

# National Native Title Council

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8 August 2007

The Hon John Howard MP  
Prime Minister  
Parliament House  
CANBERRA ACT 2600

Dear Prime Minister

## **UN Declaration on the Rights of Indigenous Peoples – Northern Territory Intervention**

I refer to my recent letter outlining the concerns of the National Native Title Council and the lack of support by Australia in endorsing the UN Declaration on the Rights of Indigenous People.

This matter becomes even more urgent and apparent when the manner in which your Government is currently dealing with Traditional Owners in the Northern Territory is considered. The UN Declaration sets out principles for a human rights based approach to the way in which Governments negotiate and consult with Indigenous peoples.

These principles include the right to self-determination, the right to protection of culture, the right to economic, social and cultural independence, free, prior and informed consent and equality before the law. None of these principles are being considered in the Northern Territory intervention nor in the legislation that is being pushed through Parliament.

In particular, the National Native Title Council has significant concerns about:

- The complete disregard of the Racial Discrimination Act;
- The partial removal of the permit system;
- The intention to terminate all rights, titles and interests over communities' 5-year leases and town camp lands (Native Title is a significant interest in this regard);
- The intention to suspend provisions of the Native Title Act with regard to grants of leases, vestings and other Commonwealth/Northern Territory acts;
- The compulsory acquisition of land and the implications this will have on native title rights and interests;
- The ability for the Minister to modify any Northern Territory law by way of regulation;

- The ability for the Commonwealth to commandeer Aboriginal community assets, whether acquired using Commonwealth moneys or not.

Whilst the NNTC welcomes the provision of additional police and other much needed resources by the Government to address child sexual abuse in Aboriginal communities in the Northern Territory, no adequate justification has been presented to support any link between the permit system or land tenure arrangements and child abuse.

Prime Minister, the concerns of the NNTC are legitimate and we urge you and the Minister for Indigenous Affairs to reconsider the approach being taken in the Northern Territory.

It is important that sufficient time is allowed for legislators to consider the full implications of the legislation being considered by Parliament and for there to be proper consultation with Aboriginal people, who will feel the full impact of these proposals

Yours sincerely

Brian Wyatt  
Chairperson