



Kimberley Land Council

MEDIA RELEASE

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KLC responds to High Court Miriuwung Gajerrong native title determination

The KLC today said it was pleased that the High Court of Australia has recognised that native title continues to exist on pastoral and mining leases, although the full impact of the decision will not be known for some time.

Executive Director of the Kimberley Land Council, Wayne Bergmann said that the decision recognises what Kimberley Aboriginal traditional owners have always known — that native title exists right across the Kimberley.

Mr Bergmann said: “We don’t want another post-Wik style debate and we call on the Federal Government to accept the decision of the High Court, the umpire in this case, and get on with properly supporting the native title process to the benefit all involved.

“The issues for the KLC and Kimberley traditional owners haven’t changed for the past 25 years. Our first preference has always been for governments to sit down and talk to us, and to negotiate agreements — real and meaningful agreements that respect the rights and interests of the Aboriginal traditional owners along with those who want to use the land.

“We call on the Western Australian Government — as the Government with primary responsibility for land management — to follow through on its commitment for 10 consent determinations in WA by the end of their first term, and to now set up and support a negotiating framework where the rights, interests, issues and concerns in the claim area can be mapped out and resolved with the Miriuwung and Gajerrong peoples, pastoralists, miners and others.

“We can’t keep sitting around for years waiting for court decisions. Instead, we have to move forward and find less costly – in money and human terms – and lengthy processes for working out how we share the land.

“The principle of co-existence was established in Wik. That is the principle on which we must move forward. Nothing else will work where it matters — where people live and work together. It is not good enough to reduce the principle of co-existence to small-minded arguments about circumscribed access and fences. This will never be acceptable to our people.

“We are the original owners of this country and we must be recognised as such. We are also Australian citizens and we need to be able to participate in the economic development of our region.

“We bring with us the knowledge, experience and ability to sustainably develop our region for the benefit of all Australians. It is about time that this was recognised and its implications understood,” he said.

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