



(1) Vision and (2) Best Practice Standards

Dhawura Ngilan: A Vision for Aboriginal and Torres Strait Islander heritage management in Australia

The Vision includes four vision statements:

1. Aboriginal and Torres Strait Islander people are the Custodians of their heritage. It is protected and celebrated for its intrinsic worth, cultural benefits and the wellbeing of current and future generations of Australians.
2. Aboriginal and Torres Strait Islander heritage is acknowledged and valued as central to Australia's national heritage.
3. Aboriginal and Torres Strait Islander heritage is managed consistently across jurisdictions according to community ownership in a way that unites, connects and aligns practice.
4. Aboriginal and Torres Strait Islander heritage is recognised for its global significance.

Under each vision statement are key areas of focus. They take the form of recommendations to guide the actions of all Australian governments for the next decade, including:

- All jurisdictions adopt and work towards achieving **the Standards**
- Australia embraces truth telling about our heritage and our heritage lists reflect this truth
- Jurisdictions work with Australian collecting institutions to return ancestors to Aboriginal and Torres Strait Islander communities in a coordinated way
- Heritage Chairs support increased focus on identifying and taking forward Aboriginal and Torres Strait Islander heritage places for inscription on the World Heritage List

It is expected that jurisdictions will develop implementation plans and associated targets to address the key areas of focus and will report on progress.

Best Practice Standards in Indigenous Cultural Heritage Management and Legislation

The purpose of the **Best Practice Standards in Indigenous Cultural Heritage Management and Legislation (the Standards)** is to:

- Operate as a guide for jurisdictions that currently or in the future are moving to review and reform their Indigenous Cultural Heritage legislation and management processes
- Inform the process of development of a nationally uniform standard that has the capacity to operate as part of an integrated framework of Commonwealth, State and Territory Indigenous Cultural Heritage legislation

The Standards are consistent with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and provide clear guidance on:

- Basic Principles to underpin legislation
- Basic Structures of legislation
- Definitions of Indigenous Cultural Heritage
- How to incorporate Principles of Self Determination
- Process
- Resourcing participation
- Resourcing Compliance and Enforcement
- Indigenous Ancestral Remains
- Secret and Sacred Objects
- National Legislation and Intangible Indigenous Cultural Heritage

The Victorian *Aboriginal Heritage Act 2006* is consistent with **the Standards**. This Act places decision making in the hands of Traditional Owner Registered Aboriginal Parties (RAP), with the Department (Aboriginal Victoria) only making decision where a RAP has not been appointed.

Process of development

In May 2018, the membership of the Heritage Chairs and Officials of Australia and New Zealand (HCOANZ) expanded to include representatives from Aboriginal and Torres Strait Islander heritage organisations from across Australia.

In October 2019, the Commonwealth hosted a HCOANZ Indigenous forum in Canberra, comprising the Chairs and Officials responsible for Indigenous heritage (the group).

Inspired by the work undertaken by the Māori Heritage Council in New Zealand and its vision for places of Māori heritage, *Tapuwae*, the group agreed that **Best Practice Standards for Indigenous Cultural Heritage Management and Legislation (the Standards)** should be drafted to set a benchmark for the protection and management of ICH in Australia.

They also committed to support the development of a **Vision for Aboriginal and Torres Strait Islander heritage in Australia (the Vision)**.

Drafting of **the Standards** was led by the Victorian Aboriginal Heritage Council. Drafting of **the Vision** has been led by the Indigenous Expert members of the Australian Heritage Council (AHC), Ms Rachel Perkins and Dr Lyndon Ormond-Parker, in consultation with the Chair of the AHC, Dr David Kemp AC.

Following extensive consultation with Indigenous stakeholders and peak representative bodies, advisory councils and committees, **the Standards** and **the Vision** were **Welcomed** and **Supported** by the Heritage Chairs of Australia and New Zealand when they met on 16 September 2020.

Opportunities

- This is an opportunity to embrace the heritage of our First Peoples as a key element of Australia's national identity.
- **The Vision** and **the Standards** present a roadmap for improving approaches to Aboriginal and Torres Strait Islander heritage management in Australia.
- Graeme Samuel's *Independent Review of the EPBC Act – Interim Report* states that, when finalised, the Standards will "provide a basis on which to comprehensively review how Indigenous heritage is protected by national laws in Australia, and how national laws should interact with state-based arrangements." (Section 2.2.3)
- **The Vision** and **the Standards** can provide a strong foundation for the process of modernising the protection of Australia's Indigenous cultural heritage.

Recommendations

1. Ministers welcome **the Vision** and **the Standards** as important documents produced by Aboriginal and Torres Strait Islander heritage leaders that set out a roadmap for Aboriginal and Torres Strait Islander heritage in Australia.
2. Ministers note the practical recommendations for how this **Vision** can be realised.
3. Ministers note the wide support for **the Vision** and **the Standards** from the Aboriginal and Torres Strait Islander Community and the Cultural Heritage sector.