

Statement of Intention to negotiate Statewide Treaty

This always was and always will be Aboriginal land.

Connection to Country is as profound as it is unique.

First Peoples have always been here and forever more we will remain. Ours is the oldest living culture on the planet and it is time for our culture to thrive again – to be recognised, respected, shared and celebrated.

As the elected representatives in the inaugural term of the First Peoples' Assembly of Victoria (Assembly), we've been entrusted by Community to find a path for an important and long overdue journey – the journey towards Treaty making in Victoria.

This is a shared journey, but it must be led by First Peoples. It needs to be grounded in our culture, our lore, and our laws. We want to do things our way.

First Peoples' rights are inherent. And while our experiences are unique, we do share collectively recognised needs, hopes and aspirations with First Peoples from around the world. That's why we're working to put the *UN Declaration on the Rights of Indigenous Peoples* into action here in Victoria. We're establishing our own representative structure, chosen by our people, to give effect to self-determination.

In establishing the Treaty Negotiation Framework (the Treaty rules), we've been guided by Community and crafted a shared vision of a better future.

We are now on a clear path towards Treaty that will benefit everyone who calls what is now known as Victoria home.

For too long, First Peoples have had laws and policies imposed on us by governments that don't understand or respect us or our culture. The ravages of past injustices cannot be erased, but the lasting and flow-on impacts of dispossession must be reckoned with as we repair and restore our rightful standing and assert our rights as First Peoples.

Treaty is about ensuring First Peoples will always have the freedom and power to make the decisions about our communities, culture and lands.

It is also an invitation for everyone in Victoria to share in and celebrate our culture.

With our work to reach agreement about the Treaty rules now complete, the foundations are set for Treaty negotiations to begin this year.

As the inaugural elected Members of the Assembly, we are declaring that, following our upcoming state-wide elections to be held from May to June this year, the Assembly intends to negotiate Statewide Treaty outcomes over the land and waters now known as Victoria.

Statewide Treaty will have the empowerment and self-determination of First Peoples at its heart. This means genuine self-determination – the transfer of political power and decision-making power to First Peoples to make the decisions that affect our communities, lands and waters.

This means that First Peoples can take control of our lives and deliver better outcomes for our communities. First Peoples – not government – deciding First Peoples’ needs, priorities and aspirations. We as First Peoples finally in the driver’s seat.

A Statewide Treaty will not be a static document or a list of deliverables frozen in time. Treaty is about how we journey together. It is a living commitment to evolving and continuous agreement-making.

Through Interim Agreements, the Assembly will progressively take back rights and decision-making power from the state and return it into the rightful hands of First Peoples.

Statewide Treaty must be for all First Peoples who now call Victoria home.

In negotiating Statewide Treaty and entering into agreements with the state to secure rights for First Peoples, the Assembly intends to meet the Minimum Standards of Community and Inclusivity by representing and being accountable to the full diversity of all First Peoples in Victoria in the following ways.

Assembly Members will represent and be accountable to Traditional Owners and all First Peoples living in Victoria. We will do this by:

- asking Traditional Owners of Country in Victoria and other First Peoples living in Victoria to enrol with the Assembly and vote in our upcoming elections to elect Assembly Members to represent them in the Treaty process
- General Members of the Assembly consulting with all First Peoples in and connected with their Region
- Reserved Members of the Assembly consulting with their Traditional Owner group members and other First Peoples connected with their Country, and
- all Members consulting broadly so they listen to the views of all First Peoples, including Aboriginal Community Controlled Organisations (ACCOs), Aboriginal Trusts and non-Victorian Traditional Owners living in Victoria.

Fulfilling this commitment requires clear roles and responsibilities for Assembly Members, including:

- a commitment to prioritise Assembly work

- some Members taking on additional responsibilities through ‘portfolios’
- Members being remunerated appropriately
- enhanced regional structures and engagement processes to drive Community engagement
- Members being supported by a fit-for-purpose operational structure that will enhance Member participation in, and decision-making over, Treaty-related matters, and
- measures ensuring regular reporting and accountability to Community.

Community guides our every step on the journey – from Assembly elections, to constant yarning and engagement.

The Assembly will continue to build and strengthen its **representative structures and processes** to continue to ensure that the voices of all First Peoples are heard.

We will do this by:

- having a clear process in place for an additional pathway for Reserved Seats on the Assembly
- strengthening our consultative and advisory structures for important voices to be heard, including through:
 - the Elders’ Voice, to provide cultural strength, wisdom and guidance
 - the Youth Voice, to ensure young peoples’ ideas and aspirations are heard
- creating targeted engagement activities and mechanisms to work with Aboriginal Community-Controlled Organisations (ACCOs) and Aboriginal Trusts through regular dedicated forums, meetings and yarning circles around the state, as well as draw on the specific knowledge and expertise of ACCOs on subject matters relevant to Treaty to inform Treaty proposals and outcomes, and
- building stronger relationships with, and running engagement and consultation activities for, diverse groups and communities throughout Victoria, including members of the Stolen Generations, and Aboriginal and Torres Strait Islander people living off Country in Victoria.

The Assembly will continue to strengthen our **governance and decision-making processes** by:

- by being guided by the Assembly’s Yurpa Committee, continuing to decolonise Western decision-making structures and building culturally strong processes that uphold Cultural Authority in all our decision-making
- continuing to draw on the cultural wisdom and guidance of the Elders’ Voice to guide the Treaty process and Assembly decision-making
- build on existing robust decision-making processes to increase the voting threshold for decisions by our Chamber on key Treaty-related matters

- ensure that a wide diversity of voices contribute to Assembly decision-making, including through the Assembly’s strengthened consultative and advisory structures.

In undertaking this important work, the Assembly will ensure that it can demonstrate the **collective support** of all Traditional Owners and First Peoples living in Victoria for Treaty outcomes. We will do this by:

- bringing all First Peoples along on the journey to Statewide Treaty to ensure no one is left behind
- building on the strength, wisdom and advocacy of First Peoples who have come before us
- ensuring that the Assembly’s representative, consultative and advisory processes provide the opportunity for Community to provide feedback on Treaty-related matters and are directed at obtaining freely offered support for Statewide Treaty outcomes, including Interim Agreements.

Through the negotiation of Interim Agreements, the Assembly intends to secure the early activation of rights for First Peoples.

Statewide Treaty outcomes that the Assembly intends to pursue includes the establishment of a First Peoples’ representative decision-making body, or “Black Parliament”, with law-making and decision-making power over matters of particular importance to First Peoples.

We will continue to build our influence and power and work towards being the Voice for First Peoples in Victoria to the Victorian Parliament and at the Commonwealth level.

In pursuing rights and power for our people, we will focus on:

- giving effect to genuine self-determination by transitioning power away from the state and placing decision-making in the hands of First Peoples who are most affected by decisions
- building on existing rights, entitlements and hard-fought gains that have been secured by First Peoples
- ensuring that the purpose of any transfer of any powers and functions must be to create improved, more holistic outcomes for First Peoples in Victoria
- ensuring that agreements made with the state are an enduring commitment to work together with First Peoples – and only subject to change with our consent
- keeping the state accountable to its commitments and responsibilities, and
- ensuring that Statewide Treaty outcomes will complement local outcomes seeking to be secured by Traditional Owner Groups through the negotiation of Traditional Owner Treaties.

Our commitment to Community

Consistent with the requirements in the Treaty Negotiation Framework, the Assembly makes this Statement of Intention to be the Primary Negotiating Party on behalf of all First Peoples living in Victoria for Statewide Treaty.

In doing so, the Assembly will deliver on the commitments outlined above to satisfy the minimum standards of **Land and Waters, Community, Leadership and Inclusivity**.

As we put these commitments into practice, we will continue to develop and strengthen our practices in the months and years ahead, particularly as the aspirations and priorities of our Community evolves over time.

Through the upcoming election process and informed by the Assembly's consultative and advisory structures, Assembly Members will have the privilege of carrying the burden of our peoples' hopes, needs and aspirations into Statewide Treaty negotiations – the first Treaty between First Peoples and any government in Australia.

It has been an honour to serve our communities as Assembly Members and provide leadership on this journey.

What the membership of the second term of the Assembly will look like is up to all First Peoples from and in Victoria, who will make their choice by casting their votes in May.

Enrol and Vote. Show your support and have your say.

This is your journey. You get to help decide what the next steps will be.

Walk with us.

[Read the formal Announcement of Intention to Negotiate the Statewide Treaty in accordance with Clause 16.3\(a\) of the Treaty Negotiation Framework.](#)