



# National Native Title Tribunal

Welcome to the May edition of the National Native Title Tribunal's fishing bulletin.

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## National Indigenous Fishing Technical Working Group (NIFTWG) update

NIFTWG and the development of a National Indigenous Fishing Strategy will be a subject of discussion at the upcoming AIATSIS Native Title Conference 2005, to be held in Coffs Harbour from 1– 3 June. NIFTWG's co-chair, Tribunal Member John Catlin, will summarise the NIFTWG experience, providing an overview of the background of the group and the process of developing the Principles Communique on Indigenous fishing.

The papers associated with the conference will be available online after the completion of the event: <http://www.aiatsis.gov.au/rsrch/ntru/conf2005/index.html>

At the request of the Australian Government, the Principles Communique on Indigenous fishing has been amended to include a footnote which notes the abolition of the Aboriginal and Torres Strait Islander Commission (ATSIC). Most recently, fisheries agencies considered the principles at the 11 March meeting of the Natural Resource Management Standing Committee; the Principles have now been referred to the Natural Resource Minister's Ministerial Council for the final stage in securing National endorsement.

For background information about NIFTWG, go to the 'Current Projects' section of the National Native Title Tribunal's website: <http://www.nntt.gov.au/media/Projects.html>

## Indigenous fishing in the news

### April 2005

#### **NT: Seafood Council concerned about approach to 'sell' access to sacred sites**

The *Bulletin* (5/4/2005) reports concerns by the Northern Territory Seafood Council that Aboriginal people, through the Northern Land Council (NLC), are allegedly offering commercial fisherman the chance to buy exclusive access to fish within areas considered as sacred sites in the Blue Mud Bay region in eastern Arnhem Land. Reportedly, the NT Seafood Council has accused the NLC of trying to gain control over rivers, creeks and seas in the important commercial barramundi and mud crab fishery by lodging 21 sacred site claims in Blue Mud Bay, then offering to sell access to the sacred sites for financial gain. NLC chief executive Norman Fry is quoted in the report as saying that the traditional owners of the area originally came up with the

idea of selling access to the sacred sites, but the NLC is now involved with assisting them through the process. 'The NLC hopes to negotiate offshore outcomes which both recognise traditional interests and ensure that the fishing industry operates for the benefit of all,' Mr Fry said.

**Source:** Sacred sacrilege, 5 April 2005, *The Bulletin*, p. 10.

**NT: Seafood industry angry about paying to fish**

ABC Online (1/4/2005) reports that the Northern Territory Seafood Industry Council has expressed concern about traditional owners offering fishing access to sacred sites in exchange for money. The council's chief executive officer, Ian Smith, said professional fishermen are angry at the prospect of having to pay to fish in areas where they currently have open access. 'The Act provides that either the Aboriginal Areas Protection Authority can issue a certificate to conduct work, or fishing, or whatever, on a sacred site or an agreement between the custodians and an applicant and that's the scary part,' he said. The Northern Land Council says it hopes to negotiate offshore outcomes which recognise both traditional interests and those of the fishing industry.

**Source:** <http://www.abc.net.au/news/newsitems/200504/s1336237.htm>

**NT: Commercial fishers approached to buy access to sites**

The *Northern Territory News* (2/4/2005) reports that the Northern Territory Seafood Council has confirmed that at least four commercial fishermen have been approached by the Northern Land Council, on behalf of traditional owners, offering to sell access to sacred sites in the lucrative fishing area of the Blue Mud Bay region in eastern Arnhem Land. The Seafood Council's chief executive officer Iain Smith said that the council and its members are not opposed to the Territory's Sacred Sites Act but are opposed to it 'being misused for the financial gain of individuals.' 'Here we have people blatantly proposing to use sacred sites legislation to take control of public resources for financial gain to custodians,' Mr Smith said. 'That was not the intention of the Act.' John Ah Kit, the minister responsible for the Aboriginal Areas Protection Authority has reportedly backed Mr Smith. 'The heart of the sacred sites legislation is in cultural benefit to custodians— and not financial benefit, Mr Ah Kit said.

**Source:** Sacred sites for sale, 2 April 2005, *Northern Territory News*, p. 5.

**NT: Scared sites 'for sale'**

A letter to the editor has been published in the *Northern Territory News* (18/4/2005), from Northern Territory Seafood Council chief executive, Iain Smith, relating to the Seafood Council's concerns that Aboriginal people are allegedly offering commercial fisherman the chance to buy exclusive access to fish within areas considered as sacred sites in eastern Arnhem Land. Mr Smith's letter is in response to an earlier letter from Northern Land Council (NLC) chief executive Norman Fry. In the letter, Mr Smith said the Seafood Council has written to the NLC, seeking information and assurances it will oppose any future attempt to use sacred sites legislation by anyone for 'personal gain,' rather than for cultural reasons only.

**May 2005**

**Qld: Council looks to tackle inefficient traditional hunting methods**

The Tiwi Land Council says it is cracking down on inefficient methods of traditional hunting on the Tiwi Islands north of Darwin. A report commissioned by the Federal Government last year found Indigenous communities could be hunting the dugong to extinction, prompting the Government to consider placing limits on traditional catch. The council's Kate Hatten says Tiwi traditional owners also identified a potential problem in population sustainability. She says there is some wastage in the current methods, such as harpooning. 'With some of the harpoons the rope comes off the harpoons so that you don't actually bring the animal back, issues like that so we're working with the senior traditional owners on the island so that whenever a turtle or a dugong is spotted they actually come back to the boat,' she said.

**Source:** <http://www.abc.net.au/news/newsitems/200505/s1369943.htm>

**Qld: Working together for a cleaner Gulf**

Traditional Owners, conservationists, scientists and government representatives from all parts of the Gulf of Carpentaria gathered together recently in the community of Napranum, Cape York, to discuss an issue of common concern: Ghost nets. So-called ghost nets are fishing nets that have been either lost or discarded from fishing vessels, which continue to fish as if guided by a ghostly hand – the ocean currents and winds– and end up as rubbish on the shores. Rising inflows of net and other marine rubbish, notably plastic bottles and thongs, have been washing into the gulf, pushed by currents and seasonal winds to fetch up on once pristine shores. But gulf communities are gearing up to stem the flow, determined to protect their shorelines and marine life from ghost nets and other marine rubbish. The most recent gathering was the second meeting of the Steering Committee for the Carpentaria Ghost Net Programme, *Saltwater people working together*. The Steering Committee currently comprises 11 traditional owner groups from around the Gulf and six non-government organisations.

**Source:** Qld and NT people working together for a cleaner gulf, 20 May 2005, *Weipa Bulletin*, p. 1

**NT: Aiming for Indigenous economic equality**

The Northern Territory Government has unveiled a plan that aims to create 2,000 jobs a year for the next decade for indigenous Territorians. The government's Indigenous Economic Development Strategy is a blueprint that aims to dramatically improve the economic status of Indigenous people and identifies opportunities for indigenous economic development within 13 industries, including aquaculture, tourism, mining, horticulture, forestry, arts and culture. The strategy aims to get more indigenous territorians, particularly in remote communities, involved in mainstream employment and business ventures. Proposals include trials for harvesting trepang, mud crab and sea sponges as a business venture, increased mining exploration on indigenous land and developing indigenous tourism businesses with high Aboriginal employment.

**Source:** NT govt sets task of 2000 new indigenous jobs a year, 25 May 2005, AAP NewsWire

**Issues in brief**

**Extension of deadline for public comment on dugong and turtle harvesting report**

The Department of Environment and Heritage has extended the timeframe for making comment on a draft document aimed at ensuring that all traditional harvest of marine turtles and dugongs in Australia is sustainable and legal. The draft report, *Sustainable and Legal Indigenous Harvest of Marine Turtles and Dugongs in Australia - A National Approach*, compiled by the Marine and Coastal Committee Taskforce on Turtle and Dugong Populations, canvasses a range of actions that governments, communities and individuals can take to ensure that traditional use is sustainable and consistent with the law.

Comments on the draft National Approach must now be received by COB Friday 30 June 2005, and should be sent to:

Migratory and Marine Species Section  
Department of the Environment and Heritage  
GPO Box 787  
CANBERRA ACT 2600

The draft report, *Sustainable and Legal Indigenous Harvest of Marine Turtles and Dugongs in Australia - A National Approach*, is available on the Department of the Environment and Heritage website at: <http://www.deh.gov.au/coasts/species/turtles/national-approach.html>

## **Guiding indigenous involvement in natural resource management**

Greg Hunt MP, the Parliamentary Secretary to the Minister for the Environment and Heritage, has announced new Guidelines for Indigenous Participation in Natural Resource Management to encourage Indigenous communities across Australia to get involved in regional natural resource management (NRM) planning and activities. Mr Hunt said the publication was part of a two-year \$711,000 package under the Australian Government's \$3 billion Natural Heritage Trust. The first stage of the project began last year and the guidelines were developed during this stage.

'The guidelines include a 'check list' to encourage discussion with Indigenous people on NRM activities, along with case studies of best practice management in Queensland, New South Wales, Victoria and Tasmania,' Mr Hunt said in a statement released on 15 March.

For the full media statement, see: <http://www.deh.gov.au/minister/ps/2005/psmr15mar05.html>

For a copy of the Guidelines, visit: <http://nrm.gov.au/indigenous/index.html>

## **Muttonfish and surviving culture in New South Wales**

A new publication, described as an important addition to the written history of Indigenous cultural practice, specifically in relation to customary fishing, has been launched recently in New South Wales. *Mutton Fish: The surviving culture of Aboriginal People and Abalone on the South Coast of New South Wales* tells of the complex relationship the Aboriginal people of the NSW south coast have with their coastal environment.

The idea for the publication came about when Beryl Cruse interviewed husband Ossie for her Aboriginal History assignment as part of her TAFE General Education Certificate. His tales of gathering mutton fish were so rich with meaning that she decided to research further and collect other oral histories about the history of the cultural practice. Featuring over 20 interviews with local Indigenous people, the book gives a unique and deeply personal account of Koori living history from an Aboriginal perspective.

*Mutton Fish* by Beryl Cruse, Liddy Stewart and Sue Norman is available from the Aboriginal Studies Press (rrp \$24.95).

See the *National Indigenous Times*' media report for more information:  
<http://www.nit.com.au/tools/printstory.aspx?id=4997>

## **Cape York Indigenous Fisheries Forum**

To follow on from the Indigenous Fisheries Forum held in Weipa in November last year, Queensland's Department of Primary Industries and Fisheries will be hosting the second Cape York Indigenous Fisheries Forum in Weipa on 7 & 8 June. Native title rights, particularly in relation to sea rights, will be just one of a broad range of topics to be addressed at the two day conference. Other issues on the agenda include

For more information about the forum, contact the Department of Primary Industries' Northern Fisheries Centre in Cairns: <http://www.dpi.qld.gov.au/far/12281.html>

## **Kooyang Sea Country plan launched**

The Australian Government has launched its first Indigenous sea country plan. The Kooyang Sea Country Plan identifies management priorities for south-western Victoria, including more than 700 hectares in Indigenous Protected Areas and is the first cooperative sea country plan to be developed nationally under the Australian Government's regional marine planning program.

The plan was developed with the joint efforts of Indigenous communities in south-west Victoria and the Australian Government as part of Australia's first regional marine plan, the South-east Regional Marine Plan, released in 2004. The Plan was produced by the Framlingham Aboriginal Trust and Winda Mara Aboriginal Corporation with funding from the Australian Government through the National Oceans Office.

See the media statement for more information:

<http://www.oceans.gov.au/pdf/C11505%20Aboriginal%20Sea%20Country%20Plan.pdf>

Preparations now are well under way behind the scenes for Australia's third regional marine plan, centred on the ocean waters off the south-west of the continent. The South-west Plan will cover more than one million square kilometres of ocean water off the states of South Australia and Western Australia, between Kangaroo Island in the east and Fremantle in the west, out to 200 nautical miles.

### **NAILSMA launches new land and sea management newsletter**

The North Australian Indigenous Land & Sea Management Alliance (NAILSMA) has launched *Kantri Laif* (kriol for coun-try li-fe) – a new publication that looks at issues relating to indigenous land and sea management in the Kimberley region of Western Australia, the Northern Territory, the Gulf of Carpentaria and the Torres Strait.

The first issue, now available online, covers stories from across northern Australia, including looking after country along the Ord River, awareness of the cane toad invasion in the northern region, the NAILSMA forum and quarantine issues. A special feature in this issue of *Kantri Laif* covers a six-day walk along the edge of the Great Sandy Desert by the Karungal people, which was undertaken to help introduce young people to country.

*Kantri Laif* will be produced twice each year. To subscribe, or obtain hard copies, please contact Lisa Binge via email [lisa.binge@cdu.edu.au](mailto:lisa.binge@cdu.edu.au) or by phoning 08 8946 6883. You can also talk to Lisa about stories for the upcoming issues.

To access the online version of *Kantri Laif*, go to:

[http://savanna.ntu.edu.au/publications/kantri\\_laif.html](http://savanna.ntu.edu.au/publications/kantri_laif.html)

## **Useful links**

### **Conferences**

AIATSIS Native Title Conference 2005: <http://www.aiatsis.gov.au/rsrch/ntru/conf2005/index.html>

The First International Marine Protected Areas Congress 2005: <http://www.impacongress.org/>

Sharing the fish conference 2006: <http://www.fishallocation.com/>

### **Australian Government**

Australian Fisheries Management Authority: <http://www.afma/default.php>

Department of Agriculture, Fisheries and Forestry: <http://www.dpie.gov.au/>

Department of Environment and Heritage: <http://www.deh.gov.au/index.html>

Great Barrier Reef Marine Park Authority: <http://www.gbmpa.gov.au/>

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

National Oceans Office: <http://www.oceans.gov.au/home.jsp>

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

Wet Tropics World Heritage Area: <http://wettropics.gov.au/>

### **State and territory governments**

Department of Primary Industries and Resources South Australia:

<http://www.pir.sa.gov.au/index.shtml>

Department of Primary Industries, Water and Environment, Tasmania:

<http://www.dpiwe.tas.gov.au/error/dpiferr.html>

Queensland Department of Primary Industries and Fisheries:

<http://www.dpi.qld.gov.au/home/default.html>

Northern Territory Fisheries: <http://www.fisheries.nt.gov.au/>

NSW Department of Primary Industries – Fisheries: <http://www.fisheries.nsw.gov.au/>

Victoria Department of Primary Industries: <http://www.dpi.vic.gov.au/dpi/index.htm>

WA Department of Fisheries: <http://www.fish.wa.gov.au/>

### **Networks**

The Marine and Coastal Community Network: <http://www.mccn.org.au/index.php>

### **Online publications**

Hi ika – Indigenous fisheries magazine issued quarterly in New Zealand:

[http://www.fish.govt.nz/customary/hi\\_ika/](http://www.fish.govt.nz/customary/hi_ika/)

Kantri Laif (coun-try li-fe) – twice-yearly newsletter produced by NAILSMA:

[http://savanna.ntu.edu.au/publications/kantri\\_laif.html](http://savanna.ntu.edu.au/publications/kantri_laif.html)

### **Education**

Australian Maritime College: <http://www.amc.edu.au/>

Marine Education Society of Australia: <http://www.mesa.edu.au/>