



We proudly acknowledge the First Peoples of Victoria and their unbroken and unwavering connection to Aboriginal law, lore, culture and customs. We acknowledge the Traditional Owners of the lands and waters on which we live and work and pay our respects to their Elders past and present. We also recognise the ongoing enrichment Aboriginal people, culture, and communities bring to the cultural landscape of this state. We acknowledge the long-lasting, far reaching and intergenerational consequences of colonisation and dispossession. We acknowledge all those who have fought and advocated to pave the way for the rights of First Peoples.

To receive the publication in an accessible format, please email First Peoples – State Relations, Department of Premier and Cabinet, at statetreatybranch@dpc.vic.gov.au.

Aboriginal and Torres Strait Islander readers are advised that this document may include photos, quotations and/or names of people who are deceased.

For generations, First Peoples communities and leaders have called for Treaty to acknowledge the sovereignty of First Nations and to improve the lives of First Peoples. Victorian Traditional Owners maintain that their sovereignty has never been ceded and have called for a Treaty process that delivers self-determination for Victoria's First Peoples.

# What is Treaty in Victoria?

- Treaty is the embodiment of Aboriginal self-determination. Treaty provides a
  path to negotiate the transfer of power and resources for First Peoples
  to control matters which impact their lives. Treaty is also an opportunity
  to recognise and celebrate the unique status, rights, cultures and histories of
  First Peoples.
- In negotiating Treaty with First Peoples, the Victorian Government is acknowledging that prior to the formation of the State of Victoria, First Peoples communities were here - practicing their own law, lore, and cultural authority.
- A Treaty is an agreement between states, nations or governments. This can
  include an agreement between First Peoples and governments. In Victoria,
  there will be one overarching Statewide Treaty and multiple local Treaties
  with individual Traditional Owner groups, covering matters as diverse as
  political representation, land and water, and economic development.
- Treaty is an opportunity to reframe how all Victorians view ourselves, our culture, and our State. Victoria's Treaties will be shaped by the social and political context of our state, and the aspirations of Victoria's First Peoples.
   Treaty will be based on an honest reflection of our history – one that asks for respect and courage, to listen and respond to the voices of those who have cared for this Country for thousands of years.
- Treaty will deliver long term, sustainable solutions because First Peoples will be in the driver's seat, making decisions about the matters that impact their lives.

# Uluru Statement from the Heart

Victoria is the first Australian jurisdiction to commit to and action all elements of the *Uluru Statement from the Heart* - Voice, Treaty, and Truth.

In 2017, over 250 Aboriginal and Torres Strait Islander delegates gathered in Mutitjulu near Uluru and put their signatures to the historic *Uluru Statement from the Heart* - addressed to the Australian people as an invitation to work together to create a better future.

The Victoria Government supports commitment and action from all levels of government to implement the *Uluru Statement from the Heart*, including the establishment of an 'Indigenous Voice to Parliament' in the Australian Constitution.

# **Pathway to Treaty**

# **July 2016**

**Aboriginal Treaty** Working Group established

February 2016 Victorian First Peoples call on the Victorian Government to commit to Treaty at a self-determination forum

# January 2018

Victorian Treaty Advancement Commission (VTAC) commences operations and leads community consultation

# August 2019

Advancing the Treaty Process with Aboriginal Victorians Act 2018 (Treaty Act) is enacted by the Victorian Parliament

# December 2019

The (then) Minister for Aboriginal Affairs declares the First Peoples' Assembly of Victoria to be the Aboriginal Representative Body under the Treaty Act

#### April 2021

August 2020

Formal negotiations

between the Victorian

Government and

the First Peoples'

Assembly of Victoria

commence on Treaty

elements required

under the Treaty Act

June 2020

First Peoples'

Assembly of

Victoria calls for

a truth-telling

process

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**July 2020** 

The Victorian

Government

commits to establish

a truth and justice

process and

develops terms

of reference with the

First Peoples' Assembly of Victoria

February 2021

Launch of the

Deadly & Proud

Campaign to

continue to build

public awareness

and support

for Treaty

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The Victorian Government and the First Peoples' Assembly of Victoria agree Treaty conduct protocols

#### June 2022

The Victorian Government and the First Peoples' Assembly of Victoria sign a Treaty Authority Agreement

#### October 2022

The Victorian Government and the First Peoples' Assembly of Victoria sign the **Treaty Negotiation** Framework Agreement



#### May 2021

Formal establishment of the Yoorrook Justice Commission and the appointment of Commissioners through issuing of letters patent by the Governor

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# August 2022

The Treaty Authority Bill is enacted by the Victorian Parliament

# March 2016

The Victorian Government commits to progressing Treaty

# June 2018

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Launch of the **Deadly Questions** campaign to build public awareness and support for Treaty

#### October 2019

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Statewide elections take place and Members are elected to the First Peoples' Assembly of Victoria

#### December 2019

December 2019

First Peoples'

Assembly of Victoria

call for Stolen

Generations redress

First Peoples' Assembly of Victoria inaugural meeting



The Victorian Government and the First Peoples' Assembly of Victoria make a formal joint announcement of the Yoorrook Justice Commission



# January 2021

The Victorian Government and the First Peoples' Assembly of Victoria establish the first Treaty element - a dispute resolution process



Generations Reparations Package launched

#### October 2022

The Victorian Government and the First Peoples' Assembly of Victoria sign the Self-determination **Fund Agreement** 



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# June 2022

Members of the First Peoples' Assembly of Victoria attend Parliament and address the Legislative Assembly calling on support for the Treaty Authority and Other Treaty Elements Bill 2022 (Treaty Authority Bill)

# January 2018

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Jill Gallagher AO is appointed as the Victorian Treaty Advancement Commissioner

# September 2018

A Treaty Statewide Gathering and Elders Forum is held by VTAC to design the Aboriginal Representative Body



# **PHASE ONE** 2016-2019



#### Laws to protect Treaty

The Advancing the Treaty Process with Aboriginal Victorians Act 2018 (Treaty Act) was enacted as Australia's first ever Treaty legislation.



## A representative Voice for First Peoples

A Statewide election established the First Peoples' Assembly of Victoria to represent the voice of First Peoples in the Treaty process.



#### Truth-telling

The Yoorrook Justice Commission is established to inquire into historic and contemporary injustices experienced by First Peoples across all areas of social, political and economic life, and the relationship between historical injustices and ongoing systemic injustices experienced today.



#### An independent 'Treaty Umpire'

The Treaty Authority is independent from Government and will consist of five to seven members who will oversee and facilitate Treaty negotiations. The *Treaty Authority and Other Treaty Elements Act 2022* supports the establishment and ongoing operation of the Treaty Authority.



### Agreed rules and process for Treaty-making

The Treaty Negotiation Framework sets out the process and rules for negotiating a Statewide Treaty and Traditional Owner Treaties between the State and First Peoples. The Framework establishes a Treaty process in Victoria that is inclusive and open to all First Peoples, as well as ensuring the protection of Traditional Owners with existing legal rights such as Native Title.



### Independent funding for Treaty negotiations

The Self-determination Fund will provide First Peoples, including Traditional Owners, with a financial resource, independent from the State, to achieve 'equal standing' in Treaty negotiations. The Self-determination Fund will also build capacity, wealth and prosperity for First Peoples.



#### Treaty negotiations commence

With these elements in place, Treaty negotiations can now commence. The Treaty Authority, once operational, will support First Peoples groups to register for Treaty negotiations and will invite the State to join Treaty negotiations.

