**African Australian
Advocacy Centre**

SUBMISSION

to the

Multi-Cultural Framework Review

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About African Australian Advocacy Centre (AAAC)

The African Australian Advocacy Centre (AAAC) formed as a result of ongoing consultation with African Australian communities in Australia to address issues and concerns to improve the wellbeing of African Australians, with a broader vision to:

i) see Australians of African descent recognised as an integral part of multicultural Australian society;

ii) strengthen the social cohesion, equality, fairness, and opportunities for members of African Australian Communities; and

iii) build inclusive communities, improve outcomes, and create sustainable opportunities for African Australian communities.

As the peak body representing Africans across Australia, our key focus is to inform policy outcomes for our community through Advocacy, Consultation, and Research. We collaborate with universities, not-for-profit groups, corporate entities, and stakeholders across all levels of government.

The purpose of this submission

Africans in Australia are perceived as "harder to integrate" than other migrant groups and remain one of the most socially and economically disadvantaged groups of new Australians.[i] In December 2022, the United Nations Working Group of Experts on People of African Descent (UN WGEPAD) conducted a fact-finding visit to Australia to assess the human rights situation of Africans and those of African descent. Its End of Mission Statement highlights concerns regarding "the prevalence of racial discrimination and the human rights situation of Africans and persons of African descent in Australia."[ii] Human rights issues raised in the Statement include: serious abuse in detention, overincarceration, the use of indefinite detention, over policing, racial profiling, and racism by immigration support service providers. These findings reinforce the need for a national human rights act that protects everyone's rights, regardless of who they are and where they live.

This submission responds to the UN WGEPAD's Statement, which identified several key issues that require urgent national attention. By articulating the gap in knowledge for African Australian experiences with Australian racialising discourses, as experienced through some limitations in multicultural policy, this submission will aid in the narration of the complexity of Australian Africans' individual and community experiences as it pertains to their experiences in multicultural Australia.

As an organisation, we are guided by existing critiques of multicultural policy, which still has strong but unspoken remnants of assimilation desires. We acknowledge there are strong sentiments within the community that the dominant multicultural narrative has functioned strategically to build a colour-blind approach to the Australian experience. Diversity narratives silence racial discourses, often focusing on now-problematised terminologies such as culturally and linguistically diverse" (CALD), which amplifies experiences of ethnic and cultural diversity while erasing race and anti-blackness discourses within such settings. In this

way, multiculturalism and super-diversity narratives hide the salient racist ways human rights violations are normalised in Australia.

Key areas of focus for African Australians

i) Anti-Black racism and Anti-African discrimination

As highlighted by the WGEPAD, racism is a key human rights concern facing African-Australians. Extensive research has been carried out by African-Australian scholars, particularly Dr. Kathomi Gatwiri and Dr. Virginia Mapedzahama, on the unique form of racism that affects migrants who are both Black *and* African. These scholars have argued that Blackness and Africanness can be experienced as a "burden" and a "problem" that must be constantly negotiated or defended in multicultural Australia. The urgency of the challenges facing this community in Australia are further exacerbated by anti-Black and anti-African discourses, which have fuelled on some occasions political calls for deportations citing "failed integration". As an example, it is common that achievements by African Australians are lauded as evidence of their "Australianness", while "wrongdoing" is attributed to their "Africanness."[iii]

It is critical that we address the barriers that complicate integration processes for Africans in Australia to remedy the current growing risk discourses and moral panics about them**.** Moreover, it is essential that Australia's human rights obligations under international law are fully realised and incorporated into domestic law, via the adoption of a national human rights act. This would ensure that all government policies, including multicultural ones, apply a human rights lens to their drafting and implementation. Such an approach would ensure that issues raised by the WGEPAD, such as racism and it's differentiated forms, as highlighted by Gatwiri and Mapedzahama, are included from the onset of policy deliberations.

ii) Youth and criminalisation

The Australian context and the way it is negotiated by Black African people is nuanced especially when successful integration is akin to assimilation and 'adopt[ing] white culture', while simultaneously erasing one's 'foreignness' as much as possible.[iv] Black African youth are often considered inassimilable, and to achieve dignity and respect in everyday life, they must adjust, shrink, or approximate themselves to white culture to reduce incidences and experiences of hypervisibility and over-policing. Additionally, young people of African descent remain overrepresented in youth justice and immigration detention[v] and report experiences of hyper-policing in their communities. Whilst these narratives have been concentrated in the metropolis of Australian capital cities, especially Victoria, New South Wales and Queensland ; these narratives have affected the whole population in various forms.[vi] A critical analysis, underpinned by deep understanding of how multicultural policies are weaponised against Black communities to produce everyday experiences of racism, have yet to be addressed in any substantial way to understand experiences of Black youth in Australia.[vii]

iii) Human Rights and Employment

As a state party to the International Covenant on Economic, Social and Cultural Rights, Australia has obligations to ensure the protection of these rights, including the right to work and to just and favourable conditions of work.[viii] These obligations extend to the guarantee that these rights apply 'without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status'.[ix] However, as the UN WGEPAD Statement highlights, many African Australians do not receive the protection of these rights. While there is a lack of research and data within this area, the lived experiences of African Australians, which have been shared with the AAAC, reveal structural barriers and discriminatory attitudes that prevent full realisation of these rights.

As recognised by the UN WGEPAD 'overall, the population of immigrants of African descent are relatively well-educated and skilled',[x] with increasing opportunities for migration for Black Africans via the skilled migration scheme.[xi] However, African Australians' right to work is impacted by workplace policies that limit recognition and acceptance of international credentials and work experience. The AAAC has heard from members who had to requalify and / or retrain to gain employment or who had to accept employment at levels not commensurate with their experience and expertise. This results in additional financial, social, and emotional hardship.

Having secured employment, African Australians endure further erosion of their rights through racism, discrimination, and inequality. Some are passed over for promotions even though they clearly meet the selection criteria. Others are set onerous and unrealistic workloads that are impossible to meet, resulting in resignations or unfair dismissals. A systematic legislative review is required to ensure that the relevant workplace / employment laws align with and promote the protection of human rights, including the right to work.

Systemic racism identified in the UN WGEPAD Statement also intersects with other human rights issues faced by communities of African descent in Australia, such as barriers to sustainable access to housing/accommodation and education. These barriers, which require further examination, are experienced as 'everyday' and 'pervasive' and have serious implications for mental health concerns[xii].

iv) Mental health

Migrant and minority stress affect the body and mind profoundly. In research, African Australians often report being unable to thrive, feeling deeply unworthy of being included in mainstream Australia, and feeling powerless against the dominant media, which constantly fuels the deficit narrative against them.[xiii] Because of this and multiple other stressors in the African community, the mental health needs are significant, and this is compounded by the lack of cultural safety in the current Eurocentric practice models. Navigating such complex cultural codes and the frequent 'Othering' on a daily basis produces what William Smith refers to as 'Racial Battle Fatigue', a concept that has been extended in the Australian context by Dr.

Kathomi Gatwiri. These intersectional experiences of marginalisation effects the wellbeing, dignity and belonging for this community.[xiv]

During the UN WGEPAD's consultations in Australia, numerous participants provided testimonies that underscored the insufficiency of culturally appropriate mental health care services for individuals of African descent in Australia. These testimonies highlighted a concerning pattern of overgeneralisation, wherein both 'CALD' (Culturally and Linguistically Diverse) communities and 'African' communities were treated without due consideration for their unique community-specific health needs.

Within the context of this consultation, participants articulated apprehensions pertaining to racial trauma and minority stress, phenomena that continue to remain unacknowledged and unaddressed within the prevailing Australian healthcare practice models. The ramifications of this oversight are substantial, resulting in the misdiagnosis of individuals and a consequential absence of appropriate therapeutic interventions. This inadequacy in care predisposes African Australians to escalated measures, including detention and involuntary infusion therapy, exacerbating their mental health struggles.

As various communities are affected differently, an intersectional approach to tackling mental health concerns is required, such as consideration of demographic indicators including age, gender, sexuality etc.[xv]

Our recommendations for the way forward

The African Australian Advocacy Centre's priority areas, underscored during our engagement with the Multicultural Framework Review Panel, focus on pivotal aspects crucial to the empowerment and integration of African Australian community. These encompass:

1) **Advocating for cultural awareness through inter-cultural frameworks of racial and cultural dignity within government services** to ensure a more inclusive experience for all, as well as the imperative of tackling racial discrimination head-on.

2) Equally critical is **bridging the gap in education and employment opportunities**, enabling African Australians to contribute effectively to society. African Australians have a human right to live with dignity and to navigate all Australian systems in a dignified way that is free from the micro-practices of racial aggression, cultural stereotyping and insensitivity.

3) **We emphasise the necessity of community representation in policy decisions, the provision of accessible mental health support, and fostering the potential of our youth through tailored integration programs (see below through an Intercultural framework)**. This comprehensive approach reflects the resonance between our priorities, international principles like the United Nations' stance, our local Senate, parliamentary and Human rights submissions, and the insights of academics shared during our recent forum. Our

commitment stands united in crafting a more equitable and inclusive Australia where the unique needs and voices of African Australians are valued and supported.

4) **We suggest an adapted policy of *Interculturalism* or *Transculturality,* which captures some of the living traits of cultural change** as highly diverse contemporary societies become globalised offering a conceptual landscape for considering cultures as relational webs and flows of significance in active interaction with one another.[xvi]

5) **We suggest that change can only come when it's *done with, not for*. Therefore, co-design frameworks that foreground the dignity of people** while ensuring effective participation of people of African descent and their communities must be demonstrated in the design, implementation, and support measures adopted to recognise their hybrid identities and self-determined ideas for flourishing in Australian society.

6) Lastly, legislating a **National human rights act** that will benefit the whole community, ensuring everyone's human rights are protected.

Thank you for reading and considering this submission. The AAAC is available to attend any hearings regarding the Multicultural Framework review or to answer any questions arising from this submission and can be contacted via: info@africanaustralianadvocacy.org.au.

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[ii] United Nations Working Group of Experts on People of African Descent (UN WGEPAD). (2022, December 20). *Statement to the media by United Nations Working Group of Experts on People of African Descent, on the conclusion of its official visit to Australia (12-20 December 2022) containing its preliminary findings and recommendations.* https://www.ohchr.org/sites/default/files/documents/issues/racism/wgeapd/2022-12-20/2022-12-20-EOM-WGEPAD-Australia.pdf.

[iii] Gatwiri, K. & Anderson, L. (2020). Boundaries of belonging: Theorizing Black African migrant experiences in Australia. *International Journal of Environmental Research and Public Health*, *18*(1), 38. https://doi.org/10.3390/ijerph18010038.

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[vii] Above note iii, Idriss, Butler, & Harris.

[viii] International National Covenant on Economic, Social and Cultural Rights, 993 UNTS 3, [1976] ATS 5, 6 ILM 360 (1967), UN Doc. A/RES/21/2200A, UN Doc. A/6316, adopted 16/12/1996, Articles 6,7.

[ix] Above note vii, Article 2 (2)

[x] Above note i,

[xi] Above note ii.

[xii] FECCA (2023). National Multicultural Health and Wellbeing Conference 2023. Federation of Ethnic Communities' Councils of Australia (FECCA) and the Australian Multicultural Health Collaborative (AMHC), Hyde Park, Sydney,21 Nov 2023 - 22 Nov 2023: https://www.healthpromotion.org.au/events/national/780-national-multicultural-health-and-wellbeing-conference-2023.

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