



AUSTRALIA



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The Doctrine of Discovery

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(Check against delivery)

Mr Chair

The key agenda item for discussion this afternoon is 'the doctrine of discovery', an international public law concept which has received the attention of this forum because it directly addresses the question of lawful conquest during the period of colonisation.

Australia's legal and political systems look to address the legacy of European settlement and work toward a reconciled future, and today I would like to make some remarks about where Australia is up to in its Reconciliation journey.

On 3 June 1992, Australia's High Court handed down the landmark Mabo decision which recognised for the first time the continued existence of a category of Indigenous entitlement to land that had in some circumstances survived contact. This is called 'native title'.

In 1993, the Australian Government enacted the Native Title Act which recognised and protected native title. It provided for a process by which claims for native title and compensation could be determined, and provided a series of procedural rights prior to development activity on land where native title might exist.

Recent reforms to the Native Title Act attempt to reduce the complexity of the claims process, and there has also been an evolution in the way the private sector thinks about native title.

Mr Chair

The Australian Government is committed to building stronger relationships with Indigenous peoples, based on mutual respect. That is why the Government delivered the National Apology to Indigenous Australians on 13 February 2008. The Apology was an historic and necessary step in the healing process and helped build a bridge of respect between Australia's Indigenous and non-Indigenous peoples.

The Australian Government is building on the goodwill from the Apology and furthering better relationships with Indigenous peoples by establishing the National Congress of Australia's First Peoples. The National Congress provides a voice for Indigenous *Australians and it is building new relationships with governments and industry to secure the economic, social and cultural futures of Aboriginal and Torres Strait Islander peoples.*

The Australian Government is also sponsoring important work towards recognising Australia's First Peoples in the Australian Constitution. Consultation with the community on this issue has been extensive, and included over 220 consultation meetings in 84 locations – including in rural and remote communities. It received more than 3500 submissions. Ten million dollars in funding was recently provided by the Australian Government in further support of building a national consensus around this change.

Mr Chair

The Australian Government's Closing the Gap Strategy aims to improve the lives of Indigenous Australians in areas such as education, housing, employment, safety and health, and it will have a particular impact on the lives of Indigenous women. This ambitious program to address entrenched disadvantage is already showing results in improvements in reading, writing and numeracy rates, and decreased child mortality. More comprehensive assessments of progress on the Closing the Gap targets will be made as more data becomes available and longer term trends can be discerned.

Mr Chair

Australia welcomes the report on the expert group meeting: *Combating violence against Indigenous Women and Girls*. Australia is signatory to the Convention on the Elimination of Discrimination Against Women and is committed to working internationally to reduce violence against women and children, and to promote human rights. As a demonstration of our commitment, Australia recently provided \$1.6 million to the UN Trust Fund to End Violence Against Women.

Since 2007, the Australian Government has shown leadership in combating violence against Indigenous women, including through its *National Plan to Reduce Violence against Women and Their Children*. It has built on policy areas related to violence such as family law, Indigenous safety and well-being, homelessness, and the provision of income support, family payments and crisis payments.

The Australian Government is strongly committed to the protection of women and children – including in remote communities – and takes the view that this fundamental obligation must be at the forefront of its policies. The Indigenous Family Safety Agenda, launched in July 2010, provides a coherent policy framework to provide a more effective police presence, address alcohol abuse, strengthen social norms against violence and coordinate support services to aid the recovery of people who experience violence.

Mr Chair

Last night (Tuesday 8 May, 2012), the Australian Government once again demonstrated its commitment to closing the gap when it released the 2011-12 Budget. The budget provides \$526.6 million over the next five years to deliver further investment to close the gap, by building on reforms and investments already in place to boost education, health and family services. The Budget aims to increase opportunities for economic participation and employment for the well-being of Indigenous Australians, their families and communities. The Budget also focuses on building mutual understanding and respect through a strong partnership and engagement between Indigenous and non-Indigenous Australians.

The Australian Government's commitment to closing the gap is driven by three important imperatives, firstly, to overcome long-term under-investment in services and infrastructure; secondly, to encourage and support responsibility as the foundation for healthy, functional families and communities; and thirdly to build new understanding and respect between Indigenous and non-Indigenous Australians.

Mr Chair, Australia's journey of Reconciliation is far from over. We are pleased to participate in this Forum and look forward to hearing more from the distinguished delegates on the important issue of coming to terms with and responding to our pasts, in order to secure a better future. If we don't own our past – and honestly – then, we cannot own our future.