

## **FOOTBALL AUSTRALIA: ULURU STATEMENT FAQ**

### **1. Why have FA supported the Statement?**

As a RAP organisation, supporting the Uluru Statement From the Heart is part of Football Australia's commitment to promoting human rights matters for all members of our community. As outlined in the XI principles, Football Australia are dedicated to be a conduit in the reconciliation movement and leading sport organisation in First Nations Football programs.

### **2. Why now?**

Whilst the journey toward the Uluru Statement has been long, we are proud to support the Government in power and First Nations advocates who have committed to implementing the Uluru Statement in full. With the 2023 World Cup approaching and its connection to First Nations Language, land and culture- this provides the perfect opportunity to authentically contribute to the Reconciliation movement within our sphere of influence.

### **3. What is footballs role in the implementation of the Uluru Statement From the Heart**

As a RAP organisation, we have committed to utilising our sphere of influence to promote and contribute to the reconciliation movement. Our role is to create safe and celebratory spaces for all football.

### **4. Why are we getting involved in politics?**

Voice, Treaty and Truth are human rights matters encompassed by the Uluru Statement From the Heart. This predates "Australian Government"- whilst it is now a matter for government who have committed, the implementation of the FTH is something that can positively impact the whole country and in turn, provide the leadership of sporting organisations both at a national and global level.

### **5. What is a role of a RAP organisation**

Reconciliation Action Plans (RAPs) have enabled organisations to sustainably and strategically take meaningful action to advance reconciliation.

Based around the core pillars of relationships, respect and opportunities, RAPs provide tangible and substantive benefits for Aboriginal and Torres Strait Islander peoples, increasing economic equity and supporting First Nations self-determination. The roles of a RAP organisation is to promote and encourage reconciliation within their sphere of influence.

### **6. What is our role as a sport in the progression of human rights?**

Sport is important in promoting human rights worldwide through the interactions it generates between people from different backgrounds and cultures. Sport and the Olympic ideal can also be a means to advance the cause of peace, promote development and combat all forms of discrimination.

Sport can unite people across cultural divides and reinforce shared values of diversity, fairness and respect.

### **7. Does Football have a First Nations Voice?**

Yes, Football Australia have the National Indigenous Advisory Group- Indigenous Governance for Australian Football.

## **ULURU STATEMENT FROM THE HEART SPECIFIC FAQs**

### **1. What is the Uluru Statement From the Heart?**

The Uluru Statement from the Heart is an invitation from First Nations to “walk with us in a movement of the Australian people for a better future”. It was issued to the Australian people in May 2017 following almost two years of work. The Uluru Statement calls for structural reform including constitutional change. Structural reform means establishing a new relationship between First Nations and the Australian nation based on justice and self-determination where Indigenous cultures and peoples can flourish, and we all move forward.

### **2. What changes does the Uluru Statement come from?**

The Uluru Statement calls for a First Nations Voice to Parliament and a Makarrata Commission to supervise a process of agreement-making and truth-telling. These reforms are: Voice, Treaty, Truth. The first reform is the constitutional enshrinement of a Voice to Parliament (Voice). A Voice is a common reform adopted around the world by liberal democracies to improve democratic participation for Indigenous populations. In Australia, the Voice will empower First Nations politically. It will be a permanent institution for expressing First Nations’ views to the parliament and government on important issues affecting First Nations. The second reform is the Makarrata Commission to supervise a process of agreement-making between governments and First Nations (Treaty), and truth-telling (Truth). Voice, Treaty and Truth provide a clear and practical path forward for First Nations’ self-determination in accordance with the United Nations Declaration on the Rights of Indigenous Peoples.

### **3. Why is change necessary?**

Structural reform is needed to give First Nations greater say and authority over the decisions that impact them. Structural reform means making real changes to the way decisions are made and by who, rather than simply tinkering with existing processes of decision-making and control. First Nations comprise 3 per cent of the Australian population. This means it is difficult for First Nations’ voices to be heard in elections and in Parliament. First Nations have little say over the laws that impact them and their rights. This is a problem because the Commonwealth has a particular law-making power based on race. The so-called ‘Races Power’ in the Constitution has never been directed at any other racial group in Australia - it has only ever been used to make laws about Aboriginal and Torres Strait Islander peoples. There is also a ‘Territories Power’ in the Constitution. It allows the Commonwealth to exercise very direct power over people in places such as the Northern Territory, where more than 30% of the population is Aboriginal. These special powers have been used to pass many laws on Indigenous matters from land rights to cultural heritage laws. However the powers have been used to pass laws that negatively impact First Nations without First Nations’ consultation or consent. This practice ignores First Nations’ right to self-determination set out in the United Nations Declaration on the Rights of Indigenous Peoples. Article 19 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’

### **4. What is a constitutionally enshrined voice?**

The Uluru Statement calls for a Voice to Parliament to be enshrined in the Australian Constitution by way of an enabling provision. Previous First Nations’ representative bodies (such as the Aboriginal and Torres Strait Islander Commission (ATSIC)) were set up administratively or by legislation. That meant they were easily abolished by successive governments depending on their priorities. Setting up and then abolishing representative bodies cuts across progress, damages working relationships and wastes talent that could be used to solve complex problems. In the Regional Dialogues people said they were frustrated with this chopping and changing. They wanted a long lasting and durable Voice in decisions made about their own

affairs. That is the reason the Uluru Statement calls for a Voice enshrined in the Constitution. They didn't want a body that could be abolished by legislation, or with the stroke of a pen by a politician. Backed by the people at a referendum, a Voice enshrined in the Constitution can make a lasting contribution to a better future for First Nations and all Australians. The Uluru Statement does not detail the structure of the Voice and how it will do its job. That is a process separate from achieving constitutional change. The Uluru Statement asks the Australian people to give their support at a referendum on a question of fundamental principle: that First Nations should have a Voice enshrined in the Constitution. The details including the functions, powers and processes of the Voice, will be worked out between government and First Nations and put into legislation. That legislation can be amended from time to time as lessons are learnt from experience, while the existence of the Voice itself is guaranteed in the Constitution.

## **5. What is a First Nations Voice?**

The details of the First Nations Voice are not set out in the Statement, and will be the subject of further deliberation and negotiation. It is likely that it would be an elected First Nations national representative body, and that it would be empowered to give Aboriginal and Torres Strait Islander people a voice in laws that affect them. The Statement calls for a constitutionally entrenched First Nations Voice. It would be a voice that cannot be removed unless by a future constitutional referendum.

## **6. Do other countries have a First Nations Voice?**

Yes. There are many ways that this can be achieved. Norway, Sweden and Finland all have a First Nations Parliament, with authority over certain matters and a right to be consulted over legislation that affects them. In contrast, the New Zealand Parliament has seven seats reserved for Māori people. Both of these mechanisms allow Indigenous peoples to have a voice in the processes of government. Other countries adopt different approaches. In Colombia, a constitutional provision requires the government to consult with Indigenous peoples before permitting natural resource exploitation on Indigenous land. In some cases, the Colombian Constitutional Court has determined that particular instances of consultation were not adequate. These different arrangements follow international standards. Article 18 of the United Nations Declaration on the Rights of Indigenous Peoples, endorsed by Australia in 2009, provides that Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision making institutions'.

## **7. What is a Makarrata Commission?**

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.

## **8. Do other countries have agreements between Indigenous Peoples and Governments?**

Yes. Agreements have been reached in the US and New Zealand, and are still being negotiated in Canada through a Treaty Commission today.