

Critical elements for native title agreement outcomes: cultural archives and community facilitation

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Registered Native Title Bodies Corporate (RNTBCs) are increasingly seeking cultural heritage archives to store the research gathered for their claims and to enable access for native title holders and their relatives. These materials are working archives. Not only have they have been used to provide proof for native title connection including laws and customs and genealogical information. They are essential for sustaining native title into the future and for informing practical outcomes such as the kinds of interests individuals or groups may have in particular areas and the future distribution of benefits.

Whilst RNTBCs often seek funding assistance from AIATSIS in developing these archives, AIATSIS does not have such funding available. Critically, very few native title agreements, if any, include funding for these archives - even those involving significant amounts of money.

The situation is exacerbated by the fact that there is still not an authoritative set of procedures for the effective transfer of materials between Native Title Representative Bodies and Service Providers (NTRBs/NTSPs) who currently hold much of these materials for RNTBCs. A number of NTRBs/NTSPs have ineffective storage mechanisms for the preservation of research reports, connection material, and other print and audiovisual documents generated by the native title processes. Claims research has been the funding priority. Whilst some NTRBs and NTSPs have plans for secure care and storage for these valuable materials, others have neither the time, staff nor funding to ensure their safety.

One of the most valuable (and priceless) outcomes from native title claims, particularly for claimants, but also for the nation, is the knowledge embodied in the immense amount of documentation produced

in preparing native title claims. Much of the material is irreplaceable because many of the elders who gave the information have since passed away.

In 2008, the Native Title Research Unit at AIATSIS produced a document, *'The Future of Connection Material held by Native Title Representative Bodies'* that gives a series of detailed recommendations for arrangement, preservation and dissemination of material based upon surveys, case studies and other research.

Also in 2008, a statement was drafted at the March Senior Professional Officers Forum recognising the importance of collections held by NTRBs and NTSPs. It suggested that funding needs to be provided to assess collection management practices and that access protocols should be established for each organisation. The Native Title Research and Access Officer from AIATSIS, Grace Koch, has assessed two organisations, Queensland South Native Title Services and Yamatji Marlpa Aboriginal Corporation, but there has been no funding for further action. Action now needs to be taken on these recommendations.

While there has been a focus on economic interests of claimants in native title agreements in the current paradigm of economic development, there is also a need to prioritise claimants' cultural interests. These cultural interests lie not only at the heart of successful claims but will also determine the sustainability of agreement outcomes in the future. Just as provisions must be made in agreements for the elders upon whose backs claims have been successful, so too must agreements ensure that cultural information is protected and accessible for RNTBCs by including components for cultural archives in agreement outcomes. Agreements might also include funding for community facilitators with specialised communication skills to work on the negotiation of access provisions amongst the relevant parties as well as performing critical community education and communication liaison roles.

Other suggestions to the NTRU as to how this situation might be addressed will be most welcome.