

Native Title



Australian
Human Rights
Commission

Australia's third UPR | 2021

Native title is the recognition of ongoing rights and interests in land and waters held by Aboriginal and Torres Strait Islander peoples, as the indigenous peoples of the lands that make up Australia.

Since 1993, a statutory regime (the *Native Title Act 1993*) has existed to manage native title claims and interactions with native title by other rights and interest holders in these lands and waters.

The *Native Title Act 1993* in its current form does not provide for a just and equitable native title system that is consistent with international human rights standards. Concerns have been raised by the Committee on the Elimination of Racial Discrimination and the Human Rights Committee in relation to the *Native Title Act 1993* and the broader native title system since 1999 and 2000 respectively.

In 2015, the Australian Law Reform Commission's (ALRC) [*Connection to Country Report 126*](#) made 30 recommendations on necessary reforms to the *Native Title Act 1993*. To formulate these reform recommendations, the ALRC considered the development of law, procedure and practice over the 20 years since the Native Title Act was introduced, as well as the significant policy and economic arena in which native title is implemented.

Recommendation

**Government
implement the
recommendations of
the ALRC's *Connection
to Country* report.**

