

## **Government Jabiluka Report an International Embarrassment**

The Australian Government's response to the UNESCO World Heritage Committee's call for the Jabiluka uranium mine to be halted is a document full of misinformation, misleading statements, dishonest omissions and outright untruths.

The Gundjehmi Aboriginal Corporation is confident that the Australian Government's attempts to deceive and mislead the World Heritage Committee will be exposed with great embarrassment to the Howard Government.

A brief analysis of the Government's report reveals:

Strong reliance on the claim that the current Senior Traditional Owner consented to the mine proceeding in 1991. This is completely false. The Government is referring to the transfer of the mining lease to ERA in 1991 for which the NLC was unable to withhold consent.

A failure to recognise the negative impacts of the Ranger mine on cultural values and the cumulative impacts of a second uranium mine on Mirrar country, including the extension of mining impacts for another 30 years .

A failure to recognise the cogent arguments of Traditional Owners and other local Aboriginal people that approval from local Aboriginal people for the disputed 1982 Agreement was gained under unconscionable circumstances.

Reliance on the flawed argument that because sacred sites in danger from the mine are not technically in the World Heritage Area that the World Heritage cultural values of Kakadu are not affected. Any contention that Aboriginal cultural values are restricted by administrative boundaries belies an appalling understanding of indigenous culture.

The Minister's inference that 98% of Aboriginal people in Kakadu are in favour of Jabiluka is baseless and untrue. The Mirrar have received support to stop Jabiluka from Aboriginal people in all areas of the Park. If the Minister were honest on this point he would name the clans who are publicly in favour of the mine - the people working in Kakadu know of no public support for the mine from any clan group. Regardless, it is a fundamental tenet of Aboriginal law that decisions about land use rest with the Traditional Owners of that land.

The claim that the Office of the Supervising Scientist is independent is highly questionable. The Supervising Scientist regularly lobbies on behalf of the Government in overseas fora, including the World Heritage Committee.

The claim that the Senior Traditional Owner lobbied the previous Labor Government for the mine to proceed is utterly false. In fact, Yvonne Margarula is on record as having written to Paul Keating in 1993 urging him to retain the three mines policy in order to prevent the development of Jabiluka.

Claims that Traditional Owners consented to an extension of the Ranger uranium mine agreement conveniently fail to mention that there is no capacity in the Land Rights Act for traditional owners to prevent the extension of the Ranger Agreement.

The claim that the Jawoyn people oppose the Mirrar push for “In Danger” listing is a serious misrepresentation of the stated Jawoyn position - which is in full support for the Mirrar to decide whether development takes place on Mirrar land.

The claim that the Government is committed to providing every opportunity for Traditional Owners in the Kakadu region to be fully involved in the development of measures to conserve cultural heritage is a serious misrepresentation. The only pre-condition that Traditional Owners have placed on assisting in cultural studies is that blasting and drilling not be taking place while such assessment takes place. The Government has refused to consider even a temporary halt on construction work to allow cultural studies to take place.

The Government has unethically and selectively used anthropological reports and information in an effort to discredit concerns about sacred sites. All acknowledged Custodians and Traditional Owners for the Jabiluka land have asked for construction to stop due to impacts on sacred sites.

Gundjehmi Aboriginal Corporation looks forward to submitting to the World Heritage Committee a detailed report on the Governments response to UNESCO. Gundjehmi is confident that the Government’s Machiavellian approach in this report will only strengthen the case for Kakadu to be listed as “In Danger” by UNESCO.