

Path to Treaty Bill 2023

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TORRES SHIRE COUNCIL

To lead, provide & facilitate a sustainable, safe and culturally vibrant community

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17th March 2023

Corrine McMillan MP, Member for Mansfield

Chair - The Community Support and Services Committee

Queensland Parliament

By email: cssc@parliament.qld.gov.au

Dear Chair,

Re: Submission to the Queensland Parliament's Community Support and Services Committee regarding the Path to Treaty Bill 2023

1. Introduction

Torres Shire Council (Council) notes that the objectives of the Path to Treaty Bill 2023 are outlined in its Preamble as follows:

An Act to establish the First Nations Treaty Institute to prepare a framework for treaty negotiations with Aboriginal peoples and Torres Strait Islander peoples and to support Aboriginal peoples and Torres Strait Islander peoples to participate in treaty negotiations, to provide for the establishment of the Truth-telling and Healing Inquiry to inquire into the continuing impacts of colonisation on Aboriginal peoples and Torres Strait Islander peoples, and to amend this Act, the Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Act 1984 and the Fire and Emergency Services Act 1990 for particular purposes.

These objectives dovetail with the Masig Statement. - Malungu Yangu Wakay (Voice from the Deep) signed as part of the 85th Anniversary celebrations of the First Island Councillors Conference that took place on Masig Island on 23rd August 1937.

2. Discussion

The four aims outlined in the Masig Statement are to achieve self-determination for the people of the Torres Strait and Northern Peninsula area; to freely determine political status and pursue economic, social and cultural development; self-government in matters relating to internal and local affairs, and to create partnerships with regional stakeholders, and the Queensland and federal governments to achieve the region's goals and aspirations.

These objectives derive from Articles 3 and 4 of the UN Declaration on the Rights of Indigenous Peoples. *Malungu Yangu Wakay* seeks a beginning of regional sovereignty in the Torres Strait by August 2037.

Accordingly, it is Council's view that the Masig Statement - *Malungu Yangu Wakay* (Voice from the Deep) should be referenced in the Bill's preamble, especially given its significance. *Malungu Yangu Wakay* is the beginning of a new beginning, a culturally united path to regional sovereignty. It connects our past to the present, and the present to our future. It is the link that joins the heroic work of our forebears at the First Island Councillors Conference that came after the longest maritime strike in Queensland and Australia's history the year before (1936) here in the Torres Strait, it connects our forebears' aspiration for self-government in 1937 to our aspiration for self-determination today. It enshrines our culture. It respects our history. It secures our independent future.

Whilst a preliminary road map has been roughly drawn, the necessary legal, governance and other research required to achieve the Masig Statement's ambition will be invaluable supported by the proposed Institute. **Council sees the creation and work of the proposed First Nations Treaty Institute as a critical support in achieving the ambition enshrined in the Masig Statement.**

Council has no objection and indeed supports the purpose of the legislation to:

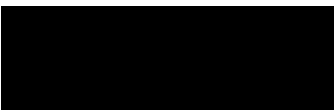
(a) establish the First Nations Treaty Institute to— (i) develop and provide a framework for Aboriginal peoples, Torres Strait Islander peoples and the State to enter into treaty negotiations; and (ii) support Aboriginal peoples and Torres Strait Islander peoples to participate in treaty negotiations; and (b) provide for the establishment of the Truth-telling and Healing Inquiry to inquire into, and report on, the impacts of colonisation on Aboriginal peoples, Torres Strait Islander peoples and the history of Queensland.

3. Recommendation

The Masig Statement. - *Malungu Yangu Wakay* (Voice from the Deep) be referenced in the Bill's preamble, especially given its historical, cultural and political significance.

Council thanks the Committee for its efforts in engaging with the community and looks forward to appearing before the Committee at the public forum on Tuesday 21st March 2023.

Yours faithfully



Dalassa Yorkston

Chief Executive Officer

THE MASIG STATEMENT

23 August 2022

MALUNGU YANGU WAKAY

The Voice from the deep

PURPOSE

To establish principles and parameters on behalf of the peoples of the Torres Strait and Northern Peninsula Area to act together in unity, in order to pursue and achieve self-determination and regional autonomy and, in so doing, preserve our distinctive and diverse spiritual, material and economic relationship with the lands, territories, waters, coastal seas and other resources with which we have a connection under Ailan Kastom and Aboriginal tradition.

AIMS

- 1. In accordance with Article 3 of the United Nations Declaration on the Rights of Indigenous Peoples adopted by the United Nations General Assembly on 13th September 2007 and supported by the Australian Government on 3rd April 2009 and the Preamble of the Human Rights Act 2019 (Qld), we seek to achieve our right to self-determination as the peoples of the Torres Strait and Northern Peninsula Area.*
- 2. By virtue of our sovereign right, we have the right to freely determine our political status and to freely pursue our economic, social and cultural development.*
- 3. In keeping with Article 4 of the United Nations Declaration on the Rights of Indigenous Peoples, in exercising our right to self-determination, we have the right to autonomy or self-government in matters relating to our internal and local affairs, as well as ways and means for financing their autonomous functions.*
- 4. Therefore, we will create partnerships with Key Regional Stakeholders, the Queensland and Australian governments together with other relevant organisations to better equip us to work together to achieve our regional goals and aspirations; and in working together as representatives of the peoples of the Torres Strait and Northern Peninsula Area obtain and safeguard our human rights enshrined in international, national and Queensland law.*

PAST	23 August 1937 was the beginning of regional autonomy – The Torres Strait Island Councillors Conference.
PRESENT	23 August 2022 is the beginning of a new beginning, a culturally united path to regional sovereignty - The MASIG Statement.
FUTURE	23 August 2037 will be the beginning of regional sovereignty.

**COMMEMORATING THE 85TH ANNIVERSARY
OF THE FIRST TORRES STRAIT ISLAND COUNCILLORS CONFERENCE
23 AUGUST 1937 – 23 AUGUST 2022**

The MASIG Statement is the beginning of a new beginning, a culturally united path to regional sovereignty.

Please sign The MASIG Statement by writing your name, your clan/nation/ language group and signature
at the Signing Ceremony at Masig on 23rd August 2022.

Koeyma Eso, Au Esoau