

MINING THE INTERVENTION

The Northern Territory Intervention: is it a “special measure” for Aboriginal people or the mining industry?

In June 2007, the former Prime Minister John Howard announced the Intervention claiming it was necessary to protect Aboriginal children. Two months later, five bills under the rubric of “Northern Territory Emergency Response” were pushed through Parliament. Both the Race Discrimination Act and Aboriginal land rights were suspended. Why? Let us examine some of the events leading up to the Intervention:

Six weeks before the Intervention: The UN Special Rapporteur on the Right to Adequate Housing releases a critical report on the lack of housing and basic services: *“Australian Governments must urgently address the humanitarian tragedy of the lack of housing and basic services for the indigenous peoples of Australia, living on indigenous lands and elsewhere. To this end, the Special Rapporteur encourages relevant government staff to visit and reside in indigenous communities, including town camps, and rural and remote communities, in order to better comprehend the reality and the challenges faced by populations and communities ...”*ⁱ

Two weeks before the Intervention: The Minerals Council of Australia (MCA) holds its annual Minerals Week, with John Howard once again guest of honour and keynote speaker. For years the Council had lobbied the Howard government to restrict Aboriginal land rights, claiming they placed an “artificial constraint” on mining industry growth.ⁱⁱ

The Northern Territory Land Rights Amendment Act of 2006 went part of the way towards meeting the demands of the mining lobby. An explanatory memorandum to the Bill states: *“The principle objectives (of the bill) are to improve access to Aboriginal land for development, especially mining ...”*ⁱⁱⁱ The mining lobby wanted more, but the government wanted to avoid reigniting controversy over Aboriginal land rights.^{iv}

Another issue, something inflammatory that demonises the group being targeted – such as the “children overboard” story used against refugees in 2001 – was wanted to divert attention from the government’s real agenda. Mick Dodson and Lowitja O’Donoghue had raised concerns about abuse of Aboriginal children in 2003 but the government did nothing. The problem, compounded by overcrowding and lack of housing, grew worse. By 2007 the issue was ripe for picking.

Six days before the Intervention:

John Howard claimed to release the report “Little Children are Sacred”, commissioned by the Northern Territory Government and released earlier that year. He used it to distract attention from government neglect of Aboriginal housing, suspend Native Title rights and improve his chances of getting re-elected – all at the same time. The spectre of abused Aboriginal children was beamed across the airwaves to a shocked Australian public.

On June 21, 2007, John Howard announced the Intervention amid the furor over allegations of child abuse. Using vulnerable children as an excuse, the Federal Government suspended the operation of the Race Discrimination Act, suspended Aboriginal Land Rights, seized control of Aboriginal land in the Northern Territory and assumed power to issue licences or leases to third parties (including mining companies) against the wishes of Aboriginal people whose land was taken.

SOME RESULTS OF THE INTERVENTION

Following the 2006 Land Rights Amendment Act and the Intervention in 2007, the number of grants of exploration licenses issued in the Northern Territory *doubled* and the number of mining leases (or other tenements) *trebled*

Number of Exploration Licences Granted:^v

2005-06	180
2006-07	257 (NT Land Rights Amendment Act passed in August 2006)
2007-08	396 (Northern Territory Intervention began June 2007)

Number of Grants of Mining Tenements (including mining leases) Granted:^{vi}

2005 -06	9
2006-07	19
2007-08	33

Following the imposition of the Intervention in the Northern Territory:

1. Incidence of childhood anaemia among Aboriginal children increased^{vii}
2. Incidence of low birth weight in babies born to Aboriginal mothers increased^{viii}
3. According to the Australian Indigenous Doctors Association, the Intervention has:
 - (a) Taken away rights from Aboriginal people on the basis of race;
 - (b) Undermined their capacity to manage their own lives;
 - (c) Caused feelings of shame, loss of dignity and deepened pervasive feelings of helplessness and lack of self esteem, and caused “lasting harm”;
 - (d) Humiliated and discriminated against Aboriginal people by the imposition of ‘Income Management’ (also known as Welfare Quarantine).^{ix}

The income quarantine system is imposed on Aboriginal people in the Northern Territory on the basis of race, regardless of whether the people are good money managers or not, or whether children are present in the household. *Aboriginal people now have to queue up in a separate line at supermarket checkouts – something reminiscent of South Africa under apartheid.*

The political spin put on the Intervention would do credit to Dr Goebbels himself. In the Northern Territory, 78 per cent of land in the Northern Territory is owned by Aboriginal people.^x The Intervention targets Aboriginal land formerly protected by the NT Aboriginal Land Rights Act^{xi} and takes away rights in the name of protection of children. Australians were mesmerised by a toxic mix of class and race prejudice massaged by pro-interventionists. This has served the interests of the mining industry well – but ***no houses have been built for Aboriginal families under the Intervention.***^{xii}

[Waratah Gillespie, (02) 4274-0999]

ⁱ *Report on the Mission to Australia* by the UN Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, UM Document A/HRC/4/18 Addendum 2, para 133, May 2007

ⁱⁱ As above The Howard Government progressively dismantled Aboriginal Land Rights during its term of office, promising “buckets of extinguishment.” Both the Native Title Amendment Act (1998) and the Northern Territory Emergency Response Act (2007) restrict or suspend Aboriginal Rights to land.

ⁱⁱⁱ Explanatory memorandum to the Northern Territory Land Rights Amendment Bill 2006, page 4

^{iv} *Native Title Overhaul hands win to Miners* in the *Australian Financial Review*, 21 August 2006

^v 2007-8 Annual Report of the NT Dept. of Primary Industries, Fisheries and Mines, page 103.

^{vi} As above

^{vii} *A body of evidence: Racism and the Northern Territory Intervention* by Irene Fisher, CEO Sunrise Health Service Aboriginal Corporation, published in the *National Indigenous Times*, April 2, 2009

^{viii} As above

^{ix} Australian Indigenous Doctors Association: *Health Impact Assessment of the Northern Territory Emergency Response Measures*, published in the *National Indigenous Times*, September 4, 2008.

^x Report of the Northern Territory Emergency Response Review Board, Executive Summary

^{xi} As above

^{xii} \$672 million was allocated 18 months ago to relieve the housing shortage, but no new houses have been built: *After a life of loss, a housing legacy of shame*, by Tony Koch, in *The Australian*, August 15-16, 2009.