

## **‘Decolonisation in action’: Victorian treaty negotiations to be overseen by independent authority**

*State government struck an agreement with the First Peoples’ Assembly of Victoria to establish body with legal powers*



*First Peoples’ Assembly co-chair, Marcus Stewart, says the creation of an independent authority ‘is about stepping outside of the colonial system’.*

Benita Kolovos  
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Victoria is set to establish an independent authority to help oversee the nation’s first treaty negotiations between a government and First Nations people.

The minister for Aboriginal Affairs, Gabrielle Williams, will introduce the Treaty Authority Bill to parliament on Tuesday, after the government struck an agreement with the First Peoples’ Assembly of Victoria, the body elected by Aboriginal and Torres Strait Islander people to help develop a treaty framework.

The authority will be an independent umpire with the legal powers necessary to facilitate treaty negotiations between the government and traditional owners, and resolve any disputes between parties.

It will sit outside government bureaucracy and will not report to a minister.

Williams described the introduction of the bill to parliament as a “significant milestone” in the state’s efforts to achieve genuine self-determination for Aboriginal Victorians.

First Peoples’ Assembly co-chair, Marcus Stewart, a Nira illim bulluk man, said the creation of the authority ensures treaty negotiations aren’t restrained by western concepts.

“This is about stepping outside of the colonial system. We’ve said to government, if you’re serious about treaty, you’ll do it our way, and to their credit, that’s what they’re doing. This is decolonisation in action,” he said in a statement.

“The government is relinquishing some of its control and power and together we are creating new institutions that will be guided by Aboriginal lore, law and cultural authority that has been practised on these lands for countless generations.”

First Peoples’ Assembly co-chair Geraldine Atkinson, a Bangerang and Wiradjuri elder, said while the agreement marked a significant win for Aboriginal people, it also showed how modern Victoria could benefit from traditional knowledge and ways of working together.

“Western court systems are combative by default, whereas the treaty authority will respect our culture. The starting point will always be dialogue,” she said.

An independent panel, to be agreed to by the government and assembly, will appoint the members of the treaty authority. All members will be First Peoples, with a public call for nominations to come.

Atkinson urged all First Peoples in Victoria to enrol with assembly so they can have a say about the next steps on the journey.

“Treaty is an opportunity to restore our ability to make the decisions that affect our communities, our culture and our Country and this agreement is a really big step towards that destination. This is a wonderful day,” she said.

Victoria is the only state or territory that has acted on both the treaty and truth elements of the Uluru Statement from the Heart, issued to the Australian people in May 2017.

The Victorian government first committed to discussing treaties with Aboriginal Victorians in 2016, when it established the Aboriginal Treaty Working Group.

In 2018, the Victorian Treaty Advancement Commission was set up, with Aunty Jill Gallagher appointed commissioner. That same year, the Victorian parliament passed the Advancing the Treaty Process with Aboriginal Victorians Act, which enshrined in law the election of the First Peoples’ Assembly of Victoria and its role in establishing a framework to negotiate a treaty.

The assembly has successfully negotiated the establishment of the Yoo-rook Justice Commission, Australia’s first formal truth-telling process for injustices experienced

by First Nations people. It is expected to publish an interim report at the end of the month.

Agreement on the treaty authority will be marked with a ceremonial signing with the First Peoples' Assembly.