



Working for homelands development and environmental protection

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Introduction

The Wilderness Society (TWS) and the Chuulangun Aboriginal Corporation (Chuula) are working together on a model of conservation which –

- embodies Indigenous rights and interests
- protects natural and cultural values and actively manages the ecology of large, intact high-conservation-value landscapes
- implements a *conservation economy* approach to help underpin sustainable livelihoods for people on Country

TWS and Chuula have a formal Cooperation Agreement covering this work in relation to the Northern Kaanju homelands in central Cape York Peninsula. We work together to facilitate integrated research, conservation and management of the ecology of the region, as well as promoting and securing the rights in land of Traditional Owners.

You can find more information and a copy of our Cooperation Agreement on the Agreements, Treaties and Negotiated Settlements (ATNS) database at: [-http://www.atns.net.au/agreement.asp?EntityID=142](http://www.atns.net.au/agreement.asp?EntityID=142)

The Wilderness Society undertakes the work of this partnership through our national Indigenous conservation program, employing a *WildCountry* ecological science framework and principles of land justice. The program reflects our commitment to support Traditional Owners around the country as the primary conservation managers of their homelands and as key participants in a national conservation strategy. It also includes projects designed to develop a contemporary ecological knowledge base through the integration of Indigenous and western conservation science.

Chuulangun is a Kaanju traditional owner organisation. It is a leader on Cape York in protection of natural and cultural values on Aboriginal lands, and the development of sustainable livelihoods on Country. Chuula is providing an effective model in Northern Australia of independent, traditional owner-driven economic development within an environmental management plan.

TWS and Chuula are integrating our knowledge of conservation and natural resource management on Aboriginal homelands into public policy and entrepreneurial initiatives that support Indigenous conservation and development, as well as the environmental goals of the wider community.

This discussion paper sets out some ideas in support of joining Indigenous conservation and homelands development in a robust national strategy.

Strategic Considerations

The conservation imperative

A global conservation imperative has emerged around a cluster of environmental issues such as the massive loss of biodiversity, broad scale landscape degradation and diminished productivity, pollution and human-induced climate change. Combined, these are critical security and sustainability issues in the 21st century. All countries must play an active part in rapidly addressing these issues. In Australia, this requires a new continental-scale focus with measures implemented through a range of coordinated strategies.

Patterns of land clearing and species extinctions in Australia strongly correlate with loss of cultural and linguistic diversity, demonstrating the link between people and nature - similarly, areas of the continent that

meet ‘wilderness’ criteria exhibit Indigenous connections to country to a greater degree than elsewhere. This is evidenced by the locations and extent of contemporary Aboriginal landholdings, and the strength and viability of native title claims.

This means that some of Australia’s greatest environmental assessments remain intrinsically linked to Aboriginal land ownership and cultural connection, and those best placed to retain and manage these assets are the Traditional Owners themselves.

Indigenous conservation and natural resource management - whether through Indigenous protected areas and conservation agreements, greenhouse gas abatement measures, wild river management or other activities - will therefore be one of the major planks of environmental strategy in Australia in the coming years.

Indigenous rights and interests

Recognising the rights and interests of Indigenous people and their vital role in conservation and natural resource management, will require a step up in public policy, increased commitment of public resources, and greater cooperation with landholders and claimants.

It will be imperative for Governments to work from the realities of peoples’ lives and find social and economic strategies that enable the transition to new sustainable modes of development while addressing and managing the profound equity issues involved in Indigenous peoples place in contemporary Australian society.

The goals of reconciliation – such as equality of health and education, and recovery and restitution – bear directly on the viability of many conservation measures and ecologically sustainable developments. In turn, addressing these environmental issues at an appropriate scale and with the resources seriously required to meet the conservation imperative, will have direct benefits for Indigenous people seeking to regain control over their land and lives, and to create jobs.

A Conservation Economy approach for sustainable livelihoods

Currently, Indigenous land holders are not encouraged to build conservation into their options for future development, and plan and implement coordinated actions that meet a range of environmental, social, economic and cultural objectives. However, through Indigenous involvement in natural resource management and other ‘caring for country’ initiatives a strong basis for Indigenous organisations to build environmental enterprises and develop a range of local and Traditional Owner-based programs exists.

In addition, human-induced climate change will drive the development of the ‘carbon economy’ and Indigenous Traditional Owners are potentially at the leading edge of this new economic sector through their control of large areas of intact native vegetation and their knowledge and use of fire management.

We will need the development of carbon credits and the pricing of carbon to accurately and equitably account for the environmental contributions of Aboriginal lands and Traditional Owner management.

A National Conservation Strategy

There is a need to further develop a conservation planning framework which integrates protected area design and natural resource management at a landscape scale to achieve biodiversity conservation, greenhouse gas abatement, and ecological resilience in the face of climate change. Australia needs a whole-of-landscape approach which will boost biodiversity protection across all land tenures, and provide ample support to landholders to respond to contemporary climate change, environmental and natural resource issues.

Indigenous land and water management is essential to a national conservation strategy and can provide a number of significant development options for homeland communities. But at present there is a disparate array of community activities and needs, and a variety of Government initiatives and policies and these aren’t yet meshing effectively across the Aboriginal land estate or making proper use of the available on-ground resources and expertise.

With the shift in policy towards paying landholders for environmental services, it is about time to recognise and reward the valuable contributions made by Traditional Owners and Indigenous communities to conservation and natural resource management.

To date Indigenous landowners do not receive the same level of support and resources as their non-Indigenous counterparts in heavily degraded production landscapes, or in other parts of the conservation estate. This is an issue that must be resolved so that the necessary environmental protection strategies are put in place and the serious issues of inequity and disadvantage can be addressed.

By doing so, a major social and economic sector will be developed in the Indigenous management of land and water and other natural and cultural resources.

Managing natural and cultural resources - A major social and economic sector for Indigenous people

Indigenous enterprises and employment are being created around the significant and expanding Aboriginal landholdings and community infrastructure. This is providing environmental services and other benefits to all Australians by –

- generating sustainable jobs for people in remote areas
- reducing social welfare costs to Government
- improving health, education and social cohesion for people in remote areas
- more effectively using traditional and contemporary skills and existing land and sea management infrastructure, and enabling the exercise of native title rights and interests
- providing environmental and security benefits for all Australians, including -
 - Greenhouse gas emission abatement
 - Weed and feral animal control
 - Protection of threatened species
 - Water quality and management
 - Quarantine and border protection
 - Savanna fire management
 - Management of conservation parks
 - Fisheries Management

This area of activity is expanding and is increasingly important to the management of a range of environmental and economic security issues for Australia in the 21st century. It is also a key part of any platform to alleviate Indigenous disadvantage and dispossession in remote regions and rural areas. It generates many direct and additional jobs (for example in tourism and arts and cultural enterprise) and maintains important aspects of the traditional economy and resource base.

A major contribution can be made through Indigenous conservation and homelands development to addressing the threats of climate change, land degradation, weeds and feral animals, inappropriate fire regimes and other environmentally destructive or degrading processes.

Commonwealth leadership is required to ensure the progress of a robust national environmental management strategy, conducted in cooperation with Traditional Owners and other Indigenous interests. Other government and non-government agencies are also critical partners.

However, the full range of environmental, social, economic and cultural benefits, including business and employment opportunities, can only be realized with clear leadership and investment from the Commonwealth, and through addressing implementation issues on the ground.

Implementation issues

Contemporary Indigenous land management and development

National leadership, coordination and investment

Further progress on Indigenous land management and development will benefit with a strong lead from the Commonwealth Government. Given the range and scale of changes in the environment and the critical ecological and natural resource issues we all now face, nationally coordinated strategies and consistent and complementary State arrangements are required.

These strategies should include the creation of a substantial, broadly-based, long term investment fund for Indigenous land and water conservation. This is critical to sustain the effort to protect and manage the environment and to produce enduring results in Indigenous development. Reform and expansion of the Indigenous Land Corporation's under-developed environmental program could add significant financial impetus to this.

Infrastructure and social service support from Governments for the maintenance of homeland communities on Country is also vital to this effort. This support will ensure that environmental management is carried out, with benefits to all Australians. And it will simultaneously assist with restoration of the social relationships that underpin customary rights and obligations in relation to traditional lands and amongst the clan estates.

These relations and the carrying out of rights and responsibilities have been broken down through the centralisation of control over Aboriginal people's lives, with detriment to both people and the environment.

In land and water management, this problem has been reinforced by recent past federal policy and a change in direction is needed. For example, levels of previous funding for the valuable work of Indigenous Land and Sea managers, slashed through the abolition of CDEP by the previous Government, need to be quickly re-instated and built upon.

This should be coupled with a policy reform approach that ensures economic benefits are derived from 'fee for service' environmental management and Aboriginal property rights, and that addresses the structural inequity and failure in government service provision which has contributed to ongoing Indigenous disadvantage.

While appreciating recent announced increases of public investment in the Indigenous Protected Area (IPA) program - one of the major success stories in Indigenous conservation - there remains a question on its adequacy. The findings in the Indigenous Protected Areas Program 2006 Evaluation by Brian Gilligan for the Department of the Environment and Heritage, and comparison with the amounts of public investment in other Protected Areas and Natural Heritage Management programs, suggest it is not.

Investment in the IPA program of \$20–30 million per year by 2010–2011, increasing to \$50 million ongoing, was identified by Gilligan as a realistic benchmark based on the cost effectiveness and multiple benefits of the program.

Increasing investment in the kinds of actions already proposed in the current Federal Government's policy, and better business, training, and infrastructure and housing support are needed to enable Traditional Owners working on Country to develop sustainable livelihoods and deliver effective environmental and other services.

Governments need to place much more emphasis on environmental services, ecological economics and 'new economy' opportunities, and properly recognise the valuable services that Indigenous land managers are providing to their own communities and all Australians.

The Commonwealth has major responsibilities here and it should seek to meet its shared responsibilities and mutual obligations through new Cooperation Agreements with Traditional Owners and homeland communities.

Most if not all of this resourcing and support can come from reprioritising and restructuring within existing programmes such as Natural Heritage Trust / Natural Resource Management, the National Reserve System budgets and Indigenous Land Corporation expenditures. Combined with social program spending this can achieve substantial results over time.

This also requires a better strategic focus on the environment in the allocation of NRM program funds. An environment strategy using the best leading edge knowledge in biodiversity conservation, landscape protection and large-scale ecological processes, should be employed to guide decision making and funding allocations.

Indigenous representation and governance

There are varied views amongst Aboriginal people on aspirations for the future of their homelands and their communities, and on strategies for land management and economic development. It is not in the nature and functions of centralised regional Land Councils that they can necessarily speak for all the Traditional Owners of a region on land management and land tenure issues.

Current representation is a legacy of disparate political and legal strategies, and power and resource imbalance, as well as two-way cultural and educational barriers. There are also at times conflicting interests between Traditional Owners and Indigenous representative bodies, such as land councils.

There is no easy answer to questions of direct participation as against representation, but current arrangements would benefit from impartial review and reform, separating out functions and regrouping them into more appropriate arrangements.

Many Traditional Owners consider the Land and Sea Centres, formed and controlled under the umbrella of centralised Community Councils, to be an inappropriate and failing model. This is because of the lack of legal recognition and supporting structures for Traditional Ownership and governance at the clan estate level; the level at which natural and cultural resource protection and management traditionally takes place.

Also, the use of community and corporate models of management doesn't necessarily reflect, and may conflict with, the customary obligations of the primary land managers. They can also promote division and act as a serious drag on effectiveness.

Environmental management and social development require sensitivity to case-specific circumstances including cultural rights, as well as the strategic imperatives at the public policy level. Reform and new arrangements in the area of Indigenous governance and representation need to treat these land management and development issues as central concerns and provide avenues for the real exercise of Traditional Owners' property and land use rights.

This means that conservation and land and natural resource management must build from the ground up – starting with existing and viable Indigenous organisations based on homelands and, or, by functional Land Trusts whose primary objectives are to support homelands development and the sustainable management of lands and waters by their Traditional Owners. Indigenous representation and governance arrangements should better reflect this, as well as other governance factors and social relations important to Traditional Owners.

Higher-order representation should support and enhance this, not act as a layer of political and legal control over Traditional Owners. Conservation initiatives which require cooperation between Government and Traditional Owners often become mired and politicised, when in many instances this is or should be a straight forward engagement.

Dealings in land can tend to become leverage in political negotiations and Government will often tend to engage with pre-existing (though at times unrepresentative) organisational structures in preference to developing wider ranging consultation and creating new direct opportunities for people living on country to engage in the issues that affect their real rights and interests in land.

Many Traditional Owners feel they have the right to negotiate directly in relation to their own homelands and that this choice is denied them, especially through the native title regime. This needs to change, and a direct and clear communication from Traditional Owners to Government and others at the outset as to the desired role of representative and native title bodies would likely result in easier negotiations and better outcomes.

Working models of Indigenous conservation and management

Land management models are needed which successfully reflect the customary tenure and management of Traditional Owners. This is in recognition of the rights that Traditional Owners hold to country, and the importance of active Indigenous management to the maintenance of the full complement of natural and cultural values.

The traditional homelands and clan estates provided the primary ecological management across the continent for millennia, and are deeply embedded in the Australian natural environment – what is sometimes termed the 'the seamless web of cultural landscapes'. The environmental benefits of this management are well appreciated in conservation biology.

It is therefore likely to be a far better use of public money, and better for the land and people concerned, if effort is organised primarily at the Traditional Ownership level. It is best if land and sea management capacity is centered on the traditional homelands through Indigenous organisations and Land trusts. This will further empower Traditional Owners who are actively living and working on country. Importantly, these agencies must have well developed and current Management Plans.

This emergent homelands-based conservation model, with both primary and state-devolved responsibility in the hands of traditional land owners, needs to be strengthened if we are to achieve many of the goals of environmental protection and Indigenous development.

The model is also important because it allows productive and cooperative working relationships with other stakeholders (e.g. leaseholders, Government agencies, eNGOs, philanthropists), and directly links local effort to broader strategies.

More about us

Kaanju Homelands Development –

Protecting natural and cultural values and building livelihoods in central Cape York

In central Cape York Peninsula, the Chuulangun Aboriginal Corporation has initiated a program of environmental management and enterprise development to ensure sustainable land management, conservation and livelihoods on country.

The northern Kaanju homelands on the upper Wenlock and Pascoe Rivers include a large area of Aboriginal freehold title and have significant wetlands, wild rivers, open savanna country, and some of the most important remaining tropical rainforest habitat in Australia. The landscape is of national importance for nature conservation.

Kaanju homelands will be a major focal area for a number of Cape York conservation initiatives of state, national and international significance.

In advance of this there are already various initiatives which are having major biodiversity as well as employment, social, cultural and economic benefits –

- Chuulangun has a comprehensive land and resource management framework and plans to declare an Indigenous Protected Area (IPA) on a large part of the Kaanju land estate under the Commonwealth program.
- Chuulangun is also undertaking a range of funded and unfunded natural resource management activities such as weed and feral animal management, fire management, revegetation and addressing other land degradation issues. These include protecting and managing the headwaters and upper reaches of the Wenlock and Pascoe rivers, which have been identified for nomination for protection under the Queensland Wild Rivers Act.
- Chuulangun is working in collaboration with Indigenous and non-Indigenous landholders and land managers in the region, including neighbouring pastoralists, the Mangkuma Land Trust, and local businesses. For example, with the assistance of funds from the National Landcare Program Chuulangun has initiated the formation of a Weed Reference Group, comprising stakeholders in the region, and developed a comprehensive weed management plan for Kaanju homelands.
- Chuulangun also runs a training and capacity building program for Indigenous participants focusing on preparation for work, natural resource management and homelands development. Recently Chuulangun has received funding from the Queensland government's Community Jobs Plan (CJP) program and twelve (12) participants have completed CJP modules and an aligned Certificate II in Conservation and Land Management (CALM) undertaken through Far North Queensland TAFE. The training and work activities were undertaken entirely on country.
- Chuulangun is seeking support from philanthropic organisations in order to secure matching funding outside of government. Chuulangun has received funding from the Australian Bush Heritage Fund, The Nature Conservancy and The Christensen Fund to support its land management and homelands development aspirations.
- Chuulangun is generating employment for Indigenous and non-Indigenous people in the region through the development of land management based projects on homelands.
- Kaanju homelands are also likely to fall within the Area of International Conservation significance to be declared by the Queensland Government under the new Cape York Peninsula Heritage Act 2007. The Chuulangun land management plan provides an appropriate basis for voluntary management agreements with the State under the Heritage Act arrangements.
- At the request of the Traditional Owners, an Indigenous Community Use Area on Kaanju land may also be declared under the Cape York Heritage Act, providing further opportunity for ecologically-sustainable business activities.
- Chuulangun has highlighted the inadequacies and problems associated with a number of Indigenous policies and programs through submissions to various government reviews and letters to ministers. For example, Chuulangun made submissions to the Review of the Queensland Aboriginal Land Act and to the former federal government's Indigenous Affairs Minister highlighting the problems associated with their homelands policy, particularly issues to do with homelands housing and tenure issues.

- Resolution of State land dealings related to Batavia native title holders will also result in further conservation initiatives, including a possible co-managed *National Park (Cape York Aboriginal Land)*.
- Chuulangun has been looking closely at the Native Title Act (NTA) and its effects on Traditional Owners. Chuulangun has written letters to the National Native Title Tribunal about problems with the native title process and the failure of the NTA to properly recognise and support Indigenous land tenure and the homelands and economic development aspirations of native title holders.
- Natural resource management based enterprises including the development of tourist facilities, organic cattle and pig sales, a native plant nursery, research and development of commercialisation of plant oils, bio-prospecting for new medicines in collaboration with academic institutions, education and training, and other initiatives support Chuulangun's plans for a viable, sustainable homelands community. This is an emerging model of conservation economy in a remote area. Importantly, Chuulangun Aboriginal Corporation is 'not-for-profit' so any income from enterprises is put back into land management and homelands development.
- In addition, Chuulangun is establishing small-scale community infrastructure powered by solar energy. Reliable and sustainable energy services play an important role in assisting homeland residents to make real choices regarding their own lives and the utilisation of existing and future resources such as participation in Natural Resource Management activities and / or developing community based enterprises.
- Having the first Bushlight – Renewable Energy installation for Cape York Peninsular, the people of Chuulangun have experienced first hand the benefits of living with a renewable, reliable and sustainable energy source. These benefits include; a reduction in diesel energy consumption and as such costs associated with diesel reliance; the introduction to 24 hour power which has improved livelihood and educational opportunities; being able to store foods and perishable items for longer periods of time; and the return of a more peaceful lifestyle (no more noisy generators) to the bush.
- The development of sustainable housing and subsequent infrastructure for Chuulangun's growing community, and support for the homelands development aspirations of other Indigenous clans in the region, is a current priority for the Chuulangun Aboriginal Corporation. This highlights the growing energy needs that this future development will bring and the importance of developing appropriate government policy direction and funding opportunities to assist.

***The Wilderness Society Northern Australia project –
A new approach to conservation and development***

For the past 20 years, The Wilderness Society (TWS) has undertaken research, advocacy and policy development for the protection of the stunning environmental values of Cape York Peninsula. This work has been integral to the development of our national WildCountry program and our work on Northern Australia, and combines two clear and related objectives.

The first objective is to secure the long term protection of Northern Australia's globally-significant natural environments and cultural landscapes; and the second is to ensure the rights and interests of Indigenous Traditional Owners, including the right to manage homelands, are recognised in public policy, and to work cooperatively with Traditional Owners on conservation initiatives and sustainable economic developments.

To this end –

- TWS has formed a number of Cooperation Agreements with Traditional Owner groups around Australia. These agreements include initiatives to support Aboriginal conservation efforts and the environmental goals of the wider community such as biodiversity conservation, creation of protected areas, etc. including to facilitate integrated research, conservation and management of homelands and whole ecological regions
- TWS has contributed to the development of new scientific thinking on conservation through the creation of the WildCountry Science Council – an independent group of eminent scientists in the fields of conservation science.
- TWS is also a major participant in the development of the *Nature of Northern Australia* – a comprehensive scientific statement by leading conservation biology scientists, guided by the principles enunciated by the WildCountry science council, about the conservation values of Northern Australia, the critical issues for management and protection, and the opportunities these provide for the people of the region. A copy of the report can be found here : - http://epress.anu.edu.au/nature_na_citation.html

- This work has informed much of our recent efforts in remote areas such as northern and western Queensland, the Great Western Woodlands in SW Western Australia, the Dhoogoor Yuara Landscape Project from Eyre Peninsula to the SA/WA border, etc and informed our well-received contribution to the review of the Indigenous Protected Areas program
- TWS has been instrumental in a number of major environmental policy developments in Queensland which reflect the new science and public policy thinking on the protection and management of Northern Australia – these include:
 - An instrumental role in the development of the *Cape York Peninsula Heritage Act, 2007* giving effect to a new model of conservation and development, opening the way to protection of world heritage values, and reinforcing Aboriginal rights and interests in land and water management and sustainable development
 - Implementation of the goals of conservation and Aboriginal land return through the Cape York Tenure Resolution Implementation Group. When the work of CYTRIG is completed it will deliver over 2 million hectares of former leaseholds and other tenures into the Aboriginal land and conservation estate of Cape York. CYTRIG has already led to a number of state land dealings being resolved and law reform in the area of joint management
 - An end to broad-scale land clearing in Queensland through the Vegetation Management Act, thereby making a massive contribution to biodiversity protection, greenhouse gas abatement and protection of cultural landscapes
 - The development of the Wild Rivers Act as a basis for appropriate management of catchments first recognised by the Commonwealth as ‘wild and natural rivers’ and as important environmental assets within the National Water Initiative. This has resulted in the protection of a number of the catchments of the Gulf of Carpentaria (as well as Hinchinbrook and Fraser Islands) through Wild River declarations, with further nominations to proceed on Cape York
- TWS is also working on a strategies with philanthropic investors, businesses and private sector entrepreneurs to support *conservation economy* initiatives

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