



R.a.T.S. of Warrnambool
a member of the ANTaR (Vic) Network

Reconciliation and Treaty Supporters of Warrnambool

The Secretary
Senate Select Committee on the Administration of Indigenous Affairs
Parliament House
Canberra ACT 2600

Email: Indigenous.Affairs@aph.gov.au

Dear Secretary,

We appreciate the opportunity to provide input to the Committee's Inquiry on the Aboriginal and Torres Straits Islander Commission Amendment Bill 2004 and proposed related changes to the administration of Commonwealth Indigenous Affairs Policy.

The attached Submission represents the views of the Reconciliation and Treaty Supporters (R.a.T.S.) as an organisation of non-Indigenous members whose concern has always been for justice and self-determination for Indigenous Peoples. We oppose the abolition of ATSIC while recognising that changes to its role and structure may be necessary. We are concerned, however, that any proposals for these changes, or the establishment of a new National Indigenous Representative Body must lie primarily in the hands of the Aboriginal Community.

We would also strongly support any proposal for a visit by the Committee to a centre such as Warrnambool or the Indigenous Community of Framlingham to ensure that the voice of the indigenous people of this region is heard.

Yours sincerely,

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SUBMISSION

SENATE INQUIRY ON THE ADMINISTRATION OF INDIGENOUS AFFAIRS

1. The Proposed Abolition of ATSIC

- We believe that the Government's proposal for the abolition of ATSIC as the principal elected body to represent the Indigenous peoples of Australia and its replacement by a hand-picked advisory body, together with funding by mainstream government departments would be a retrograde step.
- Whilst we recognise that some measures to reform the structure of ATSIC along the lines recommended by the Review Panel in 2003 are necessary, the proposal for abolition would virtually mean a return to the assimilation policies of the 1960's and a halt to legitimate self-determination.
- We therefore believe that either reform of ATSIC or its replacement by an elected Indigenous Representative Body is essential.

2. The Rights of Indigenous People.

- The Rights of Aboriginal and Torres Straits Islander peoples are laid down under International Law applicable to all Indigenous peoples. Implicit in this is the right to choose the representatives of their people and the right to make decisions affecting their own communities including the right to control provision of essential services such as health and education to these communities.
- These Rights would be effectively denied with the replacement of elected representatives by government nominees and the takeover of essential services to Indigenous communities by Government Departments.

3. Other Effects of the Failure to reform or replace ATSIC

- Legislation including the Native Title Act and the Environment Protection and Biodiversity Conservation Act would be changed to remove ATSIC and this Indigenous representation in them. Aboriginal peoples would be written out of any consultation at all on matters of environment, health research and human rights.

4. The Need for Indigenous Representation

- The right to elect their own representatives at local and regional levels is the basic requirement for the establishment of Indigenous organisations as decision-making bodies in their communities.

- Of at least equal importance is the need for a national body of elected representatives to act as the Indigenous voice in negotiations with government and exercise general governance over services to the communities. Such a body would also provide a voice for the Indigenous peoples of Australia in International and United Nations Forums as ATSIC has always done.

5 Social Justice and Economic Development for Indigenous Peoples.

- The Indigenous peoples of Australia suffer severe disadvantages in both the areas of social justice and economic development, evidenced by the high rates of youth suicide and imprisonment, levels of substance abuse and mortality rates, severe health problems and low standards of education which are unacceptable in today's world.
- We believe that the blame for these problems has been wrongly laid at the door of ATSIC as that organisation has never had the responsibility or received the appropriate funding for this purpose.
- In order to be responsive to specific indigenous needs it is essential for overall direction of services to Indigenous communities be under Indigenous control and that, where mainstream government services are provided these should be publicly accountable to appropriate Indigenous organisations. Direct "mainstreaming" of funds through government departments has always proved to be a failure.

6. A National Indigenous Representative Body

- We believe that the issues of Indigenous Rights and Social and Economic Development are both of high priority and need to be addressed simultaneously. We also believe that the concentration of the present government on so-called "Practical Reconciliation" and their exclusion of Rights Issues has ignored important main concerns facing Indigenous peoples in Australia today. Rights issues are the basis of practical reconciliation and the two issues are not mutually exclusive.
- We therefore propose that the structure of any National Indigenous Representative body which may replace ATSIC must require prior consultation and negotiations with elected Indigenous representatives and cannot be established until their agreement is obtained.
- It is essential that such an elected body is provided with adequate resources for genuine self-determination as a strong and independent voice of their people.