

Statement in support of the Yolnu Nations Assembly Statement

Proposed 'Stronger Futures' legislation continues to breach Australia's international legal obligations and is doomed to fail.

The Human Rights Law Centre supports the statement of the Yolnu Nations Assembly rejecting the proposed Stronger Futures legislation and calling for Australian Governments to end their interventionist policies and support the right of Aboriginal and Torres Strait Islander peoples to participate meaningfully in decisions about matters which affect them.

The proposed Stronger Futures legislation, which largely continues the Federal Government's Intervention into Aboriginal and Torres Strait Islander communities in the Northern Territory in 2007, does not redress ongoing concerns of non-compliance with Australia's international human rights obligations.

The proposed legislation will undermine democracy, further damage the Federal Government's relationship with Aboriginal and Torres Strait Islander peoples and ultimately be ineffective in addressing Aboriginal disadvantage.

The measures undermine the key principles of self-determination and of free, prior and informed consent as set out by the UN Declaration on the Rights of Indigenous Peoples, which Australia endorsed in 2009. Aboriginal and Torres Strait Islander communities must be meaningfully involved in the design and implementation of the measures which affect them.

Many of the proposed measures are punitive and have a disproportionate and discriminatory impact on Aboriginal and Torres Strait Islander communities. The HRLC echoes the Yolnu Nations Assembly's call for Australian Governments "to return to a mindset of partnership based on the principles of self-determination".

After five years of the intervention, the evidence shows that government actions are highly unlikely to be effective in addressing Aboriginal and Torres Strait Islander disadvantage unless Aboriginal and Torres Strait Islander communities are empowered, active participants who are supportive of measures concerning their own communities.

The HRLC supports measures that are intended to protect the human rights of Aboriginal and Torres Strait Islander peoples, particularly children and women who may be vulnerable to family violence and sexual abuse issues. However, such measures must be consistent with and promote the furtherance of Australia's human rights obligations.

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