

An Aboriginal and Torres Strait Islander Voice to Parliament and Constitutional Reform



Australian
Human Rights
Commission

Australia's third UPR | 2021

Since 2012, Australia has conducted 4 separate processes to consider how to amend our Constitution to appropriately recognise Aboriginal and Torres Strait Islander people and to remove the authorisation of racial discriminatory laws.

At Australia's second UPR a commitment to conduct a Referendum to change the Constitution was made. This has not occurred.

In 2017, a Referendum Council conducted 12 national regional dialogues to seek the views of Aboriginal and Torres Strait Islander peoples regarding constitutional reform.

As a part of this process, 250 representatives from the national regional dialogues were selected to attend the Uluru National Convention in May 2017. The outcome of this convention is the Uluru Statement from the Heart, which called for:

- constitutional reforms to empower our people and take a rightful place in our own country.
- the establishment of a First Nations Voice enshrined in the constitution.
- a Makarrata Commission to supervise a process of agreement-making between governments and First Nations and truth-telling about our history.

In 2018, a Joint Select Committee of the parliament held an inquiry into the matter. The Committee recommended an intensive country-wide Aboriginal and Torres Strait Islander-led co-design process to explore options for constitutional reform, in particular consideration of the national, regional and local elements of a Voice to Parliament.

The Australian Government then initiated the Indigenous Voice co-design process in 2019. This aims to identify and progress ['a practical way for Indigenous voices at all levels to be heard'](#).

Recommendation

Government support a national voice to Parliament for Indigenous peoples, and ensure the informed consent of Indigenous peoples in all decision making that affects them. Government sets timetable for achieving reform of the Constitution to remove capacity for racial discrimination