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17-28 April, 2023



United Nations Permanent Forum on the Rights of Indigenous Peoples

Item 3: Special theme of session: Indigenous Peoples, human health, planetary and territorial health and climate change: a rights-based approach

INTERVENTION by the New South Wales Aboriginal Land Council, delivered by CEO Yuseph Deen for the New South Wales Aboriginal Land Council, member of the Wuthathi peoples

Thank you Chair,

We pay our respect to the Elders and Ancestors, past and present, and extend our appreciation to Indigenous experts and participants at this session.

The NSW Aboriginal Land Council recommends that states must:

- Increase the return of land and waters to Aboriginal people, to enhance self-determination and facilitate Care for Country;
- Consider and embed Aboriginal Traditional Ecological Knowledge, perspectives and cultural practices in work to manage biodiversity, while ensuring Intellectual Property of this knowledge is respected, principled and consensual;
- Fund and implement safeguards to protect against harm and destruction to Aboriginal culture and heritage in partnership with Aboriginal peoples;
- Fund, and have confidence in, existing Aboriginal community structures, to respond to and mitigate climate change disasters on our land.

Climate change is a key issue that is affecting all aspects of the environment and disproportionately affecting First Nations peoples around the globe. In Australia, climate change severely impacts Aboriginal people's knowledge systems and inherent obligations in caring for Country.

Australian Governments must acknowledge the impact of climate change on Aboriginal people's health, culture and environment. If the land is sick, our people are sick¹.

Australian Governments have failed to protect the inherent rights of Aboriginal people from the impacts of climate change. In Australia, these impacts include the frequency and intensity of extreme weather events including bushfires, cyclones, floods and drought. Recent droughts have resulted in health issues for Aboriginal people, due to lack of safe drinking water. Recent flooding caused the destruction of homes, jobs and property. In Western NSW, flooding also overwhelmed the Darling River, leading to millions of dead fish in a massive fish kill. The flow on impacts of these traumatic climate events disproportionately affect our First Nations peoples with its impact on our cultural connections and practices, and our day to day lives.

Aboriginal people must be recognised and prioritised as expert stewards in caring for land and sea Country. Australia's resources have been sustainably and successfully managed by Aboriginal peoples for millennia. Aboriginal culture has always been fluid, adapting to changes in the natural environment for continued survival and traditional techniques are incorporated with contemporary practices that benefit Australian society.² Traditional mosaic burning techniques have reduced bushfire intensities and improved biodiversity³, and investments in native grains have exemplified sustainability on Country⁴. To develop resilient and equitable community outcomes, States must embrace and support the use of Aboriginal people's contemporary practices of Caring for Country.

Governments must acknowledge and include Aboriginal voices in environmental policy discussion and decision-making. Consultation and engagement with Aboriginal peoples must provide for adequate resourcing, adequate notice and incorporate the principles of 'free, prior and informed' consent. Initiatives to engage and partner with Aboriginal peoples in the management of land, waters and climate must not be undertaken in isolation but ongoing and embedded across all levels of government.

¹ <https://scroll.in/pulse/921558/if-the-land-is-sick-you-are-sick-an-aboriginal-approach-to-mental-health-in-times-of-drought>

² https://nespurban.edu.au/wp-content/uploads/2018/11/CaringforCountryReport_Apr2016.pdf

³ <https://theconversation.com/our-land-is-burning-and-western-science-does-not-have-all-the-answers-100331>

⁴ <https://apo.org.au/sites/default/files/resource-files/2020-09/apo-nid309281.pdf>