

SEA RIGHTS YINGAPUNGAPU

STATEMENT OF HERITAGE VALUE

The Sea Rights Yingapungapu is a permanent sand sculpture memorial created in 2018 for the tenth anniversary of the Blue Mud Bay decision. This decision recognised that Traditional Aboriginal Owners under the *Aboriginal Land Rights (NT) Act, 1976* had exclusive rights to lands and waters within the intertidal zone in the Northern Territory. It is considered one of the most important legal decisions in Northern Territory history.

The Sea Rights Yingapungapu is located on the foreshore of the Banyala Community, approximately 130 kilometres southwest of Nhulunbuy in Blue Mud Bay, northeast Arnhem Land. It is located in sacred space near important ceremonial grounds which continue to be used for initiation, burial and peace-making ceremonies.

The Sea Rights Yingapungapu is a large, oval-shaped sand sculpture pointed at each end and resembling the shape of a canoe. Its perimeter and internal designs are formed by raised compacted sand. Historically significant flags and two larrakitj (wooden ceremonial poles) painted with sacred patterns by acclaimed Yolngu artists are positioned within the Yingapungapu. A perimeter fence defines and protects the sculpture.

The deliberate positioning of the Sea Rights Yingapungapu, combined with the placement of the Sea Rights flags in the sea in front of the sculpture marking high and low water, results in a highly evocative statement about the recognition and assertion of Aboriginal land rights in the intertidal zone for the Blue Mud Bay clans.

The Sea Rights Yingapungapu memorial was made by and represents the clan groups of the Djalkiripuyngu (footprint people) of Blue Mud Bay. The Djalkiripuyngu fought for recognition of their sea rights for more than a decade in the Australian legal system. The memorial represents their collective advocacy and achievement of sea rights. It also shows the way that Yolngu people have drawn on their culture and artistic expressions to advocate for Aboriginal rights. The Sea Rights Yingapungapu does this in a similar way to the 1963 Yirrkala Bark Petitions and the 1988 Barunga Statement.

The Sea Rights Yingapungapu is also a conduit for the passage of intergenerational cultural knowledge. Its shape, internal designs, larrakitj and flags draw on cultural knowledge passed down from ancestral beings to Yolngu today, including the more recent history of Macassan interactions. It is this knowledge that is the foundation for the assertion of traditional rights to country.

Yingapungapu sand sculptures are not rare and are used frequently in Yolngu burial ceremonies. However, the Sea Rights Yingapungapu is the only known permanent example of a yingapungapu where Yolngu have drawn on cultural practice to memorialise a significant historical event *in situ*. It is also unique in the general practice of yingapungapu because it is a combination of clan designs.

The Sea Rights Yingapungapu is associated with many Yolngu leaders, some of whom have passed away, including Wonggu, Wakuthi Marawili and Mundukul Marawili. It is also associated with artists and cultural leaders such as Djambawa Marawili, Waka Mununggurr, and Donald Nuwandjali Marawili.

The Sea Rights Yingapungapu is a living memorial which is physically and culturally renewed during ceremony and for special occasions, but remains physically distinct. It has high cultural and social values for the clans who gather at the memorial to perform and pass on knowledge of the ancestral songs and dances for Sea Country and assert their rights to the cultural and economic management of their Sea Country.