

Welcome + Opening Remarks F+E Con 2024

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[00:00:00] But first things first, and a very important place to start with an acknowledgement and a welcome on to Gadigal country here. I'd like to take a moment to ask the ancestors for their blessing over our event. So please put your hands together if you were here last night, you would have also seen him welcoming us. Please put your hands together from the Sydney Metropolitan Local Aboriginal Land Council, Michael West.

[00:00:32] Good day and welcome everyone. How are you? Wet? Yes, it has been raining a bit, but that's just part of the cycle of our environment, Mother Earth. It's important that we do have that rain, when you think about it, and we probably have a bit more rain than usual because of the fact that our country hasn't been cared for, and as we know around the world, we see the impacts every day. So, we're going to have a little bit of a break, and then we'll get back to the event. Here, where we are, is Gomera, just here in Darling Harbour. Imagine beautiful whales coming in with their little calves going and resting down there because that's traditionally what would happen – they're totems of the Gadigal, one of the totems of the Gadigal.

[00:01:14] Across that coat hanger, obviously, is Cammeraygal, and there is actual whale engraving over there at Ball's Head. Traditional canoe, Narwee paddling out there, and actually you probably see more likely with the sun. Now, on that day, you will see a woman in that and at night, there would be little lights in there, a little fire, and the guys would be actually around the shore with this hunting for the fish and other things. So, I was going to say where the Opera House is; I think it's an important opportunity educate people. Where the Opera House is, was an island, and it's called Djaba Gali that area around there, and there were middens there. Middens were obviously shells when we came and ate. And also had a yarn on it; it's a beautiful fish.

[00:01:59] And we've got the, and that, and it's also about sustainability, keeping account on what you're using the resources. Now, those middens were stolen as a lot of other things were stolen, and they were used in the first building. So, if you look at Macquarie Street, if you're in the Mint there, you look at the wall, you will actually see little specks of shell. And if you're near Argyle Street and down the rocks, you will actually see not only small specks of shell, but decent-sized shells there. As we head inland, obviously next door to Gadigal is Wugga, the other side is Wallumadigal. Obviously, Cammeraygal straight across Wallumadigal, and the next one beside Cammeraygal, and we keep going. We hit Barra Marigal, Barra meaning eel.

[00:02:44] And there's a whole creation story about the beautiful waterways of Sydney being created by a giant barra. And barra's just resting not too far away. It's a beautiful waterway of Sydney being created by a giant barra and barra's just resting not too far from here, just at a little island off for East Belmain, it's called Memel (M-E-M-E-L), and it's a very important place. I have the barra, and those clans would meet on there, and other Sydney clans. What I was going to say is: I'll get you to get your phones here because I want to show you something that reinforces our trade with the world and it's a hunting bird manuscript Vatican hunting bird manuscript Vatican

and and it shows a wonderful one of our totems too and at Paramatta barra is also a total barra meaning eel and they actually migrate to the South Pacific so

[00:03:38] trade it up the Topin just down the not too far actually just the other side over there at the ICC I met a couple of aunties who are descendants of the Aboriginal traders up the tops with the Macassans the Indonesians and further afar as you see with our totem and this is a totem by a that beautiful depiction there so you found the cockatoo yes hunting bird manuscript vatican You've had your coffee, um, have you found it? Yes, yes, yes. Um, it's a great depiction because it shows the attitude that cockatoos have and they do have attitude, don't they? Yes, everybody. Have you watched the cockatoo? Yes, they like chewing things, pulling the bark off a tree. I know that they do it in my backyard, and they throw um fruit down, take one bite out of a lemon and throw it down.

[00:04:32] They throw rocks in my yard. They're very loud in the morning and loud in the evening all day, and they are very cheeky. They'll come and destroy all the flowers in your garden and everything they can be very mischievous creatures, but they're part of our totems they need to be respected and we lost a fair few of them not too much but they're very mischievous creatures they're very mischievous creatures but they're very mischievous creatures we lost them not too long ago because we haven't long ago because we haven't cared for mother where we lost many about a billion as i understand and also another totem is a bird with white feathers black tail feathers long legs long neck long beak yes the ibis i'm glad someone called it the ibis because it is the ibis just like in egyptian culture it's sacred and it's part of who we are we're all connected the scheming things don't Don't call me a bin chicken, no, no, I'm not, I'm not a bin chicken on the sacred Ibis.

[00:05:25] I've been here for a long time; it's not my fault. It's actually fault of you humans out there. Why am I am going through the rubbish? Why am I going in the bin and why I look a little bit dirty sometimes because you haven't cared for my country, and I've had to come and live with you and put up with you? So, yes, we need to respect them; they're beautiful birds, they're very graceful. And I was going to say, I was in here a couple of weeks ago, and it was at the bench in New South Wales, where all the judges and all the barristers I said, 'We're going through...' Very interesting times aren't we have. We had a president on trial, yes, in New York now.

[00:06:13] Guilty, found guilty of 34 charges. I was asking him, would anyone like to represent him. Everyone was very quiet. I wonder why, yes. And we live in very crazy times, don't we? Support, we take a moment's silence, pay respects our ancestors, pay respects to Mother Earth and we really got to get back to caring for her because she provides us with everything and she talks louder to us and louder each day, in each week, doesn't she? And we need to. When you think about actual people, it's all about country, community, and culture, and we need to look after our sites because our sites are your sites for you as Australians whether naturalized or born

[00:06:53] and we need to care from humanity itself we have those 40,000 you're all fish traps in Barwana in New South Wales we have Mungo man and woman burial ceremony more than 40,000 years but we want you to understand and remain strong in your culture it's so important

also we need to pay respects to those who lost going through this pandemic and we have those sort of ways where it's up and down and we need to remember them the world was very scared at one stage weren't we and all locked down and remember they weren't just numbers are people Have their own dreams, their own families, their own communities, and their own names. And then also one pays respects to all Aboriginal people, trusting in Dr. Dush's owners, elders, and custodians, past and present, for looking after the country, spirit of the country, and culture that we all enjoyed now as Australia, you, the Torres Straits. So we just have a moment of silence, a moment of paying respect, and a moment of reflection. Thanks.

[00:07:59] Water falls from heaven, lands on Mother Earth, finds its way through rivers, and the ocean. We have those three wonderful rivers, the Hawkesbury, Nepean and Georges, which are the boundaries of our nation. On behalf of Metropolitan Local Aboriginal Land Council, we welcome everyone here today, and we would like to say, 'Have a safe journey.' I think I looked at the weather and it'll be a bit drier this afternoon. And we want you to enjoy your time here because rights are so important—as Aboriginal people, we know about that. Our rights weren't respected for a long time, and we're still trying to get our rights back. Always was, always will be, Aboriginal land never ceded. It was tough not getting through the referendum; it didn't go the way Aboriginal people wanted.

[00:08:45] A lot of disinformation out there. So we should be thinking about what people are saying and what their motivations are. And remember, Aboriginal land is our land. And remember, we make informed decisions; we make informed decisions. One thing that's true is true that 5G did not give us COVID, no, no; and we don't live on, we're not on a flat planet, either. Yes, it's important to have these conversations. Enjoy. I'm sure it's going to be great. Thank you. Thank you. Thanks, Michael. Thank you very much, Michael West, and what a great way to settle in to what is going to be an enriching and emboldening day. Together, there was so much love in the room last night when we kicked off Free and Equal, the conference.

[00:09:32] This is a highlight of the vivid festival of Sydney. We kicked off last night with the official welcome reception and the fabulous Rights on Time panel, which took us on a journey to find how a Human Rights Act would improve our lives both now and in the future. And today, we will be diving deeper into the Human Rights Act, but first, a few things to let you know about. We are live streaming all the sessions taking place here in the Hyatt Grand Ballroom, and there are hundreds watching online, and a big welcome to you all streaming in. All sessions that are being live streamed have Auslan interpretation and live captioning, and thank you very much to our Auslan interpreters. For the 600 of us in the room, please make sure you've downloaded the conference app on your phone.

[00:10:17] And there is a QR code on the back of your badge, which you would have received if you came in when you came in this morning. Now, if the line was too long and you weren't able to check in officially, then please go back during the break and get that badge, because it has the breakout sessions that you've chosen and the QR code that you can download the program. So, that's very handy. So if you missed out at the registration desk, please go back during the breaks. If you don't have a smartphone, you can ask any of our friendly staff and volunteers, and they will

happily help you out. Now we are hearing from more than 4,000 people. 50 eminent experts, thought leaders, advocates, and community heroes as they share their knowledge and perspectives across 12 sessions, beginning right now with the President of the Australian Human Rights Commission. Please give her a huge warm welcome, Commission Emeritus Professor Rosalind Croucher AM. Rosalind Croucher AM.

[00:11:23] Thank you, Narelda, and thank you, Michael West, for your warm welcome to country. And I add my own acknowledgement of the Gadigal people of the Eora Nation and pay my respects to elders past, present, and emerging. And I'd like to remember Barangaroo, who was the wife of Bennelong. She was an amazing intermediary. We often forget her, but she's always on my acknowledgement list, particularly when we're down in this part of the beautiful city. Thank you everyone for joining us today for this event. Thank you to all of those of you who participated in this free and equal conference. As we meet today to talk about the future of human rights in Australia, we do so in a global context of great conflict, war, and loss of life.

[00:12:11] I begin today by acknowledging the victims of the ongoing war in Sudan and Ukraine. The attack by Hamas in Israel, on October 7. The loss of life of Euromaidan. In Gaza and Rafah, conflict, war, famine, and climate change-related disasters are also occurring in other parts of the world as we speak, in neighboring Papua New Guinea, Brazil, Myanmar, and elsewhere. So, while we reflect and commit to our domestic human rights challenges today, I ask that we begin by acknowledging the devastation being experienced globally, and the pain we share for events beyond our shores, and in our own communities, especially our First Nations communities. In quiet pause, comes reflection; Michael West encouraged us to take a moment of silence. I would ask you now just for a moment to reflect, acknowledge that pain, before we move into our agenda today.

[00:13:32] For today, the Free and Equal Project was launched in December 2018 with an ambitious agenda of identifying a national reform agenda for human rights in Australia, with an eye to the future for our children and the generations to follow. In October 2019, I stood on this very stage at our first Free and Equal Conference with the United Nations High Commissioner for Human Rights, Dr. Michelle Bachelet, as we reached out broadly across the human rights community, government, and legal sectors to commence a national conversation on human rights. And so it is with pride that I'll allow myself a moment of that, and joy, that I stand before you again to mark the significant progress that we have made in the intervening five years on setting out the key elements of a revitalised human rights framework for Australia.

[00:14:50] This work has culminated with the tabling in Parliament in December last year of the Commission's final report, Free and Equal, and we downs again throughout today. There is a remarkably high level of consensus in the findings of these two reports, and the great response of the in the report from the Disability Royal Commission. So, I hope that you will celebrate with me just how far we have come, but importantly also prepare yourself for what comes next: turning the identified solutions into action. The arc of law reform as I say is a long one and it needs nurturing. The program today explores all areas of what the Commission and the Parliamentary Joint

Committee have proposed as focal areas in a new national framework on human rights a National Human Rights Act as a centerpiece, and a significant revamp of federal discrimination law.

[00:16:10] Human rights education to build That culture of rights-mindedness that has been identified as so obviously missing in those great Royal Commissions, better mechanisms for accountability for human rights, an enhanced role for Parliament in engaging on human rights, and better accountability and a robust sustainable Australian Human Rights Commission - all of these elements will be explored throughout the day by our exceptional panelists. But this is not an abstract conversation; it's all about us and all of those we care about, and all of those who have been shown by the Royal Commissions in recent years to have been left behind. Or ignored, the Robo debt Royal Commission exposed what happens when public policy making is untethered from concerns and thoughts about the human rights impact of decisions.

[00:17:19] We saw a lack of courage and, from some public servants, in calling out egregious violations of human rights. I doubt that this could occur within the framework of the Human Rights Act, with positive duties on public servants to act in accordance with human rights, and with a remedial framework to address violations. The Disability and Aged Care Royal Commissions have repeatedly brought to light abuses of the most vulnerable in our community. As we move today, keep in mind our reimagined human rights framework and its basis on the conceptual framing of the bookends of responsibility and accountability. Together, they support a vital cultural shift towards rights-mindedness. I speak today in my final weeks as President of the Australian Human Rights Commission. I reflected at Senate Estimates last week in my opening statement about the challenges of achieving law reform.

[00:18:34] It is a long process. I learned this well in my Australian Law Reform Commission days and from the lessons of its first President, the Honorable Michael Kirby. Logic and compelling arguments Maybe, on our side, but this does not guarantee success in achieving reforms that would better our nation and better protect the rights of everyone in our country. We do our work with clear principles, wide consultation, and strong evidence, then we look to the future and our allies and champions. So, while I think we should celebrate the significant achievements of our work over the past five years, I'm also a realist and know that we have only laid the groundwork for the future. Continuing on these these metaphorical lines, we have plowed the field and we've planted the seeds.

[00:19:30] Now it needs some good tending; the hard work starts. Now, I hope today will inspire you and energize you in this endeavour. And I thank you so much for being here to participate in these discussions. We all bring our own perspectives, lived experiences, and political views to our participation in this conference. I look forward to hearing your views and to our future work in achieving a revitalized national human rights framework. We will do this through a commitment to making this a safe and inclusive space for everyone. I ask you to join me in engaging throughout the day, asking them to integrate into your experiences and humbly share those with respect, and in an inclusive

[00:20:23] manner and through active listening and let us remember why we do this it's for our

children and for our children's children these are the generations I spoke of in launching the national conversation in framing it this way I referenced the last stanza of a poem by indigenous language and language to a message I want to convey is that when a poet, Ujuru Nunukul, a song of hope to which I'd been introduced by former social justice commissioner, Mick Gooda. It goes like this. To our father's fathers, the pain, the sorrow. To our children's children, the glad tomorrow. This is what we sought to do. As the National Human Rights Institution, in framing the national conversation, to ask what kind of Australia do we want for our children's children?

[00:21:33] And using this to frame the way that we approach that conversation. And it is in this way we presented our reimagining and our agenda for revitalising Australia's framework of protections of human rights and freedoms. Together, we have much to do. It is my great pleasure now to introduce you to the United Nations High Commissioner for Human Rights, Dr. Volker Turck, who has kindly recorded the following message for the conference. Dr. Turck. . . . to you all. I acknowledge the traditional owners of the land on which this meeting takes place today. I pay my respects to elders past and present, and to First Nations people attending this event. Thank you for the invitation to participate in this conference, taking up a vital conversation.

[00:22:42] Over the past five years, the Australian Human Rights Commission, through its Free and Equal project, has undertaken crucial and inspiring work to push human rights to the top of the political and social agenda. The Commission's proposed human rights framework is a pivotal step, and it comes at a pivotal time. Right now, our world is living through an era of conflict, disorder, uncertainty, and profound fragmentation. Except the norms of international law are increasingly being challenged or violated with impunity. We are seeing pushbacks on rights at all levels, from women's rights to the rights of LGBT women. We are seeing pushbacks on rights at all levels, from women's rights to the rights of LGBTQ+ people to migrant and refugee rights. Racism and discrimination of all types are on the rise.

[00:23:28] The deepening global economic crisis is exacerbating the massive gap between rich and poor. And we are all experiencing the catastrophic consequences of the lack of action on climate change, which poses a direct and existential threat to the survival of humanity. Australia is an important regional and global player. Australia is an important regional and global player. And can help drive the solutions that are based on robust advocacy of international law, human rights, and accountable, participative governance. Solutions that are aimed at rebuilding trust and standing up for the essential values that underpin our shared humanity. One of Australia's greatest assets is its diversity. This is a country that has been built on the strength and the beauty of human difference. The world's oldest continuing culture calls this land home.

[00:24:27] So too, to millions of other Australians who identify with over 300 different ancestries. Nearly one-third of Australians were born overseas. More than one in five Australians speak a language other than English at home. Embracing that difference means embracing a better, more equal, more dignified Australia. The introduction of a human rights act in Australia would strengthen justice, inclusivity, freedom, and respect for all Australians. As many of you have argued for years, and I fully agree, a human rights act would help to guide legislation and policy, strengthen oversight by the courts, and close the gaps in Australia's existing domestic legal framework on

human rights. And it would empower everyone across Australia, no matter who they are, to take action when their rights are threatened.

[00:25:23] I wholeheartedly urge support for the adoption of a human rights act that would help ensure a better future for all Australians. Human rights provide the blueprint for effective governance. They provide hope. They unite our human family. I encourage you to use this momentum to reclaim them. Thank you. To the UN High Commissioner, thank you for joining us as who we really are as Australians. Wasn't that wonderful to hear? He sees us. And a big thank you to President Croucher for those introductory words, as you can see from the President's words. There is a lot to cover today. Energizing is the perfect word to capture what we are about to hear and embark on during the conference today.