

Respect Traditional Owner Governance

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The Federation of Victorian Traditional Owner Corporations (**Federation**) is calling on those negotiating Australia's first treaty framework to respect the nationhood of Traditional Owner corporations, built over decades of struggle.

As the First People's Assembly of Victoria (**Assembly**) continue to discuss which First Nations will be eligible to negotiate local treaties, they must act to strengthen, and not divide and weaken, Traditional Owner groups. The Assembly must be united and during its first term focus on the tasks to create the Framework.

Traditional Owner nations have proudly fought for many years, forming corporate bodies to achieve recognition and rights under the *Native Title Act 1993*, the *Traditional Owner Settlement Act 2010* and as Registered Aboriginal Parties (**RAPs**) under the *Aboriginal Heritage Act 2006*.

RAPs now provide Traditional Owner representation and leadership for 75% of Victoria. They are required to be inclusive and representative, with a proven track record of Traditional Owner governance. RAPs have also been formed in compliance with the United Nations Declaration on the Rights of Indigenous Peoples (**UNDRIP**), and in particular Article 18, which declares that Traditional Owners have the right:

*'to participate in decision-making ... **through representatives chosen by themselves in accordance with their own procedures**, as well as to **maintain and develop their own Indigenous decision-making institutions.**'*

Some voices, including elected representatives, have called for the breakup of RAPs into what they call the 38 nations model. The assertion of 38 nations is not based in Aboriginal tradition, but in a misunderstanding of traditional Aboriginal Languages and adaption of coloniser histories.

"Traditional language groups in Victoria don't translate into separate nations. Historically our traditional structures were more sophisticated, and today these structures are represented by RAPs, tested by the native title system, and created over decades by our Elders to be strong and inclusive organisations that represent our people." Federation CEO, and Gunai and Monaro man, Paul Paton said.

The confusion around the 38 nations model is evident from the fact that the number of nations claimed often changes, ranging from 30 to 40, and that different spellings or names, often reflecting nothing more than internal disputes, are presented as multiple nations, where in fact traditionally, there is a single group.

"All groups in society have some divisions, and colonisation has done its best to divide us. However, we must build on the work of the past, strengthen our traditional bonds, and not be split by minor differences," CEO Paul Paton said.

The Federation calls on the Assembly and the State to respect self-determined structures and continue to support the work that has been done, and still needs to be done for those groups without formal recognition, to form collective nations that are transparent, democratic and inclusive. If that benchmark is not met, the resulting treaties cannot be said to meet the standards of the UNDRIP.

“If we are to make history in Victoria with a Treaty for our people, and we will, we must ensure that at its heart is the UN Declaration. If we want our people to thrive, to make the most of a Treaty, we must meet these international recommendations for respectful, self-determining and rightful engagement” said CEO Paul Paton.

For further comment or information please contact.

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We acknowledge the Traditional Owners of the land we work on as the First People of this country