

# Treaty(ies)

Aboriginal Peoples of Australia have been waiting for more than 200 years for formal and binding agreements with Government. They want the opportunity to take control over their lives and to determine their futures through legal agreements, compacts, covenants or treaties established in law and enforceable through the courts.

The message from very many Aboriginal Peoples in Australia to the Australian Government is that the time is long overdue for genuine negotiation on treaties.

Treaty would recognise the sovereignty of the First Nations People over their land and enshrine the right of self-determination which was promised to them when Australia ratified the International Covenant on Economic, Social and Cultural Rights 40 years ago.

For more info, see: <http://www.respectandlisten.org/treaty.html> and <http://www.concernedaustralians.com.au/#Treaties>

**Watch this 8-minute You-Tube video clip:**

[https://www.youtube.com/watch?v=nU\\_H0oIQy60](https://www.youtube.com/watch?v=nU_H0oIQy60)

## **Time To Talk Treaties** **Treaty Messages by 'concerned Australians'**

- A United Nations Committee in 2010 recommended that Australia “...*consider the negotiation of a treaty agreement to build a constructive and sustained relationship with Indigenous Peoples.*”  
The UN Committee on the Elimination of Racial Discrimination CERD, Concluding Observations, August 2010.
- In the year 2000, The Council for Aboriginal Reconciliation (CAR) identified a Treaty was the unfinished business of the reconciliation process and recommended:  
*“that the Commonwealth Parliament enact legislation . . . to put in place a process which will unite all Australians by way of an agreement, or treaty, through which unresolved issues of reconciliation can be resolved.”*
- Aboriginal Peoples all know that this land belongs to them. The land was never ceded nor has any government ever attempted to seek a settlement or treaty with its owners.
- *“Australia is the only Commonwealth country that never signed an official treaty with its Indigenous peoples.”*  
Sir William Deane, Australian Governor-General (1996–2001), at Inaugural Vincent Lingiari Memorial Lecture (August 1996)
- Aboriginal Peoples of Australia have been waiting more than 200 years for Treaties.
- Treaties and Constitutional Recognition are both important issues. They are independent of each other. There is no particular order in which these important changes should be made.

*“Canada has its centuries-old treaties, and more modern treaties today, and more recently, constitutional recognition of Aboriginal Canadians in the life and history of that nation.”* Mick Dodson, July 2007.

[www.concernedaustralians.com.au](http://www.concernedaustralians.com.au)

### **In the Absence of Treaty**

This book explores the current inadequacy of the process used in engaging with Aboriginal people, which results in control slipping away from them. It provides concise but incisive account from recent reports about the reasons for the ongoing and growing frustration of many Aboriginal people in the NT. In doing so it hints at possibly the only solution - treaties.

<http://www.respectandlisten.org/nt-intervention/concerned-australians.html> or  
<http://www.concernedaustralians.com.au/#ITAT>

### **John Pilger exposes Australia's shocking secret in Utopia**

... Education and public debate are important, but the catastrophe imposed on Indigenous Australians is the equivalent of apartheid, and the system has to change. Colonialism in Australia has to end, finally. There has to be genuine political, social and moral restitution, and that means a treaty and universal land rights. By treaty, I mean a constitutionally binding 'bill of rights' for Indigenous people and recognition of their right to self-determination. This can only be achieved by negotiation between the majority and minority populations on an equal basis. **Australia is the only western country with an Indigenous population that has no treaty: no framework of mutual respect.** Before anything can change, that must change.

<http://www.australiantimes.co.uk/entertainment/interview-john-pilger-exposes-australias-shockingsecret-in-utopia.htm>

### **Fresh Push For Treaty Emerges From Shadow Of Recognise Campaign**

...A new YouTube campaign, narrated by Aboriginal actress Kylie Belling and featuring a number of strong Aboriginal women, has been launched to reinvigorate the call for a treaty.... The video charts the beginnings of dispossession, the broken Hawke promise to sign a treaty with Aboriginal nations, and presents a harrowing portrait of the rights abuses under the Northern Territory intervention. ...

Bagot community leader Joy White is also filmed telling a forum of the importance of land to Aboriginal equality: "Unless we get our rights back as Aboriginal people of this land, unless we get that back, there is no hope for Aboriginal people because the government will still condemn us every way we can." ...

<https://newmatilda.com/2014/08/19/fresh-push-treaty-emerges-shadow-recognise-campaign>

## **Remote Aboriginal Community Closures**

### **Will You Help to Prevent a Crisis?**

The Commonwealth's commitment to Homelands and Outstations was surely sealed by the 1967 Referendum. How can it be then that the federal government can consider abandoning their long-held responsibilities by cutting essential funding to these especially vulnerable areas?

What is clear is that the Commonwealth knows full well that the consequences of the cuts will fall with brute force onto Aboriginal communities least able to defend themselves. Such behaviour is contemptible.

It is quite clear that state governments do not have the resources to simply replace Federal funding. Mr. Barnett in Western Australia has responded by indicating that he will **close up to 150 remote Aboriginal communities by simply cutting off their essential services – water, power etc.** Arrangements with the South Australia government are still to be determined but at this stage the outstations fear their fate will be similar to those in the West.

<http://www.concernedaustralians.com.au/> and  
<http://www.respectandlisten.org/landrights.html>

## **Urgent Action:**

The remote community closures are receiving considerable attention and policies such as these as well as massive funding cuts to other Aboriginal organisations, must be reconsidered / reversed. Parliament returned last Monday, 16 March.

**Please send letters or telephone Tony Abbott and Nigel Scullion as soon as possible and tell them that it would be totally unacceptable for funding to Remote Communities to be cut. Ask your friends and wider networks to help.**

Points for letter writing and phone calls as well as contact details of the Prime Minister and the Minister for Indigenous Affairs are included at:

<http://www.concernedaustralians.com.au/media/Outstation-closures-Letter-requesting-help.pdf>

...The forced removal of these Indigenous communities will break the spiritual link they have with their country, built up over 40,000 years. To claim, as the West Australia Government does, that the communities are 'not viable' is to ignore the ongoing traditions of moving in and out of these places, over 40,000 years of the spiritual and cultural life of these people. It would make the people forced out of these places refugees in their own country. ...

[http://franciscansinternational.org/fileadmin/images/Advocacy\\_statements/Joint\\_urgent\\_appeal\\_-\\_West\\_Australia\\_s\\_Government\\_Plan\\_to\\_close\\_the\\_indigenous\\_communities\\_-\\_submitted\\_by\\_Franciscans\\_International\\_and\\_Edmund\\_Rice\\_Int.pdf](http://franciscansinternational.org/fileadmin/images/Advocacy_statements/Joint_urgent_appeal_-_West_Australia_s_Government_Plan_to_close_the_indigenous_communities_-_submitted_by_Franciscans_International_and_Edmund_Rice_Int.pdf)

## **Jeff McMullen comments in Redfern and Canberra, 26 January 2015**

We must wake up to see that ... we are standing by and allowing the dispossession of hundreds of whole communities, thousands of our fellow citizens who are to be swept off the homelands. The Barnett Government in WA and the Weatherill Government in SA are following the lead of the NT Government in slowly strangling the homelands. 150 in WA and over 50 in SA in the APY Lands are now on the endangered list...

It is a grim irony that there is now a poisonous bipartisanism in the determination of the Coalition and ALP politicians, state and federal to drive people off country and into the so called growth towns. There is not adequate housing, education, healthcare or employment in these towns for the homelands people and so Australia appears to be consigning people to the long grass and the already overcrowded town camps.

The current legislative changes to the Land Rights Act [NT 1976], the marginalising of Land Councils and Traditional Owners, is shifting control to the new corporations who with the nod of a federal minister will become the new Chief Protectors, pretending to care about the people but truly only interested in the wealth of these lands. These changes will materialise this year unless Australians stand up and speak out against this threat.

[http://media.wix.com/uqgd/81f86c\\_328f980e05ff4e23919480e2ebd8f7f8.pdf](http://media.wix.com/uqgd/81f86c_328f980e05ff4e23919480e2ebd8f7f8.pdf)

## **Human Rights violations of First Nations People in Australia**

Forced removals in the past have proved devastating and costly, not only to the communities themselves but also to the surrounding communities responsible for resettlement. Nearly all outback Aboriginal communities are under-resourced, have inadequate infrastructure and are grappling with social problems. To burden these communities further is unthinkable.

Such action would place Australia in conflict with international law.

*"...forced evictions are ... incompatible with the requirements of the International Covenant on Economic, Social, and Cultural Rights and could only be justified in the most exceptional circumstances...."* UN Committee on Economic, Social, and Cultural Rights, General Comment No.4, (1991)

<http://www.concernedaustralians.com.au/media/Outstation-closures-Letter-requesting-help.pdf>

## **UN Declaration on the Rights of Indigenous Peoples (UNDRIP)**

On 3 April 2009, Australia expressed its support for UNDRIP

<http://stoptheintervention.org/facts/united-nations/un-declaration-on-the-rights-of-indigenous-peoples/australia-s-support-for-undrip>

however forcibly removing First Nations Peoples from their homelands breaches various articles of UNDRIP, for example:

### **Article 8**

1. Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture.

2. States shall provide effective mechanisms for prevention of, and redress for:

(a) Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities;

(b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources;

(c) Any form of forced population transfer which has the aim or effect of violating or undermining any of their rights;

(d) Any form of forced assimilation or integration;

### **Article 10**

Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.

[http://www.un.org/esa/socdev/unpfii/documents/DRIPS\\_en.pdf](http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf)

## **Next STICS meeting**

**As the first Monday in April will be a public holiday, there will be no STICS meeting.**

**Our next STICS meeting will be:**

**Monday, 20 April with Paddy Gibson as our special speaker**

### **Topic: What happened to the Intervention?**

Jumbunna researcher and founding STICS member Paddy Gibson has just returned from 12 months living in Alice Springs. At this special STICS meeting he will give a presentation looking at the continuing impacts of the NT Intervention, now known as 'Stronger Futures' on Aboriginal living conditions, incarceration and child removal rates. Paddy will also discuss how the policy architecture of the Intervention is expanding across the country and why the demand for a repeal of Intervention laws remains as important as ever.

This pamphlet including the links listed can be found on the STICS website at <http://stoptheintervention.org/>

## **DONATE TO STOP THE INTERVENTION COLLECTIVE SYDNEY!**

Account name: Stop the Intervention Collective Sydney

BSB number: 062212, Account number: 10452725,

ABN 56 162 064 644.