

National Indigenous Human Rights Congress Australia

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Open Statement from NIHRCA to the President of the Senate Committee Parliament House

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NIHRCA Response to Australian Governments Pre Election Legislation

“Politics Is About Balance” John Howard says, if that be so this country would be a true democracy and the Australian governments constituents would be making the laws for the betterment of humanity and the environment. Politics is a personal point of view. Politicking is enforcing your point of view on another person or Peoples. This is a description of a Dictatorship, contradicting the political elements required for a balance.

In the past two weeks Aboriginal Peoples in Australia have been subjected to a long awaited trial of a Queensland Police Officer, the first police officer to be put on trial for an Aboriginal Death in Custody, the proposed Nuclear Waste Dumps in the Northern Territory and then the oncoming invasive, inhumane solution to Aboriginal child abuse & Alcoholism in the Northern Territory.

In reality Peoples make laws. All Peoples should be tried publicly, the jury in Australia must consist of Aboriginal Peoples to ensure justice prevails, considering the past injustices exposed in the Royal Commission into Aboriginal Deaths in Custody.

Ours are elders, who held Law through passages of rights. Celebrated with customary practises that involved other tribes, we acknowledged that what happened in our tribal boundaries would affect the surrounding countries. Our

diplomacy was excellent.

In our societies laws were made on the basis of survival. Fundamental requirements, to protect the environment, Peoples and the needs for life recognising that the health of the land reflects the health of the Peoples. A law that contradicted this would not be passed.

That is the true balance of leadership.

The politics that is affecting our Peoples now is in breach of Human Rights & Social Justice. Completely evading the historic issues that bought the race relations in this country to this point.

We are not saying that we do not need police officers. What we want from our police force is integrity. What we want from a justice system is a fair and humane one. We are not saying paedophilia and child abuse must not be addressed in our communities. Currently that is a global concern and should be a national concern for all children.

Most importantly we are saying we want a say in our future of our culture, our land our Peoples. We are saying that we want a say in our destiny and what happens on our land. Self Determination. We want consultation processes to be full fair processes of consultation. We are talking human rights and social justice a necessity not an option for all Peoples.

The Australian Police Forces have lost their integrity, if they had any at all. They are supposed to uphold the Law and keep the peace they are not the law. More importantly they are not beyond reproach of the law. That is constitutional, the constitution was supposed to ensure human rights and social justice of citizens of the commonwealth however the power to make special laws for Aboriginal peoples gives the Commonwealth governments the power to commit genocide.

The results of the Hurley case leaves no room for, tongue in cheek, “reconciliation”. All the non-indigenous organisations that benefit from the coffers of Reconciliation Limited have all the resources and the money to lobby the government for justice reforms and most importantly a NUKE FREE COUNTRY. That is not a Racial issue, it is important for the survival of humanity and the land.

The invasive methods and the biased media sensationalism of the child abuse in the Northern Territory right after proposing Nuclear Waste dumps in the NT on top of the acquittal of a Senior Police Officer for the death of an Aboriginal man on Palm Island is the evidence of the oppression of Aboriginal Peoples in this country. To

oppress a race and blame the race for the outcome of that oppression is not only criminal it is fraud.

However it also exposes the fact that Australia has become from 1788 a closed racist society. Denying the fact that this is the aftermath and the failure to recognise that this is Aboriginal Land. That we are the Sovereign Custodians of this country.

As the Queensland and Australian Justice systems, the Northern Land Council, in particular the non-indigenous advocates have done a grave injustice to the Peoples they represent. It is country that we have a responsibility and our future generations and we have no room for mistakes. An injustice that can be rectified with proper consultations with all parties involved in relation to country. This would include Aboriginal representation on the Marine Park Authority.

The Northern Territory should consider statehood now, I have been in Canberra for seven years and it is truly dysfunctional. As the Prime Minister said he is not listening to those advisors that do not live in the community however Mal Brough's tour is his definition of living on community. Mr Brough is only seeing the aftermath of the Australian governments and the churches influence on Aboriginal peoples since 1788.

The Australian governments have failed to implement humane and just policies for the Aboriginal "citizens" of this country by enforcing assimilation of the First Nations of this Country. Assimilation is an Act of Genocide and the Australian Government has become a global disgrace for their treatment of the Indigenous Peoples of this country.

The NIHRCA would like for the Senate Committee to consider refraining from moving to pass legislation prior to the Federal Election in relation to all issues that affect Aboriginal peoples in Australia. This would include the Agreements currently in process on Lizard Island and the amendment to the Great Barrier Reef Marine Park Act to remove Aboriginal representation.

It has become apparent that the issues that have been put before the Senate have had detrimental affects and full consultations from the Peoples have not been adequate enough to pass these archaic laws. The NIHRCA would like for the Senate Committee to consider advocating human rights & social justice for Aboriginal People in accordance with the United Nations Declaration on Human Rights and to reconsider the Rights of Indigenous Peoples before the irreversible Act of genocide of the Aboriginal Race is committed by your government.

Thankyou for taking time to read this submission on behalf of the Aboriginal

Peoples in Australia. We await your response in anticipation.

Yours sincerely

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Chairperson

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Founder NIHRCA