



New South Wales
Aboriginal Land Council



Intervention by the New South Wales Aboriginal Land Council (Consultative Status with ECOSOC)

Speaker: Councillor Anne Dennis

Item 6: Country Engagement

Thank you Madam Chair.

My name is Anne Dennis, I am a Councillor for the New South Wales Aboriginal Land Council and I am a proud Gamilaraay woman.

The New South Wales Aboriginal Land Council welcomes this dialogue on the implementation of the country engagement mandate of the Expert Mechanism.

We therefore encourage the Expert Mechanism:

1. to continue strengthening and promoting its country engagement mandate as a practical tool to support the implementation of the United Nations Declaration on the Rights of Indigenous Peoples;
2. to encourage States to proactively seek technical advice from the Expert Mechanism when developing or reforming laws and policies affecting Indigenous Peoples;
3. to strengthen follow-up mechanisms to country engagement initiatives to ensure that recommendations lead to measurable implementation outcomes; and
4. to continue supporting Indigenous Peoples and their representative institutions to engage with the Expert Mechanism where domestic laws and policies may be inconsistent with international human rights standards.

ALWAYS WAS, ALWAYS WILL BE.

alc.org.au





New South Wales
Aboriginal Land Council



Madam Chair,

The value of the country engagement mandate lies in its practical application. The implementation gap experienced by Indigenous Peoples is often not due to the absence of international standards. It is the absence of political will and effective mechanisms to translate those standards into domestic law, policy and practice.

In Australia, this implementation gap remains significant. Despite endorsing the Declaration in 2009, Australia has never incorporated its standards into domestic law and continues to treat them largely as guiding principles rather than enforceable standards.

While the Expert Mechanism has previously engaged in Australia in relation to the contemporary removal of Aboriginal children, Australia has not yet benefited from a broader engagement on the implementation of the Declaration or on the development of domestic laws and policies affecting Indigenous Peoples. This is particularly important following the defeat of the 2023 referendum and in light of Australia's continuing failure to implement international standards domestically when it comes to Aboriginal and Torres Strait Islander peoples.

That implementation gap is also reflected in Australia's recent Universal Periodic Review, where Australia rejected the majority of recommendations and only partially accepted a number of recommendations relating to Indigenous rights and implementation of the Declaration.

The New South Wales Aboriginal Land Council has recently paused its participation in Australia's national Close the Gap framework because commitments to partnership, shared decision-making and genuine engagement are increasingly not being matched by practice.

ALWAYS WAS, ALWAYS WILL BE.

alc.org.au





At the same time, the Government of New South Wales is pursuing the Crown Lands Management Amendment Bill 2026, legislation that would materially weaken the only statutory land restitution framework available to Aboriginal peoples in New South Wales and has been advanced without the free, prior and informed consent of the Aboriginal Land Rights Network.

These examples demonstrate why the country engagement mandate of the Expert Mechanism is so important. Independent technical advice and constructive engagement can assist States and Indigenous Peoples to identify pathways to ensure that domestic laws and policies are consistent with international standards and the rights contained in the Declaration.

As we approach the twentieth anniversary of the Declaration, we encourage Member States to make greater use of this important mandate and to view technical engagement not as criticism, but as an opportunity to strengthen implementation and build genuine partnerships with Indigenous Peoples.

The next twenty years of the Declaration must be defined not by further commitments, but by implementation, accountability and action.

Thank you.