

List of abbreviations

***Note:** Where an item also appears in other newspapers, etc, an asterisk (*) will be used. People are invited to contact the Native Title Research Unit at AIATSIS if they want the additional references. The NTRU will try to provide people with copies of recent newspaper articles upon request.*

Ad = Advertiser (SA)

Age = The Age

Aus = Australian

CM = Courier Mail (QLD)

CP = Cairns Post

CT = Canberra Times

DT = Daily Telegraph

FinR = Financial Review

HS = Herald Sun (VIC)

KM = Kalgoorlie Miner

ILUA = Indigenous Land Use
Agreement

IM = Illawarra Mercury

LE = Launceston Examiner

LRQ = Land Rights Queensland

Mer = Hobart Mercury

NNTT = National Native Title Tribunal

NTA = *Native Title Act 1993*

NTRB = Native Title Representative
Body

NTN = Native Title News (State
editions)

SC = Sunshine Coast Daily

SMH = Sydney Morning Herald

TelM = Telegraph Mirror (NSW)

WA = West Australian

WAus = Weekend Australian

NEWS FROM THE NATIVE TITLE RESEARCH UNIT

Grand Chief Charles Fox

Grand Chief Charles Fox of the Nishnawbe-Aski Nation spoke at a seminar organised in Canberra by the Canadian High Commission and the Native Title Research Unit. The central theme was self governance by Indigenous people, an arrangement that he believes will inevitably come to Australia. The Grand Chief noted that Canadian politicians and public servants, who would not have said the word self-governance until recently, have now come to accept the arrangement. He also stressed the importance of First Nations asserting sovereignty, in particular when negotiating with industry for resource development. Grand Chief Fox explained how the nation-within-a-nation approach to Indigenous self-government allowed consultation at any level of government on an equal footing, sovereign to sovereign.

Native Title in the New Millennium
Native Title Representative Bodies legal conference
16- 20 April 2000

Mirimbiak Nations Aboriginal Corporation hosted a legal conference for Representative Bodies' lawyers in Melbourne in April. The Commonwealth Attorney General, the Commonwealth Solicitor General and the Minister for Aboriginal and Torres Strait Islander Affairs addressed the conference, as did Victoria's new Attorney General, Rob Hulls. A number of barristers, including many QCs who had worked on some of the foundation cases in the native title field, discussed recent federal and High Court decisions such as *Miriuwung Gajerrong* and *Croker Island*, and many legal officers from NTRBs discussed some of the cutting edge issues for their organisations including taking of evidence and management of claims and hearings, as well as resourcing. There were also updates on the various state government policies, proposed state regimes and discussion of agreements and economic opportunities. The convenor, Mirimbiak's Principal Legal Officer, Bryan Keon-Cohen QC, managed to bring together an excellent group of speakers and secure wide participation from lawyers and others involved in native title processes. The comprehensive collection of papers is currently being edited for publication.

Lisa Strelein
Native Title Research Unit, AIATSIS

Native title issues papers

The Institute's Native Title Research Unit publishes issues papers in the occasional series, *Land, Rights, Laws: Issues of Native Title*. The Unit is seeking expressions of interest and submitted papers for this series. Future issues this year will focus on natural resources, particularly biodiversity and water and environmental management; later in the year, the focus will include self-government and the management of native title lands. The papers are subject to peer review and are generally written at an academic level. They should be 3,500 words in length and sent on disk or via e-mail.

Contract Research

The Native Title Research Unit also commissions small research projects which generally result in publications in the *Land, Rights, Laws* series. Should you be interested in being included on the register of consultants which the Unit uses to commission projects, send your expression of interest, briefly addressing the selection criteria listed below, with an accompanying curriculum vitae and list of recent publications to

Publications Officer
NTRU
AIATSIS
GPO Box 553
Canberra, ACT 2601

Further information is available from George Boeck on 02 6246 1183,
gab@aiatsis.gov.au

Selection criteria:

Understanding and awareness of issues affecting Indigenous cultures and societies in Australia today
Demonstrated experience in native title
Highly developed analytical and policy skills
Evidence of the ability to write reports for publication within a set time-frame

CURRENT ISSUES

Indigenous Governance

Governance is on the agenda as a key issue in the development of native title and Indigenous land aspirations. The unspoken dilemma of the *Mabo* decision and for Australian jurisprudence is the source of native title. It is easy to say it is sourced in the traditions, laws and customs of Aboriginal and Torres Strait Islander peoples, but just what does this mean? The Australian tenure system recognises that everything is sourced from the Crown, yet as the common law recognises at least in words, the traditions, laws and customs of Aboriginal and Torres Strait Islander peoples do not come from the Crown. The legislative framework administering the recognition of native title attempts to regulate and control the scope and content of these laws, traditions and customs in land aspirations. Yet these laws, traditions and customs existed prior to the coming of the Crown and continue to exist with or without official recognition of the Crown. The inability of the Courts to recognise the prior and continuing sovereign status of Aboriginal and Torres Strait Islander peoples will continue to be an issue until it is satisfactorily addressed. How it is to be satisfactorily addressed is the dilemma.

In his book *Sovereignty* Henry Reynolds has written about the sovereignty of Aboriginal and Torres Strait Islander peoples. Reynolds demonstrated the historical gaps in how the Australian social, legal and political culture have dealt