

UN flays 'discriminatory' NT intervention

By James Massola

500 words

28 August 2009

[Canberra Times](#)

CANBTZ

4

English

(c) 2009 The Canberra Times

The UN's special rapporteur on Indigenous Rights, James Anaya, has savaged the Northern Territory intervention as "clearly discriminatory" and "demeaning" to indigenous people. At the conclusion of a two week trip during which he travelled to indigenous communities around the country, Professor Anaya said the Federal Government should reinstate the Racial Discrimination Act immediately, recognise indigenous people in a charter of rights contained in the constitution, and end compulsory income management. He said the Northern Territory intervention breached two United Nations rights charters to which Australia was a signatory, and the UN Declaration on the Rights of Indigenous People. "Of particular concern is the Northern Territory emergency response which by the Government's own account is an extraordinary measure in terms of income management, the imposition of compulsory leases and community wide bans on alcohol and pornography," he said.

"These measures overtly discriminate against aboriginal peoples, infringe their right of self-determination and stigmatise already stigmatised communities." Professor Anaya said the income management regime was overly broad and should be scaled back so it was tailored to individual cases. "The objectives of the close the gap campaign, the emergency response and other current initiatives and proposed efforts of the Government will be best achieved if the Government works with indigenous peoples' own institutions and decision-making bodies, which are those most familiar with local situations," he said. Professor Anaya welcomed the Rudd Government's commitment to close the gap, but said entrenched racism still existed in Australia, and he remained hopeful reparations would be paid to indigenous people, despite the Government ruling it out. And he emphasised indigenous peoples in other countries, including Canada and the United States, had also been subject to disadvantage. The new national indigenous representative body, announced earlier in the day would be "fundamental" to improving relations with indigenous Australians, while he characterised discussions with Indigenous Affairs Minister Jenny Macklin as "open and fruitful". Ms Macklin said she met Professor Anaya twice during his trip to Australia and they had found much common ground over the "legitimate entitlement of indigenous people to all human rights". And the minister reaffirmed the Government's commitment to restore the Racial Discrimination Act by the end of this year. "We are also moving the Northern Territory Emergency Response to a sustainable development phase, including through stronger partnerships and engagement with indigenous communities," she said. "We also discussed the Government's firm commitment to the most basic of human rights the right of vulnerable people, in particular women and children, to live free of violence, abuse and neglect." Aboriginal Social Justice Commissioner Tom Calma said Professor Anaya's report contained no surprises. "From what I saw it seemed pretty accurate I didn't hear anything new in there. Jenny has been pretty consistently saying they will reinstate the Act she said they will make the intervention comply with the RDA. That will be a challenge, but that's okay," he said.

12945108

Document CANBTZ0020090827e58s00020