

Indigenous Facilitation and Mediation Project – Singapore Conference

The Minerals Council of Australia funded airfares for Toni Bauman and Rhiân Williams to attend the 2nd Asia Pacific Mediation Forum 19-22 November 2003 in Singapore.

Attendance at the Conference was less than expected because of the SARS virus, however the opportunity to have an international discussion of cultural issues and approaches in mediation was worthwhile. In particular, visiting the Community Mediation Centres in Singapore was a highlight.

Rhiân Williams and Toni Bauman gave a conversational style presentation, outlining the broad issues of their project. Professor Lim Lan Yuan, in summing up the Conference commented favourably on the presentation, describing it as ‘engaging’.

Rhiân also gave a separate paper titled ‘Towards a new definition of Mediation’. Mr Graeme Neate, President of the National Native Title Tribunal, presented a joint paper with Associate Professor Craig Jones of the Native Title Unit at James Cook University.

Kaytetye Cultural Material Launch

On 5 February 2004 Grace Koch, Native Title Research and Access Officer, represented AIATSIS at a launch, held at Nyinkka Nyunyu Culture Centre at Tennant Creek, NT, of two books and a CD of Kaytetye cultural material.

The books, published by the Institute for Aboriginal Development Press, were *Growing Up Kaytetye: Stories by Tommy Kngwarraye Thompson* (compiled by Myfany Turpin) and the *Kaytetye Picture Dictionary* (compiled by Myfany Turpin and Alison Ross). In 1990, Grace Koch had worked at length with Tommy Thompson in compiling the book, *Kaytetye Country: An Aboriginal History of the Barrow Creek area*, which contained the first published texts in Kaytetye.

The audio recording, *Awehlye Akehlye; Kaytetye women’s traditional songs from Arnerre, Central Australia*, published by the Papulu Apparr-Kari Language and Culture Centre in Tennant Creek, contained songs recorded by Grace Koch in 1976 along with other performances of the same song series recorded in 1999. Arnerre country, an important Rain Dreaming area northwest of Barrow Creek, has figured in a recent ILUA being negotiated with Newmont Mining Corporation, which was referred to in the last AIATSIS Native Title Newsletter.

Seminar Series: 22 March – 31 May 2004

Titled: Regionalism, Indigenous Governance and Decision Making

The NTRU is convening the current AIATSIS seminar series on ‘Regionalism, Indigenous governance and decision making’. The series explores the way understandings of ‘regionalism’ impact upon Indigenous peoples and influence the way they govern themselves and make decisions. It investigates the way different groups are seeking control of their own lives and their regions, the barriers to this control, and possibilities for increasing control in the future.

The series was launched on 22 March by the Chair of AIATSIS, Professor Mick Dodson. The first speaker was the Institute’s inaugural Visiting International Indigenous Fellow, Professor John Borrows. More than 50 people heard Professor Borrows speak on ‘Living Traditions: The Resurgence of Traditional Law’.

All are welcome to attend future seminars and hear from speakers including Mr Brian Wyatt, Executive Officer, GLSC; Senator Kerry O’Brien, Shadow Minister for Reconciliation and Indigenous Affairs; Mr Sam Jeffries, Chairman, Murdi Paaki Regional Council; Dr Will Sanders, CAEPR; Mr Robert Blowes, Barrister, ; Dr Sarah Holcombe, CAEPR; Mr Parry Agius, Executive Officer, ALRM; and Dr Patrick Sullivan, AIATSIS.

For more details on the seminar series go to:
<http://www.aiatsis.gov.au/rsrch/seminars.htm>

FEATURES

WA Pastoralists and Aboriginal People Agree on Access to Land

Goldfields Land and Sea Council

It wasn't an 'earth-shattering' agreement but its significance for putting Aboriginal people back in touch with their traditional lands should not be underestimated.

For the Goldfields region of WA, the Pastoral Access Principles, signed into effect on February 3 by representatives of the Goldfields Land and Sea Council and the Pastoralists and Graziers Association, was a milestone.

Goldfields pastoral 'stations' were hewn from an area bigger than Texas by a rough and tough band of pioneers in a wave of government-sanctioned 'settlement' that occurred early last century. Their cattle and the fences that corralled them, served also to isolate Aboriginal people from land that is vital for the survival of Indigenous culture.

The history books show conflicts and resentments on both sides. And while many station owners can today boast excellent relationships with local Aboriginal people, for some, the old prejudices linger. The occasional land holder still acts as if the fences across the land they lease from the State are there to deny Aboriginal people their traditional connection to country, despite the State's *Aboriginal Heritage Act* saying differently.

The Mabo decision of 1992 brought a resurgence of pastoralists' fears of an Indigenous land grab, prompting strong opposition to native title by their representative body, the WA Pastoralists and Graziers Association (PGA). Long forgotten resentments suddenly re-emerged in the court rooms and in the media.

So, when the PGA put pen to paper in February this year to lay down a set of principles by

which Aboriginal people's access to their land could be harmoniously negotiated, it was a very welcome development. At last, here was a solid foundation on which sustainable, neighbourly relations could be built for the future.

The principles were an idea of the region's native title representative body, the Goldfields Land and Sea Council (GLSC), which has worked hard since Mabo to negotiate a string of milestone memoranda with a wide range of stakeholders in Goldfields land. Whether the MOUs have been with government, miners or pastoralists, the GLSC's aim has always been to advance the lot of Indigenous people and to protect their cultural heritage, while ensuring development in this highly prospective (minerals) region continues unhindered.

Success for bringing the principles to reality was in no small part due to the efforts of the National Native Title Tribunal, which guided the year-long discussions to their conclusion. There was no way that NNTT member Bardy McFarlane, would accept anything short of success.

The Goldfields Pastoral Access Principles were signed into effect by PGA President Barry Court and GLSC Chairman Ian Tucker. To underline their significance the State's Deputy Premier, Eric Ripper MLA, witnessed the signing. Nowhere in Australia had an agreement of this kind for a region the size of the Goldfields been concluded before.

The preamble to the agreement acknowledges the importance of coexistence, noting the reality that pastoralists and Aboriginal people share the same land. It goes on to confirm the importance to Aboriginal people of access to traditional lands, including lands subject of pastoral leasehold; and the importance to pastoralists of being able to use and enjoy their pastoral leases in a secure and efficient manner.