

Uluru Dialogue Intervention

10 July 2024

Agenda Item 10

We are Allira Davis (Cobble Cobble woman) and Bridget Cama (Wiradjuri woman) and make this intervention on behalf of the Uluru Dialogue in Australia, whose mandate is determined by the Uluru Statement from the Heart, namely the ask for substantial constitutional recognition of Aboriginal and Torres Strait Islander peoples by establishing a Voice to Parliament.

Australian governments continue to make decisions about us without us. They fail to share power with First Nations peoples that is necessary to uphold and respect our rights which was recently highlighted in the damning Productivity Commission Report into the Closing the Gap Agreement.

The Australian Constitution remains silent on the formal recognition of First Nations peoples and our rights - we are only referred to in section 51(26) of the Constitution, known as the race power, that empowers the federal government to enact legislation that positively or adversely discriminates against us on the basis of race.

Indigenous peoples in Australia do not benefit from the Constitution – we remain to be overrepresented and disproportionately affected by issues including incarceration rates, youth suicide, child removal, access to health care and education and the list goes on. We need a seat at the decision-making table.

Further, the UNDRIP and rights afforded to Indigenous peoples are not protected in the Australian Constitution, nor are they legislated in full.

As noted by the EMRIP draft constitutional study, the Australian government is not clear on its commitment to the Uluru Statement reforms following the failed 2023 Voice referendum.

We have recently seen budgeted government funding for establishing local/regional voices being re-directed to Reconciliation activities – which have existed since 2001 and which have notably failed to achieve any formal recognition or rights-based justice for Indigenous peoples. Nor have they enabled

non-Indigenous Australia to better understand our distinct legal rights and how we as a diverse country can move towards a better future.

The Australian Government has been clear that it will not commit to legislate a national Voice. From the Uluru Dialogue, we say the need for a Voice does not disappear because the model was voted down at referendum. In fact, the Voice is needed now more than ever and is prescient.

We urge EMRIP to renew their study on the right to political participation in liberal democracies

We commend EMRIP for the draft constitutional study. We do not intend on stopping the campaign for a constitutional voice. We are the youth. We are the future.

We recommend EMRIP have a youth theme, based on UNDRIP, so we can convey to EMRIP and the UN, our aspirations for structural reform under the UNDRIP.

Thank you for the opportunity to speak.