

30 April 2021

Joint Submission to the First Nations Voice Co-Design Process

We are a group of individuals and organisations based in the Northern Territory – First Nations and non-First Nations and from a range of sectors – who share a deep concern about the climate crisis and are committed to working towards climate justice in the Northern Territory. We are making this joint submission to the First Nations Voice co-design process as we believe that a constitutionally-enshrined First Nations Voice to Parliament, as called for in the Uluru Statement from the Heart, is essential for achieving climate justice in Australia.

Climate change is projected to have significant impacts on lands and livelihoods in the Northern Territory by as early as 2030, and extreme impacts by 2070, including more severe cyclones, increased droughts, changed fire regimes, more erratic rainfall, and extreme temperatures (Webb & Hennessey 2015). Oppressive heat will see Darwin experience over 300 days per year of temperatures over 35 degrees Celsius by the year 2090 (Webb & Hennessey 2015).

Already, the Northern Territory's experience of the impacts of climate change has been startling. Its three principal ecosystems, the northern savannas and coastal mangrove forests of the wet/dry tropics in the "Top End", and the arid zone interior of Central Australia, all meet the criteria to be classified as "collapsing" (Bergstrom et al. 2021). Mammal populations in the Northern Territory are in sharp decline, with many at risk of extinction (Fitzsimons, Legge, Traill, & Woinarski 2010). Australia's key environmental law, the Environment Protection and Biodiversity Conservation Act 1999 ("EPBC Act"), has been ineffective at preventing such outcomes here and elsewhere in Australia (Samuel 2020). As Professor Samuel stated in his review of the EPBC Act, "Australia's natural environment and iconic places are in an overall state of decline and are under increasing threat. The current environmental trajectory is unsustainable" (Samuel 2020).

Climate change will exacerbate existing entrenched inequalities in housing, health, infrastructure and employment, with impacts felt disproportionately by First Nations people and lands in northern Australia (Green, Jackson, & Morrison 2009). After two "failed" wet seasons in 2018 and 2019, some remote First Nations communities across the Northern Territory came close to running out of water, in addition to being crammed into overcrowded housing without air conditioning amid searing temperatures (Allam 2019). The Territory's own Environment Minister acknowledged recently that the NT as a whole may become uninhabitable for humans if we continue on our global carbon emissions trajectory (Roberts 2019).

Taking action on climate change must involve mitigating Australia's contributions to the causes of climate change as well as adapting to its present and future effects. In deciding what actions to take, it is essential that a climate justice approach is applied: recognising the capitalist and colonial origins of climate change, its unevenly distributed effects that particularly impact First Nations peoples, and therefore prioritising climate solutions led and supported by First Nations communities, and that simultaneously work to reduce existing vulnerabilities and inequalities (see for instance Schlosberg & Collins 2014; Whyte 2020; Howey & Grealy 2020).

However, it is impossible to achieve just climate outcomes when our present constitutional structure does not allow for First Nations voices to be consistently heard on the climate crisis, or any other issues. A legislated First Nations Voice to government or to Parliament is not sufficient: the Voice must be constitutionally enshrined so that it cannot be destroyed by the government of the day, as other First Nations bodies have been in the past (Mayor 2021; Davis 2021).

Enshrining a First Nations Voice to Parliament in the constitution is an essential step towards climate justice as it will allow First Nations concerns and solutions to be heard. Our collective answers to the intertwined social and environmental crises that we currently face must be informed by the knowledge and governance systems that First Nations people have developed over the many thousands of years they have been caring for and living sustainably on Country.

As Indigenous scientist and Nyikina Traditional Custodian Dr Anne Poelina powerfully argues (quoted in McInerney 2017):

We need ... to recognise that traditional ecological knowledge is Indigenous science because it's thousands and thousands of years of observation, recording and transmission of knowledge over generations. Not only knowledge production but knowledge adaptation to complex and changing systems... So our voices need to be in there, they need to be valued, and they need to be part of the collaboration on how we right-size the planet and the wicked problems in the world we have created.

Supporting this point, in a study that encompassed sites in Australia, Canada and Brazil, Indigenous land management practices have been shown to be equally or more effective at preserving vertebrate biodiversity than existing protected areas (Schuster et al. 2019). In addition to biodiversity benefits, there are already excellent examples in the Northern Territory of First Nations leadership on climate change – in particular, the development of the Indigenous carbon industry.

When we walk with First Nations peoples in a movement for a better future, as the Uluru Statement generously invites us to do, we are and will be walking together through a climate-changed world. A constitutionally enshrined First Nations Voice to Parliament is an essential first step in ensuring that First Nations people will always be able to speak and be heard on policies that affect Country and policies that will impact on the ability of First Nations people to live on country as the climate changes.

We add our voices to the many others inspired by the gift of the Uluru Statement in calling for a constitutionally-enshrined Voice to Parliament, and specifically that:

- 1. The Government to honour its election commitment to a constitutional referendum once a model for the Voice has been settled;**
- 2. Enabling legislation for the Voice to be passed after a referendum has been held in the next term of Parliament; and**
- 3. The membership model for the National Voice to ensure previously unheard Aboriginal and Torres Strait Islander people have the same chance of being selected as established leadership figures.**

This joint submission is from the following organisations and individuals:

Environment Centre NT
protecting nature | living sustainably | creating a climate for change



CatholicCare NT



ICIN Indigenous Carbon Industry Network



Sisters of Charity
of Australia



Elbow
workshop

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| Dr Karen Edyvane | Honorary Research Fellow, Fenner School of Environment & Society, The Australian National University |
| Stacey Ella | Managing Lawyer - Northern Territory, Environmental Defenders Office |
| Julie Fraser | Labor Environment Action Network |
| Dr Liam Grealy | Postdoctoral Fellow, Housing for Health Incubator |
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