

NATIVE TITLE AND THE NET

Native title now has a significant presence on the Net. This forms an important resource, not only for those with a general interest in native title but also for those studying or working in the area.

The following list of sites is by no means comprehensive but does provide a good starting point from which to investigate native title on the Net. It is split into a number of areas depending on individual interests.

Many of the internet addresses listed have links pages to other sites of relevance. Although many links are repeated between sites, it is worthwhile having a look as some links may be unique to a particular site.

Commonwealth and State Government Departments administering Native Title

<http://www.fedcourt.gov.au> - Federal Court.

This site contains information on native title proceedings, forms for lodging applications as well as for other parts of the native title process, full text judgements, *Native Title Act 1993*.

<http://www.nmtt.gov.au> - National Native Title Tribunal.

This site is updated daily and has a timeline showing the progress of native title applications and their status, publications of relevance to native title, summaries of registration test decisions and general information on the operation of the Native Title Act 1993.

<http://www.ilc.gov.au> - Indigenous Land Corporation (ILC).

Contains comprehensive information on ILC policy regarding land acquisition as well as information on land purchases to date.

<http://www.atsic.gov.au> - Aboriginal and Torres Strait Islander Commission (ATSIC).

Provides information on ATSIC policy regarding Native Title programs as well as an issues section dealing largely with issues surrounding the amendments to the Native Title Act 1993. There is a brief overview of the *Delgamuukw v British Columbia* court case and some useful links for native title.

<http://www.premiers.qld.gov.au/about/nativetitle> - Queensland Native Title Services.

The site contains general information on native title and how to prepare connection reports.

Representative Bodies and Indigenous Organisations

<http://www.faira.org.au/niwg> - National Indigenous Working Group (NIWG).

The site contains the NIWG position paper on native title as well as information relating to the amended *Native Title Act 1993*.

<http://www.faira.org.au> - Foundation for Aboriginal & Islander Research Action (FAIRA).

This site is one of the most comprehensive Indigenous sites. It has a large issues section relating to amendments to the Native Title Act as well as information relating to the recent Committee on the Elimination of Racial Discrimination (CERD) proceedings.

General Note: Most representative body web sites have similar content in terms of information on the areas and communities they represent as well as current projects. Set out below are a few of the native title representative bodies.

<http://www.tsra.gov.au> - Torres Strait Regional Authority.

<http://www.ozemail.com.au/~nlc95> - Northern Land Council.

<http://www.cylc.org.au> - Cape York Land Council.

<http://www.clc.org.au> - Central Land Council.

<http://www.indiginet.com.au/mirimbiak> - Mirimbiak Aboriginal Corporation.

Research

<http://www.aiatsis.gov.au> Australian Institute of Torres Strait Islander Studies (AIATSIS).

The site contains research from the Native Title Research Unit, including issues papers and recent newsletters. Information on the Institute's native title research service is also available. The AIATSIS library catalogue, Mura can be accessed from this site.

<http://www.archivenet.gov.au>

This site gives links to all archives within Australia at both State and Commonwealth government levels.

<http://www.nla.gov.au> - National Library of Australia.

This site contains the National Library catalogue as well as links to other libraries around Australia.

(Note: State Libraries and Universities Libraries also have their catalogues online.)

Legal Research Sites

<http://scaleplus.law.gov.au> - The Commonwealth Attorney General's Department legal search site contains a search facility for looking up legislation and cases.

<http://www.austlii.edu.au> - Australian Legal Information Institute (AUSTLII).

One of the most comprehensive sites for legal research, this site contains a search facility for looking up legislation, court decisions and cases.

Scrutiny of the *Native Title Act 1993*

http://www.humanrights.gov.au/social_justice - Human Rights and Equal Opportunity Commission (HREOC).

The site contains reports by the Social Justice Commissioner on the operation of the *Native Title Act 1993*.

http://www.aph.gov.au/senate/committee/ntlf_ctte - Parliament of Australia.

The site contains information on the Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Fund Committee which reports on the operation of the *Native Title Act 1993*. Also available elsewhere on the site are the Parliamentary Hansards which are transcripts of parliamentary proceedings.

Online Articles

AIATSIS Native Title Research Unit - Please see entry under Research above.

<http://www.austlii.edu.au/au/special/rsjproject/rsjlibrary> - Reconciliation & Social Justice Library - The site contains articles and issues papers of relevance to native title.

<http://hna.ffh.vic.gov.au/aav/lib/region3.htm> - Bibliography: Regional Agreements.

This site is hosted by the library of Aboriginal Affairs Victoria. As the title suggests, it has a number of articles on Regional Agreements.

International

<http://www.bloorstreet.com/300block/ablawleg.htm>

This site is well set out, containing links to sites of relevance to Aboriginal law and legislation in the United States, Canada, New Zealand and Australia. The links to Aboriginal resources on the net expands to South America.

Community Organisations

<http://www.antar.org.au> - Australians for Native Title and Reconciliation (ANTaR).

Contains information on the activities of ANTaR as well as media releases.

<http://www.tcgproject.org> - Towards Common Ground.

Community based group promoting local mediation and resolution of native title.

Recent publications

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

Governance Bodies and Australian Legislative Provision for Corporations and Councils, Garth Nettheim, Discussion Paper 7, Governance Structures for Indigenous Australians on and off Native Title Lands, University of New South Wales and Murdoch University, 1999.

This discussion paper looks at governance structures devised for Aboriginal and Torres Strait Islander people, apart from the structures devised for land holding and land management purposes. The paper includes substantial excerpts from legislation and reports. Nettheim steers away from arguments, preferring instead to list brief comments and discussion points at the end of each chapter. The paper is one of a series and is part of a project to develop recommendations for more effective interaction between Indigenous and non-Indigenous governance structures. For example, in order to receive title from the Indigenous Land Corporation, Indigenous people are required to incorporate under the *Land Fund and Indigenous Land Corporation (ATSIC Amendment) Act 1995 (Cth)*, the *Aboriginal Councils and Associations Act 1976 (Cth)*, or other legislation. This requirement can present tensions between the requirements of Australian law and the traditional laws and authority structures of the particular Indigenous group for whom a land purchase is proposed.

Another area of tension is the design of Native Title Representative Bodies (NTRBs) to perform various functions under the Native Title Act. Nettheim asks, "What is