

22<sup>nd</sup> Session, New York  
17-28 April, 2023



## United Nations Permanent Forum on the Rights of Indigenous Peoples

### **Item 5(g): Thematic dialogues: b) CEDAW General Recommendation No.39 on Indigenous Women and Girls**

INTERVENTION by the New South Wales Aboriginal Land Council, delivered by Councillor Grace Toomey for the Central Region, and member of the Wiradjuri people

Thank you Chair,

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

We urge state governments to give Indigenous women the power to voice their opinions, to make their own decisions based on free, prior and informed consent, and to be self-determining.

#### **The NSW Aboriginal Land Council insist that the Australian governments do the following:**

- Government recognise and understand that Matrilineal culture is the foundation of all our nations, and as such Aboriginal women must lead place-based cultural healing
- This approach must be built upon trauma-informed practice, taking into account each community's unique needs<sup>1</sup>.
- Governments must engage with Aboriginal women and communities through existing structures such as Aboriginal Land Councils. They must heed their expert advice and deliver whole-of-government policy reforms to address the devastating effect, causes and risk factors of violence against Aboriginal Women and Children.

<sup>1</sup> Aboriginal Legal Service – Submission to Inquiry into family, domestic and sexual violence

- Governments must acknowledge the issues Indigenous women and girls face because of historical and continuing structural inequalities, sexism, and racism
- Governments must adhere to their commitments and resource communities to build capacity and drive and deliver place-based solutions for Aboriginal women and their communities.

In 2009, the Australian Government endorsed the United Nations Declaration on the Rights of Indigenous People (**UNDRIP**). With specific respect to Article 22, governments agreed to take measures, in conjunction with Indigenous peoples, to protect women and children from all forms of violence, but they have failed, and continue to do so. The government must stop agreeing to United Nations Declarations if they have no intention of fulfilling their responsibility to the declaration.

Aboriginal women in Australia are 32 times more likely to be hospitalised because of family violence<sup>2</sup> and 10 times more likely to die from a violent assault than other women<sup>3</sup>, we are the fastest growing prison population in our country<sup>4</sup>, and we are more likely to have our children removed for family violence than any other people in our country<sup>5</sup>. Aboriginal women are far more likely to be victims of sexual, domestic and family violence than non-Aboriginal women. These issues affect our women; regardless of socio-economic class or geographic location.<sup>6</sup>

Violence against women remains the leading reason for the disproportionately high numbers of Aboriginal children removed from their families. Sexual, domestic and family violence in Aboriginal communities is inordinate and severe and must be viewed in the historical context of colonisation, dispossession of land, separation from culture resulting in the breakdown of kinship systems and of traditional law, racism, and government policies of forced removal of children.<sup>7</sup> States need to recognize that experiences of Aboriginal peoples make Aboriginal-controlled organisations best placed to inform and fulfil policies.

<sup>2</sup> <https://www.theguardian.com/commentisfree/2019/feb/21/id-like-to-share-a-few-uncomfortable-truths-australias-violent-crisis>

<sup>3</sup> [As above](#)

<sup>4</sup> [As above](#)

<sup>5</sup> <https://www.betterhealth.vic.gov.au/health/healthyliving/Family-violence-and-aboriginal-and-torres-strait-islander-women>

<sup>6</sup> <https://www.abs.gov.au/statistics/people/crime-and-justice/recorded-crime-victims/latest-release#aboriginal-and-torres-strait-islander-victims-of-crime>

<sup>7</sup> Domestic Violence NSW Aboriginal and Torres Strait Islander Women's Steering Committee, Australia



Indigenous women have and continue to be bruised and battered from the blows of colonisation, physical violence, spiritual hurt and cultural disrespect. However, we remain strong and resilient. Our women's voices must be elevated back to the spaces of decision-making. Our knowledge matters, every day, to ensuring the health and wellbeing of our children, families, and communities.