

Please return to: Victorian Aboriginal Legal Service Co-operative Limited by 17 October 2005 (PO Box 218 Fitzroy Victoria 3065, 9419 3888)

## CHARTER OF RIGHTS PETITION TO THE HUMAN RIGHTS CONSULTATION COMMITTEE

### *Re: Indigenous Australian's Human Rights*

We the undersigned urge the Victorian Government and ultimately the Parliament to adopt a comprehensive and holistic approach to rights protection.

This should include:

1. Promoting greater understanding of and respect for rights.
2. Legislating to ensure that Victorian law is consistent with the following United Nations Instruments:
  - International Covenant on Civil and Political Rights, such as rights to vote, free speech and fair trial (ICCPR).
  - International Covenant on Economic, Social and Cultural Rights, such as rights to housing and education etc (ICESCR).
  - Convention on the Rights of the Child (CROC).
  - Convention on the Elimination of all Forms of Racial Discrimination (CERD).
  - Convention on the Elimination of all Forms of Discrimination against Women (CEDAW).
3. Advocating that the Commonwealth Government also legislate to ensure that Commonwealth law is consistent with United Nations Instruments.
4. Including a preamble in the Victorian Charter of Rights which recognises the traditional owners and custodians of the lands and waters of Victoria and Indigenous persons in Victoria as self determining peoples in accordance with Article 1 of the ICCPR and ICESCR.
  - *ICCPR: "All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development."*
  - *ICESCR: "All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development."*
5. Including in the body of the Charter of Rights the explicit right to self determination for Indigenous peoples in Victoria in regard to their lands and waters, the protection of their culture and early engagement with Government policies and procedures which impact on their future.
6. Establishing a Human Rights Commission (Commission) which develops policy and promotes awareness of rights issues and reviews Bills and Legislation. The Commission should include an Indigenous Australian Policy and Consultation Unit. Funding should be made available to Indigenous Australian organisations to enable them to contribute to policy development in a rights framework.
7. Providing an opportunity for individuals or groups who believe their rights have been ignored to take action through Tribunals and Courts to seek a remedy.

