



Engaging with the Statement: *Know the Facts and How to Share*

FAQs

1. What is the Uluru Statement?

The Uluru Statement from the Heart is a profound call from Aboriginal and Torres Strait Islander peoples for constitutional change and structural reform in their relationship with Australia - a relationship based on fairness, truth, justice and self-determination where Indigenous cultures can flourish, and the Australian nation can reach a fuller potential. It is an invitation from First Nations to all Australians “to walk with us in a movement of the Australian people for a better future”.

2. Where did the Uluru Statement come from?

In May 2017, First Nations forged a historic consensus around the Uluru Statement. This consensus followed a ground-breaking process engaging Aboriginal and Torres Strait Islander people from across Australia through deliberative dialogues in 13 regions. Joining each dialogue were approximately 100 representatives drawn from local traditional owners, Indigenous community-based organisations and Indigenous leaders. These dialogues selected representatives to attend the First Nations Constitutional Convention at Uluru. At the Convention, in an overwhelming consensus more than 250 delegates adopted the Uluru Statement from the Heart.

3. What changes does the Uluru Statement call for?

The Uluru Statement from the Heart calls for three fundamental changes: Voice, Treaty, Truth. The first reform is the constitutional enshrinement of a First Nations Voice (Voice). The Voice will empower Aboriginal and Torres Strait Islander peoples politically. It will be a permanent institution for expressing First Nations’ views to the parliament and government on important policy decisions affecting their rights. The Uluru Statement from the Heart also call of a constitutionally enshrined First Nations Voice to be supported by a Makarrata Commission to supervise a process for both agreement making between governments and First Nations (Treaty), and historical truth-telling (Truth).

It provides a clear and practical path forward for Aboriginal and Torres Strait Islander self-determination in accordance with the United Nations Declaration on the Rights of Indigenous Peoples.

4. Why is change necessary?

Reform is needed to give Aboriginal and Torres Strait Islander peoples greater say in and authority over decisions that affect them.

Aboriginal and Torres Strait Islander peoples only comprise 3 per cent of the Australian population. This means that it is difficult for Aboriginal and Torres Strait Islander voices to be heard in elections and in Parliament. They have little say over the laws that impact on them.

This is particularly problematic, because the federal Parliament has two main sources power to make laws with respect to Aboriginal and Torres Strait Islander peoples: an express power for the Parliament to pass laws on the basis of race and the power to make laws in the territories. These powers have been used to pass laws that have been disadvantageous to Aboriginal people without any consultation or consent from them. This is in breach of the right to self-determination that is set out in the United Nations Declaration on

the Rights of Indigenous Peoples. Article 3 of the Declaration recognises that before any new laws or policies affecting Indigenous peoples are adopted, ‘States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent’.

5. What did the Uluru Statement say about sovereignty?

The Uluru Statement asserts that First Nations sovereignty was never ceded and coexists with the Crown’s sovereignty today. It calls for the ancient sovereignty of Aboriginal and Torres Strait Islander peoples to be recognised through constitutional change. Enshrining a First Nations Voice is recognition of First Nations sovereignty. Sovereignty is not undermined nor diminished by this reform.

In many States in Australia, Aboriginal and Torres Strait Islanders are recognised and acknowledged in the State constitutions. This includes Victoria, where First Nations are negotiating a sovereign to sovereign treaty.

First Nations in other countries are acknowledged and recognised in colonising countries constitutions. Canada, United States and Norway are just several examples. The First Nations in those countries have used the constitutional clauses to support their efforts to gain progress for their people.

6. Is a representative voice a new idea?

Throughout the history struggle against dispossession and discrimination, Aboriginal and Torres Strait Islander peoples have called for a representation in decision making about their own affairs.

There is an unbroken line from the Australian Aborigines League petition to King George V in 1937 and the 1938 gathering at the Day of Mourning, to the Bark Petitions of 1963, the 1967 referendum legacy, the 1972 Larrakia Petition, the Barunga Statement of 1988, the 1992 Mabo decision overturning terra nullius, the Kalkaringi Statement of 1998, the report on the Social Justice Package by ATSIIC in 1995 and the Kirribilli Statement of 2015 ... and today the Uluru Statement from the Heart – there have been consistent calls for a representative voice in decision making, the right to self-determination, treaty, and for the truth to be told about our history.

7. Why a constitutionally enshrined Voice?

It is important to note that the Voice to Parliament should be guaranteed by the constitution. Previous [Aboriginal representative bodies](#) (such as the Aboriginal and Torres Strait Islander Commission, ATSIIC) that had been set up only in laws were easily abolished by successive governments depending on their priorities. The constitutional guarantee aims to provide stability and longevity, but requires a referendum to change the Constitution. The Uluru Statement from the Heart is deliberately scarce on how to implement this voice, as future legislation would set up details, functions, powers and processes.

8. Is there and International precedent for a First Nations Voice?

Other countries use First Nations bodies effectively First Nations representative structures are common in countries with minority Indigenous populations. Comparable democracies such as New Zealand, Canada, Finland, Sweden and Norway all have First Nations representative structures:

- Canada has the Assembly of First Nations
- New Zealand has the Maori Council which is empowered to act as a consultative and advisory body
- Norway, Sweden and Finland have Saami Parliaments which act as advisory bodies to government.

More information: https://www.referendumcouncil.org.au/sites/default/files/2017-07/Report%20to%20the%20Referendum%20Council-%20First%20Nations%20Voice%20Design%20Report_0.pdf

9. What is Makarrata?

Makarrata is a Yolgnu word meaning ‘a coming together after a struggle’. A Makarrata Commission would have two roles: supervising a process of agreement-making, and overseeing a process of truth-telling.

Agreements between Aboriginal and Torres Strait Islander peoples and Australian governments have been negotiated for many years in Australia, for example under native title and land rights legislation. The Makarrata Commission would allow these processes to be struck at a national level and regionally with First Nations, by providing support and momentum and helping the parties reach agreement.

Another function of a Makarrata Commission would be to supervise a process of ‘truth-telling’: a process that allows the full extent of the past injustices experienced by Aboriginal and Torres Strait Islander people to be uncovered and revealed. Such a process would allow all Australians to understand our history and assist in moving towards genuine reconciliation.

This process may be similar in form to inquiry that led to the Bringing Them Home report, which revealed the truth surrounding the Stolen Generations. The inquiry involved an extensive program of hearings in every capital city and in many regional centres. In 2008, Prime Minister Kevin Rudd apologised in Parliament for government law and policies that resulted in the Stolen Generations.

10. How can I support these changes?

The Uluru Statement calls on the Australian people to walk with First Nations in a people’s movement for Voice, Treaty, Truth. Go to this list of suggested actions, resources or ideas at <https://reconciliationnsw.org.au/constitutional-reform/> and for a comprehensive toolkit to help you organise an event.

Discussion Prompts

Use these to structure an organised discussion around The Uluru Statement from the Heart.

Discussion question 1: What is the Call for Action (what is being asked?) in this statement from First Nations peoples?

Discussion question 2: Was there anything mentioned in the document that was unexpected or something you didn’t understand?

Discussion question 3: What do you think the Government should do and how would they go about achieving it?

Discussion question 4: What can I do as a member of the community and as an ally to rally support in this grassroots movement?