

SESSION 14

Protecting Country:

Indigenous governance and management of protected areas

Convener:

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RATIONALE

There have been about thirty years of joint management of national parks and ten years of Indigenous Protected Areas (IPAs) in Australia. This session will explore current and future challenges and directions in Indigenous governance and management of protected areas. The level of support for Indigenous governance and management of protected areas varies considerably between jurisdictions and between terrestrial and marine protected areas. For example:

- The Australian Government has long supported joint management of national parks, but it has recently legislated to remove Indigenous representation from the board of the Great Barrier Reef Marine Park Authority.
- Some state and territory governments are embracing joint management of national parks, but have been less forthcoming in support of IPAs.
- The Australian Government is increasing its support for terrestrial IPAs, but has been cautious about supporting IPAs over sea country.
- The number of Marine Protected Areas (MPAs) is increasing in State, Territory and Commonwealth waters around Australia, yet joint management of sea country is currently confined to marine areas associated with a few Aboriginal-owned jointly managed terrestrial protected areas.

All Australian protected areas on land and in coastal waters are located on the Country of one or more Indigenous group. This session will take a Country-based approach to exploring the extent to which protected areas are looking after all the cultural and natural values of Country, and what further steps need to be taken to strengthen Indigenous governance and management of these areas.

The session will comprise short presentations from invited speakers who are Traditional Owners, researchers and other practitioners associated with protected areas, followed by small group and/or plenary discussions of the issues raised. The session aims to set directions for further reform, innovation and research in Indigenous governance and management of protected areas in Australia. The possibility of producing a monograph comprising the session presentations and outcomes will be explored.

Session comprises several presentations, a panel discussion and a concluding discussion:

1a. Introduction and overview of the session

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1b. Power fields and practice

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ABSTRACT

Practice is defined by anthropologists as agency expressing itself within those informally created structures through which social rules are expressed. American Sherry Ortner, for example, insists that practice is not just 'what happens' but, rather, what happens as individuals and groups of people act in the context of oppositions. How do the agents of joint management in protected areas, the Aboriginal Traditional Owners and the White rangers and other staff of the State, produce practice in the context of the power fields of their own culture and those of alterity? The power of the Traditional Owners is mobilized out of traditional ownership itself; that of the White staff out of State power. I argue that these power fields are incommensurable and, correspondingly, that analysis of joint management is difficult to achieve in merely theoretical terms. Drawing on examples from Kakadu National Park I illustrate how examination of practice can reveal not only 'what happens' but also the socially created institutions that govern the behaviours of both groups.

2-3. Panel discussion:

New jointly managed parks and other Indigenous partnerships in Protected Area management in the Northern Territory

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4. Joint management as process, partnership and relationship

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ABSTRACT

While participatory community development approaches, and negotiation and facilitation skills are often invoked in the evaluation and monitoring of the joint or co-management of protected areas, indicators have often been focussed on the substantive – for example, numbers of feral animals removed, weeds eradicated, trips made with traditional owners on to country etc. Yet joint management is a decision-making process, a partnership and a relationship. We might well ask ourselves if joint management has been successful, if, although a rare species is now

breeding in sufficient numbers to reproduce itself, the local Indigenous population has had little involvement in arriving at this point; or whether on-country visits have resulted in specialised Indigenous knowledge of country being transmitted to younger generations of Indigenous people as opposed to Rangers or anthropologists in response to a series of questions.

Joint management is located in the field of social ecology, not only in its concern with the relationships between humans and their environments, but also as a matter of relationships between humans themselves which can have a direct impact on environmental and biodiversity outcomes. There is a direct link between processes of joint management, which are often built upon substantial imbalances of power, hierarchical structures and deep-seated social problems, on the substantive outcomes of joint management. The evolving relationships which have a direct bearing on the success of joint management are not only located between joint-management partners, they are also located among the parties themselves. I examine approaches to evaluating partnerships, relationships, decision-making and agreement-making processes in an attempt to inform the evaluation and monitoring of joint management and its best practice governance.

5. Integrating ‘Caring for Country’ into sustainable tourism in Protected Areas

Ernie Grant

Jirrbal Traditional Owner

Will Hyams

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ABSTRACT

Doctoral research with Girringun Aboriginal Corporation on country-based tourism planning and management in the Wet Tropics World Heritage Area explores applications of traditional knowledge within Aboriginal tourism and the real or imagined barriers to its recognition by the broader tourism industry and tourism managers as an essential linkage between Indigenous peoples' and their environment. Furthermore, there is evidence to suggest that education/tourism activities on-country may be one of the only ways to preserve traditional knowledge as a lived-experience, as the culture surrounding traditional hunting and access to traditional country in protected areas evolves.

This research has been strongly influenced by senior Jirrbal Elder Ernie Grant's holistic planning and education framework which has been adopted by the Queensland Department of Education as a model for cross-cultural education. The research project considers how his style of cultural education at Echo Creek can be viewed as a model of best-practice rainforest tourism, in which traditional knowledge, cultural transmission, and ecosystem and Indigenous wellbeing are indivisible. This holistic approach has the potential for broader application for developing participatory approaches to cultural awareness for a range of protected area stakeholders, including managers and the tourism industry.

6. Nambucca and Kaikoura: Indigenous community coastal resource management comparisons in Australia and New Zealand

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Chels Marshall

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ABSTRACT

For Indigenous peoples throughout the world, ecological knowledge is a key component to resource management and the relationship to all living things within it. This link has developed through the importance of the environment for material survival and incorporates spiritually framed connections to the environment and the view that Indigenous peoples hold that they are part of and equal to all other parts of nature. While recognition and application of Indigenous ecological knowledge is becoming an important element in many resource management systems, the involvement of Indigenous peoples is often restricted or not recognised within national and local resource management regimes. In coastal areas, these issues are more complex as the Eurocentric view of coastal marine areas as public 'commons' poses many dilemmas for Indigenous peoples attempting to exercise self-determination in their aspirations to control traditional marine territories and resources.

The Indigenous communities of Nambucca Heads (New South Wales) and Kaikoura (New Zealand) are aiming to ensure their responsibilities to manage the environment are met by actively seeking to become involved in resource management. For the Gumbaynggirr people at Nambucca, the key issue is the Warrell Creek land claim and associated recognition of their continued association with the area and to ensure their involvement in management of this area. In Kaikoura, following the Ngai Tahu treaty settlement, the community have dealt with environmental issues through the development of their own environmental management strategy. For both communities these actions are driven by the desire for autonomy in the management process of areas that are of cultural significance to them that have been denied to them due to the impact of colonialism and its continued influence.

7a. Pursuing Autonomy and the right to Independently steer our Management Agenda and Aspirations: The management of the Willandra Lakes World Heritage Area and joint management of Mungo National Park

Gary Pappin

Dave Johnston

Executive Committee Willandra Lakes World Heritage Area Three Traditional Tribal Groups Elders Council <davej@iimetro.com.au>

ABSTRACT

We address the pursuit of the Willandra Lakes World Heritage Area Three Traditional Tribal Groups Elders Council and Aboriginal Corporation in furthering the cultural heritage management, World Heritage management and economic aspirations of its members. The discussion addresses both the achievements that have occurred and the challenges faced by the Traditional Owners today.

7b. Trialling partnerships: Interaction between Indigenous groups and government conservation agencies in New Zealand, Australian and Canadian National Parks

Kerri Mills

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ABSTRACT

I consider at the relationships between indigenous groups and conservation agencies in national parks. Research in co-management is increasingly recognising the importance of relationships to the success of management arrangements. In this project (a Doctoral project begun in February 2006) I investigate what factors help to support those successful management relationships and how they form. I look for the issues affecting relationships in the structures, politics, people dynamics and cultural perspectives that are simultaneously in operation in park management. Lee Bolman and Terrence Deal identified these aspects of management, which they call “frames”, in their work on understanding organizations. The research also looks into the histories of the case studies to gain a better understanding of how these arrangements originated, and how historical issues are continuing to affect them.

8a. Traditional Owner aspirations for national park homelands and the *Cape York Peninsula Heritage Act 2007 (QLD)*

Kathryn Larsen

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ABSTRACT

I investigate the national park management reforms within the new *Cape York Peninsula Heritage Act 2007 (QLD)* and the likelihood that management arrangements negotiated under the *Act* will meet the aspirations of Traditional Owners. The Kunjen and Olkola peoples based in Kowanyama aspire to Aboriginal land tenure and community-based management of the Mitchell-Alice Rivers National Park. They have been recognised as the Traditional Owners of the national park after protracted proceedings under the *Aboriginal Land Act 1991 (QLD)* and the *Native Title Act 1994 (QLD)*. It is found that the *CYP Heritage Act* certainly progresses legislative requirements to involve Cape York Peninsula communities in national park management, and thus has the potential to meet many of the Kunjen and Olkola people’s aspirations. However, there is insufficient evidence at this stage to foresee how the Traditional Owners of the Mitchell-Alice Rivers NP will proceed when confronted with still more negotiations over land which they have always known as their own. Much will depend on the policy (which is currently being developed) and resources available to implement the *Act* and the capacity of the community to engage in potentially demanding and time-consuming negotiations.

8b. Supporting Indigenous Protected Areas in the Kimberley

Jess Clements

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ABSTRACT

The WA Dept of Indigenous Affairs has recently established a Broome-based position to support the establishment and management of Indigenous Protected Areas, through agreements with the Kimberley Land Council and the Aboriginal Land Trust.

9. Future opportunities for Indigenous Protected Areas

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ABSTRACT

The concept of Indigenous Protected Areas (IPAs) was developed by the Australian Government, in collaboration with Indigenous land holders over ten years ago. During that time, 22 IPAs been declared in all Australian jurisdictions (except the ACT) and IPAs now contribute over twenty percent of the total terrestrial protected area estate in Australia. IPAs are declared by Indigenous groups, rather than by government conservation agencies, and are consistent with the World Conservation Union (IUCN) definition of a protected area. All current IPAs are located on Indigenous-owned land. There is increasing interest in IPAs by Indigenous groups around Australia keen to obtain support for looking after their Country. A recent Australian government review of IPAs recommended a substantial increase in funding for IPA planning and management. The review also recommended that there should be tripartite agreements between Indigenous groups, the Australian government and State/Territory governments to support IPAs, and that options to extend the IPA concept to include Sea Country should be explored. I explore how the IPA concept may be developed further to provide a protected area management framework for Indigenous Country, including both land and sea, and potentially also incorporating existing government-declared protected areas. Such developments would expand the IPA concept from a tenure-based arrangement to a tenure-blind management framework that focusses on recognising and protecting Indigenous values of Country.

10. Concluding Discussion

Opportunity to draw together key themes and conclusions from presentations, questions and discussions relating to future directions for Indigenous governance and management of protected areas.