



YMAC welcomes Juukan findings and need for change

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Yamatji Marlpa Aboriginal Corporation (YMAC) welcomes the recommendations outlined in the final report, *A Way Forward*, from the Northern Australia Committee *Inquiry into the destruction of 46,000 year old caves at the Juukan Gorge in the Pilbara region of Western Australia*.

YMAC CEO Simon Hawkins said it's good the Inquiry has highlighted those critical issues affecting heritage protection in Western Australia and that something needs to be done regarding the current situation. YMAC met Joint Standing Committee on Northern Australia in October 2020, and at this time presented a *Roadmap to reform*, which included:

1. Introducing comprehensive Federal and State laws that embody heritage protection across a range of legislations and ensure successful implementation of agreed reform. These include the *Native Title Act* (1993), the *Mining Act* (1978), *Local Government Act* (1995).
2. Providing appropriate funding and training to ensure Prescribed Bodies Corporate (PBCs) are properly resourced to undertake the necessary work to participate in the new heritage regime in Western Australia."

"Fundamentally, it is clear Traditional Owner groups (and their representatives) across the country feel disempowered by existing processes. Until the laws change - and allow for Traditional Owners to say 'No' - we face the prospect of further cultural loss," said Simon Hawkins YMAC CEO.

"There are a number of things between the old and proposed new State legislation that we have not seen change. A key element is there is still no right to say "no, this is too important.

The frustrations of Traditional Owners that we have seen and heard demonstrates the system is broken and needs reform.

"In the *Aboriginal Cultural Heritage Bill* 2021, the Minister for Aboriginal Affairs, whomever that may be, still has the final say on whether cultural heritage is protected or destroyed for dollars. The current Minister, Stephen Dawson is on the record as saying "Can I say something like Juukan would never happen again? No, I can't. I can never give that commitment.""

YMAC, like many Traditional Owners, is still not confident that the new State legislative measures will help prevent another cultural heritage tragedy.

The Inquiry findings reinforce that greater protection is needed to prevent more destruction. New legislation needs to be underpinned by the United Nations Declaration on the Rights of Indigenous Peoples. New laws need to be co-designed with Aboriginal people. So far, the State legislation has been drafted and revised *following* consultation – it has not been an exchange or negotiation about what should and should not be included.

YMAC has been advocating alongside partners from the WA Alliance of Native Title Representative Body and Service Providers for improvements to the Bill, that the Western Australian Government intends to pass this year.

This Saturday 23 October, Traditional Owners from across the state are travelling to Perth to join the ‘Walk for Cultural Heritage.’ The event is set to commence at 9am in Victoria Gardens East Perth. Aboriginal and non-Aboriginal people will unite to call for greater protection of Australia’s cultural heritage.

To register for the Walk and for more information visit protectaboriginalheritagewa.org.au

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All quotes to be attributed to Mr Simon Hawkins, CEO Yamatji Marlpa Aboriginal Corporation.

Pronunciation Guide:

Yamatji – Yam-at-gee Marlpa – Marl-pah

About Yamatji Marlpa Aboriginal Corporation

Yamatji Marlpa Aboriginal Corporation (YMAC) is the Native Title Representative Body (NTRB) for what are described as the Pilbara (Marlpa) and Geraldton (Yamatji) regions of Western Australia. YMAC is run by an Aboriginal Board of Directors, representing several native title groups, each of whom has their own language, culture, traditions and protocols. YMAC provides a range of services, including native title claim and future act representation, heritage services, executive office, community, economic development assistance, and natural resource management support.

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