

Press Release

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Australia/Indigenous peoples: development and self-determination to overcome severe disadvantages

GENEVA – “Having suffered a history of oppression and racial discrimination, including dispossession of lands and social and cultural upheaval, Aboriginal and Torres Strait Islander peoples endure severe disadvantage compared with non-indigenous Australians,” said UN independent expert Professor S. James Anaya, launching an advance version of his report on Australia.

“Historical patterns of racism continue to leave their mark and severely undermine the dignity of the Aboriginal and Torres Strait Islander people,” noted the Special Rapporteur mandated by the UN Human Rights Council to monitor the situation of human rights and fundamental freedoms of indigenous people.

“Governmental programmes must secure just social and economical well-being for indigenous peoples, while advancing their self-determination and strengthening their cultural bonds,” Professor Anaya states in his report, prepared after an official visit to the country in August 2009.

The human rights expert commends the Government of Australia for the advancements made in addressing the human rights of Aboriginal and Torres Strait Islander Peoples in recent years, in particular through its “National Apology” of 2008, its support for the United Declaration on the Rights of Indigenous Peoples and its comprehensive campaign to improve living conditions for them. However, he calls on the authorities to incorporate into its programmes a more integrated approach to addressing indigenous disadvantage across the country.

“Effective control of their lands and territories continues to be denied to many indigenous communities in Australia,” the UN independent expert says in his report. He also notes that indigenous institutions are sometimes subject to high levels of control by the State, and are often devoid of genuine opportunity to generate social, cultural and economic development.

Welcoming the many policies and resources committed by the Government of Australia to address key indigenous issues, the Special Rapporteur draws attention to “the continued need to develop new initiatives and to reform existing ones, in consultation and in real partnership with indigenous peoples, to conform to international standards requiring genuine respect for cultural integrity and self-determination”.

Regarding the Northern Territory Emergency Response, the Professor Anaya observes that it contains problematic features from a human rights standpoint, in particular in relation to compulsory income management, compulsory acquisition of Aboriginal land, the assertion of extensive powers by the Commonwealth Government over

Aboriginal communities, and alcohol and pornography restrictions in prescribed areas.

While encouraging the Government of Australia to continue its commitment to address problems faced by Aboriginal people in the Northern Territory, in particular concerning the wellbeing of Aboriginal women and children, the UN independent expert further states that the Government should seek to fold into its initiatives the goal of advancing indigenous self-determination.

In this regard, he recommends encouraging indigenous self-governance at the local level ensuring indigenous participation in the design, delivery, and monitoring of programmes, and promoting culturally-appropriate programmes that incorporate or build on indigenous people's own initiatives.

Additionally, he notes in his report that further efforts are needed to secure indigenous peoples' rights over lands, resources and heritage sites, and to ensure that indigenous peoples living in remote areas can enjoy the same social and economic rights as other segments of the Australian population, without having to sacrifice important aspects of their cultures and ways of life.

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On March 2008, the Human Rights Council appointed Professor S. James Anaya (United States of America) as Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people. Professor Anaya is the James J. Lenoir Professor of Human Rights Law and Policy at the University of Arizona (USA).

Learn more about the mandate of the Special Rapporteur:
<http://www2.ohchr.org/english/issues/indigenous/rapporteur/>

OHCHR Country Page – Australia:
<http://www.ohchr.org/EN/Countries/AsiaRegion/Pages/AUIndex.aspx>

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