

## 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 Islanders 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, arriving at the creation of the Uluru Statement. This consensus followed a ground-breaking process that engaged Aboriginal and Torres Strait Islander people from across Australia through dialogues in 13 regions. Each dialogue was joined by approximately 100 Indigenous representatives: local traditional owners, Indigenous community-based organisations and Indigenous leaders. These dialogues selected representatives to attend the First Nations Constitutional Convention at Uluru that took place in May 2017. At the Convention, an overwhelming consensus of over 250 delegates resolved to establish 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 calls for a constitutionally enshrined First Nations Voice to be supported by a Makarrata Commission, to supervise processes of agreement-making between governments and First Nations (Treaty), and historical truth-telling (Truth).

What the Uluru Statement calls for provides a clear and practical pathway forward to uphold and protect Aboriginal and Torres Strait Islander self-determination in accordance with the United Nations Declaration on the Rights of Indigenous Peoples.

#### 4. What is Makarrata?

Makarrata is a Yolngu word from north-eastern Arnhem Land describing ‘a coming together after a struggle, facing the facts of wrongs and living again in peace’, representing the agenda of the Uluru Statement. 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, such as native title and land rights legislation. The Makarrata Commission would oversee agreement-making processes that express the views of Aboriginal and Torres Strait Islander peoples, what these views look like when respected and implemented by government, and how parties can reach agreement for action.

A supervised process of ‘truth-telling’ would allow the full extent of 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 the 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.

## 5. Why is change necessary?

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

Aboriginal and Torres Strait Islander peoples only comprise 3.5 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 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. Legislation that grants the federal Parliament express power to make laws that govern Aboriginal people have been abused to enforce paternalistic laws against First Nations without their consent or consultation. Possibly the most notorious example is Howard’s Northern Territory Intervention in 2007, or the forced closure of remote Aboriginal communities in 2015.

This is in breach of the right to self-determination that is set out in the Article 3 of the United Nations Declaration on the Rights of Indigenous Peoples, which 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’. Change is necessary to uphold this right.

## 6. What does 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 an act that recognises First Nations sovereignty. Sovereignty is not undermined nor diminished by this reform.

First Nations in other countries are acknowledged and recognised in colonised nations’ constitutions and legal systems. Canada, the 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, and this is what the Uluru Statement envisions for Australia.

## 7. Is a representative voice a new idea?

Consistent throughout the historical struggle against dispossession and discrimination, Aboriginal and Torres Strait Islander peoples have called for First Nations representation in decision making about their own affairs. This is reflected in the unbroken fight for rights and recognition: from the Australian Aborigines League petition to King George V in 1937, the 1938 gathering at the Day of Mourning, the Bark Petitions of 1963, the 1967 referendum, 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 ATSIC

in 1995 and the Kirribilli Statement of 2015 ... 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.

## 8. 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) 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 specific on how to implement this voice, as future legislation would set up details, functions, powers and processes.

## 9. Is there an 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](https://www.referendumcouncil.org.au/sites/default/files/2017-07/Report%20to%20the%20Referendum%20Council-%20First%20Nations%20Voice%20Design%20Report_0.pdf)

## 10. How can I support these changes?

**Vote yes in the upcoming Referendum!** Start instigating dinner table conversations and encouraging your friends and family to vote yes for the enshrinement of an Indigenous Voice to Parliament. 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/voice\\_treaty\\_truth/](https://reconciliationnsw.org.au/voice_treaty_truth/) 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?