



**ethnic
communities'
council of
victoria**

ECCV Submission To the Panel on Indigenous Constitutional Recognition September 2011

On behalf of Ethnic Communities' Council of Victoria (ECCV) I am pleased to present this submission to the Panel on Indigenous Constitutional Recognition.

As the state-wide peak advocacy body that advocates and lobbies all levels of government on behalf of Victoria's multicultural communities, ECCV welcomes the opportunity to contribute to achieving a positive outcome for a proposed Constitutional recognition reform.

For over 30 years ECCV has remained the principal liaison point between ethnic communities, government and the wider community and has been a key player in building Victoria as a successful, harmonious and multicultural society. I look forward to a positive interaction between our ethnic communities and Australia's Indigenous Peoples.

Sincerely

Sam Afra JP
Chairperson

Key recommendations presented in this submission are:

1. Support for Constitutional recognition of Australia's Indigenous Peoples
2. Remove race power from the Constitution
3. Targeted education about Australia's First Peoples

1. Recognition

1.1 ECCV recognises the unique status of Australia's First Peoples. It is our core business to advocate for the rights, respect and recognition of people from culturally diverse backgrounds who came to Australia from predominantly non-English speaking countries. As such we also uphold the rights, equity and recognition of Aboriginal and Torres Strait Islander (ATSI) peoples in Australia. We believe that the Constitutional recognition of Australia's Indigenous Peoples would better reflect our national identity.

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1.2 In the spirit of promoting everyday reconciliation and valuing cultural diversity, ECCV regularly pays respect to Australia's Aboriginal people and Elders by acknowledging the Traditional Owners of the land and Elders at our formal events, forums and functions, and by displaying the Aboriginal Flag at the entrance of our office.

1.3 ECCV supports a referendum to include recognition of Aboriginal and Torres Strait Islander (ATSI) peoples in the Australian Constitution.

1.4 ECCV acknowledges the benefits of cultural diversity in economic, social and political life in Australia. We believe Australia has a responsibility to preserve ATSI languages, culture and heritage and that the preamble to the Australian Constitution should include a statement about the distinctive rights, languages and cultures of Aboriginal people as the original Peoples of this land.

1.5 To advance social justice for culturally diverse people ECCV would like to see the recognition of ATSI peoples accompanied by a Statement of Values about respect in the Constitution.

Recommendations

1.6 That a narrative be included in the Preamble of the Australian Constitution about the recognition of the special status of Australia's First Peoples.

1.7 That a Statement of Values about respect, equity, social justice and a celebration of diversity accompany Constitutional recognition.

2. Removal of race power

2.1 ECCV believes that cultural diversity in Australia is not just about a society with a mix of cultures, but more importantly it should be seen as a mix of culturally different people who talk, work, live together and share common human rights.

2.2 ECCV is concerned that cultural diversity is not always well understood and that it is perceived differently by different groups in society sometimes leading to negative perceptions. We believe the Australian Constitution should ensure that laws cannot discriminate against ATSI Australians and diverse racial, religious and ethnic groups.

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2.3 ECCV upholds human rights and opposes all forms of racism and racial discrimination. ECCV believes in the basic human rights of all groups to be able to exercise their votes in elections. We would like to see the Constitution amended to ensure that no laws can be made which exclude any peoples' votes.

Recommendations

2.4 That Section 51(xxvi), the 'race power' of the Australian Constitution be amended to ensure there is no legal discrimination against culturally diverse groups in society.

2.5 That Section 51(xxvi) be amended by adding a section about making 'laws for any groups with special needs to provide measures to improve their circumstances'.

2.6 That Section 25 about restricting voting rights of racial groups in Australia be deleted from the Constitution.

3. Targeted education

3.1 ECCV is in favour of a question being put at a referendum on the recognition of ATSI peoples in the Australian Constitution by 2013.

3.2 ECCV believes it is important that all steps be taken leading up to such a constitutional recognition referendum to ensure a successful outcome.

3.3 In particular ECCV is concerned that people from non-English speaking backgrounds from overseas do not have a good awareness of Australia's First Peoples, their heritage and culture.

3.4 ECCV has focussed much attention in its forums and advocacy papers on developing a positive sense of belonging and identity. We found through our stakeholder engagement that people in ethnic communities have a deep appreciation and understanding of belonging to place; to land and water. We feel the concepts of identity and belonging are an appropriate point of contact to enhance relationships between Australia's Indigenous Communities and its diverse migrant groups.

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3.5 ECCV highlights the *White Australia has a Black History* exhibition in the Museum of Victoria as a best practice example for raising awareness about issues faced by Australia's Aboriginal communities.

3.6 Overseas-born people from culturally diverse backgrounds make up a large proportion of Australia's population. Victorians come from over 200 countries, they follow more than 120 religions and 20 per cent of the state's population speaks a language other than English as home. ECCV has about 200 members representing Victoria's ethnic and multicultural organisations and communities and regularly promotes relevant events and information to them. Victoria's ethnic communities would benefit from a promotion campaign about Australia's First Peoples and the proposed constitutional reform. Improved understanding about our Indigenous Communities would foster positive interaction between culturally diverse groups and a sense of pride in our First Peoples.

Recommendations:

3.7 That an education and awareness raising program about the unique position of Australia's First Peoples be targeted at ethnic communities prior to the Constitutional Recognition referendum.

3.8 That leading up to the constitutional recognition referendum stories be showcased about Australia's First Peoples positive identity formation and belonging.

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