature had voted that the county could not be safely evacuated in the event of a nuclear accident. The plant was fully decommissioned in 1994. It has now been converted to a natural gas-based power plant.

It has proved easier for the company to locate nuclear technologies in places such as Jaitapur in India rather than their home turf, particularly after allowances permitted by the Indo-US nuclear civilian agreement and laxity in the Nuclear Liability Bill.

The Nuclear Power Corporation of India Limited has not even publicised or conducted its evacuation plans for those in its 30 kilometres radius in south India. Legislature in India cedes to the expertise of the Atomic Energy Regulatory Board, itself manned with people approved by the Department for Atomic Energy. There is never any independent expertise as all those with nuclear expertise have a certain obligation to the state that employs it.

The William H. Zimmer nuclear power plant in Ohio was converted to fuel combustion when it was 97% complete. In 1982, the US Nuclear Regulatory Commission found that the plant was poorly constructed, including two instances of defective pipe welds, that industrial safety documents had been forged, and imposed a record-high fine of US \$200,000 as well as halting construction work on the plant.

The Midland Cogeneration Facility, Michigan was originally designed as a nuclear power plant with twin pressurised water reactors. It was terminated in 1984 when it was 85 per cent complete after 17 years and over \$4 billion US dollars in investment. Fluor Engineering converted the unfinished plant to a combined-cycle, natural-gas-fired cogeneration facility.

In Seabrook in the USA's New Hampshire state, two reactors had been planned from 1976. But one of them never saw the light of day as completed structures for the project ran into construction delays, accelerating costs, and financial problems. By the time the first unit was completed in 1990 more than a thousand anti-nuclear activists had been arrested. A further four thousand engaged in non-violent civil disobedience in an effort to stop the plant over a thirteen year period. These included eminent people such as the Massachusetts governor, Michael Dukakis. They all raised environmental issues and lambasted the shortcomings in emergency evacuation plans.

Notice that all these stopped reactors were in the west where civilian action and greater safety standards have made the projects unviable. Notice the pressure exerted on senators by nuclear companies for the Indo-US civilian nuclear agreement, so as they could continue operations in India where such issues are believed to be of less importance as less value is put on human life in India. Notice too how these very companies have made deals with India in their own interests where they cannot be held to account for liabilities in India. This all means that Indian people are being given a raw deal from state governments and multinational companies. They will be the ones to bear the brunt of any hazards or problems with the reactors.

Indian nuclear officials and scientists believe that just because a technology is new, that it would be a shiny improvement on what preceded it. There is no basis for such simplistic thinking as new technology also implies less tested technologies, and we all know that technology can be unpredictable even as we try to put on a computer or television set.

Post-Fukushima, Japan has stopped 48 of its 52 reactors almost overnight. It is believed that they will not re-start them. Already having lived through the horrors of Hiroshima and Nagasaki, the Japanese people were sold a massive lie that has returned to them again in a recurrent nightmare.

Germany has up until last year received 25% of its electricity from nuclear energy using 17 reactors – much more than the measly 3% produced currently in India despite scores of rupees in funding. From 1998, a coalition government developed the policy to phase it out. It was cancelled with the new government in 2009 and then reintroduced in 2011 with eight reactors shut down immediately. Five of these are VVER-440 units (Pressurised Water Reactors) similar to the ones built at Koodankulam. The majority of the public recognise the dangers and exorbitant subsidisation of nuclear power. To oppose nuclear reactors is not seen as a threat to national security as it is in India. This is also one reason why nuclear officials do not trust the Germans on the assumption that all Germans in India are anti-nuclear and therefore a security risk as is clearly demonstrated by the outrageous deportation of Rainer Sondaag from Kanyakumari District last year.

Other countries such as Switzerland have also planned to phase out their nuclear reactors by 2034. So why is India not listening?

It seems that the so-called developed world is moving away from nuclear energy whilst those in the so-called developing world are turning to it with a vengeance. A large percentage of the Indian energy budget is allocated to nuclear power. Just like unused dams in Mexico, they are waiting in the ranks to become elephant's graveyards. Only these elephant bones glow.

Elsewhere, nuclear power stations are being turned into museums as signs of an obsolete and cost-ineffective technology. After people expressed their concerns about where to put the radioactive waste in Austria, it was decided that the nuclear reactor at Zwentendorf could be a museum for failed technologies. Koodankulam is also a technology that despite all the latest innovations and safety procedures is one that is destined to fail. This failure may not be obvious as radiation is released and invisibly weaves its way through the air, sea and people.

It is imperative that people make sure the Koodankulam nuclear power plant also becomes obsolete and the crores of rupees that are dedicated to nuclear authorities be put to scientific and technological research in newer, less dangerous and obsolete forms of energy production for India.