



Program Report

Indigenous Peoples, Human Rights and Advocacy Training

**This program was held in partnership
between the Diplomacy Training
Program and Oxfam Australia.**

**March 26 – March 30, 2012.
Mt Isa, Queensland.**



**DIPLOMACY
TRAINING
PROGRAM**



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Executive Summary

The program 'Indigenous Peoples, Human Rights and Advocacy Training, a capacity building program principally for Aboriginal and Torres Strait Islander youth, was held in Mt Isa, Queensland from March 26 to March 30, 2012. The program was developed by the Diplomacy Training Program (DTP) in partnership with Oxfam Australia. This program follows on from previous Oxfam supported regional training programs for Aboriginal and Torres Strait Islander peoples throughout regional Australia.

The participants, drawn from community organisations in Mt Isa, Cairns, Mornington Island and Canberra, were all actively involved in supporting their communities and had much to contribute to the program. The program's sessions were delivered by both Indigenous and non-Indigenous human rights advocates. Peter Nathan, Youth and Self Determination Program Coordinator with Oxfam Australia's Aboriginal and Torres Strait Islander Program, born and raised in Mt Isa, played a significant role in enabling this training program to take place in Mt Isa.

Dr Sarah Pritchard, a Sydney barrister with experience and expertise in international law and the United Nations (UN) and a long history of working alongside Indigenous peoples, was the opening trainer. She introduced the background history of Indigenous involvement in the UN and the importance of the UN system in protecting the rights of Indigenous peoples and explored with participants the opportunities and challenges offered to Indigenous advocates within the UN. Participants were very appreciative of the time they spent with Dr Pritchard. Community advocate, Barbara Shaw, a descendent of the Arrernte, Kaytetye, Warlpiri and Warramungu people and founding member of the Intervention Rollback Action Group (IRAG) shared with participants her first hand experiences of advocacy and campaigning and of utilizing the international Human Rights mechanisms to challenge governments. Her contribution to the program was perceived by the participants as very empowering. Emma Sydenham, policy and research manager at the Secretariat of National Aboriginal and Islander Child Care (SNAICC) delivered a session specifically focused on the rights of the child, which was of particular interest to the participants. Patrick Earle, Executive Director of the Diplomacy Training Program, delivered sessions on lobbying and advocacy, facilitating several practical exercises to enable participants to try out their newly acquired skills.

A number of issues concerning human rights breaches both across the country and in local communities were raised in group discussions. The rights of the child and the importance of education were of particular concern. Constitutional recognition, anti-discrimination legislation and the lack of appropriate health services in remote Aboriginal communities were some of the main topics brought up during the program.

Background to the Program

The Diplomacy Training Program (DTP) is an independent NGO affiliated with the Faculty of Law at the University of New South Wales. The DTP was founded in 1989 by Nobel Laureate President José Ramos-Horta and Emeritus Professor Garth Nettheim.

Since its inception the Diplomacy Training Program has been delivering Human Rights and Advocacy programs with Indigenous peoples in the Asia Pacific. In 2004, the DTP and Oxfam agreed to develop a partnership based on their shared commitment to protecting and promoting human rights and to building advocacy capacity among Aboriginal and Torres Strait Islander peoples in the region.

In 2011, the DTP delivered two training programs in partnership with Oxfam: Indigenous Peoples Human Rights and Advocacy training for community advocates in Melbourne, Victoria, and a United Nations Permanent Forum on Indigenous Issues (UNPFII) Preparatory training, held at the Faculty of Law, UNSW, Sydney. The 2012 Mt Isa program is the first program to be brought to Northern Queensland by the DTP and Oxfam Australia. Addressing such issues as constitutional recognition and human rights breaches, poor health services and access to education, the training was specifically targeted at the concerns identified by the local community.

Program Objectives

This program was a five day intensive program which aimed at developing the knowledge, confidence and skills of community advocates to protect, promote and fulfill their human rights as recognised in Australian and International Law.

The objectives of the program were:

- To build knowledge of International human rights standards and the rights specific to Indigenous Peoples and promote their application by Indigenous community advocates in Northern Queensland,
- To provide the participants with information and confidence, encouraging them to work with their own communities to advocate for change,
- To develop practical skills for effective human rights advocacy, lobbying at community, state and national level, and engaging the media in the advocacy work,
- To develop an understanding of the human rights approach to children, and its relevance to policy and practice affecting Indigenous Australians,
- To provide the participants from across the country with an opportunity to share and learn from each other and to build up support networks.

Program Schedule

Introduction

Doug Bruce, the Chair of Kalkadoon Community had planned to Welcome the participants to Kalkadoon country but as he was called away Kane Hughes attended in his absence. Kane is the General Manager of Kalkadoon Community and also an alumnus of DTP. Kane shared with participants his experience of DTP training and the impact it had had on his advocacy work. In introducing the Diplomacy Training Program and Oxfam Australia, Peter Nathan, Youth and Self Determination Programs Coordinator with Oxfam Australia's Aboriginal and Torres Strait Islander Peoples, addressed the importance of knowing and claiming one's human rights. Peter emphasized that the DTP is not about advocating for Aboriginal people, but about empowering them, providing them with the skills to campaign for themselves.

Dr Sarah Pritchard, a practicing barrister with a long history of working alongside Indigenous advocates and teaching with the DTP, opened the program with an acknowledgement of country and the traditional owners of the land, the Kalkadoon people. Sarah told the story of the founding of DTP and the history of DTP's commitment to building the capacity of Aboriginal and Torres Strait Islander peoples. Sarah walked participants through the program, the training manual and introduced the human rights language which would be used over the following days

What are human rights?

Dr Sarah Pritchard worked with the participants to compile a list of human rights. She emphasized that human rights are birth rights. Human rights are **universal** - they apply to all human beings; **inherent** - all people are entitled to human rights by reason of birth; and **inalienable** - they cannot be taken away. The list of human rights compiled by the participants included the right to health, right to education, right to self-determination, right to culture and language, right to liberty and equal treatment, right to own property, right to vote (it was noted that Queensland, alongside with WA, was the last state in Australia to give Aboriginal people the right to vote), right to a healthy and adequate standard of living and housing, right to work, justice, legal representation, right to life and freedom from discrimination on the base of race, gender and sexual orientation.

The International Human Rights Framework and Australia's Obligations

Dr Pritchard provided an overview of the background history to :

[International recognition of Human Rights](#)

- 1918: the League of Nations was set up at the end of WWI. The League was initially made up of only 18 members and was very Eurocentric.

- 1945: the United Nations was established with 48 members. Today there are 195 members
- 1948: the Universal Declaration of Human Rights (UDHR)
- 1970s: Indigenous activists brought their concerns to the United Nations
- 1982: the UN Working Group on Indigenous Peoples (WGIP) is formed
- 2007: the UN Declaration of the Rights of Indigenous Peoples

Participants learnt that Australia has signed most of the Human Rights Treaties (including the UNDRIP in 2009) and as such has obligations to protect human rights. [A list of treaties is included in the Program Manual].

Practical exercise 1: briefing for the UN High Commissioner

Participants prepared a briefing for the United Nations High Commissioner for Human Rights, on the major human rights issues facing Aboriginal and Torres Strait Islander Peoples in Northern Queensland.

Some of the major issues presented to the High Commissioner were:

- Inadequate child protection,
- lack of accessible training and education,
- government funding is very limited and there is not much a community can do for its members,
- not many Indigenous people work in the Australian government,
- the lack of training facilities, training and education isn't really specific to the communities,
- no rehabilitation centers,
- Aboriginal culture is being lost, not being passed on and not being celebrated often enough,
- alcohol and drugs issues are not being addressed appropriately,
- incarceration rates, overrepresentation of Aboriginal people in prisons,
- the standard of education is not the same throughout the country - schools in smaller communities are not very good,
- the right to employment,
- insufficient consultation between government and Indigenous peoples to reach long term sustainable outcomes.

Introduction to the Declaration on the Rights of Indigenous Peoples

Dr Sarah Pritchard outlined the inspiring history of how Indigenous people, initially excluded from the United Nations have worked to achieve the strong presence they have today. Sarah discussed the establishment of the Working Group on Indigenous Peoples at the

United Nations in 1982. Initially this was a very small presence of five people in Geneva, meeting in a working group positioned at the bottom of the UN hierarchy, but it grew until membership included some 3000 attendees. The many stories, issues and experiences shared by Indigenous peoples from around the world at the Working Group meetings contributed to the birth of the **United Nations Declaration on the Rights of Indigenous People**, a document written for and by Indigenous Peoples. The **Declaration** was supported by the General Assembly of the United Nations in 2007, but four countries initially voted against it - Australia, Canada, New Zealand and the United States. Each has subsequently been shamed into reversing their position, with Australia recognising the **Declaration** in 2009. However, the struggle continues to pressure Governments into giving practical effect to the obligations under the **Declaration**.

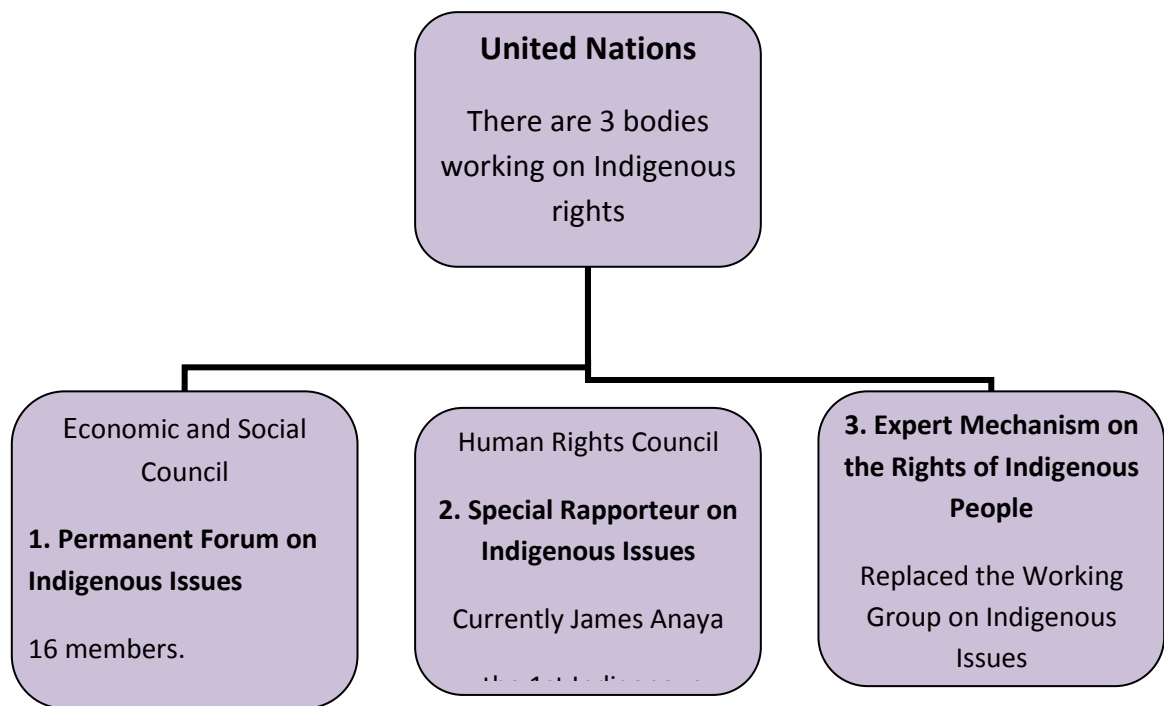
Participants worked through the Plain English Version of the **Declaration**. Some of the articles which encapsulate the philosophy of the **Declaration** include:

- Article 3 & 4: Self-determination and autonomy
- Article 5: Indigenous rights encompass rights both to their distinct institutions and to participation in the institutions of the country
- Articles 18 & 19: Core rights in relation to decision making and consent
- Article 23: Economic and Social Development - Indigenous Peoples have rights and priorities in determining and administering their development.

Indigenous Peoples and the UN System

Dr Sarah Pritchard discussed the representation of Indigenous Peoples across the United Nations system. Three areas in particular have a mandate in relation to Indigenous issues:

1. **Permanent Forum on Indigenous Issues** in New York: established in 2000 with 16 members, 8 elected by governments and 8 elected by Indigenous peoples. Professor Megan Davis, the first Aboriginal woman to be elected, is currently a member. The Permanent Forum sits up high at the United Nations at the level of the Economic and Social Council. Barb Shaw shared her experiences of going to the UNPFII twice, of opportunities that arise from such trips, the importance to make a difference.
2. Special Rapporteur on the Rights of Indigenous peoples - established to hear complaints about matters impacting on Indigenous Peoples. James Anaya is the current Special Rapporteur on the Rights of Indigenous Peoples.
3. Expert Mechanism on the Rights of Indigenous Peoples - provides the Human Rights Council with thematic advice, in the form of studies and research, on the rights of Indigenous peoples.



During the session participants viewed two videos which highlighted Indigenous involvement with the UNPFII.

Richard and Ngarla at the Permanent Forum on Indigenous Issues:
www.amnesty.org.au/indigenous-rights/comments/26376

Indigenous Peoples and the United Nations:
www.un.org/sea/sauced/unify/multimedia.html

Practical Exercise 2: the UN System - Holding Australia Accountable

Participants engaged in a role playing exercise, where they identified domestic and international remedies for particular human rights problems in the local communities.

Major issues and responses to those included:

Issues	Domestic remedies	International remedies
<ul style="list-style-type: none"> ▪ Access to health services ▪ No advocacy service for freedom of opinion: you have to travel all the way to Townsville to be heard ▪ Access to education (Article 26): young people have to leave communities in order to finish school 	<ul style="list-style-type: none"> ▪ Community consultation and decision making ▪ Education for all Australians about history and Indigenous issues ▪ Writing to state bureaucrats and governments ▪ Working with Indigenous health, educational and judicial councils ▪ Make a complaint to Qld Health ▪ Go to the local MP 	<ul style="list-style-type: none"> ▪ Working Group on Indigenous populations ▪ Invite the Special Rapporteur on Indigenous Issues to see the community and talk to him about issues affecting it ▪ Have more discussions with NGOs at international level ▪ Get international media involved ▪ Human Rights Commission

Constitutional Reform

Dr Sarah Pritchard provided the participants with an overview of the human rights breaches inherent in the Australian Constitution and of the recent Constitutional Recognition Expert Panel process. She noted that the Australian Constitution contained no mention of Aboriginal peoples whatsoever. She also talked about the 1901 Constitution, which did not count the Aboriginal population in the census (section 127), did not give Aboriginal and Torres Strait Islanders the right to vote (section 51), and stated that the Commonwealth Parliament should make laws in respect to any race *with the exception* of Aboriginal people. She then talked about the historical campaign which led to the constitution being amended in 1967, where 90.8% of Australian voted for the removal of section 127 and the words “other than the people of Aboriginal race”.

Sarah discussed Julia Gillard’s commitment to hold a Constitutional Referendum within the life of this parliament. To lead a discussion on recognising Aboriginal and Torres Strait Islanders in the Constitution, Prime Minister Gillard set up an Expert Panel with 22 member half of whom are Aboriginal or Torres Strait Islander. The Panel has noted the need for the recognition of non-discrimination in the Constitution to prevent the Federal Parliament from passing racist laws. Recognition of Indigenous people in the preamble won’t stop the

Federal Government from being discriminatory. The Body of the Constitution contains the laws and rights so change needs to occur there. The recommendations of the Panel can be summarised as follows:

- remove section 25
- repeal 55 (xxvi)
- include a new section to give Canberra power to make laws with respect to Aboriginal people (51a)
- include in the Constitution a ban on racial discrimination: as long as there is no constitutional ban, the Commonwealth parliament can enact the most racist laws (e.g. the NT intervention)
- insert section 127a: recognition of Aboriginal languages

Participants discussed the suggestions and expressed their concerns about the Referendum, the likelihood of a successful vote and talked about what needs to be done on a local and national level in order to raise the awareness of the Australia population and provide a yes-vote for the constitutional change.

The Convention on the Rights of the Child

Emma Sydenham, policy and research manager at the Secretariat of National Aboriginal and Islander Child Care (SNAICC) delivered a session on the Rights of the Child, where she focused on the UN Convention on the Rights of the Child, adopted in 1989. The topic interested the participants immensely, and an opportunity was provided for them to trial their newly acquired knowledge in a practical exercise dealing with the Rights of Aboriginal and Torres Strait Islander Children.

“If we had proper recognition we would be able to fight for better services in a more efficient way for our communities, for our people”.

Quote from a program participant

Practical Exercise 3: The Rights of Aboriginal and Torres Strait Islander Children

Participants worked in groups to prepare presentations regarding human rights issues concerning Aboriginal children in local communities. They used the articles of the UN Convention on the Rights of the Child to identify particular breaches of children’s rights in Aboriginal communities and suggested local and national remedies to deal with the problems.

Lobbying and advocacy skills

Patrick Earle took the participants through the necessary components of lobbying and the importance of holding governments accountable for health, education, housing and other areas of its responsibility. He pointed out that human rights are about evolution, not revolution, and that instead of trying to change the whole system at one go, it is important to work to influence the people who are in power and who engage in decision making more actively. Patrick explained the components of a successful campaign and the factors which can influence the outcome of a campaign.

Tips for developing your personal skills and confidence to persuade people to support your cause:

1. Know what you want – have a clear objective for what you want to get out of the meeting.
2. Identify the best person to lobby and try to get some background on the person you're meeting.
3. Often you are only given a very short time slot so you need to think through what you want to say. The power of the human rights message –you can quote the **Declaration** and the treaties that Australia is a party to. By quoting these things you can strengthen your case.
4. Look for allies –find people who can support your cause. It is useful to have other people with you when you take part in a lobbying exercise– the minister will invariably have other people with her/him, so it's useful to have support too. It is often a good idea to try to include a range of people – gender & age representation.

Face-to face Lobbying: important to stick to your plan; focus on issues not on personalities; be careful not to get side-tracked; Prepare for questions so they can't throw you off track; summarise at the end - what has been agreed with and a time –frames for such agreements. Follow up the meeting with an email.

Public Speaking: at meetings /demonstrations. Some people are naturally good speakers others are not. It can be helpful to watch good speakers. Many grassroots people can also be good speakers- they have the ability to be honest, to tell it like it is and to speak from the heart.

Prepare, prepare, prepare. You don't want to be too emotional or to run out of time before you get your points across.

Advocacy Campaigning: you should be able to express the objective for your campaign in a single sentence- need to have this clearly in your mind. Your objectives should be **SMART:** Specific, Measurable, Achievable, Realistic, Time-limited. Keep things in a human rights

context - remember that the government has accepted human rights standards and so should abide by them.

A **SWOT** analysis can be helpful in developing an effective campaign: **Strengths, Weaknesses, Opportunities and Threats.**

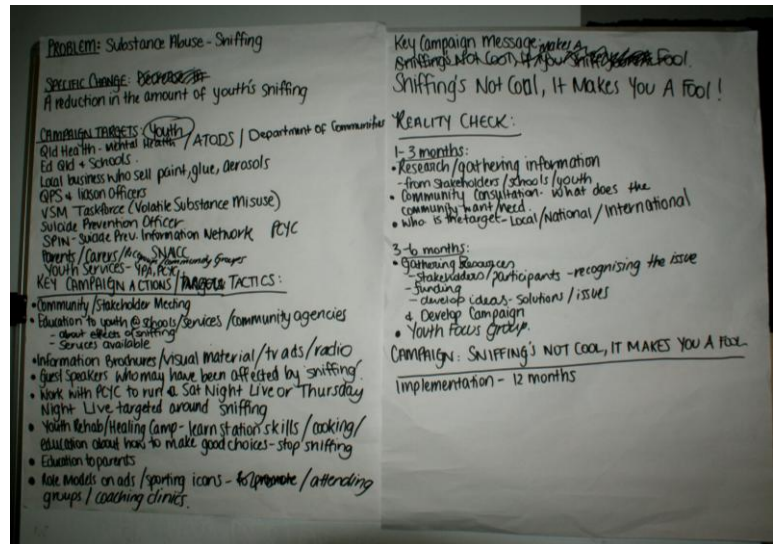
Practical Exercise - Lobbying and Advocacy Skills

An opportunity was provided for the participants to practice their lobbying skills and to prepare advocacy campaigns around the issues they had identified as key concerns for Aboriginal communities in the region. They implemented the ideas and tactics they had acquired during the program to demonstrate how they would implement a campaign.

Betty Kiernan, who had been the Member for Mt Isa from 2006 until the previous week-end, called in to the program to wish the participants well and to share some of her advice around lobbying. She noted the importance of listening in order to feel the passion necessary for effective lobbying; of knowing your subject well; of trying to understand where others are coming from and what is driving them; of building relationships at all levels and of always being prepared. It was a generous and an inspiring gesture from Betty to make time to meet with the participants so soon after the Queensland election.

Practical skills for using the Media

Michelle Watson shared her experiences of working in the media and suggested a number of ways in which the media can be used to push for Aboriginal rights. She facilitated a practical exercise where participants produced a number of media releases concerning some of the human rights issues previously discussed during the program.



After discussing with participants their perceptions about the portrayal of Aboriginal and Torres Strait Islander people's in the media and providing a general overview of the types of media Michelle shared tips for being interviewed:

1. Set goals –have key messages,
2. Keep in mind that nothing is 100% “off the record” ,
3. Be mindful about body language,
4. Stay on track with your message,
5. Learn how to ‘bridge’: “before we get off the topic, I want to talk about.....”; “let me put that in perspective.....”; “its important to remember that.....,”
6. Prepare and take always the key messages that you want your interviewer/ audience walking away with.



Article 16:

1. Indigenous people have the right to establish their own media in their own languages and to have access to all forms of non Indigenous media without discrimination
2. States shall take effective measures to ensure that State-owned media duly reflect indigenous cultural diversity. States, without prejudice to ensuring full freedom of expression, should encourage privately owned media to adequately reflect indigenous cultural diversity.

And for preparing press releases:

1. Make sure the information is newsworthy,
2. Tell the audience the information,
3. Start with a brief description of the news,
4. Ask yourself: ‘how are people going to relate to this and will they be able to connect?’,
5. Make sure that the first 10 words of your release are effective, these are the most important words,
6. Avoid excessive use of adjectives and fancy words,
7. Deal with the facts,
8. Provide contact information,
9. Make sure you wait until you have something with enough substance,
10. Make it as easy as possible for reporters/journalists.



Training methodology and materials

The Diplomacy Training Program aims to provide programs which empower participants through access to both knowledge and skills. The sessions are planned to build on participants' experiences and to incorporate their knowledge and perspective. Group discussion, brainstorming and story-telling are integrated into the provision of specialised knowledge on human rights. . Given the diversity amongst the participants and the breath of community work being undertaken the sharing of participants' and trainers' experiences was a significant component of this program Practical activities such as role plays and the development of campaign strategic plans aim to build confidence and familiarity with the practice of advocacy.

The Mt Isa program enabled the participants to hear from, talk with, and bring their questions to a number of trainers with specialised knowledge in international human rights law and extensive experience in advocacy in community, national and international settings. As reflected in the formal evaluations the participants were very appreciative of the expertise and time given to the program by all trainers.

Specific training manuals are developed for each program to ensure that the information on human rights mechanisms and standards is the most up-to-date and to provide participants with reports which are applicable to their work and community involvements. Participants are provided with a copy of Free and Equal, a guide on human rights and advocacy, which was developed in response to the need for an accessible and practical text to accompany the Indigenous Australia programs.

Training venues are selected based on consideration for the comfort of participants and for suitability as a learning environment aiming to foster group cohesion and discussion. Participants particularly enjoyed the outside spaces which were available for group work at the Terrace Gardens Mt Isa.

Evaluation

On completion of the training, participants were asked to rate how well the program objectives were met. They rated each objective of a scale of 1 to 5 - 1 being “very poor”, 3 being “average” and 5 being “very good”. The table below lists each of the program objectives, along with the number of participants selecting each ranking.

Objective	1	2	3	4	5
To build knowledge of Human Rights and the Rights of Indigenous Peoples and how this applies to Indigenous people from the Mt Isa region					7
To look at the International Human Rights Framework and the obligations of the Australian Government to respect, protect and fulfill Human Rights and the Rights of Indigenous Peoples				3	4
To explore how Human Rights can be used to hold government accountable at the state, national and international level				6	1
To develop practical lobbying and advocacy skills				4	3
To provide opportunities for participants from the Mt Isa region to share and learn from each other’s experiences and to develop support networks				1	6

It is clear to see that the program was positively received by the participants, with many awarding the highest two ranking to the program objectives. Participants were particularly appreciative of the opportunity to build knowledge of Indigenous rights and its application to Indigenous people in Northern Queensland, as well as of the opportunity to share and learn from each other’s experiences and to develop support networks.

“This training program empowers you to have a voice and to know how to raise it”

Quote from a program participant

Feedback included:

- *“I am really glad that I did this training. I have gained a lot of knowledge that I can use and pass onto others. This was the best course I have done”*

- *"I definitely have an in-depth understanding of how I as an Aboriginal have rights individually"*
- *"I really enjoyed all of the presenters, they were knowledgeable and knew their stuff, entertaining and to the point"*
- *"It would be great to bring this training back to Mt Isa as we need more people to learn about our rights and entice people to become advocates"*
- *"I will use these skills I have learned to be a better advocate for Indigenous rights both in my community and nationally"*
- *"I feel somewhat empowered and honored to have participated and completed this program."*
- *The knowledge and experience of the trainers is something I can tap into. The networking with other Indigenous people has been invaluable"*



In addition to sharing their own stories, participants also learnt from the experiences of the Indigenous trainers. Barbara Shaw was able to inspire participants with the knowledge and practical experience in community advocacy. Participants emphasized the sense of empowerment that Barb brought to the program.

- *"Barb Shaw was a great guest speaker"*
- *"Having Barb Shaw as a speaker was the best part of the program, and helped me relate to all the articles and different lobbying tactics"*
- *"Meeting Barb Shaw was very empowering"*

Patrick Earle's case study sessions and practical exercise allowed participants to effectively develop their lobbying and advocacy skills further. Participants loved the hands on approach in building these transferable skills.

Overall the participants were positive about the program experience, with a number expressing excitement about bringing the knowledge, skills and experience back to share with their communities.