

**United Nations Permanent Forum on Indigenous Issues
Tenth Session - New York
16-27 May 2011**

**Agenda Item 4(a): Implementation of the Declaration of
the Rights of Indigenous Peoples**

Women

**JOINT INTERVENTION DELIVERED BY CATHY EATOCK ON
BEHALF OF:**

The Aboriginal and Torres Strait Islander Women's Legal Service (ATSIWLS)
Aboriginal Legal Service Western Australia (ALSWA)
Aboriginal Medical Service Western Sydney (AMSWS)
Amnesty International
Foundation for Aboriginal and Islander Research and Action (FAIRA)
Gugu Badhun Ltd.
Indigenous Community Volunteers
National Aboriginal Community Controlled Health Organisation (NACCHO)
New South Wales Aboriginal Land Council (NSWALC)
Urapuntja Aboriginal Corporation
Yarkuwa Indigenous Knowledge Centre

Thank-you Madam Chair,

The Indigenous Women's Caucus of Australia are pleased to address this Forum on Indigenous Women and we welcome the appointment of Megan Davis as the first Aboriginal woman Expert Member.

We would first like to acknowledge the elders who have gone before us, who fought to defend our communities' rights, and the communities that are represented at this Forum today.

While Australia acceded to the Optional Protocol to Convention on the Elimination of Discrimination Against Women (CEDAW) *in 2008* and endorsed the *Declaration* in 2007, these have, to date, failed to translate to meaningful input into policies that impact them so detrimentally.

Northern Territory Emergency Response (NTER)

The Northern Territory Emergency Response is a devastating policy that continues to contravene the most basic human rights of Aboriginal women.

These policies subject Aboriginal women to the systematic abuse of income management where families have 50% of their income withdrawn and provided through food voucher cards.

The Emergency Response was so racially discriminatory that it required the suspension of *Racial Discrimination Act 1975 (Cth)*. While, amendments to these policies, on 21 June 2010, now mean these measures can be applied to identified non-Aboriginal welfare recipients, in practice this approach continues to breach the Convention on the Elimination of Racial Discrimination (CERD).

These amendments still enable the forced leasing of community lands to the government as 'Special Measures'. Under this policy Aboriginal communities' resources and school funding are re-directed from remote and homeland communities to larger identified 'growth towns.' This approach is based on an attempt to force Aboriginal communities to fit into western concepts of regional labour markets.

Community Development Employment Program (CDEP)

Article 20 and 21 of the *Declaration* confirm Indigenous rights to maintain and develop their own culturally matched economies.

However, on 1 July 2009, the Australian Government cut the Community Development Employment Program known as (CDEP), allowing only limited CDEP in very remote communities. The ceasing of the CDEP resulted in the loss of employment and services for women in many critical community based services. In communities such as Yarrabah where previously 450 people were employed, it has been reduced to just 31 positions.

Violence

The disadvantage experienced by many Aboriginal and Torres Strait Islander women is also reflected in high rates of victimisation. The eradication of violence against women requires the implementation of Indigenous approaches that address violence. Indigenous specific services are also essential for Aboriginal and Torres Strait islander women, who often avoid mainstream services.

Housing

Housing is another key concern for Aboriginal and Torres Strait Islander women. The chronic shortage of housing in Aboriginal communities has resulted in serious overcrowding, with large extended families, of up to 27 people, forced to share the same dwelling and has contributed to high levels of violence. This situation is intolerable in a wealthy country such as Australia and is in violation of Article 21, 22 and 23 of the *Declaration*.

Education

The education of girls is a key means to address Indigenous women's marginalisation. While *the Convention on the Rights of the Child* and Article 14 of the *Declaration* commits to protect Indigenous rights to education, the implementation of the Government's '*Improving School Enrolment and Attendance Through Welfare Reform*' strategy, adopts a punitive approach that cuts welfare payments of Indigenous mother's, where a student has more than three absences in a school term.

Financially penalising these families and cutting bilingual teaching in remote communities only further alienates girls and their families from schools and an education. Women and girls need constructive incentives, not punitive practices, to encourage school attendance.

In closing, we recommend that the Permanent Forum:

- 1. list Indigenous women as a standing agenda item in all future Permanent Forums;**
- 2. seek detailed reports from states on their progress in implementing the Declaration and Optional Protocol to CEDAW;**
- 3. undertake a study into Indigenous women and violence under Article 22(2) of the Declaration; and**
- 4. Hold an expert workshop on Indigenous women.**

Thank-you Madam Chair and members of the forum.