

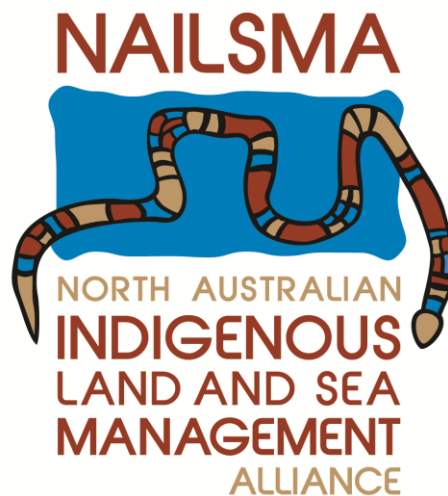
# Beyond respect: a central role for Indigenous people in Australian land and sea management

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by the North Australian Indigenous Land and Sea Management Alliance



## Summary

Australia has experienced high rates of mammal extinction through much of its arid zone, and the problem now appears to be spreading north into the tropics. Other taxa are also in decline. There is an urgent need for conservation interventions over vast areas, which local Indigenous people are well placed to provide. Australia's performance in responding to the 2003 Durban World Parks Congress and in meeting the associated Aichi targets set by the parties to the Convention on Biological Diversity provides some pointers to nation's present and likely future success in engaging Indigenous people in meeting national conservation goals. In some respects that performance has been remarkably good. In particular, additions to the protected lands network have all but reached the target of 17% for 2020, driven mostly by incorporation of many Indigenous protected areas (IPAs) in the national system. IPAs are not formally declared under relevant law but run by local Indigenous people under an approved management plan and supported by modest federal government funding.

However, there are concerns about the security of funding for those sites and the protected lands system more generally. Some joint management arrangements have not lived up to commitments about levels of Indigenous employment nor associated application of traditional knowledge to key management tasks. Arguably, Indigenous people should seek to increase the array of options available to fund return to country and meet obligations to their lands.

Expanding options that increase capacity to maintain cultural obligations while meeting socioeconomic goals will require that Indigenous landowners develop comprehensive land use plans and set guidelines for use of their lands for any purpose, including conservation. Planning processes should include:

- Indigenous leadership of planning of land use for conservation and economic development over the whole of their traditional estates;
- planning to include thorough examination of options for payment for ecosystem/environmental services originating on Indigenous lands;
- environmental costs of any orthodox development authorised on Indigenous lands to be fully offset by generating environmental benefits on other (undeveloped) parts of relevant estates;
- all developments and offsets fully protect sacred and other culturally significant sites; and
- progressive development of co-management (with government) of culturally significant resources, including water and nominated wildlife species and assemblages.

Guidelines for use of Indigenous lands as protected areas must ensure:

- no protected area, however described or specified in law, will be established on Indigenous land without the free, prior and informed consent of owners and managers recognised under customary law;
- guaranteed long term financial support and more effective security for IPAs and community conservation areas must be achieved without sacrificing Indigenous control and management;
- jointly managed protected areas will be treated as social-ecological systems for delivery of Indigenous rights, preferences and livelihoods, in tandem with conservation outcomes;
- genuine application of traditional knowledge is fully supported in all protected areas in which Indigenous people have interests;

- statutory or other management plans for protected areas will demonstrate how they protect Indigenous rights (as reflected in UNDRIP and related IUCN interpretations) and incorporate Indigenous cultural values in targets, methods and evaluations of performance; and
- improving the well-being of Indigenous communities, as measured by those communities, is an explicit objective of all protected area arrangements.

We seek to work with Congress participants to test and refine these ideas with a view to putting proposals for improved practice to the Australian government and promoting similar improvements internationally.

## Introduction

Australia will struggle to protect the nation's biodiversity without the active involvement of its Indigenous people. More than 20% of the continent's land area is owned by Aboriginal and Torres Strait Islander people (Altman et al. 2007); we retain traditional rights over much of the remainder, much of the northern coast abuts Indigenous-owned lands, and most of the population outside major centres is of Indigenous origin. But the estate we have relatively recently recovered is substantially damaged (Gammage 2011).

Many will be familiar with the extraordinary rate of extinctions of Australia's mammal fauna that followed quickly in the wake of European settlement of the Australian outback (Morton 1990). Birds may be following that same path (Reid and Fleming 1994) and the extinction threat is now moving northwards through the sparsely populated tropics (Woinarski et al. 2011).

We argue that the causes of these problems in regional and remote Australia, whilst unleashed by settlers, are not the result of too many people being too active on country, but rather the reverse. Indigenous people displaced from their lands were replaced by small numbers of settlers accompanied by much larger numbers of exotic animals, that were under - at best - loose and often no control by their "managers". Human depopulation meant that fire was released from effective control (Ritchie 2009) and still remains effectively unmanaged over huge areas (Russell-Smith et al. 2007) or, in those places where grazing intensity was uniformly high, removed almost entirely, which also caused unwelcome change through woody thickening (Sharp and Whittaker 2003). In the wake of the exotic animals, exotic plants introduced to support them are now often establishing as weeds that exacerbate fire and related problems (Rossiter-Rachor et al. 2009; Setterfield et al. 2010; Schlesinger et al. 2013).

This extensive grazing phase of development in Australian rangelands has passed its peak (Holmes 2010), with cattle raising withdrawing from marginal country to consolidate and intensify in more favourable settings. And government and industry are promoting new, more intensive agricultural use of large areas of northern and central Australia, requiring removal of native vegetation and - particularly troubling - far-reaching redistributions of a limiting resource in water (CoA 2014). History suggests that many of these ventures will fail, leaving a residue of substantial environmental damage (Woinarski and Dawson 2002). In other areas where even the most optimistic would see little potential for agriculture, unconventional gas appears likely to drive change (Cook et al. 2013).

Promoters of rapid development bemoan the constraints they imagine might be placed on their aspirations by restrictions on use of publicly-owned land leased for pastoralism and Indigenous communal ownership of land, and seek changes in tenure arrangements, including Indigenous land rights law, and loosening of environmental controls (NTG 2014).

If a new wave of settlers and development-oriented governments show the levels of insensitivity to land, its biota, its people and their needs as booster rhetoric suggests they might, then the results for land condition and conservation could be calamitous. And the socio-economic and cultural interests of the Indigenous majority living in regional and remote Australia will be further damaged.

The future of Australia's natural heritage, Indigenous cultural heritage and remote and regional socio-economies appear to us to be inextricably interwoven. What can Indigenous people do to

maintain or, wherever possible, repair the fabric of our lands and lives, while also coping with new stressors and demands? Can we turn the new development push to the advantage of our environment and to ourselves and other residents of remote and regional Australia? What roles will protected areas and in particular areas of Indigenous land protected and managed by Indigenous people play in achieving genuinely sustainable development?

## **Indigenous people and Australian conservation**

Our organisation, the North Australian Indigenous Land and Sea Management Alliance, and its partners, have been considering these and related questions and consulting with communities about them for a decade. Key observations informing our thinking are:

- Indigenous customary law embraces powerful obligations to protect and maintain the health of biophysical environments: and connections with healthy environments sustain Indigenous culture and knowledge. Resilient Indigenous societies and healthy environments therefore depend on and support each other.
- Over much of the continent Indigenous people have resisted displacement from the land and have tenaciously maintained physical and spiritual connections with it.
- Many seek to return to and reside permanently to their lands to maintain or restore these positive relationships for resilient ecosystems and communities, but lack the resources to do so.
- Highly developed systems for managing land and resource use, based on knowledge refined by experience over millennia, have been maintained by individuals, groups and communities.
- Many aspire to improve their socioeconomic status through new uses of their lands and seas and resources, where such use is compatible with traditional obligations.
- Systems of traditional knowledge and practice and their associated governance arrangements provide an essential foundation for local decision-making on current and future management of land but will require supplementation with high quality scientific information to deal with some contemporary opportunities and challenges.

These features of Indigenous society coupled with ownership of large areas of land offer extraordinary opportunities for partnerships with Australia's Indigenous people to meet pressing conservation needs over much of a mega-diverse continent. Indigenous people have already made major contributions, but both social and conservation benefits can be multiplied by additional investments. Additional public and private investments are warranted by the fact that many of the pressures with which Indigenous people must now grapple were not of their making.

Armstrong and Morrison (2007) promote a culture-based economy as a product of effective partnerships, comparable with Bennett and Lemilen's (2013) eco-social economy, within which environmental and conservation outcomes are essential contributors to social and economic ends.

In this paper we briefly review Australia's progress in taking up this opportunity and prospects for ongoing improvement. The ways in which protected areas are selected, secured and managed can

offer revealing insights to the quality of partnerships. We use the Aichi targets<sup>1</sup> set by parties to the Convention on Biological Diversity (CBD), some of which flowed from the Durban congress, as a benchmark for progress. We then canvass some of the actions we consider essential to place Australia's Indigenous people at the centre of conservation achievements over the next decade and beyond, while also addressing social disadvantage.

## International policy context

The Durban Congress recognised both the symbolic and practical importance of protected area management for Indigenous lives in all parts of the globe. The Durban Accord (IUCN 2004a) urged commitment to:

- "involve local communities, indigenous and mobile peoples in ... creation, proclamation and management;
- (ensure) that people who benefit from, or are impacted by, protected areas have the opportunity to participate in relevant decision-making on a fair and equitable basis in full respect of their human and social rights;
- (share) benefits with indigenous peoples, mobile peoples and local communities;
- (innovate) ... (in) ... adaptive, collaborative and co-management strategies;
- recognise, strengthen, protect and support community conservation areas;
- ... (secure) predictable financial returns for ... stewards of ecosystems goods and services; and
- value and use ... knowledge systems, whether scientific or traditionally based."

Outcomes sought from such commitments were to secure the "... rights of indigenous peoples, including mobile indigenous peoples, and local communities ... in relation to natural resources and biodiversity conservation" (The Durban Action Plan; IUCN 2004b). By today's Congress, we were to have seen:

- "All ... protected areas ... established and managed in full compliance with the rights of indigenous peoples ... .
- ... management of all relevant protected areas (involving) representatives chosen by indigenous peoples, including mobile indigenous peoples, and local communities proportionate to their rights and interests.
- ... participatory mechanisms for the restitution of indigenous peoples' traditional lands and territories that were incorporated in protected areas without their free and informed consent ..."

References to Indigenous interests in the Aichi targets are more muted, but pick up in one way or another, many of the issues raised at Durban. In our view, some of the most relevant (paraphrased) for Australia's Indigenous people and their roles in protected areas and outside them are:

***Aichi Target 3: negative incentives harmful to biodiversity are eliminated and positive incentives applied.***

Perverse incentives for environmental harm may damage Indigenous interests in lands, seas and resources and opportunities for improved well-being. Positive incentives can drive effective partnerships.

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<sup>1</sup> <http://www.cbd.int/sp/targets/>

***Target 11: at least 17% (by area) of terrestrial and 10% of coastal/marine systems are protected and equitably managed***

In many nations, including Australia, much of the land not already alienated for commercial production is held by and supports livelihoods of Indigenous people. Reaching ambitious protected area targets will disproportionately involve Indigenous people.

***Target 14: ecosystems that provide essential services and contribute to well-being are restored and safeguarded, taking account of the needs of Indigenous and local communities***

An essential reminder that in meeting national goals, conservation actions must not damage local and Indigenous interests.

***Target 18: local and Indigenous traditional knowledge ... are respected and fully integrated in CBD implementation, with full participation of local communities.***

A key requirement for equity in protected area management of and in conservation management more generally, wherever Indigenous interests are involved.

***Target 19: relevant scientific knowledge is widely shared and transferred, and applied***

Although framed in terms of biodiversity issues, the principle of full access to all information relevant to land management is critically important for Indigenous people seeking to protect cultural interests and advance socioeconomic interests.

***Target 20: funding is increased substantially from 2010 levels.***

All other targets are meaningless unless resources are matched to the work of effective implementation.

## **Australia's performance**

We briefly consider Australia's performance against each of these targets individually, and assess implications of that performance for shaping future proposals and advice.

### **Perverse and positive incentives (Aichi Target 3)**

Incentives for actions causing environmental damage include industry subsidies. These are well established in Australia for extractive industries (Peel et al. 2014) and for agriculture. Direct agricultural subsidies have been reduced in recent years but new subsidies in transport and particularly water infrastructure are proposed for relatively undeveloped regions (CoA 2014). If carried through, proposed water developments will, for example, affect areas over which there are native title claims (NAILSMA 2013). There could be few more profound impacts and denial of relationships with land than complete loss through submergence within large permanent water impoundments.

Subsidies to the mining and agricultural sectors may also support relatively more environmentally benign industries, like tourism, through improved access. Infrastructure associated with unconventional gas exploration and extraction may facilitate access to many presently isolated locations, especially in northern Australia. Tourism is already subsidised by absent or inadequate visitor fees (Whitelaw et al. 2014), and Australian state/territory jurisdictions are proposing to open

government PAs to more commercial activity<sup>2</sup>, offering additional indirect subsidies like low or no cost access to commercially attractive sites. In the mid-term future Australia appears more likely to see reinforcement of incentives and removal of regulatory disincentives for acute land use change and for more intensive tourism, rather than their withdrawal.

Australia's Indigenous people do not oppose well-considered development and, indeed, wish to participate in appropriate economic opportunities, but expect decisions to be preceded by comprehensive and fully participatory planning that also creates incentives for positive actions to protect important natural and cultural values (NAILSMA 2013).

Positive incentives for better environmental management in Australia include the Working on Country and Indigenous Protected Areas operated by the federal government, sometimes supplemented by support from state/territory governments. In our view (below), in the short to medium term, these appear more susceptible to contraction under budgetary constraints than industry-related subsidies. Indigenous land managers may need to seek non-government support for their land management and conservation activities that are less susceptible to abrupt changes of direction. Options include partnerships with environmental NGOs (ENGOS), as well as access to various market-based instruments for provision of resource management and ecosystem services.

### Payments for ecosystem services

Payments for ecosystem services can be defined as a "transparent system for the additional provision of environmental services through conditional payments to voluntary providers" (Tacconi 2012). Publicly-funded schemes like Working on Country, the Indigenous Protected Areas Program and various Caring for Country programs fit this definition: providers must apply to participate and payments are conditional on delivery of contracted services. However, they could not reasonably be described as market-based: once a "value for money" threshold is satisfied, order of selection is not based entirely on cost. From an Indigenous perspective, such arrangements have been particularly positive because access has depended on ownership of or other traditional connections to land of high conservation value requiring management intervention rather than existing capacity based on financial or built capital. Payment arrangements have often provided the capital needed to get involved, in some cases permitting people who have not formally recovered country to nonetheless deliver land management services on parts of their traditional estates. However, Australian governments' commitment to such arrangements is presently in decline (see Target 20 below).

For a time, Australia's greenhouse gas emissions abatement policies, a carbon price and carbon farming initiative offered additional opportunity which connected Indigenous people to the mainstream economy. For example, landowners in western Arnhem Land are paid by a major natural gas producer (parent company the transnational ConocoPhillips) to reduce emissions from fire in savannas, and have successfully delivered above target reductions over several years. The project provided the proof of concept for application of a mix of traditional burning practice and formal science to a legally declared methodology (Russell-Smith et al. 2009b), which has now been extended commercially to 9 substantial Indigenous projects<sup>3</sup>. To the best of our knowledge, this is the first time that a legislated national land management standard has been based on Australian

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<sup>2</sup> see, for example, <http://www.parksandwildlife.nt.gov.au/pwc/eoi#.VEWWDxaOTco>

<sup>3</sup> <http://www.cleanenergyregulator.gov.au/Carbon-Farming-Initiative/Register-of-Offsets-Projects/Pages/default.aspx>



Indigenous practice. Government support was subsequently made available to other Indigenous groups to prepare operational and business plans to establish their projects.

Because the West Arnhem project was well targeted to a key pressure on biodiversity values and delivered by people with knowledge, skills and motivation to restore traditional practice, modest but long term private investment has been able to rescue a major centre of plant and animal endemism.

Unfortunately, the commercial viability of Australian land-sector carbon projects is now at risk, together with their numerous social (incomes, employment and health), and cultural (facilitated access to country) co-benefits (Greiner and Stanley 2013). Australia has dropped its carbon trading system in favour of a publicly-funded Emissions Reduction Fund (ERF). The ERF will purchase carbon credits through reverse auctions at lowest cost, taking no account of co-benefits. There is no longer specific government support available to Indigenous landholders to develop projects. If the ERF proceeds as presently designed, land sector providers of carbon credits are likely be disadvantaged because they depend on incomes from sale of credits alone, rather than long term reductions in costs available from (say) energy efficiency measures in manufacturing. These changes served larger political and economic interests, including an obligation to get maximum return from public expenditure, but selection exclusively on price rather than total net benefits means that Indigenous landholders are likely to suffer considerable collateral damage.

Australian governments in general have not sought to establish significant markets for other conservation values of biophysical environments. The closest approximations are the New South Wales government bio-banking scheme and the Victorian Bush Broker scheme. Biobanking allows "biodiversity credits" to be generated by landowners who commit to enhance biodiversity values on their land. Credits can be sold and funds used for the management of the site. Buyers may include philanthropic organisations and government. BioBanking coverage is relatively narrow because it emphasises rare habitat types and threatened species and handles an average of about 100 ha per annum. Bush Broker deals with an average of 21 ha per annum (Alverado-Quesada et al. 2014). These figures contrast strikingly with the many millions of hectares supported by the now less secure Indigenous carbon projects.

Most governments have, in addition, legislated for environmental offset schemes that seek no net loss of environmental quality following major developments. Development approvals may require actions generating environmental benefits equivalent in type and scale to residual damage after developers have taken all other reasonable steps on-site to mitigate impacts. Types of detriment to be offset and hence the types of offsetting credits sought vary from project to project. Matters requiring offset are not necessarily restricted to rare and threatened species or assemblages, although federal offsets policy deals exclusively with matters of national environmental significance.

Skilled deployment of biodiversity and other biophysical offsets may offer governments and Indigenous landholders particular opportunities to manage the land use transitions and impacts accompanying accelerated regional development. But to do this effectively will require a substantial rethinking of present policy and regulatory settings, built around specific attention to the needs of Indigenous providers.

## Extent of protected areas (Aichi Target 11)

Between 2004 and 2012, Australia increased terrestrial protected areas in the national reserves system from 10.5 to 15.4%<sup>4</sup>. About 62% of that increase has come from Indigenous-owned land (Figure 1). Given that IPAs, which make up most of the additions of Indigenous lands, are recognised at the specific request of Indigenous landowners and managed by local people, Durban urgings to engage Indigenous people in PA declaration and management have also been substantially advanced. If the observed rate of increase over 8 years continued to 2020, Australia would meet the Aichi target easily. Indeed, statements in the 2012-13 annual report for the (now) Department of Environment indicate that the target is already close at 16.5% (SEWPAC 2013, p. 18) and Indigenous lands are again a major part of the additions.

But having approached or perhaps met this quantitative target, mostly through cooperation of Indigenous people, there is a risk that Australia's progress in building a comprehensive reserve system will stall. From 2014, funding for the IPA program is available only for existing sites and there is no commitment to funding beyond 2018. The Prime Minister said in March 2014 that "we already have quite enough national parks". It is not possible to provide meaningful figures for marine reserves because management plans for Commonwealth-declared areas have been set aside and the entire system is under review.

Recent steps to reduce the national government's role in environmental management are elements of a larger current agenda to "(limit) Commonwealth policies and funding to core national interest matters ... " and to see "the States and Territories ... sovereign in their own sphere"<sup>5</sup>. Their sphere includes land and resource management. Arguments for reducing duplication and complexity by federal withdrawal to the original constitutional settings are superficially attractive, but create obvious risks of regional divergence in approaches to many issues, including a race to the bottom among states and territories competing for investments with weaker environmental standards. Because federal government partnerships with Indigenous people have often been built around land management, a weakening of those partnerships appears inevitable<sup>6</sup>. There is apparently no intention to engage the community in debates about handling of international environmental or human rights commitments (DPMC 2014, p. iii) - like the CBD and the UNDRIP - under a regime of constitutional revisionism.

Reaching Aichi targets for the area of PAs will be an empty gesture if the quality of management of both PAs and the matrix in which they are embedded falls away. Concern therefore turns to the sustainability of existing arrangements.

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<sup>4</sup> <http://www.environment.gov.au/topics/land/nrs/science-maps-and-data/capad>

<sup>5</sup> <http://www.pm.gov.au/media/2014-06-28/white-paper-reform-federation>

<sup>6</sup> The Australian Constitution does not formally recognise the place of Indigenous people in Australian society.

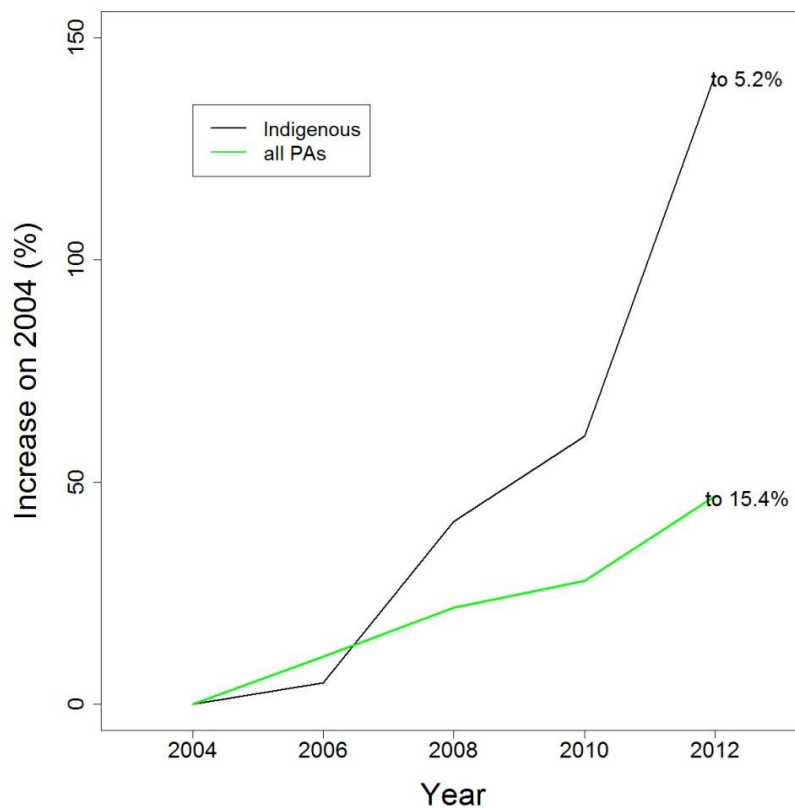


Figure 1: Increase in area of Indigenous Protected Areas and other protected areas on Indigenous land from 2004 to 2012 (the last year for which CAPAD figures are presently published). The area of terrestrial PAs increased by about 46.8% and of Indigenous owned lands in the system by 141.7%.

## Ecosystems restored and safeguarded (Aichi Target 14)

Ecosystems on which Indigenous people often depend most strongly are water dependent and most directly affected by dominant forms of development (e.g. Stoeckl et al 2013). Destructive synergies between withdrawal of water from the environment and weak management of the other effects of pressures like irrigated agriculture and mining, including sedimentation and chemical pollution, add to their on site effects through marked long-term and large scale off-site impacts on freshwater (Harris 2001; Joo et al. 2012; Thorburn et al. 2012) and marine systems (Brodie et al. 2012a,b). Quality of water management therefore offers a useful indicator of prospects for restoration and protection of ecosystems and the care taken to protect the interests of local and Indigenous people from effects of the commercial decisions of others.

NAILSMA, through an Indigenous Water Policy Group (IWPG) involving representatives from across Australia, has particularly emphasised Indigenous interests in water management, including planning to protect natural and cultural values of water. The group identified a particular risk - in presently unallocated or little allocated water systems - for land developers and other speculators to secure entitlements to all of the "consumptive pool" before Indigenous landowners have a chance to consider their options. Options that might include modest commercial development or withholding entitlements to prevent excessive use damaging natural and cultural values.

Some initially positive responses from government to set aside Indigenous water reserves that reduced the size of the consumptive pool (see IWPG 2013) have now been reversed<sup>7</sup>. At the same time, major entitlements have been issued to irrigators without the benefit of a water plan (Applegate 2013), raising questions about protection of ground and surface water dependent ecosystems in protected areas as well as Indigenous lands. In the Northern Territory, some community-based water planning committees appear to have ceased to operate. In Queensland, development proposals for irrigation using water from the Gilbert and Flinders Rivers proceeded without consultation about Indigenous benefit, except to catalogue the cultural values and interests that might be lost or damaged (Barber 2013). There was no involvement in setting guidelines for project development or processes for engagement in design, even though areas subject to native title claim would be directly affected (NAILSMA 2013) and downstream Indigenous lands and enterprises might also be affected. Protection for rivers has been reduced by repeal of provisions of that state's *Wild Rivers Act*.

Present approaches to water development in northern Australia appear inconsistent with guidelines issued by the National Water Commission to cover such knowledge poor regions (NWC 2012) and ongoing deficiencies in planning have been revealed in the latest Commission reviews (e.g. NWC 2014). Consistent with recurring government rhetoric about stripping away "green tape", abolition of the Commission during 2014 coincides with a push for accelerated development of irrigated agriculture.

Apparent downgrading of processes for sound water management does not augur well for national performance in securing the health of ecosystem services, or dealing fairly and effectively with the interests of local and Indigenous people. As illustrated by the tortured history of water allocation and environmental recovery in the Murray-Darling system, bad allocation decisions driven by over-ambition and poor planning are likely to be extraordinarily difficult to correct. Indigenous people dependent on the continued health of water-dependent ecosystems are likely to be particularly disadvantaged by mistakes.

### **Local and Indigenous traditional knowledge (Aichi Target 18)**

In conservation planning, showing respect for culture surely requires attention to values identified by members of that culture as warranting special effort. In conservation action, the best way of showing respect for Indigenous knowledge is to apply it routinely to solving conservation problems that have been framed to include Indigenous values. We note that a number of presentations to this Congress will offer examples of positive experiences in applying Indigenous knowledge.

Unfortunately, some Australian experience has been less positive. On the jointly-managed World Heritage Kakadu National Park, the awful history of fire management shows that attempts to institutionalise traditional knowledge can go badly awry (Russell-Smith et al. 2009a). Crude understanding of seasonality in fire use and application in part by non-Indigenous workers, perhaps combined with local "resistance" appears to have resulted in high frequency fire regimes that are damaging the park's values (Woinarski et al. 2010; Woinarski and Winderlich 2014). Change to restore a "right people, right place, right fire, right time" formula (James 2013) is required urgently. This difficulty is arguably a symptom of challenges to the federal bureaucracy in employing local

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<sup>7</sup> <http://www.abc.net.au/news/2013-10-09/nt-indigenous-water-reserve-policy-dropped/5012152>

Indigenous people who may have relatively little formal education but are skilled in traditional practice. Reports from the park service acknowledge slow progress in achieving levels of Indigenous employment (DNP 2013) consistent with obligations in the Park's lease.

Early in the joint management experience, Indigenous owners of newly established jointly-managed parks may emphasise quality of social relationships with their non-Indigenous partners ahead of specific natural or cultural heritage outcomes (Stacey et al. 2013). Strong statements of management aspirations and methods of achieving them are more likely when Indigenous participants gain confidence in the arrangement. Failure to build trust and confidence and then to act decisively to facilitate Indigenous roles in active management for cultural obligations may contribute to dysfunction of the sort that some argue characterises contemporary Kakadu (Haynes 2013). Petty et al. (accepted), also drawing on the Kakadu example, posit that damaging change is inevitable once practice is driven by one or a few external non-Indigenous measures of performance. We would dispute the inevitability of dysfunction when some management targets are externally influenced. However, to avoid displacement of Indigenous skills and roles, joint management must be seen as much more than a formal mechanism for sharing some decision-making around biodiversity conservation or tourism.

### **Sharing and applying scientific information (Target 19)**

In the past decade or so, state, territory and federal governments have done a good deal to improve access to information held by government agencies. A number of useful web-based platforms are operated by government. These have been more recently supplemented by University-led consortia including, for example, the Terrestrial Ecosystem Research Network<sup>8</sup>. In addition to improved physical infrastructure for ecological monitoring at large scales, a good deal of emphasis has been placed on “soft” infrastructure, such as standardisation of data collection and handling, meta-data, licensing and storage methods and tools, collaborative networks among ecosystem scientists, and improved capacity for cross-disciplinary synthesis.

However, access and sharing can break down closer to users. Information-sharing for conservation or development useful to landowners requires technical and other support for interpretation and assessment of implications (Yu 2012), most productively through guided exploration of realistic scenarios (e.g. Pantus 2012) to which both scientific and traditional knowledge are applied (e.g. Chan et al. 2010). Dismantling water planning processes with local people disables meaningful exchange of knowledge and information on arguably the most significant regional development issues. This is particularly unfortunate because the powerful influence of water on the health of ecosystems makes it a critical vehicle for driving genuinely integrated economic development and conservation planning.

### **Increased funding (Aichi Target 20)**

The average federal government support available to IPAs is about \$0.50 per ha for operating expenses. Staffing of many IPAs is supported from the Working on Country (WoC) program which pays the wages of Indigenous rangers, wherever employed. Based on 2012-13 budget figures and assuming that 50% of WoC budgets go to IPAs, support by area for government-run PAs is about an order of magnitude higher than IPAs. This crude comparison should not be taken to indicate that

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<sup>8</sup> <http://www.tern.org.au/>

government-run PAs are generously funded. Evidence submitted to a 2007 Parliamentary Inquiry indicate chronic under-funding (SCETITA 2007). Rather the gulf in funding indicates differences in costs of servicing visitors and the ability of Indigenous landholders to make good use of modest support when coming from a very low (often zero) base. In the absence of commitments to continue this funding, many communities face great uncertainty. About 25% of the land recovered by Indigenous people added to the PA system at no capital cost to the public and at extraordinarily modest recurring cost has no guaranteed funding base after 2018.

It needs to be acknowledged that funding difficulties are not confined to Indigenous areas or to federal government support. All government investments in protected areas management appear to have shown an ongoing pattern of decline (SoE 2011), which appears unlikely to be arrested soon. This has had serious effects on performance of government-run PAs, including weak capacity even to measure and report performance (Levington et al. 2010). There is certainly no evidence of increase in funding since 2010.

It is reasonable to question the sustainability of present arrangements for both public PAs and IPAs, given that:

- (a) Many pressures on protected areas, like invasive species, are increasing (SoE 2011).
- (b) Performance in some key areas, like fire management, is poor on many government-run PAs (e.g. Russell-Smith et al. 2009a; NAILSMA 2014) and may deteriorate further.
- (c) If funding for government PAs is inadequate, as formal assessments indicate, then it is likely to be more difficult for IPAs.
- (d) Indigenous landholders are urged by government to develop their lands for commercial use in agriculture or resource extraction. Competition for access to land including areas in existing IPAs will increase.
- (e) Even if managers of IPAs and other community-managed areas decide to keep extractive or agricultural uses below 33% of IPA area (a rule of thumb discussed by Dudley (2008) for category VI PAs), management tasks in multiple use areas will be come much more complex and hence more expensive.
- (f) Accelerated development in areas previously little developed will damage the matrix in which PAs are embedded, increasing dependence on them for ecosystem services and the ecological integrity of large areas. Management demands will increase even if there is little or no agricultural or other commercial development within IPAs.

Under current fiscal policy settings and in the absence of explicit commitments to improved and ongoing government support, there is a real risk that elements of the expanded conservation estate will be compromised. If this happens, improvements in the well-being of local Indigenous land managers and their communities may also be lost. Under accelerated regional development the opportunity costs of incorporation in the protected area network will become increasingly apparent and internal and external pressures to drop conservation obligations in favour of orthodox commercial development accordingly greater.

Options available to Indigenous owners and managers to grapple with this situation include lobbying Governments to guarantee to increase or at least maintain existing funding, or to seek funding elsewhere or through other mechanisms. Celebrating achievement of targets while simultaneously rendering them ineffective by inadequate government resourcing obviously should be resisted. But

safeguards should also be sought in alternative incomes. Indigenous land managers may require multiple sources of funds to sustain management activity of a quality that meets traditional obligations as well as any formal commitments to national conservation goals.

## Summary of performance against targets

We have given a few examples of Australian progress against the ambitions of the Durban Congress and their translation into the language and targets of the CBD. Our intent was to illustrate both the achievements and chronic and emerging problems faced here and, in somewhat different and sometimes more acute shapes, in other nations.

We consider that Australia has made important innovations through the IPA system (see Davies et al. 2013) which has contributed to rapid progress in growing the physical scale of the protected area system. Substantial numbers of Indigenous people have been supported to set goals for the conservation management of their lands and then received important support to help achieve those goals. Some longstanding institutions, like joint management, require redesign to better deliver the commitments to ultimate Indigenous control on which they were originally built.

We also raise questions about the robustness of apparent gains. Uncertainty regarding continuity of funding and chronic underfunding may compromise integrity of both government-managed and Indigenous-managed components of the protected areas system. Institutions supporting a carbon price and commercial carbon market opportunities well matched to the situation of Indigenous landholders (Whitehead et al. 2008) have been dismantled, reducing opportunities to replace or supplement public funding. There appears to be a real risk that the balance of incentives and disincentives will shift too far away from conservation goals towards weakly designed orthodox development. Management of the larger landscapes devoted to production also appear unlikely to meet the aspirations set out in the Aichi targets.

Concerns about the robustness of the PA network are amplified because in regions with large Indigenous landholdings, development may occur with too little planning with too little Indigenous involvement. As illustrated by the convoluted history of Australia's attempts to develop a national system of marine parks, large scale planning for integrated development and conservation has never been a strong feature of Australian practice. Standards appear likely to deteriorate, as is particularly evident in weakening of water allocation planning frameworks with strong Indigenous representation.

## Implications of the Australian example

We have focused on uncertainty about the future role of the federal government in arresting ongoing declines in the condition of the Australian environment. Whether those concerns turn out to be justified or not, they highlight the risks for Indigenous people in reliance on one or a few sources of support for meeting land management obligations. Here we outline some propositions for an Indigenous response, incorporating what we understand of the experiences and concerns of others.

A key emphasis in our present framing is that Indigenous people as major landholders should articulate and assert views of their place in development of sustainable and resilient regional

economies, while protecting the land and resource values that are fundamentally important to their culture and identity. Rather than mostly adjusting to demands for development or conservation actions originating outside their communities, they should seek responses from others to their own well-constructed and strongly put visions of their futures. This may require that they seek out additional sources of income, accepting and managing the risk inherent in taking greater control and establishing entirely new relationships.

Articulating new directions and asserting Indigenous influence in land use, economic development and conservation strategy and practice will require:

- (1) Indigenous leadership of planning of land use for conservation and economic development over the whole of traditional estates;
- (2) planning to include thorough examination of new options for receiving payment for ecosystem/environmental services originating on Indigenous lands;
- (3) setting obligations for any orthodox development authorised on Indigenous lands to offset all environmental costs by conservation actions on other (undeveloped) parts of relevant estates;
- (4) all developments and offsets to protect comprehensively sacred and other culturally significant sites; and
- (5) building systems for co-management (with government) of culturally significant resources, including water and nominated wildlife species and assemblages.

For use of Indigenous lands as protected areas, obligations include:

- (6) no protected area, however described or specified in law, will be established on Indigenous land without the free, prior and informed consent of owners and managers recognised under customary law;
- (7) financial support and more effective security for IPAs and other community conservation areas is guaranteed without sacrificing Indigenous control and management;
- (8) jointly managed protected areas will be treated as social-ecological systems where delivery of Indigenous rights, preferences and livelihoods is secured in tandem with conservation outcomes;
- (9) genuine application of traditional knowledge is sought in all protected areas in which Indigenous people have interests;
- (10) statutory or other management plans for protected areas to demonstrate how they protect Indigenous rights (as reflected in UNDRIP and related IUCN interpretations) and incorporate Indigenous cultural values in targets, methods and evaluations of performance, and generally advance Indigenous well-being.

We elaborate reasons for emphasising these activities and obligations below.

## **Indigenous-led land use planning**

Smyth (2011) has formalised an approach for Indigenous people to "consider how they wish to protect and manage the spectrum of cultural, natural, social and economic values of country that are of interest and concern to them, how to communicate those interests and concerns to others and how to protect and manage those values through building capacity and partnerships". This approach steps over contemporary land tenure to "recognise and respect the cultural resilience of country as the appropriate and enduring scale for engagement and planning". In the Australian experience, most Indigenous planning groups will hold title to at least a part of the area and use the planning



process and, ultimately, the plans they create as vehicles for reaching and implementing agreements with other landholders about management of all parts of their traditional estates.

These sorts of activities have to date mostly been supported by the federal and state governments and usually built around proposals to include existing Indigenous-owned lands in Indigenous Protected Areas (IPAs). Dependence on this vehicle has arguably constrained both the array of matters addressed and restricted tangible gains (aside from the social benefits to Indigenous participants) to modest state support, in exchange for inclusion of often very large areas in the national reserve system.

In the last federal government budget, this Indigenous component of a modest environmental program was amalgamated with other Indigenous social funding and the total funds available for Indigenous affairs somewhat reduced. How much and how coherently land and sea management funding will emerge from this pool remains to be seen. There is a risk that the numerous economic and social benefits deriving from caring for country programs (Burgess et al. 2005; Campbell et al 2011; Smyth 2014) may be inadequately recognised.

Given both the modesty of present state support and uncertainty about its continued availability, there is need for wider plans to encompass the socioeconomic objectives of Indigenous landowners and communities and, in particular, develop long term strategies for building and maintaining capacity to protect biophysical and cultural values while promoting socioeconomic benefits. An essential part of such strategies will be to identify reliable long term sources of finance to buffer against volatility of public funding.

Industry can play an essential role by supporting landowners and other Indigenous interests in the planning process. A *quid pro quo* is the predictability business seeks in accessing land and understanding conditions of access. Environmental and philanthropic NGOs may play essential roles in facilitating technical and financial aspects of the planning process. Indigenous people must make serious commitments to make serious plans of the quality needed to attract tangible support from other sectors of the community. A particularly important function of planning will be to provide a collective Indigenous "voice" with which government and industry can readily engage, facilitating positive interactions with the non-hierarchical clan based institutions of much of Indigenous Australia. The planning process must focus on meeting Indigenous objectives, adjusted only to meet the reasonable expectations of other investors in ways that do not compromise fundamental Indigenous goals.

## **Payment for ecosystem or environmental services**

Large areas of Indigenous-managed lands receive no recurring funding for conservation but still generate local and national benefits. Recognised Indigenous protected areas appear, by comparison with government-run PAs, to be modestly funded. Shortfalls in financial capacity will become more threatening as land uses change and pressures increase on natural and cultural heritage values. New financial models are desirable, particularly under a regime of accelerated development. Diverting a small proportion of development investment to support management of community conservation areas to improve their condition and so offset development impacts, appears a potentially productive approach (see, for example, Banks-Leite et al. 2014). This sort of approach can be managed through well-designed PES schemes.

In addition to improvements in arrangements for offsetting impacts of individual development projects, policy-makers in government, ENGOs, industry and Indigenous organisations should continue to promote development of generalised markets for carbon, biodiversity and other environmental credits. Indigenous landowners and communities have shown their willingness to re-invest commercial or quasi-commercial incomes in caring for country and so consolidate environmental benefits, while maintaining local employment options (e.g. WLM 2011).

### **Application of biophysical offsets**

Australia's Indigenous landowners holding title under federal law have considerable discretion to determine access of developers, including miners, to their land. Access is often made conditional on benefits such as employment. Making access also conditional on environmental offsets (see McKenny and Kiesecker 2010 on offset policies) also delivered on Indigenous land could be an important source of funding for land management work to meet cultural obligations to country.

Comprehensive planning would allow development areas to be sited to minimise their impacts on values important to Indigenous people, and offsets to be sited to maximise the benefits of increased land management capability in protecting or rehabilitating the same or related values elsewhere on Indigenous estates (see Kiesecker et al. 2010).

Skilful deployment of high quality environmental offsets on Indigenous lands and elsewhere could become an important pathway to economic and social development, compatible with discharge of responsibilities to country and support for national and international conservation goals.

### **Special protection of sacred and other significant Indigenous sites**

It is well accepted that a role of protected areas is to maintain the aesthetics of sites. Early parks were explicitly selected for the quality of natural vistas. Aesthetic considerations might also include the impacts of buildings, signage or roads on scenic values, exclusion of noise, or suppression of dust. Exclusion or tolerance of exotic animals and plants that do not substantially compromise the status other native species are aesthetic decisions.

It is remarkable then that similar sensitivity to the context and connections of sacred sites and other Indigenous perceptions of influences on landscape integrity appear to have had little influence on mainstream environmental decision-making. In many cultures, sacred sites operate as a shadow conservation network, where access and use are tightly regulated by customary law. It is in the interests of all to reinforce respect for these institutions. Resources for their protection and management in accordance with traditional practice should be obligatory, not just on protected areas on Indigenous lands, but in any park or reserve recognised in the national system.

### **Co-management of natural resources, including wildlife**

We have already referred to the inter-dependence of Indigenous well-being and the condition of biophysical environments, including their plants and animals. Unfortunately, it is all too rare in Australia for Indigenous people to secure serious roles in managing resources like wildlife of direct interest to them, or resources like water that affect so many aspects of the biophysical environment of great cultural significance.

We propose that:

- relevant laws should be amended to establish co-management as the preferred approach to managing sustainable use and conservation of wild plants and animals of significance to Indigenous people
- all management programs for wildlife important in the customary economy or valued for other reasons should be developed jointly with Indigenous interests and implemented at regional and local scales with or entirely through local Indigenous experts.

And because water availability is a key influence on the capacity of landscapes to sustain life and culture, we propose:

- in all catchments in which Indigenous people have significant interests, full Indigenous representation on statutory water allocation committees;
- an Indigenous entitlement from the consumptive pool to inhibit pre-emptive sequestering of most entitlements in non-Indigenous hands; and
- an Indigenous water entitlement to protect cultural values, additional to environmental allocations.

Further thought is required on ways to fix the scale of Indigenous commercial and cultural entitlements, but they should be large enough for decisions about use (or withdrawal from use) to influence the condition of water-dependent natural and cultural assets about which there is particular Indigenous concern.

## **No protected areas on Indigenous lands without free prior and informed consent**

We consider this to be a basic obligation under the United Nations Declaration on Rights of Indigenous People (UNDRIP). We also regard the practice of qualifying state agreement on recovery of lands under land rights, native title or other law by making assent conditional on leaseback as protected area as inconsistent with free consent.

## **Security for community conservation areas without surrendering local control**

We have raised the uncertainties that changes in the Australian government's approach to environmental matters and absence of guarantees of ongoing funding for the IPA program create for Indigenous landowners nominating their lands for inclusion in the national reserve system. These ambiguities should be resolved, preferably by law that provides for continued support so long as sites are managed in accordance with endorsed plans of management.

Indigenous owners and managers of Indigenous protected areas and community conservation areas are also concerned at their inability to enforce formal or customary laws to protect important values unless their sites are also declared under state, territory or federal statutes. This sometimes works satisfactorily (e.g. the Dhimurru IPA in eastern Arnhem Land gains access to training and other support from the Northern Territory Parks and Wildlife Commission under a formal agreement under related law), but can leave sites vulnerable if governments seek to impose other objectives (e.g. in high volume tourism, or access for mining and petroleum exploration) that are unacceptable to local people and causes them to reject formal declaration.

It is clearly desirable that new or amending law is enacted to provide local capacity to respond effectively to evidence of breaches of Indigenous-approved management plans, like taking of wildlife that offends under customary law and is inconsistent with the area's conservation management intent.

### **Joint management of protected areas**

We find it extraordinary that Australian governments continue to organise joint or co-management of protected areas on Indigenous land with objectives couched mostly in the language of mainstream conservation, with additions for commercial tourism and other forms of recreation. It is unconscionable that there should be no statutory obligation to deliver natural and cultural heritage conservation and management objectives identified by the land owners or others learned in customary law applicable to the site.

Relevant federal, state and territory laws should be amended to require inclusion of such objectives if sought by land owners, with resourcing at standards comparable with those directed to mainstream objectives. To do otherwise is to institutionalise disregard for Indigenous culture. We propose that, as well as guaranteeing the physical integrity of special Indigenous sites on protected areas, management plans for such areas (including World Heritage sites) should also provide for all actions necessary to sustain their cultural integrity, including support for related ceremony.

The effect of such change will be to rebuild joint management as an obligation to maintain a particular (Indigenous) social-ecological system. An environmental commons, Indigenous resource users and their governance arrangements are essential parts of such a system (Ostrom 2009), which must all continue to work together to sustain the ecological conditions on which protected area status is predicated (Yibarbuk et al. 2001). Success in joint management will be indicated as much by its social outcomes as its biophysical. We are aware of no Australian jointly-managed protected areas that works in this way, despite, for example, formal recognition of the significance of the living cultural heritage of Kakadu in its World Heritage listing (see Appendix B of Kakadu Board of Management 2007). The Indigenous-led planning processes previously discussed could be an important driver of necessary change. Tenure blind country-based plans covering all or part of jointly-managed sites could set out Indigenous objectives and methods, to which parks service partners would offer one of multiple potential inputs.

### **Genuine application of traditional local knowledge**

Traditional knowledge as a distinct way of knowing has meaning only in the cultural context in which it developed and was refined; and is best understood in the language of the people holding and applying it. It follows that traditional knowledge has more or less geographically restricted application. Even the most knowledgeable Indigenous people are accordingly reluctant to offer advice about management of country with which they have no affiliation. Senior people are strongly committed to seeing their knowledge transmitted and applied by their descendants in accordance with customary law (Garde et al. 2009), but we are aware of no groups who seek to generalise their knowledge of land and resource management for application by other groups in other places.

It also follows that Indigenous managers are most reluctant to delegate their customary obligations to others no matter what their formal authority. Well-meaning but clumsy attempts by people with no cultural connections to a site to apply traditional knowledge are viewed with great concern. And

as we have shown, such well-meaning co-option can have destructive consequences for the integrity of sites and the well-being of their people. Application of traditional knowledge to protected area management makes sense only if done by the right people with the right knowledge and authority (James 2013).

It is unfortunate that attempts to show respect for traditional knowledge often detach knowledge from the values, ethics, culture and identity (Houde 2007) that determine its content, form and proper application. But if implemented soundly, systems for application of traditional knowledge offer benefits going well beyond immediate protection of conservation values. Arrangements that empower Indigenous people to apply their knowledge without external filters will be an important contributor to stronger self-governance systems (Bowie 2013) that are a necessary precursor to full and comprehensive responsibility for management of jointly-managed protected areas. This is at least notionally the fundamental goal set out in leases for places like Kakadu. Transfer of knowledge to new generations engaged with their elders in land management has the potential to strengthen customary commitments to community protected areas, and so enhance their long term security in the face of increasing competition for land.

Going beyond respect requires that relevant law and construction of future plans of management for jointly managed protected areas should be redesigned to require that traditional knowledge is applied to all significant land management activities and, most importantly, applied only by those nominated by traditional owners as possessing the relevant skills, and acting with their authority and advice. We do not consider it desirable to specify how relevant knowledge should be recognised and do not advocate data-basing or other forms of codification or validation, preferring community-based maintenance (see McCarter et al. 2014) by those active on their lands (Agrawal 2002). This approach is no different in principle to processes that should be adopted in the application of orthodox science to management issues. The best available sources of advice should be consulted and those applying knowledge should be recognised by their peers as having the skills to interpret and apply that advice adjusted to the local context.

For many management issues both traditional knowledge and science will be applicable. For managing values given priority by Indigenous interests, traditional knowledge will often be the dominant determinant of methods. In others, like management of disturbance or pollution associated with mining or other major earthworks or "hardening" sites for tourism, orthodox science may be chiefly deployed. We envisage an evolving mix of methods developed through focused, task oriented dialogue between Indigenous and other interests, encouraging new insights and innovation and shared learning. Tengo et al (2014) describe this as the Multiple Evidence Base approach. Neither traditional knowledge nor orthodox science needs or seeks validation in terms of the other, but skilled practitioners jointly seek the best solution to management problems.

## **Demonstrating how Indigenous rights have been advanced and Indigenous targets and methods have been deployed**

We have already referred to an obligation to restructure management plans for protected areas on Indigenous lands to give priority to values identified by Indigenous interests. We do not suggest here that half the prescriptions should aim at Indigenous values and half at non-Indigenous. In fact we expect that in most situations there will be large areas of overlap and ready agreement on priorities. Debate may be mostly about the detail of approaches to protection (see traditional knowledge

above). However, we do reject the romantic assumption that any action seen as environmentally positive by non-Indigenous interests will be automatically endorsed by Indigenous people, or *vice versa*.

We propose that policy and law be varied to require that managers of protected areas report on the specifically Indigenous objectives that they have addressed, together with statements of the methods used to address them, who did the work, and their actual achievements. Those statements should be endorsed by the Indigenous participants in the area's management.

Under this heading and the one preceding it, we are asserting that the positive features of IPAs that have been observed to work well (Gilligan 2006; Davies et al. 2013) should also be applied to government-managed PAs in which Indigenous people retain an interest in land and resources.

## Discussion

Whilst we note with admiration the steps taken by Ecuador to include Indigenous views of human obligations to nature in its national constitution (Radcliffe 2012), we are not aware of Indigenous Australians seeking similar formal acceptance of the cosmology underpinning their perspectives on, or approaches to, management of lands and seas. Even the fiercest proponents of recognition of Indigenous people in the Australian constitution acknowledge the difficulty of achieving reference to Indigenous rights in any form (Pearson 2014), let alone endorsement of Indigenous cosmology.

Similarly, Indigenous people need not adopt neoliberal dogma regarding the logic of markets as the best or only way to manage access to, or allocation of resources, if they wish to make use of market-based instruments for environmental services. Provided such instruments can be deployed to improve capacity to deliver customary obligations to land and kin, then Indigenous people are unlikely to raise philosophical objections about commodification of nature, any more than they have about other conservation practice that falls outside customary experience and practice. Individual groups may be supported through their delivery of commoditised services, private (ENGO and social philanthropic) co-investment and government co-investment (e.g. WLM 2011).

In regard to protected areas, we interpret the advice and instructions from our Indigenous colleagues about taking up their proper role in land and natural resource and cultural heritage management as a search for an accommodation capable of avoiding significant offense against either Indigenous or non-Indigenous values. In general this will be best achieved by expanding the array of values to be protected and choice of methods to achieve protection. We therefore seek to assemble a set of pragmatic responses to both opportunity and challenge, that combine interests rather than requiring that any party accept outcomes that challenge fundamental beliefs or core principles of relevant law and practice.

Morphy and Morphy (2013), in discussing effectiveness of other, mostly social, policy interventions in Indigenous affairs, describe a state of "relative autonomy". In building and defending this status, Indigenous people "(acknowledge) their encapsulation within the state but nevertheless (argue) for developing relationships with non-Indigenous Australians in the context of the mutual recognition of and respect for difference. This implies the possibility of participating in economic or cultural activities that enable them to engage with aspects of the wider Australian society without changing

or compromising other aspects of their way of life or their beliefs". Capacity to maintain any meaningful measure of autonomy is of course dependent on security of land ownership and control over land use, which appears to be under some threat, given apparent ambitions of the Northern Territory government to take land use decisions regarding agriculture out of the hands of Indigenous communal landowners (NTG 2014).

## Beyond respect

We have outlined the sorts of issues and responses required to maintain relative autonomy in collaboration for natural and cultural heritage conservation: as elements of a "beyond respect" agenda. Our aim is to identify specific actions for full and equitable Indigenous participation in global, national, and local conservation and sustainable development. We have not sought to align our treatment with the cross-cutting New Social Compact Theme, considering that such a task is best left to the Congress.

We ask all participants in the Congress, and in particular Indigenous participants, to consider our arguments and propositions for change, test their validity, relevance and feasibility against their experience and applicability to their lands, and help us to develop further and refine our arguments. We have set ourselves a number of specific targets.

The most immediate of these is to work with others to refine shared ideas through a jointly authored paper setting out one or (preferably) more national examples of performance in implementing outcomes from the Durban Congress, and framing propositions for improvement over the next ten years. We aim to seek collaborators in this task during the Congress. Our aim is not to rehash or compete with the Promise of Sydney but to dig a little deeper and push a little harder than the niceties of IUCN processes might permit.

A second obligation is to develop specific proposals for the Australian government about best practice in engagement with Indigenous people in pursuing national biodiversity conservation objectives. We are conscious that our perspectives are biased by our experience in remote and northern Australia. For this task it would be particularly useful to hear about particular successes or failures of process and practice in different environments and other parts of the nation that offer important lessons.

Whilst we do not wish to confine in any way the flow of ideas and criticism, issues on which we will particularly seek information and advice are:

- examples of jointly-managed or co-managed protected areas that have avoided or overcome the difficulties we have identified, and the methods they used;
- examples of protected areas where Indigenous values and priorities have achieved equal attention and resourcing as mainstream conservation objectives;
- examples where protected area implementation has been designed explicitly to deliver socio-economic and cultural benefits to Indigenous people, the methods adopted and the evidence of success or otherwise;
- systems for applying the multiple evidence base approach to protected area management that have worked to the satisfaction of Indigenous people;

- strategies for engaging industry in support for Indigenous PA management and delivery of ecosystem services more generally;
- how policies and practices of ENGOs can or should be changed to deliver the culture-based economy and its national variants; and
- compatibility of the beyond respect agenda we have outlined with successful or potentially productive approaches in other nations.

We look forward to working with you.



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