

## Culture comes in many forms

Cultural rights exist to protect your traditions and customs. Consider how cultural rights might be relevant in areas such as:

- medical treatment
- artistic expression
- natural resource management
- housing and infrastructure
- maternal and child health care
- governance and conflict resolution
- use of language
- child protection
- education and employment
- the justice system.

*“Culture is not something that just stops in time, nor an ideal that can be bottled and measured against the past ... For us, culture is about our family networks, our Elders, our ancestors ... It is how our children embrace our knowledge to create their future ... It is about all the parts that bind us together.”*

– Andrew Jackomos

Artwork by Reanna Bono:  
*“The artwork reflects the many different paths we all take and the cultural influences along all our own journeys. It shows how we cross paths together in a harmonious and respectful way.”*

## More about Aboriginal Cultural Rights

You can download more resources from [humanrightscommission.vic.gov.au/acr](http://humanrightscommission.vic.gov.au/acr)

### Taking it further

If you want to make a complaint about a breach of your cultural rights, you may directly contact the public authority responsible.

You may also contact the Victorian Ombudsman, who investigates and resolves complaints about actions taken by public authorities.

Visit [ombudsman.vic.gov.au/complaints](http://ombudsman.vic.gov.au/complaints) or call **1800 806 314**

For more information about your rights please contact the Victorian Equal Opportunity and Human Rights Commission.

 **1300 292 153**  
or **(03) 9032 3583**

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Victorian Equal Opportunity  
& Human Rights Commission

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# ABORIGINAL CULTURAL RIGHTS

**PARRYA DJANYIN, PARRYA WURREKA**

To know us, speak to us – Djab Wurrung

## You have rights under Victoria's Charter of Human Rights and Responsibilities

### Section 19(2) of the Charter says:

Aboriginal people hold distinct cultural rights and must not be denied the right to:

- enjoy their identity and culture
- maintain and use their language
- maintain their kinship ties
- maintain their distinctive spiritual, material and economic relationship with the land and waters and other resources with which they have a connection under traditional laws and customs.

### When are these rights protected?

In Victoria, all public authorities must consider your cultural rights as an Aboriginal/Torres Strait Islander person.

### What counts as a public authority?

Public authorities include:

- government departments, agencies and their employees
- local councils, councillors and staff
- statutory authorities
- organisations that deliver public services on behalf of the government.

For example:

- Aboriginal Victoria
- Corrections Victoria
- Department of Health and Human Services
- Parks Victoria
- Department of Environment, Land, Water and Planning
- VicRoads
- Victoria Police.

### Let them know!

You can raise your cultural rights any time you are accessing public services or the government is making a decision that affects you, your family, kin and community.

### Example of raising your cultural rights

A Parks Victoria ranger says you can be fined for collecting ochre from a protected site. You say:

“My name is Kieran, I’m a Yorta Yorta man. I’m exercising my cultural rights by collecting ochre. My rights are protected under section 19(2) of the Charter. You are obliged to respect my rights.”

### When can your rights be limited?

Like other human rights, Aboriginal cultural rights may be limited or balanced with other rights, as long as the limitation is lawful, reasonable and proportionate.

