

People's Tribunal for the Rights of Nature

8.30am to 5.00pm, Saturday 22 October 2016

Banco Court, QEII Courts of Law Complex, 415 George Street, Brisbane

The People's Tribunal for the Rights of Nature is a new, permanent civil society institution for Australia. It offers a unique forum for people to speak on behalf of the non-human world, to challenge the current legal system's failure to protect the health of our environment and to highlight the role that the legal and economic system, government agencies and corporations play in destroying the Earth community. The Tribunal is hosted by the Australian Earth Laws Alliance (AELA), is a Regional Chamber of the International Rights of Nature Tribunal and follows in the tradition of Permanent People's Tribunals that have been held around the world for decades, and which offer an alternative forum for justice. Australia's Tribunal will hear cases brought on behalf of ecosystems and non-human life, and will bring together First Nations Peoples, community representatives, environmental organisations, people from rural and urban communities, scientific experts and legal experts from around Australia. A panel made up of lawyers, Elders from Australia's First Nations Peoples and eminent scientists will hear cases and make recommendations for restorative justice, innovative law reform and socio-political reforms that will defend and protect the Rights of Nature.

Why has the Tribunal been created?

Our current legal system has failed to support the ecological health of the non-human world. Despite some excellent initiatives in environmental law, Australia's legal, economic and political system is geared to support unsustainable, human centred development and growth, that destroys the environment. However there are very few serious alternative approaches to creating a new, Earth centred system of law and governance in Australia.

The Rights of Nature Tribunal Australia will:

- Provide a public forum to explore alternative Earth centred laws designed to respect the Rights of Nature and help us live within our ecological limits.
- Provide a public forum to explore how the laws of Australia's First Nations Peoples can teach and inspire Australia's modern system of environmental law.
- Deliver written judgments that will include recommendations to policy makers, and provide detailed analyses of how Earth centred law can be created and applied in real life situations.
- Create a new voice for Earth Democracy in Australia, by enabling people in civil society to express their concerns about the destruction of our natural environment and make recommendations for restorative justice.
- Provide a practical, accessible demonstration of what a truly Earth centred legal system looks like, where the health of the living world is placed at the centre of the legal system.
- Stimulate discussion and debate - via social and traditional media, and other public forums - about how to implement Earth centred law.



HOW TO ATTEND

Everyone is welcome to attend the Tribunal. Tickets are \$10 for the whole day. Please book your ticket via this webpage:
<https://trybooking.com/LSHL>

SUPPORT THE TRIBUNAL

Become a Tribunal supporter and help us bring indigenous elders, scientific experts and community representatives to the Tribunal. Every dollar helps! Donate via our secure GiveNow page:
<https://www.givenow.com.au/naturetribunal>

FURTHER INFORMATION

www.earthlaws.org.au



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PROGRAM

The People's Tribunal for the Rights of Nature Australia acknowledges that the sovereignty of the First Nations People of the continent now known as Australia was never ceded by treaty nor in any other way. The Tribunal proceedings acknowledge and respect First Nations Peoples' laws and ecologically sustainable custodianship of Australia over tens of thousands of years through land and sea management practices that continue today.

- 8.00am Registration opens
- 8.40am Welcome to Yuggera country by Nunukul Yuggera Dancers
- 9.10am Tribunal opens - Opening remarks by Tribunal Chairperson, Dr Michelle Maloney**
- 9.30am Case 1 - Mardoowarra/Fitzroy River vs Federal and WA State Governments
- 10.30am Morning tea (can be purchased from coffee shops next door to Banco Court)
- 11.00am Case 2 - Forests of Australia vs Federal and State Governments
- 12.30pm Lunch (can be purchased from coffee shops and restaurants nearby Banco Court)
- 1.30pm Case 3 - Great Artesian Basin v Federal and Qld Governments and the Unconventional Gas Industry
- 2.30pm Case 4 - Great Barrier Reef and Atmospheric Commons v Federal and Qld Governments and Fossil Fuel Industries
- 4.00pm Afternoon tea (can be purchased from coffee shops nearby Banco Court)
- 4.20pm Tribunal Panel announces which cases will be accepted for full deliberation by the Tribunal
- 5.00pm Tribunal closes**
- 5.30 to 8pm Tribunal attendees are invited to join the Tribunal Panel, witnesses and other participants at the Brisbane Powerhouse, for dinner and a special viewing of art exhibition '**Plenty**'. Meals can be purchased at the Powerhouse. A special guided tour of the exhibition will take place at 7pm.

"Plenty" - National Art Exhibition, Brisbane Powerhouse, Newfarm

Join us for a fantastic evening of art and great conversation. Plenty is an exhibition that brings together prominent and emerging Australian artists to engage with questions about our interconnectedness and dependence on the natural world. The exhibition is a central part of AELA's 2016 Earth Arts program - RONA16 - and is curated by Associate Professor Marian Drew, Griffith University College of Arts, in consultation with AELA. For more information about RONA16 —visit www.rona16.org.au

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CASES

Mardoowarra (Fitzroy) River vs Federal and WA Governments



This case is being brought by Dr Anne Poelina, a traditional custodian of the Mardoowarra (Fitzroy) River in the Kimberley region of North Western Australia. Dr Poelina will speak on behalf of the Mardoowarra River and her claims include that the River must have its legal rights recognised, in accordance with traditional custodian's 'first laws' which respect the rights of nature. Scientific evidence about the threats facing the river will be given Dr Vic Semenuik. Evidence about the failings of the current legal system to protect the River's right to exist, thrive and evolve will be given by Dr Michelle Lim, Griffith University.

Forests of Australia vs Federal and State Governments



Concerned citizens from Western Australia, Northern NSW and South East Queensland will speak for the Forests of Australia and challenge the legality of logging and land clearing that has destroyed huge tracts of Australia's Forest Communities. People speaking for the Forests include Rob and Gloria Williams of the Githabul First Nations Peoples; Susie Russell from the North East Forest Alliance and Jess Beckerling from the Western Australian Forest Alliance. The case is being presented by Lauren Caulfield, Lawyers for Forests; scientific evidence is being presented by Martin Taylor, WWF, and legal experts from the EDO Qld will provide evidence about the failure of current laws to protect the ecological health of forest communities in Australia.

Great Artesian Basin vs Federal and Queensland Governments and the Unconventional Gas Industry



The Great Artesian Basin case is being presented by people concerned about the impacts of coal seam gas mining, and other unconventional gas mining, on Australia's precious groundwater and sacred springs. The people speaking for the Great Artesian Basin include Michael Connolly, a traditional custodian from south western Queensland; Sarah Moles, Western Downs Alliance and Drew Hutton, Lock the Gate. Scientific evidence will be provided by Dr Gavin Mudd and legal evidence will be given to demonstrate that current laws are inadequate to protect the Great Artesian Basin's communities of life.

Great Barrier Reef and Atmospheric Commons vs Federal Government, Queensland Government and Fossil Fuel Industries



This case will challenge Australia's inaction on climate change and the impact of this inaction on the Great Barrier Reef. Two traditional custodians of Great Barrier Reef land and sea country will speak on behalf of the Reef Communities - Murrumu Walubara, Sovereign Yidindji Government, Cairns region and Valentine Nona, of the Djirru people, Mission Beach region. The CEO of 350.org Australia, Blair Palese, will speak for the atmospheric commons and give an overview of the threats posed by climate change. Expert evidence about coral bleaching will be provided by Professor Justin Marshall, UQ, and expert evidence will be provided by lawyers from the EDO Qld, about the failure of current laws to protect the Great Barrier Reef's right to exist, thrive and evolve.



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TRIBUNAL PANEL



Dr Michelle Maloney is a lawyer and Co-Founder/National Convenor of the Australian Earth Laws Alliance (AELA). She has a Bachelor of Arts/Law (Hons) from the Australian National University and a PhD from Griffith Law School. Michelle has 25 years experience managing climate change, environmental justice and cross-cultural projects in Australia, the UK and the United States. She is the Australian representative on the Executive Committee of the Global Alliance for the Rights of Nature and is the Chairperson of the Environmental Defender's Office Queensland.



Professor Irene Watson is Professor of Law and the Pro Vice Chancellor Aboriginal Leadership and Strategy, School of Law, University of South Australia Business School, where her teaching and research focuses primarily on Indigenous Peoples in both domestic and international law. Professor Watson belongs to the Tanganekald, Meintangk Boandik First Nations Peoples, of the Coorong and the south east of South Australia. She has previously held academic positions at the University of Adelaide and Flinders University Law Schools.



Adjunct Professor Mary Graham is a Kombu-merri person through her father's heritage and Wakka Wakka clan through her mother's heritage. With a career spanning more than 30 years, Mary has worked across several government agencies, community organisations and universities. Mary has been a dedicated lecturer with the University of Queensland, teaching Aboriginal history, politics and comparative philosophy. Mary has also lectured nationally on these subjects, and developed and implemented the core university subjects of 'Aboriginal Perspective's', 'Aboriginal Approaches to Knowledge' and at the post-graduation level 'Aboriginal Politics'.



Gill H. Boehringer is a former Dean of Macquarie University School of Law. He is a member of the Monitoring Committee on Attacks on Lawyers of the International Association of People's Lawyers. He has served on People's Tribunals in Australia, the Philippines, and New York City, and as an Observer at a People's Tribunal in Washington, DC. A member of the Judges Panel of the Permanent People's Tribunal, he sat on tribunals in Cambodia, Indonesia and Sri Lanka on the Asian garment industries, and in Mexico on the social crisis in that country. He has published over two hundred book chapters, articles and conference papers, and co-edited a monograph, *Critique of Law*.



Professor Brendan Mackey is the Director of the Griffith Climate Change Response Program and has published over 150 academic publications including journal articles, books and book chapters. Brendan is a member of the International Council for the International Union for Conservation of Nature (IUCN). He also serves on various governmental advisory bodies including the science advisory group to the Great Eastern Ranges Initiative.



Benedict Coyne is a Senior Associate human rights lawyer at boutique Brisbane law firm, Anderson Fredericks Turner. He is currently serving as President of Australian Lawyers for Human Rights (ALHR) and was previously the ALHR Queensland Co-Convenor for over three years and Chair of the national ALHR Human Rights Act Subcommittee. Benedict studied law at Southern Cross University and has a Masters in International Human Rights Law from the University of Oxford.

The Rights of Nature Tribunal hearing on 22 October 2016 would not be possible without the generous support of its supporters

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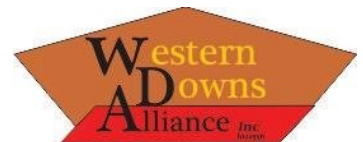
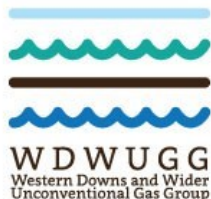
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