



**Sovereign Union of First Nations and Peoples in Australia**  
*Asserting Australia's First Nations Sovereignty into Governance*  
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MEDIA RELEASE

19 November 2015

### **Timely Gathering of Nations this weekend in Canberra**

The recent (10/11/15) criticism of Australia by the UN Human Rights Committee in Geneva and more than half the member States of the United Nations, is welcome progress. 110 Member States have been united in their condemnation of Australia's Human Rights performance in respect of its treatment of refugees but, more importantly, the focused criticism of Australia's treatment of our Peoples across this country.

Australia's facade of creating the illusion of compensation for redressing past imperial colonial acts through the *Aboriginal and Torres Strait Islander Act 2008* as amended, in which redress for dispossession was claimed, has at last been exposed.[[www.the-guardian.com/law/2015/nov/10/un-countries-line-up-to-criticise-australias-human-rights-record?CMP=fb\\_gu](http://www.the-guardian.com/law/2015/nov/10/un-countries-line-up-to-criticise-australias-human-rights-record?CMP=fb_gu)] In fact 110 UN member nations put forward three hundred recommendations to improve Australia's Human Rights conduct.

Adam Giles' recent arrangements with a Chinese and Indonesian company in respect of coal seam gas operations and extraction in the Northern Territory clearly shows the long-term planning behind the gross violations of the Northern Territory Intervention. It is also more than disappointing to hear Alan Jones, radio journalist, speak about the Northern Territory being a better choice for coal seam gas extraction than the NSW Pilliga Scrub and other areas, which are 'populated' and where farms operate, while he says the Northern Territory is not peopled and coal seam extraction will not interfere with any livelihoods or people, because the desolate area is not being peopled. This echoes Julie Bishop, the Deputy Prime Minister's statement that proposed nuclear waste dump sites in the Northern Territory were 'not near civilisation'. This racism is extreme and it is something we have lived with all our lives.

The fact that British descendants and newcomers fail by choice to learn of Aboriginal Peoples' attachment to land is unforgivable and cannot be excused. Clearly, the Northern Territory Intervention is the modern form of 'clearing the land', something Australia has always been good at.

It is an extreme pity that we have well-educated middle class Aboriginal people who argue that jobs and material possessions are more important than the continuing ancient culture of the oldest Peoples on the earth.

Kevin Buzzacott made a call on 13 April 1998 saying that we have a *Black Line* in Australia and people now need to confirm their choice as to which side of that line they stand. We can no longer pretend that there is not a division between the government-created Black middle class and those who seek to maintain their Aboriginality. There is quickly becoming an awful sight in our Aboriginal world where we are expected to abandon our culture for the benefit of assimilating into a white non-Aboriginal world. Our culture is quickly becoming a museum piece if we are not careful. We who seek to maintain our identity are seen as 'just trouble-makers' living in a world that they see through rose-coloured glasses.

It is now time to call a spade a spade. Let us not hide the fact that governments and covert mining company involvement fund the Black middle class to push the government agendas and to conceal the governments' true intentions. This is both despicable and treasonous against our different Aboriginal Nations and Peoples.

On the issue of Land Rights and continuing Sovereignty the white lawyers, most judges and politicians, together with boardroom company directors, have created such a legal spin on the outcomes of the High Court *Mabo (No. 2)* case that *Mabo* is of no legal benefit to Aboriginal peoples in Australia today. It was said by many when the judgment came down in 1992 that the *Mabo* judgment raised more questions than it gave answers. It must be said that this was a non-Aboriginal analysis for non-Aboriginal people when, in reality, the judgment in *Mabo* put us in the driver's seat, but the Magnificent Seven pushed us out of the driver's seat and into the boot.

This coming Sovereign Union *Gathering of Nations* in Canberra will address a number a key political and legal factors that we as Nations and Peoples must tackle as soon as possible. We must stiffen our resolve to make Australia accountable for its colonial past and its internationally recognised wrongdoings.

We cannot accept that we have to erase the memory of the horrendous history for the benefit of going forward. We will never forget, nor should we be expected to forget, the harrowing crimes against humanity that have been committed against our people in the last 227 years.

We will not forget.

Both Britain and Australia will have to pay for the reparations that are due and we will let the world know that this is what we want and need in order to rebuild our Nations and the wellbeing of our societies . We don't want band-aid solutions proposed by those people who call themselves Aborigines, such as those advocating the recognise campaign.

The next **Gathering of Nations** is in Canberra beginning 9am **Saturday 21 and Sunday 22 November 2015** at Old Parliament House.

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**BACKGROUND:**

## **BLACK LINE IS DRAWN**

Whereas the time has come to clear the blockage to understanding and make peace;

Whereas Aboriginal Nations and Peoples are the oldest living culture in the world and hold the key to survival;

Whereas Aboriginal Nations and Peoples have a spiritual relationship to the land and love the land. The land is the foundation of a complex system. From this system flows our Law, religion, social structure, culture, birthright, kinship, title to our ancestors' lands and Sovereignty;

Whereas Aboriginal Law, the laws of the lands and the Peoples of this country, like the sun, cannot be extinguished as they are the laws of creation. They will always be, as it was from the first sunrise;

Whereas in the language of the earth, our Old Peoples, our Sovereignty just is. It is our natural right. We do not need it legitimized by the thief, we need the thief to stop the stealing, the desecration and prevent the genocide.

Whereas Aboriginal Nations and Peoples have owned and occupied the land now known as Australia for thousands of years, since the Beginning, and remain today as always the Sovereign owners of this country;

Whereas our Sovereignty is evident through natural law processes of Elders in Council, men's business, women's business, bloodlines back to territory and is the basis of a highly ordered and sophisticated society;

Whereas under the rule of international law, Aboriginal Nations and Peoples have never surrendered nor acquiesced in the original claims to our lands and territories;

Whereas the resistance to invasion has been so aggressive and protracted that the frontier has been described as a line of blood. The resistance has never ceased nor abated to this present day;

Whereas Aboriginal Peoples have survived massacre, systematic poisoning of food, flour and water, germ warfare, deliberate removal of children from our families, incarceration, killing in custody and other crimes against humanity;

Whereas the Aboriginal Tent Embassy, representing Sovereign Aboriginal Nations, has flown the flag of resistance since 26 January 1972 and spearheads the struggle for recognition of Aboriginal Sovereignty;

Whereas Captain James Cook disobeyed the legally binding orders given to him by the British Admiralty on 30 July 1768:

*You are with the consent of the Natives to take possession of convenient situations in the country in the name of the King of England.... Or, if you find the country uninhabited, take possession for His Majesty by setting up Proper Marks and Inscriptions, as first discoverers and possessors.*

Whereas the invaders' High Court, in the decision of Mabo, had the opportunity to make what was unlawful lawful. Instead the court maintained bad law, that is laws that are imposed up on the Peoples of the land, by the power of force, and not the power of love or the power of law. The Court decided:

*...it must be accepted in this Court that the whole of the territory designated in Phillip's Commissions was, by 7 February 1788, validly established as a "settled" British colony.*

*Mabo - vs - Queensland (no.2) p.69*

Whereas the outdated imperialist doctrine of act of state is used to conceal the invaders' lack of sovereignty:

*It was an act of state by which the Crown in right of the colony of Queensland exerted sovereignty over the islands. Whatever the justification for the acquisition of territory by this means there can be no doubt that it was and remains legally effective*

*(Mabo, ALR 1992 , p121)*

but there is doubt and we do challenge the lawfulness of the thief. In the name of law and justice it is our responsibility to stop the attempted ecocide, ethnocide and genocide that is stealing the future from our children's children.

Whereas Aboriginal Sovereignty has never been extinguished by cession, nor by treaty, nor by formal purchase, nor by conquest, nor by annexation, nor by Act of State, nor by prescription, nor by intertemporal law, nor by peaceful settlement of an uninhabited land, *terra nullius*;

Whereas the Commonwealth of Australia, as successor in title from Britain, is not a lawfully constituted nation and as such is an occupying power that is illegally in occupation of the lands of Aboriginal Peoples. The identity of the coloniser rests on lies not laws, on hate and not love;

Whereas true sovereign title to the land now known as Australia, the unencumbered root title to land, remains with the Aboriginal Nations and Peoples who are now captive nations and, despite being subjected to alien subjugation, domination and exploitation, have refused to surrender identity;

Whereas all colonised Nations and Peoples have the right to be free from alien subjugation, domination and exploitation. Australia's continual denial of Aboriginal Sovereign Rights and refusal to begin the process of decolonisation of Aboriginal Nations and Peoples constitutes a denial of fundamental Human

Rights. Australia's conduct is a flagrant breach of international law, contrary to Article 1 of the Charter of the United Nations and is an impediment to the promotion of world peace and co-operation;

Whereas the colonised Aboriginal Peoples and Nations call for the decolonisation of our territories and that our legal status be recognised in International law as the First Peoples of this land named by the colonised as Australia;

Whereas Aboriginal Nations and Peoples call for the recognition of our inherent right to self-determination;

Whereas each Aboriginal Nation has had a defined territory, population, language, government and an ability to enter into legal relations, or treaties, with one another. The relationships have been determined by Aboriginal Law.

Whereas there has never been a time when Aboriginal Nations and Peoples have relinquished the right to speak and negotiate on our own behalf;

Whereas the Aboriginal and Torres Strait Islander Commission (ATSIC) does not represent the Sovereign Voice of the Aboriginal Nations and Peoples, neither does it qualify for its Non-Government Organisation, NGO, status in the United Nations as it is a government commission dependent on government, an agent of the coloniser;

Whereas on 26 September 1993 the consensus of a full national Aboriginal meeting rejected the proposed Native Title legislation, and burnt the draft bill on the mosaic in front of Parliament House. The Aboriginal negotiators of the Native Title Bill were given no mandate from the Aboriginal Nations and Peoples as the national voice had outright rejected Native Title legislation in favour of pursuing the path of Aboriginal Sovereignty;

Whereas the Native Title Act was imposed on Aboriginal Nations and Peoples without consent. Aboriginal "leaders" who, with no mandate, negotiated the drafting of the Native Title Act in 1993, have publicly admitted they were 'political fools' when they agreed to the validation of the colonisers' land titles (Australian, 31 May 1997). These "leaders" are without lawful right to enter such an agreement. Lawful title continues to be held by traditional owners.

Whereas the Native Title Act claims to extinguish Aboriginal rights to land and attempts to validate the colonial land grants. Native Title, under the Native Title Act, is the weakest form of recognition.

Whereas Aboriginal Nations and Peoples continue against great odds to take care of the land and to keep the Law strong and it is now time for the Australian and the International communities to show respect, recognise and appreciate Aboriginal people, our country and our laws.

Whereas Australians, can only become lawful in this land when they have entered into a relationship with the laws of the Sovereign Aboriginal Peoples;

Whereas we call upon all peoples of Australia to enter into a Treaty with the Sovereign Aboriginal Nations and Peoples regarding the future of this country we now call Australia. A Sovereign Treaty recognizes us and our responsibility to care for the land as the rightful caretakers empowered to heal our country;

Whereas the Australian constitution has suppressed but not displaced Aboriginal Sovereignty, which is the only true constitution for the new millenium;

Whereas the survival of the country is at stake and the country is talking. By breathing life into the Old Law in its contemporary form, we can recreate the sweet beautiful world where the needs of the babies, the children and those yet to be born can discipline the rule;

Whereas Aboriginal Peoples have come from too far to turn back and know there is a peaceful way or a hard way for this country;

Whereas it is a cruel hoax for Australians in illegal occupation, to want to feel sorry for us and justify a history of dispossession and genocide by speeding up mainstreaming through the process of "reconciliation". The solutions will not be found in the mere provision of housing, employment and education in a mainstream context;

Whereas our country is becoming sick, all the people are sick and getting sicker, the rivers are dying, the soils are poisoned and desolate from the stripping of its trees, our air is a toxic mess no longer protecting us from the sun's deadly rays;

Whereas the land needs the people and all of our stories and songs need to be told and sung, not for entertainment or education but for the survival of us all.

Whereas when the last of the Aboriginal owners of the land are gone and the country is no longer cared for, all the foreigners and their offspring will also be gone. The death of ourselves, the Aboriginal Nations and Peoples, will mark the passing of all humankind;

Whereas the Fire is the thing that will make or break you. The Fire is the healing that will take you home, that will fix you up and enable you to share the obligation to care for country;

**The Old Country is now talking through the Fire. Be Aware. It is time to listen to the ancient voice, the Sovereign Voice, the ancient energy of the land. This is the true government, the true authority for this country. All members of the parliament of the Commonwealth of Australia are invited to begin the process of becoming lawful in this land.**

**All members of the parliament of the Commonwealth of Australia are warned of their knowing complicity in continuing and furthering acts of genocide by systematic denial of Aboriginal Sovereignty and of the need to reparate for crimes against humanity.**

**With Year 2000 the International Year for Indigenous Sovereignty, unless the issue of Aboriginal Sovereignty is addressed in a legalistic way in this country, Australia will be further incriminated in the international arena.**

**The Black Line has been drawn. All members of the parliament of the Commonwealth of Australia are accountable to the Old Country and our Peoples and have been on notice to be present at the Aboriginal Tent Embassy to be read the Ancient Rights of this Country under Aboriginal Law.**

**This is a peaceful protest. We are peaceful Peoples. The message clearly is the sooner your government has the courage to come and listen the better. This Old Country is too ancient to be governed by the ignorant. The rightful people for this land are those who respect our Law and our Land. At the end of the day we are about peace and freedom.**

*You can support the Aboriginal Tent Embassy by:*

*Bringing wood regularly to keep the sacred fire burning,*

*listening and understanding our struggle, committed action, lobbying,  
fundraising...Your generosity is appreciated.*

**DONT SAY SORRY SAY  
SOVEREIGNTY  
ABORIGINAL SOVEREIGNTY**

*Sovereign Council of Aboriginal Tent Embassy*

*13 April 1998*