



United Nations Expert Mechanism on the Rights of Indigenous Peoples 12th Session Geneva, 15 - 19 July, 2019

Item 8: United Nations Declaration on the Rights of Indigenous Peoples

INTERVENTION by the New South Wales Aboriginal Land Council, delivered by Miss Tina Williams, Councillor for the North Coast Region and member of the Bundjalung Nation.

Thank you Madam Chair,

The NSW Aboriginal Land Council is pleased to contribute to the 12th session of the United Nations Expert Mechanism on the Rights of Indigenous Peoples. We pay our respects to the Elders and Ancestors of the world's Indigenous peoples.

With reference to Articles 3, 4 and 7 of the Declaration, we make the following recommendations encouraging States to:

- One, implement national awareness raising initiatives that adequately explain the basis for, and benefit of, full recognition of Indigenous rights as detailed in international human rights standards; and
- Two, undertake truth telling initiatives to identify measures and actions that give full effect to the right to self-determination and particularly, address the long-term effects of genocide, and colonization.

In 2017, a delegation from the NSW Aboriginal Land Council attended and participated in a National Constitutional Convention. This Convention was the culmination of a dialogue amongst Indigenous peoples regarding our relationship with the Australian Nation and its people; a complex relationship partly expressed through the Australian Constitution.

The result of the 2017 Constitutional Convention was The Uluru Statement from the Heart; a call for a Voice to parliament (so that we have a say in our own affairs), a Makarrata Commission (so that we oversee a process of agreement making between Indigenous peoples and the Australian State) and Truth-telling (so that we speak truthfully about violations that

have, and continue to, occur). The NSW Aboriginal Land Council believes that the Statement from the Heart is an expression of the rights contained within the Declaration and a roadmap to reconciliation for the Australian State and its people. It is a clear example of good practice for the international community.

The Uluru Statement from the Heart called for a Makarrata Commission to oversee a process of agreement-making and truth telling. We recognize that true reconciliation requires consistent moderation of the relationship between States and Indigenous peoples to ensure that further violations and human rights breaches do not occur.

Further, there is an urgent need for States to recognize the intergenerational nature of reconciliation. We affirm the words of the Expert Mechanism that “visibility and respect for Indigenous people’s histories and present situations” is an ongoing process and add our support for awareness raising initiatives.

If there is to be a shift from a relationship built on dispossession and paternalism to one built on mutual respect and self-determination; it’ll take time and effort. We seek to give full effect to our right to self-determination as it is a fundamental principle that must be upheld in order for our people to live our most fulfilling, secure lives. We wish to be clear that only through a fundamental ‘resetting of the relationship’ between Indigenous peoples and States can self-determination in its fullest and truest sense be effected and implemented for the betterment of all.

Thank you Madam Chair.