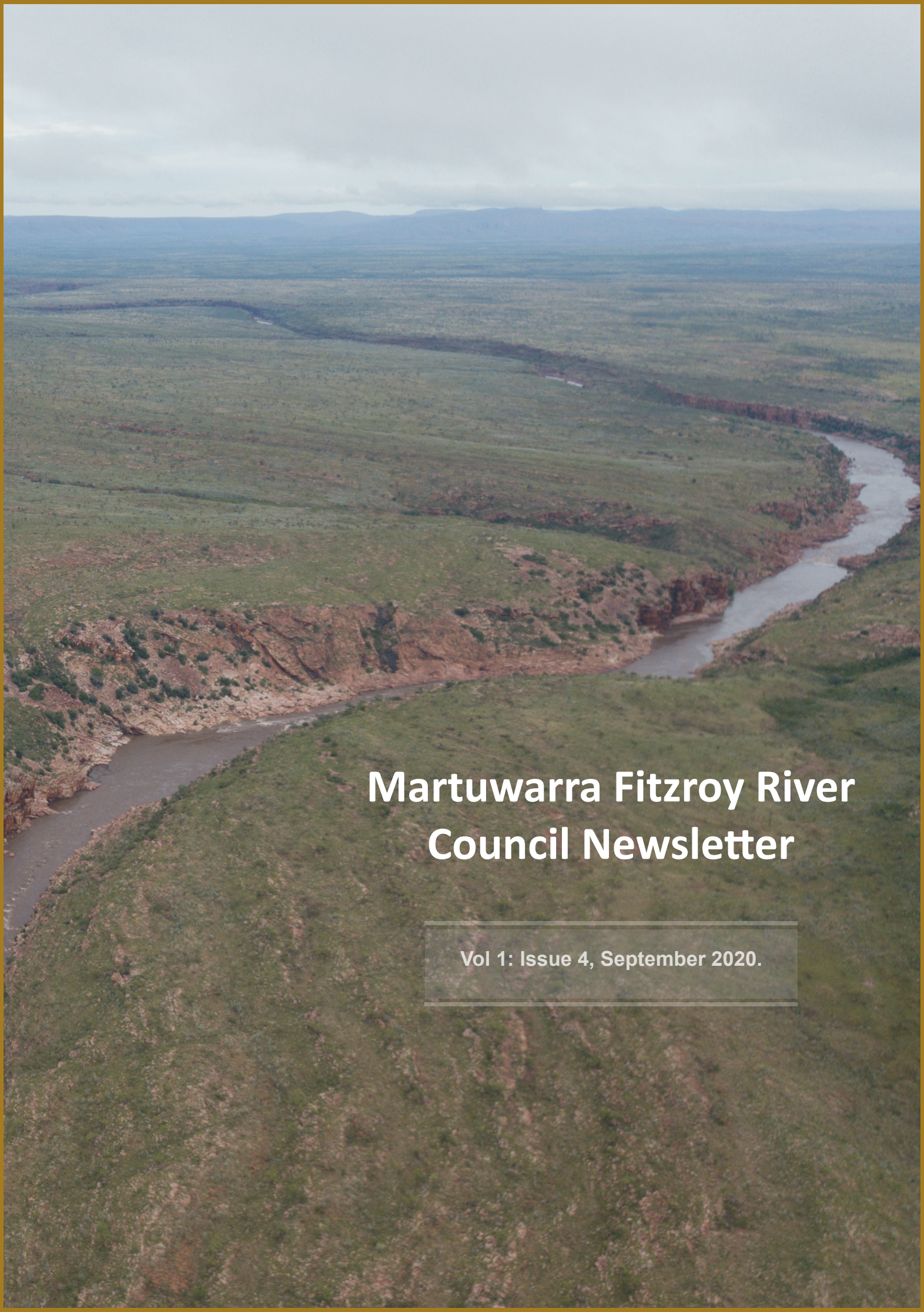

Martuwarra Fitzroy River Council Newsletter

Vol 1: Issue 4, September 2020.

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WELCOME !

The Martuwarra Fitzroy River Council wishes to acknowledge your contribution as a Newsletter subscriber which supports the protection of the Martuwarra, Fitzroy River.

- Please encourage others to visit our main website -
https://www.martuwarrafitzroyriver.org

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Dr Anne Poelina & Dr Alexander Hayes

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'*Chair Nanga (Talk)*' by Dr Anne Poelina

'*Voice for the River*' Interview with Annie Milgin by Dr Anne Poelina

'*I grew up along this River*' by Sherika Brooking

'*You just feel free at the River*' by Eric 'Mudge' Bedford

'*So let the Fitzroy River run*' by Elaine Marr

'*The River to me means Culture*' by Chantelle Berringal

'*The River makes me happy*' by Siahn Ejai

'*You've got a big Rainbow Serpent in there*' by Illiam Nargoodah

'*It's the last stronghold for the freshwater sawfish*' by Taryn Carrington

Community Research Content Contributors

'*Nothing is more valuable that time with Elders*' by Marlikka Perdrisat

'*Martuwarra Fitzroy River Council Youth Film Project*' by Stephanie King.

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'Martuwarra Council's Message Goes National' by Kat Taylor PhD

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Oethica Group Productions.

Chair Nganka (Talk) - Dr Anne Poelina

Photo: Dr. Anne Poelina

July and August 2020 have flown past, and plenty has happened. The Martuwarra Fitzroy River Council is now an independent legal entity. We are also seeking registration as a charity with deductible gift recipient (DGR) status.

We honour the senior people who hold First Law, the Law of the Land for their wisdom and guidance. We have a common and greater good which is to protect our most sacred ancestral serpent being; Yoongoorookoo, Galbardu, Kurrpurrngu, Mangunampi, Paliyarra and Kurungal, always Living Waters, Law First, the same meaning.

Importantly, Senior Elders particularly our Nyikina women; Annie Migin, Linda Nardea and Hilda Gray, with their friend and colleague Dr. Sarah Laborde are leading the way with the Living Waters, Law First knowledges and practice. The seasonal calendar research encompassing spiritual life force indicators for wellbeing is world's best practice.

Photo: '*Martuwarra Fitzroy River*' by Mark Jones, 2020

(Cont.)

There is now a Universal Declaration on the Rights of Rivers - https://www.earthlawcenter.org/river-rights/

I was recently interviewed by Ngaarda Media in Roeburne, Western Australia which you can listen to at https://martuwarrafitzroyriver.org/news/water-is-the-new-gold

The other podcast was for the '100th Anniversary of the Sustainability Podcast' from the United Kingdom (England) during which I spoke with Fergal Byrne on the topic of '*Valuing and Respecting Sustainability Principles from the Beginning of Time through to Modernity*'.

Here is a link to that podcast - http://thesustainabilityagenda.com/episode-100-interview-anne-poelina-indigenous-australian-nyikina-traditional-custodian/

The Martuwarra Council continue to direct their attention on Nyikina Mangala people as we hear the voice of Senior Gooniyandi Elder, Mervyn Street, 'water run down'.

The Martuwarra Council are worried that we need to have the research, and the evidence so we can be sure of why some developments can or cannot go ahead.

Sometimes we also must let other Traditional Owners know if the Martuwarra Council are worried about development on the River Country. It is important to show how any action in the Catchment, will not impact negatively, on our neighbour's land and living waters, that is the Living Waters, Law First Rule.

The Martuwarra Council will soon be launching the 'Fitzroy River Conservation and Management Plan', and the 'Martuwarra Country' report prepared by Dr. Magali McDuffie of 150 years of development and the impacts on our people.

Please also see Dr. Kat Taylor's report in this September, 2020 newsletter which indicates how busy we have been writing submissions to the Australian Commonwealth Government.

(Cont.)

The following publications are all coming out soon:

RiverOfLife, M., Taylor, K. S. & Poelina, A., (in press). *Living Waters, Law First: Nyikina and Mangala water governance in the Kimberley, Western Australia*.

RiverOfLife, M., Poelina, A., Bagnall, D., & Lim, M., (in press). *Recognising the Mardoowarra's First Law Right to Life as a Living Ancestral Being*, Special Edition, Indigenous Water Rights in Comparative Law, University of Canterbury School of Law, Christchurch (New Zealand).

RiverOfLife, M., Poelina, A., Alexandra, J., & Samnakay, N. (in press). *A Conservation and Management Plan for the National Heritage Listed Fitzroy River Catchment Estate (No.1)* Martuwarra Fitzroy River Council Fitzroy Crossing, Western Australia, Nulungu Research Institute, The University of Notre Dame, Broome, Western Australia.

RiverOfLife, M., McDuffie, M., & Poelina, A., (in press). *Martuwarra Country: A Historical Perspective (1838-Present)*. Martuwarra Fitzroy River Council, Fitzroy Crossing, Western Australia. Nulungu Research Institute, The University of Notre Dame, Broome, Western Australia.

O'Donnell, E., Poelina, A., Pelizzon, A., & Clark, C., (in press). *Stop burying the lede: the essential role of Indigenous law(s) in creating rights for nature.* Special Edition. Indigenous Water Rights in Comparative Law, University of Canterbury School of Law, Christchurch (New Zealand).

Stephanie King has written a short story in the newsletter on the film project she has completed with the Martuwarra Council, filming young people and other leaders in Fitzroy Crossing. These films will be uploaded soon on the Martuwarra Council website. We are also at the end of making the big film 'The Serpents Tale'.

This film will be screened in many countries around the world. For more information please see our Facebook site and the Martuwarra Council website for news, films, stories, reports and other good news about the Martuwarra River Country and peoples - http://www.martuwarrafizroyriver.org

If you require any information or have any further questions please email me - **chair@martuwarrafitzroyriver.org**

Respect and Goodwill,
Dr. Anne Poelina,
Chair, Martuwarra Fitzroy River Council.

Voice for the River: Interview with Annie Milgin, Senior Nyikina Elder and Traditional Custodian by Dr. Anne Poelina, Chair, Martuwarra Fitzroy River Council.

Photo: '*Balginjirr billabong'* by Alexander Hayes, 2020.

A couple of weeks ago, Aunty Annie spent the day with her sister Aunty Hilda Gray fishing and sharing stories at the Coolmala [Balginjirr billabong], at Balginjirr community. The billabong takes its name from the shape of a Coolamon [carrying dish].

After a beautiful day fishing and cooking fish and kangaroo tails it was time to go, but before Aunty Annie left, we had the opportunity to record her story on film camera. This is a small part of her story.

"My name is Annie Milgin. I am a Nyikina woman and I sit on the Martuwarra Fitzroy River Council and the River is very important for us".

"River got the meaning, River got the story, River got the songs, and also Birr Nganka. Birr Nganka was given to us from the our Bookarrakarra man [the creator of the River, Woonyoomboo who created the River from the beginning of time, creation time], you know, what he's been putting for us. And that Birr Nganka, it's still today".

Voice for the River: Interview with Annie Milgin, Senior Nyikina Elder and Traditional Custodian by Dr. Anne Poelina, Chair, Martuwarra Fitzroy River Council.

[Birr Nganka as Aunty Annie explained means the essence of life or the spirit form of life; life in plants, animals, birds, special and sacred places].

"Birr Nganka is like an Oongkoor/Ungud, Malaji, Makarri".

[This all means a spirit being or life force it can be in the River, Living Waters or in the land, Country].

"Ray/rai… We got Ray/rai spirit looking after us, too. Looking after that place, looking after the River, looking after the land. And, Malaji, it's very important. Malaji [*is a power which*] give us fish or food from the River, Malaji give us something from the land. So, that's what Birr Nganka means. Birr Nganka is very important for the River".

"We want to protect our River, and River is like a Mother, you know? Some Jila [*water holes*] connect to the River and they got a story underground and come to the River. Our story is from the River go to the Jila [*water hole*] or Oongkoor. They are all connected and that's very important to our River and I want to support this River".

"Kardiya [white people or non-Indigenous people] say climate change, but we got climate change it is what we see. That's why we are trying to protect this Martuwarra, Fitzroy River. I strongly speak for the Martuwarra. I want to see Martuwarra, let the River flow freely"

"Our ancestor Woonyoomboo been go that way, [he travelled] east, then he started off in another language now. Then, he let the water flow. Water been flow upwards now and it's like, one Woonyoomboo man, but he had two. He sent one Warloongarriy up to peninsula and another one to Ngarinyin, Wunambal, [all the different nations along the coast and up to the ranges]and all that. That story been divided, but he went this way because he's a Nyikina man. And we have to think about the salt water people, you know, and us. We are the ones going to be damaged".

Voice for the River: Interview with Annie Milgin, Senior Nyikina Elder and Traditional Custodian by Dr. Anne Poelina, Chair, Martuwarra Fitzroy River Council.

“We got spirits [*living entities*] that watch us doing the wrong things”

”Anything can be damaged. And that can flow and destroy us. We got a rule from the Woonyoomboo and the Law, Law is still there standing. And the rule is still standing”.

“Not from today. From way back, what Woonyoomboo been give us. Our rules never been changed. We still got that rule standing and that's why we follow our rules. We follow our rules, you know? For many things”.

“And that's the reason that we are, really, really, we are strong. I am strong speaking for River to be protected, all right?

“Thank you.”

Strengthening Relationships

Aunty Annie’s story is a beautiful story about relationships. Her relationship and love for the Martuwarra and all the secrets that it holds.

Her wisdom, understanding of First Law of Living Waters is profound. Lovingly, her love and ethics of care shines through in this story. You can now also watch and listen to Annie’s story at https://martuwarrafitzroyriver.org/stories/annie-milgin

Nothing Is More Valuable Than Time with Elders - Marlikka Perdrisat

Photo: *Jeannie Warbie, Nyikina Traditional Custodian'* by Harry Jakamarra, 2020.

One part of being a Martuwarra Council Storyteller is to communicate and communicate clearly so the message is not misunderstood. Since engaging with the Martuwarra Fitzroy River Council as a Digital Storyteller I have started to produce short film clips for modern mediums such as Instagram. It is important that the wider community understands how Nyikina people have relationships with time, non-human beings and The River.

My first video collection '*Concepts of Country*' communicates terminology that I grew up with in the Kimberley, words that have no translation into English. It explores our understanding of Bookarrarra, Liyan, Jadiny, Kooya and Warloongarriy. These words provide a framework for identity, wellbeing and sustainability - of everything.

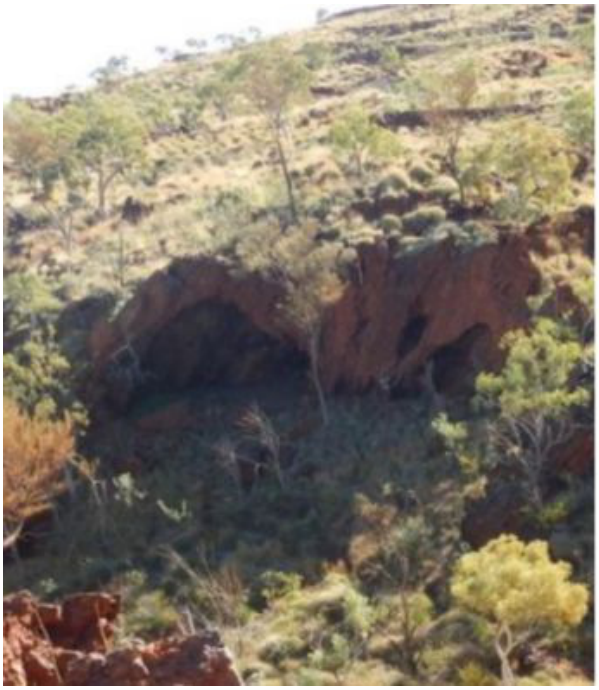
(Cont.)

I have gained so much knowledge and experience since the commencement of the Martuwarra Fitzroy River Council story teller program began. Nothing is more valuable than time with Elders."

For the second video I produced for Martuwarra Council it features Aunty Jeanie Warbie, sharing with me the story of Woonyoombo. This is the creation story of our first scientist who mapped country, naming the plants, birds and fish.

View Marlikka Perdrisat's video titled '*Jadiny*' at https://vimeo.com/451417578

Martuwarra Council's Story Goes National



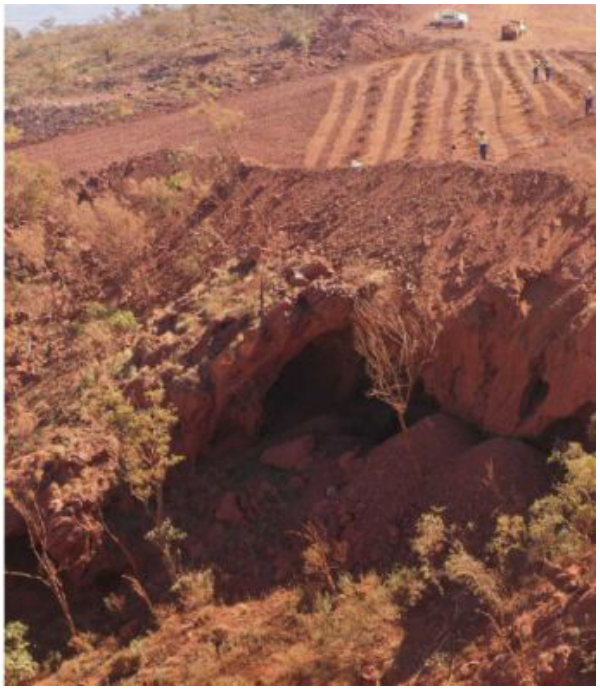


Photo: ABC News, 2020

Inquiry into the destruction of 46,000 year old caves at the Juukan Gorge in the Pilbara region of Western Australia.

The Martuwarra Council's story is going far and wide. Written submissions were sent to two federal government inquiries. The Council's leadership is valuable to national conversations about water reform and heritage protection. Sacred sites at Juukan Gorge were blown up in early 2020.

The Australian Senate asked the Joint Standing Committee on Northern Australia to find out what is wrong with heritage laws and how to make sure it never happens again. The Martuwarra Council wrote that "heritage must be understood in relation to living cultural landscapes and Living Water systems".

A way forward is:

- Reimagining the way 'heritage' is understood as a product of a deep and continuing spiritual and kinship reciprocal relationships with a living cultural landscape and Living Waters;
- Co-governance of water and land that respects First Law and Indigenous peoples' knowledges and enshrines free, prior and informed consent;
- Ensuring that state-based water legislation works in harmony with the EPBC act and other heritage legislation

The Council received expert assistance from the Environmental Defender's Office (EDO) and the Australian National University Water Justice Hub - https://waterjusticehub.org/stories/

Go to the inquiry website - https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Northern_Australia/CavesatJuukanGorge/Submissions - and find the Council's submission, number 108.

You can also read the Environmental Defenders Office submission - https://www.edo.org.au/publication/juukan-gorge-inquiry/

Productivity Commission Inquiry on Water Reform 2020

Australia's national framework for water reform is the 'National Water Initiative', or NWI. Every three years the NWI is reviewed by the Productivity Commission. The NWI has not done enough for Indigenous peoples and change is urgently needed.

The Martuwarra Council / Water Justice Hub - https://waterjusticehub.org/ - joint submission will be posted on the water reform - https://www.pc.gov.au/inquiries/current/water-reform-2020/submissions - website soon. The Council Chair, Dr Anne Poelina, also spoke to the Productivity Commission via Zoom.

The Martuwarra Council is leading the conversation about water and heritage. No more business as usual!

Dr. Kat Taylor
Research Fellow, Water Justice Hub
Katherine.taylor@anu.edu.au

Martuwarra Fitzroy River Council Youth Film Project

Photo: '*John Chisholm Filming the Martuwarra*' by Stephanie King, 2019.

In December last year, right as temperatures were hitting around 49 degrees, we had the pleasure of sitting with 11 young people by the river and filming their stories for the Martuwarra Fitzroy River Council. Our crew consisted of John Chisholm from PAKAM as the Cinematographer, Hozaus Claire as our Youth Advisor, and me, Stephanie King, Directing, Producing, making sure everyone had water, and trying to save the drone from overheating!

But the heat couldn't stop us from finding passionate young people to talk about the Martuwarra, and we were able to film incredible stories with Eric 'Mudge' Bedford, Illiam Nargoodah, Hozaus Claire, Sherika Brooking, Elaine Marr, Chantelle Berringal, Isabella Surprise, Jamahl Button, Terry Murray, Siahn Ejai and Taryn Carrington. We were particularly lucky that Sherika and Elaine took us to Old Crossing with Patsy Shaw and Germaine Rogers, so we were able to film the different generations connecting and enjoying the River together. Hozaus treated us to lots of laughs on a fishing trip with his brother Raymie Gunn, which resulted in some beautiful shots against the setting sun.

Photo: '*Filming the Martuwarra' John Chisholm* by Stephanie King, 2019.

And we were filming with Terry Murray by the River with when that big wind picked up and we had the first big drops of rain for December!

It was a very busy schedule to shoot with so many different people in just a few days, but it was a great shoot, and the interviews were all very powerful. It was special to hear about each person's individual connection to the River, and quite amazing to see that despite these differences, the same messages kept coming through from young people from all different language groups.

"Don't destroy our River," said Siahn. "It means everything to people." This message was consistent across all eleven (11) interviews. As Mudge said: "One thing the old people used to tell us, you look after the River, the River will look after you. Always… You gotta look after Country you know?"

Photo: '*Aerial of the Martuwarra' by* Martin Pritchard, 2019.

I would like to thank the Martuwarra Fitzroy River Council for inviting us to work on this incredible and very important project, and all the young people of the River for sharing your stories and teaching us so much. I would also like to thank Mel Bedford at Marra Worra Worra, Neil Turner at PAKAM, Martin Pritchard at Environs Kimberley, Bel Cook and Nat McCarthy at Mangkaja for your support.

And of course, thank you to the Martuwarra Fitzroy River for looking after us, showing us the animals and teaching us about Country.

Our Editor, Jono Reed is finishing this series of short films now, and we look forward to sharing them with you all soon!

Stephanie King
Writer, Researcher and Filmmaker

Photo: '*Filming with Sherika Brooking'* by John Chisholm & Stephanie King, 2019.

"I grew up along this River, you know… I got taught a lot of things, especially by my Grandmother… It's just special because our generations have been fishing, camping along this River."

"It's special to me because I love catching Barramundi and the fish is good eating… It's just beautiful… It's really special."

Sherika Brooking, Bunuba

Photo: '*Filming with Eric 'Mudge' Bedford*' by John Chisholm & Stephanie King 2019

"You just feel free at the River. Nothing to worry about… It's a place [for]... healing, and just bring you back down to earth… The old people used to teach us a lot… like you can cook fish in the paper bark trees. Some of the trees along the River, they're like medicine… When a certain tree's flowering, we know that the crocodiles are laying eggs or about to hatch and that."

"For my kids, I want them see this River how I used to see it. Not polluted and all that with all the farming and stuff… We used to walk this River up and down. But I think with the farming they'll stop all that you know?"

"One thing the old people tell us, you look after the River, the River will look after you. Always. You gotta look after Country you know?"

Eric 'Mudge' Bedford, Bunuba

Photo: '*Filming with Patsy Shaw and Elaine Marr'* by John Chisholm, 2019.

"The River is the main source here in Fitzroy… We drink the water here, you know? It's still fresh… It's life to everybody… People mainly go fishing, swimming as well. We just love going down to the River.

"It was here when we were small. Now it's gotta still be here for the children's future and their children's future… we need it. It's our source of life here. That's how we live. Without the River, we'll have nothing else to do. So let the Fitzroy River run."

Elaine Marr, Bunuba

Photo: '*Filming with Chantelle Berringal*' by John Chisholm, 2019.

"The River means to me, it means culture. It means strength. It means building our next generation a stronger pathway… because that's where our children learn knowledge, that's where our children learn their culture. And they belong there…

"It's very important that they leave the Fitzroy River alone and let it flow for the next generation… I think it's our rights as human beings and Traditional Owners of this area".

Chantelle Berringal, Walmajarri

Photo: '*Filming with Siahn Ejai'* by John Chisholm & Stephanie King, 2019.

"The River… it makes me happy. I mean, it's where I'd rather be, other than home… We come out here every weekend… so we can get away from shops, phones, internet… It means everything to people to try and provide.

"Teach young ones how to fish and hunt… Is the Fitzroy River and its people going to benefit from those developments?".

Siahn Ejai, Gooniyandi

Photo: '*Filming with Illiam Nargoodah'* by John Chisholm & Stephanie King, 2019.

"You've got a big Rainbow Serpent in there… If you believe it, you know you can see it. All my family, grandmothers, they like to take us out fishing… We used to walk, follow the River… They taught me how to protect the River and the River will protect you… It taught me about life and everything that the water is connected to."

"The saltwater connected to the freshwater because the saltwater creatures, fishes, they depend on the freshwater… what they bring in, like food and nutrients… We're all connected… Basically, the River is Life... The River is like family… What this River wants from their people is to get visited from their people and they'll get happy then… Just visit, talk, let them know that you're here. And the rain will come back then, yeah."

Illiam Nargoodah, Walmajarri

Photo: '*Filming with Taryn Carrington'* by John Chisholm & Stephanie King, 2019.

"We go out with our families and our grandmother still teaches us stuff about the River – water, fishes, surrounding areas, floodplains. It's the last stronghold for the freshwater sawfish…

"Some of us are still living off the River. Every weekend we're out with our family you know. Young people go out on the boats out in the gorges… It's our life, it's part of us. We all need this water… It's part of us. You can't take that away."

Taryn Carrington, Gooniyandi

Thank you for reading our newsletter.

Please encourage others to visit the
Martuwarra Fitzroy River Council website at
https://www.martuwarrafitzroyriver.org

This newsletter has been brought to you by the Martuwarra Fitzroy River Council located in Fitzroy Crossing in the Kimberley Region of Western Australia.