



13 November 2020

Kooljaman Statement

Welcome to the joint AGMs of the Kimberley Land Council, Kimberley Aboriginal Law and Culture Centre, Kimberley Language Resource Centre and Aarnja. We are gathered for three days of important discussion on Bardi country, Kooljaman.

This year all state and territory governments signed up to the targets set out by the National Agreement on Closing the Gap, more than a decade after the previous Closing the Gap targets were set. We are heartened that, for the first time, they include action on suicide prevention, land and sea rights, language and partnering with Aboriginal people to achieve change.

As the peak Aboriginal organisations in the Kimberley, we know that change is only possible if Kimberley Aboriginal people participate, lead and determine the development of socio-economic, cultural and governance strategies and programs delivered in our region. Our role in this process must be acknowledged and resourced to deliver successful, meaningful and sustainable outcomes.

In the Kimberley, we continue to face challenges and our people continue to suffer. Over the course of the past few days, members of our peak regional organisations have been considering the key issues faced by the Kimberley mob. The failure of law to protect our cultural heritage; a continued lack of an Aboriginal Voice in the Constitution; the dire social and emotional challenges facing our young people; and the critical failure of systems to prevent, or prosecute those responsible for the deaths of Aboriginal people in custody.

Aboriginal heritage must be protected under the law. The unequivocal message from Kimberley Aboriginal people is that the proposed *Aboriginal Cultural Heritage Bill (2020)* should not be introduced to Parliament, and that there be proper consultations with Aboriginal people who are the only authoritative decision makers of their cultural heritage. Aboriginal people are not asking for a right of veto on mining and industry, we are asking for a right of veto on the destruction of our cultural heritage.

Concern continues over the management of our vital water system, the Fitzroy River. Traditional Owners have native title rights all along the river, and we reject the pressure from government and industry to push for a premature water management plan without the full and engaged consultation and consent of all native title holders. We are committed to supporting and advocating on behalf of all Traditional Owners with an interest in the river and its catchments.

Our communities continue to be over-represented in the judicial and mental health systems. Our young people are taking their own lives and our children remain in out-of-home care. Our future needs a voice, and it must be our voice. Since the Royal Commission into Aboriginal Deaths in Custody in 1991 there have been 437 Indigenous deaths in custody. It took more than a year for the State Government to release its final response to the Coroner's inquiry, which promised improved access to mental health services and better community engagement, packaged as a \$266 million initiative. Yet the bulk of this money did not address any of the Coroner's 86 recommendations, nor was it directed toward improving social and emotional wellbeing or culturally focused programs. As a result, meaningful change on the ground has not occurred.

We are asking for funding to be directed to culturally appropriate support and programs developed by Aboriginal men and women that use traditional law, culture and language, and for service providers, government and non-government, to work together to address these chronic issues. The importance of supporting men and women's groups to lead, develop and deliver gender specific, place-based, regionally focused approaches and solutions should be supported.

We also call on government to get serious about true reconciliation and strengthening their relationship with First Nations people. Governments approach to the repatriation of sacred remains and cultural objects is not consistent with the core fundamentals of reconciliation. For true healing to occur our old people must be returned to their rightful places.

The fight for a First Nations Voice in the constitution is not new. It's been more than 50 years since Australia voted 'yes' to change the constitution; 27 years since Mabo and 3 years since the *Uluru Statement from the Heart*. In 2020, we have legally recognised rights over 95 per cent of land in the Kimberley yet we have no voice to express our rights. The constitution is Australia's highest rule book, yet does not include a voice for Indigenous people.

Legislative change is not enough. This is about human rights and we are calling for the same rights other people are afforded. The constitution empowers the government to make laws for Aboriginal people but it does not empower Aboriginal people to have a say on decisions made by parliament that affect them.

The preservation and sharing of traditional languages remain central to keeping our communities and culture strong. Of the known Kimberley traditional languages, all are critically endangered. Closing the Gap targets released this year demand a sustained increase in the number and strength of Aboriginal languages being spoken by 2031. A goal that will remain unachievable without proper resourcing and the direct involvement of Kimberley Aboriginal people.

We challenge governments to hear our words and work with us toward a just, equitable and reconciled Australia.