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**COMMISSION ON HUMAN RIGHTS**

Sub-Commission on Prevention of  
Discrimination and Protection  
of Minorities  
Working Group on Indigenous Populations  
Sixteenth session  
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Item 4 of the agenda

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**REVIEW OF DEVELOPMENTS PERTAINING TO THE PROTECTION  
OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS  
OF INDIGENOUS PEOPLES**

**Verbal statement by Ms. Neva Collings, on behalf of the Indigenous Law Centre, Australia.**

Madame Daes, thank you for the opportunity to speak.

Reflecting the comments of my brothers and sisters in Australia, I will talk about reforms to the Australian Human Rights and Equal Opportunity Commission, which clearly demonstrate the diminished commitment of the present government to respecting and protecting the human rights of Indigenous peoples in our country.

The Human Rights and Equal Opportunity Commission was established as an instrument under the International Covenant on Civil and Political Rights. Until last year it was comprised of a president and six specialist commissioners, whose mandate was to promote respect for and observance of human rights and enforce a federal anti-discrimination legislative regime.

Amongst a race discrimination commissioner, a sex discrimination commissioner and others, Indigenous peoples were represented by an Aboriginal and Torres Strait Islander Social Justice Commissioner, whom many of us know as Mick Dodson. However in January this year the 5 year term of his appointment ended and neither Mick Dodson nor anyone else was appointed. Instead, the Race Discrimination Commissioner will act in the position.

At the same time the government has slashed 45% of the budget of the Commission which resulted in a loss of one third of staff. Meanwhile, in the context of the violations my brothers and sisters have been talking about today, HREOC has reported an increase in the number of race based complaints.

But these aren't the only changes. The proposed amendments to the legislation underpinning the Human rights and Equal Opportunity Commission will see one president with 3 deputy presidents and a new title of Human Rights and Responsibilities Commission. The government claims that the protection afforded to *all* Australians under the Commonwealth anti-discrimination laws will be fully maintained under the reorganised commission.

The government department who administered the cuts, says they “represent one of the most significant savings” for the department. It also asserts that a reduction in funding reflects a need across government to ensure that in difficult times, funds are applied and directed in an efficient and streamlined manner. Meanwhile the Australian government maintains it is firmly committed to a strong and independent federal human rights body.

However in a climate of increasing human rights violations it is difficult to contemplate how decreasing the capacity of an organisation to represent peoples whose rights are being violated represents efficiency. Yes, it may be cheaper, but human rights are not quantifiable in \$\$\$\$\$\$ figures.

The federal government has crippled the capacity of the Human Rights and Equal Opportunity Commission to adequately represent human rights violations against Indigenous peoples in Australia. And the fact remains that while the federal government persistently highlights its commitment to general non-specific human rights such as health, housing, it does not appear committed to protecting and respecting the human rights specific to indigenous peoples, as articulated in the draft Declaration on the Rights of Indigenous Peoples. It is these rights that bind us together as peoples, not as people.

Thank you