



AUSTRALIA

AUSTRALIAN MISSION TO THE UNITED NATIONS

E-mail UN.Geneva@dfat.gov.au

Chemin des Fins 2, Petit Saconnex, 1211 Geneva 19 Ph +41 22 799 9100 Fax +41 22 799 9175 www.geneva.mission.gov.au

Expert Mechanism on the Rights of Indigenous Peoples – Fourth Session

Item 4: Study on Indigenous peoples and the right to participate in decision-making

The Australian Government welcomes the Expert Mechanism on the Rights of Indigenous Peoples' final version of its study on Indigenous peoples and the right to participate in decision making.

This study provides valuable practical examples of participation by Indigenous peoples by focusing on a wide range of good practices at different levels of decision-making. These examples have the potential to assist States, Indigenous peoples, organisations, national human rights institutions and others to protect and promote Indigenous people's participation in decision-making.

In March 2010, Australia was pleased to provide the Expert Mechanism with a range of information on Aboriginal and Torres Strait Islander peoples' involvement in and contribution to policy development and practice to assist in this study. At the third session of the Expert Mechanism, Australia also provided some additional information on the new national Indigenous representative body, the *National Congress of Australia's First Peoples*.

The National Congress will provide a central mechanism with which governments, the corporate and community sectors can engage and partner on reform initiatives.

Mr Chair

We would like to take this opportunity to provide the Expert Mechanism with an update on developments with the National Congress. The National Congress is now operational and held its inaugural gathering on 7-9 June 2011. The Australian Government would like to congratulate Les Malezer and Jody Broun on their election as Co-Chairs. Les Malezer who is well known to many of you is attending this session in his new capacity.

The Australian Government will be working with the National Congress on developing an engagement framework to facilitate arrangements for effective, constructive and mutually beneficial engagement between the Government and the National Congress. It is expected to cover principles, rules and priorities for engagement, and guidance around when consultation should occur.

Noting Australia's system of representative parliamentary democracy, the Australian Government is committed to the principle that all people, including Indigenous peoples, should be able to engage fully and freely in the democratic process and be consulted where decisions affect them. The Australian Government views public consultation as a key part of the legislative process, and actively seeks community input into the development of policy.

Australia recognises the importance of engaging in good faith consultation with Indigenous peoples in relation to decisions that affect them. Australia's Closing the Gap strategy, which is designed to address Indigenous disadvantage in key areas is underpinned by a commitment to genuine engagement with the Aboriginal and Torres Strait Islander community.

For example, the National Partnership Agreement on Remote Service Delivery commits governments to deliver facilities and services to remote Aboriginal and Torres Strait Islander communities comparable to those which would be expected in any Australian town of similar size, location and need. Under this

agreement, governments have agreed to develop Local Implementation Plans to guide future investment in 29 priority remote service delivery communities. These Local Implementation Plans are being produced in close partnership with and agreement by the local Aboriginal and Torres Strait Islander communities.

Mr Chair

The Australian Government once again congratulates the Expert Mechanism on their study on Indigenous peoples and the right to participate in decision making.