

## Recent publications

The publications reviewed here are not available from AIATSIS. Please refer to individual reviews for information on obtaining copies of these publications.

***Indigenous Law Bulletin: Indigenous Land Use Agreements Issue*** Indigenous Law Centre, Faculty of Law, University of NSW. The June 1999 issue of the Indigenous Law Bulletin (Volume 4, Issue 21) is dedicated to the discussion of Indigenous Land Use Agreements and should prove invaluable to anyone considering making an ILUA. Graeme Neate, President and Jo-Anne Byrne, Legal Officer of the National Native Title Tribunal explain the statutory framework and administrative compliance procedures which are contained in the Native Title (Indigenous Land Use Agreement) Regulations 1998 (Cth). Experienced practitioners offer constructive advice on how to negotiate successful agreements. The Indigenous Law Bulletin can be ordered from the Indigenous Law Centre, Faculty of Law, University of NSW, Sydney, NSW 2052. Telephone (02) 9385 2256, fax (02) 9385 1266, email [ilc@unsw.edu.au](mailto:ilc@unsw.edu.au) (*QNT, August 1999, p3*)

***Making Indigenous Land Use Agreements*** The National Native Title Tribunal has produced a series of four guides to making Indigenous Land Use Agreements (ILUAs). The guides are as follows:

- Alternative procedure - Application booklet - includes a practical guide to getting your alternative procedure agreement registered
- Area agreements - Application booklet - includes a practical guide to getting your area agreement registered
- Body corporate agreements - Application booklet - includes a practical guide to getting your body corporate agreement registered
- Short Guide to ILUA registration - What you must do before your ILUA can be accepted for registration.

The guides are aimed at ILUA applicants. The application booklets contain an application form and a detailed step by step guide to completing the application to ensure that it complies with the requirements for the particular type of ILUA. Copies of the guides are available from the National Native Title Tribunal and on the Tribunals website at [www.nntt.gov.au](http://www.nntt.gov.au) (*QNT, August 1999*)

***Justice & Equity For All: Local Government and Indigenous Partnerships***, Australian Local Government Association and ATSIC, 1999.

A simplified version of the ALGA's Working Out Agreements, this brochure presents twenty-two brief descriptions of community projects that involved Indigenous Australians in the functioning of local government. In a number of

cases, this involvement is surprisingly simple. Subiaco, for instance, re-named a park and a room in their local history museum to reflect the traditional owners of the area. Others are far more complex. Redland Shire Council and the Quandamooka Land Council have been negotiating a native title claim on North Stradbroke Island (Minjerribah) and surrounding seas. All the cases presented emphasise the positive effects of 'open communication, respect, and a real desire to improve relations within their communities.'

The introductory material describes the Association's policy on Indigenous issues, ATSIC's local government policy and the shared policies which are the basis for a process of 'understanding, commitment and reform' in which different communities follow different paths to achieve similar ends. As well as providing examples of programs local councils have devised, the conclusion of the booklet presents a checklist of questions intended to begin or further the process of awareness, participation, planning agreements and service delivery.

***Guide to Compiling a Connection Report*** The Guide has been designed by the Historical and Anthropological Unit, Native Title Services, Queensland Department of the Premier and Cabinet and aims specifically to help those involved in compiling connection reports. Connection reports are presented to the Queensland Government as part of the mediation process carried out under the Commonwealth *Native Title Act 1993* by native title applicants seeking recognition that they are the traditional owners of particular areas and are used to prove continued connection with those areas. The guide lists sources of relevant material and provides some guidance on research materials and oral history research. For further information contact Val Donovan on (07) 3227 7994 or Colin Sheehan on (07) 3227 7964.

#### **BOOK REVIEW by Sandie Suchet\***

***Land claims and national parks: The Makuleke experience*** by Dr Bertus De Villiers<sup>#</sup> (published by HRSC Publishers, Pretoria) is a useful book for anyone involved in interactions between indigenous communities and state authorities including representative bodies, resource managers, academics, researchers, lawyers, policy makers and government workers, especially those directly involved in potential or actual resource co-management situations. The book outlines the processes involved in negotiating the Makuleke Land Claim over a portion of Kruger National Park under the South African *Restitution of Land Rights Act 22 of 1994*. It embeds land claims/restitution in South Africa in an international legal context, and considers the right to, and application of, joint management of national parks with a comparative review and analysis of Australian co-management experiences. It is useful to get the perspective of one of the South African National Park's lawyers to gain an understanding of

the government's perspectives. It is also extremely useful for people working in this area to have the full agreement re-produced in the text as an appendix. This allows for critique of the agreement beyond De Villiers' own interpretations and insights.

However, it is necessary to contextualise the book within De Villiers experiences. Apart from the intriguing footnotes, the book does not engage with the perspectives and experiences of the other parties involved in the negotiations, in particular the Makuleke community. The reader is tantalised by the odd reference to what the community negotiated away and feels that there is more to the story. This may be forthcoming in other publications or it may be necessary to directly interact with the community for these insights.

As background to a negotiation process for co-management arrangements the book is a potentially powerful tool for gaining ideas and invoking international standards in negotiation processes. Keeping it in perspective as part of broader processes makes follow-up investigations, outlining and analysing the actual effectiveness of the implementation processes from multiple vantage points, important for those wanting to build on the Makuleke experiences.

\* Sandie Suchet is a PhD Student in the department of Human Geography at Macquarie University.

# Dr Bertus De Villiers is currently working as the Manager: Native Title with the Goldfields Land Council in Kalgoorlie, Western Australia. He previously worked with South African National Parks as General Manager: Legal Services and as Head of the Centre for Constitutional Analysis of the Human Science Research Council in Pretoria, South Africa.

### **Native Title Research Unit publications**

*The following NTRU publications are available from AIATSIS. Please phone (02) 6246 1161, fax (02) 6249 1046 or email: ntru@aiatsis.gov.au. Prices listed include postage.*

***Regional Agreements: Key Issues in Australia - Volume 2, Case Studies***  
Edited by Mary Edmunds, 1999. (\$19.95)

***A Guide to Overseas Precedents of Relevance to Native Title*** Prepared for the NTRU by Shaunnagh Dorsett and Lee Godden, 1998. (\$18.95)

***Working with the Native Title Act: Alternatives to the Adversarial Method***  
Edited by Lisa Strelein, 1998. (\$9.95)