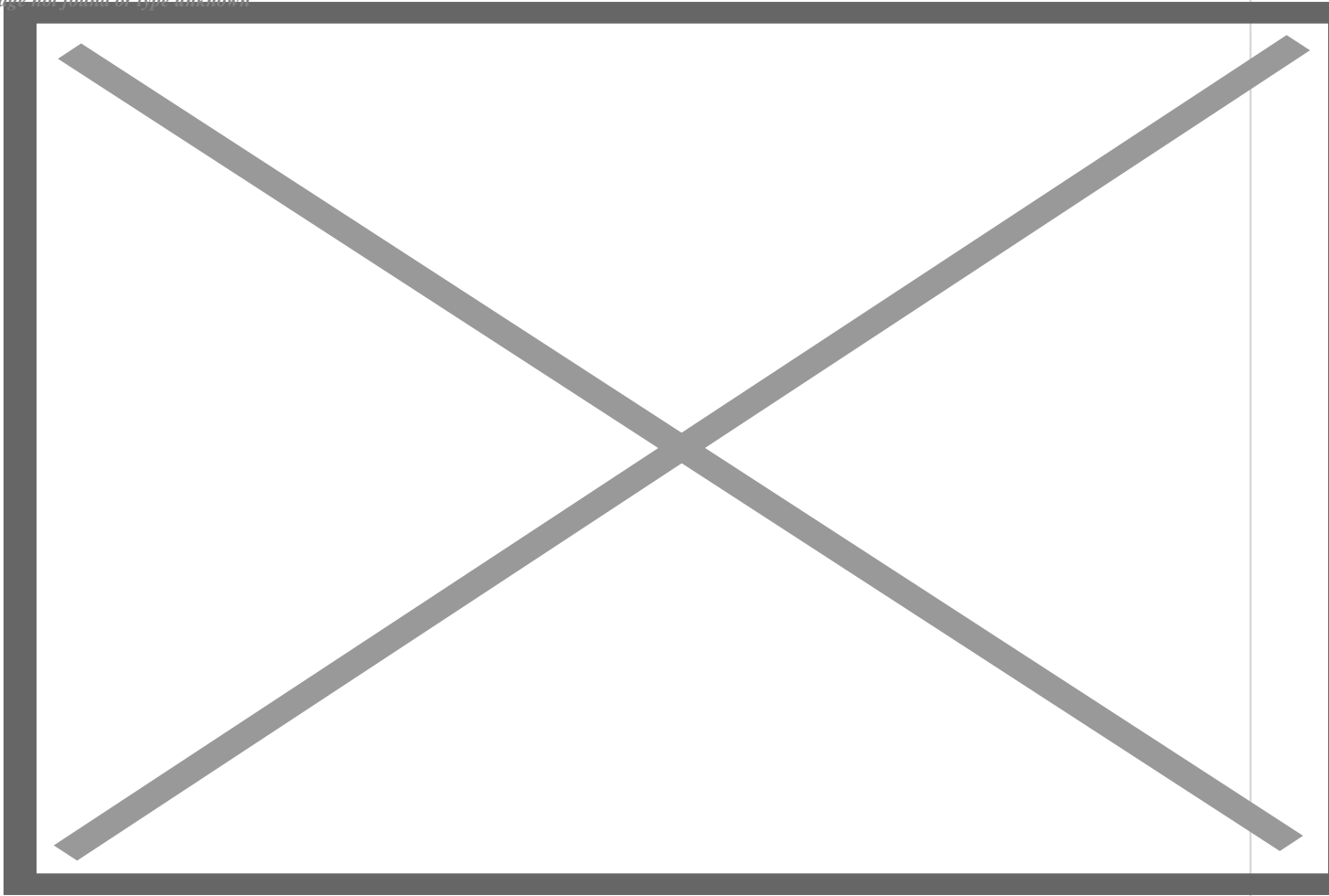


# *Australia's Indigenous ask UN to review cultural heritage bill*

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**Protesters are seen during a rally outside the Rio Tinto office in Perth, Australia, June 9, 2020. Rio Tinto recently detonated explosives in an area of the Juukan Gorge in the Pilbara, destroying two ancient deep-time rock shelters, much to the distress of the Puutu Kunti Kurrama and Pinikura people. [Richard Wainwring/EPA-EFE]**

Sydney, September 8 (RHC)-- A group of Indigenous people has filed a complaint to the United Nations over Western Australia's draft heritage protection laws, more than a year after mining company Rio Tinto legally destroyed historically and culturally significant rock shelters to expand a mine.

The group is making a formal request for the UN Committee on the Elimination of Racial Discrimination to review the state's cultural heritage bill, calling it incompatible with Australia's international obligations, the Reuters news agency reported on Wednesday.

"If the traditional owners, the first Australians, say, 'No, don't destroy this particular site,' that must stand," said Slim Parker, a senior elder of the Martu Idja Banyjima people who is one of those making the complaint.

"The days when the minister has the discretion and the final say, saying, 'Well, we've heard what you've got to say but we're going to do it anyway,' should be over," he told Reuters.

Rio Tinto destroyed the 46,000-year-old shelters at Juukan Gorge, about 1,075km (667 miles) north of Perth, in May last year as part of an expansion programme for its iron ore mines in the Pilbara region. The state government had given the mining giant approval to damage or destroy the site in 2013.

Public anger following the destruction led to the resignation of Rio Tinto's chairman and other top executives, as well as the drafting of the new heritage laws to put greater emphasis on the agreement between Indigenous groups and developers.

The state government said in a statement the draft bill allowed for areas of outstanding Indigenous cultural heritage as determined by Indigenous people to be declared as protected areas. "This declaration gives special protection to these areas from activities that are likely to cause harm to that heritage," it said.

"Under the draft legislation, no one can apply for authorisation to undertake an activity that may harm Aboriginal cultural heritage in a protected area."

The government retains the final decision in heritage disputes under the draft bill and the group says there is insufficient protection of the right to culture, which prohibits states from destroying significant Indigenous cultural heritage.

"Traditional Owners are unable to say 'no' to activities which will destroy significant cultural heritage," it added. Without such protection, a risk remains of "a continuation of systemic and racial discrimination which has characterised the operation of the current legislation," it said.

Among the five high-profile Indigenous Australians making the complaint is human rights specialist Hannah McGlade, a professor at the Curtin Law School who is from the Kurin Minang people.

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<https://www.radiohc.cu/index.php/en/noticias/internacionales/269541-australias-indigenous-ask-un-to-review-cultural-heritage-bill>



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