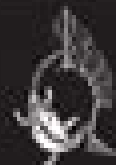
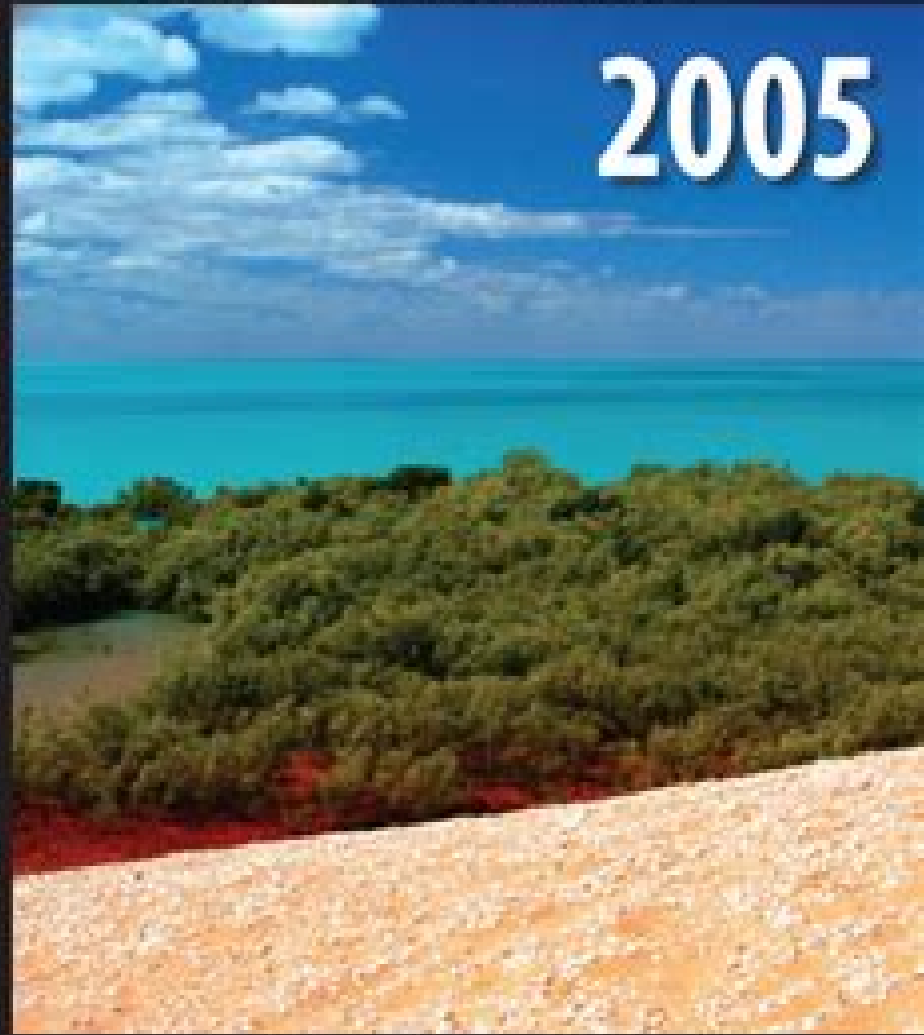


Native Title Report

2005



Aboriginal & Torres Strait Islander Social Justice Commissioner Native Title Report 2005



Native Title Report 2005

Nigel Bankes, Timo Koivurova



Native Title Report 2005:

Beyond Communal and Individual Ownership Leon Terrill, 2015-10-05 Over the last decade Australian governments have introduced a series of land reforms in communities on Indigenous land This book is the first in depth study of these significant and far reaching reforms It explains how the reforms came about what they do and their consequences for Indigenous landowners and community residents It also revisits the rationale for their introduction and discusses the significant gap between public debate about the reforms and their actual impact Drawing on international research the book describes how it is necessary to move beyond the concepts of communal and individual ownership in order to understand the true significance of the reforms The book's fresh perspective on land reform and careful assessment of key land reform theories will be of interest to scholars of indigenous land rights land law indigenous studies and aboriginal culture not only in Australia but also in any other country with an interest in indigenous land rights

Comparative Perspectives on Communal Lands and Individual Ownership Lee Godden, Maureen Tehan, 2010-02-26 A collection of critical debates analyses and evaluations of changing models of property as the vehicle governing access to land and resources

The Proposed Nordic Saami Convention Nigel Bankes, Timo Koivurova, 2013-01-31 In 2005 an expert group representing the governments of Norway Sweden and Finland and the Saami parliaments of these countries agreed upon a draft text of a Nordic Saami Convention Key parts of the text deal with the recognition of Saami land and resource rights More recently the three governments have embarked on negotiations to move from this draft text to a final convention that may be adopted and ratified by all three countries Negotiations commenced in the Spring of 2011 and should be completed within five years This collection of essays explores the national and international dimensions of indigenous property rights and the draft Convention which recognises the Saami as one people divided by international boundaries Part one of the book seeks to provide a global and theoretical context for these developments in the Nordic countries with a series of essays dealing with the moral and legal reasons for recognising indigenous property interests and different conceptualisations of the relationship between indigenous peoples and settler societies including recognition reconciliation and pluralism Part two of the book examines some international legal issues associated with the Convention including the background to the Convention Part three turns to examine aspects of the recognition of Saami property interests in each of the three Nordic states while Part four provides some comparative experiences examining the recognition of indigenous property rights in a number of jurisdictions including Canada Australia and a number of South American states An additional essay considers gender issues in relation to indigenous property rights

Contesting Native Title David Ritter, 2020-08-26 This book debunks in spectacular fashion some of the most treasured over inflated claims of the benefits of native title Professor Mick Dodson ANU Centre for Indigenous Studies David Ritter's fascinating account of the evolution of the native title system is elegant and incisive scholarly and sceptical above all unfailingly intelligent Professor Robert Manne La Trobe University An

unsentimental richly informed account of a fascinating period in the history of Australia's relationships with its indigenous people From the Foreword by Chief Justice Robert French After the historic Mabo judgement in 1992 Aboriginal communities had high hopes of obtaining land rights around Australia What followed is a dramatic story of hard fought contests over land resources money and power yielding many frustrations and mixed outcomes Based on extensive research enriched by intimate experience as a lawyer and negotiator David Ritter offers both an insider's perspective and a cool headed and broad ranging account of the native title system In lucid prose Ritter examines the contributions of the players that contested and adjudicated native title Aboriginal leaders and their communities multinational resource companies pastoralists courts and tribunals politicians and bureaucrats His account lays bare the conflicts compromises and conceits beneath the surface of the native title process

Routledge Handbook of Community Forestry Janette Bulkan, John Palmer, Anne M. Larson, Mary Hobley, 2022-06-30 This handbook provides a comprehensive overview and cutting edge assessment of community forestry Containing contributions from academics practitioners and professionals the Routledge Handbook of Community Forestry presents a truly global overview with case studies drawn from across Africa Asia Europe and the Americas The Handbook begins with an overview of the chapters and a discussion of the concept of community forestry and the key issues Topics as wide ranging as Indigenous forestry conservation and ecosystem management relationships with industrial forestry trade and supply systems land tenure and land grabbing and climate change are addressed The Handbook also focuses on governance looking at the range of approaches employed including multi level governance and rights based approaches and the principal actors involved from local communities and Indigenous Peoples to governments and national and international non governmental organisations The Handbook reveals the importance of the historical context to community forestry and the effects of power and politics Importantly the Handbook not only focuses on successful examples of community forestry but also addresses failures in order to highlight the key challenges we are still facing and potential solutions The Routledge Handbook of Community Forestry is essential reading for academics professionals and practitioners interested in forestry natural resource management conservation and sustainable development

Native Title Report 2005 Australia. Aboriginal and Torres Strait Islander Social Justice Commission, Tom Calma, 2005 The purpose of this report is to examine from a non partisan and unbiased perspective some of the issues that have arisen during the debate and assess the proposal to lease Indigenous land against human rights standards existing land rights regimes and economic factors which will determine the effectiveness of the proposal by the NIC

Black Witness Amy McQuire, 2024-07-16 From one of this country's leading Indigenous journalists comes a collection of fierce and powerful essays proving why the media needs to believe Black Witnesses Amy McQuire has been writing on Indigenous affairs since she was 17 years old Over the past two decades she has reported on most of the key events involving Aboriginal and Torres Strait Islander peoples including numerous deaths in custody the Palm Island uprising the Bowraville murders and the Northern Territory Intervention She has also exposed the

misrepresentations and violence of the mainstream media's reports as well as their omissions and silences altogether in regards to Indigenous matters Black Witness showcases how journalism can be used to hold the powerful to account and make the world a more equitable place This is the essential collection that we need right now and always have Settling with Indigenous People Marcia Langton, 2006 Settling with Indigenous People describes the making of ten contemporary mostly Australian local and regional agreements and details the avenues through which such agreements can be implemented and sustained The Australian regional agreements concern South West Australia the Murray Darling Basin and Cape York There is a chapter about the return of the Maralinga lands to its traditional owners and one detailing two local government agreements in central and southwest Australia Urban agreements in Darwin and Vancouver are compared and there are also chapters on the North West Territories and Northern Quebec in Canada and the Ngai Tahu in the South Island of New Zealand The discussion addresses governance and leadership negotiation strategies including the role of formal negotiating frameworks the importance of process and outcome the crucial impact of politics and timing the significance of private sector engagement implementation mechanisms The chapters show how agreement making has provided a forum in which indigenous groups can negotiate their needs and aspirations including fundamental issues of recognition inclusion and economic opportunity The authors include indigenous and non indigenous academics and others who have been involved in negotiating agreements *Modern Studies in Property Law - Volume 4* Elizabeth Cooke, 2007-05-21 This book is a collection of papers given at the sixth biennial conference at the University of Reading held in March 2006 and is the fourth in the series *Modern Studies in Property Law* The Reading conference has become well known as a unique opportunity for property lawyers to meet and confer both formally and informally This volume is a refereed and revised selection of the papers given there It covers a broad range of topics of immediate importance not only in domestic law but also on a worldwide scale

Australian Environmental Planning Jason Byrne, Neil Sipe, Jago Dodson, 2014-04-16 Winner of the Planning Institute of Australia's 2015 Cutting Edge Research and Teaching Award Australians from all walks of life have begun to realise the nation's cities cannot sustain profligate growth indefinitely Dwindling water supplies failing food bowls increased energy costs more severe bushfires severe storms flooding coastal erosion rising transport expenses housing shortages and environmental pollution are now daily news headlines Australia's cities may have reached their ecological limits a new model for planning the places we live is needed Understanding the natural cycles of the city is just as important to planning our cities as knowledge of local ordinances indeed much more so A profound knowledge of environmental processes is critical for successful planning in today's world Environmental planners take as their guiding principle the concept of designing with nature approaching cities as living organisms that consume water energy and raw materials and produce waste This metabolic view of cities means we can find new solutions to old problems and steer our cities towards a more sustainable form of planning Written specifically for students and professionals working in city planning in Australia this ground breaking

new book enables Australian planners architects and developers to get a better understanding of the fundamental principles of environmental planning for cities showing how land water air energy wildlife and people shape our built environments and how in turn environmental processes must be better understood if we are to make informed decisions about developing cities that are more sustainable The book s coverage is comprehensive from an overview of the concepts and theories of environmental planning through analysis of governance systems and urban environmental processes to agendas and policies for the future all the key topics are covered in depth with recommendations for supporting reading and an unrivalled selection of additional materials Ideal for students essential for professionals Australian Environmental Planning is vital reading for more sustainable cities in a more sustainable world Engaging Indigenous Economy Will Sanders,2016-04-20

The engagement of Indigenous Australians in economic activity is a matter of long standing public concern and debate Jon Altman has been intellectually engaged with Indigenous economic activity for almost 40 years most prominently through his elaboration of the concept of the hybrid economy and most recently through his sustained and trenchant critique of policy He has inspired others also to engage with these important issues both through his writing and through his position as the foundation Director of The Australian National University s Centre for Aboriginal Economic Policy research from 1990 to 2010 The year 2014 saw both Jon s 60th birthday and his retirement from CAEPR This collection of essays marks those events Contributors include long standing colleagues from the disciplines of economics anthropology and political science and younger scholars who have been inspired by Jon s approach in developing their own research projects All point to the complexity as well as the importance of engaging with Indigenous economic activity conceptually empirically and as a strategic concern for public policy Compromised Jurisprudence Lisa Strelein,2009 First edition published in 2006

The Social Effects of Native Title Benjamin Richard Smith,Frances Morphy,2007-10-01 The papers in this collection reflect on the various social effects of native title In particular the authors consider the ways in which the implementation of the Native Title Act 1993 Cwlth and the native title process for which this Act legislates allow for the recognition and translation of Aboriginal law and custom and facilitate particular kinds of coexistence between Aboriginal title holders and other Australians In so doing the authors seek to extend the debate on native title beyond questions of practice and towards an improved understanding of the effects of native title on the social lives of Indigenous Australians and on Australian society more generally Publisher s description **Native Title Report 2005** Australia. Human Rights and Equal Opportunity Commission,2005 Examines issues arising from the debate on the National Indigenous Council Land Tenure principles and proposed changes to the communal nature of land interests to promote individual home ownership makes recommendations aimed at improving economic development on Indigenous land which uphold Australia s human rights obligations these recommendations develop the principles for economic and social development set out in the Native Title Report 2004 Annexure 2 is the National Indigenous Council Draft Working Document Possible Indigenous Land Tenure Principles

Annexure 4 is a chronology of events in native title July 2004 June 2005 **Lands of Shame** Helen Hughes,2007 Some 90 000 of Australia s 500 000 Aborigines and Torres Strait Islanders live appallingly deprived lives in homelands thought remote Australia Their health and housing are so abysmal that their expectation of life is 20 years shorter than that of other Australians Deprived of education they cannot access jobs even in settlements near mines and tourist resorts leading to welfare dependency and consequent family and social dysfunction The homelands were created with the best of intentions However they have not only failed to provide a living for Aborigines and Torres Strait Islanders but they have stultified the development of traditional culture so that alcoholism and violence demean and destroy many lives Lands of Shame analyses why the homelands experiment has led to Third World living conditions in the midst of Australia s prosperity It reviews the evidence on demographic trends law and order land rights joblessness and welfare education health housing and governance and assesses Commonwealth State and Territory policies With an eye to a better future Lands of Shame also discusses policies that would give Aborigines and Torres Strait Islanders in remote Australia the same opportunities and choices that other Australians expect *Indigenous Australians and the Law* Martin Hinton,Daryle Rigney,Elliott Johnston,2008-04-16 Bringing together a well respected team of commentators many of them indigenous Australians themselves this revised and updated edition examines the legal social and political developments that have taken place in Australia since the publication of the last edition Providing students with a greater understanding of the issues facing Indigenous Australians in the hope of contributing to reconciliation the authors explore a broad range of developments including human rights and reconciliation in contemporary Australia the demise of ATSIC issues of indigenous governance and water rights Giving readers an incisive account of the resounding impact of social political and legal conditions upon the Indigenous people of Australia and their interaction with and recourse to the law this book is an excellent resource for those interested in the law of a coloniser or conqueror and its lasting impact upon first nations *Contested Governance* Janet Hunt,Diane Smith,Stephanie Garling,Will Sanders,2008-10-01 It is gradually being recognised by both Indigenous and non Indigenous Australians that getting contemporary Indigenous governance right is fundamental to improving Indigenous well being and generating sustained socioeconomic development This collection of papers examines the dilemmas and challenges involved in the Indigenous struggle for the development and recognition of systems of governance that they recognise as both legitimate and effective The authors highlight the nature of the contestation and negotiation between Australian governments their agents and Indigenous groups over the appropriateness of different governance processes values and practices and over the application of related policy institutional and funding frameworks within Indigenous affairs The long term comparative study reported in this monograph has been national in coverage and community and regional in focus It has pulled together a multidisciplinary team to work with partner communities and organisations to investigate Indigenous governance arrangements the processes structures scales institutions leadership powers capacities and cultural foundations across rural remote and urban settings

This ethnographic case study research demonstrates that Indigenous and non Indigenous governance systems are intercultural in respect to issues of power authority institutions and relationships It documents the intended and unintended consequences beneficial and negative arising for both Indigenous and non Indigenous Australians from the realities of contested governance The findings suggest that the facilitation of effective legitimate governance should be a policy funding and institutional imperative for all Australian governments This research was conducted under an Australian Research Council Linkage Project with Reconciliation Australia as Industry Partner

Country, Native Title and Ecology Jessica K. Weir, 2012-03-01 Country native title and ecology all converge in this volume to describe the dynamic intercultural context of land and water management on Indigenous lands Indigenous people s relationships with country are discussed from various speaking positions including identity and knowledge the homelands debate water planning climate change and market environmentalism The inter disciplinary chapters range from an ethnographic description of living waters in the Great Sandy Desert negotiating the eradication of yellow crazy ants in Arnhem Land and legal analysis of native title rights in emerging carbon markets A recurrent theme is the contentions over meaning knowledge and authority Because this volume is scholarly original and very timely it represents a key resource and reference work for land and sea managers policy makers scholars of the interface between post native title responsibilities NRM objectives and appropriate heritage protocols and students based in the social sciences natural sciences and humanities It is rare for volumes to have this much cross academy purchase and for this reason alone it will have ongoing worth and value as a seminal collection Associate Professor Peter Veth ANU College of Arts and Social Sciences The Australian National University Dr Jessica Weir has published widely on water native title and governance and is the author of *Murray River Country An Ecological Dialogue with Traditional Owners* Aboriginal Studies Press 2009 Jessica s work was recently included in Stephen Pincock s *Best Australian Science Writing 2011* In 2011 Jessica established the AIATSIS Centre for Land and Water Research in the Indigenous Country and Governance Research Program at the Australian Institute of Aboriginal and Torres Strait Islander Studies For more information on Aboriginal History Inc please visit aboriginalhistory.org.au

The Politics of Resource Extraction S. Sawyer, E. Gomez, 2012-02-14 International institutions United Nations World Bank and multinational companies have voiced concern over the adverse impact of resource extraction activities on the livelihood of indigenous communities This volume examines mega resource extraction projects in Australia Bolivia Canada Chad Cameroon India Nigeria Peru the Philippines

Contested Country Cathy Robinson, Bruce Taylor, 2009-10-28 In *Contested Country* leading researchers in planning geography environmental studies and public policy critically review Australia s environmental management under the auspices of the Natural Heritage Trust over the past decade and identify the challenges that must be met in the national quest for sustainability It is the first comprehensive critical examination of the local and regional natural resources management undertaken in Australia using research sourced from all states as well as the Northern Territory It addresses questions such as How is accountability to be

maintained Who is included and who is excluded in decentralised environmental governance Does the scale of bottom up management efforts match the scale of environmental problems How is scientific and technical fidelity in environmental management to be maintained when significant activities are devolved to and controlled by local communities The book challenges some of the accepted benefits assumptions and ideologies underpinning regional scaled environmental management and is a must read for anyone interested in this field

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