

PRESS RELEASE

Traditional Owners take South Korean Government to court to stop offshore gas project

[*Images available for publication here](#) - Credit Rebecca Parker*

Tiwi Islander and Dungalaba/Larrakia Traditional Owners, in Australia's Northern Territory, and South Korean youth activists are taking the South Korean Government's export credit agencies to court to prevent them from financing Santos and SK E&S' dirty offshore Barossa gas project.

Traditional Owners say they have not been consulted on the project and have not given their free, prior and informed consent for a 300km long gas export pipeline to be laid through their sea country, an area under their legal rights.

The legal action could prevent the South Korean Government from lending around USD 700 million to the Barossa gas project via its export credit agencies, the Export-Import Bank of Korea (KEXIM) and the Korea Trade Insurance Corporation (K-SURE), putting the financial viability of the entire project at risk.

Barossa is a dirty project that will produce more emissions than gas

The court challenge comes amid a growing trend of [climate litigation](#) against public financing of fossil fuels, including the [landmark](#) victory by campaigners against the Korean utility KEPCO's coal mine expansion in Australia. [Climate activists](#) have also taken the UK government to court over its decision to fund a mega-LNG project in Mozambique.

Such legal actions reflect the global desire to move away from fossil fuels, which was also seen in last year's [COP26 deal](#) to end public financing for fossil fuel projects abroad. Major players that were missing from this pledge - Australia, South Korea, and Japan - are all currently behind the Barossa project.

The Barossa project will be the [dirtiest offshore gas project in Australia](#), expected to produce 15.6 million tons in annual greenhouse gas emissions. This contradicts both Australia and South Korea's pledge to reach carbon neutrality by 2050.

"While claiming to fight the climate crisis, South Korea is still pouring billions of taxpayer money into oil and gas projects," said **Eunbin Kang, Co-Executive Director of Youth Climate Emergency Action (YCEA) and Plaintiff**. "To put an end to this inter-generational hot potato, South Korea needs to stop greenwashing fossil gas and quit its addiction to fossil fuel."

"At a time when the International Energy Agency has said that no new gas projects can go online if we are to avoid catastrophic climate change, for public financial institutions to be funding this dirty fossil fuel project is reckless and irresponsible," **Jason Fowler of Environment Centre Northern Territory's Energy Campaigner** said.

Traditional Owners oppose the dirty offshore Barossa gas project

The Tiwi Islands are known as a biodiversity haven listed as a site of conservation significance for their rich ecosystem. However, the gas pipeline from the Barossa project is planned to run through the Oceanic Shoals Marine Park and a section of sea country that is highly significant to Tiwi people. This gas will then be transported to a gas plant in Darwin, which is the country of the Dangalaba and Larrakia people.

Building the gas pipeline will involve extensive seabed disturbance and create significant noise and light pollution, causing serious harm to the area's marine ecology, including wiping out endangered turtles.

"The pipeline is too close to Cape Fourcroy. There is a reef there with lots of turtles and dugongs. The turtles lay their eggs on that beach and we go hunting in that area. We use that coastline for camping and fishing," said **Francisco Babui, Senior Tiwi Traditional Owner and Plaintiff**.

"In the dry season we take our children there every week. We teach them about our culture and dreaming stories. We teach the children about important food and signs to look for. I was taught there on that sea and land country the same way by my father and grandfather."

Despite expected local damages, the project's record of consultation reveals that there were merely two emails and one unanswered phone call made to the Tiwi Land Council. The project was then greenlit by Australia's offshore petroleum regulator NOPSEMA, who considered the consultation process complete. The Barossa Offshore Project Proposal does not mention consultation with Dangalaba or Larrakia traditional owners at all.

The Barossa Project has been in development since 2004, but Traditional Owners say they are only learning about it recently—just months before drilling is expected to commence this year.

Francisco Babui, Senior Tiwi Traditional Owner and Plaintiff, said "Santos people have never come to the Tiwi Islands to speak to us face to face. They did not tell us about any risks"

"By taking the South Korean Government to court to stop this gas project, we are protecting our family and our land."

"Tiwi Islands is a strong cultural and spiritual place. We still have own traditional ways. We dance at night, we take our children hunting and pass on our stories. When we go out bush we show them where the sacred sights are, what foods to eat, what not to touch. This gas project puts our way of life at risk."

Tiwi Islanders are [speaking up about their opposition](#), showing the lack of free, prior and informed consent under the UN Declaration on the Rights of the Indigenous Peoples.

“Under Australian law and in accordance with Aboriginal tradition, the Jikilaruwu clan is the owner of the sea country where that gas pipeline will go through. We are the decision makers for that sea country.”

Senior Dangalaba/Larrakia Traditional Owner Kevin (Tibby) Lance Quall says, “The Barossa project is devastating for us and our future. It will have a big impact, especially for Aboriginal people. There are many sacred sites around Darwin harbour - both on land and in the water. The most important site for Dangalaba and Larrakia people is the site of Darramarrangamanidj (our creator). She resides at a place on Cox Peninsula [near Darwin], but the gas pipeline through the harbour cuts right through her dreaming track.”

Growing role of public finance in fossil fuel projects

“Public finance is often the keystone of getting risky projects like Barossa over the line. Without it many would just fall over,” said **Dina Hopstad Rui, a researcher at Jubilee Australia Research Centre**. In fact, the Australian fossil fuel industry received over [AUD \\$36 billion](#) for its fossil fuel projects from overseas public financial institutions during the past decade.

“Most people don’t know it’s happening, but governments around the world are using export credit agencies, such as KEXIM and K-SURE, to quietly funnel taxpayer-backed subsidies to fossil fuel companies,” added Rui.

South Korea’s KEXIM and K-SURE already provided USD \$118 billion to overseas fossil fuel projects during the past decade. This includes the USD \$196 million (AUD \$261 million) that was put towards the Barossa project.

Further strengthening this partnership, Santos, SK E&S and K-SURE signed a [Memorandum of Understanding \(MOU\)](#) last month to jointly develop carbon capture and storage (CCS) facilities.

However, a recent [report](#) by the Institute for Energy Economics and Financial Analysis shows that the companies’ current CCS plan is useless and costly. Even with the proposed carbon capture and storage (CCS), the Barossa project would still be one of the world’s most polluting gas projects.

Currently, Santos and SK E&S plan to compress and process carbon dioxide, then transport this over 900km, all of which is expected to produce extra CO2 emissions.

“There is no more carbon budget for the world to develop extra fossil fuel reservoirs,” said **Dongjae Oh, a researcher at Seoul-based Solutions for Our Climate**. “The South Korean government must listen to the Traditional Owners and stop supporting Santos and SK E&S’ greenwashing initiative that exploits marginalized communities overseas.”

Since learning about the Barossa project, Tiwi and Larrakia Traditional Owners have continued to speak out to protect their traditional lands.

Mr. Babui says: “We hope that we win this case and that no one will want to give any more money to the Barossa project. If they do, we will be ready to fight them too. We should have been consulted about this project. We do not want this project to go ahead.”

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The Stop Barossa Gas Campaign *is an international alliance between Solutions for Our Climate (SFOC), Jubilee Australia Research Centre, the Environment Centre NT, and Japan Centre for a Sustainable Environment and Society (JACSES). Visit www.stopbarossagas.org to find out more about the campaign.*

Jubilee Australia Research Centre (<https://www.jubileeaustralia.org/>) *The Jubilee Australia Research Centre engages in research and advocacy to promote justice for communities impacted by the Australian corporations and government agencies. We are the leading Australian organisation working to end public finance for fossil fuel exports.*

Environment Centre NT (<https://www.ecnt.org.au/>) *The Environment Centre NT (ECNT) is the peak community sector environment organisation in the Northern Territory. We have been working hard to protect the Territory environment since 1983. ECNT advocates for protection of the unique Territory landscapes and biodiversity. This includes through strong environmental legislation, including stronger laws for land clearing and mining rehabilitation.*

Solutions for Our Climate (<https://www.forourclimate.org/>) *Solutions for Our Climate (SFOC) is a South Korea-based group that advocates for stronger climate change policies and transition towards a fossil-free society. SFOC is led by legal, economic, financial, and environmental experts with experience in energy and climate policy and works closely with policymakers.*