



Edmund Rice Centre

Awareness. Advocacy. Action

ERC JUSTICE UPDATES

April 2023 No.89

Dear Friends,

This 89th 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**

This is my simple religion. There is no need for temples; no need for complicated philosophy. Our own brain, our own heart is our temple; the philosophy is kindness. DALAI LAMA

Please note that if you come up against a paywall in "any of the articles below - please contact me at: 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,

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



Gimuy Walubara Yidinji elders Elaine Thomas (left) and Theresa Dewar with the wreath that was laid on Anzac Day at the Cairns cenotaph. Traditional owners hold a separate memorial event on the eve of Anzac Day to commemorate the frontier wars. Photograph: Brian Cassey

Calls grow for Australia's frontier wars to be remembered on Anzac Day

Aaron Smith, The Guardian, 25th April 2023

Unofficial acknowledgment of those killed in precolonial conflicts has grown – but commemoration is still being debated

When Gimuy Walubara Yidinji elder Theresa Dewar lays a wreath at the Cairns cenotaph on Tuesday, it will be to remember a conflict that took place well before Gallipoli.

For the seventh year in a row Dewar and fellow traditional owners will use the occasion of Anzac Day to remember those killed in Australia's frontier wars.

"It is very important for us to meet on that day to remember what went on in the war that was in this country first," Dewar says. "It involved our ancestors, it involved the early settlers, and it was on both sides."

A separate memorial event the group holds on the eve of Anzac Day has continued to grow each year, according to Dewar's sister and fellow elder, Elaine Thomas.

"They were the forgotten people ... but these [memorial] events are appearing all over Australia now," Thomas said.

“We’ve got Indigenous and non-Indigenous people gathering with us, and they’re getting more understanding of what we’ve been saying for years – it happened here, and it happened across our region.”

While the new chair of the Australian War Memorial, Kim Beazley, has said he would like to see “proper recognition of the frontier conflict” as part of the institution’s \$500m expansion, the Returned Servicemen League (RSL) is against incorporating the frontier wars in Anzac Day services.

A spokesperson for the RSL said that while it considers “the establishment of a commemoration or memorials to mark those killed in precolonial conflicts as appropriate”, Anzac Day and the Australian War Memorial should be reserved for honouring those who have served the country in conflicts since federation.

Read full story:

https://www.theguardian.com/australia-news/2023/apr/24/calls-grow-for-australias-frontier-wars-to-be-remembered-on-anzac-day?utm_term=64473423c53c85c4fc4a64439063e5dc&utm_campaign=GuardianTo dayAUS&utm_source=esp&utm_medium=Email&CMP=GTAU_email



‘The voice is an elegant, practical and conservative step toward incorporating community-level evidence into policymaking.’

Photograph: Mike Bowers/The Guardian

Voting yes to the voice is a liberal act to empower Indigenous Australians to take responsibility for their lives

Bridget Archer and Fiona Martin, The Guardian, 14th April 2023

Many Liberals want to walk with Indigenous Australians toward a future that rights the wrongs of the past

For as long as many of us can remember, we’ve had harrowing reports, deep investigations and crisis meetings into the fierce injustice of Indigenous inequality.

The torment of powerlessness, as the Uluru statement so eloquently put it, was that Indigenous Australians were deprived the agency to turn this horrific tide.

We know too, unlike many other nations from similar historical circumstances, Australia is yet to fully reckon with the intergenerational consequences of the dispossession and discrimination inflicted against Aboriginal and Torres Strait Islander people.

From where we sit, it is no longer good enough in 2023 to frown at this problem: we need to move the dial.

The voice is an elegant, practical and conservative step toward incorporating community-level evidence into policymaking.

For us, voting yes is a liberal act to solve this. Liberal leaders, from the trailblazing Ken Wyatt to the intellectually brilliant Julian Leeser, have been shaping and refining it for many years.

There are many Liberals and former Liberals who know in their heart the burning desire to do better, to be better and to walk with Aboriginal and Torres Strait Islander Australians toward a future that rights the wrongs of the past in a practical and proportionate way.

It is consistent with our commitment to liberalism because it empowers families and communities coming together to take responsibility for their lives. It is an opportunity to stand as Australians who put country first and party second.

But it is only now – as it becomes clear Australians are open to a new way of addressing the burning injustices against Indigenous people – that we hear dishonest claims which ignore not only fact, but also electoral realities.

Read full story

<https://www.theguardian.com/commentisfree/2023/apr/14/voting-yes-to-the-voice-is-a-liberal-act-to-empower-indigenous-australians-to-take-responsibility-for-their-lives>



Yes camp announces more online yarning circles to learn about the Voice

Julia Bergin, Crikey, 19th April 2023

The Uluru Dialogue is using the First Nations' concept of a yarning circle to teach Australians the ins and outs of a Voice to Parliament.

The Uluru Dialogue announced another four online yarning circles today as part of its Yes campaign for an Indigenous Voice to Parliament.

Starting Monday April 24, the next iteration of the “Start a yarn” sessions will give Indigenous and non-Indigenous Australians an opportunity to ask questions, clear up any confusion, and acquaint themselves with the ins and outs of the Voice.

“It’s to give everybody out there, just ordinary folk like us, information on how it’s all going to work and what it’s going to do,” Alyawarre woman and member of the referendum council Pat Anderson AO told one of the yarning circles.

Be it the procedural affairs of constitutional law, weighing up the order of appearance for voice-treaty-truth, explaining the referendum on paper and in practice, and debunking all manner of myths coming from Canberra and community, the yarns are designed as safe spaces to “yarn directly with the Australian people”.

The additional four sessions, over Zoom, follow on from the six Start a yarns convened by the Uluru Dialogue throughout March and April. These were attended by anyone and everyone, with just an email address required to register. The Uluru Dialogue did not collect data on who attended the sessions, but there were more than 80 people on the session Crikey attended.

These conversations were all off-the-record, but Crikey received permission from the Uluru Dialogue to publish content from the three chairs — Anderson, fellow member of the referendum council and Cobble Cobble woman Professor Megan Davis, along with Salvation Army national reconciliation action plan coordinator and Cobble Cobble woman Lucy Davis.

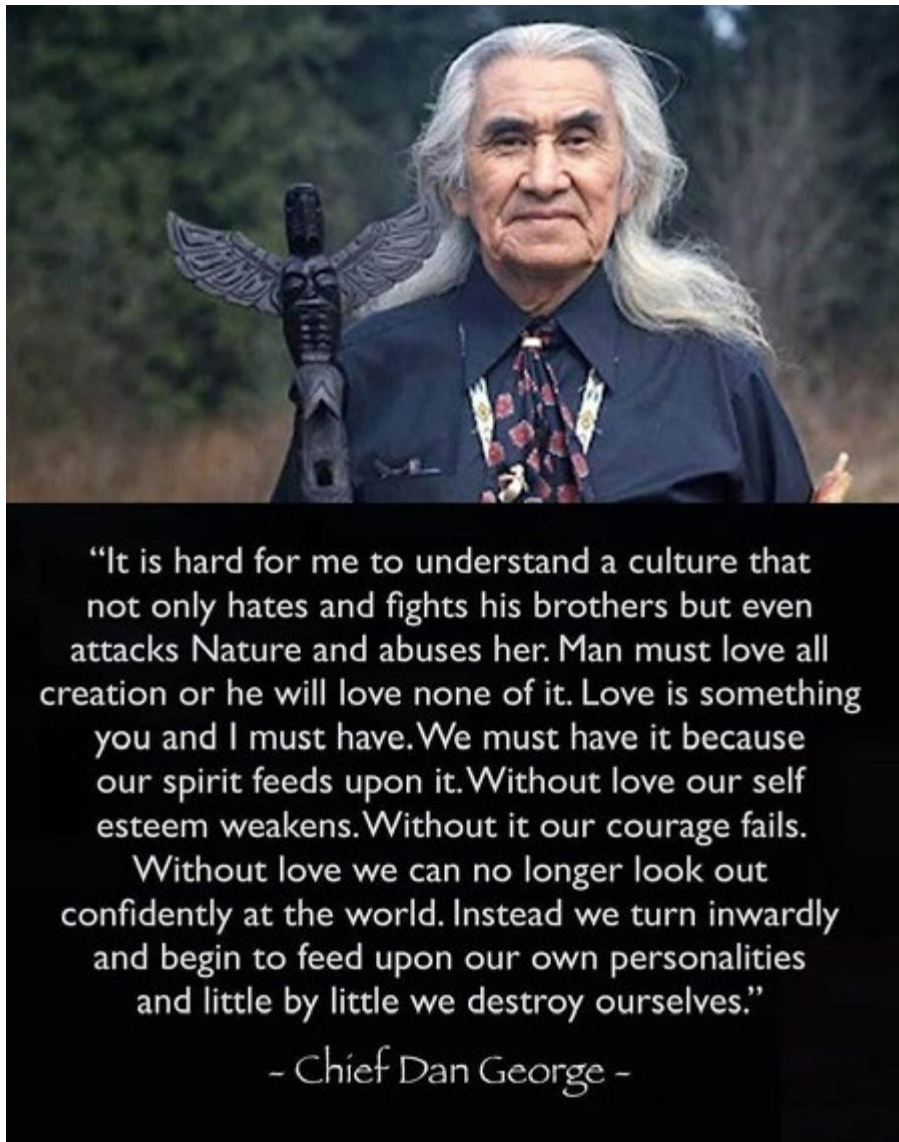
Why the need for a yarn?

A yarning circle is what Lucy Davis described as a universal First Nations practice, but the session Crikey attended was unique to Davis’ own Cobble Cobble people of the Barunggam nation. For her people, these circles revolved around the Bunya Mountains where every three years clans would gather.

“They would sit in a circle and each circle would have a purpose. There would be men’s circles and women’s circles. It was a place where we negotiated boundaries, it was a place where we negotiated marriages and war and conflict,” Davis told those gathered on the call.

“And this concept that I’m using here, I’ve gained permission from my old people to use it in this space.”

Read full article:



Explainer: High Court ruling in immigration case could impact hundreds of visa decisions since 2016

Mary Anne Kenny, The Conversation, April 13th 2023

This week, the High Court of Australia handed down a significant ruling in an immigration case that could affect hundreds of similar visa cases handled by the Department of Home Affairs.

Specifically, the ruling may call into question the legality of decisions the department has made since 2016 when it has rejected appeals for ministerial intervention in specific visa cases.

What was the case about

The High Court decision involved two individuals who sought to have the minister for immigration personally intervene in their cases and grant them permanent visas to remain in Australia.

Their requests were rejected by the Department of Home Affairs on the basis that their cases did not meet the criteria for a referral to the minister.

The first appellant, Martin Davis, is a citizen of the United Kingdom who had lived in Australia for around 16 years on temporary visas. His application for a permanent partner visa was refused by Home Affairs and in a subsequent review by the Administrative Appeals Tribunal.

The second appellant, who was referred to as DCM20 in the case, is a citizen of Fiji who had lived in Australia on a series of temporary visas for almost 20 years. She applied for a permanent visa, which was refused. Her application for review to the Administrative Appeals Tribunal was also unsuccessful.

Both Davis and DCM20 requested the immigration minister exercise their personal power under section 351 of the Migration Act 1958 to override the decisions by the Administrative Appeals Tribunal and grant them permanent visas.

According to this section of the Migration Act, the minister may grant a visa if they think it is “in the public interest”, but they are not required by law to consider every request. This power is exercised by the minister personally.

The minister receives many requests to personally intervene in such visa cases. Last month, for instance, Immigration Minister Andrew Giles intervened when a Perth family had their visas refused on the basis their son did not meet certain health criteria, as he was born with Down syndrome. The minister granted them permanent residency.

Read full story:

<https://theconversation.com/explainer-high-court-ruling-in-immigration-case-could-impact-hundreds-of-visa-decisions-since-2016-203676>



On the first visit to Australia in more than a decade by a UN high commissioner for refugees, Filippo Grandi says he was greatly encouraged by his talks with the Albanese government. Photograph: University of Melbourne

UN refugee chief condemns Australia's offshore detention regime and slogans like 'stop the boats'

Ben Doherty, The Guardian, 22nd April 2023

Filippo Grandi praises Australia's refugee reset but is 'very upset' by UK moves to mimic its offshore detention policy

"Myopic" policies of deterrence, and slogans like "stop the boats" are ineffective in addressing the movement of asylum seekers across the world, the United Nations high commissioner for refugees Filippo Grandi has said, in a major speech urging greater cooperation between nations.

Speaking at the University of Melbourne's Peter McMullin Centre on Statelessness, Grandi said: "Far too often, rich countries have a myopic approach to global forced displacement and population movements, focusing overwhelmingly on border controls."

Grandi said governments rarely responded strategically to the arrival of significant numbers of people forced to move.

"They are seen as either someone else's problem, or something unmanageable to deal with when it reaches domestic borders or shores. The reality is that simple slogans like 'stop the boats' are no more effective a solution to this challenge than those that say 'let them all in'."

In an interview with the Guardian, Grandi praised the Australian government for its efforts to "reset the way Australia deals with refugees", but said he was troubled by Australia's offshore detention policy for boat-borne asylum seekers being mimicked by other countries such as the UK.

In the first visit to Australia in more than a decade by a UN high commissioner

for refugees, Grandi met with the prime minister, Anthony Albanese, foreign minister, Penny Wong, and immigration minister, Andrew Giles.

“I was greatly encouraged by my interaction with the government here: the tone, the space, the understanding, the openness to criticism is refreshing. I am grateful for that ... I think we will make progress.”

Grandi said that Australia’s reintroduction of offshore processing in 2013 – an extant policy which has been consistently criticised by the UNHCR – “made the discussion with Australia more complex”.

Read full article:

https://www.theguardian.com/australia-news/2023/apr/22/slogans-like-stop-the-boats-do-nothing-to-tackle-the-asylum-seeker-challenge-un-refugee-chief-says?utm_term=64433fa34aa19bcb4b201d5e07e8c8e7&utm_campaign=GuardianTodayAUS&utm_source=esp&utm_medium=Email&CMP=GTAU_email





His Excellency Anote Tong has just signed a Statement of Solidarity ("Mura Kalmel Sipa") on [#climateaction](#) with Saibai & Boigu leaders, calling on governments, including Australia to stop subsidising fossil fuels projects and take urgent and decisive [#climateaction](#) to ensure that average global warming remains below 1.5 degrees Celsius.



MEDIA RELEASE

PACIFIC ELDERS STAND IN SOLIDARITY WITH TORRES STRAIT LEADERS SEEKING GREATER CLIMATE ACTION FROM AUSTRALIA

The Edmund Rice Centre applauds the joint signing of a Statement of Solidarity by Pacific Elders' Voice Chair and former President of Kiribati His Excellency Anote Tong together with Saibai Boigu Elders and community leaders for the Torres Strait.

The Pacific Elders' Voice is a group of former Presidents, Prime Ministers and high-level officials from across the Pacific.

The Statement of Solidarity is the result of a week-long visit by His Excellency Anote Tong to Saibai and Boigu islands in the Torres Strait, which occurred following an

invitation extended to the Pacific Elders' Voice by Saibai and Boigu Traditional Owners.

The Statement of Solidarity calls on governments like Australia to stop subsidising fossil fuel projects and take "urgent and decisive" climate action to ensure that average global warming remains below 1.5 degrees C.

His Excellency Anote Tong said: "Saibai and Boigu islands are really part of the Pacific in many ways and they are facing climate-related impacts and challenges very similar to those faced by Pacific Island Nations. Their future is our future.

"Like Pacific Island nations, Saibai and Boigu island communities bear very little responsibility for creating the climate crisis, yet we are at the forefront of climate impacts.

"We stand together in solidarity in seeking climate justice from those who are responsible for creating and perpetuating the climate crisis, including the fossil fuel industry."

Link to full Statement: https://drive.google.com/file/d/1ugqRD1rRyg_7P7lcfS-vLsKtwWuNu5X9/view



The former president of Kiribati, Anote Tong: 'The predictions of doom are not so unrealistic.' Photograph: AAP

Former president of Kiribati backs legal case against Australia over inaction on climate crisis

Sarah Collard & Australian Associated Press, The Guardian, 24th April 2023

Anote Tong says that Australia needs to take responsibility for emissions caused by the export of its fossil fuels

A former Pacific Island president has backed a Torres-Strait Islander-led legal case to hold the Australian government accountable for climate crisis inaction.

On Monday, Anote Tong, the former president of Kiribati, signed a statement of solidarity with Paul Kabai and Pabai Pabai, who have taken the government to court, demanding further emissions reductions in line with science.

Members of Pacific Islands Students Fighting Climate Change at a protest during the COP27 UN summit in Egypt.

The two Torres Strait Islander men hail from the Boigu and Saibai communities on two of Australia's northernmost inhabited islands. Low-lying Saibai is just four kilometres from Papua New Guinea, and both islands are regularly flooded by seawater.

The pair are leading a landmark class action on behalf of their island communities, arguing the commonwealth of Australia is acting unlawfully in failing to stop climate change that, if unchecked, will destroy their homelands. Tong lent his support and said Australia needed to do more to cut emissions.

"The Australian government is stepping up with cutting domestic emissions and committing to a zero emission level by 2050, which is good – but of course the real challenge has always been the exported fossil fuels, oil and gas which are essentially a lot more substantial than what would be emitted domestically. So that is the real challenge," he said.

"The [Australian] government sometimes feels that it's not their problem. It's the problem of the importing country but nevertheless, it still contributes to global emissions."

Tong backed the case after a week-long visit to the two Indigenous communities.

"We find a great deal of similarity with the situation that these people are facing with our own situation in our part of the world," he said.

"Particularly the most vulnerable Pacific island countries with respect to the impacts of climate change.

"These peoples, these communities really do not receive any kind of focus."

Read full story

https://www.theguardian.com/australia-news/2023/apr/24/former-president-of-kiribati-backs-legal-case-against-australia-over-inaction-on-climate-change?utm_term=64473423c53c85c4fc4a64439063e5dc&utm_campaign=GuardianTodayAUS&utm_source=esp&utm_medium=Email&CMP=GTAU_email

REFLECTIONS



"I am as sure as I
live that nothing
is so near to me
as God. God is
nearer to me than
I am to myself."
Meister Eckhart

"I searched for
God and found
only myself. I
searched for
myself and
found only God."
Rumi

Inner Awakening Facebook Group

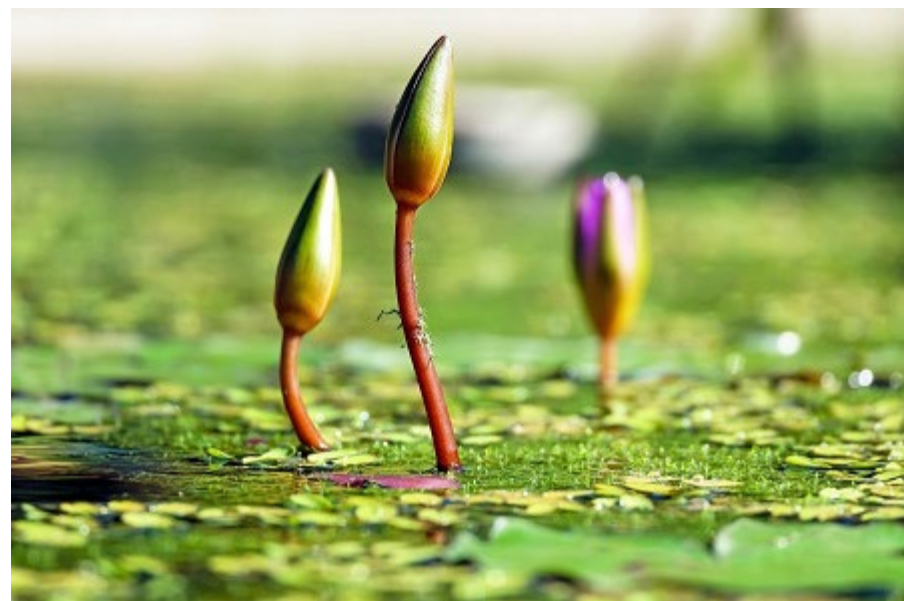
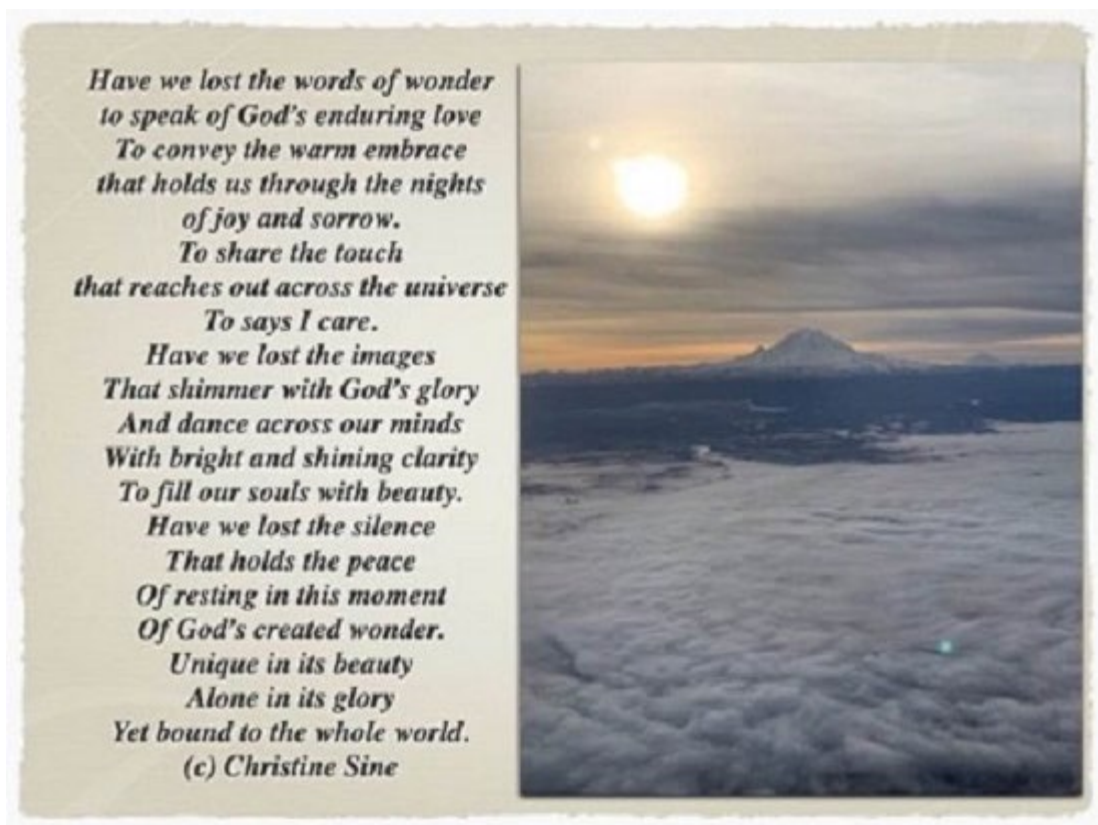
Paul Pignal Post April 2023

And the world cannot be discovered by a journey of miles, no matter how long but only by a spiritual journey, a journey of inches, a very arduous, humbling, and joyful journey, by which we arrive at our own feet and learn to be at home.

Wendell Berry

In my experience, the journey is the destination... so go slow, go deep, be honest, and be patient... as it turns out, it's you, you're looking for. (see John 14:20)

Paul Pignal



Pace - e - Bene Nonviolence Inspirations

“Let us develop respect for all living things. Let us try to replace violence and intolerance with understanding and compassion. And love.”

Jane Goodall

“Nonviolence confronts systematic injustice with active love, but refuses to retaliate with further violence under any circumstances. In order to halt the vicious cycles of violence, it requires a willing acceptance of suffering

and death rather than inflicting suffering or death on anyone else."

John Dear, 'Living Peace: A Spirituality of Contemplation and Action'

"Perhaps if we stopped setting ourselves enormous anxiety-producing quantitative goals and instead focused on building fewer but deeper relationships, across difference, we'd actually shift more hearts and minds." Charlie Wood

"Peace comes not by having answers or passing judgment on those with whom we disagree, but by bearing witness to the diversity and oneness of all living beings. Out of that process of bearing witness, the right action of making peace, of healing, arises." Mary Lou Kownacki, OSB



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.

Our mailing address is:

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