



Australian Marine Conservation Society

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Submitted to:

Committee Secretary

Senate Standing Committees on Environment and Communications

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Submission Regarding Protecting the Spirit of Sea Country Bill 2023

The Australian Marine Conservation Society (AMCS) is Australia's peak marine conservation organisation and Australia's leading national charity dedicated solely to protecting our precious ocean wildlife – a community of ocean lovers across the nation working for healthy seas. Representing over 300,000 people from all around the country, we work to protect our oceans and coastal environments for the benefit of all marine life, and current and future generations. AMCS recognises the ongoing connection to Sea Country of First Nations and Traditional Owner groups, and that sovereignty was never ceded.

AMCS welcomes the opportunity to provide our submission regarding the **Protecting the Spirit of Sea Country Bill 2023**. In our 58 year history of campaigning to protect the oceans, and working alongside First Nations and Traditional Owners with interest in Sea Country we support the spirit of this Bill.

Submission on the Bill

We write in full support of the spirit, intent and determinations of the Protecting Spirit of Sea Country Bill 2023 as tabled by Senator Dorinda Cox. Specifically, we welcome the addition of intangible cultural heritage” as defined within the UNESCO International Convention for the Safeguarding of the Intangible Cultural Heritage’.

We would support acknowledgement within the Bill that descriptions of cultural heritage sites, tangible or otherwise may vary from one First Nation community to another and that these differences should not be sufficient to undermine or call into question the relevance or veracity of one description over another. This submission asserts that to accord primacy of one description of cultural heritage over another, or to conclude that neither descriptions are relevant if they differ is an act of cultural persecution or at the very least is a result of colonising legal frameworks, which do not serve the best and most accurate interpretation of Traditional Owner songlines and cultural storytelling.

AMCS is of the view that it is not the place of courtrooms to rule over the validity of cultural connection and stories of Sea Country or songlines from one Traditional Owner nation group to another. Furthermore, we would welcome the inclusion of Indigenous Protected Areas as triggers for denial of project approval, or where an area under approval subsequently is rescheduled as an Indigenous Protected Area that permit extensions may not be considered.

In the context of the ongoing consultation process clarification for the Offshore Petroleum Greenhouse Gas Storage (OPGGS) Act pertaining to First Nations and Traditional Owners, AMCS is of the firm view that in the interests of ensuring all people holding cultural connection (tangible or intangible) to Sea Country are recognised as Relevant Persons. This is to ensure the recognition of First Nations and Traditional Owner voices are not considered in a hierarchical tiered system whereby Land Council and representative bodies are prioritised over individuals with connection to Sea Country, and are enshrined in any future legislative reforms and consultation requirements.

In the view of AMCS, Federal legislation that directly addresses the importance of protecting not just traditional Sea Country as it is understood and recognised by Traditional Owners but also the spiritual significance of Sea Country in this cultural context is long overdue, and we commend the introduction and intent of this important Bill.

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