

# Land, Rights, Laws: Issues of Native Title

*Native Title Research Unit*

Australian Institute of Aboriginal and Torres Strait Islander Studies

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*Dr David Bennett has written an exploratory and provocative issues paper on native title, biodiversity and indigenous intellectual property rights. This is a paper which looks to future possibilities by pushing the limits of existing boundaries.*

*Dr Bennett is eminently qualified for the task. He is a Doctor of Philosophy and is primarily interested in practical and applied philosophy issues, especially environmental philosophy, environmental ethics, the ethical treatment of non-human animal species, population issues relating to the environment, and environmental education.*

*More recently, Dr Bennett has been working at ATSIC and in the Strategic Policy Unit, Strategic and Economic Analysis Branch of the Department of the Environment, Sport and Territories, where he handles, among other things, a range of Aboriginal and Torres Strait Islander environmental issues.*

*In the current political climate, legislative solutions to the protection of indigenous rights may be difficult to achieve. The acceptance of arguments like Dr Bennett's, which are aimed at expanding judically recognised concepts of native title, may now be one of the few ways of furthering indigenous interests.*

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Native Title Research Unit

Australian Institute of Aboriginal and Torres Strait Islander Studies

Acton House, Marcus Clarke Street, Acton

GPO Box 553, Canberra ACT 2601

Telephone (02) 6246 1161 Fax 02 6249 1046

Views expressed in this series are not necessarily those of the Australian Institute of Aboriginal and Torres Strait Islander Studies
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# NATIVE TITLE AND INTELLECTUAL PROPERTY

Dr David H. Bennett<sup>1</sup>

## Introduction

This paper explores the connections between native title rights and interests as defined by the *Native Title Act 1993* and intellectual property as it applies to the environment.

In the first week of June 1992, two events took place that have had a significant impact on the concepts of native title and intellectual property in Australia. These events were the High Court of Australia decision in *Mabo v Queensland*<sup>2</sup> and the opening of the United Nations Conference on Environment and Development (UNCED) in Rio de Janeiro.

Firstly, the High Court of Australia delivered its judgment in the case of *Mabo v Queensland* on 3 June 1992, overthrowing the legal fiction of *terra nullius* (that is, that Australia was uninhabited at the time of British colonisation and that Aboriginal and Torres Strait Islander peoples were merely incidentals on the landscape). Among other things, the decision means that native title rights and interests to carry on hunting, fishing, gathering and cultural or spiritual activities are acknowledged to exist in common law.

Secondly, at UNCED, or the Earth Summit, which took place from 3 to 14 June 1992, the environment was given equal status with war and economics for the first time. The major objective of the Earth Summit was to obtain worldwide agreement on environment and development. Among the significant concerns of the Earth Summit was “Recognising and Strengthening the Role of Indigenous People and Their Communities”<sup>4</sup> through Agenda 21 and the Convention on Biological Diversity, which both took up the issue of intellectual property and indigenous peoples.

Australia is a party to Agenda 21 and to the Convention on Biological Diversity. Neither document carries the force of law but, like United Nations’ Declarations, have the powers that the members give them. Nonetheless, they have lent significant impetus to the development and implementation of two important Australian domestic policies: the National Strategy on Ecologically Sustainable Development and the National Strategy on the Conservation of Australia’s Biological Diversity. These international commitments, in conjunction with these two Australian domestic policies and native title rights and interests, represent a potentially powerful force for the recognition and protection of indigenous intellectual property and the advancement of social justice in Australia.

## Intellectual property

“The general lack of recognition and protection under Australian law for the broad range of intellectual cultural property of indigenous people has been a matter of concern for over twenty years” (ATSIC 1995, 106).

In the most general terms, intellectual property as it applies to indigenous peoples can be broken down into two broad categories: 1) the intellectual property of individual artists, authors and designers and 2) communal intellectual property, including forms of ceremonial

practice and traditional knowledge of flora, fauna, conservation techniques or traditional medicine.

The first category of intellectual property concerns any artist, author or designer, not just indigenous artists, authors or designers. Individual intellectual property, which is the product of an artist, author or designer, can be protected by the standard intellectual property rights regimes, such as copyright, patent, petty patent, trademark, trade secrets and plant breeders' rights.

While these regimes recognise joint ownership of intellectual property, there is no regime for protecting communal intellectual property. That is, two or more people may, for example, author a book on Aboriginal traditional ecological knowledge and may hold joint copyright for the book, but the traditional ecological knowledge, which is the subject of that book, may belong to an entire community, not solely the authors, and there is no recognised regime for the protection of the interests of the community.

Justice French in *Yumbulul v Reserve Bank of Australia* noted with specific reference to copyright laws that they may fail to take account of Aboriginal customary law and communal ownership:

And it may also be that Australia's copyright law does not provide adequate recognition of Aboriginal community claims to regulate the reproduction and use of works which are essentially communal in origin.

The same is true of all other existing intellectual property rights regimes. They are neither capable of dealing with communal ownership nor with traditional knowledge that has not been adapted to some new or innovative use.

This lack of protection for communal intellectual property of indigenous peoples has not gone unnoticed at the international level. Article 29 of the *Draft Declaration on the Rights of Indigenous Peoples* states: "Indigenous peoples are entitled to the recognition of the full ownership, control and protection of their cultural and intellectual property". Article 29 goes on to state that indigenous peoples "have the right to special measures to control, develop and protect their science, technologies and cultural manifestations, including ... seeds, medicines, *knowledge of the properties of fauna and flora*, oral traditions ..." (emphasis added).

The *Draft Declaration on the Rights of Indigenous Peoples* has no legal status. It is merely a draft. Yet, it does recognise the deficiencies in existing intellectual property regimes and indicates the most likely direction of future developments on communal intellectual property and traditional ecological knowledge at the international level.

Agenda 21 and the Convention on Biological Diversity also refer to intellectual property. More importantly, because they have been established in Australian domestic policy they do have a legal status.

Subsection 26.4(b) of Agenda 21 states that one specific measure which Governments could take regarding the role of indigenous peoples is to:

Adopt or strengthen appropriate policies and/or legal instruments that will protect indigenous intellectual and cultural property and the right to preserve customary and administrative systems and practices (emphasis added).

The Convention on Biological Diversity, which came into force on 29 December 1993 after ratification by 30 countries, including Australia, carries the above provision of Agenda 21 further. Section 8(j) of the Convention on Biological Diversity states that each government shall, as far as possible and as appropriate:

Subject to its national legislation, respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity and promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising from the utilisation of such knowledge, innovations and practices.

Australia has two national policies that are relevant to intellectual property that give domestic effect to the provisions of 8(j): the National Strategy on Ecologically Sustainable Development and the National Strategy for the Conservation of Australia's Biological Diversity.

The National Strategy for Ecologically Sustainable Development (ESD), which was endorsed by the Council of Australian Governments in December 1992, is intended to play a critical role in setting the scene for the broad changes in direction and approach that governments will take to try to ensure that Australia's future development is ecologically sustainable. The Strategy has as its core objectives:

- the enhancement of individual and community well-being and welfare by following a path of economic development that safeguards the welfare of future generations;
- the provision for equity within and between generations; and
- the protection of biological diversity and the maintenance of essential ecological processes and life-support systems.

Strategies in relation to Aboriginal and Torres Strait Islander peoples that the Federal, State and Territory governments have agreed to adopt to achieve these objectives include encouraging "greater recognition of traditional values, knowledge and resource management practices relevant to ESD" (Section 22). Recognising the traditional values and knowledge and enhancing the community well-being while protecting biological diversity could include the protection of indigenous communal intellectual property in relation to traditional ecological knowledge. The National Strategy for the Conservation of Australia's Biological Diversity spells out this possibility.

Section 1.8 of the National Strategy for the Conservation of Australia's Biological Diversity is on "Biological Diversity and Aboriginal and Torres Strait Islander Peoples". Subsection 1.8.2, "Use and benefits of traditional biological knowledge", proposes the following action:

Ensure that the use of traditional biological knowledge in the scientific, commercial and public domains proceeds only with the cooperation and control of the traditional owners of that knowledge and ensure that the use and collection of such knowledge results in social and economic benefits to the traditional owners. This will include

- (a) encouraging and supporting the development and use of collaborative agreements safeguarding the use of traditional knowledge

of biological diversity, taking into account existing intellectual property rights;  
(b) establishing a royalty payments system from commercial development of products resulting, at least in part, from the use of traditional knowledge (emphasis added).

Subsection 1.8.2 echoes, gives substance to and enhances in Australian domestic policy, Section 8(j), which encourages “the equitable sharing of the benefits arising from the utilisation of such knowledge, innovations and practices”. As important as this latter part of the subsection is, the beginning, “ensure that the use of traditional biological knowledge proceeds only with the cooperation and control of the traditional owners”, may be even more important for reasons to be spelled out later.

There is another important section of the Convention on Biological Diversity to consider. Section 10(c) states that each Contracting Party shall, as far as possible and as appropriate:

Protect and encourage customary use of biological resources in accordance with traditional cultural practices that are compatible with conservation or sustainable use requirements.

These sections, together with selected provisions of the *Native Title Act*, could be mutually supportive and could significantly enhance the protection of native title rights and interests as well as indigenous intellectual property. The *Native Title Act* makes provision for protecting customary use of biological resources in accordance with traditional cultural practices. It is this provision that provides the link between native title and intellectual property.

### **Native Title Act 1993**

The *Native Title Act* is one of three government responses to the High Court’s decision in *Mabo vs Queensland*<sup>5</sup>. Since it came into effect, use of the *Native Title Act* has almost exclusively concentrated on applications for claiming land. As important as land is, the foundation of native title is broader than ‘real estate’. Brennan J in *Mabo vs Queensland* says

Native title has its origin in and is given its content by the traditional laws acknowledged by and the traditional customs observed by the indigenous inhabitants of a territory. The nature and incidents of native title must be ascertained as a matter of fact by reference to those laws and customs.

The *Native Title Act* does not specifically mention intellectual property but it does define ‘native title rights and interests’ such that the definition subsumes intellectual property. Subsection 223(1) of the *Native Title Act 1993* defines “native title”:

The expression “**native title**” or “**native title rights and interests**” means the communal, group or individual rights and interests of Aboriginal peoples or Torres Strait Islanders in relation to land or waters, where:

- (a) the rights and interests are possessed under the traditional laws acknowledged, and the traditional customs observed, by the Aboriginal peoples or Torres Strait Islanders; and
- (b) the Aboriginal peoples or Torres Strait Islanders, by those laws and customs, have a connection with the land or waters; and
- (c) the rights and interests are recognised by the common law of Australia.

“Native title comes from the customs and traditions of the indigenous people whose title is recognised. It is however protected by common law. Native title is *sui generis*, that is it is unique. To establish the content of native title the particular customs and traditions of the community need to be looked at” (Cunneen and Libesman 1995, 114). Subsection 223(2) specifies part of that content by giving examples of rights and interests:

Without limiting subsection (1), “**rights and interests**” in that subsection includes hunting, gathering, or fishing, rights and interests.

Native title rights and interests to hunt, fish and gather are more than an acknowledgment of Aboriginal and Torres Strait Islander peoples’ right to collect food. If hunting, fishing and gathering under native title were merely collecting food, then nothing would divide or distinguish these activities from, say, recreational hunting, fishing or gathering or from the same activities conducted by non-indigenous individuals. According to the *Native Title Act*, what distinguishes these two different forms of the same activities is that native title rights and interests are “possessed under the traditional laws acknowledged, and the traditional customs observed, by the Aboriginal peoples and Torres Strait Islanders”. If hunting, fishing and gathering were merely the activities of collecting food or merely a recreational form of these activities, then the recognition of traditional law and customary practice would be meaningless.

Traditional or customary hunting, fishing and gathering are specific processes for conducting these activities. That is, it is conducting these activities in accordance with traditional practices that separates them from other forms of the same activities. Or to put this another way, it is the intellectual property of a group in terms of their traditional “knowledge of the properties of fauna and flora” which divides a native title right to hunt, fish and gather from other forms of the same activity.

There are two points that need to be made immediately. First, conducting these activities in accordance with “traditional laws acknowledged, and the traditional customs observed, by the Aboriginal peoples and Torres Strait Islanders” does not mean that those laws, customs and practices were fixed once and for all time in 1788. Second, as a corollary to the first point, traditional practice does not mean that exclusively traditional implements (tools and weapons) must be used to conform with traditional practice.

On the first point, although it is the traditional associations that determine the content of native title this does not mean that Aboriginal tradition is pickled in time at 1788 as, for instance, Geoffrey Blainey contends, “The Australian version of land rights almost hopes to restore this archaic and untenable way of life...” (1993, 31). The Mabo decision makes it clear that Aboriginal tradition is not a fixation in the past. Justices Deane and Gaudron were of the view that:

The traditional law or custom [by which the content of Aboriginal title is to be ascertained] is not, however, frozen as at the moment of establishment of a Colony. Provided any changes do not diminish or extinguish the relationship between a particular tribe or other group and particular land, subsequent developments or variations do not extinguish the title in relation to that land.

Desmond Sweeney, a Sydney solicitor, in his paper “Fishing, Hunting and Gathering Rights of Aboriginal Peoples in Australia”, amplifies this point:

While the existence of Aboriginal rights is to be ascertained as at the date of the acquisition of sovereignty, the means of exercising those rights are not limited to the means utilised at that time.... To hold otherwise would be to commit Aboriginal peoples to a living archaeological museum (Sweeney 1993, 115-116).

Traditional practice is not static. Traditional practice informs and guides Aboriginal and Torres Strait Islander peoples, it does not fossilise them.

On the second point:

the use of present day tools in the harvesting of plants, modern transport and firearms in hunting animals, boats and nets made of present day materials in fishing still comprise the exercise of a traditional right, albeit in a modern way (Sweeney 1993, 115-116).

In cases, such as *Regina v Sparrow*<sup>6</sup>, *Simon v Regina*<sup>7</sup>, and *Campbell v Arnold*<sup>8</sup>, the point is made that in the absence of statutory provisions, the implements used for hunting, fishing and gathering in accordance with traditional rights are not frozen in time and indigenous people may use modern implements to carry out their traditional practices. Sweeney brings out the peril of confusing the process with the implement, “Focusing on the particular activities carried out at the time of European settlement is likely to miss the underlying Aboriginal concepts which give form to otherwise hollow rights” (1993, 147).

To return to the central issue—the kind of knowledge that separates native title hunting, fishing and gathering from other forms of the same activities—this knowledge includes what and what not to hunt, fish or gather; when and when not to hunt, fish or gather it; where and where not to hunt, fish or gather it; who should and who should not hunt, fish or gather it; and how to find it. For instance, “Among the Aranda, totemism and the concern for the preservation or continuance of species had the effect of limiting human predation during breeding seasons and droughts in the best habitats” (Bennett 1991, 66). Among the Yanyuwa of Borroloola in the Northern Territory there is total prohibition on hunting the ‘quiet’ water snake (a python) because it is thought to maintain waterholes (Baker 1993, 139). For traditional Australian Aboriginal peoples, other species formed part of their culture as well as their subsistence:

Foraging and hunting still provide people with satisfaction which is only partly related to the nutritional content of the foods obtained. It allows them to express profound environmental knowledge stretching back over many generations, and continually reinforces their beliefs in the spiritual value of such knowledge; it is also an important medium of education, whereby both spiritual and ecological knowledge is handed on to succeeding generations. (Young, Ross, Johnson and Kesteven 1991, 111)

Native title rights and interests are founded on, among other things, associations with and knowledge of other species. If those species cease to exist, their extinction would sever part of the connection with the land or waters and thus impair native title rights and interests. Although hunting, fishing and gathering laws and customs connect Aboriginal and Torres Strait Islander peoples with the land or waters, they may possess those rights and interests apart from title to the land.

Native title may include personal rights, that is, rights attached to the individual usage as well as property rights, that is, rights attached to the land itself. Some of the personal rights attached to native title may be usufructuary. A usufructuary right is a right to take benefits from the land such as hunting and gathering rights (Cunneen and Libesman 1995, 114).

The Canadian Supreme Court case, *Regina v Sparrow*, recognised “an aboriginal right to fish” without referring to an Aboriginal title to land. In the New Zealand case, *Te Rununga o Muriwhenua Inc v Attorney-General*<sup>9</sup>, Cooke P held, “In principle the extinction of customary title to land does not automatically mean the extinction of fishing rights....” While these precedents refer only to fishing, they open the way for other native title rights and interests.

Hunting, fishing and gathering rights and interests can be characterised as analogous to a *profit à prendre*. *Profit à prendre* is a legal term for the right to take the produce or part of the soil from the land of another person. These rights can comprise part of native title to land; they may also be part of a bundle of personal rights such that there is no necessary nexus between ownership of the land and the right to hunt, fish and gather:

Brennan J. saw no reason why the common law should not recognise novel interests in land which, not depending on Crown grant, were different from common law tenures. This reasoning could be applied to rights or interests not related to land and perhaps to sacred objects, ceremonies or customs, which could be recognised at law even though they do not stem from the common law, as long as they were not inconsistent with fundamental principles of the common law. For example, if it could be established that Aborigines had their own laws relating to the protection of intellectual property, i.e. customs which have existed since time immemorial, then arguably those customary laws should apply to matters such as Aboriginal folklore, by analogy with the recognition of Aboriginal land rights (Puri 1993, 157-158.).

This is precisely what Neil Lofgren argues. He holds that Aboriginal customary law, as it relates to intellectual and cultural rights, is the longest surviving form of intellectual property law in existence today (Lofgren 1993, 3). Puri adds support to this position when he observes, in *Mabo vs Queensland*, “their Honours took the view that the traditional interests of native inhabitants were to be respected even though those interests were of a kind unknown to the common law” (Puri 1993, 156).

In other words, the native title rights and interests specifically mentioned in the *Native Title Act* could be construed as forms of intellectual property, because a necessary condition of their existence is knowledge of traditional law and customs. Further, the *Native Title Act* makes provision for the protection of native title rights and interests. Section 227 of the *Act* states:

An act “affects” native title if it extinguishes the native title rights and interests or if it is otherwise wholly or partly inconsistent with their continued existence, enjoyment or exercise.

Furthermore, practices that extinguish or are wholly or partly inconsistent with native title can be subject to compensation. Under Section 51 of the , *Act*, the entitlement to compensation:

is an entitlement on just terms to compensate the native title holders for any loss, diminution, impairment or other effect of the act on their native title rights and interests.

This being so, then any member of a group who asserts rights and interests depending on a communal native title has sufficient interest to sue to enforce or protect that native title as well as the particular individual or subgroup rights that flow from it.

Thus, a situation such as the one Jean Christie reports regarding Peruvian coloured cotton could, in an Australian context, be a loss, diminution, or impairment of native title rights and interests. Christie reports:

Farmers in Peru ... have bred coloured cottons for centuries. Some of these have been further developed for commercial use, and granted patent-like protection in the USA. US breeders concede that their “invention” is not new, but argue that they have done considerable work to commercialise these naturally-coloured cottons.... At the same time, Peruvians have been outlawed from growing the traditional coloured cottons (1993, 120).

Patenting the cotton resulted in the growers no longer conducting a traditional activity. If a similar occurrence were to happen in Australia, that is, if someone were to patent a plant or animal<sup>10</sup>, thus preventing an indigenous people from exercising their native title right or interest (e.g. outlawing the growing of a traditional crop in the Peruvian case) “possessed under the traditional laws acknowledged, and the traditional customs observed, by the Aboriginal peoples or Torres Strait Islanders”, this would amount to a loss, diminution, or impairment of native title rights and interests. Regarding protecting Aboriginal and Torres Strait Islander intellectual property, the use of traditional biological knowledge in the scientific, commercial and public domains without the cooperation and control of the traditional owners of that knowledge and without ensuring that the use and collection of such knowledge results in social and economic benefits to the traditional owners would not only contravene the National Strategy for the Conservation of Australia’s Biological Diversity, but it could lead to extinguishing a communal, group or individual native title right or interest or be otherwise wholly or partly inconsistent with the continued existence, enjoyment or exercise of native title rights and interests.

## **Conclusion**

It can be argued that native title rights and interests are based on indigenous intellectual property. That a loss, diminution, or impairment of the intellectual property that underlies native title rights and interests would in effect be wholly or partly inconsistent with the continued existence, enjoyment or exercise of native title rights and interests, and therefore could entitle the owners of the traditional knowledge to compensation under the *Native Title Act*. If this is so, then the *Native Title Act* could be a form of protection for communal intellectual property of Aboriginal and Torres Strait Islander peoples.

## **Endnotes**

1. The opinions expressed in this paper are solely those of the author and do not represent in any manner the opinions or policies of any current or previous employer. They are expressly not the opinions or policies of the Commonwealth Department of Environment, Sport and Territories nor the Aboriginal and Torres Strait Islander Commission.
2. *Mabo v Queensland* (No 2) (1992) 175 CLR 1.

3. The Court held that native title may continue to exist: where Aboriginal and Torres Strait Islander people have maintained their connection with the land through the years of European settlement; and where their title had not been extinguished by valid acts of Imperial, Colonial, State, Territory, or Commonwealth Governments.
4. This is the title of Chapter 26 of Agenda 21.
5. The other two are the Indigenous Land Fund and the Social Justice package.
6. *Regina v Sparrow* [1990] 1 SCR 1075.
7. *Simon v Regina* [1985] 2 SCR 387.
8. *Campbell v Arnold* [1982] 56 FLR 382 (NT SC).
9. *Te Rununga o Muriwhenua Inc v Attorney-General* [1986] 1 NZLR 680 (HC).
10. The University of Adelaide's 'big pig' has been patented.

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### Editor's Postscript

In October 1994, the previous Government released an Issues Paper entitled *Stopping The Rip-Offs: Intellectual Property Protection for Aboriginal and Torres Strait Islander Peoples*. That Issues Paper discussed the inadequacies in existing copyright legislation to provide protection of Aboriginal and Torres Strait Islander Peoples' intellectual property rights.

As a follow up to the *Stopping the Rip-Offs* paper, and submissions received, the Aboriginal and Torres Strait Islander Commission (ATSIC) is planning consultations with Aboriginal and

Torres Strait Islander peoples around Australia to obtain views and input into options for reform, including new legislation. In developing a consultation process, ATSIC has established an Indigenous Reference Group comprising twelve Aboriginal and Torres Strait Islander people with expertise and experience in copyright and intellectual property rights. This Reference Group, chaired by ATSIC Commissioner Ms Tomasina Mam, will lead and direct consultations with Aboriginal and Torres Strait Islander peoples around Australia. The Reference Group will then provide advice to Government, through the ATSIC Board of Commissioners, on the outcomes of these consultations.

For further information, please contact Michael Davis, ATSIC, Tel (06) 289-3536, Fax (06) 281 5421.

### **About this series**

*The High Court Mabo decision in 1992 and the passing of the Commonwealth Native Title Act in 1993 (NTA) mark a fundamental shift in the recognition of indigenous rights in Australia. The NTA, like the High Court decision on which it is based, transforms the way in which indigenous ownership of land may be formally recognised and incorporated within Australian legal and property regimes. The process of implementation, however, raises a number of crucial issues of concern to native title claimants and to other interested parties. Many of these will have to be decided in the courts. Nevertheless, information about and discussion of the issues are important for those needing to address the matters raised by the claim process. This series of papers addresses the shift from notions of statutory land rights to the rights of indigenous peoples that pre-existed colonisation and exist within the broad spectrum of their human rights. Within these rights, land is an essential component.*

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#### **Land, Rights, Laws: Issues of Native Title**

- Issues Paper No 1: ***Pastoral Leases, Mabo and the Native Title Act 1993***  
by Frank Brennan SJ  
***Pastoral Leases, Reservations and Native Title***  
by Justice R S French
- Issues Paper No 2: ***Native Title Corporations***  
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- Issues Paper No 5: ***Exclusions under S26(3) and (4) of the Native Title Act 1993 from the right to negotiate***, by Patrick Sullivan
- Issues Paper No 6: ***Women and Land Claims***  
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- Issues Paper No 7: ***Conflict in Native Title Claims***  
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- Issues Paper No 8: ***Funding Aboriginal and Torres Strait Islander Representative Bodies under the Native Title Act 1993***, by Jon Altman and Diane Smith
- Issues Paper No 9: ***The requirements to be met by claimants in applications for a determination of native title***, by George Irving

**Also available from the Native Title Research Unit**

*A Practical Guide to Choosing Consultants for Native Title Claims*, by Paul Burke  
*Native Title Newsletter* (produced monthly)

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***Proof and Management of Native Title***

(Summary of proceedings of a workshop conducted by the Native Title Research Unit, AIATSIS, on 31 January-1 February 1994 - cost \$9.95 including postage)

**Claims to Knowledge, Claims to Country: Native Title, native title claims and the role of the anthropologist**

(Summary of proceedings of a conference session on native title at the annual conference of the Australian Anthropological Society, 28-30 September 1994 - cost \$9.50 including postage)

**Anthropology in the Native Title Era**

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(Proceedings of a workshop conducted by the NTRU, the Native Title Section of ATSIC and the Representative Bodies, 13-15 September 1995 - cost \$15 including postage.)