



**ACT HUMAN RIGHTS  
COMMISSION**

Australian Capital Territory

## **MEDIA RELEASE**

### **Breathing Life into Cultural Rights: Celebrating International Indigenous Peoples Day 2017**

“It’s time to breathe life into the cultural rights Aboriginal and Torres Strait Islander people in the ACT enjoy under the *Human Rights Act*. All in the community need to understand and respect these human rights and ACT public authorities’ responsibility to uphold them,” ACT President and Human Rights Commissioner, Dr Helen Watchirs said today.

Today, International Indigenous Peoples Day, marks the start of worldwide activities to commemorate the 10<sup>th</sup> anniversary of the adoption of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) on 13 September, 2007.

The Declaration embodies global consensus on Indigenous peoples’ rights and creates a universal framework of minimum standards for survival, dignity and well-being.

Signed by Australia in 2009, UNDRIP articles 25 and 31 are reflected in a change to the ACT *Human Rights Act* (HR Act) that came into effect in February 2016.

Developed in partnership with the ACT Aboriginal and Torres Strait Islander Elected Body, section 27(2) of the Act recognises that Aboriginal and Torres Strait Islander peoples hold distinct cultural rights and must not be denied their right to maintain, control and protect their culture.

It requires ACT government agencies and public authorities to respect Aboriginal and Torres Strait Islander people’s continuing culture, heritage and kinship ties, and to value Traditional Owners’ relationships with land, waters and other resources in the ACT.

“Section 27(2) has implications for ACT educational institutions, health services, park rangers, police and many others working for government agencies and public authorities,” Dr Watchirs said.

“It means public authorities must act and make decisions consistent with section 27(2), for instance by ensuring we teach our children about Aboriginal culture, by recognising and accommodating traditional practices like ‘sorry business’, and working to maintain kinship ties and culture, such as when making decisions about Aboriginal and Torres Strait Islander children’s care and protection, including within the justice system.

“The significance of section 27(2) of the HRC Act is not just its existence, but also its practical implementation. There’s a need to tackle the gap between the formal recognition of cultural rights and real outcomes by breathing life into ACT cultural rights.

“We can do that by raising the community’s awareness of cultural rights, the continuous development of cultural sensitivity and by decision-makers taking these rights into account in their work.

“The ACT can be rightfully proud to be a leader in using the UNDRIP to legally recognise the distinct cultural rights of our Aboriginal and Torres Strait Islander community.

“Still, in the ACT and nationally, we have some way to go to ensure Aboriginal and Torres Strait Islander people fully enjoy human rights and are properly recognised as Australia’s first peoples,” Dr Watchirs said.

**Media contact: Deborah Nesbitt, 6205 8661 / 0451 682008**