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MEDIA RELEASE



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## RUDD GOVERNMENT MUST AMEND 'RACIST' NORTHERN TERRITORY INTERVENTION LAWS

In a letter to the Prime Minister, the Attorney General and Minister Macklin, more than 150 non-government organisations have strongly urged the Rudd Government to immediately reinstate the operation of the *Racial Discrimination Act 1975* (Cth) to apply to all measures of the Northern Territory Intervention.

"While the extraordinary step of suspending the *Racial Discrimination Act* remains in place, Indigenous communities in the Northern Territory continue to be subjected to discriminatory measures that are not improving the lives of Indigenous Australians," says Ben Schokman, a Senior Lawyer with the Human Rights Law Resource Centre.

The letter, sent by the Human Rights Law Resource Centre, explains that the reinstatement of the *Racial Discrimination Act* would ensure that laws, policies and practices designed to "Close the Gap" will be effective and beneficial for Indigenous peoples, and would demonstrate and confirm the Rudd Government's commitment to the protection and promotion of human rights.

"The Federal Government has been promising to reinstate the *Racial Discrimination Act* for more than twelve months now. But while Minister Macklin has been equivocating, Indigenous people in the Northern Territory are suffering adverse and unintended consequences on a daily basis."

"More and more evidence is emerging that the Northern Territory Intervention is simply not working. Reinstatement of the *Racial Discrimination Act* would require the Federal Government to ensure that the Intervention's measures are, in fact, beneficial for Indigenous people and have the desired outcome of improving the lives of Indigenous Australians."

"The *Racial Discrimination Act* must be reinstated immediately, in full and without any conditions. This is the recommendation of a number of United Nations bodies which have recently labelled the Federal Government's emergency intervention racially discriminatory."

"As the Government's own review found more than twelve months ago, the Northern Territory Intervention's draconian measures have led to feelings of hurt, anger and hostility. This approach is seriously damaging the relationship between the Federal Government and Indigenous Australians, and, ultimately, will undermine the effectiveness of the Intervention's substantive measures."

"The *Racial Discrimination Act* actually allows differential treatment, but only when that differential treatment is for the benefit of a particular group and when it has that group's informed consent."

Minister Macklin maintains that the Northern Territory Intervention measures are "special measures" because they protect women and children in Indigenous communities. However, as Mr Schokman explains, the rights of women and children do not trump or override rights of non-discrimination.

"For the Intervention's measures to be effective, the rights of women and children must be protected in a way that is not racially discriminatory."

The letter to the Prime Minister, the Attorney General and Minister Macklin, is endorsed by a wide range of organisations from all over Australia, including Indigenous organisations, peak bodies, religious groups and other community groups. "This overwhelming response - by Indigenous and non-Indigenous organisations alike - indicates that the suspension of the *Racial Discrimination Act* is not just a matter that affects Indigenous Australians, but is also a matter of serious concern to the wider Australian community."

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