



COMMONWEALTH OF AUSTRALIA

Official Committee Hansard

HOUSE OF REPRESENTATIVES

STANDING COMMITTEE ON ABORIGINAL AND
TORRES STRAIT ISLANDER AFFAIRS

**Reference: Reeves report on the Aboriginal Land Rights (Northern
Territory) Act**

THURSDAY, 6 MAY 1999

YIRRKALA

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

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HOUSE OF REPRESENTATIVES
STANDING COMMITTEE ON ABORIGINAL AND TORRES STRAIT ISLANDER
AFFAIRS

Thursday, 6 May 1999

Members: Mr Lieberman (*Chair*), Mrs Draper, Mr Haase, Ms Hoare, Mr Katter, Mr Lloyd, Mr Melham, Mr Quick, Mr Snowdon and Mr Wakelin

Members in attendance: Ms Hoare, Mr Melham, Mr Quick, Mr Snowdon

Terms of reference for the inquiry:

The Committee shall inquire into and report on the views of people who have an interest in the possible implementation of recommendations made in the Reeves Report. In particular the Committee will seek views on:

- (1) the proposed system of Regional Land Councils, including
 - (a) the extent to which they would provide a greater level of self-management for Aboriginal people, and
 - (b) the role of traditional owners in decision making in relation to Aboriginal land under that system;
- (2) the proposed structure and functions of the Northern Territory Aboriginal Council;
- (3) the proposed changes to the operations of the Aboriginals Benefit Reserve including the distribution of monies from the Reserve;
- (4) the proposed modifications to the mining provisions of the Act including the continuing role of government in the administration of these provisions;
- (5) proposals concerning access to Aboriginal land including the removal of the permit system and access to such land by the Northern Territory government; and
- (6) the proposed application of Northern Territory laws to Aboriginal land.

The Committee shall make recommendations on any desirable changes to the proposals made in the Reeves report in the light of the views obtained.

[11.05 a.m.]

PARTICIPANTS

BLITNER, DON

BURRWANGA, MUDILNGA

DHAMARRANDJI, BURRUKALA

DJIRRIMBILBILWUY, FRANK

GANTHUWUY, RICHARD

GAYKAMANGU, BAYA

GAYMALA, NANCY

GONDARRA, DANGATANGA

GULUMBU

GUMANA, GAWIRIN

GUNGUBUN, ALFRED

LIWUKANG, LES

MARAWILI, DJAMBUWA

MARIKA, BAKAMUMU

MARIKA, BANDUK

MARIKA, DAVID

MARIKA, DJIRRNGU

MARIKA, DJUWALPI

MARIKA, RAYMATJA

MARIKA, WANIYA

MAYMURU, YIKAKI—PRINCIPAL INTERPRETER

MUNGURR, MARRITJNGU

MUNUNGURR, MANUNU

MUNUWGGURR, DHANGALA

MUNYARRIR, JACK

WUNUNGMURRA, BANAMBI

WUNUNGMURRA, WALI

YUNUPINGU, GALARRWUY

YUNUPINGU, LAKLAK

WALI WUNUNGMURRA—Let us begin. I will give the microphone to the traditional landowners of Rirratjingu clan and also Gumatj so that they can welcome the House of Representatives committee here with us. We invite you to go and see the bark partitions of our old people's painting at the Yirrkala Buku Larrngay Arts Museum.

LAKLAK YUNUPINGU—As a traditional landowner of Rirratjingu clan, I speak on behalf of all Rirratjingu people that are standing over here. We welcome the standing committee to Yirrkala, particularly on behalf of all of those that have gone. The clan members of Gumatj and Rirratjingu of this land welcome you to this meeting and this location.

DJUWALPI MARIKA—I welcome the whole community that are here and have put themselves together to become one voice and one body as people of this land. Thank you for attending this meeting. On behalf of Rirratjingu, I welcome you.

ACTING CHAIR (Mr Quick)—I am the deputy chairman of the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs. To the traditional owners of the Gumatj and Rirratjingu people, I thank you for your very warm welcome to your country. We are very pleased to be here today.

First of all, I would like to apologise on behalf of our chairman. He has had a death in his family and has had to go home early this morning. The four of us are here today to listen to your stories. We have some people on my right who are taking down everything you say. Everything you say here today will be sent back to you in written form so that you can read it. Everybody in Australia will be able to read what you have said today.

Senator John Herron, the Minister for Aboriginal and Torres Strait Islander Affairs, has sent this committee around the Northern Territory to hear your views on the Reeves report. We come here today to spend as much time as possible to hear your stories. We have open hearts and open ears. I would like to introduce the rest of the committee to you.

Mr MELHAM—I am the Labor shadow minister for Aboriginal Affairs. Thank you for letting me onto your country.

Ms HOARE—I am a Labor member for New South Wales. Thank you for letting us onto your country.

Mr SNOWDON—Thank you to the Gumatj and Rirratjingu clan for having us on your country.

WALI WUNUNG MURRA—I will now ask Galarrwuy Yunupingu, who is the traditional owner of Yunupingu clan, Gumatj clan, and also the Chairman of the Northern Land Council, to speak on our behalf.

GALARRWUY YUNUPINGU—I am going to give a brief presentation in regard to the history of the making of land rights and the people who made the land rights. It took place in this very room, when this building had just been completed as a church of the Methodist Mission, which then became the Uniting Church.

I welcome the fact that this committee has finally made its way here to sit down and talk to the people, particularly the families of those people who initiated this particular struggle of establishing and achieving these land rights. I welcome you to this spot because it was where such an important event took place back in the 1960s, through the struggle with the mining establishment on the Gove Peninsula.

Because of the proposal by the Commonwealth government with regard to Nabalco and the joint venturers, Alusuisse, the leaders of North-East Arnhem Land, namely, Yirrkala, were compelled to take their challenge to the High Court of the Commonwealth, and eventually argued as to who actually owned the land. The case was that no initial permission had been given to Nabalco and the joint venturers to mine Gove Peninsula. That argument went to the High Court and was heard by Justice Blackburn, who threw it out, saying that the Westminster system of law did not recognise Aboriginal land ownership.

At the same time, the Whitlam government was forced to come up with a commission, the Woodward commission, which visited all communities in the Territory, including this place, which eventually saw the introduction of what we now know as the Aboriginal Land Rights Act 1976. Whitlam, as you know, was responsible for the introduction of the bill, and then he was thrown out of office. Fraser came to power and finally passed it as an act of parliament which gave Aboriginal people the Aboriginal Land Rights (Northern Territory) Act. That act is now being reviewed by John Reeves.

I would like to talk about the history of that. There was originally a painting that was on the wall right behind you. If you look around, you will see two panels. In the middle, there is a cross, and in both the wings there were the panels. They were called the dhuwa yirritja panels. Originally, the full length of that panel contained paintings.

That painting was given to the church but it was actually a story—a story about the land. All the Yolngu people that you see sitting behind me and in front of me have a connection with those stories. They are not ordinary stories. They are paintings; they are law. They are deeds that are held, and hold now, to this time—the rights of ownership to the land. It was an expression; it is still an expression. It is a live expression, yet it is an effective way of telling and teaching our young people the law of the land.

Of course, churchgoers used to come here and sit on these chairs, including the chairs where you are sitting. It was considered by the bureaucracy of the church that serious

praying was not going on, because they would sit here and see the beauty of the paintings behind the pulpit, while the preacher spoke. So the preaching disappeared and wandered off, which was considered a lack of interest.

The decision was made that it should be pulled down and taken across the road to a room specially set aside as a museum. It is considered as the centrepiece—a masterpiece—and still remains alive. It is a panel that cannot be forgotten or treated lightly when you view it, because it is nothing but a wonder with regard to the domain of land ownership. It is not in the form of white man's paper; it is in the form of an Aboriginal way of entering into the domain of the nitty-gritty of the world of land ownership, rights and everything else that comes into it.

That is the history that was being expressed in this room. During the time of the struggle, the monarchy, the law of Westminster, was still set above Yolngu law, and still is to this day. We are now in the position of finding that there is still a challenge to bring this history forward and tell you: this is our law; this is our soil; this is our mind; this is our culture; this is our structure. Can you believe what we are saying? This is what we are trying to do here in the midst of the effort that everybody else is trying to achieve for himself or herself—whether it is a government or an independent business which has a common interest in Aboriginal land, when the Aboriginal people have simply written down their law in the form of bark paintings.

Then there was a case that went to the highest court in the country. All of our old people spoke in languages. They stood up. They were forced to wear shoes; they were forced to wear good clean shirts; they were forced to wear ties. And they did that. But I think we spoke to deaf ears—people could not hear us speak. We were voices out in the desert that nobody could hear.

Now we feel that we are doing the same thing repeatedly. That is the history. I said last night that if I ever appeared in front of this committee I would take my normal land council hat and chuck it away for today because I speak here as a Gumatj person—a person that represents me, my family, the Gumatj people as a whole and the leadership that my father has left behind, making me responsible to speak on behalf of our people.

I hope that the words from the people who sit here will be taken notice of. We do not want to be divided. We want to be one people. We want to go to that common objective. We need to maintain our freedom, freedom that is based on the history our old people have left us, here in this very room. I hope there will be some interesting things following. Thank you.

ACTING CHAIR—Thank you. I can assure you that this committee, despite the fact that it is made up of Liberal, National Party and Labor members, has—as I said in my response—open hearts, open ears and open minds to listen to and take your message back to Canberra.

WANIYA MARIKA—My name is Waniya Marika, traditional third leader of this clan. On behalf of my father's name, Milirrpum Marika, who has struggled through this land case, this is my first speech to you, from my heart, deeply from my heart. My father used to talk

about land rights and has been fighting for our future. On behalf of Milirrpum Marika, as the eldest son, I would like to share some ideas about our traditional style, and my recommendation. I would like to stand firmly, strongly, in the Northern Land Council. On behalf of this community and all the regional councils of Arnhem, I am crying out for help for the purpose of sharing in the struggle for freedom.

YIKAKI MAYMURU—On behalf of Waniya, I want to interpret for you his speech. What he was expressing was that during the court case of the Land Rights Act they put the name of that case as Milirrpum, which is his father's name. He claims that he stood here in this specific place and they named that case under his name, Milirrpum's case. Milirrpum first hit the Nabalco, which is very importantly being expressed by so many people here. We know that history and that history can be felt by Australians and by all people. It was the case in this very building. Waniya also expresses his concern that if we are going to fight on that we stay strongly in support of continued understanding with the Northern Land Council, struggling with the Northern Land Council as a whole and all Yolngu people.

WALI WUNUNG MURRA—The introduction and everything else has been accepted, recorded and so forth. We are now going into the submission. What I am telling the people here in this gathering is that the Laynhapuy Association, which represents 20 homeland centres and 13 different clans, sat down and wrote our submission on their behalf. If anybody wants to be part of our submission, you are welcome to say what you want to say.

I will try to be brief about the submission. We did not go into any depth in relation to John Reeves's recommendation. What I would like to do now is take control of this session. I will read out the points, give you a bit of background, and then ask anybody here in this gathering to expand on each of the points, to support it or reject it. You are welcome to do that. It is open to anybody. But they are the points, representing the homeland centres. If you want to be part of this submission, please feel free to do so.

The Laynhapuy Association, on behalf of 13 different clans, sat down and drew up this submission yesterday afternoon. We came up with these points in relation to John Reeves's recommendation. This submission is open for anybody, especially those who did not attend our meeting; they are welcome to support our submission, expand on the submission or do something else with it. It is an open submission, but the Laynhapuy Homeland Centres Association would very much like anybody else to support our submission.

I am not saying that you have to, but it is one thing that we were prepared to do for this meeting. At every point, there will be a break, which will give you time to say what you have to say—an open discussion. Also, I would like anybody who is going to say something to remember not to make a long speech. Be right to the point; bring it down to maybe two or three minutes—no more than five minutes, if possible.

I will now go to our submission to the inquiry into the recommendations of the Reeves report. I will try to make it easier by reading it, expanding on it and interpreting; then I will leave it open. My first point is that we are disappointed to find that the recommendations of the Reeves report are opposite to our requests as expressed to Mr Reeves on his visits.

YIKAKI MAYMURU—I want to briefly refer to the last paragraph that Wali said. Don't forget that this is an attack on the Reeves report. The last word Wali said was that it is an attack on John Reeves's report—what he says in that paper, book or whatever you call it. At 1 o'clock, I would like you to break for lunch, but I will let Wali continue and finish his speech regarding the Laynhapuy Association's report from yesterday.

GAWIRRIN GUMANA—I came over from Gangan. I am talking about John Reeves's report and how people in Gangan feel about it. We thought when John Reeves came across that he was going to support the Land Rights Act, but he did not. He did not do his job properly. I was here when we did the panels on the Land Rights Act. It was right here. I was with those old people, right on this floor. I was one of the old people who went to the High Court in Darwin. We approached the camps and the companies, presented our petitions and put the case for our land rights. I was one. Those people who went behind us almost dug their souls out underneath us and ripped them up like the John Reeves report. We do not want to be separated or put into small councils or anything. We still want to stand as one, and be one voice with the Northern Land Council. We want the Northern Land Council to be stronger than it is.

DJIRNGU MARIKA—I stand here and speak on behalf of my family and all families of Yirrkala. What the Nabalco did to us was an injustice to my people and to my country. We do not want mining companies harassing us, developing more of our country, digging our country again. This is our land. We belong here. They do not. We do not want any more hassles from anybody. I speak on behalf of my family and all the families of Yirrkala.

GULUMBU—That was my sister speaking before I started speaking. Our land is our land. We are talking now in the presence of generations that are merging within this land. We will be living in this country for years to come. We speak strongly about our country because we know that as we go along, as we move along, as we work along, we are the ones who are going to struggle at this stage before our new generation comes. We will fight for our future generations. We want to leave our country untouched, not destroyed, uneaten. We want to leave our kids a country of peace, a better country where future generations can live—not a destroyed country. We want that for the generations that are emerging in the years to come.

NANCY GAYMALA YUNUPINGU—Balanda people came here, the white people and the mining company. My father and a couple of these older people—older than me—were part of that process. But we never understood the process of negotiation within the development of the mining company here. Those people who were at the mission here at that time did not explain to our people the right way of the process. Shame on government and shame on white people!

YIKAKI MAYMURU—I know Nancy Gaymala Yunupingu is pretty strong sometimes but she has expressed her feeling about Yirrkala in particular and the process that was done with Nabalco and how the negotiation went about the mining. It was not the process we would have expected, as Yolngu people in those days did not understand about mining and did not understand about the development.

WALI WUNUNG MURRA—Before we go any further, I have already said this once before, but now I will say it a second time. Make your speech short and to the point, please. Expand it, explore it, do whatever you want to do. In other words, you are being asked whether you liked John Reeves's recommendations. That is what he is simply saying there. If it is no, we do not want it, that is fair enough. Let us move on to point 2.

BANAMBI WUNUNG MURRA—I was a bit shy of calling my name just in case you would not record my statement here, but I hope it will get through to parliament. I would like to say something on the first statement there. We are disappointed. You probably do not know what report this is. This big book here is the report, the Reeves report. We are disappointed by Reeves's report because in this book Reeves made all his own stupid ideas, put them in his own words and made them into the book. As soon as he put this into parliament, he went home and celebrated for himself. He did not celebrate for us. For all those people, 100 communities that he visiting at the time, there is no such record by those people. Those elders are not recorded in his book.

What I am saying is that this book is a stupid, idiotic book that Reeves has put together to suit all those people in Canberra so they believe that this book is true. What I am saying is this is a bullshit book. He spent more than \$1 million and it went to his own pocket, because he was using ATSIC money.

WALI WUNUNG MURRA—I think everybody is getting worked up now. I like it that way when people get worked up. But let me say this: let us get into areas where we cannot get really bogged down. What I am trying to do now is to go through these recommendations. All I need is to support what chairman of ATSIC regional council has said in many words, not to mention that this place is not supposed to be used in that language—sorry about that, but never mind. While we can, we are really enjoying ourselves. I often call him Jim Reeves. Wrong one. His name is John Reeves, okay. I think this is the time where we are now celebrating, where everybody is laughing. I can see a big mob of smiles. That is what we would like to see. Even though we have got hatred, at the same time we are laughing, we are making a joke of it.

Seriously, we are talking about our future, the Yolngu people's future here and in the years to come. Therefore it is important that what we do here will have some long-term effects for future generations. The future is being determined at this time now. As the Chairman said, they have come here with open hearts and minds. You will have opportunities till 4 o'clock this afternoon.

What I am going to do now is get community after community to back this statement: did you like John Reeves's recommendation? This is only a statement. We are disappointed to find that the recommendations of the Reeves report are opposite to our requests as expressed to Mr Reeves on his visits. Is that true? So it is not true and you do not like the Reeves report. Okay. This is what I want you to do. Let us give them the chance to say something.

Point two. Say yes or no to this: regional councils—we strongly support keeping the Northern Land Council in its present form. People are saying yes. Does anybody want to expand on that or say a little bit on that one?

GALARRWUY YUNUPINGU—I am the Gumatj head representing Gumatj. If the land council is to remain, an amendment to the act should be supported. On the other hand, regional offices should be extended, made bigger and budgeted for, giving bigger and wider autonomy to the region. Each landowner must have resources based on the community level. This is what the present legislation failed to give. I would like to make an extension to that particular submission by saying that if this council is going to remain it has to be expanded and extended by a regularised authority, resourced and budgeted for. So I, as Gumatj—I know the other Aboriginal people here will support me on this as landowners—say that that side of the resources should be localised and the powers be given to the local people to run their own affairs.

MANUNU MUNUNGURR—I would like to support that first submission put by Laynha yesterday afternoon. I support that because that is where they stood and that is what they had in mind—from our older people who have already gone—supporting the land right to stand as it is. So that land right will stand for this generation and the generation that is coming. Thank you.

MARRITJNGU MUNGURR—I have been involved with the Dhimurru land management for the last three years. I specifically want to express my concern in relation to the permit system throughout our country. Everybody in this region and through the Northern Territory—Arnhem Land—would like to express concern. Our permit system and our law in relation to the land rights act is the strongest one. You would not believe that but I do. I work on it and my colleagues work on it every day of our lives. That is the strongest protective permit system that really prevents people coming onto our land—because it is our land. The trespass is garbage. I will tell you that. I have been working with the Dhimurru for a while and the Dhimurru have a permit system that works for the recreational area. They have been very strong about it, too, and they will keep it strong that way. With support from the land council we will stand together as a strong organisation to continue issuing people with our permits through the land council and Dhimurru.

BURRUKALA DHAMARRANDJI—I want to tell you how our act and our organisation, the Northern Land Council, was formed and that I honestly and strongly support the fact that our foundation—our ceremonies and our culture—is built on the land council form. The land council is formed through the tradition of Yolngu people—where we stand with our ceremonies, with our feet on our ground. We control our land and our sacred sites. That is how the Northern Land Council and the Central Land Council were formed: by the human resources of Aboriginal people as one nation. We do not want anything built on to the land council. We do not want any arm of the land council to be extended to anybody out of the land council, but we want to stand up as one with Northern Land Council. Thank you.

DHANGALA MUNUWGGURR—I, Dhangala Munuwggurr from Garrthalala, express my strongest feelings about the number one point there in relation to the land council being given the strongest support nationally and internationally in respect of Aboriginal people having land councils made stronger.

I want the land council to be made stronger and bigger, because it supports the indigenous people throughout our country—whether in the homelands, here in major

communities or anywhere in the Northern Territory. That act should not be cut. We do not want the government to strip the Northern Land Council almost naked, to a small regional council. We want the land council to be as it is but made stronger and given support.

YIKAKI MAYMURU—It has been a long time since we came back to Yirrkala to be together again in this particular building, and I am happy to see more old people attending this meeting. I want to introduce my dad, Baya Gaykamangu. He has come over here to represent Ramingining.

BAYA GAYKAMANGU—I speak for encouraging the land council and restoring the land council's initiative of achievement for Yolngu people.

The form of the land rights act that created the land council was our foundation of our culture for all Aboriginal people, from the north to west to south and to central. We stand by with the land council.

It is very, very important for the standing committee to know this: we have lived for generations. We had law, we had culture, and that culture exists to this stage. That is what makes us strong. We built the land council by our Aboriginal law, even though it is built on bureaucrats' time.

Our culture and our society, spiritually and culturally, was implemented into the Northern Land Council. Did you know that? That is what we stand by, culturally, more appropriately than we would with Mr Reeves's report. Mr Reeves's report will split our image of the identity of our law and our culture. The way he set it up in that framework, we would not have control of ourselves but instead some balanda person, white person standing over us and telling us.

WALI WUNUNG MURRA—It is community by community now expressing their feelings in support of this. That is what I was intending to have, community by community saying what they want to say in support of this idea.

I do not want to be hard on anybody. As I said before, we have to keep it to five minutes. I do not want somebody standing behind you and tapping you on the shoulder and saying, 'It's time now.' Please keep to the point. If you want to say something, say it, but to the point. We will have two more then we will break up for lunch.

DON BLITNER—Good morning all. I am from Angurugu and I was asked to come up here and represent our community, on behalf of our community and all of Umbakumba community. They are not happy with our existing land council there now, the one on Groote. They very strongly support the mainland council, the big one. If there was any way they could disband that one, they would. They are all in favour of the mainland council staying as it is. They would like very much for people to understand that the more you break up, it makes everyone weaker. If we stay in one land council, we are stronger to fight these things. I do not know about Bickerton—I never got to Bickerton to talk with them—but I think they are with us.

RICHARD GANTHUY—Standing committee, I am very happy to be here on behalf of the Galiwinku community and really appreciate you coming to this meeting here at Yirrkala. I would like to tell you that when you listen to us speak, you should write what we say from our mouth. I do not want to continue to express the same feelings on the last John Reeves report or go over what has been said on the John Reeves report. I would like to put something better, or a new idea.

When my family expressed their views on the land rights act to John Reeves, he did not put their views into that report. What we—my family—said is not even in that book. I do not know if John Reeves was definitely here, crazy in the head or would not listen, but what is written in that book—his report—is not correct. As I said before, the report is a report, and there are many reports that can be put into perspective, the lifting of a report in a written manner that would be acceptable. We thought that this report was going to implement the respect of people, but it seems like it did not. We are not turning back to do another one. The land rights act—the book itself—is the only one that has been alive for us and has worked for us. We do not want to see it ripped apart again. We would like to have that land rights act and that book of acts given by the Commonwealth.

We would like to still continue on with the land council's act; we do not want to move over to Mr Reeves's proposal. We want to still stay on. My family wants to be supportive and to say that we want the land council to be our land council and to stay with the land council.

WALI WUNUNG MURRA—Lunch is now available. We were slow in warming up, but it looks like everybody has warmed up now. I hope the speech is correct.

Proceedings suspended from 12.42 p.m. to 1.31 p.m.

WALI WUNUNG MURRA—We need one more speaker on this point. With these other points, I will have to take the two together, explain them to you and then you can talk about the two together. This is information for the standing committee. If you want to speak in English you can do so. That will cut down on time. If we have to interpret, it will double the time. Seeing that we have such a short time, if anybody wants to speak in English they can do so. Make it short; remember, we have only two to three hours left this afternoon.

DANGATANGA GONDARRA—I come from the Dhurili tribe. I ask the Dhurili people in this room to stand up so that we can see how many there are. We are the Dhurili clan nation. There were big Dhurili, Marrakulu, Rirratjingu and Golumala tribes here. Just recently the last old man passed away. All Golumala mob passed away at Galiwinku. This year that nation of those clan members that I mentioned have observed and watched the development of the land council. It has developed strongly and powerfully. There is support for the land council by this nation of clan members.

YIKAKI MAYMURU—We all stand very strongly in support of the land council and want to develop the land council into a stronger, more powerful and more political organisation.

WALI WUNUNG MURRA—I would like to turn the attention of the committee to the signs, which you probably noticed, out there and the kids who brought those in. I must apologise to the school, especially the bilingual section, because I have overlooked them. I thought they were going to come in and just show us the colourful banner. In the colourful banner that they have put up for us to have a look at, there is a message. It is a concern for the education of our kids.

They are demanding bilingual education be a part of the Northern Territory education. They would like to have it put back in its rightful place. Aboriginal people throughout the territory would like to have our language spoken and written. When I was standing over here watching them come in I thought it was a pretty parade. Later on I thought that there was a strong message delivered by our children that they want something done. This is a message for the standing committee to take with them. Thank you very much.

FRANK DJIR RIMBIL WUY—I am going to speak in English now. I will leave my language for a while. I am going to speak about that book that we saw earlier this morning. I will be asking the committee a question about the book. I will try and be brief if possible.

What do you think about the book? It is our time and I feel strongly about this book being published. I do not want to discriminate against anyone here, but I think it was a waste of taxpayers' money. We are all taxpayers here. It does not matter whether we are Yolngu or balanda. We could have used that money for a worthwhile purpose—for Yolngu funding or whatever. The person who did that review was an intelligent man, because all lawyers are very intelligent. But I feel very strongly because this was taxpayers money. Often, government people will make a big issue about our people when they spend their money.

RAYMATJA MARIKA—I am a Yolngu person from here. This is my country. I am currently working as the teacher linguist up at Yirrkala CEC. I would like to thank Wali for his apologies. I would like to express my concern about the Reeves review—the book—that was published and cost \$300,000—for Mr Reeves and the anthropologist that was working with him. They put down information that was not correct.

Some of us young people were at the school at the time when he came. We feel that it is discriminatory and that it does not acknowledge the fact that here are people, traditional owners of that land who sing to that land, who painted that land, women who cry to that country and paint creation stories and continue to carry out rituals and ceremonies for whatever country that they have painted or expressed on bark or through language.

These old people have their own high order of thinking, in the same way that balanda has a high order of thinking. In the same way, the language of our old people is esoteric. It defines the land where they come from. It has boundaries. It has boundaries out in the sea also—the sea and the land; there is nothing different about that. I would like to tell you that the land has multilayers of literacy for Yolngu. It is text. It is what these old people sing and dance. It is what they educate our children about.

I am from a younger generation but I am learning. I would like to point out to you the banner out there, that land and language go hand in hand. It is all linked together, because without language we cannot define our land. You heard from Galarrwuy that when our old

people went to court in the 1970s they had difficulty expressing their own language. There was a barrier, a big gap there. For us now, for our younger generations and future generations, we would like to see education as an important part in our life.

In the Yolngu world, embedded in the land is the hidden curriculum. There are categories in the land that are talked about, that we see visually, through drama, through paintings. They use their knowledge, their heads, to paint. That is print, literacy, using bark. They use their knowledge system to put that on bark paintings. You also heard about the two church panels that used to hang here. They were from the two moieties, yirritja and dhuwa. They are laws. They are creation stories. They are history.

I would like to tell you that we celebrate our old people's knowledge. Their high mathematical thinking is the same as your balanda thinking. That is what I would like to get across to you. Thank you.

BAKAMUMU MARIKA—The Reeves report is destruction to these people that are sitting in front of you and that you have visited: destruction of Yolngu life, identity, everything—the main force that we are not living in a fairytale world, we are living in a reality world.

YIKAKI MAYMURU—Bakamumu Marika, the chairperson for Dhanbul Community Council, was talking about the Reeves report and how it was presented. The clarification of that report is really a destruction of Aboriginal people.

The way it was written is putting the land and the people of this area down. Bakamumu feels that Reeves has done an injustice to Aboriginal people regarding his report. There is no way that we would and he would accept what has been written in that report. He also mentioned about all his family that struggled and fought alongside each other with the act and the land rights of those clan members that Dangatanga mentioned earlier and also his mother's clan that fought with this all the way, up to this day.

GAWIRRIN GUMANA—I am Dharlwangu. I will just speak in language.

WALI WUNUNGMURRA—That was Gawirrin Gumana, from the Dharlwangu tribe. We were talking about the minds of Aboriginal people and how that can be related, how that can be interpreted. The minds of Aboriginal people are so deep, so wide that it cannot be comprehended by little interpretations that might want to find out about the minds. If I am right, the mind of Aboriginal old people is what balanda call the philosophy of Aboriginal people. That interprets their being as an Aboriginal person, to be able to relate themselves to land and to the language and the stories that go behind it.

This philosophy of Aboriginal people will never be told in public. It will be remembered, it will be passed on through the generations as it is now. We would like the knowledge of the old people to be passed on to younger generations in the years to come. He called this knowledge by different names, one for the dhuwa moiety and one for yirritja. There may be other words that might be included there too, but for the moment he only used two. It is the mind of the Aboriginal people.

That mind is very much linked to the land and the story that goes with the land. That mind of the Aboriginal people can only be told once in a while, and it has been kept secret from becoming public. So he would like this message to be passed on, because that is the mind of Aboriginal people that tells an Aboriginal person who he is and what relationship he has to each of the lands around him.

DJAMBUWA MARAWILI—Because the land cannot itself speak, I have to speak. I am a person risen up from the dust, from the land. I have a right to speak to make the land rights strong, because the foreigners, who have flown all the way to bring their law to make their contribution in this Australia, cannot be the ones. We, the Aborigines, are the ones who should be putting our law; and that plan cannot be recommended.

My clan tribe is Madarrpa. My land cannot speak without me. I speak for my land. I work on the land. This standing committee has got to acknowledge the feelings of Madarrpa people: how they feel about this organisation, specifically the land council, which is the foundation for Yolngu people and also for Madarrpa people. This organisation is the body of all Aboriginal people throughout the Northern Territory, the same as with the Central Australian CLC, which represents the people of Central Australia.

I feel that the land council should be made stronger. It should be given the right to be able to function for the Yolngu people and for our act. I feel very strongly that the land rights act should not be dismantled.

ALFRED GUNGUBUN—My name, Gungubun, means ‘cloud’. My name in English is Alfred. I am from the Birrkili tribe, and my homeland centre is at Lungutja. The island is pretty much like a 40-foot boat or dinghy. Evidence everyone knows it is a small island. There might be only 30 people living on it. I support the structure for the land council, and I would like to have this structure in place by the time everybody my age has passed away. I very much support the structure.

WALI WUNUNG MURRA—Thank you, Alfred. Before we go to the next witness, there is one thing I want to tell you about. I went to one of the out-stations and I came across this man. I have been an interpreter, I have been working with many Aboriginal associations interpreting and these sorts of things; I have been going along with so many people. When I went to meet up with this old man, he said something in relation to land that was not said to me before. We always say we speak for the land, or we speak on behalf of the land. But when I went to this old fella, he said to me, ‘I speak with the land.’ That was something that I just could not work out, and I just told that story to these people here.

GALARRWUY YUNUPINGU—It is a matter of an amendment. Any amendment to the land rights act will have to work for the good of the Aboriginal people on the land. Do I understand that the committee will work that way? Just give me an indication by nodding heads. Yes. Good.

Mr MELHAM—Galarrwuy, I can give an undertaking on behalf of the Labor Party, which is all I can do. The Labor Party will not support any amendments unless they have the informed consent of Aboriginal people and unless they are beneficial to Aboriginal people. That is our view. It is your act; it is not the miners’ act.

GALARRWUY YUNUPINGU—The important point here is that there is some need for amendment to this act. In my personal experience, working through this act has been hard to shift towards Yolgnu people where they feel happy and flexible about dealing with their power, with their word, with their mine and with their land. In this regard, there has to be an amendment.

I said earlier, my cousin, that there had to be amendment towards regionalisation of authority of Yolgnu people on the land which supports a budgeting and a power to say yes and no to their land on the community level, not in Casuarina or Darwin, but here, finalising it and cutting in fine with the big land council. That is what this regionalisation authority means. You have got it all in there in writing.

The other amendments are in the ABR area. ABR area is controlled by ATSIC. It is still a government controlled funding. It is a funding that comes out of Yolgnu land in royalty that is paid out by mining companies to the Commonwealth government, then the Commonwealth government pays the Northern Territory, the Treasury, then to ABR, then to the land council and then out to the communities or wherever the mine's activity is taking place. This money is still being controlled by the government.

What the land council is asking is that the communities, through this hearing, can move to take control of ABR. That should not be controlled by the government. This is our money, Yolgnu money, but it is being controlled and dictated to by the government in Canberra through the minister's office. ATSIC does have a little office, situated in Casuarina, controlling that money. When you and the community apply for a Toyota, the land council member sits in the ABR meeting three or four times a year and approves your applications from your homeland for a troopie, or a tractor, or a rotary hoe, or for fencing, or to buy half-a-dozen chickens so that you can have eggs. So this process goes on.

But we do have difficulties turning ABR back to the control of the land council. What I am saying here is that this is one amendment that we need to direct this committee to take notice of and to tell the parliament, and that is there has to be a reasonable amendment to this land rights act so that it will do something for the people on the land. That is one area, a strong area.

The other area is a mining agreement. I spoke to a couple of people last night at a dinner—unfortunately, everybody else went and I stayed on because the wine was good; the members of the committee will support that. I said, 'This place'—and one of my sisters mentioned this—'has not been agreed to.' This place started off the land rights movement, taken by the force of my uncles and my father and then the related other groups' leaders that supported our fights to argue that Nabalco should not have come and just helped themselves, digging the place up, because there was agreement between the Commonwealth government and the mining companies, and they happened to be here. Our argument was chucked out the window. That case still remains. There never has been any commitment to coming to any agreement. There is no written agreement.

There should be a recommendation from this hearing, for this community, that there must be a written agreement in place on behalf of the Rirratjingu people and the Gumatj people—the landowners—with the affected groups of tribes that reside here. This community now

requests that there has to be a proper agreement with Nabalco, the landowners and the people of Yirrkala.

I asked that because I was thinking along the lines that ABR should be mentioned here. This is a clear, independent funding, a free funding away from government. We should get hold of that and control it ourselves. But this hearing must take note that we now request that the Parliament of Australia should direct that money into the control of the land councils so that the people will have freedom to apply and not be asking ATSIC for housing and other developments. I think parliamentarians have said in the past that there should be some independent money. There has been some independent money, namely, ABR. But there are people with red tape and parliamentary connections to control that funding. That money should be in place with the land council.

The other thing is permit control. We requested permit control. I have heard hundreds of people say—right across the Northern Territory—that that should not be taken away. All the submissions here that were put together by the Laynhapuy and the leadership of Laynhapuy, from the homelands and so on, spell out what our submission says. This book says exactly what Laynhapuy is saying and what everybody has said. This is a submission of the Northern Land Council. Some of the leadership of your committee were painted up at Parliament House to support the submission that is here.

I am going to put this submission, the land council's submission, which is no different to Laynhapuy or anybody that comes from Ngukurr, Numbulwar, Katherine, Jabiru, Timber Creek, Kalkarindji, Borroloola—no different. It is complementary to everything that other leaders have said, men and women. It is all in there. That is the land council paper and we supported that at Darwin parliament house. That is the same submission. As the chairman of the land council, I now submit that document as a submission that might be complementing that one and making it stronger. I want to make sure that I do not miss an opportunity of putting those points that I have mentioned. I speak as a Gumatj person. I do not want to miss the matter of bringing Nabalco over and putting our people together so that there is an open room and we can negotiate and draw up a proper agreement.

ACTING CHAIR—Is it the wish of the committee that the submission tabled by the Northern Land Council be accepted as evidence to the inquiry into the recommendations of the Reeves report and authorised for publication? There being no objection, it is so ordered.

WALI WUNUNGMURRA—We have had points about elections, that the council should never be appointed or hand-picked, and about a peak body such as NTAC not being required. We touched on the issue of permits this morning. If anybody else wants to say something, please make it short.

MUDILNGA BURRWANGA—In relation to the kids who came across, it is a bit late to express concern regarding the education of those kids and also the bilingual education, even though they have gone back to school. Our kids should be taught our culture and our language to go with the bilingual language, so that our kids get to know the future of their generations and so that our language will not die. I speak on this as a Gumatj person. This is my father's mother's country, and I am concerned for our kids.

LES LIWUKANG—You know the symbols of Australia—the kangaroo and the emu? They are stuck in that parliament house in the Territory and in Canberra. If you ruin the act for the land council or the Northern Territory lands right act, we will challenge you to take back the symbols of the kangaroo and the emu, because they are cultural and spiritual animals to us. A lot of these men and these ladies—as the totem owners of the emu, which is mine, and the red kangaroo—were not consulted about the use of them.

YIKAKI MAYMURU—Les was talking about country, moving away country and taking away country. You could take that as the theory of what that old man is saying. Briefly, the old man was talking about his feelings about that. They also said that to me when I went to do the awareness campaign for you mob coming up. So just bear that in mind; if we go the wrong way with the Reeves report or your review, that old man's request is that we might challenge the Commonwealth government for those symbols.

BAKAMUMU MARIKA—Just on the permits, have you ever heard of the visa when you enter another land? If it is Reeves recommendation to take away the permit system, then why not take away the entry visa for people entering Australia? We look at this government jumping up and down pulling their hair until they go bald. We will be looking at all the government walking around bald headed.

JACK MUNYARRIR—I come from White Star Landing, on the Glyde River, west of here. Permit system stops destruction. You go to other people's land and burn grass for food you have got to die. You are risking your life. You come from Darwin to here, no permit, and you run into business—whether women's business or men's business—you have got a grave waiting there. That is why we want to control the permits. Yolngu people had permit system before balanda permit system came in.

DAVID MARIKA—I am a Rirratjingu person from Yirrkala. I would like to stress my opinion relating to the permit. As Bakamumu mentioned, and it has been covered by other people too, the permit is very important. It protects our land and our interests. Dhimurru Land Management is acting on behalf of the traditional people. In that way, you and I will not be manipulated, as individuals. That is why we want to keep that permit system strong with Dhimurru, because they have more expertise to handle that.

YIKAKI MAYMURU—There are just two areas I want to cover about the Dhimurru permits here. One is a recreational permit for the local people to use and balanda people to go for recreational purposes during weekends. There is also a land base, a homeland centre you cannot enter unless you have got a permit. That permit is carried by land councils. Anywhere out in the homeland centre you cannot go without a permit. Only balanda people need that. You have to have a proper permit signed by a traditional landowner to say where you are going, through the Northern Land Council. Dhimurru is only working on permit regarding recreational areas, local areas. They cannot issue permits for anybody to enter into any homeland centres. That right is restricted and only given by land councils, through consultation from landowners. So there are two different Dhimurru permits.

GALARRWUY YUNUPINGU—Permits to enter Yolngu land need to be strengthened—permits on mining, applications to mining, permits to control and enter for prospecting, permits to develop land, forestry, piggeries, cattle. A permit to mine. These are

all permits. There are also vetoes. Maybe the veto is also a permit. It is a permit that says, 'Yes, let that happen, because I, as a landowner, permit that to take place.' That is what a permit is.

I think it goes wider than that, because a permit is an autonomy, a power, a strength of the people who own the land, who hold the land, who sing to the land and so on. It is the whole clan, or the nation of that land that says, 'Yes, this will happen.' That covers any activities, whether they be shooting, a visit for half an hour or overnight, mining, hunting, ceremonial activities, tracking, photography, making films, making videos and so on. It covers all that.

As I mentioned earlier, the veto power has to be made stronger. I think the present legislation says that when we say no to a mining company the first time around, they wait for five years, the five-year term ends and then they come back again. They ask the traditional owners whether they have changed their mind about mining activities taking place on their land. They might say, 'No.' They go back again and wait for another five years. It is a ridiculous kind of situation—stupid, uncalled for, silly. So what we do here may give us a chance, so that when somebody says yes those things take place but if we say no they do not go for five years but forever. They do not come back, and nobody changes their mind in five years. When they say no, it means no.

Some mining companies are so stubborn; they do not listen. The same mining companies made the Labor government make the amendment, putting in that veto power that they must come back every five years. I remember the Labor government responsible. I worked with them for two days and two nights right up until sunrise to try to make that amendment. It was in 1987. I remember that night; we worked all night. The next day a recommendation had to be made to the Commonwealth government.

I think we called for an amendment and said, 'Our veto power should remain but not called for five years. When landowners say no, it means no, unless they have really made up their minds that there will be a mine in another five years: 'Go back; we'll think about it for five years. Come back in five years.' But they will have the say. They should not have to be forced by legislation. That means that there has to be flexibility in regard to the mining provision. I would like to have it put on the record that we, the Yirrkala community, would like to make an immediate request that the mining provision affecting Aboriginal land on mining activities has to be looked at and, if there is any amendment, that it should apply and our land not get the blame.

Landowners sit tight and close up development and we get blamed for it—the land council and the people get blamed for locking up land. If the landowners lock up their land, that is their business; it is their land. But if you blame the land council, maybe it is fair enough, because the land council is nothing but an agency.

But it has to go further than that. The permit system and the veto power must be in place with the condition that, if there is a law like the mining provision law that gives a mining company the right to apply for a lease or prospecting activities to take place on Aboriginal land, they do it once. If we do not like them, we might prefer another company to look around our country, because this company cannot look after us, or maybe they have a bad

reputation. In that law the landowners have the right to say, 'We want that mining company to sit down and talk with us so that we can look around for minerals on our land.' I think there is a need for it. If there is going to be a recommendation for an amendment, I think it should be recorded at this hearing that that be one of the provisions made for the landowners.

BANDUK MARIKA—I am the coordinator for Landcare Yirrkala and a Rirratjingu traditional owner. One of the things as far as permits are concerned that the Chairman of the Northern Land Council, Galarrwuy, missed is the special permits. As all of you have heard, there are different permits. There are recreational permits, veto permits and negotiation permits where the mining people have to come to the country to talk about not just mining but the possibilities of what they want to see.

My family and I have come across problems many times. We have an area, and it is registered as a sacred site. It is called Yalangbara. It is a site not only for Rirratjingu people but for all the Aboriginal people in the north-east Arnhem Land region. We have people going into that site without proper provisions or permits. There is an act in place, the Northern Territory Sacred Sites Act. If balanda, non-Aboriginal people, want to visit a sacred site, there is another way of applying. They do not just have to go through the Northern Land Council. All the family—the landowners to that specific site—hav to meet and agree, and then the application has to go through the Northern Land Council and the Aboriginal Sacred Sites Authority to get a special permit granted. Otherwise, people entering sacred sites are up for quite a big fine.

I am putting one person through now. It is the first time in north-east Arnhem Land that this has come through the law court system. I am going for it because it is clearly infringing on the types of acts that are in place—that is, government acts—that help Aboriginal people look after their country. Thank you.

GALARRWUY YUNUPINGU—We are supposed to be the recipient, but in reality we are not because the royalties that come from mining here are indirect. I have negotiated with the Jabiluka mine and the Ranger mine and all these other mines and put agreements in place so that the traditional owners get direct, up-front royalties, without going through the government. It is a royalty paid in the name of the royalty and not an equivalent royalty. What Nabalco pays in royalties is in an agreement that still stands between Nabalco and the Commonwealth government. There is a change of hand in royalty payments. Now the Commonwealth government pays the royalties straight to the Northern Territory government treasury, which finally pays it to ABR.

ABR then finally pays it to the Northern Land Council which, under the Northern Territory land rights act—I do not know the section—takes its money for its service. Then 30 per cent—which is the leftover money—is eventually paid to the landowners.

Let me explain how the royalty has to be distributed. There is a lot of nonsense that comes from this place, and this gives me a time to get back at my own people here because I am a recipient of this particular royalty. I do not want anybody to get upset. But there was bullshit going on in this community saying that I take all the money. Why shouldn't I? That is strictly Gumatj money and it should stay with Gumatj.

I want to make a point here that, when there was a call for a breakaway—I will remind a few of you—some people were upset about royalty payments. I said to the leaders a few years back, ‘Let us get Nabalco to sit down and pay a proper royalty. Let us have the agreement in place so that we can ask Nabalco to pay a certain amount of money of our asking, not of their considering it, but of our asking. This is our land; this is our environment; it is our soil, and why should they not pay up for the amount of land that they have occupied and damaged? Furthermore, they have dumped rubbish into our waters at Melville Bay.’

I took some of the lady members of the commission and the committee to witness that this morning. I am glad they went across and witnessed that. This, of course, will go on the tape here and into *Hansard* to the Parliament House to tell them that the company we live with here is being unfair, and has been right from the start to this day.

I make the point very clearly that if there is going to be a royalty payment from this company, we want an agreement in place so that all the affected communities—including out-stations—are receivers of that royalty. Right. I want to be fair, but the main receivers of that royalty will be the Gumatj and Rirratjingu people. The affected people will receive royalties because they happen to live there. They are raising children there and they are affected by the influence of the township and the people that work for Nabalco through this township.

It is a compensation that we equally share and experience with 5,000 balanda people that live in town that we have to put up with. We did not ask them to be out here. They came here on their own accord and we learnt to live with them. We did very well on our own accord. Some people tried to have a ride on it. The very serious point I make here—and I am almost repeating myself—is that we want Nabalco to come across and sit down with us so that if there is to be a royalty right across the affected communities here, including the two landowners, the royalty receivers will be on one side and the rest of the affected groups are on the other side.

I heard Nabalco’s submission and I am not going to argue about it, but they did not know I was sitting in the room. But that was a whole lot of crap and I hope my statement goes through it because it is being unfair. There is no agreement in place. If there is going to be a royalty contribution right across the board in north-east Arnhem Land, let it happen.

Every time we mine the north east of Arnhem Land and different areas of tribal land, they will have to make a proper agreement so that the royalties go back to that clan of people, and a little bit of that money goes to the other clan of people that live with them. That is the name of the game. It is a commercial change. It is no longer sitting around and saying that ABR is the only place and we will rush into it like hungry pigs. We go grab, grab, grab, and when it is finished we start biting each other because there is not enough money around. This is a commercial development and, if we are going to get our way, let our money come back to where the people are.

I speak here not as a chairman of the land council but as a landowner of the area affected by mining. I will see no further extension of the development of this mine until I see a written paper signed by Gumatj and Rirratjingu people and by the affected clan that

lives with us. I say that because I think it has been supported by leaders from the communities out in the homeland and through the homeland resource association yesterday in preparation. I want to support that by saying that there cannot be a royalty if Nabalco is not paying for what the mining is worth and for how much it takes.

There is all that land over there where the process plant is and all the waste that we have to put up with now—this activity of dumping that ‘edible caustic’, as they call it. I want you to tell the Prime Minister that. He can include it in his GST argument. It might be marketed in local supermarkets so you can add to your shopping list when you go out shopping: ‘You must buy caustic to go with your food.’

These idiots over here are telling me that we can still go and eat the crabs, and other things from that bay there because the caustic is edible. I have taken my family out there and told them they had better not hunt there because they will simply die. One idiot comes out there trying to con the health department people in the office that it is nothing to worry about. They can take a plateful and eat it. Thank you.

BANDUK MARIKA—Galarrwuy, you will remember when they were going to try to renegotiate the original agreement with Nabalco. They did not want to know about that but they did talk to the Northern Territory government. Daryl Manzie came across and gave them an extension of the lease without the landowners’ agreement or without talking about it. Do you remember that, two years ago, you were going to support approaching Nabalco to renegotiate the regional agreement? To have a proper agreement in place, he wanted that support from the chairman of the Northern Land Council. Two years ago there was nothing in place and no support from the chairperson. Jawoyn needed the support from Yolngu in north-east Arnhem Land. Daryl Manzie was the Northern Territory minister who extended the mining agreement, with no process and no-one present.

WALI WUNUNG MURRA—Yes. My apologies.

BANAMBI WUNUNG MURRA—I would like to state one thing on behalf of the ATSIC chairperson about the Reeves report, and I quote:

Let me make it clear, the publication of this guide does not mean ATSIC endorses the Review’s findings or recommendations.

In other words, ATSIC does not agree with the new recommendation. This recommendation here, ‘Building on land rights for the next generation’: do you know what that means? It means that we are building on this recommendation here so that these kids that brought the flags here can suffer. We would like to throw this Reeves report recommendation into the rubbish and burn it, and we will keep the one here that has been supported by ATSIC. I totally recommend that. All commissioners recommended that, and it is from our chair from Canberra. They did not endorse that; it came from Senator Herron. That money has been spent from ATSIC funding. It has been put back to this committee here to find our views in terms of this report. I would like to ask the committee if you support this in reality? Give us a straightforward yes or no.

Mr SNOWDON—The committee has not got a view. The committee itself, as a group of people, has not got a view. But individuals may have a view. I have expressed very strongly my view and that is that I think it is a load of rubbish.

BANAMBI WUNUNGMURRA—Good.

Mr SNOWDON—A lot of my friends have said so, but the committee itself has not sat down and said that it is a load of rubbish, because the committee has to finish going through this process. Okay?

BANAMBI WUNUNGMURRA—Thank you. That is all I needed to know.

WALI WUNUNGMURRA—I was just saying to the people over here that the ladies were about ready to tear this apart and symbolically burn it. I support them very much. Most of those ladies who wanted to do that have already gone. If somebody else wants to go through that exercise, they can do so. They were going to make a fire out there and the ladies were going to dance.

It has been a long tiring day for all of us but we have enjoyed ourselves. Royalties are finished. That has been dealt with and understood. ABR and non-mining royalties are continued. The responsibility of non-mining royalties will go to the traditional owners of that particular place. That is their business. Anything that makes money is their responsibility.

ACTING CHAIR—Are you going to give us your notes to take to Canberra?

WALI WUNUNGMURRA—Yes, I am giving this one to you to take. Anything that we have said which has been recorded will go with those headings. This is information for you to go through.

ACTING CHAIR—Is it the wish of the committee that the submission tabled today by the Laynhapuy Homelands Association be accepted as evidence to the inquiry into the recommendations of the Reeves report and authorised for publication. There being no objection, it is so ordered. We will take that back to Canberra as part of our report.

WALI WUNUNGMURRA—Non-mining royalties continue to go direct to the traditional land owners. On the law, the land rights act should remain as a federal act. All rights achieved over the life of the land rights act should remain—all rights. I think somebody said this this morning: Aboriginal people had rights right from time immemorial, they have rights today and rights in the future as far as this land is concerned. It was only in the last 20 or 30 years that we had to fight for our rights. They had to fight for the land as well as for their rights. Mr Chairman, I think it has been mentioned that rights of a decision for exploration and mining, rights of a decision for release of the land and for public works go back to the traditional owners. The rights of decisions should retain customary, clan based decision making processes to agree on whether to say yes for mining or whether to say no for mining.

GALARRWUY YUNUPINGU—What we generally say is that north-east Arnhem Land supports the Laynhapuy submission and agree that we are together submitting this

submission in that wording. Warren, Daryl, are you happy with that? You can enter that as a record of your acceptance.

ACTING CHAIR—It is on there.

GALARRWUY YUNUPINGU—Thank you.

ACTING CHAIR—Does anybody else want a say before we get members of the committee to say a few words to you?

Mr SNOWDON—Firstly, thank you to everyone who spoke today. Not only did you welcome us to your country but you spoke very forcefully and strongly about what you think and believe. You have told us in a very strong way what you want us to go away with and what you think about that Reeves report.

I am going to tell you what I personally believe but, before I do that, you need to understand that this committee—us four here—cannot make up the mind of the committee. We have got to go away and talk. When we have finished all our hearings, we will sit down together and try to agree on a report that the committee will make. I want to preface what I say next with those remarks.

There are a couple of things that I want you to understand. Not only am I a member of this committee, but I am your member in the House of Representatives. Aboriginal people were very instrumental in electing me to the parliament last year. You remember that at election time the CLP came around and said, ‘If you want your own land council, you vote for me’—that is, that previous member. The CLP also asked people to vote for statehood. Yolngu people and other Aboriginal people from around the Northern Territory voted very strongly against those two things, and they voted for me. So I have a special responsibility to carry your voice and to carry what you say to the parliament.

What I want to tell you is what I think about this report. I think this report was misguided. I think this report was commissioned by the government as part of a political stunt designed to try to embarrass the Labor Party principally on the issue of land rights and to try to ensure that the CLP got its way with land rights in Canberra. I can tell you that that has backfired. It is now going to bite them on the backside in a very big way. I can tell you—and I do not care what my friends say—that I will not be supporting any proposals to amend the land rights act in line with the Reeves report. If my friends in the Labor Party decide that they are going to support these things, I will not vote with them in the parliament. I want you to understand that.

It is very important that you understand that I believe what you say is right in relation to this report. All the other people on this committee have got their own responsibilities but I have got a special responsibility to you as your member in the federal parliament. I owe you a great debt of gratitude. You have worked for me and you have voted for me and now I have got to pay you back. I am paying you back by making sure that what you say is what happens, and that is what I intend to do.

Secondly, I want to briefly mention bilingual education. I have been travelling around the Northern Territory for some months talking to people about bilingual education. The decision which was taken by the Northern Territory government in relation to bilingual education was not only stupid, it was wrong. What we have to do is find a way to make the Northern Territory government responsible for that decision.

I know that there is an inquiry and I know that there was a woman here today commissioned by the Northern Territory government, Bettina Arndt, talking to you about bilingual education. What we have to make sure is that those people are left in no doubt that not only Yolngu people from this community but also Aboriginal people right throughout the Northern Territory who have had bilingual education want it to continue. They regard it as a fundamental right, a cultural right, not a right about just reading and writing English. It is about cultural maintenance, control over your own destiny and control over your own families. It is about control of your country. That is what I understand language to mean. It is not just words.

Unfortunately, the Northern Territory government has taken it to mean that you cannot read and write properly in English, which they think is the most important. They have missed the point entirely. What we have to do is make sure they understand, or learn to understand, and educate people about the impact of their decision.

I hope that my friends here, particularly Daryl Melham, who is the shadow Minister for Aboriginal and Torres Strait Islander Affairs, will go away from here understanding a lot more than he may have before about the importance of bilingual education to Aboriginal people right throughout the Northern Territory—not only in the Northern Territory but principally here. I hope he will go away and make sure that he does something about it when he is talking to people in Canberra.

I know he will because if he does not he will be in a spot of bother. But he will, I can tell you. You will know that you will have my support in trying to turn around this stupid decision. If there is any way that we can force the Commonwealth government to intervene, we will. So thank you once again for your welcome. Thank you very much for your words today. They have been very strong and very important to this committee and myself, in particular. Thank you.

Mr MELHAM—Firstly, again I thank you for allowing me to come onto your country. It has been a very rich and rewarding experience today. It is, for you, a very sacred place. Galarrwuy was telling us the history, and I think it is important for that history to be told to pass on the story for future generations and to make sure it is in the story that has been taken down today.

As I have gone around the Northern Territory listening to the hearings at Kalkarindji, Yuendumu, and wherever we have been, I thought it was my job to listen, not to do the talking. The trouble in the past is that when the whitefellas have come, members of all the political parties, they have not been listening; they have been telling. But what has been very interesting throughout this whole process is that a lot has happened in the last 12 months and I am confident that there will be no changes to your land rights act unless you consent to them.

I can tell you the Labor Party's position. I have said it before and I will say it now. Warren will argue it, I will argue it, and I know my friends here will argue it. There will be no change to this act unless there is informed consent from Aboriginal people and unless it is to help Aboriginal people.

It is a situation where they might be able to change the laws, but they will never break the spirit of the Aboriginal people. That is what has come through for me. In the last two or three months, I have seen a change in the Liberal chairman and other members of the committee. Initially, you could see that they were not listening but, because of the way the Aboriginal people have argued their case, there has been a change in the members of the committee. I am confident that, whilst we might not be able to agree on everything, when we come to write our report, the chairman will honour his word and take back a report of what Aboriginal people think about the Reeves review. When that report is put down in parliament, I think you will find that Reeves will be put in the dustbin of history. A lot of that is because of the way you have presented your evidence—the way the land councils and you, as individual people, have come here and spoken from the heart.

When the story is written on paper, the television and radio stories will only be part of the story. It will not be able to repeat what we, who have been here, have seen with our own eyes and have listened to with our own ears. They say, 'It is not the same unless you are at the game' and that is true. The members of the committee have been very honoured and privileged to have heard and watched you today. We will not be able to repeat what we have seen and do it justice. What I promise you is this—I have been the shadow minister for three years and I hope to be the minister one day—I will be arguing for what you have told me.

I believe we should all be listening to Aboriginal people and arguing their case—not telling them what is good for them. That is why, when it comes to this review, I will be arguing for what you have told me, not for what some whitefella or some priest has told me is good for you. You know what is good for you. You want to take charge of your lives. It is about time this country grew up as a nation and allowed you to make your own decisions. While I stay in the parliament, there will be unfinished business. I know Warren and I are not going to stop until the parliament and the laws of this country allow you to live your lives and make decisions for you and your children. If that involves your making mistakes, then let that happen; there are plenty of whitefellas making a lot more mistakes and getting away with it.

Ms HOARE—As a woman, a daughter and a mother, I say thank you to the women who spoke to us today. Thank you for your words. I thank everybody who participated in this presentation today. It has been very comprehensive and very enlightening. As my colleagues have just said, we will be going back to the parliament and reporting on what Aboriginal people in the Northern Territory think about the Reeves report.

I would like to say, as a member from an urban area in New South Wales that, as Labor Party members, we have also been trying to assist in the struggles for bilingual education in the Northern Territory by distributing petitions, getting them back and educating educators in our area as to what is happening in the Northern Territory so that people right across the country, both Aboriginal and non-Aboriginal, realise what the Northern Territory government is trying to do to the education system here in the Northern Territory. As Warren said, if we

can force the Commonwealth government to intervene, I will be right behind that—and Warren knows that. Thank you for letting us come onto your land. I wish you all the very best.

ACTING CHAIR—As the temporary chairman for the day, I would like to let you know that this committee has been to many places in the Territory with this inquiry. At each place, the people have spoken from their hearts about their land and their plans for their land. I can assure you that the 10 committee members, in our report, will reflect your thoughts and words and what you feel in your hearts about your land. You will see us quote your words as we seek to strengthen, not weaken, your land rights act here in the Northern Territory. Thank you very much for looking after us.

Resolved (on motion by **Mr Melham**):

That this committee authorises publication of the proof transcript of the evidence given before it at public hearing this day.

Committee adjourned at 3.30 p.m.

