

# RECOGNITION AND SUPPORT OF ICCAs IN AUSTRALIA

Dermot Smyth<sup>1</sup> and Chrissy Grant<sup>2</sup>

Case study for:  
RECOGNISING AND SUPPORTING  
TERRITORIES AND AREAS CONSERVED BY INDIGENOUS PEOPLES  
AND LOCAL COMMUNITIES  
Global Overview and National Case Studies

Edited by Ashish Kothari, with Colleen Corrigan, Harry Jonas, Aurélie Neumann, and Holly Shrumm

ICCA Consortium, IUCN/TILCEPA, Kalpavriksh, and Natural Justice

*CBD Secretariat Technical Series No. 64*

*Citation:* Smyth, D. and Grant, C. 2012. Recognition and Support of ICCAs in Australia. In: Kothari, A. with Corrigan, C., Jonas, H., Neumann, A., and Shrumm, H. (eds). *Recognising and Supporting Territories and Areas Conserved By Indigenous Peoples And Local Communities: Global Overview and National Case Studies*. Secretariat of the Convention on Biological Diversity, ICCA Consortium, Kalpavriksh, and Natural Justice, Montreal, Canada. Technical Series no. 64.

*(Disclaimer: The views expressed in this case study do not necessarily represent those of the secretariat of the Convention on Biological Diversity, or of the Government of Australia)*

**October 2012**

---

<sup>1</sup> Dermot Smyth is a lapsed zoologist and consultant with over 30 years experience supporting Indigenous land and sea management initiatives across Australia. He is a member of the Australian Government's advisory sub-committee on Indigenous Protected Areas and a member of the Great Barrier Reef Indigenous Advisory Committee. Contact : [dermot@sbconsultants.com.au](mailto:dermot@sbconsultants.com.au)

<sup>2</sup> Chrissy Grant is an Aboriginal (*Kuku Yalanji*) and Torres Strait Islander (*Mualgal*) Elder. Her traditional country is in the coastal rainforests of north Queensland and on Moa Island in the Torres Strait. She has many years experience administering government programs supporting Indigenous cultural heritage protection and management across Australia. She is a member of the Australian Government's Indigenous Advisory Committee and Chair of the Indigenous Protected Area sub-committee. Contact : [chrissy@webone.com.au](mailto:chrissy@webone.com.au)

# RECOGNITION AND SUPPORT OF ICCAs IN AUSTRALIA

## Table of contents

List of acronyms .....	2
Acknowledgements.....	2
Summary .....	3
1. Country description and context .....	5
1.1. Key features of Australia .....	5
1.2. Brief history of conservation, state- and community-based .....	7
2. Features of ICCAs.....	9
2.1. Indigenous-owned lands in Australia .....	9
2.2. Key ecological, cultural, socio-economic and political values of Indigenous estates... 10	
2.3. Main threats to Indigenous lands .....	13
3. Governance and management of Indigenous lands .....	13
3.1. How are Indigenous lands governed and managed? .....	14
(i) Community level arrangements.....	14
(ii) Regional level arrangements .....	14
3.2. Key issues faced in governing and managing Indigenous lands .....	14
4. Recognition and support to Indigenous land and sea management .....	15
4.1. Government recognition and support .....	15
(i) Indigenous Protected Areas – IPAs .....	15
(ii) Working on Country Program .....	18
4.2. Other government and non-government support for caring for Country .....	19
4.3. Key issues for the recognition and support to ICCAs .....	19
5. The Future .....	21
Recommendations .....	24
References.....	25

## Figures

Figure 1: Natural Resource Management Regions in Australia .....	7
Figure 2: Areas of Indigenous held land in Australia in 2012, .....	10
Figure 3: Map of Indigenous Protected Area projects in Australia .....	16
Figure 4: Location of current Working on Country (WoC) projects .....	18

## List of acronyms

ICCA	Indigenous Peoples’ and Community Conserved Areas and Territories
NRM	Natural Resource Management
IPA	Indigenous Protected Area
NRS	National Reserve System
NRSMPA	National Reserve System of Marine Protected Areas
MLDRIN	Murray Lower Darling Rivers Indigenous Nations
NAILSMA	North Australian Land and Sea Management Alliance
IUCN	International Union for the Conservation of Nature
WoC	Working on Country
WALFA	West Arnhem Land Fire Abatement
ANAO	Australian National Audit Office
NGO	Non-Government Organisation

## Acknowledgements

The authors gratefully acknowledge comments and suggestions on a draft of this report received from Chrissy Grant, Marcus Sandford, Ashish Kothari, Aurélie Neumann and Holly

## RECOGNITION AND SUPPORT OF ICCAs IN AUSTRALIA

Shrumm. The opinions expressed in this report, however, are those of the authors alone, and have not been endorsed by any organisation with which any of the above reviewers are associated.

### Summary

This report provides an overview of the history, extent, governance and management of Indigenous held lands in Australia and the contribution of these areas to environmental conservation.

A little over 200 years ago, the island continent of Australia was totally owned, occupied and managed by its Indigenous peoples – the Aboriginal people of the mainland, Tasmania and inshore islands, and the Torres Strait Islanders of the northern archipelago between the mainland and Papua New Guinea. The impact of British invasion and colonisation in the late 18<sup>th</sup> century resulted in great losses of Indigenous people, culture and ownership of land across Australia. Since the 1970s, following many decades of legal and political campaigning, a process of Indigenous land claims, land restitution and the recognition of continuing ‘native title’ has resulted in about 20% of the Australian land mass now being in Indigenous ownership.

Since the 1980s Indigenous people have begun reasserting their role as sustainable users and managers of Australia’s environments and natural resources, including through the establishment of independent Indigenous ranger groups, land and sea management agencies, Indigenous Protected Areas (IPAs) and through the joint management of national parks. Though the term is not currently used in Australia, much of these Indigenous managed lands could be regarded as Indigenous and Community Conserved Areas. In particular, IPAs, which are voluntarily declared by Indigenous people over their customary land and sea estates and recognised by all levels of government as part of the National Reserve System of protected Areas, are a major focus of Indigenous efforts to look after the natural and cultural values of the Australian environment.

The 50 declared IPAs comprise a total land area of 26.5 million hectares, which represents about 25 % of the NRS, and another 40 IPAs are currently in being planned. Planning and management of IPAs are supported financially through the Australian Government’s IPA program, and many IPAs have developed collaborative partnerships with other government and non-government organisations.

While Indigenous engagement in ‘caring for Country’ (Indigenous management of land- and seascapes belonging to customary estates) is increasing, and while there is growing recognition of the contribution of Indigenous people to the national conservation effort, Indigenous land managers face significant challenges. These include:

- Local and regional governance of large, remote areas of land with dispersed Indigenous populations;
- Managing rapid cultural and social change while maintaining traditional cultural values and land management practices;
- Addressing severe and growing environmental threats from introduced animal and plant pests and climate change;
- Securing sufficient resources to meet community demands for engagement in land and sea management.

## RECOGNITION AND SUPPORT OF ICCAs IN AUSTRALIA

Despite these challenges, caring for Country is providing a growing number of Indigenous people, many of whom have experienced sustained economic and social disadvantage, with new opportunities to participate in the contemporary Australian society and economy while undertaking activities that strengthen their cultural identity and community wellbeing.

## 1. Country description and context

### 1.1. Key features of Australia

Australia is an island continent in the southern hemisphere, comprising the mainland, the large island of Tasmania in the south and numerous smaller islands around the mainland coast – including the Torres Strait Islands that lie between Australia and Papua New Guinea to the north. Australia also has jurisdiction over several small island territories in the Pacific and Indian oceans, and asserts sovereignty over a large Antarctic territory (though these external territories are not addressed in this case study).

Australia's climate is dominated by a succession of high pressure systems that roll past the south of the continent, a seasonal monsoon that brings high rainfall to the tropical north during summer months and a continuous mountain range along the east coast that draws moisture from the prevailing southeast wind from the Pacific Ocean. The centre of Australia is flat and arid, and there are small alpine areas in the southeast that experience winter snowfalls.

Prior to British colonisation in the late 18<sup>th</sup> century, the entire Australian continent was owned, managed and sustainably used by its Indigenous inhabitants (estimated population 350,000 at the time of colonisation) for at least 50,000 years. Each indigenous language area represents the traditional territory of a distinct people, typically organised into smaller clan groups with ownership, access and use rights over their own local clan estates. Coastal clan estates included coastal marine areas and islands.

Aboriginal and Torres Strait Islander peoples have profound and complex relationships with Australia's land and sea environments, which are intimately connected with the culture, spirituality, beliefs, knowledge, practices and economy of each Indigenous group. The ecological impacts of 60,000 years of Indigenous occupation, use and management of Australian environments have been the subject of much research, speculation and debate. In particular, the ecological impacts of Indigenous use of fire, and the contribution (if any) of Indigenous hunting to the extinction of giant marsupials, have been hotly contested (see, for example, Flannery 1994 and Horton 2000). A recent publication, based on historical descriptions of landscapes by early explorers and colonists, suggests that Indigenous management maintained more open, less densely wooded environments than what is today regarded as native bushland (Gammage 2011).

European mariners visited Australia throughout the 1600s and 1700s before the first British settlement was established in Sydney in 1788. Subsequently, six separate British colonies were established and then unified as the nation of Australia in 1901. Australia is governed as constitutional monarchy and a federation of six states and two territories (the Northern Territory and the Australian Capital Territory).

The population of Australia is almost 23 million, derived primarily from British, Irish and European migration over the last 200 years. In recent decades, migration from Asia, Africa and elsewhere has increased substantially resulting in an increasingly multi-ethnic and multicultural society. There are currently approximately 575,000 Indigenous people in Australia, representing about 2.5% of the total population (Australian Bureau of Statistics

## RECOGNITION AND SUPPORT OF ICCAs IN AUSTRALIA

estimate for 2012 based on projections from data obtained in the 2006 national census, see <http://www.abs.gov.au>).

The Indigenous peoples of Australia identify as either Aboriginal (originating from mainland Australia, Tasmania or inshore coastal islands), or Torres Strait Islander (originating from the islands of Torres Strait). Aboriginal people are descendents of the first people who arrived tens of thousands of years ago; Torres Strait Islanders belong to the Melanesian peoples that populated the western Pacific several thousand years ago. Aboriginal and Torres Strait Islander peoples have their own creation stories and beliefs that explain their origins and migrations. Aboriginal people with customary connections and responsibilities to a particular area are typically referred to as 'Traditional Owners', whether or not they have legal title to the area under Australian law.

Australia is a highly developed country and the world's thirteenth largest economy. The population is highly urbanised, located primarily in the eastern states. Agricultural industries, particularly cattle and sheep farming and broad acre cropping occupy much of Australia, but the economy is heavily dependent on mineral exports, particularly iron ore and coal, as well as tourism.

Australians who are of neither Aboriginal or Torres Strait Islander descent have a cultural relationship with the Australian environment that spans at most 200 years, but for the majority this relationship would be two or three generations or less. Most Australians are urban dwellers and the lives and livelihoods of those in rural areas tend to focus on agriculture, tourism, mining and other economic activities. For most Australians, therefore, their cultural connection to the environment is too recent and too focused on economic development to have established what might be regarded as non-Indigenous ICCAs.

This does not mean that Australians in general have no affiliation with the Australian landscape, fauna and flora or that individuals and families do not have deep affection, concern or even spiritual connection to special places that they know and love. On the contrary, concern and passion for the Australian environment is very strong among many Australians without Indigenous heritage and many groups and organisations have been formed to protect, manage and lobby for the protection of particular habitats, species or areas. Much of this effort is directed at ensuring that governments properly discharge their responsibilities to conserve areas, species or ecosystems and establish and adequately resource a comprehensive network of national parks. For most Australians, therefore, the government system of protected areas, supported by a growing network of privately owned protected areas, reflect their community conservation goals, however inadequately or incompletely. For this reason, this report will focus on Indigenous land and sea management activities and interests in considering the application of the ICCA concept in Australia.

While conservation efforts by the general Australian community may not fit precisely with the concept of ICCAs, it is important to acknowledge the scope of broad community engagement in contributing to biodiversity conservation and sustainable resource use across Australia. Community initiatives, usually undertaken with some form of government support, include:

- A network of regional community Natural Resource Management (NRM) bodies that coordinate community action and provide devolved grants for environmental research, monitoring and rehabilitation across Australia (see map of NRM regions below).

## RECOGNITION AND SUPPORT OF ICCAs IN AUSTRALIA



**Figure 1: Natural Resource Management Regions in Australia<sup>3</sup>**

- Landcare Australia is a national network of 4000 locally-based Landcare community groups and 2000 Coastcare community groups, made up of volunteers who get involved in a diverse range of natural resource management activities. Landcare and Coastcare activities include:
  - Combating soil salinity and erosion;
  - Rehabilitation of creeks, river systems and wetlands;
  - Improving local coastal and marine environments;
  - Planting millions of native trees, shrubs and grasses each year on both public and private land.
- Many individual landowners, including some farmers, voluntarily dedicate all or part of their land as a nature refuge under State or Territory legislation for the protection of biodiversity values.

Despite these efforts, the efforts of Indigenous landowners (described in detail below) and efforts by governments through protected area management and other mechanisms, the 2011 Australian State of the Environment Report<sup>4</sup> notes that biodiversity has declined significantly since European settlement. This decline is seen in all components of biodiversity – genes, species, communities and ecosystems – and the decline is continuing. Declines have historically been greater in southern Australia than in the less populated north; however, recent reports of significant declines in small mammals and birds in northern Australia suggest that at least some components of biodiversity in the north are less secure than previously thought.

### 1.2. Brief history of conservation, state- and community-based

For tens of thousands of years Indigenous peoples used and managed Australian terrestrial and marine environments as a continent-wide mosaic of clan estates – what might now be

<sup>3</sup> Available at : [www.environment.gov.au/biodiversity/threatened/nrm-regions-map](http://www.environment.gov.au/biodiversity/threatened/nrm-regions-map)

<sup>4</sup> Available at: [www.environment.gov.au/soe/2011/repor](http://www.environment.gov.au/soe/2011/repor)

## RECOGNITION AND SUPPORT OF ICCAs IN AUSTRALIA

called landscape-scale conserved areas. Cultural rules and laws/lores were in place about how resources should be used, by whom and at what times, and certain especially sacred areas were set aside for very restricted or no access. The network of ancient clan estates and sacred areas across the Australian landscape was not understood or recognised by the British colonists or subsequent colonial administrations.

The first formal protected area in the colonial era was established at Tower Hill in Victoria in 1866, initially as a Public Park, and was followed by the establishment of the Royal National Park near Sydney in 1879. These early Australian national parks were areas of land from which local Aboriginal people had already departed or been removed and then set aside for the protection of nature and the enjoyment of recreational visitors but without resident local populations - i.e. similar in concept to Yellowstone National Park, the world's first government-declared protected area established by the United States Congress in 1872. This approach informed the establishment of national parks in Australia for the next one hundred years.

Until about 40 years ago, Australia's national parks and other protected areas were managed almost exclusively for their biodiversity and scenic values, with some recognition of archaeological values, such as Indigenous cave paintings and engravings. Indigenous peoples were excluded from living in and using traditional resources within protected areas, and they played no part in managing these lands, which had been in their care for millennia. In this respect, protected areas were part of the broader colonial project that denied Indigenous Australians ownership of, cultural relationship with, and economic benefit from, their traditional estates. All Australian national parks and other government protected areas have been established on the clan estates of Aboriginal people, typically without their consent; excepted there are currently no government protected areas on the Torres Strait Islands.

Since about 1975, there has been growing recognition within governments and the wider Australian community of the continuing cultural and economic relationship between Indigenous Australians and the continent's landscape, fauna and flora. This, in turn, has led to the development of various mechanisms for the involvement of Indigenous Australians in the management of protected areas, including the transfer of ownership of some national parks to Indigenous groups and the development of formal co-management arrangements (usually referred to in Australia as 'joint management').

These developments have occurred at different rates in different jurisdictions but legislation and policies are now in place in all Australian states and territories to provide some roles for Aboriginal peoples in protected area governance and/or management, though their implementation remains patchy within each jurisdiction. In the Northern Territory, for example, most national parks are managed with some form of partnership with Aboriginal Traditional Owners, while in other jurisdictions such partnerships remain the exception rather than the rule. In Queensland the Cape York Peninsula Heritage Act 2007 provides for Aboriginal ownership and joint management of about 40 national parks in Cape York Peninsula in the far north of Queensland, but similar opportunities are currently not available elsewhere in the state.

Co-management arrangements for marine protected areas are far less advanced (though advancing), reflecting the more limited legal recognition of Indigenous rights over marine environments as compared to the terrestrial components of traditional estates.



## RECOGNITION AND SUPPORT OF ICCAs IN AUSTRALIA

The various protected area co-management arrangements represent a trade-off between the rights and interests of Indigenous peoples and those of the wider Australian community, as well as biodiversity conservation. Typically, but not always, co-managed national parks involve the transfer of ownership of land to an Indigenous group in exchange for continuity of national park status over the land, and shared responsibility for park management. Formal joint management arrangements bring the benefits of recognition and involvement, but can be accompanied by the tensions that stem from contested authorities and cross-cultural partnerships that have not been entered into freely.

In 1992, following Australia's signing of the Convention on Biological Diversity, the Federal Government, in collaboration with state and territory governments, established the National Reserve System (NRS) as part of a National Strategy for the Conservation of Australia's Biodiversity<sup>5</sup>. The goal of the NRS is to establish a comprehensive system of protected areas that is representative of all Australia's bioregions – some of which only occur on Indigenous owned land. The NRS currently includes more than 9,300 protected areas, including national parks, Indigenous Protected Areas (discussed further below), reserves run by non-profit conservation organisations, and ecosystems protected by farmers on their private working properties.

The diversity of approaches to the engagement of Indigenous people in Australian protected areas has been summarised in Smyth and Ward (2009) and Bauman and Smyth (2007), and the policy implications discussed by Smyth and Bauman (2007). Earlier overviews of Indigenous involvement in protected area management across Australia are summarised in Smyth (2001a) and Smyth (2001b) for terrestrial and marine protected areas respectively.

## **2. Features of ICCAs**

### **2.1. Indigenous-owned lands in Australia**

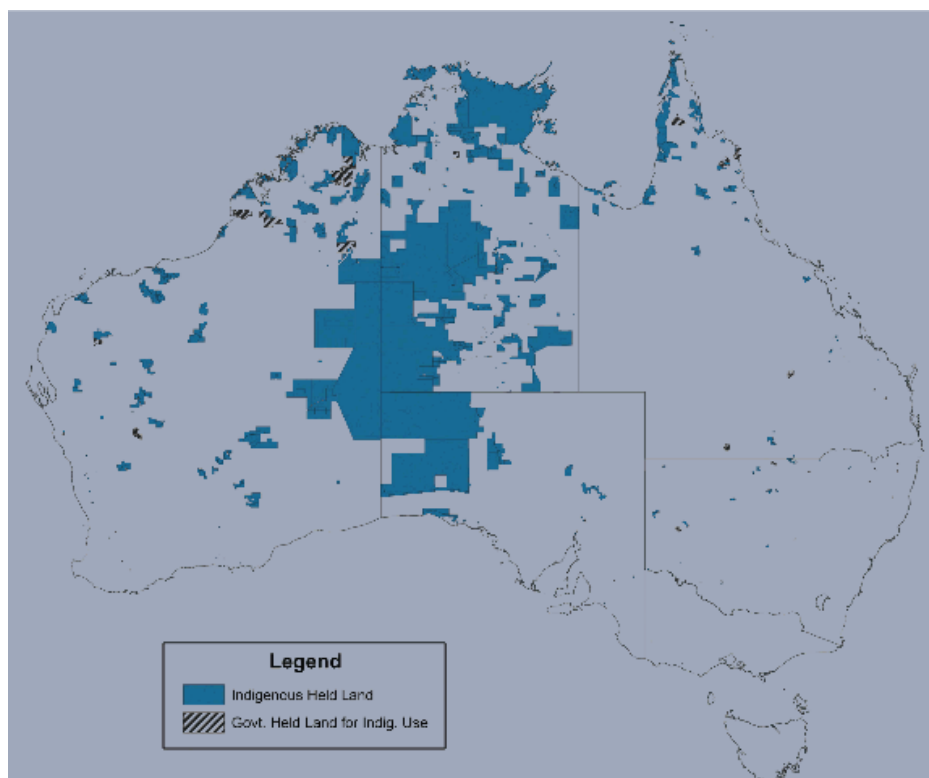
During the colonial period, many Indigenous peoples were dispossessed of their lands through forced removals, massacres, introduced diseases, imposed new land uses such as cattle farming and agriculture, mining and other industrial developments and the construction of towns and cities. In the 1970s, 'land rights' laws and policies started to be introduced to enable Indigenous peoples to claim the return of some of their traditional estates, generally in remote areas of Australia. In 1992, the landmark Mabo High Court case established that 'native title' (i.e. ownership of land under Indigenous law and custom) of Eddie Mabo and others from the Mer Island in Torres Strait had not been extinguished by the process of colonisation as had previously been understood. The resulting Native Title Act 1993 enables Indigenous groups across Australia who can prove a continuing traditional cultural connection to their clan estates to have their native title recognised in areas that have not already been converted to some form of private, corporate or government tenure. In some instances, such as on existing national parks and leasehold farm land, native title can be determined as a 'co-existing' right alongside the rights of national park agencies or farmers. Co-existing native title rights usually must yield to the rights of others wherever competing interests occur. As part of the policy response to the 'discovery' of native title, some funds were made available to enable Indigenous people to purchase some of their traditional land they had lost decades earlier.

---

<sup>5</sup> Available at: [www.environment.gov.au/biodiversity/publications/strategy](http://www.environment.gov.au/biodiversity/publications/strategy)

## RECOGNITION AND SUPPORT OF ICCAs IN AUSTRALIA

As a result of land obtained through land grants (following successful claims under land rights legislation), through land purchases and through native title determinations, approximately 20% of the Australian land mass is now under some form of Indigenous ownership and management. Most of these lands lie in remote areas of central and northern Australia, but there is some Indigenous-owned land in all Australian jurisdictions (see Figures 3 below).



**Figure 2: Areas of Indigenous held land in Australia in 2012,** including land held in trust for Indigenous communities, land granted to Indigenous groups and native title determinations (courtesy of John Hughes, Centre for Aboriginal Economic policy Research, Australian National University, Canberra)

Many areas of the Indigenous estate across Australia are likely to have characteristics equivalent to ICCAs, but it would be presumptuous and inappropriate to give them this label without the engagement and informed consent of the Indigenous owners and custodians of these areas. Nevertheless, there is increasing recognition by government conservation agencies and by conservation non-government organisations (NGOs) of the current and potential contributions of Indigenous people to the national conservation effort.

### **2.2. Key ecological, cultural, socio-economic and political values of Indigenous estates**

No comprehensive assessment has been made of the biodiversity and conservation significance of Indigenous held lands in Australia, but Altman et al. (2007), in undertaking a preliminary assessment of the conservation priorities of the Indigenous estate, have noted that:

- The Indigenous estate includes an enormously rich diversity of ecosystems spanning a continental-scale climatic gradient from some of the wettest areas in the monsoonal tropics in the north of Australia to some of the driest desert areas in the arid centre; and

## RECOGNITION AND SUPPORT OF ICCAs IN AUSTRALIA

- Significant portions of the Indigenous estate remain relatively ecologically intact and have not been subjected to the intense level of development pressure experienced in many other areas, particularly in southern Australia.

Throughout Australia, Indigenous people adopted the word ‘Country’<sup>6</sup> as an English language approximation for describing the complex layers of meaning associated with their place of origin and belonging:

*“Country is my home, the backbone of my culture and who you are. It is my language, cultural values, identity, knowledge and everything we know.”* (Participants in Country-based Planning Workshop, Cairns 29 November 2011, Queensland Department of Environment and Resource Management)

*“Country is what links the past and the present. It is ancestors, belonging, where your strength comes from.”* (Participants in Country-based Planning Workshop, Cairns 29 November 2011, Queensland Department of Environment and Resource Management)

*“‘Country’ refers to more than just a geographical area: it is shorthand for all the values, places, resources, stories and cultural obligations associated with that geographical area.”* (Smyth 1994)

*“People talk about Country in the same way that they would talk about a person: they speak to Country, sing to Country, visit Country, worry about Country, feel sorry for Country, and long for Country. People say that Country knows, hears, smells, takes notice, takes care, is sorry or happy. Country is a living entity with a yesterday, today and tomorrow, with a consciousness, and a will toward life. Because of this richness, Country is home, and peace; nourishment for body, mind, and spirit; heart's ease.”* (Rose 1996)

The precise meaning of Country varies from place to place and over time. For example, in parts of Australia, Country may be used to describe defined clan estates, while in other areas Country may refer to an assemblage of clan estates or a larger area where a particular language is or was spoken.

Notwithstanding its complex cultural meanings, Country is also the local geographical scale at which most human interaction with Australia’s environment and natural resources has occurred for tens of thousands of years. Human impacts on the environment, particularly through use of fire, may have occurred at a larger geographical scale but it is at the scale of Country that most traditional resources were and are used, and it is at the scale of Country that cultural obligations to care for those resources were and are carried out. For most of Australia’s 50,000 years of human history, Country has been the fundamental geographical unit of cultural and natural resource management.

Despite the cultural, social, political and legal changes that have occurred since British colonisation of Australia over more than two centuries, the concept of Country remains central to identity and cultural authority for many, possibly most, Aboriginal and Torres

---

<sup>6</sup> It is becoming common practice to use a capital ‘C’ in ‘Country’ to distinguish this use of the word from other meanings.

## RECOGNITION AND SUPPORT OF ICCAs IN AUSTRALIA

Strait Islander people throughout Australia. Whether or not traditional land has been alienated from or retained by Indigenous people, and whether or not Indigenous people continue to live on or near their ancestral land, Country as a place of origin, identity and belonging remains an enduring cultural, social and political reality.

Caring for Country embraces a combination of long-established cultural practices, such as species-specific ceremonies, seasonal use of traditional resources or use of fire to maintain desired environmental conditions, as well as contemporary practices such as feral animal and weed management, biodiversity surveys and satellite tracking of marine turtles.

In many locations across Australia these caring for Country activities are undertaken by Indigenous rangers employed by local or regional Indigenous organisations with responsibilities for land management. The first few Indigenous ranger groups were established in the 1980s and early 1990s with little or no support from governments. In recent years all levels of government have responded to various extents through policy innovations, partnerships and funding support. The Australian Government is currently the major investor in this field, primarily through the Indigenous Protected Area and Working on Country programs (discussed further below), but state and territory governments have also developed various strategies to support management of Indigenous held lands in their jurisdictions.

Indigenous ranger groups are generally engaged in patrolling, managing and monitoring areas of Indigenous land that have returned to Aboriginal or Torres Strait Islander ownership as a result of land claims or the recognition of continuing native title under the Native Title Act 1993 (Cth). Increasingly, however, Indigenous ranger groups also engage in land and sea management activities in areas that may not be formally under Indigenous ownership but which lie within the traditional land and sea estates of the groups involved. This trend from 'tenure-based' to 'Country-based' Indigenous engagement in land and sea management reflects a growing appreciation by government agencies and the wider community that Indigenous caring for Country rights, interests and obligations are based on cultural connections to traditional estates irrespective of their current tenure. This trend can be observed, for example, in increased Indigenous engagement in national park and marine park management, whether or not these protected areas have been returned to Indigenous ownership.

Some Indigenous ranger groups provide the workforce for Indigenous Protected Areas (IPAs), which are areas of land and/or sea that are voluntarily declared as protected areas by Indigenous landowners. IPAs are recognised by Federal, State and Territory governments as part of the National Reserve System and government funding is provided to support IPA planning and management. IPAs are discussed further in section 4.

In recent years Indigenous ranger groups and independent researchers (Garnett and Sithole, 2007; Campbell et al. 2011) have reported that involvement in caring for Country projects has resulted in significant enhancement in Indigenous wellbeing, including:

- Financial independence;
- Increased pride, self-esteem, independence and respect from peers;
- Improved organisational skills;
- Increased involvement in the community, including sports and governance;
- Improved skills in interacting with the wider community;
- Improved outlook on work, life and family;

## RECOGNITION AND SUPPORT OF ICCAs IN AUSTRALIA

- Better nutrition, increased physical activity and fitness;
- Weight loss, giving up smoking, reduced consumption of alcohol;
- Reduces expenditure on health services;
- Increased access to healthy bush food resources;
- Improved contemporary life skills, including obtaining drivers licences.

These findings indicate that caring for Country initiatives may make a significant contribution to closing the gap between Indigenous and non-Indigenous populations with respect to many social indicators, including health, education, poverty, employment and life expectancy – all measures for which Indigenous people rate poorly in comparison with the general Australian community.

### **2.3. Main threats to Indigenous lands**

Many aspects of the political, economic and cultural transformation of Australia that began with British colonisation in 1788 and that pose a threat to the Australian environment generally also threaten the cultural and natural values of the remaining Indigenous estate. In particular, land clearing for mining, agriculture and urban development results in the destruction and fragmentation of native vegetation, which in turn results in species decline and loss. The introduction of invasive, non-native plants and animals adversely impacts environments, including Indigenous lands, long distances from the initial source of disturbance. Weeds (often deliberately introduced for cattle pasture improvement) and feral animals (such as goats, foxes, cats, horses, donkeys, pigs, water buffaloes, wild dogs and camels) are now impacting biodiversity values across the continent and much of the work of Indigenous ranger groups is directed at combating these threats.

In some jurisdictions (e.g. Northern Territory), Indigenous landowners have a legal right to veto exploration and mining on their land. In practice, however, it can be difficult for Indigenous people to resist the offers of royalties, employment and other benefits offered by mining companies, and the mining industry is generally becoming more respectful of the need to protect particularly important Indigenous cultural sites wherever possible. Even where mining occurs with the consent of Indigenous people and where cultural sites are protected, the economic benefits that flow from mining can also hasten social changes that threaten the cultural linkages between Indigenous people and their Country.

Cultural and natural values are threatened by cultural and social changes experienced by Indigenous communities as they respond and adapt to 21<sup>st</sup> century Australian society, which is dominated by Western, capitalist economic activity and priorities. These priorities are very different from the small group, collectivist hunter-gatherer societies which Indigenous populations had experienced for countless generations until relatively recently. In adapting to the new ways, the intergenerational transmission of Indigenous environmental knowledge, values and practices is diminishing; the participation of Indigenous rangers in caring for Country activities provides opportunities and incentives to retain, reinvigorate, apply and transmit these cultural values and practices.

### **3. Governance and management of Indigenous lands**

In pre-colonial times, caring for Country was undertaken by individuals and clan groups with inherited rights and responsibility to particular land and sea estates, under the guidance of initiated elders and other knowledge-holders. These cultural rights and practices still underpin

## RECOGNITION AND SUPPORT OF ICCAs IN AUSTRALIA

all contemporary land and sea management activities, but they have adapted and evolved over time and are delivered by a diversity of local and regional governance arrangements.

### **3.1. How are Indigenous lands governed and managed?**

#### *(i) Community level arrangements*

There are several hundred community-managed Indigenous land and sea management groups or organisations around Australia. Some of these comprise ranger groups employed by local community councils, while others are more fully developed Indigenous land and sea management agencies employing specialist planning and research staff as well as operational rangers, often with Indigenous governance arrangements separate or complementary to local community councils. Governance arrangements for IPAs vary from place to place – sometimes undertaken by longstanding land-owning groups or organisations and sometimes by new organisations established specifically for IPA management with input from the landholding group. While the majority of these groups and organisations are located in remote communities in northern and central Australia, Indigenous ranger groups and other caring for Country initiatives occur throughout Australia, including the southern mainland states and Tasmania.

#### *(ii) Regional level arrangements*

Regional level arrangements include Indigenous organisations that coordinate or support local ranger groups and other land and sea management initiatives, as well as ‘mainstream’ regional organisations, such as natural resource management bodies, that have explicit policies and programs to support Indigenous engagement in environmental, natural resource management or cultural heritage management. Regional Indigenous organisations include Aboriginal land (and sea) councils and native title representative bodies, which coordinate a wide range of policy, research, planning and on-ground activities, including the training and employment of rangers. Other examples of regional organisations include:

- North Australian Land and Sea Management Alliance (NAILSMA) – an alliance comprising the Northern Land Council, Carpentaria Land Council and Balkanu Cape York Development Corporation, which supports land and sea management activities across northern Australia;
- Giringun Aboriginal Corporation, which coordinates land and sea management activities on behalf of nine tribal groups in north Queensland between Ingham and Innisfail;
- Murray Lower Darling Rivers Indigenous Nations (MLDRIN), an alliance of 10 Traditional Owner groups from along the River Murray and its tributaries in southern Australia;
- Torres Strait Regional Authority (a statutory body established under Commonwealth legislation) coordinates support for island-based ranger groups and plays a significant role in fisheries, coastal and marine research and management, including measures aimed at achieving sustainable harvest of dugong and marine turtles and combating coastal erosion associated with climate change and sea level rise.

### **3.2. Key issues faced in governing and managing Indigenous lands**

Successful governance of Indigenous lands is one of the greatest challenges facing Indigenous people in Australia. In areas where good governance arrangements have

## RECOGNITION AND SUPPORT OF ICCAs IN AUSTRALIA

developed, there are currently many opportunities for training, employment, partnership-building and support for maintenance of cultural knowledge and practices. In areas where governance remains weak, it is more difficult to access these opportunities, which in turn contributes to less capacity building and weaker governance. The challenges facing good governance include:

- Balancing the conflicting priorities and expectations of kin-based customary governance arrangements with contemporary democratic governance arrangements;
- Meeting the sometimes competing interests of funding agencies (which tend to focus on management outcomes and financial accountability) and community expectations (which tend to focus on engagement processes and compliance with cultural protocols);
- Negotiating the complex layers of legal and cultural authorities that result from co-existing regimes of Indigenous cultural law, statute law, multitudes of tenures and native title; in some areas the same Country may be subject to the authority of an elected Community Council, a Land Trust established under state land rights legislation and a Prescribed Body Corporate established under national legislation to manage native title;
- Managing the diaspora of Indigenous people with inherent cultural rights and interests in Country; after more than 200 years since British colonisation, many Indigenous people now live far removed from their traditional Country for which they retain customary rights, interests, obligations and responsibilities – making it very difficult for under-resourced Indigenous organisations to ensure ongoing engagement of the appropriate Indigenous people in decision-making for Country.

### **4. Recognition and support to Indigenous land and sea management**

#### **4.1. Government recognition and support**

##### *(i) Indigenous Protected Areas – IPAs*

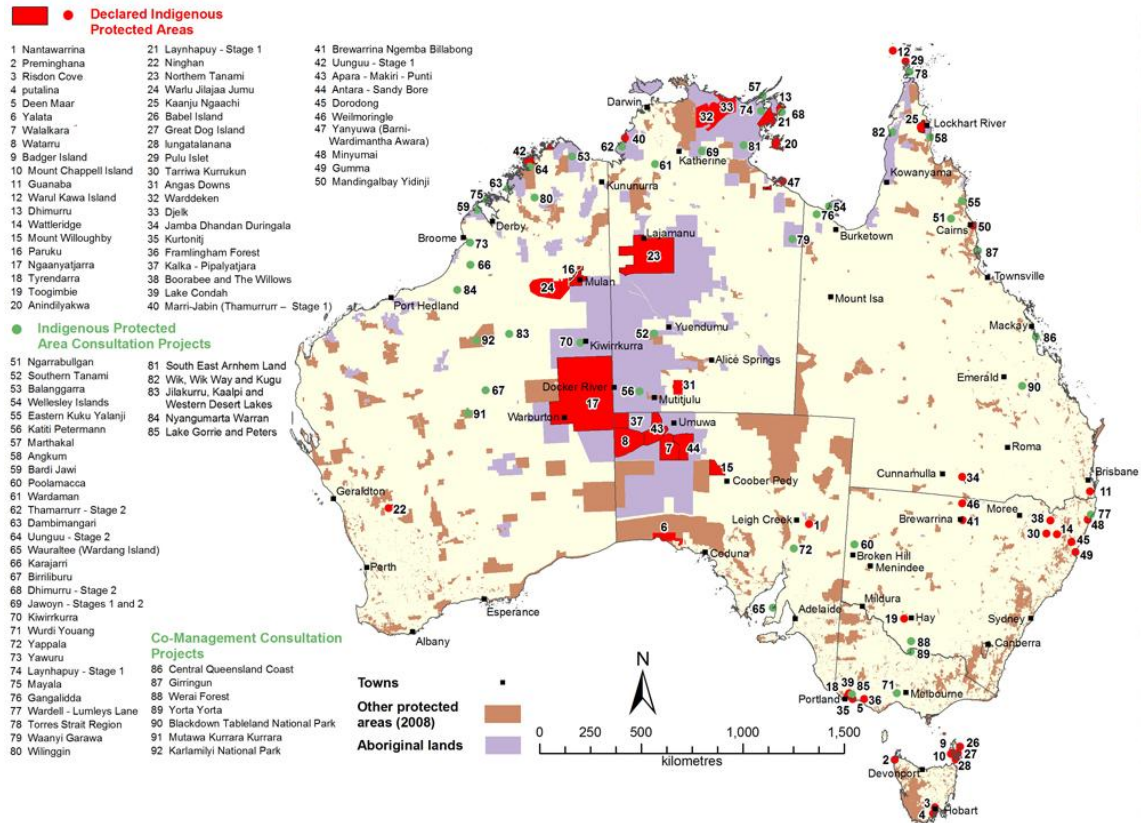
IPAs emerged from the Australian Government's 1992 commitment to establish a system of protected areas that is comprehensive, adequate and representative of all the terrestrial bioregions of Australia. As some of the bioregions occur only on Aboriginal-owned land, a program was developed in collaboration with Indigenous representative organisations to provide funding and other support to enable Indigenous groups to establish protected areas on their own lands. IPAs are planned, voluntarily declared (or dedicated) as protected areas and managed by Indigenous people themselves. The IPA Program is an Australian Government initiative to support these activities, and to formally recognise IPAs as part of the National Reserve System, but the IPAs are not government protected areas.

In recognition that many government protected areas had already been established on traditional estates without Indigenous peoples' consent, the IPA program also includes funding to enable Indigenous peoples to negotiate enhanced engagement in the management of existing government-declared national parks and other protected areas.

The first IPA was established in Nantawarrina in South Australia in 1998 and there are now 50 IPAs across all Australian states and mainland territories (except the Australian Capital Territory) – see Figure 4 below. There are currently an additional 34 IPA projects being planned, as well as 7 'co-management' IPA projects focusing on enhanced Indigenous engagement in existing protected areas. Funding and advice to support the planning and management of IPAs is provided by the Australian Government, but IPAs are established by

## RECOGNITION AND SUPPORT OF ICCAs IN AUSTRALIA

Indigenous people independently of legislation, in accordance with the International Union for the Conservation of Nature (IUCN) protected area *Guidelines* which state that protected areas can be managed by “*legal and other effective means*”. In practice, IPAs are typically managed by a combination of legal means (land ownership, community by-laws, legislated rights to use natural resources etc.) and other effective means (customary law, ranger patrols, liaison, education, signage, partnerships with conservation agencies, research etc.). IPAs are a form of ICCA that formally contribute to the national and international protected area system.



**Figure 3: Map of Indigenous Protected Area projects in Australia**

A national meeting of Indigenous representatives in 1997 defined an IPA in the following way:

*An Indigenous Protected Area is governed by the continuing responsibilities of Aboriginal and Torres Strait Islander peoples to care for and protect lands and waters for present and future generations.*

*Indigenous Protected Areas may include areas of land and waters over which Aboriginal and Torres Strait Islanders are custodians, and which shall be managed for cultural biodiversity and conservation, permitting customary sustainable resource use and sharing of benefit.*

*This definition includes land that is within the existing conservation estate, that is or has the ability to be cooperatively managed by the current management agency and the traditional owners.*

For the first 13 years of the IPA program, IPAs were established only on Indigenous-owned land, and IPAs now comprise over 25% of the total terrestrial protected area estate (the



## RECOGNITION AND SUPPORT OF ICCAs IN AUSTRALIA

National Reserve System). More recently, some Indigenous groups whose traditional estates have been alienated by the establishment of government national parks, forest reserves, marine parks etc. have been exploring the idea of establishing IPAs that co-exist with government protected areas. The first of these IPAs based on Indigenous Country rather than Indigenous tenure was dedicated by Mandingalbay Yidinji people over their traditional estate near Cairns in north-east Queensland in December 2011<sup>7</sup>. The Mandingalbay Yidinji IPA includes all or part of the following government-declared conservation areas: national park, forest reserve, environmental reserve, terrestrial and marine world heritage areas, marine park, fish habitat area and local government reserve. The IPA management plan<sup>8</sup> provides the framework for the recognition of Mandingalbay Yidinji cultural rights, interests and values across all the tenures within the IPA. Dedication of the IPA has been recognised by each of the government agencies with legal responsibility for the management of the separate tenures within the IPA and collaboration occurs through an implementation committee chaired by a representative of Mandingalbay Yidinji people. Further Country-based, multi-tenure IPAs are expected to be declared or dedicated<sup>9</sup> by other Indigenous groups in the coming years.



*Mandingalbay Yidinji Indigenous Protected Area, Queensland*  
© Cairns Post

While the Australian Government's IPA Program is initially the main source of funding for IPA planning and contributes to ongoing IPA management, most IPAs also develop partnerships with other government agencies, conservation NGOs, research institutions, philanthropic organisations and commercial corporations, and engage in fee-for-services activities, such as undertaking surveys for the Australian Quarantine and Inspection Service (AQIS). In the Northern Territory the government conservation agency has developed a program to co-locate its rangers or scientists on IPAs by invitation of the IPA managers, thereby providing additional day-to-day resources for managing the IPAs without threatening the autonomy of IPA managers.

The Australian Government's IPA Program convenes annual national or regional IPA Managers Meetings to enable IPA managers and other associated with planning and managing IPAs to exchange experiences, ideas and concerns. These events have been very important in nurturing the development of the IPA concept over the last 15 years. Other opportunities for knowledge-sharing among Indigenous people's involvement in environmental management are the bi-annual National Land and Sea Management Conference, largely funded by the Australian Government, and regional Indigenous ranger

---

<sup>7</sup> See: [www.environment.gov.au/indigenous/ipa/declared/mandingalbay](http://www.environment.gov.au/indigenous/ipa/declared/mandingalbay)

<sup>8</sup> Available at: [www.djunbunji.com.au](http://www.djunbunji.com.au)

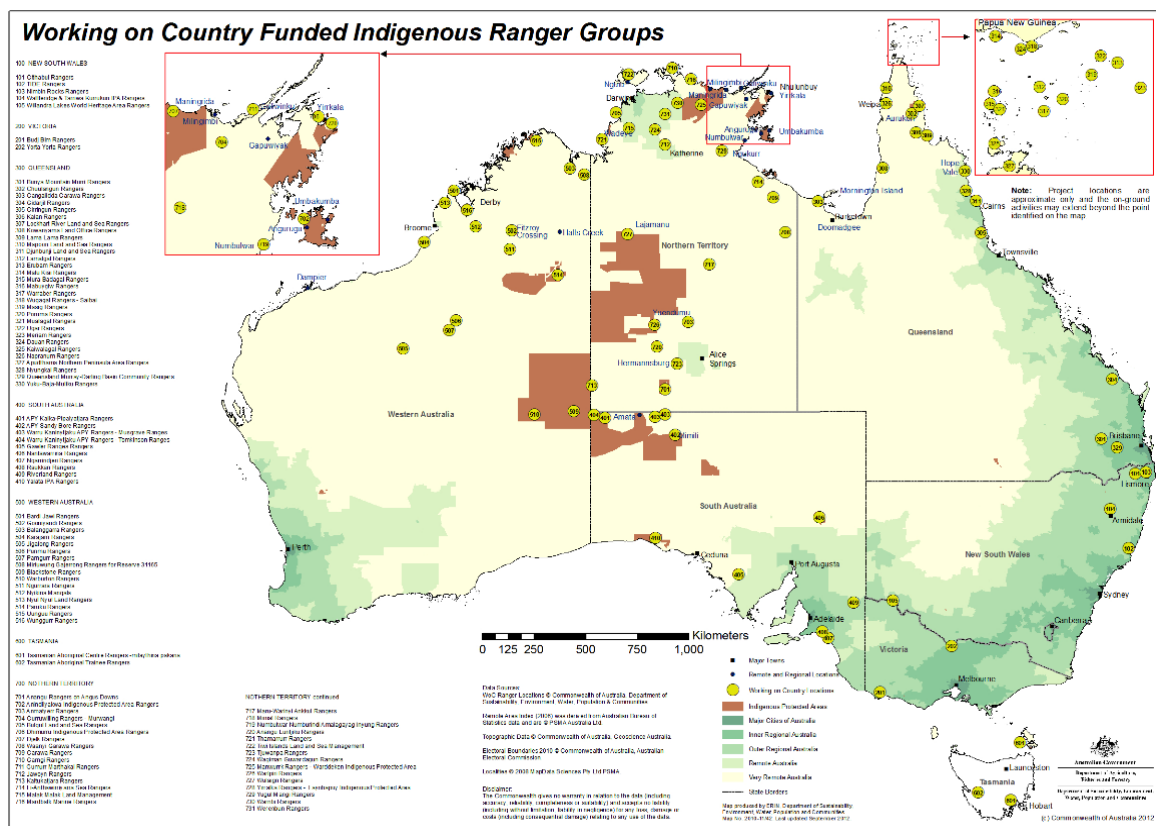
<sup>9</sup> The first 49 IPAs were 'declared' by their respective Indigenous groups; Mandingalbay Yidinji people chose to use the term 'dedicate' when establishing their IPA because it was found to engender greater acceptance among their government agency partners and is consistent with the IUCN protected area definition.

## RECOGNITION AND SUPPORT OF ICCAs IN AUSTRALIA

conferences and workshops hosted by a diversity of Indigenous organisations from time to time.

### (ii) Working on Country Program

The Australian Government's Working on Country (WoC) Program started in 2008 as a mechanisms to provide wages and other support to Indigenous rangers in return for the achievement of negotiated environmental management outcomes (such as weed control, feral animal management, biodiversity monitoring, fire management etc.). The WoC Program currently provides support to 77 independent Indigenous ranger groups across Australia comprising a total of approximately 600 Indigenous rangers. It is anticipated that the program will support a total of 660 rangers by 2013. Figure 5 shows the locations of current WoC projects across Australia.



**Figure 4: Location of current Working on Country (WoC) projects<sup>10</sup>**  
 Up to 680 Indigenous rangers are employed in 90 ranger teams across Australia managing 1.5 million square kilometres of country.

Many WoC-funded ranger groups are involved in partnerships with a diverse range of government, scientific, natural resource management and conservation organisations, which have both environmental and social benefits for the individuals and organisations involved.

Ranger groups also provide direct benefits for community members, enabling greater access to Country (which in turn facilitates the maintenance of cultural responsibilities for Country), increased physical activity, access to bush foods and traditional medicines etc.

<sup>10</sup> Available at: <http://www.environment.gov.au/indigenous/workingoncountry/projects/index.html>

## RECOGNITION AND SUPPORT OF ICCAs IN AUSTRALIA

For some rangers, however, these benefits are partially offset by increased stress from dealing with cultural obligations to share income within the kin group, as well as day-to-day responsibilities that come with employment.

### 4.2. Other government and non-government support for caring for Country

In addition to the IPA and WoC programs, the Australian, state and territory governments provide a variety of competitive funding grants to Indigenous groups to undertake a range of caring for Country and cultural heritage activities on Indigenous lands, including:

- Recording, protecting and managing places of particular cultural heritage significance, e.g. sacred sites, archaeological sites, burial grounds etc.;
- Developing strategic and management plans for Indigenous Country (Country-based plans) or Indigenous-owned land (tenure-based plans);
- Training and employing Indigenous rangers and other land management staff;
- Developing protocols and agreements to ensure sustainable customary use of biological resources (e.g. Traditional Use of Marine resource Agreements – TUMRAs – in the Great Barrier Reef Marine Park);
- Provision of infrastructure and equipment, such as Indigenous ranger stations, vehicles, boats, animal traps, computers etc.;
- Negotiation of co-management arrangement for some national parks.

Commercial corporations, such as mining companies, contribute funds to support IPAs and Indigenous ranger groups, typically in areas adjacent to mining operations. In north-east Arnhemland (Northern Territory) a bauxite mining company has provided land for the location of an Indigenous ranger base and funds to help manage an IPA that is used for recreational purposes by local mine workers.

Also in the Northern Territory, Djelk and Warddeken IPAs receive funding through the West Arnhem Land Fire Abatement (WALFA) project<sup>11</sup>, which is a contractual agreement between the Northern Territory Government, the Northern Land Council, Traditional Landowners and Darwin Liquefied Natural Gas for the abatement of a minimum 100,000 tonnes of CO<sub>2</sub> equivalent greenhouse gas emissions per annum. The abatement occurs through controlled burning of savannah woodlands early in the dry season, which prevents the outbreak of much larger wildfires that would emit far greater quantities of CO<sub>2</sub> later in the year.

Over the last decade, conservation NGOs, such as WWF-Australia, Bush Heritage Australia, Australian Wildlife Conservancy, Australian Conservation Foundation and The Nature Conservancy have shown increasing interest in supporting caring for Country initiatives, including planning, training, research and setting up sustainable funding mechanisms, such as environmental trusts for IPAs.

### 4.3. Key issues for the recognition and support to ICCAs

Although there is currently little awareness in Australia of ICCAs as a global concept and movement, there is growing recognition by governments and the wider society of the contribution made to biodiversity conservation by Indigenous land and sea managers in

---

<sup>11</sup> See: [http://www.savanna.org.au/savanna\\_web/information/arnhem\\_fire\\_project.html](http://www.savanna.org.au/savanna_web/information/arnhem_fire_project.html)

## RECOGNITION AND SUPPORT OF ICCAs IN AUSTRALIA

general and managers of IPAs in particular. Growing international support for ICCAs has the potential to enhance the current levels of support for caring for Country initiatives in Australia.

Over the last two centuries Aboriginal and Torres Strait Islander peoples have witnessed the renaming of their customary land and sea estates by Europeans and others – a process that began with mapping of the Australian coastline even before European colonisation. In recent decades, Indigenous names for places and geographic features, including the names of national parks, are re-emerging as part of a wider cultural revival. The use of contemporary terms and concepts, such as IPAs, are only endorsed after considerable planning and consultation, and ultimately only applied with the informed consent of and by the appropriate Traditional Owners for the area concerned. The application of the term ICCA will need to proceed through a similar process before it can be applied to Indigenous estates in Australia.

While there is clearly a need for continued and increased funding (from government and other sources) there are also challenges associated with meeting the obligations and expectations that come with such funding. Governments and other funders have their accountability requirements associated with achieving biodiversity outcomes and with tracking the expenditure of public or private funds. While there is usually considerable overlap between the priorities of funders and the priorities of Indigenous land managers (e.g. in weed and feral animal management) these priorities are not identical. For example, nationally important species may not be regarded as important to local communities, land management priorities may be directed towards areas of local importance (such as preferred hunting areas) rather than areas under greatest environmental threat and management of cultural values may take priority over management of natural values. To some extent these differing perspectives and priorities can be managed through negotiation of funding contracts, but some degree of difference and tension between competing goals and expectations is likely to remain.

A further challenge, and one that is shared by biodiversity and protected area managers everywhere, is demonstrating management effectiveness – i.e. demonstrating that the biodiversity outcomes that the funders have ‘purchased’ have actually been achieved. Because Indigenous land managers, including managers of IPAs, are funded to deliver negotiated environmental outcomes there is a high level of scrutiny of management achievements. This can add to the administrative burden and stress faced by Indigenous land managers and in practice it is difficult to demonstrate the effectiveness of individual management interventions, particularly within the relatively short time frames of funding cycles.

In recent years, particularly through the use of CyberTracker software and hand-held computer devices, Indigenous land managers have made increasing efforts to document management activities and observations in the field and to regularly report and analyse this information (Ens 2012). These efforts, combined with the growing accumulation of baseline environmental data, photographic and other forms of habitat monitoring and the use of satellite tracking devices, have established a trajectory that will lead to more rigorous methods for demonstrating management effectiveness over time.

One option currently being explored by some Indigenous land managers to reduce the dependence on, and accountability to, external funders is to establish their own caring for Country trust funds that will provide long term, independent, sustainable funding to enable

## RECOGNITION AND SUPPORT OF ICCAs IN AUSTRALIA

them to pursue their own natural and cultural management priorities. Indigenous communities that have access to independent sources of income, such as mining royalties or carbon offset payments, are in a particularly favourable position to pursue this option. While this approach may not eliminate the dependence of some government funding, it offers the prospect of providing reliable core funding to meet local priorities and a greater freedom to choose which additional funding sources are sought.

### 5. The Future

The key challenge for the next decade is managing the achievements and expectations developed over the last 10 years. The case for government recognition of Indigenous land and sea management, through IPAs, Indigenous ranger groups and other mechanisms, has been made successfully: all levels of government now recognise the contribution caring for Country makes to biodiversity conservation and to Indigenous wellbeing, though the extent of that recognition and support varies between and within jurisdictions.

The challenge now is to maintain and expand this support and to meet the exponentially increasing demands by Indigenous groups and communities to participate in the contemporary caring for Country ‘industry’. For example, the current Australian Government funding allocation for IPAs has now reached its capacity to support the existing IPAs and those currently being planned, and the WoC Program (which provides funding for Indigenous ranger employment on IPAs, on other Indigenous owned land and on government protected areas) is about to reach capacity. No further funds are currently available to support the demand for additional IPAs and the entire IPA and WoC programs are guaranteed only until June 2013.

The Australian Government is currently reviewing expenditure on environmental programs beyond June 2013 and it is expected that funding for IPAs and WoC will continue into the future, though the extent of that funding is currently unknown. A recent review of the IPA Program by the Australian National Audit Office (ANAO)<sup>12</sup> recognised the program’s success in expanding the National Reserve System through the voluntary inclusion of Indigenous owned land and in engaging with Indigenous people to support the management of their land in accordance with international protected area standards. The ANAO also recommended that the agency responsible for managing the IPA program should explore options for funding IPAs beyond 2013, including reducing dependence on Australian Government funding over time.

While it is reasonable to strongly recommend that Australian Government support for IPAs and WoC should continue and to expand into the future, it is also appropriate to acknowledge the aspirations of many Indigenous organisations to reduce or sever their dependence on government funding over time. Already, the most successful IPAs are those that have developed multiple funding partnerships, so that dependence on IPA program funds has been reduced to 10% or 20% of their overall budget. Similarly, many Indigenous rangers groups (operating on IPAs and other Indigenous land) have developed fee-for-service clients (such as government conservation agencies, local government, private corporations etc.), which reduces their dependence on government grants.

---

<sup>12</sup> Available at: [www.anao.gov.au/Publications/Audit-Reports/2011-2012/Indigenous-Protected-Areas](http://www.anao.gov.au/Publications/Audit-Reports/2011-2012/Indigenous-Protected-Areas)

## RECOGNITION AND SUPPORT OF ICCAs IN AUSTRALIA

Nevertheless, direct government funding remains a vital source of support for the growing caring for Country sector and ongoing government support will be required into the foreseeable future if the existing effort is to continue and to grow. A strong case for continued government investment can be made on the basis that caring for Country contributes to national and international goals for biodiversity conservation and maintenance of global ecosystem services, as well as protecting Indigenous cultural values and enhancing community wellbeing.

Understandably, IPAs have been very closely associated with the IPA program because it is this program that provides the funds for initial planning and community consultations, formal recognition of the IPA declaration (or dedication) and a significant contribution to ongoing management expenses. In future, however, it is possible to conceive of IPAs being planned, declared and managed with little or no IPA program funding if the required funds can be sourced from elsewhere – in which case the primary role of the IPA program may be to provide advice during the development of a management plan and to formally recognise an IPA if and when the Indigenous landholders are ready to declare their land as a protected area.

Indigenous organisations with good governance and good partnership-building capacity are likely to be able to adapt to this potentially changed role of the IPA program, while others with less capacity will struggle if the current support from the IPA program does not continue.

Beyond the issue of funding, the IPA concept is likely to continue to evolve. The recent dedication of the Mandingalbay Yidinji IPA has demonstrated that Indigenous people have the capacity to establish their own recognised protected areas over multiple tenures covering land and sea, and co-existing with already established government protected areas. This represents an expansion of the IPA concept from tenure-based to Country-based, a new pathway to co-management of existing government protected areas, a new opportunity to reunite Country that has been fragmented by earlier protected area regimes established by governments without Indigenous engagement or consent and new community development opportunities based on Indigenous-led partnerships with government agencies and other organisations.

Recognition of the marine component of the Mandingalbay Yidinji IPA was simplified by the fact that this component was already part of a government marine protected area. One of the next challenges in the evolution of IPAs in Australia will be the recognition by governments of the marine components of coastal and island IPAs where no government marine protected area is present. This challenge is complicated by the current guidelines for the National Reserve System of Marine Protected Areas (NRSMPA), which only recognises marine protected areas established by legislation - unlike the terrestrial NRS, which recognises a broader spectrum of governance arrangements. As IPAs are established voluntarily and independently of legislation (consistent with IUCN protected area guidelines), the marine component of an IPA may not be recognised as part of the NRSMPA. Several marine IPAs are currently being planned and at least one is likely to be dedicated in the near future, so the issue of government recognition will need to be addressed soon.

Notwithstanding the challenges in achieving recognition of sea Country IPAs, there is growing awareness that the customary estates of coastal and island Indigenous people include the adjacent marine environment, and there is a growing appreciation of Indigenous people's

## RECOGNITION AND SUPPORT OF ICCAs IN AUSTRALIA

role in sustainably using and managing sea Country. Government investment in developing species-specific plans, particularly relating to traditional use of dugongs and marine turtles, funding and mentoring of sea Country rangers and Indigenous participation in marine park governance and management are evidence of this trend.



*Indigenous ranger rescuing a marine turtle from fishing net, Mapoon, Queensland*  
© Craig Wheeler, Mapoon Ranger

Significant differences remain between Indigenous and non-Indigenous perspectives regarding the sea, but Aboriginal ownership of intertidal waters has been recognised in one jurisdiction (the Northern Territory) and there is an increasing number of native title determinations over marine areas, albeit typically resulting in recognition of co-existing rather than exclusive native title.

While there has been an exponential growth in the number of Indigenous groups wishing to have their land and sea recognised as an IPA, there are also Aboriginal and Torres Strait Islander groups making very significant contributions to terrestrial and marine conservation outcomes outside the IPA framework. Future support for caring for Country is needed across Indigenous managed land and sea estates, whether or not the Indigenous people responsible for these areas choose to designate their country as a protected area. Growing global recognition and support for the ICCA concept, whether or not it is locally known by this name, has the potential to maintain this momentum in Australia.

Indigenous land and sea management is not just an appealing occupation for Indigenous people, it is one of the few ‘propitious niches’<sup>13</sup> for Indigenous people to occupy in the contemporary Australian economy free from competition from the wider society. Caring for Country therefore provides benefits to Indigenous people and the broader society beyond conservation and sustainability outcomes. For many Indigenous people, involvement in IPA management and working as an Indigenous ranger on their own Country (whether on an IPA, or on other Indigenous land or on government protected areas) provides an entry point to participation in the 21<sup>st</sup> century Australian economy.

---

<sup>13</sup> ‘Propitious niche’ is a term used in enterprise development to mean a special or unique business or employment role that fits the skills and interests of the business person or employee, is subject to little or no competition from others and is valued by the wider society. The term has been applied to specialised employment roles for Indigenous people, including as rangers and in other caring for Country roles (Greiner 2010).



## RECOGNITION AND SUPPORT OF ICCAs IN AUSTRALIA

### Recommendations

The following recommendations to address issues raised in this report are those of the author and are not based on consultations with, or endorsement by, Indigenous people or organisations, community groups or government agencies.

- ✓ The Australian Government should continue to provide recognition, funding and other support to maintain and strengthen the Indigenous Protected Area Program, Working on Country Program and other caring for Country support initiatives;
- ✓ State, Territory and Local governments should strengthen recognition, funding and other support for Indigenous land and sea management initiatives, including IPAs and Indigenous ranger groups, in their jurisdictions;
- ✓ All levels of government, conservation NGOs and other funding bodies should allocate funds and other support to enable Indigenous groups and organisations to enhance their governance and planning to enable them to build their capacity to engage in land and sea management activities and to benefit from caring for Country support programs.
- ✓ Conservation agencies in all jurisdictions should continue to develop their engagement with Aboriginal and Torres Strait Islander peoples to recognise their rights, interests, cultural values and customary responsibilities in terrestrial and marine protected areas and other places where conservation agencies have management authority;
- ✓ Conservation agencies and Indigenous organisations should raise awareness among their staff and client communities of the development and application of the IPA concept in Australia and ICCAs internationally;
- ✓ Indigenous organisations and their support partners should further explore options to establish independent trust funds to provide ongoing long term support for Indigenous land and sea management activities;
- ✓ Indigenous organisations and their support partners should further explore options to develop mechanisms and methodologies to monitor management effectiveness to better support the achievement of priorities identified by Indigenous people and their support partners;
- ✓ The Australian Government, in partnership with State and Territory governments and key Indigenous organisations involved in sea Country management, should review the guidelines for the National Reserve System of Marine Protected Areas with the aim of incorporating recent developments in national and international protected area policy, including the recognition and support for sea Country IPAs.



## RECOGNITION AND SUPPORT OF ICCAs IN AUSTRALIA

### References

- Altman, J., Kerins, S., Ens, E., Buchanan, G. and May, M. 2009. *Submission to the Review of the National Biodiversity Strategy: Indigenous people's involvement in conserving Australia's biodiversity*. Centre for Aboriginal Economic Policy Research, Australian National University, Canberra.
- Altman, J.C. & Larsen, L. 2006. *Natural and Cultural Resource Management*. CAEPR Topical Issue 2006/07, Canberra, Centre for Aboriginal Economic Policy Research, The Australian National University.
- Altman, J.C., Buchanan, G.J. and Larsen, L. 2007. *The Environmental Significance of the Indigenous Estate: Natural resource management as economic development in remote Australia*. CAEPR Discussion Paper No. 286/2007, Australian National University, Canberra.
- Baker, R., Davies, J. and Young, E. 2001. Managing Country – An Overview of the Prime Issues. In Baker, R., Davies, J. and Young, E. (eds) *Working On Country – Contemporary Indigenous Management of Australia's Lands and Coastal Regions*. Oxford university Press, Melbourne, pp 1-23.
- Bauman, T. and Smyth, D. 2007. *Indigenous Partnerships in Protected Area Management in Australia: Three Case Studies*. Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra.
- Burgess, C.P., Johnston F.H., Bowman D.M., Whitehead P.J. 2005. Healthy Country: Healthy People? Exploring the health benefits of Indigenous Natural Resource Management. *Australian and New Zealand Journal of Public Health*, 29(2), pp. 117-122.
- Campbell, D., Burgess, C., Garnett, S. and Wakerman, J. 2011. Potential primary health care savings for chronic disease care associated with Australian Aboriginal involvement in land management. *Health Policy*, 99, pp. 83–89.
- Ens, E. 2012. Monitoring outcomes of environmental service provision in low socio-economic indigenous Australia using innovative CyberTracker Technology. *Conservation and Society*, 10(1), pp. 42-52.
- Ens, E., Cooke, P., Nadjamerrek, Namundja, S., Garlmgarr and Yibarbuk, D. 2010. Combining Aboriginal and non-Aboriginal knowledge to assess and manage feral water buffalo impacts on perennial freshwater springs of Aboriginal owned Arnhemland Plateau, Australia. *Environmental Management*, 45 (4), p. 751-758.
- Flannery, T. 1994. *The Future Eaters: An Ecological History of the Australasian Lands and People*. Reed Books, Melbourne.
- Garnett, S. and Sithole, B. 2007. Sustainable Northan Landscapes and the nexus with Indigenous Health: Healthy Country, Healthy People, Land and Water Australia, Australian Government.
- Gammage, B. 2011. *The Biggest Estate on Earth: How Aborigines made Australia*. Allen & Unwin, Sydney.
- Great Barrier Reef Marine Park Authority. 2011. *Traditional Use of Marine resource Agreement Development Funding Guidelines*. Reef Rescue Indigenous Land and Sea Country Partnerships Program, Great Barrier Reef Marine Park Authority.
- Greiner, R. 2010. The potential for a conservation economy in the tropical savannas based on 'payments for environmental services. In Gerritsen, R. (ed.), *North Australian Political Economy*, CDU Press, Darwin.
- Horton, D. 1994. *Encyclopaedia of Aboriginal Australia*. Aboriginal Studies press, Canberra.
- Horton, D. 2000. *The Pure State of Nature: Sacred Cows, Destructive Myths and the Environment*. Allen and Unwin, Sydney.

## RECOGNITION AND SUPPORT OF ICCAs IN AUSTRALIA

- Indigenous Land Corporation, Natural Heritage Trust and Mirimbiak Aboriginal Corporation. 2003. *Strategy for Aboriginal Managed Lands in Victoria*.
- Larsen, K. 2008. Aboriginal Traditional Owner Aspirations for National Park Homelands and the Cape York Peninsula Heritage Act 2007 (Qld). In Smyth, D. and Ward, G. (eds), *Indigenous Governance and Management of Protected Areas in Australia*, Australian Institute of Aboriginal and Torres Strait Islander Studies, pp 51-70.
- May, K. 2010. Government support for Indigenous cultural and natural resource management in Australia: The role of the Working on Country program. *Australian Journal of Social Issues*, vol. 45 (3), pp. 395-416.
- Moyses, M. and Panton, B. 2008. Indigenous Partnerships in Northern Territory Protected Areas: Joint management of national parks and support for Indigenous Protected Areas.
- Northern Land Council. 2006. *Celebrating Ten years of Caring for Country – A Northern land Council Perspective*. Northern Land Council, Darwin.
- Parks Victoria. 2005. *Indigenous Partnerships Strategy and Action Plan*. Parks Victoria, Melbourne.
- Putnis, A., Josif, P. & Woodward, E. 2007. *Healthy Country, Healthy People: Supporting Indigenous Engagement in the Sustainable Management of Northern Territory Land and Seas: A Strategic Framework*. CSIRO, Darwin.
- Resource Assessment Commission. 1993. *Coastal Zone Inquiry Final Report*. Resource Assessment commission, Canberra.
- Robinson, C. and Munungguritj, N. 2001. Sustainable Balance: A Yolgnu Framework for cross-cultural Collaborative Management. In Baker, R., Davies, J., and Young, E. (eds.), *Working On Country – Contemporary Indigenous Management of Australia's Lands and Coastal Regions*, Oxford university Press, Melbourne, pp. 92-107.
- Robinson, C., Smyth, D., and Whitehead, P. 2005. Bush Tucker, Bush Pets, and Bush Threats: Cooperative Management of Feral Animals in Australia's Kakadu National Park. *Conservation Biology*, 19 (5), pp 1385-1391.
- Rose, D. B. 1996. *Nourishing Terrain: Australian Aboriginal Views of Landscape and Wilderness*. Australian heritage Commission, Canberra.
- Ross, H., Innes, J., George, M., and Gorman, K. (ed.). 2005. *Traditional Owner aspirations towards co-operative management of the Great Barrier Reef World Heritage Area: Community Case Studies*. CRC Reef Research Centre Technical Report No. 56, Townsville.
- Russell-Smith, J., Whitehead, P., and Cooke, P. 2009. *Culture, ecology, and economy of fire management in North Australian Savannas – Rekindling the Wurrk Tradition*. CSIRO Publishing.
- Smyth, D. 1993. *A Voice in All Places: Aboriginal and Torres Strait Islander Interests in Australia's Coastal Zone (revised edition)*. Consultancy Report, Resource Assessment Commission, Canberra.
- Smyth, D. 1994. *Understanding Country – The Importance of Land and Sea in Aboriginal and Torres Strait Islander Societies*. Council for Aboriginal Reconciliation, Australian Government Printing Service, Canberra.
- Smyth, D. 2001a. Joint Management of National Parks. In Baker, R., Davies, J., and Young, E. (eds.), *Working On Country – Contemporary Indigenous Management of Australia's Lands and Coastal Regions*, Oxford university Press, Melbourne, pp. 60-74.
- Smyth, D. 2001b. Management of Sea Country. In Baker, R., Davies, J., and Young, E. (eds.), *Working On Country – Contemporary Indigenous Management of Australia's Lands and Coastal Regions*, Oxford university Press, Melbourne, pp. 60-74.

## RECOGNITION AND SUPPORT OF ICCAs IN AUSTRALIA

- Smyth, D. and Ward, G. (eds) 2009. *Indigenous Governance and Management of Protected Areas in Australia*. Australian Institute of Aboriginal and Torres Strait Islander Studies.
- Smyth, D., Szabo, S., and George, M. 2004. *Case Studies in Indigenous engagement in natural resource management*. Consultancy Report for Australian Government Department of Environment and Heritage, Canberra.
- Smyth, D., Taylor, P., and Willis, A. 1985. *First National Workshop on Aboriginal Ranger Training, Adelaide 1-12 July 1985*. Council of Nature Conservation Ministers.
- Smyth, D. 2009. Just Add Water? Taking Indigenous Protected Areas into Sea Country. In Smyth, D. and Ward, G. (eds.), *Indigenous Governance and Management of Protected Areas in Australia*, Australian Institute of Aboriginal and Torres Strait Islander Studies, pp. 95-110.
- Smyth, D. and Bauman, T. 2007. *Outcomes of three case studies in Indigenous Partnerships in Protected Area Management: Policy Briefing Paper for the Australian Collaboration*. Australian Institute of Aboriginal and Torres Strait Islander Studies, Canberra.
- Szabo, S. and Smyth, D. 2003. Indigenous Protected Areas in Australia. In Jaireth, H. and Smyth, D. (eds.), *Innovative Governance: Indigenous Peoples, Local Communities and Protected Areas*, IUCN-sponsored by publication, published by Ane Books, New Delhi, pp. 145-164.
- Torres Strait Regional NRM Reference Group. 2005. *Land and Sea Management Strategy for Torres Strait*. Torres Strait Regional Authority, Thursday Island.
- Woenne-Green, S., Johnston, R., Sultan, R., and Wallis, A. 1994. *Competing interests: Aboriginal participation in national parks and conservation reserves in Australia - A review*. Australian Conservation Foundation, Melbourne.
- Young, E., Ross, H., Johnson, J., and Kesteven, J. 1991. *Caring for Country: Aborigines and land management*. Australian National Parks and Wildlife Service, Canberra.