

Media Release

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DONATIONS NEEDED TO CHALLENGE AUSTRALIAN SOVEREIGNTY

One of Australia's best known Aboriginal activists is calling for donations to fund a legal challenge to Australia's sovereignty

Michael Anderson, Leader of the Euahlayi and official spokesperson for 'Sovereign Union' says he needs \$150,000 to commence the legal proceedings.

"The research for the statement of claim and evidentiary material has now been concluded and it is now time to locate appropriate legal firms who would be interested in running this most important case.

"We must put an end to all political and historical theories and bring this into the world of reality.

"We need to end speculating on the jurisdictional question and deal with what we argue is the legal and political reality of our continuing sovereignty."

Mr. Anderson says the reality of our legal and political sovereignty is, without doubt, of growing concern to government, lawyers and judges, so much so that on 20 November 2009 the NSW Bar Association ran a conference on the question: *Is the Rule of Law Under Challenge in Australia*.

That conference was attended by Chief Justice of NSW Supreme Court, Jim Spigelman; Justice Margaret Stone, Federal Court; Justice Hammerschlag NSW Supreme Court; Judge M Bozic, NSW District Court; Senator George Brandis, Shadow Attorney-General; Robin Speed, President, Rule of law Assoc; and Prof Weisbrot, President, ALRC;

"The importance of securing Australia's legal system is clearly on the agenda, particularly considering the Human Rights conventions that Australia has signed.

"In the *Is the Rule of Law Under Challenge in Australia* conference lawyers raised the question of the independence of the judiciary. In doing so they concluded that there were two significant points that must be observed:

- a. Construed legislation, in the absence of a clear legislative intention to the contrary, must be in accordance with human rights. There are two cases where this matter was considered. *Minister for Immigration and Multicultural Affairs v Al Masri* [2003] ALR 241 and *Park Oh Ho v Minister for Immigration and Ethnic Affairs* [1989] 167 CLR 637 at 276.
- b. They concluded that there was a need to preserve the substantive

common law rights to procedural fairness, unless there is the clearest legislative intention to curtail it.

“Clearly the courts in Australia are circumvented from dealing with Aboriginal issues in respect to the Human Rights of Aboriginal Peoples because the governments have clearly learnt what would preclude any courts’ right to argue that Australia’s politicians’ abuse of executive powers cannot be adjudicated upon if we are to take our lessons from what was concluded at this conference: *Is the Rule of Law Under Challenge in Australia.*”

Mr. Anderson says it must be acknowledged that Australia’s abuse of executive powers within the parliament to deny Aboriginal People their basic Human Rights, through the legislative processes makes a mockery of the system.

“Our only recourse is to put the sovereignty question to the test without hesitation.

“We’re calling on friends of the Aboriginal Rights campaign to support and stand with us in correcting the legacy of Australia’s colonial history.

“We know that Australia has no regard to its obligations to live up to its international Human Rights legal obligations within its borders.

“This is obvious when we look at the Northern Territory Intervention laws, particularly the law that suspends the Racial Discrimination Act, thereby denying us by domestic law our fundamental Human Rights in accordance with international conventions.”

Those wishing to donate to this worthy cause can do so by visiting our website www.sovereignunion.mobi and go to the ‘DONATE’ tab on the Homepage.

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