

Native Title Conference 2003, Alice Springs: a summary

The Australian Institute of Aboriginal and Torres Strait Islander Studies and the Central Land Council convened the annual Native Title Conference. Held in Alice Springs the conference was conducted over three days from June 3 to 5. The Lhere Artepe and the native title-holders of Alice Springs hosted the 2003 conference.

Now in its fourth year, the Native Title Conference provides the preeminent forum for collective discussion on issues related to native title in Australia. The conference is a platform for Australia's best thinkers on indigenous issues to present current research, concepts, and policy directions. Just as importantly, the conference is an opportunity for native title-holders, representative bodies, academics and government representatives to meet in one place to exchange ideas and technical advice, and to debate, listen and respond to the wide scope of views.

AIATSIS acknowledge the generous support and sponsorship provided by the Aboriginal and Torres Strait Islander Commission (ATSIC). Without this support the conference could not be held. Similarly, we would like to thank the National Native Title Tribunal (NNTT) for their support of the conference.

This year's conference attracted some 471 delegates including 92 speakers, chairs, and session convenors.

Spanning six plenary, a total of 11 keynote lectures were delivered, including the Mabo Lecture delivered by Noel Pearson, and introduced by Bonita Mabo, wife of the late Koiki (Eddie) Mabo. International guest, Professor Christine Zuni Cruz provided a keynote lecture on self-determination and Indigenous nations in the United States (see Issues Paper 2(23)).

Thirteen tailored breakout sessions explored a wide range of issues related to native title. Each session had a thematic title that informed delegates of its content. Most sessions had no more than three papers presented, which allowed ample time for discussions.

The Lhere Artepe and traditional owners of Alice Springs held a welcome to country ceremony on the evening of June 2. The picturesque venue for this ceremony was on the banks of the Todd River. Light refreshments were served following the formal part of the evening.

To conclude and celebrate the conference, a dinner was held on the Thursday night. Local Indigenous entertainers enthralled the delegates with dance and song. During the dinner, the inaugural Native Title Research Body Outstanding Achievement Award was presented to the South West Aboriginal Land and Sea Council by Prof. Michael Dodson.

Mr Greame Neate, President of the NNTT, presented a circumspect and concise summary of the substantive aspects of the conference. We include an edited version of this paper in our features section of this edition. (see page 4).

Staff Movements

Jane Anderson is no longer in the Native Title Research Unit. She is now a Visiting Research Fellow in Research at AIATSIS. Her research project will involve investigating issues of intellectual property and indigenous knowledge. In particular it will examine contested ownership of indigenous cultural material held in cultural institutions from a variety of perspectives.

Native Title Conference papers

By now, conference delegates have received copies of papers presented at the NT Conference. NTRU is yet to receive all papers and we will be distributing these as they come in. With permission of the authors a number of papers have been placed on the conference web site.

New Seminar Series – Health and Society

The AIATSIS seminar series titled 'Health and Society: An Australian Indigenous Context' (21 July – 27 October 2003) is being convened by Graham Henderson, Heather McDonald and Jo Victoria. This series aims to provide an overview of Indigenous health issues in Australia – issues that range from government agreements to the provision and reception of medical services in Aboriginal communities. The seminar series locates health within its historical, social and cultural contexts. There is a diversity of speakers, many of whom are Indigenous Australians. The speakers will discuss Indigenous men's and women's health issues, maternal and child health, social and emotional well being, and health delivery by Aboriginal community-controlled organisations in urban and rural settings. Also to be discussed are management and policy development issues, Indigenous health expenditure, work and life experiences of Indigenous health professionals, and the new Cooperative Research Centre for Aboriginal Health. AIATSIS is planning to publish the seminar series through Aboriginal Studies Press.

Web site under review

The Native Title Research Unit web resources are currently under review. To assist users navigate the site in a more user-friendly way the site will be overhauled in the coming months. Our aim is to help people gain easy access to the services and in-

formation provided by the unit. We look forward to your feedback.

New Issues Paper

The May Issues Paper is now available. Issue number 23, 'Indigenous Pueblo Culture and Tradition in the Justice System: Maintaining Indigenous Language, Thought and Law in Judicial review' by Professor Christine Zuni Cruz. In this paper Prof. Zuni Cruz considers several issues that have emerged from her personal experience working as an Associate Justice on the Pueblo Appellate Court in the United States. These concerns relate to maintaining the culture of the Pueblo within an acknowledged western, and specifically Anglo-American, framework of justice. The key elements discussed include language, process and knowledge. This paper provides a North American perspective on the interface between Indigenous law and western legal frameworks.

Recent additions to the AIATSIS library

The AIATSIS Library receives many books, articles, journals, pamphlets and other works that will be of special interest to Native Title clients. From now on, the Newsletter will periodically include listings of newly catalogued items that may be helpful in preparing background information for a claim or other native title research.

The Native Title Research and Access Officer has compiled this edited listing of titles catalogued in May and June 2003 for you. Entries are grouped under headings that generally describe what types of items are listed, such as Government Reports and Native Title Cases or Indexes, directories and guides. Library call numbers appear at the top of each entry, and you may wish to use them as search terms to see the full description of the item on the AIATSIS online catalogue, MURA.

All items are available for you to read in the AIATSIS Library, and many items may be photocopied in full or part according to copyright rules and conditions of deposit.

Some special items of interest are:

- early contact accounts written by Daisy Bates (1910-1942), Philip Gidley King (1817-1904), or Joseph Bradshaw (1891)
- Canadian and Brazilian documents about agreements and policies concerning land claims
- the list of records holdings relating to Aboriginal people in the Northern Territory, compiled by the Northern Territory Archives Service
- the negotiators draft agreement between Pancontinental Mining Limited, Getty

Oil Development Company Ltd and the Northern Land Council.

- the article by John Litchfield on how history research was viewed in the Mabo and Yorta Yorta Claims

Please contact the Native Title Research and Access Officer ntss@aiatsis.gov.au or 02 6246 1103 for further information about any of the items on the listing.

You will find a complete listing of new additions to AIATSIS library on page 19 in this edition of the newsletter.

FEATURES

The Native Title Conference: 'Native Title on the Ground'

Edited extracts from summary address for Closing Plenary – Where to from here?

By: Graeme Neate. President, National Native Title Tribunal. Alice Springs, 5 June 2003

Introduction

Providing a summary or overview of this conference is a daunting task. This conference has been wide ranging in its scope. The numerous papers have been descriptive, analytical, conceptually challenging and, in some cases, deeply personal. Some speakers have reported on where we are in native title and others have looked at what might lie ahead.

What I will say is both a selective and personal account, outlining eight of the main themes or messages that have come out of this conference, and illustrating those themes by specific references to some of the presentations made here.

1. The challenges are great, and there are many ways of meeting them

Speakers, such as Noel Pearson, John Basten and David Parsons, offered detailed critiques of aspects of the current state of the law on native title and pointed to some of the practical implications of the law as it is currently understood.

For some people, recent court decisions have led to a sense of despair or grim resignation that there is no prospect of recognition of what they believe to be their native title rights. It is certainly the case that many groups will have difficulty in proving that they meet the strict legal requirements for a determination of native title.

What is clear is that the goal posts, if not finally fixed, are pretty firmly in place.

It is in that context that parties need to work out how to deal with the 635 claimant applications, 22 non-claimant applications and 22 compensation applications currently on the books.

Indigenous groups need to be given clear advice about their prospects in getting such