

United Nations Permanent Forum, New York, 21 April – 2 May 2008.

Agenda Item 6: HALF DAY DISCUSSION ON THE PACIFIC

Presenter: Barbara Shaw, Tangentyere Council, Alice Springs, Australia

Madam Chair, Distinguished members, Indigenous Brothers and Sisters, Ladies and Gentlemen,

My name is Barbara Shaw I am a Kaytjjer, Arrente woman from Central Australia. I am here to speak on behalf of the Indigenous, grass-roots people of Central Australia, on the Australian Governments' policy of the Northern Territory Intervention.

In June of 2007 on the emotive pretext of protecting children from sexual abuse, the previous federal government introduced racially based punitive measures for Aboriginal people living in 83 designated places (called prescribed areas). There was no mention of child protection in the 700 pages of legislation which was rammed through parliament in a single day.

The Emergency Response Legislation:

- Suspended the Racial Discrimination Act 1975 (RDA)
- Allowed Compulsory land acquisition over Aboriginals lands
- Appointed government business managers to communities
- Quarantine 50% of every person's welfare payments in prescribed areas
- Legislated that customary law was irrelevant in sentencing
- Took away community base jobs programmes(CDEP); and
- Removed the operation of Aboriginal land permits needed to enter communities.

The Federal Government (elected November 2007) is still implementing and expanding the intervention to other Aboriginal communities and has not committed to reinstating the Racial Discrimination Act 1975.

The Australian Human Rights and Equality Opportunity Commission released a report in March 2008 damning the 'Northern Territory National Emergency Response' and recommending among a raft of other changes, the reinstatement of the RDA.

The 'Northern Territory Emergency Response' legislation contravenes a number of articles of the Declaration of the Rights of Indigenous Peoples and breaches human rights standards.

As Aboriginal people in the Northern Territory we have demanded that:

1. the Australian Government support the Declaration of the Rights of Indigenous peoples.
2. the Australian Government immediately reinstate the Racial Discrimination Act 1975.
3. the Australian Government repeals the 'Northern Territory Emergency Response' legislation 2007.

The Australian Government implements the 97 recommendations of the Ampe Akelyernemane Meke Mekarle – Little Children are Sacred Report (Anderson and Wild, 2007) on child abuse and family violence. Madam Chairperson, I recommend that the Permanent Forum on Indigenous issues recommendations urge all States to ensure that all of their policies are not racially discriminatory and that Indigenous peoples can freely participate, and provide their free, prior and informed consent, for all programs that directly affect our communities.

Thank you Madam Chair.