



INDIGENOUS PEOPLES' ORGANIZATION (IPO) AUSTRALIA



EXPERT MECHANISM ON THE RIGHTS OF INDIGENOUS PEOPLES

14TH SESSION

PACIFIC AND ASIA REGIONAL MEETING: 13 JULY 2021

Agenda Item 8: Draft Report on achieving the ends of the United Nations Declaration on the Rights of Indigenous Peoples, with a focus on self-determination

Intervention delivered by Virginia Marshall, Executive Board Member and expert adviser of the Indigenous Peoples' Organisation - Australia

Thank you mandaang guwu distinguished members of EMRIP, yuwin ngadhi Virginia Marshall, a Wiradjuri Nyemba woman, Executive Board Member of the Indigenous Peoples' Organisation of Australia.

I commend the recent EMRIP study on self-determination. The framework of the Declaration on the Rights of Indigenous Peoples *is* self-determination, a foundational right, intrinsically conjoined with political, civil, economic, social and cultural rights. Indigenous Peoples of Australia are yet to have the right to free, prior and informed consent in regard to decision making over our lands, water, natural resources (including Indigenous medicines and foods) under our governance systems in order to meet our customary obligations and law.

For Indigenous Peoples of Australia it is clear that Climate Change has a direct “detrimental and inequitable impact”. For example, the unendurable rise in temperatures in central Australia. Warming has resulted in an increased frequency, intensity and duration of heat-related events, including heat waves. Such increased heat events contribute to desertification in Australia and other parts of the world. Desertification amplifies global warming through the release of CO₂ and the decrease in vegetation cover. Vulnerable groups such as Aboriginal and Torres Strait Islander Peoples, women, the very young, the elderly and the poor are most at risk. For Torres Strait Islander Peoples ‘scientific modelling suggests the sea level could rise about 80 centimetres by the end of this century, which means devastating weather events that occur once in every 100 years could hit low-lying islands of the Torres Strait every few years.

The Human Rights Council has reached out to the Special Rapporteur on the rights of indigenous peoples to engage on climate change because greenhouse gases (GHGs) have implications for human rights, and the international community, more broadly. Limited recognition of customary access to land, water and natural resources, and ownership can result in increased vulnerability climate adaptation for Indigenous Peoples. Involving Indigenous Peoples in the selection, evaluation, implementation and monitoring policies for land/water-based adaptation and mitigation creates effective decision-making and governance through self-determination. All 17 SDGs are significant for Aboriginal and Torres Strait Islander peoples. Indigenous Peoples of Australia are seriously impacted by the lack of consultation of Indigenous communities and the lack of progress on climate change policy and targets for reducing emissions. **We recommend: That EMRIP request nation-states to report annually on their progress in implementing self-determination and ‘free, prior and informed consent’ in relation to climate change, as confirmed in the Declaration on the Rights of Indigenous Peoples.**