

20TH ANNIVERSARY

# THE MABO ORATION 2025

.....

**Orator** Katie Kiss

Aboriginal & Torres Strait Islander  
Social Justice Commissioner

**MC** C'Zarke Maza

Meriba Omasker Kaziw Kazipa  
Commissioner

BROUGHT TO YOU BY THE  
QUEENSLAND HUMAN RIGHTS  
COMMISSION (QHRC)

IN PARTNERSHIP WITH THE  
QUEENSLAND PERFORMING  
ARTS CENTRE (QPAC)

AND THE  
MABO FAMILY

## ACKNOWLEDGEMENT OF COUNTRY

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We acknowledge the Traditional  
Custodians of the land on which we  
work, and their unique relationship  
with the lands, seas and waterways.

We pay our respects to their Elders  
both past and present, and to all  
Aboriginal and Torres Strait Islander  
peoples.

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Those who wish to have works attributed are encouraged  
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[qhrc.qld.gov.au](http://qhrc.qld.gov.au)



FRI 30 MAY  
6.00 PM

CAIRNS PERFORMING  
ARTS CENTRE (CPAC)



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# THE MABO ORATION

**2025**



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Aboriginal & Torres Strait Islander  
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# THE MABO ORATION 2025

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A powerful dance from the 2011 Mabo Oration.

## THE MABO DECISION

### A turning point in Australian history

On 3 June 1992, the High Court of Australia delivered the landmark Mabo decision, which recognised that Australia was occupied by Aboriginal and Torres Strait Islander peoples, who had their own laws and customs before occupation, and whose 'native title' to land survived the Crown's annexation. The decision rewrote Australian law by recognising the existence of native title as a part of common law and reversing the accepted doctrine of *terra nullius* (land belonging to no one).

### Eddie Koiki Mabo

Eddie Koiki Mabo, a Meriam man, was born on Mer (Murray) Island, a part of the Murray Island group in Torres Strait, in 1936 and was raised on his family's land until moving to mainland Australia in 1953. In 1959, Eddie married Bonita Nehow and together they raised ten children.

In 1967, Eddie began work as a gardener at James Cook University in Townsville where he educated himself by reading, attending lectures and building relationships with academics involved with Indigenous issues.

In 1974, during a conversation with two academics, Eddie learned that his family did not own their traditional lands and that it was, in law, owned by the Crown; a discovery that was to change the course of his life.

In 1981, a land rights conference was held at James Cook University where Eddie made a very important speech clearly spelling out land ownership and land inheritance on Murray Island. A lawyer attending the conference suggested there should be a test case to claim land rights through the court system and, as a result, he and others began a ten-year journey to gain recognition of native title.

Sadly, Eddie Koiki Mabo passed away just five months before the historic decision was reached. He lives on in the memories of his family and friends, the High Court's decision, and through this biennial oration which proudly bears his name.

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## QHRC COMMISSIONER'S MESSAGE

It is my honour to support this 20th anniversary of the Mabo Oration, presented by the Queensland Human Rights Commission (QHRC) in partnership with the Queensland Performing Arts Centre (QPAC). This is the first time the Mabo Oration has been held in Gimuy (Cairns). Thank you to the Cairns Performing Arts Centre (CPAC) for hosting this significant event.



My deep thanks to Eddie Mabo's daughter Gail Mabo for her ongoing support of this significant event. Gail, her son Kaleb, and the Mabo family are ongoing champions for First Nations voices and advocacy, honouring the legacy of their father and grandfather Eddie Mabo.

I'd also like to thank our MC C'Zarke Maza, Meriba Omasker Kaziw Kazipa Commissioner. C'Zarke holds an important office, cementing the legal recognition of Torres Strait Island traditional child rearing practices and taking the next step towards healing the community through culturally appropriate laws for First Nations people.

From our first orator, Mr Noel Pearson, in 2005, to today's orator, Ms Katie Kiss, the Mabo Oration has provided a platform for First Nations thought leaders to reflect on Eddie Mabo's powerful legacy to uphold the human rights of First Nations peoples.

It is an ongoing priority for the QHRC to support and progress self-determination for First Nations peoples living in Queensland. The Mabo Oration is just one way the QHRC reflects the organisation's priority to deepen its relationship with First Nations peoples, through prioritising the voices of First Nations peoples.

I am pleased to support the establishment and growth of the Yirmba First Nations Unit of the QHRC, based here in Gimuy and with staff on Darumbal country (Rockhampton) and in Magan-djin (Brisbane) to support upholding human rights of First Nations peoples across the state.

I hope you enjoy this anniversary event of the Mabo Oration and take strength from the legacy of this great Australian and Meriam leader.

**Scott McDougall**

**Commissioner  
Queensland Human Rights Commission**

## QPAC CHIEF EXECUTIVE'S MESSAGE

The Mabo Case, The Mabo Decision, post-Mabo: a name that has become an adjective or noun for most Australians belonged to a humble man, a fierce and skilful activist, an artist, adept exponent of traditional song and dance and loved father of ten.



Eddie (Koiki) Mabo never doubted for a second that "Murray Island" in the Torres Strait was in fact Mer, his birthright. The fight he and a team of white lawyers undertook to overturn White Australia's self-serving notion of Terra Nullius was heroic, but, in his mind, there was no contest. Accusations that have re-entered our public discourse ("special treatment", "apartheid in reverse") were hurled at him all his life, but the courage of his convictions made him impervious, and he ploughed relentlessly on to change our society, we hope forever.

This year we celebrate 20 years of partnering with the Queensland Human Rights Commission to present the biennial Mabo Oration. It is a partnership that was inspired by former Anti-Discrimination Commissioner Kevin Cocks' belief that public institutions have a vital role to play in facilitating conversations around issues of rights. We couldn't agree more with this sentiment, and it has always been this shared value that has driven us to continue to present expert voices in native title and Aboriginal and Torres Strait Islander cultures for these public conversations.

Koiki never lived to witness his vindication. Nor was he present to see how some leaders encouraged the principle of Native Title to sink into the great Australian, and in turn allowing others to tarnish it with doubt during the Voice campaign. That's why it's imperative that we keep gathering together for conversations such as these.

It is our privilege to once again present the Mabo Oration and we are thrilled to be doing so in Cairns.

Our warmest thanks to Commissioner Katie Kiss, Commissioner C'Zarke Maza and the Gerib Sik Mer Island Dance Troupe for sharing their time with us today, for honouring Eddie Mabo and keeping the conversation alive.

**Rachel Healy**

**Chief Executive  
Queensland Performing Arts Centre**

## QUEENSLAND HUMAN RIGHTS COMMISSION

We work to protect and strengthen human rights in Queensland, and to help build a fairer, safer, and more inclusive community.

We do this by:

- Providing an expert dispute resolution service for discrimination, human rights, sexual harassment, and vilification complaints
- Providing a free and personalised information service on rights and responsibilities
- Training businesses, government and the community
- Supporting the development of policy and legislation to better protect rights
- Increasing public understanding and discussion of human rights and responsibilities.

We are a statutory body established under the Queensland *Anti-Discrimination Act 1991* and were formerly called the Anti-Discrimination Commission Queensland. We were renamed the Queensland Human Rights Commission on 1 July 2019 with the commencement of the *Human Rights Act 2019*.

We are an independent Commission but our functions are defined by legislation.

We are not an enforcement body, or a tribunal with the power to make rulings about complaints. Our role is to assist parties to resolve complaints about discrimination, sexual harassment, human rights, and other alleged contraventions through dispute resolution.

Our head office is in Brisbane. We have regional offices in Cairns and Rockhampton, and deliver services statewide.



YIRMBA, our First Nations Unit, assists Aboriginal and Torres Strait Islander communities to understand human rights in Queensland.

Our First Nations staff regularly visit communities to provide:

- Information about the *Anti-Discrimination Act 1991* and the *Queensland Human Rights Act 2019*
- Cultural support throughout the enquiry and complaints process
- Formal and informal education sessions
- Referrals to other services.

**YIRMBA**  
First Nations Unit

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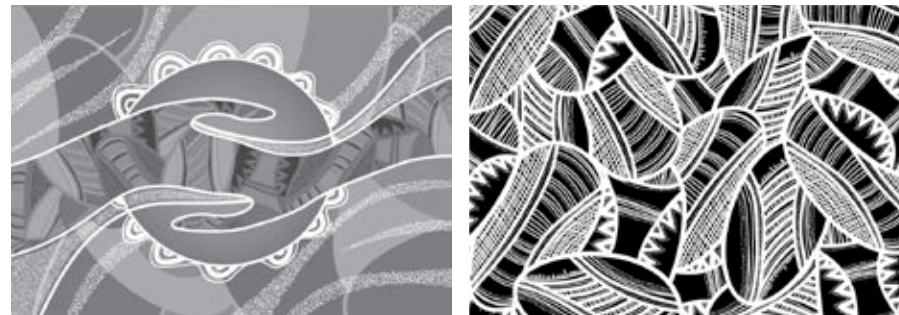
**Contact details**  
firstnations@qhrc.qld.gov.au  
qhrc.qld.gov.au  
**1300 130 670**



**YIRMBA**  
FIRST NATIONS UNIT  
Queensland Human Rights Commission

## GUIDED PROTECTION (ARTWORK)

When the Queensland Human Rights Commission rebranded (from the Anti-Discrimination Commission Queensland) in July 2019, a new piece of Indigenous artwork was commissioned from artist Casey Coolwell, to reflect the new work of the QHRC.



### Guided Protection by Casey Coolwell



#### Artist's notes

Our rights, people, health, education and culture all need to be protected. This artwork represents the protection provided by cultural objects, knowledge, community and Ancestors.

The centre piece resembles two hands forming a joint protection gesture with the circle being a representation of a yarnning circle with community members gathered on the outside.

The artwork within the hands are a combination of three different protection shields that are for our families, health and education. The shapes of the shields represent our right to practice our culture.

The gathered dots represent our Ancestors guiding and protecting us through rough times.

The background overlapping colours depict the colours of our lands and waters.

Casey is a Quandamooka, Nunukul woman from Minjerribah (North Stradbroke Island) with links to Eulo and the Biri people of Bowen.

## 20 YEARS OF THE MABO ORATION

For the people of Zenadth Kes/Torres Strait Islanders, Mabo Day is more than a date on the calendar. It is a reminder that our laws, traditions, languages, stories, and practices form the very foundation of our rights and our identity.

Through Eddie Mabo's fight, we saw that the continuum of our culture—passed down through generations—cannot be erased by proclamation or conquest. His legacy taught the nation that law and justice must embrace our histories as the world's oldest living cultures. It has also shown us that great endings have always had humble beginnings.

Koiki's life was a testament to the power of conviction and the triumph of the human spirit. As we reflect on his life and legacy, may we be reminded of our own capacity for change ... and our responsibility to strive for a better world.

We must not, and cannot, despite what obstacles we face, lose faith in humanity. To quote the words of Gandhi in his call for perspective and resilience, he said, "Humanity is an ocean; if a few drops of the ocean are dirty, the ocean does not become dirty."

This year we celebrate 20 years of the Mabo Oration. The Mabo Oration is delivered through a partnership between the Mabo family, Queensland Performing Arts Centre, and the Queensland Human Rights Commission.

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- **C'Zarke Maza**  
Meriba Omasker Kaziw  
Kazipa Commissioner

• "We must return to the self-evident truths that exist  
• - in our relationships, and from our history.

• Only by doing this will we achieve social justice for  
• Aboriginal and Torres Strait Islander peoples and  
• in doing so, equality for all Australians.

• Remember, from self-respect comes dignity, and  
• from dignity comes hope" - **Tom Calma, 2009**

• My primary concerns with human rights are not so much their  
• recognition and declaration, but their realisation and enjoyment in  
• reality rather than mere theory" - **Noel Pearson, 2005**

• Above all, I think that Indigenous Australians need  
• protection against bad laws and the ideological fixations  
• of governments, of whatever persuasion, or the personal  
• agendas of ministers" - **Dr. Dawn Casey, 2015**



Tom Calma AO and Vonda Malone, on stage at the 2017 Mabo Oration.

## BIOGRAPHIES



### **Katie Kiss**

Aboriginal and Torres Strait  
Islander Social Justice  
Commissioner

Commissioner Kiss is a proud Kaanju and Birri/Widi woman who grew up in Rockhampton, Central Queensland on the lands of the Darumbal People.

She was previously the Executive Director of the Interim Truth and Treaty Body supporting Queensland's Path to Treaty, and held senior positions in the Queensland Government, including Chief of Staff to the Minister for Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships, and Senior Advisor to the Deputy Premier.

Commissioner Kiss also worked for eight years at the Australian Human Rights Commission, where she was the Director of the Aboriginal and Torres Strait Islander Social Justice Team.



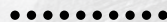
### **C'Zarke Maza**

Meriba Omasker Kaziw Kazipa  
Commissioner

Mr C'Zarke Maza LL.M is a proud descendant of the Meriam people of Mer Island and the Yidinjdji people of Cairns.

With over 20 years of experience, he was admitted as a solicitor and barrister in 2002, building a distinguished career in law, governance, and management. In July 2021, C'Zarke was appointed the inaugural Commissioner for Meriba Omasker Kaziw Kazipa by the Queensland Government.

He leads efforts to secure legal recognition for Torres Strait Islander child-rearing practices, overseeing the implementation of Australia's first legislation in this area.



### **Scott McDougall**

Queensland Human Rights  
Commissioner

Scott McDougall commenced as Queensland Human Rights Commissioner in October 2018.

Prior to his appointment he was the Director and Principal Solicitor at Caxton Legal Centre Inc. in Brisbane.

Since admission as a lawyer in 1993 he has practised in the areas of discrimination, native title, criminal law, guardianship, and coronial inquiries.

His work has included deep involvement with community at North Stradbroke Island and Injinoo in Cape York Peninsula.

Scott has always been a strong advocate for Aboriginal and Torres Strait Islander rights and remains vocal about youth justice laws in Queensland.





**Rachel Healy**  
Chief Executive - QPAC

Rachel Healy is the Chief Executive of the Queensland Performing Arts Centre in Brisbane, Queensland.

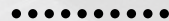
Rachel has worked in senior roles in the cultural sector for more than 20 years including as Joint Artistic Director of the Adelaide Festival (2015-2022), Director of Performing Arts for Sydney Opera House, General Manager of Belvoir St Theatre and Executive Manager Culture for the City of Sydney.

Before commencing in the role as QPAC Chief Executive she worked as a cultural industries contractor and consultant including as Curator of Ideas and Special Events for the 2024 Vivid Sydney Festival.

She has served on more than 30 arts boards and government/industry advisory boards including the Sydney Opera House Trust, Live Performance Australia, the Major Performing Arts Board of the Australia Council (now Creative

Australia), and the Australian Government's Creative Economy Taskforce.

In 2019, Rachel was awarded an honorary doctorate by University of Adelaide for her 'exceptional dedication and service to the arts in Australia', and in 2020 she was the recipient of the Arts Leadership Award from Creative Partnerships Australia.



## PREVIOUS ORATIONS

- 2023** **Fri 2 June, Townsville (Thul Garrie Waja)**  
Quayside Terminal, Port of Townsville  
Professor Megan Davis, Professor Henry Reynolds  
and Gail Mabo, hosted by Jeff McMullen as MC.
- 2019** **Mon 3 June, Brisbane (Magan-djin)**  
Queensland Performing Arts Centre (QPAC)  
Luke Pearson
- 2017** **Mon 28 August, Brisbane (Magan-djin)**  
Queensland Performing Arts Centre (QPAC)  
Panel: Professor Tom Calma AO  
Dr Jackie Huggins AM FAHA  
Dr Bryan Keon-Cohen AM QC  
Ms Jayde Geia  
Ms Vonda Malone  
Mr Stan Grant as Facilitator
- 2015** **Mon 10 August, Brisbane (Magan-djin)**  
Queensland Performing Arts Centre (QPAC)  
Dr Dawn Casey
- 2013** **Sun 21 July, Brisbane (Magan-djin)**  
Queensland Performing Arts Centre (QPAC)  
Les Malezer
- 2011** **Sun 3 July, Brisbane (Magan-djin)**  
Queensland Performing Arts Centre (QPAC)  
Terri Janke, Bryan Keon-Cohen
- 2009** **Fri 5 June, Brisbane (Magan-djin)**  
Queensland Performing Arts Centre (QPAC)  
Tom Calma, Murray Wilcox QC
- 2007** **Fri 15 June, Brisbane (Magan-djin)**  
Queensland Performing Arts Centre (QPAC)  
Larissa Behrendt
- 2005** **Fri 3 June, Brisbane (Magan-djin)**  
Queensland Performing Arts Centre (QPAC)  
Noel Pearson, The Hon Paul de Jersey AC



20TH ANNIVERSARY

ORDER OF EVENTS

# THE MABO ORATION 2025

CAIRNS / GIMUY

Smoking Ceremony

Prayers and Blessings

Introductions

Gerib Sik Mer Island Dance Troupe

Meriam Elder Statement

Queensland Performing Arts Centre -  
Chief Executive Comments

Queensland Human Rights  
Commissioner Comments

Orator Introduction

Mabo Oration

Mabo Family Response

Thanks

Event Concludes

*\*NB: Final speech delivered may vary from the published version*

# ONE LAND- TWO LAWS

IT'S  
BLACK  
AND  
WHITE

.....

AN ORATION  
DELIVERED BY  
ABORIGINAL  
AND TORRES  
STRAIT ISLANDER  
SOCIAL JUSTICE  
COMMISSIONER

**KATIE KISS**

THE  
MABO  
ORATION  
2025

## ACKNOWLEDGEMENTS

Good evening all distinguished guests, Elders, Aboriginal and Torres Strait Islander family, community, friends and colleagues – and my family, children and grandchildren who are here tonight, particularly my Aunty Kathy – my mum’s sister and the matriarch of our family.

My name is Katie Kiss. I am the national Aboriginal and Torres Strait Islander Social Justice Commissioner.

As a proud Kaanju, Birri/Widi Woman from North Queensland who grew up on the lands of the Darumbal People in Rockhampton, I acknowledge and pay my deepest respects to the traditional custodians of the land on which we stand, their Ancestors and Elders - past and present, on whose unceded lands we gather for this momentous occasion today.

I also acknowledge the surrounding Nations within this region.

Living on this Country for ten years, birthing my son on this place, raising my three children here while working at Cape York Land Council in the early years of Native Title, and now having three of my grandchildren grow up on this Country, I hold a special connection to Gimuy – also known as Cairns – and I am always grateful for the opportunity to return to this special place.

Thank you to the Gerib Sik Torres Strait Islander Dancers for your inspiring performance.

Carl and Minjil – thank you for the beautiful smoking ceremony as we arrived at the venue.

It is a protocol and practice steeped in thousands of years of territorial integrity, an ancient system of law and culture, underpinned by values of respect, responsibility and care for each other, this ancient land and our ancient customs.

I also want to acknowledge Aunty Henrietta Marrie-Fourmile and her sustained commitment to defending the rights of Indigenous Peoples globally, particularly during her term with the Christensen Fund over ten years ago.

Auntie Henrietta supported the Australian Human Rights Commission in its work to promote the United Nations Declaration on the Rights of Indigenous Peoples here in Australia through funding to produce education materials. We are still using these materials to this day to raise awareness about our rights, and to support our people to use the tools available to them to assert and exercise them.

That leads me to the purpose of this evening’s event.

I am truly humbled and honoured to have been asked by the Mabo Family to give this Biennial

Mabo Oration – an Oration that pays tribute to a true visionary.

A humble man – determined to right the wrongs of a system imposed on these lands and its Peoples by those seeking to extend their empire. Conquering lands across the seas, destroying cultures and waging wars against all those who would resist.

A man of conviction. A staunch defender of the rights of Indigenous Peoples and a man who, through his determination to uncover the truth, used the western legal system to recognise the legal status of his people, and their ownership of their traditional lands, territories, waters and resources.

A man whose legacy lives on, playing an integral part in the:

- Recognition of Indigenous Peoples enduring sovereignty, traditional law and custom;
- Our prerogative to access and exercise our rights to our lands, territories and resources; and
- To meet our cultural responsibilities to Country, our people and our future generations.

I acknowledge the man this Oration pays tribute to – *Dr Koiki Mabo* of the Meriam People – and the landmark High Court Decision which bears his name.

A judgement handed down by the highest court in this land that overturned the legal fiction of *terra nullius* – changing the course of Australian history and the foundations of the Australian legal system forever.

I pay tribute to those who stood with Uncle Koiki in this collective struggle for rights recognition, Reverend Dave Passi, Sam Passi, Celuia Mapo Salee, Barbara Hocking and James Rice – and the legal team who supported them.

And to the late Auntie Bonita who stood alongside her husband while he was with us – and represented his legacy after his passing.

I acknowledge the Mabo family, some of whom I have known for many years working in the native title space.

In particular, daughter Gail and grandson Kaleb, who with the support of Commissioner Scott McDougall of the Queensland Human Rights Commission (QHRC) and Rachel Healy, Chief Executive of the Queensland Performing Arts Centre (QPAC), in organising this event, continue to honour the legacy of their father – the warriors that stood with him – and those who came before them.

And my friend and colleague – Meriba Omasker Kaziz Kazipa Commissioner, C'Zarke Maza – who is connected to both the Meriam and the Yidinji peoples.

These acknowledgements are important, because in a thriving village, everyone plays their part – everyone makes a contribution.

And in the words of another legend, the great Bob Marley, “In this great future – you can’t forget your past.” The path lighting our way into the future, has been set – and well-lit by those who came before us.

And the lessons we *must* learn from our past are well signposted.

## INTRODUCTION

This year is the 20th Anniversary of the Mabo Oration, and the first time it has been held on Gimuy Country. Those who have given this important oration before me include senior leaders who have leveraged the Mabo legacy to further advance the rights of Aboriginal and Torres Strait Islander Peoples and have informed my journey as a human rights defender. People like Noel Pearson and former Social Justice Commissioner Tom Calma.

It is events such as this that offer opportunities for our people – Aboriginal and Torres Strait Islander Peoples - to speak truth to the historical and ongoing impact of colonisation across this Country and the lived experience of First Nations and First Peoples. This is particularly important in the absence of a formal national truth-telling or treaty process.

The Mabo decision confirmed the pre-existing and continuing native title rights and interests of First Peoples. It stands for much more than this:

- It fundamentally rejected the notion that First Nations societies were “without a settled law”;
- It confirmed that our traditional laws and customs survived the imposition of British law; and
- It recognised traditional law and custom as not only a “coherent system”, but as an “additional source of law in Australia that does not derive from the Crown”.<sup>1</sup>

As noted by native title and constitutional law experts Brennan, Gunn and Williams:

*Native title adjudication henceforth would become an examination of the way in which two radically different social and legal systems intersect.*<sup>2</sup>

It is in this spirit that I have titled this year’s Oration *One Land – Two Laws – It’s Black and White*.

I believe that Uncle Koiki’s vision was about rebuilding the village – our Aboriginal and Torres Strait Islander villages.

My predecessor as Commissioner, June Oscar AO, spoke of the systematic dismantling of the social fabric of First Nations communities at the hands of an ongoing colonisation process.



A performance from the 2011 Mabo Oration.

If we are to progress towards a common purpose – for a future that is strengths-based, self-determining and sustainable for our peoples – we need to re-establish ways of working together, to re-centre respect for senior eldership and cultural authority and to rebuild our villages. Villages which:

- Ground our people in our cultures and our obligations to kin and Country;
- Provide solid foundations for our young people to develop independence, but provide support when needed, and lift us up when we are struggling;
- Expose young people to the older generations talking, planning, and coordinating, and which slowly and organically build the capacity of future generations;
- Connect First Nations Peoples from across Australia and across the globe to come together respectfully and with a unity of purpose to share knowledge and advocate for our rights; and
- Instil in us the resolve to never compromise on our rights.

In the absence of a treaty being signed at first contact, I believe Uncle Koiki's legacy set us – the old peoples, First Nations Peoples, and the new peoples – who now call Australia home – on a path to understand how our two worlds co-exist. On one land - recognising and respecting each other's differences, responsibilities, laws,

cultures, values, and needs, without destroying each other.

I believe that for Uncle Koiki it was about making what was fundamentally wrong – right. It was about respecting those who came before and securing a fair and just future for those yet to come.

That would ensure that the oldest living cultures on this earth would continue to survive.

While I never got to meet Uncle Koiki, I know this vision. Because the conversations he was having were also being had around the kitchen table in my family home, and others that I visited in my village. The same conversations are still being had by Indigenous Peoples globally.

Our people have learnt how to navigate the two worlds we are now forced to straddle. But I don't believe that is where our Elders – our leaders – our visionaries – saw this path taking us.

I believe that their vision was to ensure that we did not lose who we are in the face of merciless colonial incursion.

My grandfather Reggie Dodd – would always say – “play the game – succeed in their world – but don't ever forget who you are and where you come from.”

The story of this land since colonisation is a tale of two worlds

colliding that has continued for more than five generations.

The question I seek to engage with tonight is; *how do two radically different social and legal systems co-exist?* How do we move forward – existing together – not trying to devour and destroy each other? And I want to speak to the importance of acknowledging and respecting our rights as fundamental to achieving this.

The focus of tonight's discussion will:

- First, address the ongoing battle for rights and recognition in this Country – reflecting on the devastating defeat of the Voice Referendum but also on the mighty successes in our fight for justice – in the High Court's recent decisions in the Timber Creek and the Commonwealth vs Yunupingu cases;
- Second, consider the lack of response for breaches of First Nations people's rights in Australia; and
- Third, consider the domestic legislative arrangements that facilitate greater capacity for the co-existence of two laws on the one land – including how the Native Title Act set a foundation for broader application of cultural law and custom recognised by the Western Legal System – and how the Meriba Omasker Kaziw Kazipa Act builds on this foundation.

## OUR FIGHT FOR JUSTICE

For more than 65,000 years, Australia's First Peoples have managed and sustained these lands, territories and resources, through active stewardship and custodianship grounded in the law of nature, and our traditional laws and customs.

Unlike other Commonwealth colonies that engaged in treaty processes with Indigenous Peoples early on in their respective colonial incursions, the Australian state, its jurisdictions, its institutions, and its laws were established and developed without even the most tenuous forms of consent.

From 1788 to the present – across the full breadth of this continent, its islands and its waters – our peoples have resisted. Our methods have been diverse, taking on many forms depending on the circumstances we have faced and the tools and mechanisms available to us.

Consistently, wherever we have taken a stand, we have done so drawing upon our deep strength in who we are as First Peoples and our sacred connection to Country, to Law and to one another.

As was the case the world over, the ultimate outcome of the civil rights era in the 1960s and 70s was limited to our recognition as citizens in the western democratic process, and to formal equality before the law – *their* law.

But this did not address our rights as First Nations peoples to recognition, to self-determination and to redress for the dispossession of our Country.

From the advocacy of great leaders such as William Cooper and William Ferguson in the 1930s through to the decades of advocacy that led to the Barunga statement in 1988, and the recommendations of the Council for Aboriginal Reconciliation as recent as 2000, successive Australian governments have not come to the table despite our clearly expressed aspirations and offers of reciprocity.

There were, I believe, genuine attempts under the Keating Government to provide a suite of mechanisms to give substance to its official policy of self-determination. However, this was ultimately short-lived.

The Howard Government drew this era to an abrupt close with measures such as the Wik 10-Point Plan, the abolition of ATSIC, focus on practical reconciliation and the removal of protection from racial discrimination for First Nations communities – and only for First Nations communities – through the Northern Territory Intervention.

In doing so, they sought to blame policy failure in Indigenous Affairs on the concept of self-determination, as if self-determination was the causal factor. Today we would call that gaslighting, or mis and dis-information!

The reality is that it was a lack of political will and a lack of respect to even contemplate that we should have a seat at the table and that our voices should be heard.

In the years that have followed, the relationship between First Nations peoples and the state has essentially relegated us to the role of interest group lobbyists or protestors, rather than autonomous rights-holders with particular and inherent entitlements.

Nevertheless, we persevere in our fight for justice.

While we have worked within the system to try and get fundamental structural reforms, we have never ceded our Country or our sovereignty. Developments in recent years have seen us move one step forwards and sometimes two steps backwards. These include:

- The establishment and abolition of national representative bodies;
- Global agreement on the Declaration on the Rights of Indigenous Peoples in 2007, its acceptance by the Australian Government in 2009, but then limited action to treat it with genuine intent;
- The negotiation of the first Partnership Agreement on Closing the Gap in 2019 after years of advocacy on Indigenous health, seating our representatives at the table with Government on the delivery of services to our communities; its full potential



having, to date, been held back by government inaction or by legislative measures that directly contradict its aims; and

- Decades of advocacy on constitutional recognition culminating in the 2017 Uluru Statement from the Heart, and the ultimately unsuccessful campaign for a constitutionally enshrined Voice in 2023.

We've also had two landmark decisions in native title since 2019, which I will discuss briefly now.

### TIMBER CREEK

Firstly, the Timber Creek decision. In March 2019, the High Court handed down the landmark decision of Northern Territory v Griffiths on behalf of the Ngaliwurru (ṅa:li:wuru) and Nungali (nuṅgəli) Peoples.

The Court awarded a total of \$2.5m in compensation for both economic and cultural loss, including interest. This case, regarded 'the most significant... since Mabo',<sup>3</sup> is the first time the High Court has ruled on compensation for the extinguishment of native title.

We should recall that when the Native Title Act was introduced in 1994, it was anticipated that there would be a significant focus on compensation for native title that had been extinguished by so-called 'past acts' under the legislation.

It is fair to say that the compensation mechanisms under the Native Title Act generally have under-delivered on original expectations and Timber Creek has been a long time coming since 1994.

It is clear that the case is being carefully considered by governments

and traditional owners in respect of settlements and negotiations, and that new approaches to compensation are emerging as a result.

### COMMONWEALTH v YUNUPINGU

Another key development was the March 2025 High Court judgment in the case of Commonwealth v Yunupingu. This case confirmed:

- That the 'just terms' principle – made famous in the Australian movie The Castle – applies equally to everyone in Australia;
- That native title is a property right and, like any other property right, if it is taken away by the Commonwealth then native title holders are entitled to compensation on just terms; and
- That the principle of 'just terms' compensation applies to the taking of property by the Commonwealth in the Northern Territory. The Commonwealth was responsible for making laws for the Northern Territory from 1911 until 1978 when the Territory obtained self-government.<sup>4</sup>

I hope that these cases will set a platform for other Aboriginal and Torres Strait Islander nations to be recompensed for their dispossession. Case by case; nation by nation.

But it is an imperfect, expensive and slow way of achieving justice. And so, I hope these cases and what



A didgeridoo interlude from the 2011 Mabo Oration.

follows will also open a pathway back to discussions about broader processes of treaty and truth-telling.

After the Yunupingu decision, we can expect further cases in the Northern Territory. This should remind the Northern Territory Government about the important benefits that would flow to them, as representatives of all people of the Northern Territory, from the recently ceased treaty process.

Some of our wins over the past 20 years have been retained. Nonetheless, it is a sad truth that many have subsequently been undermined in whole or in part, and it has become clear – not only in Australia but the world over – that the progressive twenty-first century many of us hoped for, has failed to materialise.

At this year's United Nations Permanent Forum on Indigenous Issues Special Rapporteur, Dr Albert K. Barume, argued that the Rights of Indigenous Peoples around the world are under pressure.<sup>5</sup>

Validated by statements provided by those participating in the Forum, Indigenous Peoples spoke to actions and activities that are killing Indigenous Peoples – that are systemically designed to harm – that are structurally embedded to maintain control and power – and that constitute genocide and includes cultural genocide.

In order to substantiate genocide, you must be able to demonstrate intent. While this has been a significant challenge under international law, it has not been impossible, with the Indian Residential School System in Canada providing just one recent recognised example of genocide, accepted by unanimous resolution of Canada's House of Commons on 27 October 2022.<sup>6</sup>

Under the United Nations Genocide Convention – ratified by Australia in 1949, and enacted into domestic legislation in 2002, making genocide and crimes against humanity a crime in Australia – genocide is constituted by acts committed with intent to destroy, in whole or in part, a national ethnic, racial or religious group.<sup>7</sup>

It includes causing serious bodily or mental harm to members of a group, deliberately inflicting on a group conditions of life calculated to bring about its physical destruction in whole or in part, and forcibly transferring children of a group to another group.

This was the focus of the landmark 1997 *Bringing them Home: Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families*. Referencing the author of the term, Raphael Lemkin, the Report provides that genocide:

- includes the deliberate separation of families...the destruction of the cultural and social life of the oppressed group, and the

- imposition of the national pattern of the oppressor; and that
- genocide is committed even when the destruction has not been carried out.<sup>8</sup>

The law on genocide in Australia is not retrospective – preventing First Peoples from litigating against past treatment, including that experienced by the Stolen Generations or those subjected to the Protection Acts also referred to as the Assimilation Acts.

However, as we know, colonisation was not a point in time or a one off event. Aboriginal and Torres Strait Islander peoples have endured a sustained campaign that has been waged against us since first contact, and it includes the ongoing impacts of colonisation – disempowerment, dispossession, assimilation, marginalisation, criminalisation, dehumanisation, physical and mental violence, abuse and trauma.

As highlighted by those who attended the Badarran Marra'Gu Gathering Strength Summit last week in Magan-djin (Brisbane)

*We argue that what is happening in Queensland are egregious breaches of human rights against children, reminiscent of past Queensland Government policies and practices separating children and families. We fear that acts are being committed by the State with the intent to destroy our First Nations by forcibly transferring our children from our*

*responsibility, out of our care, and out of our communities.*

Aboriginal and Torres Strait Islander people can often feel overwhelmed with the blatant attack on our rights. But we are not in isolation – this is a global phenomenon.

Indigenous Peoples rights the world over are under attack. We are in an invisible war for our survival, dignity and wellbeing. One that is not reflected from our perspective on the front page of newspapers or on your television screens. But one that is being lived in our homes, on the streets of our communities, through our most vulnerable and our human rights defenders, and utilising

The Hon. Dame Quentin Bryce at the 2015 Mabo Oration.





any and all tools available to us to advocate for and secure our rights.

**SECURING DOMESTIC REMEDIES FOR HUMAN RIGHTS VIOLATIONS**

One of the key messages I want to get across today is the critical importance of reinstating, elevating, and upholding human rights as core values, and about the need to have the right architecture in place to do this.

International and domestic commentators have observed that there is often a disconnect between Australia's international human rights commitments and how, and to what extent, these are embedded in domestic laws and policies.

One of the challenges we face is that with respect to the implementation of international law, Australia is a dualist rather than a monist regime. For monist states – including a significant number of countries in the European Union – international law becomes part of their domestic legal framework automatically once they become a signatory to a treaty or convention.

Conversely, under dualist states – including Australia and other countries colonised by the British – international law and domestic law remain separate systems that, ideally, function in parallel through incorporation of aligned provisions into domestic legislation.

International treaties and their articles do not take effect on a dualist state's domestic legal system unless this second step is implemented.

It is disturbing to the international community, but more importantly to Australians who rely on these human rights protections, for Australia to commit to a treaty and then not take steps to embed those obligations within domestic law and give them effect.

For too long and on too many issues, Australian governments have been able to talk the talk on human rights, particularly in international fora, without walking the walk back at home.

When the United Nations High Commissioner for Human Rights Michelle Bachelet visited Australia in 2019, she commented on Australia's relationship with the international human rights framework.

She said:  
*"Sometimes I hear Australian commentators bemoan all this attention, suggesting the UN human rights machinery should focus its attention elsewhere, but this scrutiny is not the function of some international policing system enforcing rules from outside. It is based on international standards that Australia has helped to create; which successive Australian governments have voluntarily adopted; and which Australians*

*themselves have sought to engage and leverage in an effort to make Australia a better, more inclusive and humane place."*<sup>93</sup>

If Australia is to be taken seriously on the world stage when our governments seek to present our Country as a leader in human rights – as was the case with our successful bids to sit on the United Nations Human Rights Council in 2017 and to host the 2032 Olympic Games – they cannot do so only to come home and paint the international human rights framework as an alien bureaucracy seeking to undermine our national sovereignty.

This challenge is further complicated by our federated system of government. The federal government takes on the responsibility to ensure compliance with Australia's human rights obligations on behalf of all Australian Governments while states and territories shirk their responsibilities.

**UNITED NATIONS COMMITTEE ON THE RIGHTS OF THE CHILD CRITICISM OF QLD AND NT YOUTH JUSTICE MEASURES**

Over the past six months, we have seen disregard and the wilful breach of children's rights proceeding unchecked and unchallenged in Queensland and the Northern Territory as the result of the lack of accountability mechanisms to ensure compliance.

In October 2024, the chair of the United Nations Committee on the Rights of the Child, Ann Skelton expressed the view that the Northern Territory – which has by far Australia’s highest rates of children in detention, 94 per cent of whom are Indigenous<sup>10</sup> – had contravened Australia’s international treaty obligations by decreasing the age of criminal responsibility from 12 to 10 years old. To quote, she stated that:

*“What is particularly concerning is that once a state has committed itself and has actually set a minimum age, this idea of going back is, I would say, in contravention of the Convention.”<sup>11</sup>*

Two months later, in December 2024, Ms Skelton made a second statement, affirming that, as openly admitted by Queensland Attorney-General in her statement of compatibility, the Make Queensland Safer legislation passed in November 2024 violates the Convention on the Rights of the Child. To quote, she stated that:

*“We do not agree that the so-called ‘exceptional circumstances’ warrant what will be a flagrant disregard for children’s rights under international law... We also don’t agree that [these measures] will make Queensland safer.”<sup>12</sup>*

It speaks volumes that both the NT Chief Minister and the Queensland Premier were unfazed by these rebukes, with Premier David Crisafulli

reported to have said:

*“This place will govern its laws. This place will determine how we keep Queenslanders safe, and this place will be accountable to Queenslanders, not United Nations boffins.”<sup>13</sup>*

In March this year, in response to what can only be described as a rapidly escalating crisis of accountability, Associate Professor Hannah McGlade and Professor Megan Davis submitted an urgent complaint to the United Nations Committee on the Elimination of Racial Discrimination regarding youth justice policies and human rights concerns in respect of Aboriginal and Torres Strait Islander children.

The Committee’s consideration of the complaint will take some time. However, should it determine that the complaint is well-founded, this would provide a powerful morale indictment of Australia’s human rights practice.

This was not our first international complaint. Given the lack of support given domestically, Aboriginal and Torres Strait Islander people are more regularly submitting complaints to the United Nations.

In the complaint of Daniel Billy and others v Australia (Torres Strait Islanders Petition), First Nations inhabitants of four small low-lying islands in the Torres Strait – Boigu, Poruma, Warraber and Masig – complained to the UN Human Rights Committee that Australia had violated



An iconic moment from the 2011 Mabo Oration.

their rights and way of life by failing to adapt to climate change, upgrade seawalls or reduce greenhouse gas emissions.

In July 2022 the UN Human Rights Committee issued a ruling which agreed with the Torres Islanders, and recommended local inhabitants be compensated for the Australian Government's inaction.<sup>14</sup>

The Australian Government has refused – but it is legal action like this which can help to bring stark realities to the fore – to disrupt the heavily curated narratives of States like Australia which style themselves as human rights champions on the international stage, but which fail to meet their human rights obligations at home.

Another example is the UN Committee on the Elimination of All Forms of Racial Discrimination's ruling in response to a complaint in 2021 regarding human rights breaches in relation to cultural heritage protection in Western Australia. The Committee found that the Australian and Western Australian governments had:

- Failed to seek free, prior and informed consent from Indigenous people in relation to changes to Indigenous cultural heritage legislation;
- Failed to adequately protect Indigenous cultural heritage; and

that they had potentially breached the International Convention on the Elimination of Racial Discrimination.

The Committee called for:

- All work that negatively impacted Indigenous cultural heritage in Western Australia to cease and desist; and for
- All permits issued to mining and development under section 18 of the WA Aboriginal Cultural Heritage Act since November 2023 to be revoked or reviewed to ensure compliance with the Racial Discrimination Convention.<sup>15</sup>

The Government is yet to provide a response.

The last example I will cover is the United Nations Human Rights Committee finding in July 2023 that Australia had violated the rights of the Wunna Niyaparli (wunna; nyiyabali) people under the International Covenant on Civil and Political Rights (ICCPR) on account of the Federal Court's dismissal of the Wunna Niyaparli people's native title claim of 2012, and the Court's subsequent positive determination of the wider Niyaparli people's claim lodged in 1998.

To provide context, the Wunna Niyaparli claim was filed by people who argue that they were excluded from the wider Niyaparli claim in 2010 after anthropological research

suggested their ancestor was not a Niyaparli person.<sup>16</sup>

Importantly, this was the first decision by the Committee concerning Australia's native title system as well as its first decision concerning the due process obligations of States in determining the legal rights of Indigenous peoples to their traditional lands.

The Committee found that Australia has an obligation to provide due process guarantees to the Wunna Niyaparli people in their claim for native title rights and interests.

In October 2024, Australia's Attorney General provided a response to the Committee on behalf of Australia which is reported to have rejected the Committee's findings and to have stated that:

- The Australian Government does not believe there has been any violation of the ICCPR in relation to the Wunna Niyaparli; and that
- The Wunna Niyaparli were "entitled to participate throughout all stages of the proceedings" and were given a total of six opportunities to participate in those proceedings.

The Human Rights Committee is yet to comment on the Government's reply and the further correspondence by the Wunna Niyaparli.<sup>17</sup>

While Australia's response to UN committee rulings has left a lot to be desired, these Committee decisions

carry significant moral weight and, they do have an impact – both independently and cumulatively. It is critically important that we demonstrate resolve and use all the tools at our disposal to expose the discrimination we are confronted with across multiple areas of life.

These tools also include:

- Advocacy at United Nations fora such as the Permanent Forum on Indigenous Issues and the Expert Mechanism on the Rights of Indigenous Peoples;
- Engagement with United Nations Special Rapporteurs; and
- Regular treaty and universal periodic review mechanisms.

Importantly, we also have at our disposal the domestic frameworks and mechanisms already developed here in Australia which governments have committed to.

## CLOSING THE GAP

Post Referendum, the National Agreement on Closing the Gap is the Australian Government's key focus.

However, each of the Agreement's targets represents breaches of our rights that have not yet been remedied. With many targets either stagnant or going backwards, it is undeniable that without human rights compliance and accountability the National Agreement will continue to be compromised, and our rights will

continue to be denied and violated.

The Productivity Commission's Review of the National Agreement notes that governments are not adequately implementing principles of self-determination into practice and argues that mainstream government systems and culture need to be overhauled, and that stronger accountability is required to drive behaviour change.<sup>18</sup>

The opportunity before us is to engage the human rights framework and bridge the divide between Partnership commitments and international rights obligations by incorporating them into future iterations of the Agreement, of jurisdictional implementation plans, evaluation and reporting metrics, and independent accountability mechanisms.

### **NATIONAL ANTI-RACISM FRAMEWORK**

Another opportunity is to leverage the National Anti-Racism Framework which was launched in November last year by my colleague Race Discrimination Commissioner, Giri Sivaraman, and is currently awaiting a response from the Australian Government.

The Framework is an important milestone. It names racism for what it is. It locates it within the structures

that surround us and provides a plan to transform those structures.

Recommendations include that the Australian Government immediately:

- Establish an independent mechanism to monitor and report on the status of the implementation of the Royal Commission into Aboriginal Deaths in Custody;
- Establish an independent complaints and investigation mechanism for police misconduct and use of force;
- Raise of the age of criminal responsibility to 14; and that
- Australian governments fund and work in partnership with the National Anti-Racism Taskforce to develop and implement a First Nations Anti-Racism Framework Implementation Plan.

The Framework also makes two other key recommendations which I will discuss in more detail.

These are:

- The establishment of a national human rights framework with a federal Human Rights Act as its centrepiece; and
- A National Action Plan to give effect to the United Nations Declaration on the Rights of Indigenous Peoples.<sup>19</sup>

### **THE HUMAN RIGHTS ACT**

Alone amongst Western democracies, Australia lacks a comprehensive national charter or set of human rights laws. Instead, we have a patchwork of disparate laws often outdated, unclear, framed only in the negative, and with significant gaps between them.

To plan effectively into the future, we must set the right legal and policy architecture in place.

The Australian Human Rights Commission has made a strong and compelling case for the introduction of a new human rights framework.

The Commission's model Human Rights Act<sup>20</sup> – which has been endorsed by the federal Parliamentary Joint Committee on Human Rights – includes important advances to better protect the rights of First Nations peoples.

It would require government to ensure the full participation of First Nations peoples in laws, policy and decisions that directly affect us. It proposes that our rights to cultural integrity be protected in all actions of the federal government.

Critically, the proposed Human Rights Act also means that when our human rights are breached, we can deal with them in Australia.

If governments don't like hearing findings of breaches of rights from the United Nations procedures, then they should bring rights home and ensure that they are effectively addressed in our own legal and political system.

Every UN complaint can only proceed because there is no appropriate domestic Australian process to resolve the issue.

That is not a big threshold to meet when there is no national human rights charter.

### **UN DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES (UNDRIP)**

The adoption of the Declaration on the Rights of Indigenous Peoples by the United Nations General Assembly in September 2007 was the culmination of more than 20 years of negotiation between the Indigenous peoples and governments of the world.

The Declaration stands as the most comprehensive international instrument on the rights of Indigenous peoples – pulling together existing legal obligations sourced in international human rights treaties and providing a lens through which to apply these rights and standards to the lives and circumstances of Indigenous peoples and their communities.

While the Declaration does not itself create legally binding obligations, it echoes many of the rights already contained in other human rights treaties, but with a focus on First Nations people.

The Australian Government has obligations under binding international instruments to respect, protect and fulfil the rights contained in these treaties. There is therefore a legal and moral imperative to realise these rights domestically.

Adding further weight to the Declaration, is that it was adopted by the General Assembly 'with the approval of an overwhelming majority of Member States' and therefore represents a commitment on the part of Member States to its provisions 'within the framework of the obligations established by the Charter of the United Nations'.<sup>21</sup>

The Declaration specifically requires that '[s]tates, in consultation and cooperation with Indigenous Peoples, shall take the appropriate measures, including legislative measures, to achieve the ends of the Declaration.'<sup>22</sup>

This is the standard that Australia voluntarily agreed to in 2009, and which it should stand by.

The primary barrier against the enactment of the Declaration in Australia to date has not been any unassailable legal or constitutional

issues associated with domestic implementation. It has been a lack of political will. A lack of commitment and action to embed human rights in the Australian legal framework.

In November last year, Australia's Joint Standing Committee on Aboriginal and Torres Strait Islander Affairs released its report on the Application of the Declaration in Australia. It makes sensible recommendations for implementing the Declaration and setting in place the policy framework to embed First Nations voices and perspectives in decision making.<sup>23</sup>

We eagerly await a response to this Inquiry Report, which recommended the development of a National Action Plan, in consultation with Aboriginal and Torres Strait Islander peoples, as well as legislative reforms that would require assessment against the Declaration in the design, development and implementation of draft laws presented to the Parliament.

#### THE CO-EXISTENCE OF TWO LAWS

Returning to the theme of one land, two laws; it is important to emphasise that recognition of Indigenous cultural laws and customs by states is supported by international law. Article 34 of the Declaration states that:

*Indigenous peoples have the right to promote, develop and maintain*

*their institutional structures and their distinctive customs, spirituality, traditions, procedures, practices and, in the cases where they exist, juridical systems or customs, in accordance with international human rights standards.*<sup>24</sup>

The Mabo decision's recognition of native title and the establishment of the Native Title Act demonstrated that the development of domestic legislative arrangements that facilitate greater capacity for the co-existence of two laws on one land is possible in Australia.

In so doing, native title set a foundation for broader application of cultural law and custom recognised by the Western Legal System.

To date, there are only a handful of examples throughout Australia of laws and policies that are generally aligned with the Declaration.

Queensland's now repealed *Path to Treaty Act 2023* was one.

Another, is the *Meriba Omasker Kaziw Kazipa Act*.<sup>25</sup>

Following through on its election commitment, Queensland's Palaszczuk Government took a historic step in 2020 by establishing legislation which provides legal recognition of Torres Strait Islander families' continued use of traditional child rearing practices. As the Senior Advisor to the Queensland Minister for Aboriginal

and Torres Strait Islander Partnerships at the time, I had the privilege of being involved in this process and I would like to acknowledge all the years of hard work invested by Torres Strait Islander leaders and others who were critical to achieving this outcome.

Informed by the Declaration on the Rights of Indigenous People, this Act stands as a clear example of how to give practical effect to our rights:

- By addressing long-standing issues faced by Torres Strait Islander people whose legal identity does not reflect their cultural identity, via application to the Commissioner (Meriba Omasker Kaziw Kazipa) for permanent transfer of parentage from biological parents to cultural parents;
- By providing a sense of stability to the social order which has seen generations of Torres Strait Islander children raised in supportive and loving extended family environments; and
- By making basic administrative tasks that most Australians take for granted such as school enrolment, obtaining a birth certificate and accessing financial support accessible to Torres Strait Islander families.

Looking to the future, I believe there are opportunities to establish domestic arrangements like the *Meriba Omasker Kaziw Kazipa Act* in other areas of life, and that this is a worthy area of focus as part of a wider set of strategies to give effect to our rights.

## REBUILDING OUR VILLAGES

Friends, in his opening address to this year's United Nations Permanent Forum on Indigenous Issues last month, António Guterres, Secretary-General of the United Nations, emphasised that "the individual and collective rights of Indigenous Peoples are non-negotiable."<sup>26</sup>

Uncle Koiki knew so well in his heart that this is true. Our rights may not always be reflected in the laws and policies of our Country, but we know what they are, they are there all the same, and they are always worth fighting for.

As Social Justice Commissioner, I walk in the footprints of our ancestors.

I am tasked with moving us forward in recognising our rights as First Nations peoples.

- Truth. Voice. Treaty.
- Effective protection against racism
- Domestic protection of our rights
- Support for our cultural practices
- Self-determination.

All of these make us stronger. All of these enable us to rebuild our villages. To thrive as the proud Peoples, we know we are. And to be our authentic, whole selves. Please stay with me as we continue the long journey to recognition of our rights.

Thank you.



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## ABOUT THE ARTIST



### **Gail Mabo**

Visual Artist, Artistic Director, Choreographer, Writer and Actor

Gail Mabo began her artistic career in 1979 in Townsville as a dancer.

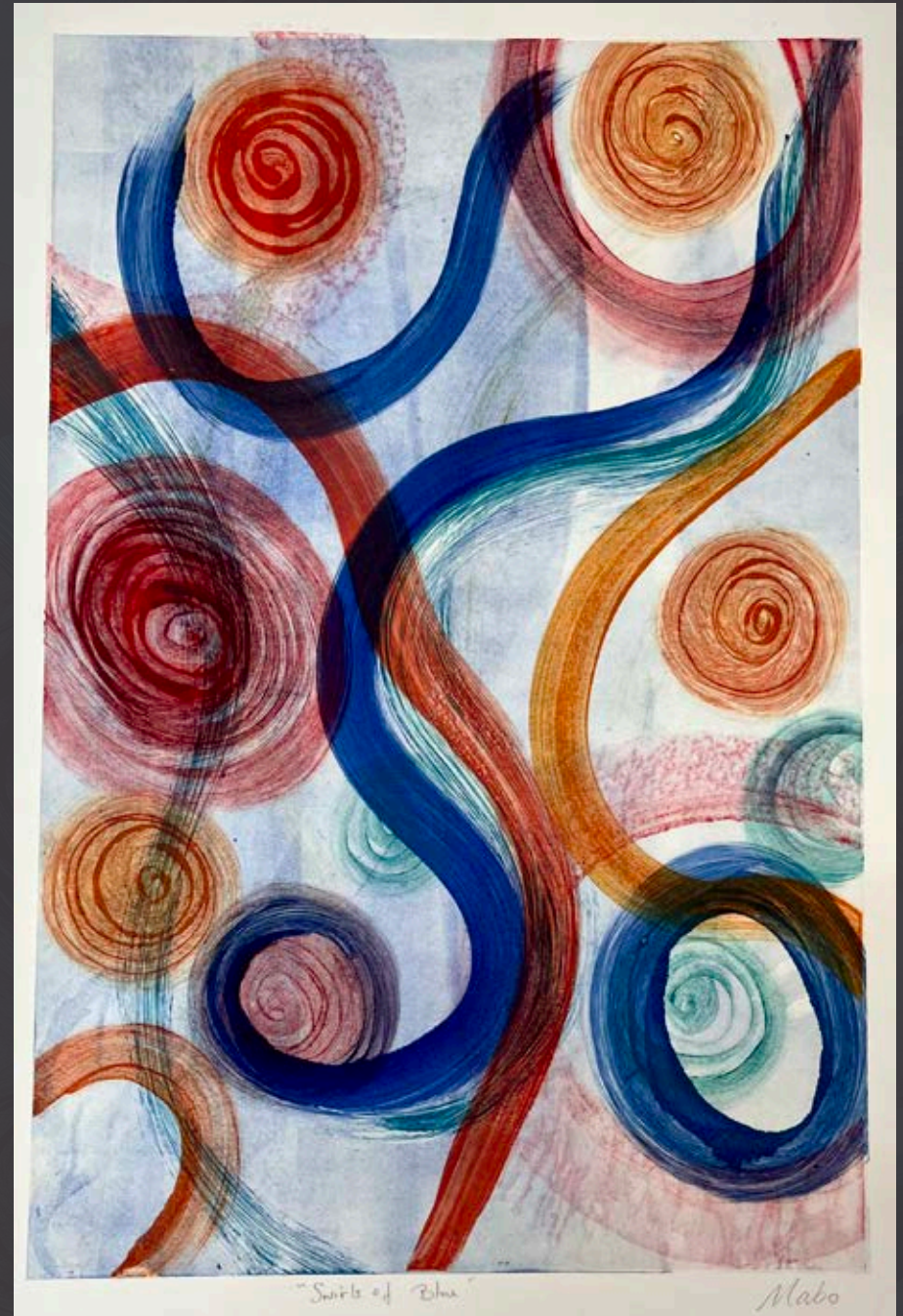
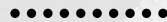
Moving south, Mabo joined a dance theatre, touring throughout New South Wales, as well as nationally and to the remote Indigenous communities within Australia.

Since 2005 Mabo has been focused on her visual arts practice. In 2017 she was honoured by the Cairns Indigenous Art Fair as the chosen featured artist. Her work was collected at the fair by the National Gallery of Victoria.

Mabo won the Innovation Award prize for the same work which honoured her father and their country, Mer (Murray Island), in celebration of 25 years of the Mabo decision in the High Court of Australia. Eddie was also honoured this year by having a star named after him, Koiki.

In recent years Gail has been commissioned to create major new works for Tarnanthi and AGNSW. Both commissions were subsequently collected.

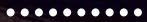
Her work is also held in Art Gallery of New South Wales, Queensland Art Gallery | Gallery of Modern Art, National Gallery Australia and Artbank among other collections of national significance.



"Swirls of Blue" - by Gail Mabo

20TH ANNIVERSARY

# THE MABO ORATION 2025



• The Mabo Oration is a culturally significant event organised biennially by the Queensland Human Rights Commission (QHRC) in partnership with Queensland Performing Arts Centre (QPAC) and the Mabo Family.

• This year celebrates the 20th anniversary of the Oration.

• The Oration pays tribute to Eddie Mabo and the landmark High Court decision which bears his name, legally recognising the traditional custodianship of country Indigenous people hold, and have held for thousands of years prior to colonisation.



Queensland  
Human Rights  
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