



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



Item 9: Future work of the Expert Mechanism, including focus on future thematic studies.

INTERVENTION by the New South Wales Aboriginal Land Council and Aboriginal and Torres Strait Islander Family Violence Prevention and Legal Service (Victoria), delivered by Mr. Charles Lynch, Councilor for the Northern region and member of the Gomeroi people.

The NSW Aboriginal Land Council and Djirra¹ are 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 21, 23 and 39 of the Declaration, the NSW Aboriginal Land Council makes the following recommendations encouraging States to:

- Implement long term national strategies giving full effect to the right to adequate housing, ensuring such strategies are fully consistent with or exceed existing international standards concerning the rights of Indigenous peoples; and
- Provide technical and financial assistance to existing Indigenous governance structures responding to the crisis of Indigenous housing in order to ensure the provision of culturally appropriate service delivery to Indigenous peoples

It is commonly known that “having a secure place to live, is one of the fundamental elements for human dignity, physical and mental health and overall quality of life”². In Australia, as a result of dispossession and ongoing exclusion from our lands, territories and resources and a deliberate denial of our social and economic rights enacted through successive State policies, Indigenous peoples are disproportionately impacted by housing stress and homelessness. This is evidenced by our peoples “...high numbers of

¹ [Officially known as New South Wales Aboriginal Land Council and Aboriginal and Torres Strait Islander Family Violence Prevention and Legal Service \(Victoria\)](#)

² <https://www.ohchr.org/Documents/Publications/IndigenousPeoplesHousingen.pdf>

households in insecure housing; a high proportion of renters; a high proportion of households in State administered housing; low levels of home ownership; high levels of homelessness; prevalence of overcrowding; ...living in low socio-economic areas; low-quality housing and housing disrepair; and remoteness³". It is clear that Indigenous housing is a national shame that Australia must respond to, with the utmost urgency.

Homelessness, overcrowding and lack of housing are also key drivers to our people coming in contact with the criminal justice system; our women and children being unsafe because of family violence and our children being removed from their families, culture and identity.

We understand and recognize the housing crisis that our people are facing. In response, the NSW Aboriginal Land Council is taking bold steps to develop a housing capability that will provide secure housing for our peoples now and into the future. Djirra, nationally, is calling for safe and secure housing rather than investments into punitive and unsafe prisons and child protection systems.

Collectively, we are working towards securing a future where our peoples are culturally rich, politically strong, economically self-reliant and enjoy secure, joyful and fulfilling lives. However, in order to realise this envisioned future, States must work in partnership with Indigenous peoples to ensure the provision of culturally appropriate, secure housing.

We note and commend the work of the Special Rapporteur on the Right to Adequate Housing in highlighting the importance of housing for Indigenous Peoples. We respectfully request that members of the Expert Mechanism build on this and focus their future work on Indigenous housing with a particular focus on the good practices and programs that enable the enjoyment of our rights to social and economic development as well as the challenges experienced by Indigenous peoples that prevent the fulfilment of such rights.

Thank you.

³ <https://nationalcongress.com.au/advocacy/wp-content/uploads/2018/10/NATSIHA-Submission-to-Closing-the-Gap-Housing-as-a-new-target-PUBLIC.pdf>