



The participants at the 2012 UNPFII Preparatory Training with Dr Megan Davis

Project Report

Diplomacy Training Program and Oxfam Australia

Indigenous Peoples, Human Rights and Advocacy

Preparatory Training for United Nations Permanent
Forum on Indigenous Issues (UNPFII) 2012
University of NSW
April 12-13, 2012



DIPLOMACY
TRAINING
PROGRAM



Oxfam
Australia

1. Executive Summary

Indigenous Peoples, Human Rights and Advocacy – Preparatory Training for the United Nations Permanent Forum on Indigenous Issues (UNPFII) 2012 was held on April 12 and 13 at the Law Faculty of the University of New South Wales (UNSW). This Preparatory Training was funded by Oxfam Australia. This was the third UNPFII preparatory training program supported by Oxfam Australia through the Aboriginal and Torres Strait Islander Youth program. The training was developed to prepare the Oxfam Australia supported youth delegates for their participation in the UNPFII and was available to UNPFII delegates from other Aboriginal and Torres Strait Islander organisations particularly those attending the UNPFII for the first time.

On behalf of these organisations DTP would like to acknowledge and thank Oxfam Australia for its generous contribution to the training of the Indigenous delegates to the 2012 UNPFII.

DTP was able to access the expertise and experience of four program trainers whose backgrounds, experiences, and qualifications enabled them to provide sessions that the participants found relevant, informative, and enjoyable. These trainers were Dr Megan Davis – Director of the Indigenous Law Centre, Associate Professor Faculty of Law UNSW and Expert Member to the UNPFII; Dr Sarah Pritchard – Sydney Barrister and DTP Board member; Janine Gertz – Co-Chair of Indigenous Peoples Organisation (IPO) and Senior Human Resources Advisor for Indigenous Employment at James Cook University (JCU) in Townsville, Queensland; and Brian Wyatt – Co-Chair of IPO, Chair of the National Native Title Council of Australia, and Chief Executive Officer of the Goldfields Land and Sea Council (GLSC). Les Malezer, Co-Chair of the National Congress of Australia’s First Peoples also spent time with the participants who were very appreciative of the opportunity to gain advice and encouragement from such an experienced international advocate. Hannah Donnelly, a member of the Aboriginal and Torres Strait Islander Social Justice Team at the Australian Human Rights Commission also generously shared a youth perspective on attending the UNPFII for the first time.

DTP would like to acknowledge and express our gratitude to these program trainers, Dr Megan Davis, Dr Sarah Pritchard, Janine Gertz, Brian Wyatt and to Les Malezer and Hannah Donnelly for the generous sharing of their time and experience.

2. Background to the Preparatory Program

The DTP has been delivering Human Rights and Advocacy Programs for Indigenous peoples since its foundation in 1990. In 2007 a partnership with Oxfam Australia enabled DTP to run programs in Australia with Aboriginal and Torres Strait Islander organisations around issues specific to Australia. To date DTP has delivered a number of Oxfam partnered programs, including youth programs, regional programs in Western Australia and Mt Isa and the preparatory training programs for delegates to the UNPFII in 2010 and 2011.

Since 2008, Oxfam Australia has been supporting a delegation of young Indigenous Australians aged between 18 -35 years of age to attend the UNPFII. The first DTP and Oxfam Australia UNPFII Preparatory Program was developed in 2010 as an opportunity for Aboriginal and Torres Strait Islander Peoples who were attending the forum for the first time. The positive feedback from the first cohort of participants reinforced Oxfam's belief that preparation prior to attendance contributed significantly to the success and value of the UN experience for delegates. The second program (2011) brought together first time and experienced delegates for a program which had been informed by the input from the graduates of the 2010 Preparatory Program. This third program further built on the feedback from the 2010 and 2011 programs.

The UNPFII is an advisory body to the UN's Economic and Social Council, with a mandate to discuss Indigenous issues related to economic and social development, culture, the environment, education, health and human rights. The UNPFII which has been meeting since 2002 is the achievement of largely Indigenous advocacy to ensure a more effective participation by Indigenous peoples in the United Nations and greater attention to issues affecting Indigenous peoples globally. The 2012 Australian delegates would be joining more than 1,300 delegates from around the world in the United Nations headquarters in New York.

This year's special theme *The Doctrine of Discovery: its enduring impact on indigenous right to redress for past conquests* marked the 11th session of the UNPFII, May 7-18.

3. Program Objectives

This program was a 2-day capacity building program that aimed to prepare delegates for the UNPFII.

The objectives for the program were:

- To give participants an understanding of the background and role of the UNPFII as well as the UN framework in which it operates;
- To explore the key issues on the agenda of the UNPFII 11th Session; and
- To prepare participants for what to expect in New York, including registration for the UNPFII and participation in side events.

Day 1:

Welcome to Country

Uncle Norm Newlin opened the program by welcoming participants to the land of the Gadigal People of the Eora Nation.

Overview of Human Rights and Indigenous Peoples in the UN System

Dr Sarah Pritchard provided an overview of human rights and Indigenous peoples. Delegates to the 2012 UNPFII were reminded that they are participating in a struggle which originated in the fifteenth century when the voyages of Christopher Columbus set in train the colonisation processes which have been so disastrous for Indigenous peoples globally. They are also today following on from the lead provided by those first Indigenous peoples who, recognising the potential of international systems to raise grievances against the states, began to knock on the doors firstly of the League of Nations in Geneva and then of the United Nations in New York.

Participants were walked through the developments in the United Nations pertaining to Indigenous Peoples rights from:

- the Universal Declaration of Human Rights adopted in 1948, the first UN instrument that reflected a commitment to peace and security by establishing the rights of ordinary people,

- the first international body to respond to Indigenous concerns, the International Labour Organisation (ILO), and its 1957 Convention on Indigenous and Tribal Populations, which was based on the assumption that Indigenous people would assimilate into mainstream society and so failed to recognise self-determination,
- the 1960s development of the Convention on the Elimination of All Forms of Racial Discrimination and the 1975 passage of the Race Discrimination Act which transformed the international standard into domestic law,
- the 1970s Cobo report which was commissioned by the Sub Commission on the Prevention of Discrimination and Protection of Minorities and was the first UN initiative to provide a sense of the scale of Indigenous concerns worldwide.
- the Indigenous body which was an outcome of the Cobo Report, the Geneva based Working Group on Indigenous Population (WGIP) was unique in the UN system in terms of the number of people it attracted (a thousand every year). Sarah reflected on the revolutionary effect on the UN of the cultures and languages of Indigenous people taking over the halls of the UN. The same stories of dispossession, of the taking of resources and the non recognition of customary law were shared in the WGIP. So too were there commonalities in the stories of economic and social realities and in the stories of aspiration for the future. After three years the decision was made to start work on developing a standard which was to become,
- the UN *Declaration on the Rights of Indigenous Peoples (Declaration)* the concept of self-determination had evolved in the life of the United Nations until the *Declaration* recognised the collective 'self' of Indigenous communities and groups. Sarah described the passage of the *Declaration* from the decision to commence work on a standard in 1985, the adoption of the wording by the WGIP, the "getting stuck" in the Working Group of the Commission on Human Rights, such that it became embarrassing for the UN, until 2007 when the perseverance of the Indigenous peoples finally wore down opposition and the *Declaration* was passed in the General Assembly. Australia was one of the few states which voted against the *Declaration* a decision that was overturned in 2009 when Prime Minister Rudd announced support for the *Declaration*.

UNPFII Structure and Mandate

Dr Megan Davis explained the structure of the mandate of UNPFII. She discussed that the Forum is one of the three UN bodies that is mandated to deal specifically with Indigenous peoples'

issues. The others are the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) and the Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous peoples. The Forum is an advisory body to the Economic and Social Council with a mandate to discuss Indigenous issues, such as human rights.

From its mandate, the Forum is expected to:

- provide expert advice and recommendations on Indigenous issues to the Council, as well as to programmes, funds and agencies of the United Nations, through the Council;
- raise awareness and promote the integration and coordination of activities related to Indigenous issues within UN system;
- prepare and disseminate information on Indigenous issues.

Dr Davis reminded the participants that it is important for everybody to remember the mandate as this should guide the planning of the delegation and the interactions at the Forum. In addition, she provided tips as to the ways to approach members of the Forum.

Day 2

An opportunity was provided for participants to discuss their objectives and their expectations for attending the 2012 UNPFII.

Hannah Donnelly, who participated in the 2011 UNPFII, joined Les Malezer, Janine Gertz and Brian Wyatt to provide a youth perspective on the UN experience. Attending international events at the United Nations can be daunting and confusing for inexperienced participants, Hannah encouraged the youth delegates to spend time discussing with their mentors what is appropriate in terms of their participation and also ways to effectively utilise their time while at the UNPFII. She recommended attending the Australian caucus meetings in the morning as an opportunity to experience how everything works behind the scenes and she explained that there would be a chance to participate in other caucuses such as the Global Indigenous Youth Caucus.

In relation to interventions delegates were advised that it is important to understand the different levels of engagement and when it is appropriate for youth participants to be involved. As decisions are often procedural, participants need to be prepared for not getting on the speakers list. Speakers are chosen based on their input on the writing of the statements and the level of their representation and as the person delivering the Intervention is often approached

by others particularly the media for comment it is not considered appropriate for youth participants to be making the statements on the 'bigger' issues. Youth participation in the Global Youth Caucus however was encouraged, this is an opportunity to take the floor and make a statement whilst they have everyone's attention, including the media.

Participants were given tips on lobbying and networking and on the role of the IPO at the UNPFII. Advice was shared in relation to the need to maintain physical and emotional wellbeing over a stressful two weeks in a pressured environment. Participants were reminded that as they are seen as representing the Australian delegation they also need to be mindful that their behaviour reflects on the whole delegation, especially due to the media presence. Involvement in the side events was encouraged and the importance of the side events for sharing information and networking was highlighted.

Participants were encouraged to seize opportunities to report back on the experience, to share the learning as widely as possible back in Australia and to fulfil reporting requirements with the funding bodies. Hannah advised on the importance of daily note-taking and to be mindful of what is posted on face book etc.

Participants enjoyed the practical nature of the second day and were very appreciative of the opportunity to have access to the experience and knowledge of Les, Janine, Brian and Hannah.

4. Training Methodology and Materials

The DTP was founded on the belief that individuals working together have the capacity to make changes and doing so requires knowledge and skill. The Preparatory Training employed methods that facilitated the consolidation of knowledge and development of skills to enable delegates to participate in the upcoming session. Participants were organised around a large table to facilitate discussion and engagement with the agenda. They were encouraged to question presenters and to exchange information and ideas with each other.



The participants were organised to facilitate discussions and were encouraged to raise questions to Dr Megan Davis

DTP is fortunate to have continued to draw upon leading academic experts and experienced practitioners from relevant fields. With this, DTP acknowledges the involvement of Dr Sarah Pritchard and Dr Megan Davis whose expertise in international law shaped the understanding of the participants. The diversity in levels of experience with international law within the group contributed to the values of the discussions and exchanges. Trainers Janine Gertz and Brian Wyatt, having participated previously in the UNPFII were very cognisant of the needs of newcomers, the challenges the UN experience can present and the strategies most effective in international diplomacy.

Being a specialist program, focused on preparation for the upcoming UNPFII, the training materials were largely comprised of documents from the United Nations particularly the UNPFII. All of the participants found the materials provided in their manuals relevant and useful.

5. Outcomes

Participants were asked to rate the extent to which the program had achieved its objectives.

Objective 1: To give participants an understanding of the background and role of the UNPFII as well as the UN framework in which it operates.				
1. Very Poor	2. Poor	3. Average	4. Good	5. Very Good
			4	5
Objective 2: To explore the key issues on the agenda of this year's UNPFII 11 th session				
1. Very Poor	2. Poor	3. Average	4. Good	5. Very Good
			6	3
Objective 3: To prepare participants for what to expect in New York, including registration for the UNPFII, and what to expect at side events.				
Very Poor	Poor	Average	Good	Very Good
		1	4	4



The participants at the 2012 UNPFII Preparatory Training with Dr Sarah Pritchard

6. Evaluations and Feedback

Participants consistently reported that following the training they were better prepared for the UNPFII.

“I was fairly intimidated and unaware prior to doing the program so now feel confident and reassured, as well as more aware.”

“I had only had pieces of info about what it might be like but this program helped me to gain a wider understanding of the UN System, the UNPFII, the caucus and where I best may be able to decide where to direct my time and efforts to ensure I make a positive productive contribution and also whilst gaining great experience.”

“The program has definitely helped me prepare for the UNPFII. The practical advice has been extremely helpful and I feel quite informed about what to expect and what my job and expectations are.”

The historical overview, the contextualising the UNPFII within the wider UN system, the structure of the United Nations and the logistical information on the UN, the Permanent Forum and New York were listed as being particularly valuable. The importance of meeting other members of the Australian delegation was also widely appreciated.

Participants had difficulty in commenting on ‘the least useful session’.

The materials provided were assessed to be very useful and relevant,

“Excellent. I will use all this information in NYC.”

One participant commented that they would have liked materials with more visual content and another commented that the video of the UNPFII helped *“...put the surroundings and the room into perspective.”*

If DTP was to hold another UNPFII preparatory training this feedback, along with suggestions that clips from previous year intervention presentations and main room happenings, could be incorporated into the training. As with the previous years’ program participants would like more explanation about interventions and assistance with writing them. This may be something that the IPO might consider further.

6. Conclusion

DTP’s Preparatory Training for the 2012 United Nations Permanent Forum on Indigenous Issues provided a course of training for which there was clearly a need and which was not being

provided by any other organisation. The session schedule, incorporating general background information on the United Nations, specific information on the UNPFII and practical preparation for engaging with the Expert Members and other delegates at the UNPFII met the needs and interests of the program participants. Being able to access trainers with extensive international law expertise and the ability to engage participants is essential. The principle of inviting experienced delegates back to the program to share information, tips, and encouragement with inexperienced delegates should be maintained.

DTP would like to thank all delegates for their energetic and generous participation. We would also like to acknowledge and express our gratitude to the program trainers, Dr Megan Davis, Dr Sarah Pritchard, Janine Gertz and Brian Wyatt and to Les Malezer and Hannah Donnelly for the generous sharing of their time and experience.

APPENDIX I – PROGRAM SCHEDULE

<p>Thursday April 12 9.00- 10.00 Session 1</p>	<p>Program Opening Welcome to Country - Uncle Norm Newlyn Introduction to DTP - Patrick Earle Opening Remarks - Dr Sarah Pritchard Opening remarks from IPO - IPO Chair Janine Gertz and Brian Wyatt Participant Introductions Program Outline & materials - Lorelle Savage</p>	<p>Friday April 13 9.00 – 10.30 Session 5</p>	<p>Panel: Being Effective and getting the most out of being a UNPFII Delegate Participants Expectations of the UNPFII Experience IPO Perspective: Brian Wyatt & Janine Gertz Youth Perspective: Hannah Donnelly What to expect at the UNPFII and New York -Local logistics -Registration -Side Events -Daily (and nightly) challenges and pressures -Practical tips for surviving Brian Wyatt, Janine Gertz & Hannah Donnelly</p>
10.00-10.30 m/t			
<p>10.30 – 12.30 Session 2</p>	<p>Overview of Human Rights and Indigenous Peoples in the UN System. Dr Sarah Pritchard</p>	<p>11.00- 12.30 Session 6</p>	<p>IPO Roles and Responsibilities at the UNPFII – Statements/ Speakers/ Lobbying and Networking. Opportunities and tips for getting involved Effective lobbying – strategies, opportunities & cautions Networking Mechanics of writing statements Brian Wyatt, Janine Gertz and Les Malezer</p>
12.30 – 1.30 Lunch			
<p>1.30-3.00 Session 3</p>	<p>UNPFII Structure and Mandate UNPFII 2012: Doctrine of Discovery – Discussion on the theme. Dr Megan Davis</p>	<p>1.30-3.00 Session 7</p>	<p>Passing on the learning to your organisations/communities: - IHRNA and blogging - Reporting back on the experience - Brian Wyatt, Janine Gertz and Steven Ross Closing : Evaluation and awarding of certificates</p>
3.00-3.30 a/t			

3.30-5.00 Session 4	A walk through the 2012 Agenda. What to expect Expert member perspective on being an effective delegate. Dr Megan Davis		
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APPENDIX II – PARTICIPANTS

First Name	Last Name	Organisation	Position
1 Emma	Sydenham	Secretariat of National Aboriginal and Islander Child Care (SNAICC)	Manager Policy and Research
2 Frank	Hyttten	Secretariat of National Aboriginal and Islander Child Care (SNAICC)	Chief Executive Officer
3 Ismahl	Croft		
4 Jody	Broun	National Congress Of Australia's First Peoples	Co-chair
5 Kaleesha	Morris	National Congress Of Australia's First Peoples	Youth
6 Kiyah	Missen	Reconciliation Australia	Project Officer
7 Lindon	Coombes	National Congress Of Australia's First Peoples	Chief Executive Officer
8 Madhulika	Mukund	Aboriginal Legal Service of Western Australia	Senior Legal and Policy Officer
9 Melissa	Brickell	Secretariat of National Aboriginal and Islander Child Care (SNAICC)	Manager Resource Service
10 Steve Dibirdi "Steve Hodder"	Bunbajee Hodder Watt	Central Land Council (CLC)	Media Officer
11 Steven	Brown	Department of Education and Workplace Relations	A/G Assistant Director