

United Nations Permanent Forum on Indigenous Issues

Sixteenth Session - New York

24 April-6 May 2017

Agenda Item 10: Dialogue with the Special Rapporteur on the Rights of Indigenous Peoples and the Chair of the Expert Mechanism on the Rights of Indigenous Peoples with regard to Indigenous Human Rights Defenders

INTERVENTION DELIVERED BY CATHRYN EATOCK ON BEHALF OF THE INDIGENOUS PEOPLES ORGANISATION OF AUSTRALIA AND THE ABORIGINAL RIGHTS COALITION.

Thank-you Madam Chair, Honourable Members and Distinguished Indigenous Brothers and Sisters. I am speaking on behalf of the Aboriginal Rights Coalition & the Indigenous Peoples Organisation of Australia. My name is Cathryn Eatock and I am a Kairi and Badtjala women, from central Queensland in Australia.

We thank Vickie Tauli Corpuz for her Country visit to Australia in March 2017. The Special Rapporteur's visit highlighted the failure of the Australian Government to meet its Closing the Gap Strategy, established to address the entrenched disadvantage suffered by Indigenous communities in Australia.

The Special Rapporteur heard how the \$534 million previously cut from Indigenous funding in 2014, continues to impact on Indigenous service delivery. She also heard how the Indigenous Advancement Strategy which allocates funding for services, established a new competitive process which favoured large non-Indigenous bodies, rather than Indigenous community organisations. This process resulted in more than 50% of funding being allocated to non-Indigenous bodies, including several state Government Departments, universities, churches and a number of large mainstream NGOs and sporting organisations, at the expense of funding for Indigenous led front line programs.

The Special Rapporteur also heard how the National Congress of Australia's First Peoples, the national Indigenous representative body, also lost funding in 2014. While the Australian Government has recently provided \$2.3 million to undertake consultations in relation to the Redfern Statement, which sets out Indigenous defined priority areas on health, justice, violence prevention, disability, children and family services to address, this consultation funding does not include on-going operational funding.

The Special Rapporteur also heard that Indigenous incarceration rates have almost doubled since the Royal Commission into Aboriginal Deaths in Custody in 1991, now at 28% of the prison population or 15.4 times non-Aboriginal rates. This is much higher for Women's incarceration rate at 36.2% of female inmates or 30 times the incarceration rate of non-Aboriginal women, while Indigenous youth is a shocking 59% of all detentions are Indigenous.

We welcome the Turnbull Government's review, by the Australian Law Reform Commission (ALRC), on factors that contribute to Indigenous incarceration rates.

This review will find that the use of 'paperless arrest' powers in the NT, incarceration for unpaid fines in WA, which contributed to the death of 21 year old Ms Dhu, the arrest for minor offences such as offensive language and the extension of police powers in relation to public drunkenness, and difficulty securing bail if homeless and mandatory, minimum prison sentences have all increased incarceration rates.

We look forward to the full report by Ms. Tauli-Corpuz, which will be presented to the UN Human Rights Council in September 2017.

We also welcome the Special Rapporteurs call for the inclusion of targets on justice and violence against women in the Closing the Gap Strategy and a greater focus on community led strategies, that work to improve conditions on the ground for Indigenous peoples. We also consider the re-funding of the National Congress of Australia's First Peoples, as our national representative body, tasked with advocating for our rights, as a key priority. Additionally, while we appreciate funding of several human rights defenders to attend these forums, including myself, this funding is not commensurate with previous years.

We also look forward to working with the Australian Government to progress the development of a National Implementation Plan, on the Declaration on the Rights of Indigenous Peoples, in consultation with Australia's Indigenous peoples. We hope to be able to report back on progress made on establishing a clear Implementation Plan in consultation with Indigenous Peoples at the next session of the Permanent Forum.

I'd also like to take the opportunity to recognise the new appointment of a Pacific Member of EMRIP and congratulate Megan Davison her appointment.

Thank you