

RECOMMENDATIONS

It would *not* be sensible for the Authority to explicitly recognise native tenure when the location of it is unknown. There would also be political problems if the Authority was seen to be too far ahead of Commonwealth policy in this area. Rather, the Authority needs to provide indigenous groups a decisive voice in park management, in appropriate areas. The broader political implications of Mabo need to be appreciated by the Authority—that Aboriginal peoples aspirations for greater involvement in all aspects of resource management have been raised by the decision and has created a climate of heightened expectations about what the Authority should deliver by way of Aboriginal involvement in the park.

Aboriginal and Islander involvement should be increased, probably by at least two members (one Aboriginal and one Torres Strait Islander) on the Consultative Committee and there should be a legislative requirement to this effect. The person(s) selected must be *representative* of the various Aboriginal and Islander communities and organisations. Unless this is done the representative(s) are unlikely to have much credibility with the Aboriginal and Islander population. It will also be important that the Aboriginal and Islander person(s) be properly resourced to travel and to liaise with Aboriginal and Islander people. The people selected should be funded to take time off from their jobs to at least report back to communities after consultative meetings. They should also regularly attend meetings of the Aboriginal Liaison group.

Augment the resources of the Aboriginal liaison officer and move towards making this a higher level position. Steps should be taken to adding staff in this area (strong consideration should be given to appointing at least one female officer) as one liaison member will not be enough given the range of issues and distances the officer has to cover. At least six officers are needed. These people should come from the major communities. They would form an Aboriginal liaison unit placed in the organisation where they would be most useful. When such staff are on board it would make sense for an Aboriginal and Islander policy unit to be formed in the Authority to act as a link to an indigenous consultative committee (see below). In the short term consideration should be given to upgrading the seniority of these positions. The current appointment is at ASO 6 level. If the Authority wants to be seen to be serious about embracing indigenous rights issues it should consider the example of some mining companies in negotiations on aboriginal issues—they appoint a senior adviser to the Chief Executive Officer.

The establishment of a separate Aboriginal and Islander Consultative Committee should be considered. A separate indigenous consultative body would provide a means for the Authority to directly access the views of Aboriginal maritime groups and to have its views reported back to those groups. Such a committee should not necessarily be viewed as a permanent structure. It *may* be a permanent structure but it may turn out to be a stage in the process towards devolution of power to Aboriginal management committees. Structures should be seen as *evolving* rather than set in concrete.

There should be a formal recognition in the Act that maritime clan boundaries and maritime clan estates will be recognised in zoning and management plans. While s.32 of the Act provides for an extensive process of public notification and consideration of public representations by the Authority a more formal recognition of Aboriginal clan boundaries and maritime clan estates would signal the importance that the Authority attaches to the just claims of Aboriginal people. It should not be seen as opening the gates to single out other groups in the Act. Varying circumstances will affect different groups and this will sometimes warrant different treatment. The formal recognition of cultural sites should facilitate the development of marine protected areas in Aboriginal and Islander traditional 'sea country'.

Recommendations for Aboriginal Management zones and Heritage areas in coastal regions near communities need to be acted upon. Aboriginal Management zones would need to involve consultation with elders responsible for particular areas, patrolling by community rangers and joint management by the Authority and Aboriginal people appointed by the local community councils. Such options would provide the community with a degree of control over the sea and access to trust lands, active involvement in the management and protection of sites of significance within the marine areas, and official recognition of inshore waters within traditional clan estates. It would also provide a structured process for consultation and management of areas of Aboriginal significance within the marine park. Such zones could not have provisions which were inconsistent with a zoning plan, except where a special management area applies.

Previous recommendations for Aboriginal communities to be involved in joint management strategies, using community rangers and to be directly consulted on marine resource use and management need to be acted upon. The focus of Aboriginal groups in the GBRMP has been on joint management of areas and not exclusive rights to those areas. From the Authority's viewpoint it seems encouraging that Aborigines have not pushed for ownership rights or the very substantial degree of control exercised elsewhere in those national parks leased back to governments. What the Authority should therefore appreciate is that the request by Aboriginal people for protection of traditional sites, involvement in the active management of the park, consultation on such issues as trawler access to inshore waters are not only *legitimate* claims but also quite *conservative*.

There will be little point in the Authority moving to set up particular structures, however, until Aboriginal people have some input into the kinds of management structures that are most appropriate. Smyth's suggestions on management structures and management areas should certainly provide the basis on which the Authority should approach the Aboriginal owners for their comments and suggestions. As Smyth very correctly notes, this must commence with the Authority declaring that it is willing to negotiate on these issues 'in an open-minded way it would then become necessary to establish consultative, research and negotiating processes that could arrive at mutually acceptable joint management arrangements' (Smyth 1992,53). It will mean that the Aboriginal liaison officer will have to have direct links to the highest levels of planning and management in the Authority.

The desire by Aboriginal communities to be involved in management through community rangers should be supported in ways that stress local training and supervision.

It will also be important for the Authority to resolve issues relating to the legal liability of community rangers and the lines of reporting accountability. Clearly the liability and reporting issues will need to be resolved *before* training courses get very advanced. It is recommended that the Authority and the Queensland Environment and Heritage Department form a joint working party to resolve these issues and put in place a general framework that allows for clear reporting lines and deals with liability issues.

Move towards local co-management structures so that in the longer term the need for permits for traditional hunting will be reduced or eventually not be necessary. The Authority should not focus too heavily on the problems of Aboriginal hunting and fishing. Aboriginal hunting and fishing is not *the* issue. It is really only a *sub-issue* of the main issue of Aboriginal management of marine park areas, and conservation of the dugong and turtle should be seen in the broader context of co-management strategies. Once the Authority has in place a devolved Aboriginal management structure many of these issues can be resolved at the local level. It may be possible to do away with permits altogether if such structures are put in place.

A move from community permits to effective local ranger management areas is desirable, with the emphasis being on community environmental management groups achieving community input into decision-making. Self management rather than regulation is preferable and here the Authority should extend its efforts in conservation information through kits, better extension work and the use of the media, print, radio and television. The wider use of video should be considered here. Where necessary materials could be in local languages.

Strengthen information policies to target both Aboriginal communities and the public on issues of Aboriginal concern. Aboriginal communities do not understand or have a poor understanding of the Authority, its management strategies, use of zones etc. This suggests that current efforts at education and information need to be strengthened so that more communities are reached. For many Aboriginal people, English is a second language and they may have infrequent access to newspapers in which invitations to participate in the planning process are placed. They may not be in a position to make detailed written submissions, outlining their concerns. There may be scope for the Authority to require maps and management prescriptions include Aboriginal and Islander interpretations of areas, (if the areas are not secret). There may also be scope for some material to be in relevant indigenous languages. To have an adequate education program, Aboriginal people have to be involved in its formation, the production of materials, its dissemination and its interpretation.

Consult with the Lands Department on trends in Aboriginal lands claims. As a result of the new Queensland Aboriginal and Torres Strait Islander Lands Acts the Authority will need to consult widely with Aboriginal groups and the Queensland Lands department on likely trends on land (and potentially sea) claims. With claims to vacant crown land anywhere in Queensland a possibility as well as access to tidal lands (granted only by the Governor in Council) the structure of Aboriginal communities may be expected to alter. With this may come more Aboriginal and Islander coastal communities and this will necessitate the Authority being actively involved in negotiations on such claims.

Improve efforts to consult with Torres Strait Islander people and engage them in the management of the marine park. The Authority needs to repair its damaged relations with the Islanders and the first step is to engage Islanders in the management of the marine park. This could include representation on the Consultative Committee and regular visits, particularly when the zoning plans for the far northern area are done over the next two years. The Authority could, in a low key, informal way offer resources (or let it be known via others that it is willing to offer resources) and support for development of the Marine Strategy for Torres Strait (MASTS).

The Authority should consider initiating a collaborative research program with relevant Aboriginal and Torres Strait Islander representatives on indigenous issues. The program would focus on marine tenure boundaries and usage, register important cultural sites in the Marine Park, develop a database of local knowledge and indigenous management practices and strategies for effective consultation and social impact assessment procedures.

These recommendations have been made in one form or another in previous reports but unless the Authority considers implementing them Aboriginal people will no doubt be somewhat cynical about the very positive features of the draft strategic plan. In other words, while the strategic plan could be very useful in presenting the Authority in a positive way to Aboriginal groups there does need to be a genuine commitment to implement the recommendations that the Authority has already been presented with in commissioned reports and other studies.

There is no doubt that the amount of resources needed to consult with Aboriginal groups is much higher than with other groups and unless the resources are provided a consultative

process with Aboriginal people will fail. ATSIC should certainly be approached in a direct way for extra funds for positions and training and employment of rangers. The Authority should be honest in stating that it wants to improve its efforts in the area of indigenous issues, but also present any proposals as an *opportunity* to funding bodies. After all, the GBRMPA is recognised around the world as a leader in marine management and improving its performance on Aboriginal and Torres Strait Islander issues is a win-win situation. While the funding and resource constraints issues are extremely important it should also be borne in mind that a number of the strategies advocated do not require a huge injection of funds (although they will obviously require people to spend time on these issues) so much as the inculcation of fresh perspectives at senior levels within the Authority.