

Review of the Heritage Act 1977 – Hearing 17 August 2020

Questions on Notice to Cr Anne Dennis, NSW Aboriginal Land Council

- 1. With your answer on the Brewarrina fish traps, you have actually sparked my interest in the repatriation and the return of the remains of Mungo Man in western New South Wales. Do you have a view on that? Was the local community consulted on whether the remains would be returned and whether they would be marked?**

Article 11 of the *United Nation's Declaration on the Rights of Indigenous Peoples* (UNDRIP) recognises the right of Aboriginal peoples the right to practice and revitalise their cultural traditions and customs including the right to maintain, protect and develop manifestations of their cultures, such as artefacts. Additionally, Article 12 of the UNDRIP recognizes the right of Aboriginal peoples right to use and control their ceremonial objects and the right to the repatriation of their Ancestral remains. Furthermore, Article 13 recognizes the duty that States shall seek to enable the access and/or repatriation of ceremonial objects and Ancestral remains in their possession through fair, transparent and effective mechanisms developed in conjunction with Aboriginal peoples

NSWALC respects the right of the local Aboriginal peoples to speak about their Country and the specific local issues. However, our understanding in this instance is that the repatriation of Mungo man exemplifies the ongoing issues experienced by Aboriginal peoples with the current laws that retain inappropriate government control and “consultation” instead of respecting self-determination and empowering Aboriginal people to make decisions.