



"Solidarity" by Barbara Shaw

INTERVENTION ROLLBACK ACTION GROUP

SUBMISSION TO THE AUSTRALIAN GOVERNMENT COMMUNITY LIVING AREA LAND REFORM IN THE NORTHERN TERRITORY DISCUSSION PAPER

The Australian Government makes a categorical statement in its discussion paper that "one of the things Aboriginal people told us is important is to reduce barriers to economic development". It is unfortunate that the government took no recordings at the 'Stronger Futures' consultations therefore evidence on its part is hearsay or from limited notes taken by FAHCSIA personnel. In fact at some consultations economic development was barely discussed. Other recorded and documented evidence (by non-government representatives) does show some people's wish to be able to buy their own home or set up businesses, but more particularly they asked for legitimate employment, restoration of jobs that were available prior to the shires set up and the scrapping of CDEP, and for the practice of hiring 'outside' contractors to be stopped and local people employed.

People have been saying for some time that they want to be able to develop their land. However, they did not say they want the government, in the form of the Minister for Indigenous Affairs, to have over-riding power to decide on that development.

Another issue of concern is that Aboriginal people, particularly those for whom English is a second, third or fourth language, need independent advisers and lawyers.

The land councils cannot provide this independent assistance. They are obligated as statutory bodies to conduct the business government requires of them.

We call for the following amendments to the Stronger Futures legislation:

1. Removal of s.35(5)
2. Amendment to s.35(4) to ensure adequate consultation with and consent from land owners – “Free, prior and informed consent” in accordance with the United Nations Declaration on the Rights of Indigenous Peoples to which Australia has obligations as a signatory. This should include resources to enable the provision of independent advisers, advocates and lawyers.

Alice Springs
12th April, 2013.