

**United Nations**  
**Permanent Forum on Indigenous Issues**

---

Sixth Session  
New York, 14-25 May 2007  
Item 8 of the Agenda  
**Data collection and disaggregation**

JOINT STATEMENT DELIVERED BY BRIAN WYATT ON BEHALF OF:  
Aboriginal Legal Rights Movement (ALRM)  
Foundation for Aboriginal and Islander Research Action (FAIRA)  
Indigenous Law Centre, University of New South Wales  
National Aboriginal Community Controlled Health Organisations (NACCHO)  
National Native Title Council (NNTC)  
New South Wales Aboriginal Land Council (NSWALC)  
World Council of Churches (Australia)

---

Madam Chairperson, this is a joint statement on behalf of the Indigenous Peoples Organisations from Australia represented at this session of the Forum.

This year marks the 40<sup>th</sup> anniversary of the successful passage of a referendum in Australia to amend our Constitution to enable the federal government to assume responsibility for making laws for Aboriginal Australians. In other words, the Australian Government has had 40 years to address Indigenous disadvantage. Yet the various levels of government in Australia are still to clearly articulate the division of responsibility for delivery of Indigenous services and programs, and consequently they have achieved little in terms of closing the gap between the quality of life of Indigenous and non-Indigenous Australians. Indeed it is only in the recent years that the Australian Government has made a concerted effort to specifically include details about Indigenous Australians in the national census.

As a result, the collection of data and disaggregated data in particular remains a significant challenge in the Australian context.

As the Forum is aware, Indigenous affairs in Australia is in a state of flux, with new policy directions being announced on a relatively frequently basis. Living in these uncertain times has obvious adverse impacts on Indigenous peoples, but it also makes it very difficult to evaluate the effectiveness of individual law and policy changes. The time is not being taken to properly evaluate major policy initiatives before they are abandoned – and alternative approaches are being introduced that are not tried or tested in another context.

We therefore run a serious risk of not being able to identify and address ‘bad policy’ in a timely manner, and of repeating the same mistakes. In the meantime, there is the danger that the disadvantage of Indigenous peoples will become further entrenched.

We also remind the Permanent Forum of the young age profile of the Indigenous population in Australia, which means that the scope of the issues currently being faced is expected to significantly increase in the coming decades. The increase in absolute terms of the size of the Aboriginal and Torres Strait Islander youth population will require significant increases in services and programs simply to keep pace with demand and maintain the status quo, let alone to achieve a reduction in existing health inequality.

One area where the collection and disaggregation of data is better managed is suicide. We know for example, that we can expect to see steady and disproportionate increases in the rates of Indigenous suicide. This is an areas where governments, Indigenous peoples and civil society need to work harder and more effectively.

The Australian Government's policy of defunding indigenous specific programs and services in urban and regional centres, and requiring Indigenous peoples to access mainstream alternatives, raises serious concerns in a discussion of the need for disaggregated data. We believe this mainstreaming agenda will make it very difficult for governments to allocate resources to the people with the greatest need because Indigenous clients' experience of mainstream services and programs will become much harder to measure, and their satisfaction with services will be assessed through non-indigenous indicators.

Overall the range of information on accessing mainstream government services is patchy at best. There appears to be no overarching framework of benchmarks and indicators specific to issues of improving access to mainstream services. This amounts to a major evaluation gap in the new arrangements for the administration of Indigenous affairs given the centrality of this objective in reducing Indigenous disadvantage.

Madam Chairperson, we note that all Australian governments have committed to the production of regular reports against an agreed framework that is designed to measure relative Indigenous disadvantage in a holistic manner.<sup>1</sup> This is an acknowledgement that population health and inequality is determined by many interconnected social factors and if Indigenous disadvantage is to be overcome, disadvantage needs to be tackled in an integrated manner.

Whilst this is a welcome development, Indigenous Australians continue to hold a number of serious concerns about the capacity of these data collection activities to translate into beneficial outcomes in our people's lives.

Firstly, even though a range of performance indicator frameworks exist to monitor Indigenous health, housing, education and so on, there are *no targets or benchmarks to measure the adequacy of progress in addressing disparities experienced by indigenous peoples.*

---

<sup>1</sup> This is the *Overcoming Indigenous Disadvantage Framework* that is being used by the Council of Australian Governments.

This is despite Australia's legal obligations under Article 2 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), which places a burden on our Government to demonstrate it has made *every effort to use all available resources* to progressively realize the economic, social and cultural rights of Indigenous Australians.

The Australian Indigenous Peoples Organisations present at the Forum concur with the recommendations of the Committee on the Elimination of Racial Discrimination in 2005, which amongst other things, encouraged Australia to intensify its efforts to achieve equality in Indigenous Peoples' enjoyment of our human rights. CERD specifically recommended that Australia establish benchmarks for monitoring progress in key areas of Indigenous disadvantage.

Madam Chairperson, just to indicate that there is considerably more that the Australian Government could be doing to improve health outcomes for Indigenous Australians, we mention the recent Budget decision in relation to Indigenous health expenditure. Australia currently has a budget surplus of about AUD\$17 billion, and the Australian Medical Association advised the Government that it needs to invest \$450 million per annum in Indigenous health if we are to address the disparity in health outcomes between Indigenous and non-Indigenous Australians. Yet the Government chose to allocate only \$120 million to Indigenous health over the next four years. This is *not* indicative of a government using all available means.

A second serious concern we have in relation to the adequacy of the Government's data collection practices relates to the lack of Indigenous participation in the monitoring, evaluation and assessment of policies and laws that impact on us. Because we are not adequately consulted or involved in these processes, it is not surprising that the data collected is not a good measure of what we think of the policies or laws that have been assessed. Evaluations when they do occur rarely incorporate Indigenous perspectives on the cultural appropriateness of services, well-being or good governance.

The Australian Indigenous organisations represented at the Forum welcome the work that indigenous peoples have been doing at the regional and international level to develop appropriate indicators for indigenous well-being. In particular, we support the set of indicators developed at the *International Experts Seminar on Indicators relevant to indigenous peoples, the Convention on Biological Diversity and the MDGs* that was held in March 2007 in the Philippines, recognizing that this is still in draft form.

We see a natural synergy between the development of these indicators and the important work being done in preparation for an International Symposium on the Social Determinants of Indigenous Health that will take place later this year in Vancouver.

**We recommend that the Permanent Forum:**

- 1. Encourage developed States to facilitate the active participation of their indigenous peoples in the CBD's Working Group on Article 8j and Related Provisions in October 2007 where the indigenous indicators will be**

considered, prior to their submission to the 9<sup>th</sup> Conference of the Parties to the Convention in May 2008. This will help to build capacity amongst indigenous organisations that are working on cross-cutting human rights themes (such as health, traditional knowledge, land management, the protection and use of indigenous intellectual and cultural property, and environmental sustainability) to develop indicators at the national level.

2. Request UNICEF to jointly host an international meeting on indigenous youth suicide to address this critical issue that is reaching epidemic proportions.
3. That all States, particularly those in developed countries, work in equal partnership with indigenous peoples to develop, implement and evaluate well-being indicators that provide an overview of indigenous social and economic status within a holistic, integrated framework. Furthermore, that States invest adequate resources (in accordance with their human rights obligations) to address indigenous social and economic need that is identified by the indicator framework.
4. That all States with indigenous peoples issue an open invitation to the Special Rapporteur on the situation of the human rights and fundamental freedoms of indigenous people to undertake country visits. The Special Rapporteur should give priority to invitations from those countries where indigenous peoples have expressed concerns about their ability to fully and freely exercise their human rights.

In this regard, Australian Indigenous Peoples Organisations call upon the Australian Government to show leadership by promptly issuing an invitation to the Special Rapporteur.

---