

Human Rights, Indigenous Peoples Rights and Advocating for Change:

A special program to build the knowledge and skills of young Aboriginal and Torres Strait Islander advocates.



Report

Module 1: June 9-12

Module 2: July 27-30

University of NSW
Australia

A national 12 month module-based program for Aboriginal and Torres Strait Islander young people to support their commitment to achieving human rights and Indigenous peoples' rights.

Goal 1:

'...build knowledge and capacity within Aboriginal and Torres Strait Islanders to be decision makers, develop the power and capability to influence political and other decisions that affect them and be skilled and effective in taking action to make change.'

**Oxfam Australia's
Aboriginal and
Torres Strait
Islander Strategic
Plan 2014-2017**

BACKGROUND:

The Diplomacy Training Program (DTP) is an independent, non-government organisation established in 1989 by Professor José Ramos-Horta (1996 Nobel Peace Laureate) and Emeritus Professor Garth Nettheim to provide training in human rights advocacy to community representatives and community organisations in the Asia –Pacific region and Indigenous Australia. DTP and Oxfam Australia

have a long history of collaboration to support a rights- based approach to development and to fight inequality and injustice. The partnership between DTP and Oxfam Australia's Aboriginal and Torres Strait Islander Peoples Program (ATSIPP) has resulted in a number of regional and national programs for Aboriginal and Torres Strait Islander youth.


This module-based program incorporates

recommendations and learnings from previous DTP/Oxfam human rights and advocacy training programs and monitoring and evaluation reports and complements Oxfam Australia's Aboriginal and Torres Strait Islander Strategic Plan 2014-2017 to progress self-determination.


PROGRAM OBJECTIVES:


The overall objective is to offer training to young people, identified by their communities and their organisations, who are interested in being actively involved in change and to build their knowledge and skills to be effective advocates in promoting human rights and their rights as Indigenous Peoples.

Program Outcomes:


 *an understanding of international human rights law and the*


obligations placed on Australian governments to respect human rights and the rights of Indigenous peoples;

 *familiarity with the mechanisms which are available for Indigenous peoples to engage with the United Nations;*

 *ability to utilise human rights standards to analyse and*

develop responses to the key concerns impacting on Aboriginal and Torres Strait Islander peoples and communities;

 *tools to design effective advocacy strategies;*

 *networks and alliances with other young Aboriginal and Torres Strait Islander people around Australia and individuals and organisations that can provide ongoing support.*

Program Participants

Eighteen Aboriginal and Torres Strait Islander young people representing all states and territories (except South Australia and Tasmania) and urban, rural and remote realities are participating in the program. Despite the cultural, geographical, gender, age and experiential diversity all members of the group share a background of committed involvement in organisations, movements and initiatives to bring about

change. A number have completed Oxfam’s ‘Change Course’ and ‘Straight Talk’ programs, some are active in SEED (Indigenous youth led climate action) and others are leading or mentoring programs designed to build youth leadership and encourage engagement with education. They have embraced opportunities to participate in NAIDOC and Close the Gap events and to affiliate with National Congress of Australia’s First Peoples

and the Healing Foundation. They share concerns about self-determination, land rights, sustainable economic development, racism, cultural identity, drug and alcohol abuse and youth suicide, funding cuts to Indigenous specific services, incarceration rates, the NT Intervention and the forced closure of remote Aboriginal communities. They are passionate and hopeful that they can contribute to addressing the injustices they see around them.

“I will be a strong advocate for our mob back home and actively engaged”

The group established the three core values for the training.

WELCOME

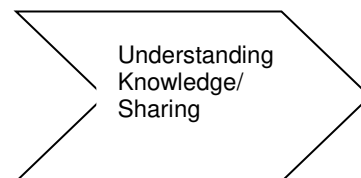
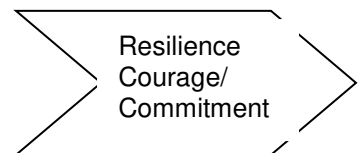
The program began with a Welcome to Country from Uncle Les Davison from the La Perouse Local Aboriginal Land Council.

Professor David Dixon, the Dean of the Faculty of Law, extended a welcome to the faculty and linked the holding of this program with the faculty’s history of commitment to engaging with Aboriginal and Torres Strait Islander

peoples. Patrick Earle, the Executive Director of the Diplomacy Training Program, provided an overview of the Diplomacy Training Program (DTP) and explained the relevance of the program to the group and the importance to advocates of learning more about how the law can be used to access rights.

VALUES AND EXPECTATIONS

Peter Nathan, an experienced facilitator and youth mentor facilitated a session with the participants to capture the expectations of the group and to enable them to establish core values for the training.





Jermaine presents DTP certificate to Les Malezer.

Advocacy Case Study:

Les has a long and diverse history of advocacy for Aboriginal and Torres Strait Islander people and Indigenous people globally. After graduating from university Les was prevented by the racial discrimination prevalent at the time from finding work as an engineer. He joined the struggle against the Bjelke-Petersen regime which was refusing to repeal the Black Acts that had been thrown out of the other states in the late 1960s, became involved in the land rights movement and was appointed in 1990 as head of the Queensland Department of Aboriginal and Islander Affairs. Later, as Deputy Chair of Foundation for Aboriginal and Islander Research Action (FAIRA) Les was very involved in opposing the Howard government's amendments to the Native Title Act, a fight which was lost with the passage of the racially discriminatory Native Title Amendment Bill. He then took the struggle for rights overseas to the United Nations.

THE DECLARATION ON THE RIGHTS OF INDIGENEOUS PEOPLES – LES MALEZER

The group felt very privileged to have Les Malezer present on the Declaration on the Rights of Indigenous Peoples (the Declaration) as Les has been a key figure in the history of Indigenous Peoples' advocacy, including for the adoption of the Declaration.

History of the Declaration on the Rights of Indigenous Peoples:

The international struggle for recognition of rights started at the time of the League of Nations which was set up after WW1 but while the first Indigenous delegates who travelled to Geneva were widely received in public forums they couldn't get onto the floor of the League of Nations. After WW2, the United Nations was formed to take over from the League of Nations and to hopefully be more successful in protecting world peace. Initially 30 states (governments) were members, a number which has grown to 194 today. From the beginning Indigenous peoples lobbied for recognition and in the 1970s they began to meet together. In 1982 the UN agreed to establish a working group - the Working Group on Indigenous Issues. A report on the situation of Indigenous people around the world was commissioned by the United Nations. The Cobo Report noted that Indigenous people were "forgotten and oppressed". The United Nations decided there would be a Declaration.

The Declaration was always going to be contested: 'Art 3: Indigenous peoples have the right to self-determination; Art 26: Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired;' and for 10 years there was a deadlock between the position of the states and the position of Indigenous peoples. In 2003/2004 a group of Indigenous and non-Indigenous representatives worked on a new draft of text and in 2007 the Declaration was adopted by the United Nations General Assembly.

Les emphasized the importance of the 24 preamble paragraphs, including paragraph 20 'Emphasizing that the United Nations has an important and **continuing** role to play in promoting and protecting the rights of Indigenous peoples' and shared the two key points he raised when he was elected by the Indigenous group to speak at the General Assembly on the occasion of the voting on the Declaration.

- (1) Territorial integrity exists providing that the rights of all persons are respected equally.
- (2) There are no new rights contained in the Declaration...the distinction being that the Declaration describes how rights are held collectively.



Monica Morgan with Torres.

Day 2: WHAT ARE HUMAN RIGHTS? VALUES AND PRINCIPLES –Monica Morgan

Monica Morgan has been an activist for many years and has advocated for rights locally, nationally and internationally. Monica’s activism began when she was still in high school and she was politicized in Melbourne by good mentors who were active in FACCATSI and the 1967 referendum. Monica was part of the movement for civil rights in the 1970s which saw the setting up of Aboriginal medical and legal centers and for land rights. Her commitment to caring for country and the environment led her to the international arena, selecting engagement based on ‘...what was necessary for my mob.’ Monica sees the importance of international engagement but only if it can be used with communities. The environmental treaties following the Rio Earth Summit for example, which largely came about by Indigenous peoples banding together and collectively pushing for new rules and boundaries, has resulted in protection of intellectual property rights.

Human rights can be fruitful for advocacy and activism and her last five years as Amnesty International Australia Indigenous Peoples’ Rights Manager reinforced the importance of knowing how the system works in order to be effective in bringing about real change for communities.

Monica spent time with the group to facilitate their reflection on the information being shared and to support them in relating the content of the Declaration to the realities that are being experienced back in communities and organisations.

What is a Declaration?

The 1946 Universal Declaration of Human Rights describes the human rights held by every individual. This Declaration stands as the core document from which all human rights documents emanate.

A Declaration is a global standard. It has no legal force. States (countries) have to legislate the rights contained in a Declaration.

INTRODUCTION TO HUMAN RIGHTS STANDARDS- Justine Nolan

In 1945, following WWII:

- * the UN constitution (Charter) was written setting up how the United Nations would work,
- * the Universal Declaration of Human Rights (UDHR) defined human rights and
- * the treaties documented the legal obligations of countries in relation to human rights

The two most significant treaties are:

- ✚ International Covenant of Civil and Political Rights (ICCPR)
- ✚ International Covenant of Economic, Social and Cultural Rights (ICESCRs)

ICCPR + ICESCR + UDHR = Bill of Rights

The other international treaties go into the rights contained in ICCPR and ICESCRs in more depth.

Governments are obliged to protect the rights contained in the treaties but if they don't there are mechanisms (charter based and treaty based) that people can go to:

1. *Charter based* – the UN Human Rights Council introduced the Universal Periodic Review which requires all 193 countries to be spot lighted in relation to human rights.
2. *Treaty Based*: the Treaty Bodies. Governments are required to report to the treaty bodies every 5 years (periodic reporting).

Individual complaints can also go to the treaty body after all domestic remedies have been exhausted.

THE CONVENTION ON THE RIGHTS OF THE CHILD- Matthew Keeley

The group discussed with Matthew the issues which impact on children in their communities and the need for services which respond to Indigenous perspectives and cultures.

Discrimination	Cyber-Bullying	Drugs/Alcohol	Domestic Violence	Family/Parental Responsibility
Teen Pregnancy	Engagement opportunities	Child Care	Mental Health	Over Representation
Mental illness	FASD	Nutrition	Government Responsibility	On country-young people/ families/ doctors

Indigenous Engagement with the United Nations- Cathy Eatock

Cathy Eatock presented to the group on the advocacy by Indigenous peoples globally which has resulted in Indigenous peoples gaining a significant presence at the United Nations.

- ✚ 1970s: Cobo Study on discrimination against Indigenous populations
- ✚ 1982: UN established Working Group on Indigenous peoples
- ✚ 1985: work started on a Declaration on the Rights of Indigenous Peoples
- ✚ 1989: ILO Convention number 169 on Indigenous and Tribal Peoples
- ✚ 1989: 9 August each year 'International Day of World's Indigenous Peoples'.
- ✚ 1993: International Year of Indigenous Peoples
- ✚ 1994 – 2004: Decade of World's Indigenous Peoples
- ✚ 2000: Permanent Forum on the Rights of Indigenous Peoples (UNPFII)
- ✚ 2001: 'Special Rapporteur' on the Rights of Indigenous Peoples appointed
- ✚ 2004: 2nd international decade of World's Indigenous Peoples (2005 – 2014)
- ✚ 2007: Declaration on the Rights of Indigenous Peoples
- ✚ 2008: Expert Mechanism on the Rights of Indigenous Peoples
- ✚ 2015: World Indigenous Peoples Conference

REVIEW OF THE INTERNATIONAL HUMAN RIGHTS SYSTEM: PATRICK EARLE

- ✚ Australia is a member of the United Nations along with 193 UN member countries
- ✚ The United Nations and its Charter (mandate and rules) was established in 1945
- ✚ The Foundational document of the UN is the Universal Declaration of Human Rights (1948) including the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights + Optional Protocols.
- ✚ There are 9 Core International Human Rights Treaties
- ✚ There are 9 Human Rights Treaty Bodies i.e. committees comprised of independent experts from around the world.
- ✚ When a country ratifies a treaty it must submit a report to the treaty body within a certain number of years. This includes information in relation to relevant policies, funding etc. In Australia these reports are compiled by DFAT working with the Attorney General. Often information will be gathered from the state governments as well and individuals may also make submissions. Shadow reports from NGOs are also prepared and sent to the treaty committee.
- ✚ The reporting process – reports are submitted to the treaty committee which responds-noting any issues of concern or areas where more information is required.
- ✚ Role of NGOs – qualifying details presented by governments e.g. government funding not being spent wisely.
- ✚ The committee comes up with a set of Concluding Observations which include recommendations.
- ✚ The committee scrutinises countries but how governments respond to the reporting is largely dependent on a country wanting to maintain their reputation before the international community.

Other mechanisms that can protect human rights and are not dependent on a country ratifying a certain treaty include:

- ✚ UN Special Procedures of the UN Human Rights Council:
 - Independent human rights experts with mandates to report and advise on human rights from a thematic or country-specific perspective. e.g. the Special Rapporteur on the Rights of Indigenous peoples. Mandate holders make country visits and complete reports which include recommendations.
- ✚ Universal Periodic Review:
 - All states are reviewed every four years. Australia is coming up for review later this year.



Indigenous People in the Region –Opportunities and Challenges in Using the UN System - Binota Moy Dhamai

Binota, a DTP alumnus from Bangladesh provided the group with an overview on the situation for Indigenous peoples of Bangladesh where there are approximately 1.5million people from 45 different Indigenous communities. Collectively they call themselves Adivasi. In the Chittagong Hills Tract (CHT) where Binota comes from they call themselves Jumma. Indigenous people in Bangladesh have no recognition in the national constitution and face negative attitudes and discrimination.

Binota outlined the history of the struggle of the Jumma and the signing of the Chittagong Hills Tract Accord which it was hoped would restore and protect rights of the Jumma.

The Jumma are still advocating to influence the Bangladesh Government to implement the CHT Accord. Land disputes have not been settled, the governance arrangements have not been implemented and widespread human rights violations such as land grabbing by non-Indigenous people, sexual violence against women and girls, the burning of houses, temples, churches and schools are wide spread. With the influx of political migrants the identity of the Jumma people is on the verge of extinction. Binota described the current advocacy strategies being implemented by the Jumma.

<http://www.pcjss-cht.org/genocide-ethnicide-in-cht/>

Binota explained the work that is being done by the Asia Indigenous Peoples Pact (AIPP) to support indigenous organisations and to advocate internationally for Indigenous people in the region.

Binota listed the UN mechanisms which are available for Indigenous people to use for international advocacy and some of the challenges associated with advocacy through the United Nations.

- ✚ The United Nations Permanent Forum on Indigenous Issues (UNPFII) which is an advisory body to the Economic, Social and Cultural Council
- ✚ The Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) which provides the UN Human Rights Council with advice on the rights of Indigenous Peoples.
- ✚ Universal Periodic Review (UPR) – which reviews the performance of all UN member states on their implementation of their human rights obligations
- ✚ Special Rapporteur on the Rights of Indigenous Peoples

Binota encouraged the group to use the mechanisms effectively.

Australia's Human Rights Score Card – the Universal Periodic Review Australia 2015- Emma Golledge

In module 1 the group had heard from Justine Nolan that one of the UN mechanisms available to hold governments accountable for human rights is the Universal Periodic Review. In their first assignment (Appendix 3) they had looked at the recommendations from Australia's first review. Emma Golledge, from the Kingsford Legal Centre and one of the coordinators of the NGO

report for Australia's second review (November 2015), built on this knowledge when she presented on the experience, and some of the difficulties and opportunities for NGOs, of preparing the NGO report for the UPR.

Some of the difficulties included working with so many different NGOs to prioritize the issues, to meet word limits and that NGOs are still learning about the process

and there are little or no funds available to complete the work. She noted that this was an opportunity for NGOs to work together to develop a holistic report on Australia's human rights record. It provides an opportunity to lobby government.

International Human Rights Treaties and the Law in Australia - Sean Brennan

Sean explored interactions of international law, Australian law and Indigenous law – demonstrating the opportunities for empowerment and greater justice but also the limits.

Sean used the opening of the 'First Australians' film www.sbs.com.au/firstaustralians/ to set the scene. At the time of colonisation there was much the newcomers could have learnt: there were people here... everywhere, who had been here for a very very long time; there were existing laws and cultures and systems - an existing geopolitical reality - complex and diverse; there were Creation stories- a spiritual connection to the land; there was diversity but certain commonality- land & sea have significance for all the people, this is related to the Dreaming and to responsibilities

and to the pragmatic need for the resources. ***Two hundred and fifty nations with economic, legal, social, spiritual connections to land.***

Then the British arrived in 1788 and asserted their sovereignty over the land, without treaties or consent. The mindset behind the bold assertion of sovereignty was that it is lawful to take territory from others. The 'Terra Nullius' mindset justified colonisation. 150 years of dispossession followed with very little concession for the original landowners apart from the setting aside of reserves for Aboriginal people.

In the second half of 1960s the land rights campaigns emerged -by this time the amount of land controlled by Aboriginal people was down from 100% pre 1788 to almost zero (reserve land was unevenly distributed and under government control).

Today this has climbed to 23-25% of Australian land mass through 3 processes for restoring land ownership or control:

2. Statutory Land Rights legislation (some financial compensatory measures)
3. Native Title - no compensation for past dispossession before 1975/after 1975 possible but no successful case to date.
4. Market acquisition

Sean then explained the significant role played by International human rights law, particularly in the Northern Territory, in the struggle to regain land.



Teina and Angel share Sean's input with students at the UWA

United Nations -the General Assembly adopts the Convention on the Elimination of Racial Discrimination (CERD) in 1966:

1966 Australia was one of the first countries to sign CERD but nothing happened in term of domestic response until 1975 when Australia ratified CERD and passed the Racial Discrimination Act (RDA) making it unlawful to discriminate on the basis of race.

In the 1960s the fight for Indigenous rights was very tough and the law was against the people. In the last 50 years there have been some important changes because Australia signed onto the CERD. CERD was influential in the Mabo litigation being allowed to go ahead and in the High Court having the courage to say 'Terra Nullius' is wrong.

The RDA has at times been a very powerful law and international law has had a strong moral force and can offer Indigenous groups the opportunities for voice BUT there are real limits to what an ordinary act and international law can achieve because governments can override its own law and also international law. This was evidenced in the 2007 Northern Territory Intervention when the Racial Discrimination Act was suspended to make way for the whole range of changes including compulsory access of town camps, Income management and changing the permit system to allow entry onto Aboriginal land.

Constitutional Reform – Sean Brennan

Sean also led a session on some of the current developments, debates and questions relating to constitutional reform.

Questions and concerns shared by the group:

- ✚ Could constitutional reform result in losing sovereignty?
- ✚ What does the term ‘recognition’ mean?
- ✚ What are the possible gains? / possible losses?
- ✚ Will it be positive for Aboriginal people?
- ✚ What exactly are we recognising?
- ✚ Implications for the future of reconciliation and a peaceful Australia?
- ✚ Would a treaty be better?
- ✚ How will it make a difference to the practical realities of Aboriginal and Torres Strait Islander peoples?
- ✚ Government complacency/empty words?
- ✚ Is it an end point or a starting point?

Sean provided some detail to assist the group with their thinking on the constitution.

Constitutions deal with:

Powers of government; Place of people; Values of society.

The changes proposed by the Expert Panel include:

1. That section 25 be repealed (racist but no longer implemented);
2. That section 51 (xxvi) be repealed and a new ‘section 51A’ be inserted which includes symbolic words – recognising Aboriginal and Torres Strait Islander people;
4. A new section (Section 116A) be inserted containing a racial non-discrimination clause;
5. A new section (Section 127 A) is inserted recognizing Aboriginal and Torres Strait Islander languages.

The Expert panel concluded that a racial non-discrimination clause should be included in the referendum, but this is a sticking point with government.

Cape York institute and Noel Pearson, believing it unlikely that the government will agree to a racial non-discrimination clause has put forward a different alternative: an Indigenous body created in the constitution to advise government.

It has also been proposed that there should be regional Indigenous conventions to give Aboriginal and Torres Strait Islander people the opportunity to look at each of the proposals and make their decisions.



Mark and Kade lead an energiser.

“We can’t proceed to a referendum without knowing where Indigenous people stand”
Megan Davis, Pat Dodson, Kirsty Parker, Noel Pearson

In late 1970s John Koowarta and the Winychanam people persuaded the Commonwealth to purchase a pastoral lease in Nth Queensland. The Queensland government opposed this. John Koowarta and the Winychanam sued the Bjelke Peterson government under the Racial Discrimination Act. The Queensland Government retaliated by saying that the Racial Discrimination Act wasn’t constitutionally valid. In the High Court the judgement was close – 4 of the 7 judges found in favor of Koowarta.

Although Koowarta won the case Joe Bjelke found a way to thwart the law by moving quickly to turn the land into a national park.

Postscript: in 2011/12 the Queensland government removed the land (de gazette) from national parks and returned it as freehold land to its rightful owners.

ADVOCACY

INTRODUCTION TO ADVOCACY - Patrick Earle

Patrick built on the preliminary work the groups had begun with Monica by facilitating a session which involved the group in sharing experiences, perspectives and tips on processes that are useful for bringing about change. The range of campaigning techniques that can be used and some examples of effective campaigning were discussed.

The process involved in developing an effective strategy was explored and each of the steps discussed. The group was then given opportunity to apply what had been learnt in a practical exercise.

CAMPAIGN STRATEGY –NICK MOTIATIS

Nick reinforced that campaigns are ultimately about changing a situation where there is entrenched power, often involving a battle between justice and injustice and targeting sites where power is held - politicians, mining companies, banks etc. It is not always easy so there is a need to ask “is a campaign needed?” Sometimes other methods may be effective, such as talking to people first about the issue.

Nick used the David and Goliath analogy -David had a different strategy and a tool that no one else had.

What is a strategy? Generally involves a combination of skills and chance and you have to plan steps ahead. Most campaigns are David stories – the civil rights movement, Greenpeace, Barak Obama etc. You need to figure out how to build your story, the series of stepping stones to get to where you want to be.

With target centered campaigning you need to do the research to determine who is the ultimate decision maker related to the issue you want changed and then you need to try to get into their heads – who or what will impact on the target? This involves power mapping.

Nick reminded the group that ‘campaigning’ is a verb and described the types of tactics that are involved: building movements; generating public attention; demonstrating and confronting the target.

A skill that campaigners should build is mastering the art of getting their message across effectively through good emails.

Good emails provide:

1. The moment story.

The problem: Framing the problem– helping people get a better understanding- use illustrative language (sense words). Emphasize urgency. Clarify or simplify the barrier to change

Share the strategy. Put the person you are writing to at the center of the problem –they can be the hero of the story!

2. Making the Ask.

If the solution begins with the reader, what can you ask people to do?

Join the campaign; sign the petition; spread the word?

3. Movement Story:

Reporting on impact and success; reminding people about the action.

An example of a good email was developed by the group – to persuade people to come together to target the new police commissioner to use their power to address the problem of police not using interpreters in cases involving Aboriginal people.

Building IT Skills to More Effectively Access Human Rights Information- Philip Chung

Philip spent an afternoon workshopping with the group how to more effectively use search engines to locate useful human rights materials available via the internet.

REFLECTIONS MODULE 1 & 2

DTP training programs emphasize participatory learning. This is in recognition both that learners bring significant experience and expertise to the program and also that learning is more effective if participants are given the opportunity to relate knowledge and skills content to the practical realities of their lives. The group presentations/ feedback also enable the facilitators to gauge progress towards achieving program outcomes and meeting participants' expectations and learning objectives.

At the conclusion of the modules participants anonymously completed evaluation questionnaires. The questionnaire was predominantly qualitative in nature, and asked participants to provide general feedback on their program experience. The questions prompted them to reflect on what they had learnt throughout the course of the first and second module and the relevance and applicability of the information, skills and networking for their work and community involvements.

The first two modules have been evaluated very positively. All the sessions have been rated as relevant to the needs and interests of the participants. Given that they have indicated that the program is delivering important content the feedback on the value-add of the training is pleasing. While the majority of the group rated their knowledge as poor or only fair prior to sessions, most, if not all, indicated that they felt their knowledge to be either good or very good on the completion of sessions.



Participants with UN Special Rapporteur on Indigenous Issues, Vicky Tauli -Corpuz and Les Malezer.

The comments reinforced the high level of satisfaction of the group with the program and trainers.

Such an honor to listen to a great role-model and advocate for Indigenous rights.

Justine did a really good job of outlining the foundations of human rights and the UN. I enjoyed the discussion.

Matthew was a brilliant presenter. His interactions with us were really good. It's nice to be able to have a discussion and just keep following it rather than stressing about time.

Loved being able to draft a real intervention. Made it real.

Awesome-would love to be able to develop my own campaign shortly.

Sean created clarity about the pros and cons of the Constitution and reminded me to keep myself informed.

APPENDIX 1: Group Intervention

While we acknowledge the effort that the Australian government is taking to Close the Gap in 6 targeted areas, there are policies that are highly likely to undermine the success of achieving these outcomes.

The planned forced removal of 150-250 Aboriginal communities will impact around 20,000 plus people, dispossessing them of their lands.

The proposed cuts to water and housing is a direct violation of articles 25.1 of the UDHR which asserts the right to adequate standard of living. The forced removal is a violation of Article 10 and 26.1, 26.2 & 26.3 of the Declaration on the Rights of Indigenous peoples.

The racial targeting of these communities breaches the CERD which Australia ratified in 1975. Aboriginal connection to land is vital to the continuation of our cultural practice, language, heritage, sacred sites and is essential to our survival. The proposed closure of communities is reflective of past policies that Australia implemented which devastated communities. We continue to see the effects of intergenerational trauma of disconnection with land.

This continued cultural genocide will result in the destruction of the oldest living culture in the world today.

Our ancestors' history gave many songs to the land, waterways, nature, dirt that set out our responsibilities as custodians which we are entrusted to protect for past, present and future generations.

Article 3 of the Declaration asserts the right to self-determination and obligations for government to secure Free, Prior and Informed Consent are outlined in Article.19.

APPENDIX 2: Assignment 1

ASSIGNMENT 1

United Nations Human Rights System and Australia

Each group has selected an area of concern – women and children; incarceration rates;

This assignment is about getting to know more about human rights, what rights are included in international human rights standards and how they relate to the issues and concerns that you have identified.

The assignment is also about getting more familiar with the UN human rights monitoring system – and what parts of this UN monitoring system have said about Australian laws and policies. It is possible that the concerns you have, have also been expressed by parts of this UN human rights monitoring system.

This assignment will also mean becoming familiar with sources of human rights information available on the internet.

In sessions in this module you have learnt a little about:

- UN human rights treaties
- The Universal Periodic Review (UPR)
- The UN's human rights special procedures (e.g. the UN Special Rapporteur on the Rights of Indigenous Peoples)

There are 4 parts to the task

1. Identify which of the 9 core human rights treaties Australia has ratified
 - read these treaties and identify the articles that most relate to the areas of concern that you have identified in your group.
2. Find the concluding observations of the treaty bodies that have reviewed Australia's reports in the last five years.
 - You will recall that when Australia ratifies a human rights treaty it agrees to provide regular reports to the UN human rights treaty bodies (like the UN Committee on the Rights of the Child and the UN Committee on Racial Discrimination)
 - Select all/any recommendations that you think are most relevant to the concerns that you have identified in your group
3. Identify any/all of the recommendations from Australia's last participation in the Universal Periodic Review (UPR) that relate to the concerns that your group identified.

APPENDIX 3: ASSIGNMENT 2

Assignment 2:

Acknowledging and learning from the history of Aboriginal and Torres Strait Islander Advocacy.

In Sean's sessions some significant examples of advocacy by Aboriginal and Torres Strait Islander leaders and communities were mentioned, including the stories of the Yirrkala and Wave Hill people in the 1960s and Koowarta and Mabo in the 1980s and 1990s.

The stories demonstrate the claiming and assertion of rights that is a key part of Australia's history – and the interaction between international, Australian and Indigenous law and how, as a result of campaigning and advocacy, recognition of land rights and Indigenous ownership or control of land has grown.

There are of course many, many more examples of Aboriginal and Torres Strait Islander advocacy for recognition of, and respect for, the rights of the Aboriginal and Torres Strait Islander people. As Sean noted, today's advocates stand on the shoulders of those who have gone before.

The aim of Assignment 2 is to build up a time-line of Aboriginal and Torres Strait Islander advocacy through drawing on the stories of individuals and communities connected to your families,

Your task is to:

1. Research a story of advocacy related to your country, community, family or organization. Your research could involve interviewing people and / or exploring other sources of information (documents, monuments, artworks, songs etc.)
2. Identify some of the lessons that can be taken from the story: these could be lessons about the tactics of advocacy (the vision, goal, objectives, and strategies) and about the opportunities and the challenges related to advocating through political or legal channels.
3. Reflect on the contribution of the advocacy – what has changed over time
4. Prepare a brief presentation to share with the rest of the group.

Alternatively:

If this assignment is not possible for some reason, then you are asked to prepare a presentation about your organization and/or community – and how it is or could be engaged in advocacy for the rights of Indigenous peoples.



Human Rights, Indigenous Peoples Rights and Advocating for Change



A special program to build the knowledge and skills of young Aboriginal and Torres Strait Islander advocates

Session 1: June 9-12

SYDNEY

WEEK 1	Tuesday June 9	Wednesday June 10	Thursday June 11	Friday June 12
<i>Morning 1</i> 9.00 to 10.30	Opening Welcome to Country Welcome by Oxfam and DTP Program overview Participant Introductions Key note:	What are human rights? Values and principles of human rights	Convention on the Rights of the Child	Introduction to Advocacy
<i>Trainer(s)</i>	Facilitated by DTP/Oxfam	Monica Morgan	Matthew Keeley	
<i>Morning Tea</i> 10:30-10:45				
<i>Morning 2</i> 10:45-12:30	Participant Introduction – community/organisation; involvements and reasons for committing to the training Identifying human rights issues	Introduction to Human Rights Standards	Convention on the Rights of the Child – Practical Activity	
<i>Trainer(s)</i>	Facilitated by DTP	Justine Nolan	Matthew Keeley	
<i>Lunch</i> 12:30-1.30				
<i>Afternoon 1</i> 1.30-3.00	The Declaration on the Rights of Indigenous Peoples	International Human Rights Standards and Australia- Engaging with the treaty reporting process. Practical Exercise	Indigenous Engagement with the United Nations	Assignment 1: Time-line of Change: Key Moments of Advocacy for Aboriginal and Torres Strait Islander peoples.
<i>Trainer(s)</i>	Les Malezer			
<i>Afternoon Tea</i> 3:30-3:45				
<i>Afternoon 2</i> Topic 3:45-5:30	The Declaration on the Rights of Indigenous Peoples – Practical Activity	International Human Rights Standards and Australia . practical exercise cont.	Indigenous Engagement with United Nations	
<i>Trainer(s)</i>				
<i>Dinner</i> 6:30	Diary Session	Diary Session	Diary Session	



Human Rights, Indigenous Peoples Rights and Advocating for Change



A special program to build the knowledge and skills of young Aboriginal and Torres Strait Islander advocates

Session 2: July 27-30

SYDNEY

WEEK 1	Monday July 27	Tuesday July 28	Wednesday July 29	Thursday July 30
Morning 1 9.00 to 10.30	Welcome Round of Participant Updates (personal) Recap on first module.– Key Issues to Emerge from Module 1 Objectives and overview of Module 2	Campaign strategy -- what is a campaign, general principles, power mapping, tactics	International Human Rights Treaties and the Law in Australia – CERD the RDA and Mabo – and the Intervention	
Trainer(s)	Facilitated by DTP/Oxfam	Nick Moriatis	Sean Brennan	
10:30-10:45 - T				
Morning 2 10:50 -12:30	Reporting Back on Assignments: <ul style="list-style-type: none"> Group Presentations and Reflection 	Mobilising supporters - how to craft a compelling message that captures the moment, inspires action, and builds your movement.	Human Rights, Racism and Indigenous Peoples in the Constitution.	
Trainer(s)	Facilitated by DTP/Oxfam	Nick Moriatis	Sean Brennan	
Lunch 12:30-1.30	JGs			Nura Gili
Afternoon 1 1:30-3:00	Indigenous peoples in the Region-opportunities and challenges in using the UN system	Advocacy – Deciding Your Issue What is important and why? Approaches to choosing priorities in advocacy	The Constitution – the process of change and the right to participate.	Using IT to access information. Assignment 2:
Trainer(s)	Binota Moy Dhamai		Sean Brennan	Philip Chung
3:00-3:55 - T				
Afternoon 2 Topic 3:15-5:00	Networking and Advocacy	Practical Exercise in Influence and Lobbying	Universal Periodic Review and the involvement of NGOs.	
Trainer(s)	Binota Moy Dharmai		Emma Golledge -Kingsford Legal Centre	
Dinner 7:00	NCIE	NCIE	Dinner Out	

