

Dismantling the Land Rights Act (NT) 1976

I express my deep concern at the actions of the Abbott Government as evidenced by the behaviour of the Minister for Indigenous Affairs, Senator Scullion, in hastily procuring MOUs on township leases for 99 years in Gunbalanya and Yirrkala in recent weeks. He is quoted as saying that this was part of a blitz to encourage other communities around the country to sign similar deals.

There is no evidence of general consultation with the communities concerned and the haste associated with the process would suggest that there has been no time for reflection or the obtaining of legal and other advice as to the advisability of what the Government proposes. The process therefore places unfair pressure on the communities concerned.

What these leases involve is the handing over of hard fought entitlements to lands to the Government for at least four generations for what would appear to be short term gains. **A 99 year lease is regarded by most people as an effective surrender of title.** It is a decision that requires careful and mature consideration and not one taken in response to a fly in fly out Government 'blitz'.

Our Madayin-Law is upheld by the Ngurrnggitj-Tradition in the land. A lease that takes control of the land means we are giving away our Law and our identity. We will have nothing to live for. We will become fringe dwellers. Our land can never simply be exchanged for monetary gain.

Government behaviour thus far is consistent with that of its many predecessors in trampling over the rights of Aboriginal people and treating them as second class citizens. It also flies in the face of consultation recommendations of the Australian Human Rights Commission aimed at consensus decision- making, which two Parliamentary Committees have endorsed, including one of which Senator Scullion was a member. It is also inconsistent with the UN Declaration of the Rights of Indigenous Peoples to which Australia has endorsed.

I call on other Aboriginal Communities to reject the Government's overtures involving any changes unless and until they abide by culturally appropriate protocols and undertake to give the communities access to independent advice, including legal advice at the Government's expense

Rev. Dr Djiniyini Gondarra OAM

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