

# NTRU Project Reports

## Negotiation Project Update

This project has consisted of a number of now completed and interconnected elements:

- a negotiation workshop including the filming of a negotiation hypothetical;
- publishing by the NTRU of a discussion paper scoping native title negotiation issues for which a number of interviews were conducted with those involved in native title negotiations; and
- presentation of the paper at a negotiation session at the Native Title Conference 2009 in Melbourne.

On 19<sup>th</sup> March 2009, a one-day negotiation workshop was held in Sydney for Native Title Representative Body (NTRB) staff in association with FaHCSIA's Senior Policy Officer forum. The workshop was facilitated by Shirli Kirschner of Resolve Advisers.

The morning was taken up with the filming of a negotiation hypothetical, the panel consisting of a range of representative stakeholders. The afternoon had two training 'taster' sessions. In the first, the structure of negotiation in terms of 7 interest-based elements and their use was discussed. The second session focused on identifying triggers or 'buttons' that get pushed within or across the teams, strategies for dealing with them and the power of language working in large groups.

The film will be available from the NTRU on request from NTRBs for training purposes and a copy is deposited in the AIATSIS library.

Additionally, a draft paper titled 'Scoping Process Issues in Negotiating Native title Agreements' prepared by Delwyn Everard for the NTRU was distributed to participants in the negotiation workshop and informed the design of the negotiation hypothetical. Following the workshop the paper was revised, peer reviewed and has now been published.

For further information on this project please visit our website:

[http://ntru.aiatsis.gov.au/major\\_projects/compensational\\_settlements.html](http://ntru.aiatsis.gov.au/major_projects/compensational_settlements.html)

## NTRU Publication

[Research Monograph: The Gunditjmarra Land Justice Story, By Dr Jessica K. Weir with DVD-Rom by Amy Williams](#)

The Gunditjmarra Land Justice Story is a case study of the land justice experiences of the Gunditjmarra people in the 1980s and their present day recognition of native title.

The legal significance of the 1984 High Court *Onus v Alcoa* decision and the language the State of Victoria used in the Preamble to the Lake Condah legislation, are often overlooked in the history of land rights and native title in Australia. These outcomes sit alongside other well known bench marks in our land rights history, including the Gurindji strike in 1966 (also known as the Wave Hill Walk-Off) and the land claim that led to the development of land rights legislation in the Northern Territory.

The Gunditjmarra Land Justice Story also considers the possibilities and limitations of native title within the broader context of land justice.

The project commenced following an invitation by Damein Bell, Chairman of the Gunditj Mirring Traditional Owners Aboriginal Corporation RNTBC. It involved fieldwork conducted on Gunditjmarra country and included interviews with a number of Gunditjmarra people. The Gunditjmarra Land Justice Story interweaves the stories of the Gunditjmarra with those of the broader community as well as political and legal arguments.

A DVD-Rom is available with the book, however, it is not available online.

