

## ULURU STATEMENT FROM THE HEART

We, gathered at the 2017 National Constitutional Convention, coming from all points of the southern sky, make this statement from the heart:

Our Aboriginal and Torres Strait Islander tribes were the first sovereign Nations of the Australian continent and its adjacent islands, and possessed it under our own laws and customs.

This our ancestors did, according to the reckoning of our culture, from the Creation, according to the common law from 'time immemorial', and according to science more than 60,000 years ago.

This sovereignty is a spiritual notion: the ancestral tie between the land, or 'mother nature', and the Aboriginal and Torres Strait Islander peoples who were born therefrom, remain attached thereto, and must one day return thither to be united with our ancestors.

This link is the basis of the ownership of the soil, or better, of sovereignty.

It has never been ceded or extinguished, and co-exists with the sovereignty of the Crown.

How could it be otherwise? That peoples possessed a land for sixty millennia and this sacred link disappears from world history in merely the last two hundred years?

With substantive constitutional change and structural reform, we believe this ancient sovereignty can shine through as a fuller expression of Australia's nationhood.

Proportionally, we are the most incarcerated people on the planet.

We are not an innately criminal people.

Our children are alienated from their families at unprecedented rates. This cannot be because we have no love for them. And our youth languish in detention in obscene numbers. They should be our hope for the future.

These dimensions of our crisis tell plainly the structural nature of our problem. This is the torment of our powerlessness.

We seek constitutional reforms to empower our people and take a rightful place in our own country. When we have power over our destiny our children will flourish.

They will walk in two worlds and their culture will be a gift to their country.

We call for the establishment of a First Nations Voice enshrined in the Constitution.

Makarrata is the culmination of our agenda: the coming together after a struggle.

It captures our aspirations for a fair and truthful relationship with the people of Australia and a better future for our children based on justice and self-determination.

We seek a Makarrata Commission to supervise a process of agreement-making between governments and First Nations and truth-telling about our history.

In 1967 we were counted, in 2017 we seek to be heard.

We leave base camp and start our trek across this vast country.

We invite you to walk with us in a movement of the Australian people for a better future

Albo's draft referendum question:

- There shall be a body, to be called the Aboriginal and Torres Strait Islander Voice.
- Aboriginal and Torres Strait Islander Voice may make representations to parliament and the executive government on matters relating to Aboriginal and Torres Strait Islander peoples.
- The parliament shall, subject to this constitution, have power to make laws with respect to the composition, functions, powers and procedures of the Aboriginal and Torres Strait Islander Voice.

Create a “body” and call it a “voice”?

An agreement with the original inhabitants of country implies a treaty. That ought not be limited to matters relating only to Aboriginal and Torres Strait Islander peoples but should embrace the terms by which we live together on country.

It is not acceptable to leave the composition, functions, powers and procedures of the voice to the parliament. To create a fair and truthfultk relationship, the voice must be constituted in the identical mode as the federal executive council – even though at present that puts it totally under the “pleasure of the governor-general”.

The people elect a parliament to make legislation which it then asks the Federal Executive Council to convey to the Governor General to make into law.

The Aboriginal and Torres Strait Islander peoples can create a representative body to make recommendations which it then asks its Voice to convey to the Governor General to action.

In that way we can share sovereignty and walk together.

First act of the newly constituted parliament:

- Referendum to further modify the constitution by modifying section 128 – how to change the constitution – not by government act but by citizen initiation.

First citizens' initiated referendum:

- start using “head of country” instead of “governor general”
- remove reference to “Queen”, “British” etc

Insert 62 (ii), append to 63, insert 64 (ii). It would also be a good opportunity to change "Queen" for "head of state" throughout and amend the pronouns accordingly:

## REFERENDUM

to change the constitution

### **61. Executive power**

The executive power of the commonwealth is vested in the ~~Queen~~ **head of state** and is exercisable by the governor-general as the ~~Queen's~~ **head of state's** representative, and extends to the execution and maintenance of this constitution, and of the laws of the commonwealth.

### **62. (i) Federal Executive Council**

There shall be a federal executive council to advise the governor-general in the government of the commonwealth, and the members of the council shall be chosen and summoned by the governor-general and sworn as executive councillors, and shall hold office during the pleasure of the governor-general.

### **(ii) Aboriginal and Torres Strait Islander Voice**

There shall be a body, called the aboriginal and torres strait islander voice to advise the governor-general in the government of the commonwealth, and the members of the voice shall be chosen and summoned by the governor-general and sworn as voice councillors, and shall hold office during the pleasure of the governor-general.

### **63. PROVISIONS REFERRING TO GOVERNOR-GENERAL**

The provisions of this constitution referring to the governor-general in council shall be construed as referring to the governor-general acting with the advice of the federal executive council **and the aboriginal and torres strait islander voice**.

### **64. (I) MINISTERS OF STATE**

The governor-general may appoint officers to administer such departments of state of the commonwealth as the governor-general in council may establish.

Such officers shall hold office during the pleasure of the governor-general. They shall be members of the federal executive council and shall be the ~~Queen's~~ **head of state's** ministers of state for the commonwealth.

### **(II) ELDERS OF VOICE**

The governor-general may appoint officers to administer such departments of voice of the commonwealth as the governor-general in council may establish.

Such officers shall hold office during the pleasure of the governor-general. They shall be members of the voice and shall be the head of state's elders of voice for the commonwealth.

Tick or cross:

YES

or

NO