

EXCLUSIVE POLITICS FEDERAL MINING

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Indigenous groups take Adani Carmichael mine battle to the United Nations

By [Lisa Cox](#)

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A new front has opened in the battle over Australia's largest coal mine with Indigenous landholders in central Queensland taking their complaint to the United Nations.

The pitch is the latest legal manoeuvre to frustrate the development and comes after the Coalition government announced [plans to crack down](#) on what it has dubbed environmental "lawfare".

Adani mine ruling is a 'delay'

The state government is "extremely disappointed" a court has found a "technical error" to stop the Carmichael coal mine. *Vision courtesy ABC News 24*

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Members for the Wangan and Jagalingou people have requested the UN's Special Rapporteur on the rights of Indigenous peoples investigate whether Indian company Adani's Carmichael mine would violate international law and are calling for the UN to intervene by urging the federal and Queensland governments to reject it.

In a submission to the UN, the group's representatives Adrian Burragubba and Murrawah Johnson allege the mine would violate a number of the rights of traditional owners, including rights to culture, rights to "free, prior and informed consent" and the right to give or withhold consent to "the development of significant extractive industries on our land".



The Wangan and Jagalingou campaign launch in March.

"By supporting and facilitating the Carmichael coal mine, Australia is thus violating its duty to protect our fundamental, universally recognised human rights," they say in a submission to Special Rapporteur Victoria Tauli-Corpuz.

Adani has rejected any "characterisation of a lack of consultation", while a spokeswoman for Environment Minister Greg Hunt says the Queensland government holds responsibility in the case because state governments grant mining leases.

She added that the matter had been extensively considered by the Native Title Tribunal, which did not support Mr Burragubba's claim.

Mr Hunt, however, is responsible for Adani's federal environmental approval,

which he is currently reassessing after it was set aside [following a separate legal challenge by the Mackay Conservation Group](#).



Environment Minister Greg Hunt ALEX ELLINGHAUSEN

Mr Burragubba and Ms Johnson's legal team includes the US-based Earthjustice. Outside the case, they are being assisted by a number of environment groups, including The Sunrise Project, which has been campaigning against the mine and is helping to publicise the traditional owner claims.

Mr Burragubba has a separate case before the Federal Court challenging the Native Title Tribunal's decision to allow the Queensland government to issue mining leases to Adani.

The group's approach to the UN is the latest salvo in what has become a messy stoush over the project that would produce up to 60 million tonnes of coal a year for shipment through the Great Barrier Reef.

The development has split indigenous families involved in a native title claim over the area where the mine would be built.

Adani has stated it has the support of a majority of landholders for the development and in a statement in June said it had "launched a comprehensive indigenous participation plan" for all aspects of the project.

It has accused Mr Burragubba of not being authorised to speak on behalf of the landholders.

Mr Burragubba says he represents eight of the 12 families involved in the native title claim and they have not given their consent for the mine.

This is raised in the group's UN submission, which states: "The company has ignored our people's decisions and has publicly claimed that it has the authority to determine who may speak for us and what our position is."

"We have always vowed to use every means at our disposal to stop Adani tearing the heart out of our country. We are now stepping up our campaign into the arena of international human and indigenous rights," Mr Burragubba said on Friday.

In a written response, Adani said it "rejects any characterisation of a lack of consultation".

Mr Hunt's spokeswoman said the government "supports the rights of Indigenous groups to take their concerns to international bodies".

"The proponent has consulted extensively with traditional owners across the region with no objections raised at that time by native title claimant groups."

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