

WORKING GROUP ON INDIGENOUS POPULATIONS

COMMENTS BY THE NATIONAL ABORIGINAL AND ISLANDER
HEALTH ORGANISATION, AUGUST 1, 1984

Thank you Madam Chair, it is with hope and determination that the National Aboriginal and Islander Health Organisation participates in the deliberations of this distinguished United Nations Working Group. It is with hope that we look forward to the recognition and protection of our Aboriginal Rights and it is with determination that we convey our resolve, and our purpose. Importantly Madam Chair, it is with much joy that I am able to share also in the collective spirit of my indigenous sisters and brothers gathered in this room.

The National Aboriginal and Islander Health Organisation is the collective voice and will of community controlled Aboriginal health services and committees across Australia.

National, regional and local functionaries maintain an intimate and essential contact with their communities, it is this contact that gives them the authority, the life and the strength to carry on the struggle of our People.

It is the principle of Aboriginal self determination and community control, a principle built upon Aboriginal sovereign rights and spirituality that the struggle of our people is being fought.

Let us be clear on what it is we are struggling to achieve, let us be clear on the principles and heartline which govern our efforts.

Aboriginal people are struggling to achieve the liberation in mind, spirit and being of our Aboriginal society and our future. We are struggling to achieve the liberation of our Aboriginal Nations today,

of responsibilities to the collective of our society and importantly to the land itself. This special relationship, embodied in our law gives us the life which flows from us and between us, which binds us and keeps our reality whole. The land is as a living and vital member of that relationship.

Again Madam Chair, the nature of the challenge for which this Working Party must turn is to recognise that Aboriginal people are a unique and vibrant family of lives, that the dreamtime adventures of those lives has shaped our Aboriginal reality. The Working Party must recognise that Aboriginal people 'own' that unique reality collectively, and because the land shares as an integral partner in that relationship, in that family of lives, in that reality, it cannot be separated from it and it us and it must not be interferred with.

In conclusion Madam Chair we have sought to convey what it is that land is to Aboriginal people. As I indicated in my earlier comments the special, unique, alive and sharing relationship we have with our land is a concept not parallel in non-Aboriginal society. It is my hope that the working party has been able to feel the fabric of our lives and our Aboriginal reality so as to be able to take clear action to recognise, respect and protect the heart of our existence.

I thank you for this opportunity to speak.

in self and community esteem, a strengthening of kinship ties, and the spiritual link to each other, the breakdown in tension, and the closer adherence to personal, social and community behaviour have been recognised. This has been witnessed across the breadth of our country, in urban, rural and outback communities. Importantly it must be clearly stated that recognition of our Aboriginal land rights has a place in all communities be they city, rural, town or traditional. The frustration, the discrimination, the feeling of being disinherited from our lifeforce is not confined to a geographic or economic region.

The Aboriginal people of Australia have the sovereign right, the sole right, to our special relationship with our land. Importantly that special unique relationship is something that cannot be given to us by someone else it is a life force we hold within ourselves. Land rights, Madam Chair, must be a recognition of the indigenous peoples' unique relationship to our land.

In advocating such a viewpoint we believe that we can more clearly proceed to identify the context in which an issue like land sharing with non-aboriginal society will take in any substantive pronouncement on Aboriginal land rights. Recognition of Aboriginal land rights would mean the land shared our lives within that special relationship. Any temporary sharing with non-Aboriginal society could only be undertaken with the expressed permission of Aboriginal peoples. Any such arrangement must by definition be a temporary one for the special relationship we have to our lands cannot be extinguished while the land and its Aboriginal peoples shared the same breath.

If I might restate the essential thrust of my comment, Madam Chair :

In our existence there is no word for "ownership" of land. How is it possible to own your mother. There exists rather, a complex and intricate system of kinship ties, of traditional land use, of

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That Madam Chair is Aboriginal Land Rights! Let us now proceed Madam Chair to show the fundamental importance of land rights to the life of aboriginal reality. The role that land rights holds in our Aboriginal reality is clear, it is woven into the whole fabric of Aboriginal existence. The National Aboriginal and Islander Health Organisation is convinced of the clear nexus between the health status of our people and the forced separation from our lands and the denial of our right to the pursuit of that special relationship.

The first deterioration in the health of our people came with the first unwelcomed intrusions by the alien and colonial forces of England. The subsequent campaigns, sometimes military, sometimes economic were intended to ensure a total denial of our Aboriginal rights and our culture, it was intended to ensure a total deprivation of language, the removal of identity and importantly the Aboriginal peoples right to our relationship to our lands, our spiritual heartbeat.

The substitutes were white flour, white sugar, tea, tobacco, alcohol, venereal diseases and Christianity, the substitutes were the reality of non-Aboriginal society. The conflict between maintaining our own Aboriginal reality against the often times militarily enforced campaign to push Aboriginal peoples to the impoverished and limbo-like periphery of non-Aboriginal society continues unabated in Australia today. Clearly, the experiences that Aboriginal people have brought to this forum evidenced yesterday in the address placed on record by many Aboriginal peoples is testimony to the continuing attempts worldwide to destroy Aboriginal reality, if not the peoples themselves.

Evidence has shown us that where our people have had the right to our special relationship to the land recognised there has been significant improvement in the health status of our nations. Improvements

or disfigurement created by negative non-Aboriginal experiences or standards. I shall attempt, in this short address to share with you and your colleagues on the Working Group our concept on Aboriginal Land Rights. Non-Aboriginal society talks of ownership when discussing Aboriginal land rights.

In our existence there is no word for "ownership" of land. How is it possible to own your mother. There exists rather, a complex and interwoven system of kinship ties, of traditional land use, of responsibilities to the collective of our society and importantly to the land itself. This special relationship, embodied in our law gives us the life which flows from us and between us, which binds us and keeps our reality whole. The land is as a living and vital member of that relationship.

Again Madam Chair, the nature of the challenge for which this Working Party must turn is to recognise that Aboriginal people are a unique and vibrant family of lives, that the dreamtime adventures of those lives has shaped our Aboriginal reality. The Working Party must recognise that Aboriginal people "own" that unique reality collectively, and because the land shares, as an integral partner in that relationship, in that family of lives, in that reality, it cannot be separated from it. The reality is ours, we own it and it us and it must not be interferred with.

That, Madam Chair and members of the Working Group is the nature of Aboriginal ownership of our lands. It is the substance of Aboriginal peoples unique right to that reality. It is a sovereign Aboriginal right because, no other non-Aboriginal individual or collective can participate in it. Aboriginal land rights, our responsibilities to that relationship cannot be bought, they cannot be legislated out of existence, they cannot be bartered.

we are struggling to achieve the liberation of those who join us from the past and those who join us from generations to come.

The focus of our struggle is against an induced political, spiritual and physical conundrum. The key to this political, spiritual and physical conundrum rests in a free and self determining Aboriginal people. It rests in the recognition of Aboriginal reality, it rests in the acknowledgement and respect by non-Aboriginal peoples that only Aboriginal people may participate in the heart of that reality, it rests with the guarantee of non-Aboriginal people that the sole right, the sovereign right of Aboriginal people to that unique reality will not be interfered with. Clearly it rests with the right of Aboriginal people to self determination and the right to cultural, social, political, spiritual and economic integrity, it rests in the right to our societal collectivism as Aboriginal Nations.

In the land now called Australia, the conundrum began with the ethnocentric and colonialist declaration by the European invaders that the continent known as Australia was, in their words, unoccupied, that there were no owners to those lands.

It is important that the Working Party understand Madam Chair, that there exists a series of concepts within Aboriginal reality that do not exist in non-Aboriginal society, or its languages. Respectfully the purpose and the challenge to this Working Group, and also the international community of nations is to recognise, respect and protect our Aboriginal reality as encapsulated in our concepts.

The item before the Working Party during this session deals with Aboriginal Land Rights. It is vital that the appreciation created in the minds of the Working Group when considering Aboriginal land rights is in fact an appreciation of an Aboriginal concept void of discolouration