

Human Rights Council - 39th session - Geneva,
Wednesday, 19 September 2018

Item 5 - Human rights bodies and mechanisms
Clustered interactive dialogue with the Special Rapporteur on the rights of indigenous peoples

Earthjustice oral statement

Thank you Mr. Vice-Chairperson.

We bring to this Council the voice of the Indigenous Wangan and Jagalingou from north-eastern Australia.

The Wangan and Jagalingou welcome the reports of the Special Rapporteur and of the Expert Mechanism to protect the rights of Indigenous peoples, in particular regarding self-determination, land rights and free prior informed consent.

The Wangan and Jagalingou face the destruction of their people and culture by the development on their ancestral homelands of one of the largest coalmine in the world, the Carmichael Coal Mine, proposed by the Adani Group. They also face the permanent extinguishment by the government of their native title rights in a part of their ancestral lands.

The Wangan and Jagalingou have consistently opposed the project. They have not given their free, prior, and informed consent, nor have they been consulted in good faith. To the contrary, the Adani Group has used the coercive power of Australia's native title laws to its advantage to manipulate negotiations with the Wangan and Jagalingou.

Australia is allowing the mine to proceed. The federal and state governments have issued most of the necessary approvals for the mine, and Adani is determined to proceed. The Wangan and Jagalingou's situation could not be more grave: they face destruction of everything that makes them who they are.

The Wangan and Jagalingou ask the Special Rapporteur and EMRIP to call on Australia to stop the violations of their fundamental human rights by not allowing the Carmichael Coal Mine to proceed or their native title rights to be extinguished, until a free, prior, and informed consent process is undertaken that complies with international human rights standards and until adequate measures are put in place to protect their culture into the future.

Thank you for your attention.