



Cape York Land Council

TRADITIONAL OWNERS DEMAND THE RIGHT TO NEGOTIATE

Traditional Owners of a bauxite lease area in Aurukun are appealing a National Native Title Tribunal ruling that effectively excludes them from negotiating with multinational miner Glencore over mining of the deposit.

The Cape York Land Council lodged the appeal in the Federal Court on behalf of the representative body for the Traditional Owners, Ngan Aak-Kunch (NAK).

The Council and Traditional Owners are objecting to a decision first made by the State of Queensland that Glencore's mineral development license application should be assessed under expedited procedure provisions.

Those provisions are used to eliminate the need to negotiate with Traditional Owners based on the alleged 'minimal impact' the mining of the tenement would have on native title.

An objection by NAK to the expedited procedure was lodged with the Native Title Registrar last September. The National Native Title Tribunal (NNTT) found in favour of the expedited procedure last month, and the Land Council on behalf of NAK lodged the Federal Court application for a judicial review on 5 July.

"We have vigorously objected to this provision being applied because it undermines the legal and moral rights of the Traditional Owners," said chair of the Cape York Land Council, Richie Ah Mat.

"It defies belief that the State Labor Government would be party to conniving to deny Traditional Owners a right to negotiate over what happens on their land, but that is sadly the case."

If the application is successful, the decision to apply the expedited procedure to Glencore's mineral development license will be sent back to the NNTT to be 'remade'.

"We would be hoping that the Traditional Owners' legitimate right to negotiate would be the eventual outcome," said Mr Ah Mat.

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