

Payinthi Kumangka Community Forum Reconciliation with Kaurna People

Friday 1st October 2021 at City of Prospect at 6pm
Kaurna overview of Reconciliation Australia RAP

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Many thanks to City of Prospect for showing what True Reconciliation, Cultural Respect, and Cultural Inclusion looks like when you apply the True Spirit of Reconciliation Guiding Principles to ensure that both parties come together to share the Common Goals and Vision of Reconciliation in the Local community.

A huge Congratulations to the Mayor of City of Prospect David O'Loughlin and Team for holding the First every Kaurna Community Reconciliation Gathering to discuss Reconciliation on Kaurna Country.

Truth Telling, Standing Tall, Specking Strong for our Mob

Reconciliation Australia RAP History

1. Reconciliation Australia (RA) never show any Cultural Respect under our Aboriginal Law and Culture framework by not introducing themselves to the Custodian, TOs, Native Title Holders, and Sovereignty Owners of Kaurna Country Adelaide Plains People.
2. Reconciliation Australia never official met or introduce themselves to the Kaurna People to seek their permission if they could lay out and establish the RA RAP Plans Modal on Kaurna Country.
3. Reconciliation Australia never form any Respected Partnership and any Spirit of Reconciliation in being of terms of been Equal or Equality with Kaurna People in their laying their RAP Plan Modal on Kaurna Country. RA showed Total Disrespect for Kaurna Law and Culture by disempowering Kaurna People on our Country. Kaurna Speak for Kaurna and Culture Matters and Black Lives.
4. The Big Question that needs to be answered about RA to all the ATSI Peoples in our Nation is Why is RA just doing the RAP Plan Model to **White Organisations Only and Not ATSI Organisations** on their own Country. This can be seen as biased or outright discrimination based on Race and Power and Control. Once again RA never invited ATSI People from SA in the initial development RAP Plan Modal to make them Culturally Appropriate and Culturally Accountable to all ATSI People. If Equality and Justice is going to be achieved on our Country, then RA needs to implement the ATSI Reconciliation RAP Plans Modal to all ATSI Organisations in Australia.
5. RA never develop or implement any ongoing working partnership structures with Kaurna Nation modal to be over seen and monitor of all the RA RAP Plans on Kaurna Country.
6. **RA should have empowered Kaurna First Nation People** and other Nations from the start of the establishment of the RA RAP Plan Model by supporting the establishment **Kaurna Reconciliation Advisory and Support Committee**. The membership of this committee would be made up of Kaurna Reps and Other Community Reps from the 4 main Suburbs of Adelaide. This would help to stop the burn out individually and reinforce our Cultural ways of Shared Responsibility.

Some of the Main Issues with Reconciliation Australia RAP Plan on Kaurna Country.

1. Kaurna First Nation People and Elders, Custodians are not informed at any time by RA of how many RA RAP Plan Model are currently been operating on Kaurna Country? No Cultural Respect, Accountable, Transparency or Inclusion of Kaurna People and Country.
2. RA RAP Model does not include the Kaurna Custodian, Native Title Holders People from the Start and establishment of the RAP Plan on Kaurna Country this Not Reconciliation. The Council for Aboriginal Reconciliation (CAR) Patrick Dodson CAR vision is to use Aboriginal Way Model to start the Reconciliation Process.
3. RA uses 4 RAP types (**Reflect, Innovate, Stretch, and Elevate**) to address Reconciliation in their Organisation. Then they don't Value or Treat ATSI People as Equals in the Spirit of Reconciliation because they only Engage and Included Elders, Custodians and Aboriginal People when they start the Innovate or Stretch Stage of the RAP Plan. This is not how Reconciliation should work it's supposed to be Two Parties starting **together and finishing together** Reconciliation Journey together. Now we as Aboriginal People are label as the **Reconciliation Afterthought Mob!**
4. RA needs to urgently establish an Introduction Aboriginal Cultural Awareness Package where they get to Know Their Local Aboriginal People, Law, Culture, customs and Country. The Introduction Package need to be done prior to starting the Reflect RAP Plan. This would ensure that Aboriginal People/ Community will be able start the Reconciliation Journey together and then both parties know what they are doing together. This statement falls in line with the **RA CEO Karen Mundine statement that these are one of the 3 Pillars of Commitment that you must engage the Custodians and TOs of Country and CAR Vision is to use Aboriginal Way modal to start the Reconciliation Process.**
5. The RA RAP users are not Respecting or applying our Aboriginal Cultures, Laws and including the Custodians. Elders in decision Making of what happens on their Country! **Kaurna Speak for Kaurna! Cultural Matter and Black lives Matter.**
6. This a very important point the Current Status Quo with all the **RA RAP Plan currently operating on Kaurna Country is that all getting their Cultural Advice directly from RA in Canberra and not Kaurna Elders and Custodians of the Country** they are working on. This is very shameful and Cultural Disrespectful to all Aboriginal People Communities around Australia because it totally unminds our Cultural Respected Framework, where we all must live under as a part of our Dreaming.
7. RA RAP Plans need to incorporate the **5 Interrelated Dimensions of Reconciliation and our Aboriginal Laws, Culture, Customs, Heritage, Process and Protocols into their Organisation Structures** sure as **Policies, Standards, Acts and Workplaces Best Practices** in order to ensure that **they provide a Cultural Appropriate and Safe Services to our mob.** If the RA RAP Plans users don't incorporate our Aboriginal Law and Culture Framework in their Organisation structure our Aboriginal Community members can perceive them as the great white conqueror or savers of the Aborigines People. When it was White People that Colonize Australia who killed, Rape, Stolen our land, language, etc. Our People are still decolonizing from the cause and effects of White Colonization and most ATSI People are suffering from

PSTD today. Can RA RAP Plan Team put this down as a key KPI under Respect and Relationship.

8. Our mob don't want to be used and abused in the future by White Organisations that have finish a RAP to hear them say that they know more about Aboriginal Ways then you, so we are now using our White Way to disempower you again in your only Community. Plus, to use ATSI People as Personal Stats for future funding. We don't want to use as a Tick in Box or a Number in a Box anymore. We want to stand up tall and be Empowered to speck up for our Self, Community and Country this is call ATSI Self Determination and Self-Management.
9. RA stop using Aboriginal & Islanders People in the RAPS Plan. We are Asking Organisations on Kaurna Country to use Kaurna and Aboriginal People. The reason for this is the Torres Strait Islanders People as guest to Kaurna Country. The Torres Strait Islanders People have no links to our Dreaming and Song lines on Kaurna Country.
10. Organisations that's doing RA RAP Plans on Kaurna Country must incorporate Kaurna in the Respect, Relationship, Opportunity Objectives Preamble and use Kaurna and Aboriginal People not Torres Strait Islanders

Suggestions / Recommendations

- 1. Endorse the establishment of the Aboriginal Reconciliation RAP Model to be establish and lay out to all Aboriginal Organisations in SA.**
- 2. Endorsed the Kaurna People to hold a forum to develop our Kaurna Statement from the Heart document.**
- 3. Endorse Kaurna First Nation People to hold a State Kaurna Reconciliation Gathering with expected outcome of developing its own Kaurna Reconciliation Statement.**
- 4. RA needs to develop a National ATSI Cultural Awareness Starter Package to everyone one starting RA Rap Plan for all old and new must use the UN Declaration of Rights Indigenous Rights and its 46 Articles and Local ATSI Culture and Laws as the Preamble, introduction and Guidelines to Indigenous Affairs and Cultural Community Working Respect Framework. Reconciliation Australia the State of Reconciliation in Australia summary Document. Our History, Our Story, Our Future.**

Many thanks to the Kaurna Yerta Aboriginal Corporation and The City of Prospect for giving myself a Kaurna Forum/ Gathering to share my Journey and Visions about Reconciliation on Kaurna Country.

Australia Aboriginal Customs, Law & Culture.

United Nations Declaration on the Rights of Indigenous Peoples

Article 1: Human Rights - Indigenous peoples, as groups and as individuals, have the right to enjoy all the human rights and freedoms recognised in international law.

Article 2: Equality - Indigenous peoples are equal to all other peoples, and must be free from discrimination.

Article 3: Self-determination - Indigenous peoples have the right to self-determination. This means they can choose their political status and develop as they want.

Article 4: Autonomy - As a form of self-determination, indigenous peoples have the right to autonomy or self-government in relation to their own affairs.

Article 5: Distinct Institutions - Indigenous peoples have the right to keep and develop their distinct institutions. They also have the right, if they want, to take part in the life of the rest of the country.

Article 6: Nationality - Every indigenous person has the right to be a citizen of a country.

Article 7: Existence - Indigenous peoples have the right to live in freedom, peace and security. They must be free from genocide and other acts of violence, including the removal of their children by force.

Article 8: Cultural Integrity - Indigenous peoples shall be free from forced assimilation.

Governments shall prevent:

- a) actions which take away their distinct cultures and identities;
- b) the taking of their land and resources;
- c) their removal from their land;
- d) any form of forced assimilation;
- e) propaganda against them.

Article 9: Communities and Nations - Indigenous peoples have the right to belong to indigenous communities and nations, in accordance with their traditions and customs.

Article 10: Removal and Relocations - Indigenous peoples shall not be removed from their land by force. They shall not be relocated without their agreement. Where they agree, they should be provided compensation, and, where possible, have the possibility to return.

Article 11: Culture - Indigenous peoples have the right to their cultural traditions and customs. This includes aspects of their culture such as sacred sites, designs, ceremonies, technologies and performances. Their cultural property shall be returned to them, if it was taken without their consent.

Article 12: Spiritual and Religious Traditions - Indigenous peoples have the right to their spiritual and religious traditions, customs and ceremonies. They have the right to their sacred sites, ceremonial objects and the remains of their ancestors. Governments shall assist indigenous peoples to recover their ceremonial objects and the remains of their ancestors.

Article 13: Language - Indigenous peoples have the right to their histories, languages, oral traditions, stories, writings and their own names for places and people. Governments shall ensure that in courts and other proceedings, indigenous peoples can understand and be understood through interpreters and other appropriate ways.

Article 14: Education - Indigenous peoples have the right to their own schools and to provide education in their own languages. Indigenous people, especially children, have the right to the same education as all people. Governments shall assist indigenous people, especially children, who do not live in indigenous communities to learn their own culture and language.

Article 15: Information - Education and public information shall reflect the dignity and diversity of indigenous cultures, traditions and aspirations. In consultation with indigenous peoples, governments shall take measures to promote tolerance and good relations between indigenous and other peoples.

Article 16: Media - Indigenous peoples have the right to their own media in their own languages. They shall also have equal access to non-indigenous media. Government-owned media must reflect indigenous cultures.

Article 17: Employment - Indigenous peoples have rights under international and national labour laws. In consultation with indigenous peoples, governments shall take measures to protect indigenous children from exploitation and harmful work. Indigenous peoples must not be discriminated against in matters connected with employment.

Article 18: Decision-Making - Indigenous peoples have the right to participate in decisions that affect them. They can choose their own representatives and use their own decision-making procedures.

Article 19: Consent - Governments shall consult with indigenous peoples in order to obtain their consent before adopting laws and policies which may affect them.

Article 20: Economic Activities - Indigenous peoples have the right to their own political, economic and social systems, and to pursue their traditional and other economic activities. Where indigenous peoples have been deprived of their means of subsistence, they are entitled to compensation.

Article 21: Special Measures - Indigenous peoples have the right to improved economic and social conditions. This includes in the areas of education, employment, housing, health and social security. Governments shall adopt special measures to ensure the improvement of economic and social conditions.

Article 22: Elders, Women, Youth, Children and Persons with Disabilities - Particular attention shall be paid to the rights and needs of indigenous elders, women, youth, children and persons with disabilities in the implementation of this Declaration. Governments shall adopt measures, in conjunction with indigenous peoples, to protect indigenous women and children against violence and discrimination.

Article 23: Economic and Social Development - Indigenous peoples have the right to determine priorities and strategies for their development. They should be involved in determining health, housing and other economic and social programs and, as far as possible, administer these programs through their own organisations.

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Article 24: Health - Indigenous peoples have the right to their traditional medicines and health practices. The plants, animals and minerals used in medicines shall be protected. Indigenous peoples shall have access to all social and health services without discrimination. Indigenous individuals have an equal right to the highest attainable standard of physical and mental health.

Article 25: Lands, Waters and Resources: Distinctive Relationship - Indigenous peoples have the right to keep and strengthen their distinctive relationship with their lands, waters and other resources.

Article 26: Ownership - Indigenous peoples have the right to own, use and control their lands, waters and other resources. Governments shall recognise and protect these lands, waters and resources.

Article 27: Independent Process - Governments shall establish a fair and independent process to recognise and decide the rights of indigenous peoples relating to their lands, waters and resources. Indigenous peoples shall have the right to participate in this process.

Article 28: Restitution - Indigenous peoples have the right to the return of their land and resources taken without their consent. Where this is not possible, they shall receive fair compensation in the form of lands and resources, or money.

Article 29: Environment - Indigenous peoples shall receive assistance in order to restore and protect the environment of their land and resources. Hazardous material shall not be stored or disposed of on the land of indigenous peoples without their consent. Governments shall take measures to assist indigenous peoples whose health has been affected by such material.

Article 30: Military Activities - There shall be no military activities on the land of indigenous peoples, unless justified by a public interest or agreed by the indigenous people.

Article 31: Cultural and Intellectual Property - Indigenous peoples have the right to control and develop their cultural heritage, traditional knowledge and sciences and technologies, including seeds, medicines, knowledge of flora and fauna, oral traditions, designs, art and performances. Governments shall take measures to recognise and protect these rights.

Article 32: Resource Development - Indigenous peoples have the right to determine strategies for the development of their lands and resources. Governments shall consult in order to obtain the consent of indigenous peoples before giving approval to activities affecting their lands or resources, particularly the development of mineral, water and other resources. Just compensation must be paid for such activities, and measures taken to lessen their adverse impact.

Article 33: Indigenous Citizenship - Indigenous peoples have the right to determine who are their members. They have the right to decide upon the structures and membership of their organisations.

Article 34: Indigenous Laws and Customs - Indigenous peoples have the right to their own legal systems and customs, as long as they accord with international human rights law.

Article 35: Responsibilities - Indigenous peoples can decide the responsibilities of individuals to their communities.

Article 36: Borders - Indigenous peoples separated by international borders have the right to maintain their traditional territories and to undertake activities with one another.

Article 37: Treaties and Agreements - Governments shall respect treaties and agreements entered into with indigenous peoples.

Article 38: National Measures - In consultation with indigenous peoples, governments shall take measures to give effect to this Declaration.

Article 39: Assistance from Governments and International Organisations - Indigenous peoples have the right to financial and other assistance from governments and international organisations in order to enjoy the rights recognised in this Declaration.

Article 40: Disputes - Indigenous peoples have the right to all procedures for the resolution of disputes with States and other parties, and to effective remedies for infringements of their rights. These procedures must take account of indigenous customs and traditions.

Article 41: Assistance from the United Nations - The United Nations and other international organisations shall provide financial and other assistance in order to give effect to the rights recognised in this Declaration.

Article 42: Special United Nations Bodies - The United Nations, its bodies, including the Permanent Forum on Indigenous Issues, shall promote respect for this Declaration.

Article 43: Minimum Standards - This Declaration contains minimum standards for indigenous peoples.

Article 44: Men and Women - The rights recognised in this Declaration apply equally to indigenous men and women.

Article 45: Other Indigenous Rights - Nothing in this Declaration affects other rights indigenous peoples presently hold or may get in the future.

Article 46: United Nations Charter - Nothing in this Declaration allows any action against the Charter of the United Nations or which harms the territorial integrity of independent countries.

Useful Websites

• [United Nations Permanent Forum on Indigenous Peoples](http://www.un.org/esa/socdev/unpfii): www.un.org/esa/socdev/unpfii

• [Office of the High Commissioner of Human Rights](http://www.ohchr.org): www.ohchr.org

• [United Nations Voluntary Fund for Indigenous Populations](http://www.unhcr.ch/html/menu2/9/vindico.htm): www.unhcr.ch/html/menu2/9/vindico.htm

• [Human Rights and Equal Opportunities Commission](http://www.hrcoc.gov.au): www.hrcoc.gov.au

• [Diplomacy Training Program](http://www.dip.unsw.edu.au): www.dip.unsw.edu.au

• [Oxfam Australia](http://www.oxfam.org.au): www.oxfam.org.au

Prepared by Dr Sarah Pritchard. This plain English language version of DIP's was developed by Dr Pritchard from a plain English version of the version of the Draft Declaration on the Rights of Indigenous Peoples, commissioned from her by Australia's Aboriginal and Torres Strait Islander Commission. Adapted by General Assembly Resolution 61/295 on 13 September 2007.