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Pacific Dialogue presentation - Water

NSWALC welcomes the recent announcement by the Federal Government supporting an increase in First Nations water ownership. We remind state jurisdictions that they must also progress First Nations ownership of water in alignment with their obligations under the Closing the Gap National Agreement. As we have seen in NSW, there is still a long way to go.

NSWALC calls on:

- A. Increase water allocations to Aboriginal Land Councils for social, cultural and economic purposes
- B. Identify and action opportunities for Aboriginal people to have greater ownership of and access to water for cultural and economic purposes
- C. Include formal roles for Aboriginal people in NSW water governance and management arrangements
- D. Ensure funding is allocated to support genuine involvement of Aboriginal Land Councils and Aboriginal communities in water governance and management processes
- E. Establish clear accountability mechanisms to ensure the NSW Government delivers on its commitments in the NSW Water Strategy and the Closing the Gap NSW Implementation Plan
- F. Deliver a state-wide Aboriginal Water Strategy that has been developed in genuine partnership.

While the Aboriginal Land Right Acts is facilitating the return of lands to Aboriginal peoples in NSW, mechanisms to support our ownership of, and decision making in relation to water, are not similarly recognised. Our ownership of water is miniscule and has been going backwards. For example, while Aboriginal people in the Murray Darling Basin constitute nearly 10% of the total population, Aboriginal organisations hold only 0.2 % of the available surface water_s in the Basin and 0.1% across the state. The decrease in Aboriginal water holdings between 2009 and 2018 indicate a new wave of dispossession. Almost one fifth of Aboriginal water holdings by volume were lost during this time.

The National Agreement on Closing the Gap provides an important framework for governments to work in partnership with us to ensure Aboriginal people maintain distinctive cultural, spiritual, physical and economic relationships with water, and advance Aboriginal people's rights and interests in water.

This is particularly important given the devastating events that have occurred in NSW recently. In March, this year millions of fish died in a mass kill in the lower Darling-Baaka river near Menindee, in

New South West's far west. The deaths have been attributed to low oxygen levels in the water as flood waters receded in the area.

In the summer of 2018–19, similarly large mass fish deaths also occurred in the area. Although the deaths of millions of fish were documented, the significant negative effect that this had on local communities, particularly the traditional Barkandji people, was largely ignored. Local Aboriginal communities have long traditions of harvesting freshwater fish and these species, and the river are intrinsic to their cultural identity and belief systems.

There is significant loss and despair felt throughout local communities in the wake of these events, as well as a shared frustration regarding water management and policy decision making surrounding the future health of the Murray Darling Basin. Claims of water mismanagement and poor river health have been raised consistently as a potential cause of these mass deaths, despite being rejected by state government departments as a contributing factor. Water quality concerns have also been raised as there is uncertainty around the quality of water even following the clean-up efforts.

The impact of this mismanagement is far-reaching, and acknowledgement must be made to the disproportionate effects of these kills on the cultural and spiritual wellbeing of Aboriginal peoples.