



**Edmund Rice Centre**

Awareness. Advocacy. Action

## **ERC JUSTICE UPDATES**

**April 2023 No.88**

Dear Friends,

This 88th Edition of ERC Justice Updates, our regular newsletter from the Edmund Rice Centre, on matters relating to human rights, first nations, refugees and people seeking asylum and environmental justice.

May we never forget those in this broken world for whom we strive to make things better. One must never lose hope and continue to hold dear to Blessed Edmund Rice's three main tenets: **COMPASSION LIBERATION & PRESENCE**

**"Hope is like a bird that senses the dawn and carefully starts to sing whilst it is till dark". Author unknown**

Please note that if you come up against a paywall in "any of the articles below - please contact me at: [mmcinerney@edmundrice.org](mailto:mmcinerney@edmundrice.org) and I will send you the full article.

Previous editions are available at <https://www.erc.org.au/newsletters>

**Peace & Blessings**

**Marita**

**Communications Project Officer,**

**Marita McInerney**

***Aboriginal and Torres Strait Islander readers are advised that there may be articles in this publication with names and images of deceased people.***



Yunupingu, pictured in 2019, has died at the age of 74. Credit: Peter Eve/Yothu Yindi Foundation

## **‘A giant of the nation’: Indigenous leader Yunupingu dies, aged 74**

***Jack Latimore, Sydney Morning Herald, 3rd April 2023***

Yunupingu, a senior Yolngu lore man, Gumatj clan leader and the keeper of songlines, has died in north-east Arnhem Land on Monday, aged 74, after a long illness.

The man, whose name means “sacred rock that stands against time”, was born in 1948 on Gunyangura, an island in the Northern Territory’s Melville Bay, north-east Arnhem Land, to parents Mungarrawuy and Makurrngu.

He became one of the most prominent and influential Indigenous leaders of the past century by advancing Aboriginal rights, particularly land rights, under successive governments, before more recently focusing on the constitutional recognition of Aboriginal and Torres Strait Islander peoples.

His passing brought immediate tributes from national leaders, who praised his passion and dedication to his people.

Prime Minister Anthony Albanese called Yunupingu one of the greatest Australians and recalled the last conversation he had with him.

“Yunupingu is one of the greatest of Australians, a former Australian of the Year, someone who played an absolutely central role in the Uluru statement from the Heart,” Albanese said on RN Breakfast.

“Someone who is an extraordinary leader of a people and someone who was widely, widely respected right across Indigenous and non-Indigenous

Australia.”

“He was a remarkable individual and his leadership was extraordinary,” he said.

“In his final months, Yunupingu reminded us: ‘the future is our responsibility’, and that we all have a responsibility to show leadership on reconciliation, recognition, and the referendum.”

.....  
Academic Professor Marcia Langton, who heads the prime minister’s working group on an Indigenous Voice, said she knew Yunupingu for more than four decades and described him as “an unwavering friend, a guide and a teacher”.

“He loved his Country and his culture, and held his ceremonial responsibilities as the highest priority,” she said.

***“If he had not been such a great leader, not just Aboriginal cultures across Australia, but also Australian culture would have suffered, and been far less rich ... his representations were always for the good of his people and other peoples.”***

**Read full story:**

<https://www.smh.com.au/national/a-giant-of-the-nation-indigenous-leader-yunupingu-dies-aged-74-20230324-p5cuyc.html>

**Despite the rancour, Coalition’s Voice policy is very similar to Labor’s  
Anne Twomey, *The Age*, 10th April 2023**

Despite the political acrimony over the Voice referendum, what’s most striking is the similarities between the positions of the Coalition and the Labor government.

Both agree Aboriginal and Torres Strait Islander peoples should be recognised in the Constitution. Both agree practical outcomes are needed to improve the lives of Indigenous Australians. Both agree parliament and the executive government need to be better informed about the laws and policies they make, and that they need to hear the voices of those on the ground who are affected by those laws and policies. Given this agreement about what needs to be done, why is there disagreement about the referendum?

The major sticking point seems to be the relationship between constitutional recognition and achieving practical outcomes. The Albanese government proposes to achieve practical outcomes by establishing a constitutional means by which Aboriginal and Torres Strait Islander peoples can influence the laws and policies that affect them.

This is the form of constitutional recognition supported by Aboriginal and Torres Strait Islander peoples in consultations held across Australia by the Referendum Council, culminating in the Uluru Statement from the Heart. It wasn’t invented and

imposed top-down by the Albanese government.

In contrast, the Coalition proposes that constitutional recognition be split from practical outcomes. It would instead legislate to establish local and regional Voices, but not a national Voice.

It's unclear what kind of constitutional recognition the Coalition proposes. But it would appear to be symbolic recognition, such as a reference in a preamble. This could be in either the existing preamble in the British act that contains the Australian Constitution, or in a new preamble inserted in the Constitution itself.

**Read full story:**

<https://www.theage.com.au/politics/federal/despite-the-rancour-coalition-s-voice-policy-is-very-similar-to-labor-s-20230410-p5cz7t.html>



**EASTER TO PENTECOST DISCUSSION SERIES**  
**“VOICE CRYING IN THE WILDERNESS”**

**PREAMBLE**

In September 2021, Archbishop Mark Coleridge publicly endorsed the *Uluru Statement From the Heart* and made an historic commitment on behalf of the Catholic Church to support First Nation leaders in advocating for a constitutional Voice. “What has been done to the Indigenous peoples of this land could only have been done by denying that they were in fact human – they were at best perhaps subhuman... God is going to take out of us that heart of stone and give us a heart of flesh – the heart of Jesus ... that recognises the other as a human being,” Archbishop Coleridge said whilst standing on Quandamooka country at the Santa Teresa Spirituality Centre in Ormiston.

**OVERVIEW OF DISCUSSION**

Over the seven weeks from Easter to Pentecost, Catholic groups, especially in parishes, are invited to reflect on what the *Uluru Statement From the Heart* is asking of all Australians.

These four discussion sessions can take place anytime in that seven week period, and are an opportunity for Catholics to find out why the Voice to

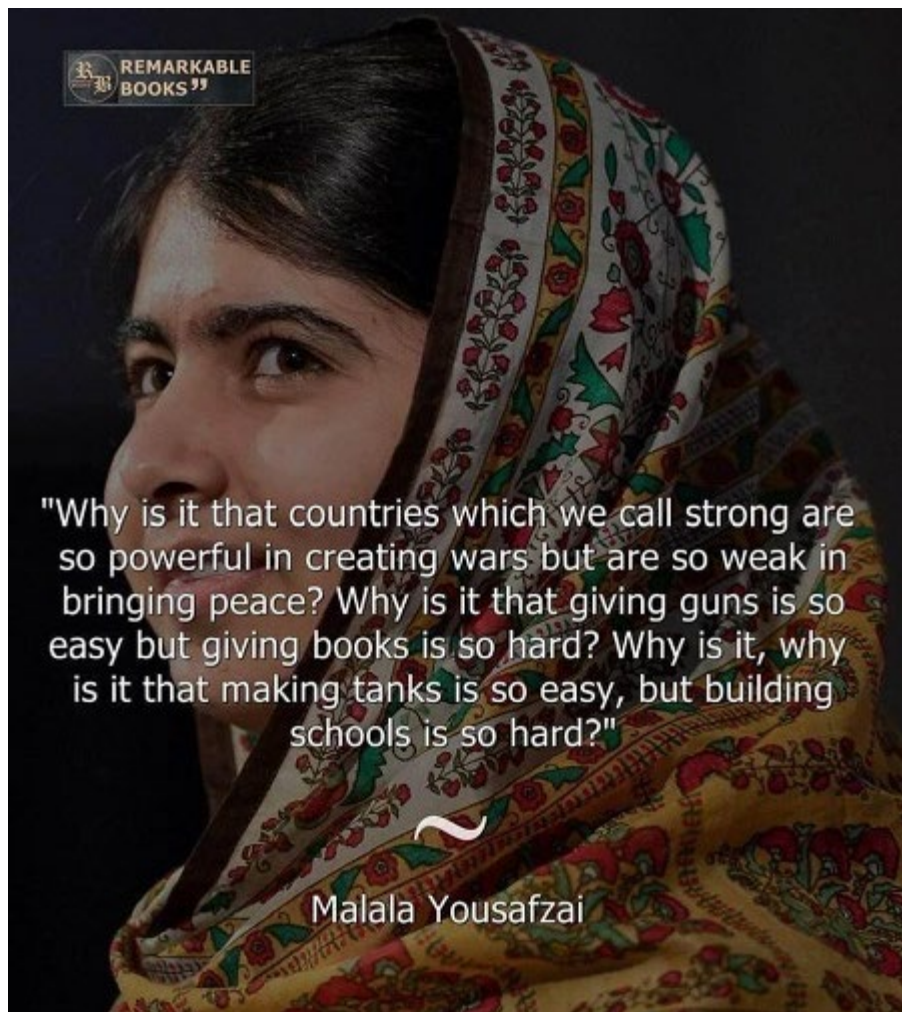


Parliament is important to First Nations people and why the Catholic Bishops are supporting the call for a Voice to Parliament.

The season of Easter reminds us of the new life and hope for the future expressed through the life, death and resurrection of Jesus. At Pentecost, the Apostles are emboldened when filled with the Holy Spirit to carry out the mission of Jesus to reconcile all people to God and to each other. In this season we are invited to listen to the promptings of the Holy Spirit as we listen to the cry from the hearts of First Nations leaders. We are invited to consider the question: how are we to respond as followers of Jesus and as a nation? These four sessions, spread over seven weeks between Easter and Pentecost, are designed to go for roughly one and a half hours, with reflections and prayers included.

**Download full Resource here:**

[https://mcusercontent.com/a32ed7282d05491fc0fb938aa/files/5ad6c9c7-1e5a-da29-6be7-0c5e42ad03dc/Easter\\_to\\_Pentecost\\_Discussion.pdf?mc\\_cid=8fd12ce23d&mc\\_eid=53e93d1be8](https://mcusercontent.com/a32ed7282d05491fc0fb938aa/files/5ad6c9c7-1e5a-da29-6be7-0c5e42ad03dc/Easter_to_Pentecost_Discussion.pdf?mc_cid=8fd12ce23d&mc_eid=53e93d1be8)



"Why is it that countries which we call strong are so powerful in creating wars but are so weak in bringing peace? Why is it that giving guns is so easy but giving books is so hard? Why is it, why is it that making tanks is so easy, but building schools is so hard?"

Malala Yousafzai



Up to one thousand Afghan partners and children of people entitled to live in Australia are stuck under Taliban rule awaiting visa processing. Source: Supplied / Glen McCarthy

## **'Horrendous numbers': Hundreds of partners and children of Australian citizens stuck under Taliban rule**

***Finn McHugh, SBS News, 10th April 2023***

***Newly-released data has laid bare the number of Afghans still attempting to join their loved ones in Australia, some stuck under Taliban rule, with others waiting for more than a decade.***

### **Key Points:**

- Up to 1,000 partners of children of Australian citizens are stuck under Taliban rule.
- Around 7,000 Afghan nationals were awaiting on partner visas to join loved ones in Australia.
- The Greens are calling for action to lower the 'horrendous numbers'.

Up to 1,000 partners or children of Australian citizens are stuck under Taliban rule, facing a choice between a dangerous trip across the border or remaining indefinitely separated from their loved ones.

Nearly 7,000 Afghan nationals, including 2,537 children, are waiting for their partner applications to be finalised, according to data from the Department of Home Affairs of the backlog as of the end of 2022.

One thousand are stranded in Afghanistan under the Taliban, which has imposed a brutal rule since seizing control of the country in 2021, with the remainder scattered across the globe.

Greens immigration spokesperson Nick McKim, whose questions to the Department prompted the data disclosure, said most of the "responsibility" for

the backlog fell on the previous Coalition government, but it was incumbent on Labor to expedite processing.

"These are horrendous numbers, " he said.

The numbers also laid bare long processing delays, with more than 1,000 still yet to receive a resolution despite lodging their application a decade ago.

Labor in February revoked a ministerial direction that put the partners of people who arrived by boat at the bottom of the processing queue. Those waiting a decade or more were most likely to have been subjected to that direction.

Senator McKim welcomed its "long overdue" revocation, but called for more resources to expedite processing and "get people out of danger".

"This has been far too big a problem for far too long. These are human lives that we're talking about here," he said.

"And behind [them] is a large number of people who have a direct family connection to Australia, who have been left languishing often in very dangerous circumstances for far too long."

**Read full story:**

<https://www.sbs.com.au/news/article/horrendous-numbers-hundreds-of-partners-and-children-of-australian-citizens-stuck-under-taliban-rule/4jqa8pe32>



Bishop Vincent Long OFM Conv, Bishop of Parramatta. Image: Diocese of Parramatta

## **Bishop Vincent's address to the Australian Refugee Action Network's Palm Sunday National Day of Action**

***Catholic Outlook, 4th April 2023***

***Bishop Vincent's address to the Australian Refugee Action Network's (ARAN) Palm Sunday National Day of Action 'Justice for Refugees Permanent Protection for All Refugees'***

***Palm Sunday of the Passion of the Lord, 2nd April 2023***

Dear friends,

Thank you for being here in this march for refugees, social justice and peace. We join many others across Australia and indeed across the globe to form a chorus for peace, human solidarity and a hope-filled vision for future generations.

I am a former boat person. I fled war-torn Vietnam in the wake of the communist takeover of South Vietnam, not unlike the Afghan, Syrian, Iraqi refugees of today. What has changed is the Australian government's response to the issue over the years. I hope to see the same level of bipartisan support for refugees now as there was for me and my fellow boat people in the '70s and '80s.

We have recently made some modest progress for refugees. We welcome the Albanese Government's promise to give permanent visas to 19,000 refugees on Temporary Protection Visas and Safe Haven Enterprise Visas. But there are thousands of other refugees with no promise of permanent visas: 10,000 people rejected under the Coalition's unfair fast-track processing system, including many now threatened with deportation. 150 refugees still stranded on Nauru and PNG. 1,200 Medevac refugees and families from Nauru who are now in Australia but told they cannot stay in Australia.

We call on the Government to implement a fairer process for all affected by the unjust fast-track process and provide an adequate safety net for all asylum seekers; to resettle all people still subject to offshore processing and move them to Australia while they await resettlement; to make detention a last resort and improve living conditions for those detained for security reasons.

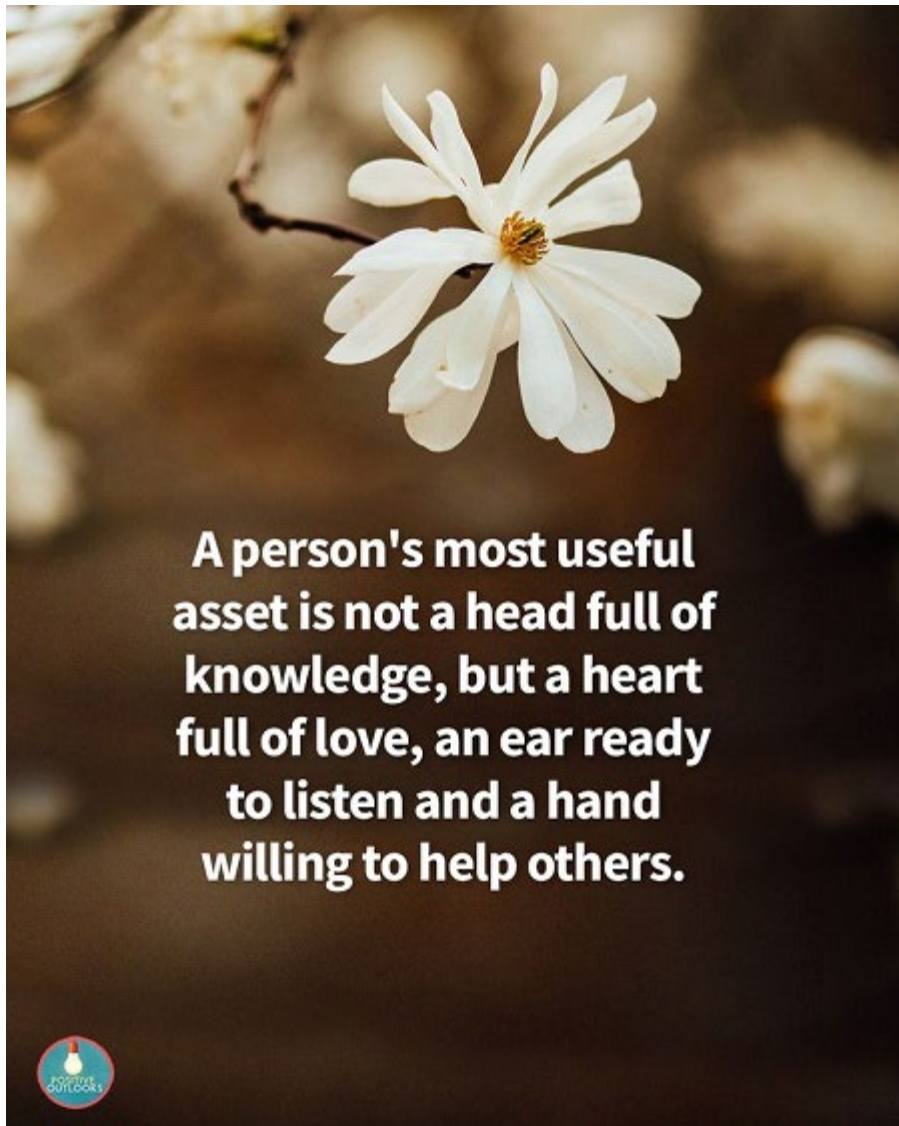
It is time for us to reclaim Australia as a responsible world citizen, a wealthy and resourceful nation capable to rise to new challenges as it did throughout history –the kind of Australia that refugees like myself are living testament to. It is time to re-enshrine the best of our traditions with policies that reflect our solidarity, human decency and care for the most vulnerable.

It is also time to build a culture of encounter, dialogue and cooperation instead of resorting to suspicion, mistrust and warmongering. Rather than defaulting to military options, we need to ask how human security, both at home and abroad – and the security of all creation – might best be served at this time. The AUKUS deal raises questions that touch the core of a healthy and mature democracy.

**Read full article:**

<https://catholicoutlook.org/bishop-vincent-address-to-the-australian-refugee-action-networks-palm-sunday-national-day-of-action/>





**A person's most useful  
asset is not a head full of  
knowledge, but a heart  
full of love, an ear ready  
to listen and a hand  
willing to help others.**





## **Australia lost a true giant with the death of Michael Finnane**

Michael Finnane was a leader in every sense of the word – one of Australia's best judges, a mentor to politicians and social justice advocates, a true friend of East Timor and Sri Lanka through their darkest days, and a staunch ally of the peoples of the Pacific. He was a generous and committed philanthropist, a great friend of the Edmund Rice Centre, and foundation supporter and mentor to ERC's Pacific Calling Partnership.

The world has too few moral leaders, but Michael Finnane was one. There was no gap between the values he espoused and the way in which he lived his life.

A man of faith and practical action, Michael used his life to heal the broken, bring justice to oppressed people in Australia and the wider world, whilst at the same time helping others to believe that real change was possible.

His powerful life served to bend the long arc of history towards justice.

Phil Glendenning AM

Emeritus Director, Edmund Rice Centre Justice and Community Education

**Read in full**

**[:https://www.erc.org.au/australia\\_lost\\_a\\_true\\_giant\\_with\\_the\\_death\\_of\\_michael\\_finnane](https://www.erc.org.au/australia_lost_a_true_giant_with_the_death_of_michael_finnane)**



Damage in the aftermath of Category 4 Cyclone Kevin in Port Vila, Vanuatu, on March 4, 2023.

## **‘A win of epic proportions’: World’s highest court can set out countries’ climate obligations after Vanuatu secures historic UN vote**

***Rachel Ramirez, CNN News, 29th March 2023***

Pacific Island nation of Vanuatu on Wednesday won a historic vote at the United Nations that calls on the world’s highest court to establish for the first time the obligations countries have to address the climate crisis — and the consequences if they don’t.

Vanuatu has long faced the disproportionate impacts of rising seas and intensifying storms. And in 2021, it launched its call for the UN International Court of Justice to provide an “advisory opinion” on the legal responsibility of governments to fight the climate crisis, arguing that climate change has become a human rights issue for Pacific Islanders.

Although the advisory opinion will be non-binding, it will carry significant weight and authority and could inform climate negotiations as well as future climate lawsuits around the world. It could also strengthen the position of climate-vulnerable countries in international negotiations.

This year has already been rough for Vanuatu: It is currently under a six-month state of emergency after a rare pair of Category 4 cyclones pummeled the country within 48 hours during the first week of March. The islands’ residents are still picking their way through the storms’ rubble.

Wednesday’s resolution for an advisory opinion passed by majority, backed by more than 130 countries. Two of the world’s largest climate polluters, the US and China, did not express support, but did not object meaning the measure passed by consensus.

This is the first time the highest international court is called on to address the climate crisis. The landmark decision is “essential,” UN Secretary General António Guterres said in his remarks to the assembly. “Climate justice is both a moral imperative and a prerequisite for effective global climate action.”

**Read full story:**

[https://edition.cnn.com/2023/03/29/world/un-advisory-opinion-vanuatu-climate-change/index.html?fbclid=IwAR2ahvjXXxvp12SPfYdxI\\_hqFXBVo-C6jmLIfD\\_yYIRSVoxOC\\_ViM8QcCMo#:~:text=Pacific%20Island%20nation%20of%20Vanuatu,consequences%20if%20they%20don't](https://edition.cnn.com/2023/03/29/world/un-advisory-opinion-vanuatu-climate-change/index.html?fbclid=IwAR2ahvjXXxvp12SPfYdxI_hqFXBVo-C6jmLIfD_yYIRSVoxOC_ViM8QcCMo#:~:text=Pacific%20Island%20nation%20of%20Vanuatu,consequences%20if%20they%20don't)



Climate activist Anjali Sharma (Image: AAP/Dean Lewins)

## **Here's how lawyers can save us from the climate crisis**

***Emma Elsworthy, April 6th 2023, Crikey***

***Australia is second only to the US for its surging number of climate litigation. It does work, but perhaps not in the way you might think.***

A group of First Nations traditional owners have lodged a human rights complaint against the ANZ bank and 11 others for doling out a \$1.5 billion loan for fossil fuel titan Santos' offshore gas projects, in one of more than 120 cases worldwide and as Australia becomes the second most litigious place on earth for climate action.

ANZ pitched in for the equal-largest share of Santos' loan — some \$97 million — and pulled in banking counterparts Commonwealth Bank of Australia (CBA) and Japan's largest bank, MUFG, which scored a \$3.7 million bank fee payday each from the hefty transaction. Westpac, NAB, ING and Citigroup also received human rights complaints over the loan.

The traditional owners, six of whom are from the Tiwi Islands and one of whom is Larrakia, were fighting the Northern Territory's Barossa project in the Federal Court when the loan was quietly finalised, arguing Santos did not

consult Tiwi communities properly before launching the climate-averse project that could destroy their way of life.

That means there was no free, prior and informed consent given by First Nations communities for Barossa, a key human right for traditional owners. But ANZ boasts a human rights policy founded on the United Nations' guiding principles for business and human rights that compels banks not to lend money to corporations if it will impact human rights.

In other words, the traditional owners are asking the bank to put its money where its mouth is.

In a statement, an ANZ spokesperson said it would "consider the matter in line with the processes under our human rights grievance mechanism".

Malawu clan leader Therese Wokai Bourke said the human rights complaints were to persuade banks to "rethink what they're doing and stop investing in companies that are destroying our world and environment".

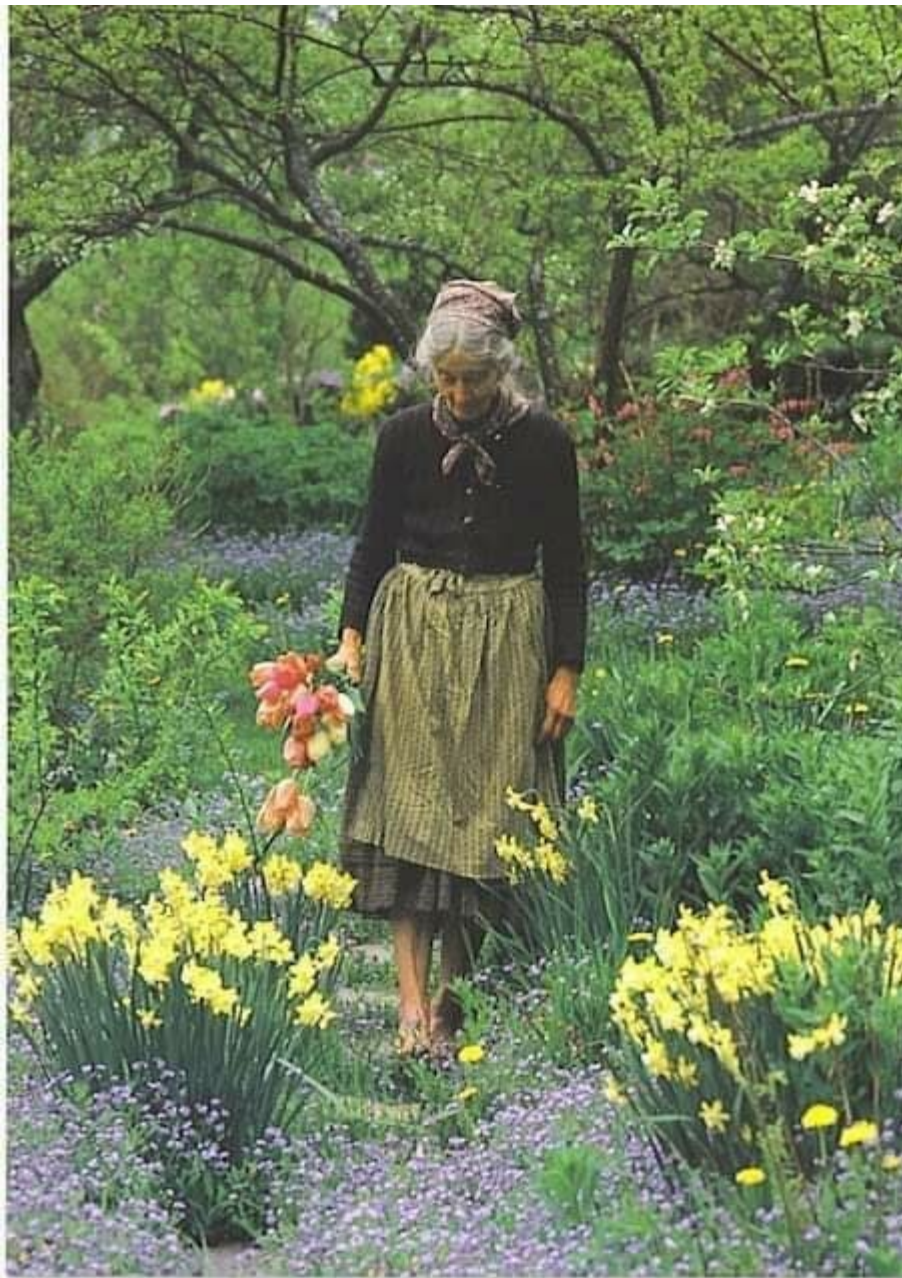
But does climate litigation work when grassroots efforts go head to head with the country's most resourced fossil fuel titans, or the government ministers who greenlight their behaviour? Yes, but perhaps not in the way you expect.

**Read full story:**

<https://www.crikey.com.au/2023/04/06/anz-santos-barossa-gas-project-litigation/>

## REFLECTIONS





Photograph is Tasha Tudor

**Facebook Post: *Daily Dose Of Kindness* 8th April 2023**

*"I asked an elderly woman once what it was like to be old and to know that the majority of her life was now behind her.*

*She told me that she has been the same age her entire life. She said the voice inside of her head had never aged. She has always just been the same girl. Her mother's daughter. She had always wondered when she would grow up and be an old woman.*

*She said she watched her body age and her faculties dull but the person she is inside never got tired. She never aged. She never changed.*

*Remember, our spirits are eternal. Our souls are forever. The next time you encounter an elderly person, look at them and know they are still a*

*child, just as you are still a child and children will always need love, attention and purpose."*

*Author Unknown*

## **Still I Rise**

*By Maya Angelou*

*You may write me down in history  
With your bitter, twisted lies,  
You may trod me in the very dirt  
But still, like dust, I'll rise.*

*Does my sassiness upset you?  
Why are you beset with gloom?  
'Cause I walk like I've got oil wells  
Pumping in my living room.*

*Just like moons and like suns,  
With the certainty of tides,  
Just like hopes springing high,  
Still I'll rise.*

*Did you want to see me broken?  
Bowed head and lowered eyes?  
Shoulders falling down like teardrops,  
Weakened by my soulful cries?*

*Does my haughtiness offend you?  
Don't you take it awful hard  
'Cause I laugh like I've got gold mines  
Diggin' in my own backyard.*

*You may shoot me with your words,  
You may cut me with your eyes,  
You may kill me with your hatefulness,  
But still, like air, I'll rise.*

*Does my sexiness upset you?  
Does it come as a surprise  
That I dance like I've got diamonds  
At the meeting of my thighs?*

***Out of the huts of history's shame  
I rise  
Up from a past that's rooted in pain  
I rise  
I'm a black ocean, leaping and wide,  
Welling and swelling I bear in the tide.***

***Leaving behind nights of terror and fear  
I rise  
Into a daybreak that's wondrously clear  
I rise  
Bringing the gifts that my ancestors gave,  
I am the dream and the hope of the slave.  
I rise  
I rise  
I rise.***

*Maya Angelou, "Still I Rise" from And Still I Rise: A Book of Poems. Copyright © 1978 by Maya Angelou.*

*Source: The Complete Collected Poems of Maya Angelou (1994)*



## **Pace - e - Bene Nonviolence Inspirations**

***“It would seem that, quite possibly, the ultimate measure of health in any community might well reside in our ability to stand in awe at what folks have to carry rather than in judgment at how they carry it.”*** Fr. Gregory

***“One of the prevailing myths of our time is that peace flows from the capacity, willingness, and announced intention to eliminate our enemies. There is another way, the way of nonviolence and negotiation. To create such alternatives with all of the ardor we can muster is the number one priority of the world today.”*** Louie Vitale, OFM

***“The choice is not between violence and nonviolence but between nonviolence and nonexistence.”*** Martin Luther King, Jr.

***“We must understand that stories are at the heart of what is happening, and dishonest narratives of oppressors have proved attractive to many. So we must work to overturn the false narratives of tyrants, populists, and fools by telling better stories than they do.”*** Salman Rushdie

***“To tell the truth is to become beautiful, to begin to love yourself, value yourself. And that’s political, in its most profound way.”*** June Jordan

***“Calming allows us to rest, and resting is a precondition for healing. When animals in the forest get wounded, they find a place to lie down, and they rest completely for many days. They don’t think about food or anything else. They just rest, and they get the healing they need.”***

Thich Nhat Hanh



We acknowledge the Aboriginal and Torres Strait Islander Peoples of Australia as the traditional owners and custodians of the land. We commit ourselves to actively work alongside them for reconciliation and justice. We pay our respects to the Elders; past, present and future. As we take our next step we remember the first footsteps taken on this sacred land.

The Edmund Rice Centre wholeheartedly supports and endorses the  
ULURU STATEMENT FROM THE HEART  
and urges all Australians to get behind this wonderful statement.