



United Nations Permanent Forum on Indigenous Peoples 18th
Session New York, 22 April - 3 May, 2019

Item 11: Dialogue with the Special Rapporteur on the rights of Indigenous peoples and the Chair of the Expert Mechanism on the Rights of Indigenous Peoples.

INTERVENTION by the New South Wales Aboriginal Land Council, delivered by Director Wesley Fernando a member of the Gamilaroi People.

The New South Wales Aboriginal Land Council again pays our respects to Elders and Ancestors of the custodians of these lands, and those of all Indigenous peoples.

With reference to **Articles 25¹, 26² and 27³** of the Declaration, the New South Wales Aboriginal Land Council brings the following to the attention of the Special Rapporteur and recommends that work is done to encourage/pressure states to respect our rights to our resources and waters, and to provide for increased Indigenous ownership, control and management of our waters in domestic legal regimes.

We recommend this, as Our rivers in Australia are dying and this is putting our peoples and our cultures at risk.

For thousands of years our freshwater peoples have lived by, and have been spiritually, culturally and nutritionally sustained by our rivers, and our traditional food of fish.

Earlier this year 1 million of our fish died on the Barka Darling River. The focus this brought, did not extend to the tragedy affecting our peoples as our rivers die.

The local Barkandji people, people of the Barka River, have seen their communities, their children and their culture suffer as the river's spiritual, cultural and our sustainability is in crisis.

They've also seen others upstream, prosper from the Barka at their expense.

In Walgett, the rivers have run dry, and the groundwater our people are forced to drink is too salty to be healthy.

¹ Indigenous Peoples rights to maintain spiritual connections to lands, territories and resources

² Indigenous Peoples right to lands, territories and resources.

³ State obligation to recognise Indigenous Peoples rights to lands, territories and resources.

This is a story written across our lands, and a story that will get worse with climate change.

This progress and change is not advancement. This change, challenges our survival, and does not respect our natural and spiritual lore.

Government law cannot continue at odds with our lore and our rights.

Our peoples have a right to our territories, our resources and have basic human rights to healthy drinking water.

Despite our thousands of years of Traditional Ecological Knowledge, despite our rights and our strong domestic advocacy and protest, we still have no meaningful say in the management of our waters.

We are seeking greater ownership and control of our waters, and a greater say in their management.

Today, we have less than 0.01 percent of water allocations in Australia⁴. This must change.

Our situation is dire, and will only get worse with climate change, we are seeking your help Madame Special Rapporteur.

Thank You.

⁴ Taylor, K. (2017, October 10). Can Australia afford to ignore First People's water rights? Retrieved April 9, 2019, from <http://www.globalwaterforum.org/2017/09/11/can-australia-afford-to-ignore-first-peoples-views-on-indigenous-water-rights/>