
ALA APPLAUDS STANCE OF INDIGENOUS ELDERS AGAINST RACIST 'STRONGER FUTURES' LEGISLATION

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The Australian Lawyers Alliance applauds the bold stance of Indigenous elders in west and central Arnhem Land who are refusing to participate in land lease negotiations for mining exploration licences in revolt against the Federal Government's *Stronger Futures* legislation.

"The ALA applauds the elders and community leaders in Arnhem Land who have written to the Prime Minister and the NT government. The *Stronger Futures* legislation breaches internationally recognised human rights under the United Nations *International Covenant on Civil and Political Rights*, of which Australia is a signatory.

The Federal Government is able to continue to flout such obligations because there is no federal Human Rights Act to uphold such responsibilities under Australian law," Australian Lawyers Alliance National President, Greg Barns, said.

"Indigenous people are constantly being disempowered by such discriminatory laws that threaten not only their freedom and cultural rights, but their health and well-being, as increasing numbers of Indigenous people are fined and incarcerated under such policies," he said.

Stronger Futures undermines legal entitlements within criminal law, privacy law, property law, consumer law, administrative law, discrimination law and human rights.

"The Yolngu Nations Assembly have cited that it rejects the legislation in full. The Assembly has said, "we have clearly informed you that we do not support the legislation.

"Contrary to what the government would have the public believe, the strong action of these Indigenous elders clearly indicates how radically opposed many Indigenous people living in the Northern Territory are to the Stronger Futures laws.

This indicates that there was a lack of prior, free and informed consent as required under the *Declaration on the Rights of Indigenous Peoples* and in order for such laws to be characterised as non-discriminatory.

The ALA calls for a greater recognition of human rights in government policy, with laws that recognise international human rights responsibilities and that are formed in close consultation with those they affect, and that secures consent," Mr Barns said.

"Anyone assessing this legislation, closely, can see a separate sub-standard of rights is being created for Aboriginal people and that the entire process surrounding the formulation of such legislation has been a sham whitewashed with government spin.

Consultations have been vastly inadequate; independent assessments have been lacking in substance; and the repeated opposition of Australians – both Indigenous and non-Indigenous, have landed on deaf government ears.

Given the calls for constitutional recognition of Australia's First Peoples, it is hypocritical of government to utilise Indigenous policy as a playground to cement their PR profile."

Mr Barns said the failure to legislate according to international human rights standards in the Australian parliament was, at times, abysmal.

"We again recognise the valiant, courageous determination of Australia's Indigenous elders and call for all Australians to stand up and demand the Federal Government treat everyone in Australia equally under the law," Mr Barns said.