



# LAND RIGHTS NEWS



## ONE MOB ● ONE VOICE ● ONE LAND

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**INSIDE: LAND RIGHTS ACT REVIEW, WALUNGURRU  
VIDEO FESTIVAL, NATIVE TITLE NEWS, CARING  
FOR COUNTRY ...**

# LAND RIGHTS NEWS

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# COVER PHOTO

The Kenbi Dancers at Darwin's Parliament House (see story this page).

# REEVES REVIEW

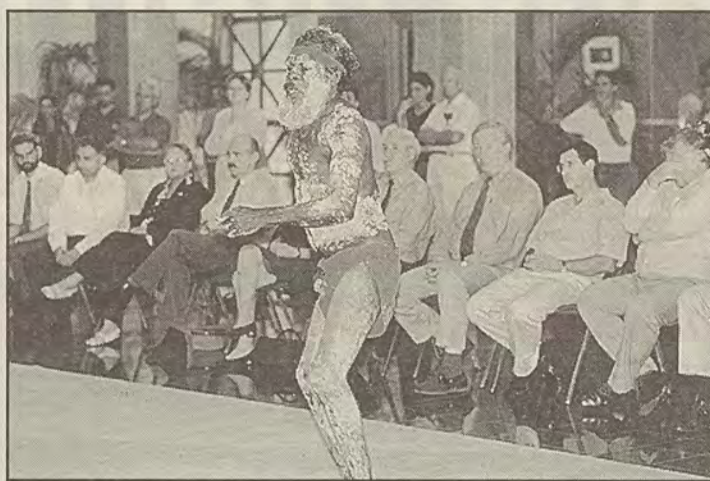
## Law Makers Tell Law Makers

**A Federal parliament committee has been told the Reeves Report into the N.T.'s Land Rights Act has serious legal, anthropological, economic and methodological flaws.**

Northern Land Council Chairman Galarrwy Yunupingu, joined by a large group of senior Arnhem Land elders, told the committee that the group was "like our own committee of the Yolgnu Parliament speaking to representatives of the Australian Parliament".

The House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs was taking evidence in Darwin for its inquiry into the Reeves Report.

Mr Yunupingu said Yolgnu people want the committee to throw out the report and for senior law people on both sides to "sit



Committee members watching the Kenbi Dancers.

down together to talk about how we can make the Land Rights Act work better".

He said the report's recommendations would "kill off the rights of traditional owners and turn land rights into just a piece of paper".

In an historic move, the Kenbi dancers welcomed the committee to Darwin at the NT Parliament.

This was the first time the traditional owners of the Darwin area have organised traditional dance in the Parliament building.

Larrakia Nation representative Bill Risk, who organised the dancers, said the dance was "recognition from not only the Federal Government, but also acknowledgment from Territory Government

of the Larrakia occupancy of this land and our place as the traditional owners of Darwin."

The Committee will visit Alice Springs and the Centre in April and regional centres in the Top End in May (see back page for dates).

It is then due to table its report to the House of Representatives in August, where the Howard Government dominated committee's recommendations are likely to be passed.

But any amendments proposed by the government will have to be passed by the Senate, where the government doesn't have the numbers.

The Central and Northern Land Councils want people to stand up and talk strong when the committee visits their area.

Call your nearest land council office for more information.

## WHAT THE ACADEMICS SAY

On March 26 & 27, the Australian National University in Canberra hosted the "Evaluating the Reeves Report" conference. Here's some highlights...

### REEVES' SUMS WRONG

One of Australia's leading economists, Professor John Quiggin of James Cook University, has found major problems with the economic analysis of the report.

"The analysis in the Reeves Report greatly overstates the cost of delays associated with the negotiation of access to Aboriginal land for exploration and mining," Professor Quiggin said.

"A corrected calculation shows that the true costs are about one-third those estimated by Reeves."

### PUBLIC POLICY DISASTER

The Director of the University of Melbourne's Centre for Public Policy, Professor Brian Galligan, said the Reeves Report was bad public policy.

He was scathing about the Reeves proposal to break up the NLC and CLC into 18 small Regional Councils.

"The idea that there can be good Aboriginal governance and self-determination effectively pursuing social and economic advancement in the tiny groupings Reeves proposes is really quite bizarre," he said.

"On his own admission, Reeves produces no reliable evidence on the performance of the large Land Councils from their own constituency. Aboriginal people themselves."

Professor Galligan was also critical of the concept of the NT Aboriginal Council proposed by Reeves to advise the NT Government, calling it "a weak umbrella organisation".

### ANTHROPOLOGY FLAWED

Professor Howard Morphy, Professor of Anthropology at the Australian National University said there is "no new anthropological evidence that would support a change to smaller land councils."

"One of the significant strengths of the current Land Rights Act is that the

definition of traditional owner is able to accommodate the diversity of Aboriginal societies in translating ownership of land under Aboriginal law into ownership under Australian law," Professor Morphy said.

Dr Peter Sutton said the Regional Land Council system "would sow the seeds of serious conflict" in Aboriginal society, and that Aboriginal people would be "worse off, or not better off, than under the present system."

"A struggle for dominance of these regional structures is... more or less inevitable. If people have sufficient numbers and talent, they can be expected to win this struggle and have a tendency to look after their own families before others."

### MAJOR LEGAL PROBLEMS

Professor of Law at the Australian National University and former Australian Government Solicitor, Professor Ernst Wilhelm, said many of the Reeves recommendations breach the Australian Constitution, international law and natural justice.

"A number of Reeves' recommendations would result in an acquisition of property, which under the Australian constitution requires the payment of just terms compensation," he said.

He questioned whether the Reeves report complied with the Racial Discrimination Act and the International Convention for the Elimination of All Forms of Racial Discrimination.

Professor Wilhelm said the report also "clearly contemplates circumstances in which natural justice would not apply," such as the denial of the inherent right of traditional owners to consent to use of their land.

He was also concerned that the Regional Land Council system removes the right of Aboriginal people to seek judicial review of decisions affecting them.

## Reeves Cost Questioned

**The Federal Government has been questioned on the million-dollar cost of the Reeves Review into the Land Rights Act.**

Aboriginal and Torres Strait Islander Minister John Herron and officials from ATSIC were grilled about the cost at a Senate Committee hearing in Canberra.

Senator Herron told the committee that more than one million dollars had already been spent on the Reeves Review.

He said that Darwin lawyer John Reeves was paid \$290,000 to do the review and that another \$700,000 was spent on costs on legal and anthropological consultants.

ATSIC has called the review Land Rights Act a "million dollar mistake" saying it was "a lost opportunity for positive review and reform of the legislation".

Whilst Senator Herron made ATSIC fund the review, he did not let ATSIC monitor how the money was spent.

Senator Herron also dealt directly with Mr Reeves, stopping ATSIC from making sure Mr Reeves fulfilled his terms of reference.

All these issues raise serious concerns about the Government's accountability and transparency in this process, leaving it open to accusations of political interference.

## HISTORY IN THE MAKING

IN AN HISTORIC MOVE, THE KENBI DANCERS WELCOMED THE HOUSE OF REPRESENTATIVES COMMITTEE LOOKING INTO THE REEVES REVIEW TO DARWIN AT THE N.T. PARLIAMENT - THE FIRST TIME THE TRADITIONAL OWNERS OF THE DARWIN AREA HAVE ORGANISED TRADITIONAL DANCE IN THE PARLIAMENT BUILDING.



## THE LAWYERS ARRIVE

THE "YOLNGU PARLIAMENT" ARRIVES AT PARLIAMENT HOUSE IN DARWIN. SENIOR LAW MAKERS FROM N.E. ARNHEM LAND ARRIVE TO PRESENT THEIR EVIDENCE TO THE HOUSE OF REPRESENTATIVES COMMITTEE LOOKING AT THE REEVES REVIEW.

SEE STORY ON OPPOSITE PAGE.

## WHAT THE CENTRE MOB SAY



MAX STUART

Keep the Land Rights Act strong, don't weaken it... (Reeves) he's like a whiteant eating our spirit out... (Reeves) hurts my heart. He want to give power from Aborigines to NT Government. Load of crap.



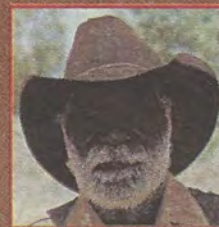
MR. RANGIARI

We got to keep it (Land Rights Act) as it is now... We had enough with the Vestys, with the welfare mob in Darwin. We don't want that again. We not going to go backwards. We going to go forward, fight this mob.



GILBERT CORBET

He (Reeves) want to take away every right from Aboriginal people in the NT, but we got to stand strong together. Our family, we fight hand in hand... We speak English now, not like in the 30s and 40s... we can speak straight... We belong to Australia.



MURPHY JAPANANKA

Whitefella come from overseas. We been working hard for them, riding horses with whip... driving cattle... we used to work, work, work... He (Reeves) make it very hard for Aboriginal people... That wrong thing him (Reeves) been doing.



LENA PULA

Keep strong land council, keep Land Rights Act strong. No change. We don't want that one (Reeves recommendations). It wrong way. They've got to think about Aboriginal law. He's (Reeves) talking about country that doesn't belong to him.

## TANAMI GOLD GREEN LIGHT

The Central Land Council and traditional owners have signed an agreement with Tanami Gold NL which will enable the company to search for minerals in a highly prospective area of the Tanami desert in central Australia.

Tanami Gold NL considers the tenements to be "one of the most significant untested areas in the Tanami".

It has given top priority to the project, which lies on the doorstep of the world class Callie and Granites gold mines.

Central Land Council director Tracker Tilmouth said the CLC had already completed sacred site clearances and Tanami Gold NL was able to establish a camp as soon as the agreement was signed.

"The traditional owners at Mt Davidson have agreed to provide water for the camp from their bore and are happy with arrangements for the

future should Tanami Gold wish to carry out more intensive exploration," Mr Tilmouth said.

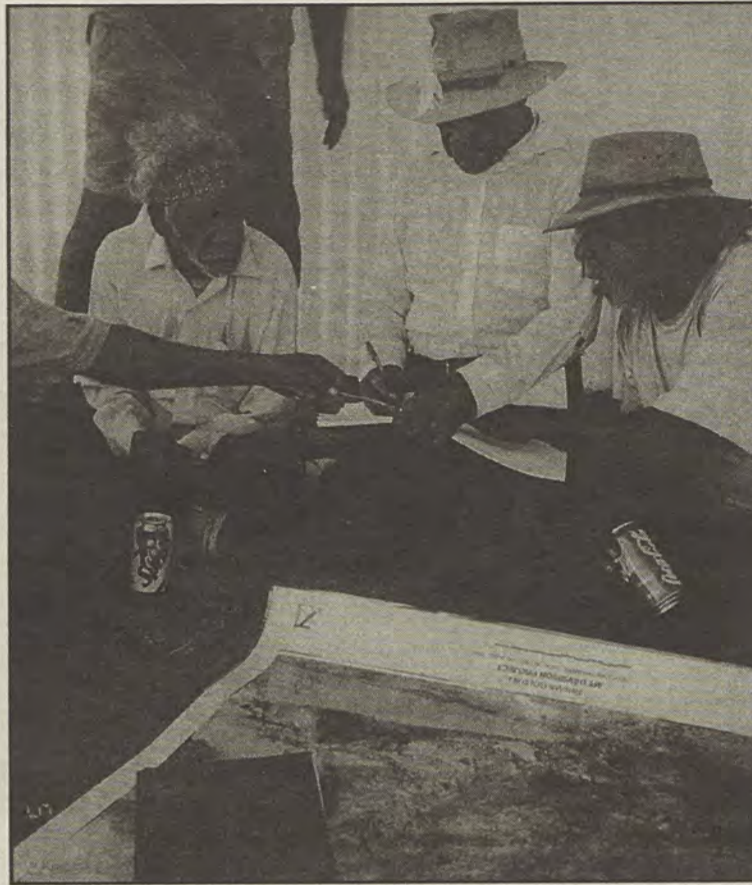
"Aboriginal land, while it's controlled by Aboriginal people, is not the 'no go' zone for development that the Northern Territory Government would have us all believe - traditional owners' largest concern is respect for sacred sites.

"Because we have enormous experience in making these agreements under the Land Rights Act the process is comfortable and uncomplicated for everybody."

Tanami Gold will start exploration field work as soon as the licences are granted by the Minister.

The agreement was signed on March 5 at Mt Davidson Outstation, about 75 kilometres east of the Granites Goldmine.

<sup>1</sup> Tanami Gold NL 1998 Annual Report



Traditional owners at the signing

## More Centre Deals

The Central Land Council and traditional owners have signed seven new mineral exploration agreements with mining giant Normandy NFM.

The agreements cover 10,558 square kilometres of land in the Tanami desert in central Australia, and allow for the grant of 23 mineral exploration licences.

They will enable the company to explore the area for minerals, mainly gold.

Some of the areas are adjacent to proven mineral occurrences. Other substantial areas have never been explored before.

Central Land Council director Tracker Tilmouth said the agreements show yet again the benefits of the mining provisions of the Land Rights Act.

"These agreements bring the number of exploration licences granted in the CLC region to 140 - and they cover an area of around 80,000 square kilometres," Mr Tilmouth said.

They prove what we've said again and again - that development and mining is going ahead on Aboriginal land with agreements that respect the rights and interests of both traditional owners and miners.

"The whole Territory community is benefiting from what's happening on Aboriginal land because these sort of agreements make a substantial contribution to the Northern Territory economy. Any claims to the contrary are totally false.

"For instance, in the 97/98 financial year, companies spent around \$20 million looking for minerals on Aboriginal land in the CLC region alone and they had an excellent success rate. Some of the money obviously flows into the region.

"The agreements should be of interest to the current Competition Policy Review of the mining provisions of the Land Rights Act.

"They should also give the House of Representatives Committee some food for thought when it is considering the recommendations of the Reeves Review of the Land Rights Act."



## New Normandy Officer

Warlpiri woman Bess Price (above) is looking for Aboriginal people interested in working in mineral exploration in the Tanami desert.

She has been appointed to the newly created position of Indigenous Employment Co-ordinator with mining giant Normandy NFM Exploration - and her main mission is to boost the number of Aboriginal people working for the company.

"I'm really excited about this job," Ms Price said.

"I hope I can make some changes. I'd like to see more employment, of particularly Warlpiri and Kaytetye people because some of Normandy NFM's exploration leases are on their country. A lot of people are interested in the work.

"I reckon it will make an enormous difference for

Aboriginal people, having someone in this job who speaks their language, who they know and can relate to. Knowing there's someone there for them when they need advice will make a big difference."

Ms Price will be recruiting, inducting and monitoring indigenous employees in field work involving everything from collecting samples to assisting geologists.

Normandy NFM Exploration's Project Manager Gerard Bosch said the company hopes to create new opportunities for Aboriginal people through Ms Price's work.

Ms Price will be based in Normandy NFM's Alice Springs office on the corner of Hartley and Gregory Streets. She can be called on (08) 8952 7522.

## NLC Agreements

Mining giant Rio Tinto has signed an agreement with traditional landowners for minerals exploration covering 4,365 square kms in the southern Nicholson River region.

The agreement with the Waanyi Garawa people covers 40% of their land trust land area.

This is on top of the 1375 square kms (13%) already granted to Normandy Mining and 3487 square kms (33%) under negotiation with Rio Tinto and Pasminco.

NLC Chairman Galarrwuy Yunupingu said Rio Tinto was proving to be a company with which the NLC could do business.

"Traditional Aboriginal owners are now much more likely to do business with a company that respects their land rights," he said.

Rio Tinto's Aboriginal relations Manager, Jeff Wilkie, said this is the company's third recent agreement in the NLC region and "is evidence of the Aboriginal communities' growing confidence in doing business with us.

"We are able to work with the Land Rights Act. There are some "workability" amendments which we would like to see negotiated, but we are concerned that the current discussion surrounding possible amendments to the Act may result in a period of hiatus regarding negotiated access to Aboriginal land.

"This would have an extremely detrimental impact on our exploration programs in the Northern Territory."

In addition to the Rio Tinto agreement, the NLC Full Council, following extensive consultations with traditional Aboriginal owners, has approved a further two Exploration Licence Agreements, one in the Maningrida region and one near Bulman.

Across the NLC region, traditional Aboriginal owners have now approved exploration agreements for a total of 38% of all available Aboriginal land.

Mr Yunupingu said these agreements were a timely reminder for the Reeves Review of the Land Rights Act.

"Reeves proposes many sweeping amendments to the Land Rights Act, many of which are based on false impressions that the Act is stopping development," he said.

"The real exploration action is happening on Aboriginal land in the Northern Territory facilitated by the Land Rights Act.

"The area of land under exploration on non-Aboriginal land is much less than that on Aboriginal land.

"The Reeves Review threatens to upset a system which has taken years to bed down but is now working well," Mr Yunupingu said.

## Bilingual Education Fightback

**Aboriginal communities have stepped up the fight against the NT Government's decision to cut bilingual education from schools.**

Many clan groups and Aboriginal community organisations, ATSIC, members of the Federal and NT Parliaments, the Australian Education Union and leading national and international linguists and educators have come out against the cuts.

NT Education Minister Peter Adamson announced the scrapping of the program late last year.

Despite the fact that many NT schools and communities have criticised the decision, Mr Adamson says it is the responsibility of Aboriginal communities and not the NT Government to teach language and culture.

Under the Government's plan, bilingual education will be replaced by English as a Second Language (ESL).

The NT ALP's Peter Toyne has challenged Mr Adamson to produce any evidence from



Maisie Napangardi Granites teaching jukurrpa in language to school students.

any school running bilingual education that wants the program axed.

The Australian Education Union has sent a petition against the cut to Aboriginal schools and organisations

around the Territory.

The NT's Federal member Warren Snowdon has called on the Federal Education Minister Rod Kemp to intervene to make sure the program is not dropped.

The Human Rights Commission will also conduct an inquiry into the decision, to see if it breaches Australia's international obligations.

Former NT Senator Bob

Collins has been employed by the NT Department of Education to review Aboriginal Education.

The review will look at issues affecting Aboriginal education and ways to improve it and public hearings will be held around the Territory in May and June.

Bilingual education was raised by a number of members at the recent Full Council meeting of the Northern Land Council.

NLC member for the Barkly region, Neville Barclay, echoed the views of several people when he said: "Think about how your language is so important. Children learn through their own language."

"It is a very important subject in the homelands and the NT Government wants to take it away now."

"It is very important that our children receive their training and education in their spoken language in their communities."

"It is important that the bilingual program stays."

### Your say...

Thousands of children and adults around the Territory want to keep their bilingual education program. Here's just a few...

**Jeannie Nungarrayi Herbert**, a parent, says if the Government is genuinely interested in Aboriginal students, it must reverse its decision.

"We want our kids to have Warlpiri for equal status to English so the kids have pride in themselves and know they can still learn things from their parents," she said.

"It's very important they do learn about Warlpiri. Communities have made the decision that we want bilingual programs over and over and now the Government is ignoring our decision."

"We feel very, very angry."

"Kids need to see that their language is important and respected. It needs to be central. English and Warlpiri side by side."

"We want the kids to hang onto Warlpiri and their culture."

"My message to the NT Government is don't cut the bilingual program. It's very important."

"The Government spends

so much money on other languages like Indonesian, why not our own languages."

**Steven Jampajimpa Patrick**, a parent and Chairman of Lajamanu Community Education Council, says bilingual education is really important.

"Warlpiri is our first language. English is alright too, but we need to teach Warlpiri to give the kids pride in our culture and to make it stronger."

The kids read Warlpiri books and write in Warlpiri."

**Fiona McLoughlin**, principal of the Alice Springs' Yipirinya School which runs bilingual programs, said English-only schools have not done any better than bilingual schools in teaching English to Aboriginal students.

"The significance of bilingual education is that Aboriginal people are finally able to be involved in the education of their children," Ms McLoughlin said. "Before they were alienated."

### NTG's 50% SCHOOL "TAX"

The Northern Territory Government has been busted taking a 50% "administration" cut from funding for Indigenous education, a Senate committee has heard.

The government takes 50% of \$10 million in Federal government funding for educating Aboriginal Territorians.

Under questioning from NT Senator Trish Crossin, senior public servants told the committee that this was a higher percentage than any other State or Territory.

They said that the NT Government had not had to justify the cut but that they would investigate why it is so high.

Meanwhile, the Federal Department of Education is trialling programs in Port Keats to improve Aboriginal school attendance and retention rates.

Officials from the Department recently briefed the Full Council of the Northern Land Council meeting in Katherine.

Council members expressed their concerns with Indigenous education in the NT.

### Alice Springs rally

Around 300 people joined a rally in Alice Springs in December protesting against the NT Government's decision to phase out bilingual education. Speakers said they were outraged by the decision, which was made without consulting Aboriginal communities. Children need bilingual programs so they learn to read and write their own languages, as well as speak them. They said they want to learn English, but not at the expense of losing Aboriginal language and culture.



## NPY Women's Council in Central Australia has employed two ngangkaris as part of its Emotional and Social Well Being Project.

**he ngangkaris are helping Anangu from the cross-border region who have mental health problems.**

What do ngangkaris do?

Elsie Wanatjura, Emotional and Social Well Being Project worker, says this about ngangkaris.

"Angangkari is a very clever person - they know all about sickness - they can look at someone inside and see their sickness.

"They can look and see that someone is unhappy or mad or something is wrong with their head, from looking at their face - they look at their face and say, 'I can see that problem.'

"A mother might say, 'My son is mad, I will take him to the ngangkari' - and the ngangkari says, 'Yes, there is something wrong' - and they will touch his head and hold it tightly, and pull something out of his head, it might be a stone or a stick, or a *mamu* (bad spirit) inside making him crazy.

"Then at night when the ngangkari is asleep his spirit

might go to that youngfella's place and go inside his head and fight with that *mamu*, and pull it out and get rid of it.

"That young fella will wake up and think, 'Oh, I'm happy, I'm feeling good, my head is no longer heavy - that *mamu* is gone.'

"Sometimes a person's spirit can leave them, go outside them and sit down somewhere else.

"This can make that person weak and sad and lethargic.

"That ngangkari can find that spirit and grab it and put it back inside that person, and that makes them strong again.

"Or sometimes that spirit is in the wrong place in the body and the ngangkari moves it back to the right place.

"A whitefella doctor can use an x-ray and look inside someone but they won't see what that ngangkari sees. The ngangkari is a really important one.

"Ngangkaris start learning from when they are very



Elsie Wanatjura (left) with ngangkaris Andy Tjiliri and Rupert Peters.

small children - from their grandparents.

"The ngangkari's grandfather might think, 'I might finish up soon - I will give that child my *kuuti*' (vital energy, life force).

"He will push that *kuuti* into the child's two palms... that child will sleep and his spirit will go out and sit down with all the ngangkaris and everyone will know that child is really a ngangkari.

"Whitefella doctors learn from paper, ngangkaris learn from the spirits. Years and years and years learning."

The project has an office at Mutijulu Community.

## Darwin's Romeo

Darwin Aboriginal actor Ben Graetz has landed the leading role of Romeo in the forthcoming contemporary production of *Romeo and Juliet* by the Sydney-based Bell Shakespeare Company, the biggest Shakespeare company in the country.

The production, which opens in Sydney on May 25 and then goes on tour around Australia, will bring Ben back to the Territory for his debut as a professional actor with the closing night in Alice Springs in August.

Ben, who graduated from National Institute of Dramatic Art (NIDA) with a degree in dramatic art at the end of last year, is currently teaching at NIDA and involving himself in various shows in Sydney.

However, full rehearsals for *Romeo and Juliet* begin in mid-April "and that will be taking up all my time," Ben said.

"It is great to get this part straight out of NIDA and with



Ben "Romeo" Graetz.

a company that has such a good reputation," he said.

"After two weeks in Sydney, we then tour South Australia, regional NSW, Victoria, Tasmania, Victoria again, Queensland and finally Alice Springs for the closing night."

Ben, 22, previously studied Aboriginal musical theatre at the WA Academy of Performing Arts (WAAPA) for a year before auditioning for one of the 20 positions at NIDA for the 1995 intake.

## Australia's Native Title Shame

**A United Nations committee has slammed the Howard Government's changes to the Native Title Act saying they breach Australia's international human rights responsibilities.**

The Committee on the Elimination of Racial Discrimination called on the Government to scrap the changes and find solutions acceptable to Indigenous Australians.

Australia became the first Western country to face the committee and has joined the ranks of countries like Rwanda, Burundi and Bosnia in its approach to human rights, as these are the types of countries which have previously appeared before the committee.

ATSIC Chairman Gatjil Djerrkura said the committee's decision is "a very serious state of affairs".

He said the decision showed the need

for ATSIC to be at these international forums.

An ATSIC report to the committee found that the Government's native title changes had put Australia in breach of the International Convention on the Elimination of all Forms of Racial Discrimination.

Australia signed the convention in 1966 and ratified it in 1975, the same year it passed the Racial Discrimination Act.

In 1997, the Australian Law Reform Commission warned the Government its native title changes would breach the convention.

Prime Minister John Howard rejected the Committee's findings.

In the lead up to the 2000 Olympics, Australia is coming under more and more international criticism for its handling of Indigenous human rights issues.



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FORM ON PAGE 2...**

# Railway deal "a magnificent job"

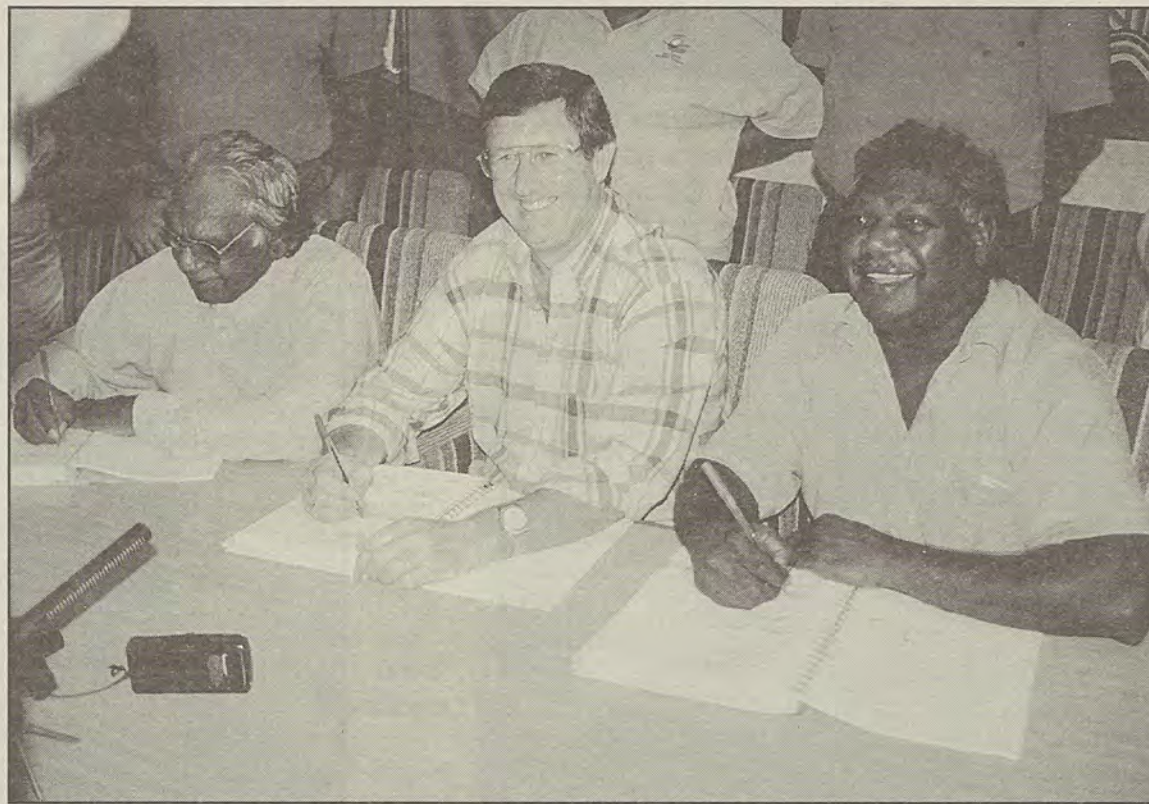
**The Central and Northern Land Councils have handed over documents to the Northern Territory Government which formalise secure land access for the Alice Springs to Darwin railway.**

Transport Minister Barry Coulter praised the land councils for the agreement, saying reaching all the parties was "no easy feat".

"The staff of both the Northern Land Council and the Central Land Council have done a magnificent job," Mr Coulter said. "It is a very, very complex issue and I sincerely thank you all."

CLC Chairman Max Stuart, native title holder Bob Stuart and CLC Deputy Director Harold Furber joined Northern Land Council Chairman Galurrwuy Yunupingu and NLC Chief executive Officer Norman Fry and AustralAsia Railway Minister Barry Coulter in a ceremony in Darwin.

Mr Furber said the full council of the CLC and all Aboriginal people affected by the railway approved the agreement for the project in August last year.



**CLC Chairman Max Stuart (left), Barry Coulter and NLC Chairman Galurrwuy Yunupingu sign-off on the railway agreement in Darwin.**

"Since then we have been completing the formal requirements, such as collecting the signatures of all native title holders who will be affected by the 198-year lease over their land for the railway," Mr Furber said.

"The agreement is significant because it is the first time the Territory Government has negotiated with native title holders over a major project.

"It is pleasing to see the Government recognising the

legitimate legal rights of Aboriginal people. By working together, we can achieve outcomes which benefit the whole community.

"We hope this heralds a new era in relations with the NT Government."

NLC Chairman Calarrwuy Yunupingu said that by signing this Agreement, Aboriginal people were showing support for development in the Territory.

"It is a project that takes in the traditional lands of 17 different language groups, there are many sacred sites issues and many details on the ground which had to be discussed carefully," he said. "In some places, whole communities have to be relocated for the train to go through.

"Aboriginal people aren't opposed to the railway, but as always, want to be fully consulted before making any final decisions concerning their homelands - and that is fair enough."

This is the first time the NT Government has recognised native title rights and negotiated an agreement over Native Title lands.

The railway corridor covers nearly 1500km, almost all of which is either Aboriginal land, land which is subject to claim under the Land Rights Act, or land in which there is a strong native title interest

# Stolen generation forced to re-live pain

**The NT Stolen Generation community has condemned the Federal Government for forcing Aboriginal people of mixed descent to go to court and re-live the pain of being removed from their families when they were young children.**

They have also criticised the Government for trying to muzzle them by trying to have the case struck out.

As Harold Thomas, a member of the stolen generation, said on the first day of the challenge: "Our voices will never be silenced.

"The voice of truth and justice will sound across this land.

"The voice of justice will echo all over the world, for we are alive, for we are strong and we are here to tell."

The challenge launched by the community against the Federal Government aims to show that about 700 Territorians were victims of a "blanket policy based on the color of a child's skin to justify removal and institutionalisation."

They used the test cases of two people, Lorna Cubillo of Tennant Creek and Peter Gunner of Alice Springs, to also try to show how, once

children were removed, government failed in its duty to look after them properly.

Mrs Cubillo and Mr Gunner say they suffered years of abuse in missions.

The court heard that when they were forcibly taken from their communities and placed in compounds, they were beaten and sexually abused.

Their lawyer pointed out that Aboriginal identity was fundamentally the spiritual and cultural link to the land and their removal denied Mrs Cubillo and Mr Gunner their attachment to their land.

This challenge is one of the biggest personal injury class actions in Australian legal history.

The aim is to force the Government to deal with the issue and take responsibility for what happened.

However, the Commonwealth has rejected the claim it once had a policy to "sweep up" all half-caste children and institutionalise them.

It said the allegation that past federal governments had adopted policies aimed at destroying the Aboriginal race was a shameful attack

on the nation's Prime Ministers from 1911 onwards.

However, the NT Stolen Generation community said they "want the Australian public to know that we are forced to take this course of action".

"We do not want to drag our people into the courts. However, the government refuses to acknowledge our plight. The Government has refused to acknowledge what we have suffered.

"Dragging our people into the courts and then utilising

every legal argument and legal strategy to deny us ever telling the truth to the public is totally against the spirit of reconciliation."

At the time of going to press, the community was waiting to see if the Federal Court challenge will go to trial.

**NAIDOC '99**

**The 1999  
National NAIDOC  
Art Award  
CALL FOR  
ENTRIES**

Aboriginal and Torres Strait Islander artists are invited to submit their works for the 1999 National NAIDOC Art Award.

The 1999 National NAIDOC Art Award provides the opportunity for Aboriginal and Torres Strait Islander artists from remote regions of northern and central Australia, to the rural and urban centres of Australia to showcase their talents.

Aboriginal and Torres Strait Islander artists are asked to incorporate this year's NAIDOC theme "Respect" into the work.

The Award has a prize of \$5,000 and the winning entry becomes the National NAIDOC poster.

All Artwork must be accompanied by a signed, completed entry form which are available by telephoning the Office of Public Affairs, Canberra on (02) 6289 3020.

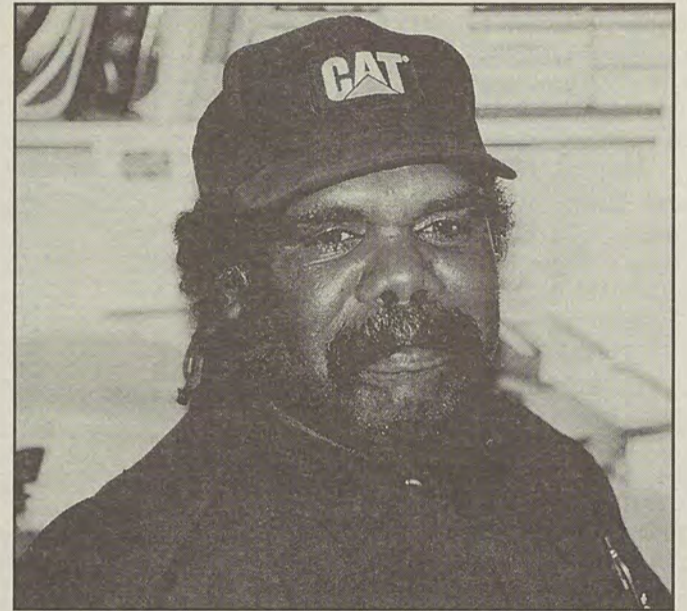
They are also available on ATSC's Homepage at [www.atsic.gov.au/](http://www.atsic.gov.au/)

**ENTRIES CLOSE on 17 May 1999.**

00004

## NEW LAND COUNCIL OFFICES

Some of the friendly staff waiting to help you at new land council offices! Below left are Richard Buckle (left) and Eddie Ross and at the Northern Land Council's new Palmerston office. Below right is Neville Poulson at the Central Land Council's new Yuendumu office.



### SACRED SITES THREAT

**P**rotection of sacred sites is under threat in changes to laws wanted by the Federal Government.

The standards of protection which exist now in the Northern Territory will be reduced under the plans because the Federal Government will hand over its powers in this area to State and Territory Governments.

The changes to the Aboriginal and Torres Strait Islander Heritage Protection Act will set ambiguous and potentially very low standards for heritage protection. The new Act will allow the NT to lower existing NT standards, currently maintained because of the Land Rights Act requirements.

This means the NT's Aboriginal Sacred Sites Act will only have to meet these low standards, reducing the protection now offered.

Aboriginal people will not have to be consulted about this lowering of standards.

The NT law will be weakened at a time when it should be strengthened because developers almost always get what they want with minimum delays.

The land councils made detailed submissions to the Government when the

changes were being drafted, but these appear to have been mostly ignored (see box).

Under the changes, an independent person would make decisions and advise the Government about whether a site or an object is sacred.

While this is better than the current situation where the Federal Aboriginal Affairs Minister makes the decisions, this person is only an individual and would probably not be Aboriginal.

The land councils wanted these decisions made by a board or group of Aboriginal people from areas concerned, like the Board of the NT Aboriginal Areas Protection Authority.

Long-term protection orders for sacred sites will only be made by the Federal Minister for Aboriginal Affairs if the Minister thinks protecting the site would be in the national interest.

It is hard to imagine a Federal Minister seeing protection of a particular site to be in the national interest.

A Federal Parliamentary Committee is reviewing the proposed changes and is due to report to the Senate in late March.

### Local Government Changes

**The Northern Territory Government has a new policy of amalgamating Aboriginal local governments into larger regional bodies.**

NLC council members are very concerned that these changes are taking place without proper consultation with the land council and traditional owners.

The Land Rights Act is a much stronger law than the NT Local Government Act and where there is conflict between the two laws, the Land Rights Act must be followed.

To make sure this happens, the NLC has been setting up formal agreements between local governments and traditional owners to make clear what their roles and responsibilities are.

At the moment, many of the local governments respect

and acknowledge the traditional owners, but the NLC is worried that if the organisations are forced to amalgamate then traditional law might be left out.

The NLC has approached the NT Government to try to set up a process to make sure Aboriginal people are involved in the process and that traditional owners' rights are recognised and protected in any changes to local government on Aboriginal land.

NLC staff are available to attend any meetings at communities on this issue to assist council members.

Senior members of the NT Government will brief the NLC Executive and regional council representatives on proposals for reform as a first step in land council involvement in the negotiation process.

#### HERITAGE ACT REVIEW - WHAT LAND COUNCILS WANT

- "Blanket" protection ensuring that all sites and objects are protected
- Guaranteed access for Aboriginal people to their sites
- Involvement of Aboriginal people in decision-making and provision of legal and anthropological resources
- A proper notification period for development applications, longer than the 30 days proposed
- Interim protection of sites and objects during mediation and negotiation
- Proper penalties for major developers damaging sites and objects
- Minimising Ministerial discretionary powers
- Protecting Aboriginal intellectual property
- Proper "last resort" protection under Federal law
- No reduction in heritage protection under existing laws

**TEABBA**  
Top End Aboriginal Bush Broadcasting Association

**HEY YOU MOB!  
LISTEN UP!**

**TEABBA RADIO... THE VOICE OF THE BUSH**



# WALUNGURRU VIDEO FESTIVAL

## PULLS THE CROWDS

**M**ore than 800 people from across the Northern Territory travelled to the remote community of Kintore for unique video festival over the weekend of March 20-21.

The festival organised by Warlpiri Media featured videos made by Aboriginal people about life on their communities.

Coordinator Kate McCarthy said the festival was an enormous success.

"We had a huge response - we had so many videos it was hard to find the time to screen them all," she said.

Undeterred by the heat, festival goers converged on a shed with a dirt floor to watch nearly 50 videos made mostly by BRACS units. Warlpiri Media had them rolling in the aisles with their premiere of Bush Mechanics made by Francis Kelly and David Batty.

Live music on Saturday night provided the finale and a large crowd rocked to Lajamanu Teenage Band in one of the most successful community concerts ever held in Central Australia.

Popular support acts Kintore Gospel Band and the Kintore Rock Band with Adam Gibbs and friends also kept the crowd dancing.

Tangentyere Night Patrol from Alice Springs donated their services and worked all weekend with the Walungurru Night Patrol to make the festival violence free.

They kept the under 13 crowd under strict and timely control and helped ensure a peaceful and friendly atmosphere.

Yuendumu school got right behind the festival action and sent a 60 seater bus load of kids and families.

"Essential to its success was the support by the Aboriginal organisations in Central Australia," Ms McCarthy said.

Thanks to Central Land Council, ATSIC, Waltja, DASA, Peter Toyne, Tanami Network, Tangentyere Night Patrol, Walungurru Night Patrol, Kintore Store, CAAMA, Imparja, J. Elferink.



Left: Adam Gibbs presenting the awards

Below: Valerie Martin presenting the Central Land Council Young Achiever Awards.

Adam and Valerie both received awards for long service to BRACS.



Below: Kids rock to Lajamanu Teenage Band.

Below left: Traditional owner Smithy Zimran with family at Kintore.

Bottom left: Lajamanu Teenage Band practice before the big gig.



## WINNERS

☆ **Best Camera Award** : Rama Rama made by the Walungurru BRACS Unit with 10 year old Denis Maxwell and his friends.

☆ **The Best Sound Award**: Loretta Martin from Nyturia Pmara Jutunta BRACS Unit for *Bogged*

☆ **The Best Country Visit Award**: Inmah Pulka from PY Media.

☆ **The Best Community Video**: Detour project called *Iwerre Heherrame*

☆ **Long Service Awards** : BRACS operators and Festival judges Valerie Martin and Adam Gibbs.

☆ **The Central Land Council Young Achievers of the Festival Awards**: Maryanne Fisher of Yuendumu and Fiona Kitson of Willowra.

## TRADITIONAL OWNERS SIDELINED IN BIODIVERSITY BILL

The Federal Government has put forward a Bill that poses a significant threat to traditional owners' control of Uluru and Kakadu National Parks.

**The Environment Protection and Biodiversity Conservation Bill compresses at least eight existing Environment Acts into a single bill.**

The changes would see primary responsibility for environmental management and biodiversity handed over to the states and territories under arrangements such as 'Bilateral Agreements' and 'Conservation Agreements'. The interests of traditional owners have been largely ignored.

In addition, it makes important changes to the joint management arrangements at Uluru and Kakadu. It effectively removes the role of the Director, and places the Board more directly under Ministerial control.

Significantly, this involves the compulsory transfer of the lease from the Director to the Commonwealth without requiring the traditional owners' consent.

Secondly, despite existing legislative requirement for traditional owners' consent, it forces a Northern Territory representative onto jointly managed park Boards.

Chairman of the Kakadu National Park Board of Management, Mr Mick Alderson, says the proposed change from joint management to government management reduced traditional owners to "Jacky-Jackys" sitting on the sideline.

The Kakadu Board has come up with a compromise - it would accept an NT Government representative in return for greater statutory powers.

The Board told a committee inquiring into the new Bill that, if the Board could run the park, and be answerable to the Federal Parliament, it could accept a Territory Government representative on the Board.

The Bill is one of several moves in recent years to dilute traditional owners' participation in Park operations.

Neither the Boards of Management of Kakadu or Uluru nor representatives of traditional owners were included in a World Heritage Ministerial Council formed between the Commonwealth and Territory Government last year.

The Northern Territory Government has been demanding a place on the Uluru Board of Management for two years despite refusing to participate since the handback in 1985.

Traditional owners have been reluctant to approve an appointment of a Northern Territory representative because of the recurrent hostility to joint management shown by the Northern Territory Government.

Central Land Council director Tracker Tilmouth said Anangu on the Uluru Board were well aware of the Northern Territory Government's track record in their own parks.

"The traditional owners at Uluru want to enjoy their land rights. They fought hard enough for them. What does a handback mean if traditional owners have no control?" he said.

**The NT Government was allocated a seat on the board, but was so incensed by the handback, it refused to take it up.**

When traditional owners were handed back Uluru in 1985, they immediately leased the Park back to the Commonwealth

Director of National Parks and Wildlife, as did traditional owners of Aboriginal land in Kakadu.

Each park is jointly managed by the Director and a Board of Management which has an Aboriginal majority.

The NT Government was allocated a seat on the board, but was so incensed by the handback, it refused to take it up.

The Bill's impact is wide ranging, potentially clearing the way for uranium mining in national parks all over Australia and construction of projects such as the Franklin Dam.

## Ten Point Plan from the NT

**In another blow for Aboriginal rights, the Northern Territory Government has passed its native title laws which mirror the Howard Government's Ten Point Plan.**

The main aim of the Ten Point Plan was to remove the right to negotiate, which was achieved directly in towns and for infrastructure projects.

The removal of the right to negotiate in other situations has been achieved indirectly by allowing State and Territory Governments to replace the right to negotiate with merely a limited right to be consulted and to object.

While the NT parliament has passed the changes, they must be agreed to by the Federal Attorney General and the Federal Senate may stop the changes.

The NT's new native title scheme is a pale shadow of the right to negotiate, which ensures "good faith" negotiations with both government and developers.

Aboriginal people are given impossibly tight time frames to respond to development applications.

They only get a right to object before a Lands and Mining Tribunal, but no right to negotiate with developers.

This new tribunal will make decisions, but the relevant NT Minister can easily change them.

Developments will proceed and Aboriginal people will not get compensation until years later after long court cases.

By that stage, their native title will have been extinguished instead of being preserved through an agreement process.

## Uluru people take their concerns to the top

**A delegation of traditional owners from Uluru took their concerns about the new Biodiversity Bill to Canberra in March after an earlier meeting of mixed success with Environment Minister Senator Robert Hill at Uluru.**

Traditional owners concerns about the lack of consultation and the implications of the new Bill met with some resistance from Senator Hill.

However the meeting in Canberra with individual parliamentarians including Senator Harradine and the Democrats proved to be more successful.

Senator Harradine undertook to support a motion in the Senate to defer debate on the Bill until his own concerns about the consultation process had been satisfied.



Lobbying in Canberra: Johnny Tjingo, Tony Tjamiwa, Ngri Ngri Donald, Senator Robert Hill, Joanne Wilmot, Malya Teamay, Senator Bill Heffernan and interpreter Lizzie Ellis.

# THAT FAMOUS PHOTO...

**N**early 24 years after it was taken, the historic image of Prime Minister Gough Whitlam pouring soil into the hands of Gurindji traditional landowner Vincent Lingiari remains a powerful image in the struggle for land rights.

But less well known is the fact that the shot was taken by the first professional Aboriginal photographer in Australia - Mervyn Bishop.

"At the time I was working for Aboriginal Affairs in Brisbane. Central office arranged for me to go to Wattie Creek," Bishop said.

"Mr Whitlam was going there for a handover ceremony."

"It was a lovely day, people came in from everywhere for the occasion, and this picture was taken.

"They had a ceremony that was under a bough shed by a big rock and it was very special to be there."

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**"It was an honour to be in a position as a photographer on that special occasion, a landmark in Aboriginal Australian history."**

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Now an award-winning photographer with an international reputation, Bishop's interest in photography began in Brewarrina in NSW, where he grew up.

His mother was a keen photographer and he enjoyed hanging around local amateurs.

In 1962 at the age of 17, Bishop began a cadetship with the Sydney Morning Herald.

During this time he studied at Sydney Technical College, becoming the first Aboriginal person to complete the Photography Certificate course.

In 1971 Bishop won the News Photographer of the Year award for a shot of a nun rushing a child suspected of taking a drug overdose to hospital.

Many expected the prestigious award would see Bishop promoted. But it did not.

Bishop recalls he had "hit a barrier in what I had to remind myself was still a white world."

Although grateful to the Herald for giving him his first break, he discovered there were limits to his progress.

But the incident did not diminish his passion for his craft.

In 1974 Bishop began work with the newly established Department of Aboriginal Affairs in Canberra.

He set up the photographic unit and travelled all over Australia documenting rapid changes and exciting political and cultural events taking place in Aboriginal communities.

He later returned to the Sydney Morning Herald, taught at Tranby College and the Eora Centre in Sydney, and worked as an advisor for the National Geographic Society.

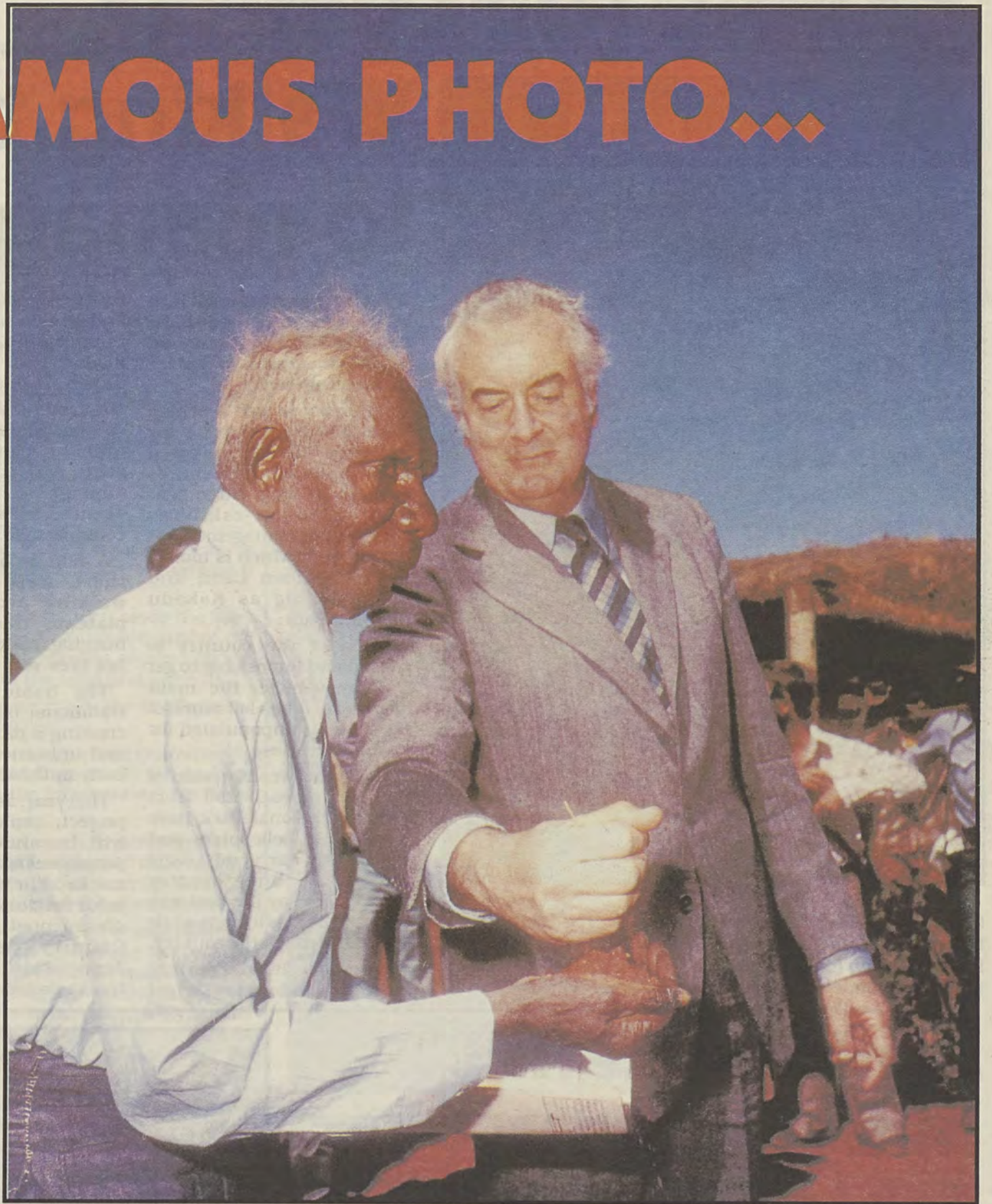
In 1991 Bishop had his first solo exhibition at the Australian Centre for Photography.

Since then his work has been widely exhibited in Australia and overseas.

Currently, Bishop's photos are featuring in an exhibition titled *Re:Take* at the National Gallery in Canberra.

Later this year ABC television will screen a documentary on Bishop.

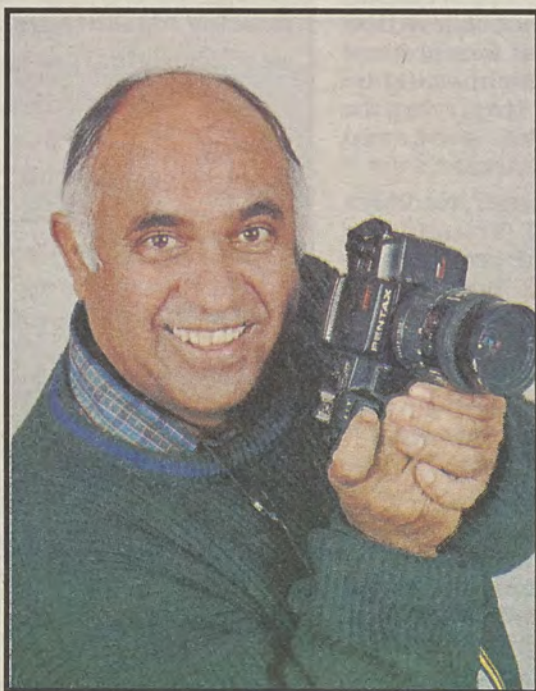
It's a celebration of the life of a prominent Aboriginal photographer who hopes to inspire many other Indigenous people.



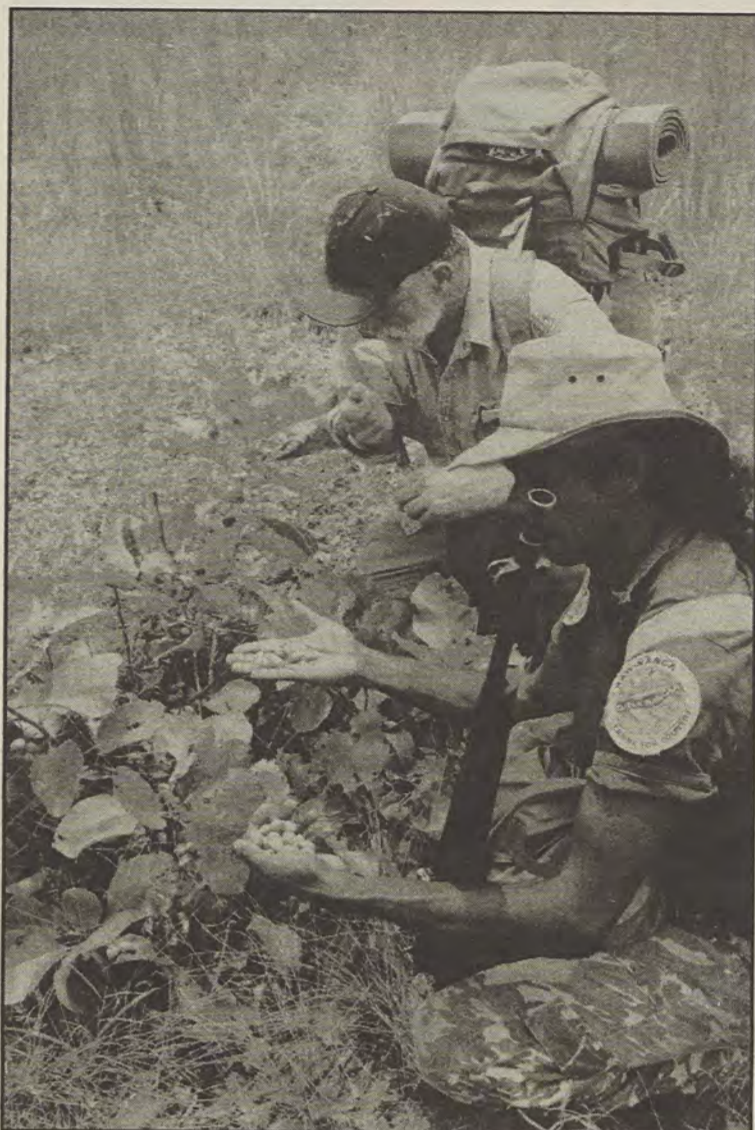
Above: The famous photograph of Vincent Lingiari and Gough Whitlam which has become symbolic of land rights throughout Australia.

Right: The photographer, Mervyn Bishop, with Vincent Lingiari in August 1975, the same day Mr Whitlam handed land back to the Gurindji people.

Below: Mervyn Bishop today.



# CARING FOR COUNTRY



Living off the land... Victor Rostron from the Bawinanga Djelk Rangers and Ian White help themselves to a snack of billy goat plum (man-djiribidj, *Terminalia ferdinandana*) on the footwalk track from Marlakawo to Kamarrkawarn.

## Walking the way to manage fire

**Walking is coming back into style on the western Arnhem Land Plateau - all in the interests of better fire management.**

Landowners are working with NLC's Caring for Country Unit, Jawoyn Association and Bushfires Council NT in a three year project to re-establish effective fire management on the plateau, which is mostly inside Arnhem Land and about as big as Kakadu National Park.

Much of the country is rugged and impossible to get into by vehicle, the main factor which has left much of the plateau unpopulated for several decades

Along the western side of the escarpment, staff from Kakadu National Park have been using helicopters and aircraft to carry out early burning, but senior landowners say the best way to manage fire is to burn while walking through the country.

The emphasis in the current push by landowners to get

further back into the country and get back to traditional burning and other land management practice is on walking around in country.

In recent years, late dry season wildfires have swept into the plateau from the south-east causing serious damage to fire sensitive plants and plant communities.

A few decades ago when there were still people walking around on the plateau, traditional early burning made late and large, hot fires very unlikely.

The basic principle of traditional burning involves creating a mosaic of burned and unburned country very early in the dry season.

This year, as part of the fire project, senior landowners will be showing younger people the traditional walking tracks of the plateau and this information will be documented by Caring for Country and Jawoyn Association. The walking tracks project is being partly

funded by the Australian Heritage Commission of Environment Australia.

The project will involve people from a number of plateau language groups: Gundjeihmi, Kunwinjku Mayali, Kundedjnenkmi, Jawoyn, Dalabon and Kune.

The first walk in the tracks project took place in early March when a party led by Jack Djandomerr from Marlakawo outstation walked from Marlakawo to Kamarrkawarn Outstation, a distance of about 35 kilometres, through rugged country.

The other Aboriginal members of the party were Maxie Nabarlambarl from Kamarrkawarn, Graham Namarnyilk and Marcus Cameron from Manmoyih and Victor Rostron from Korlorbirrahda.

Walking with them were linguist Murray Garde from Maningrida, NLC anthropologist Ian White and NTU scientist Dr David Bowman.

## Arnhem Land Indigenous Protected Area

**Traditional owners of areas around Nhulunbuy recently gave in-principle support to the establishment of an Indigenous Protected Area (IPA).**

It is expected that the IPA declaration will apply to all the designated recreation areas currently managed by Dhimurru Land Management Aboriginal Corporation on behalf of traditional owners.

The IPA program is a Federal Government initiative to encourage Aboriginal landowners to include some of their country in the National Reserve System of protected conservation areas.

It is part of a broader Federal strategy to have private landholders involved in protecting and maintaining the natural and cultural environment of Australia.

The Government helps with financial and other support for managing those areas on a sustainable basis.

IPAs provide traditional owners with an alternative to formal joint management arrangements like those for Kakadu and Uluru-Kata Tjuta National Parks.

Yolngu landowners have advised the NT Parks & Wildlife Commission

that they do not want a formal joint management arrangement for the proposed IPA, preferring instead to have Dhimurru continue on in the role of management agency.

The Commission has unfortunately refused to provide support for the IPA proposal.

Initial responses from the Commission Director, Bill Freeland, indicate that he does not believe that anything less than a formal joint management arrangement would be acceptable for the future management of the proposed Indigenous Protected Area.

Dhimurru Senior Ranger, Nanikiya Mununguritj, said Yolngu are "disappointed with the response by the Commission so far, but we want to continue with the IPA".

The NLC believes the Commission fails to recognise the value of work already done by Dhimurru rangers and Commission staff on the ground.

The NLC will continue to consult with the Commission to try to convince it of the benefit of the IPA proposal and the benefits of more cooperation between it and traditional owners, similar to the joint work happening with the Department of Primary Industries and Fisheries on controlling the mimosa weed.

## New guidelines for tour operators

**The NLC has proposed new guidelines for tourism operators wanting to take tours on to Aboriginal land.**

The guidelines update earlier guidelines, making them relevant to current interests and allow for more streamlined and consistent procedures.

The guidelines are to make sure that all tourism proposals go through the proper processes of informed consent from traditional Aboriginal

owners under the Land Rights Act.

They will also assist NLC Regional Office staff to deal with expressions of interest in tourist developments on a regional basis.

These guidelines will be presented to the new NT Government Aboriginal Tourism Taskforce and will assist the industry by bringing tourism operators together with Aboriginal landowners.

Tourism is a big growth area on Aboriginal land and if it is managed with Aboriginal landowners

it offers opportunities for economic development in a way which results in sustainable use of Aboriginal land.

Tourism operators are more and more interested in getting exclusive access for small groups of "eco-tourists" to the unique natural and cultural features of Aboriginal land.

This could lead to major economic opportunities coming from the Land Rights Act, which has allowed these features to be protected and managed.

## Safari Hunting

**Are the big game hunters coming our way?**

**Safari hunting in the Northern Territory's Top End has the potential to be a highly professional industry attracting big game hunters worldwide - if it is managed properly by government.**

The most popular places for big game safari hunting are currently on Aboriginal land. The existing industry, involving a few individual operators and a reasonable number of hunting clients, mainly from overseas, is almost exclusively thanks to the cooperation and support of traditional owners.

But a lack of legislative support by the NT Government, along the lines of laws governing safari hunting overseas, is putting the potential of the industry at risk - and is adversely affecting the benefits enjoyed by the traditional owners as well as the protection of the land and animals.

The NLC would like to work with the NT Government in the development of legislation to cover the safari hunting industry.

A strategy promoting the unique attributes of the region and guaranteeing operations that follow strict regulations and guidelines would put Arnhem Land and Cobourg Peninsula more firmly on the international big game hunting circuit.

The NLC's research suggests strongly that such a strategy for a professional safari hunting industry would go a long way to making sure that traditional owners on Aboriginal land get the full benefits from the activity and full protection for their land rights and the environment.

"The intention is planning for long term benefits and to capitalise on the asset that is owned by the traditional owners. This asset needs to be protected so its true worth to the traditional owners can be realised. Short term gains and unlicensed operations are working against that objective. The desire is to have Arnhem Land recognised internationally as the premium big game hunting destination in Australia where clients can be assured of best practice standards, professional safari operators and an unrivalled hunting experience," a spokesperson for the NLC said.

A professional, coordinated strategy would be able to focus on the "big picture" - the unique Outback experience, scenic beauty and big game hunting opportunities of the region as a whole, where the main attractions are two introduced species - water buffalo and banteng.

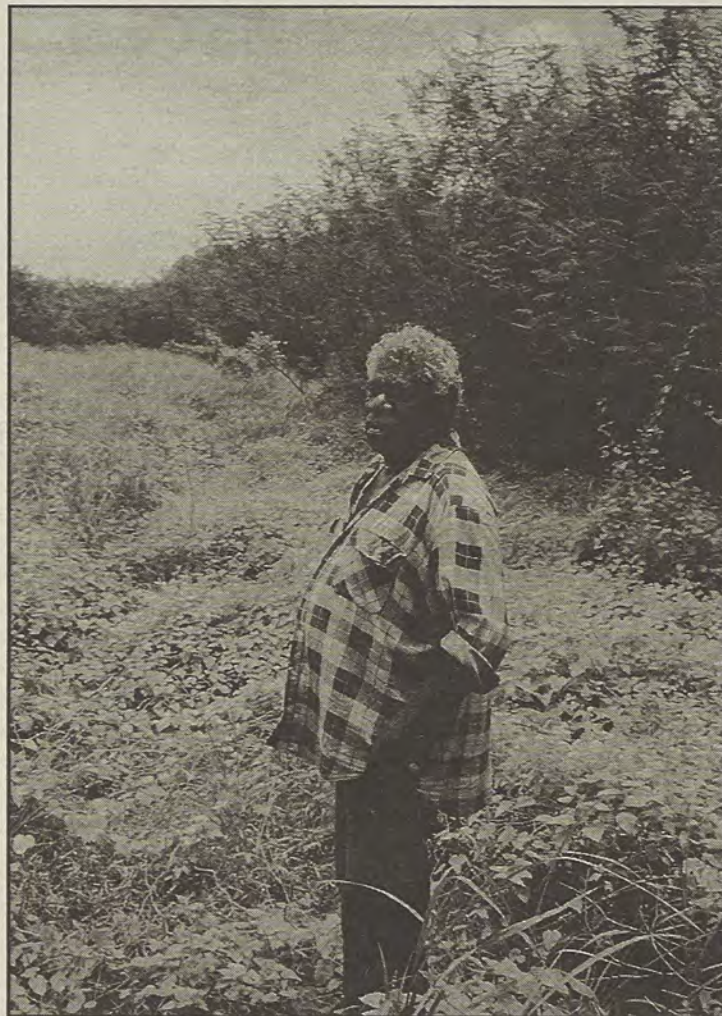
The Centre for Indigenous Natural and Cultural Resource Management at the NT University is investigating how the lack of a coordinated approach is affecting the growth of the industry and the benefits that traditional owners could enjoy from people using their land.

The Centre is currently conducting a review, funded by the Cooperative Research Centre for Sustainable Tourism, looking at Indigenous interests in wildlife tourism, and in particular safari hunting and sport fishing.

The review is expected to provide reliable information about this segment of the wildlife tourism industry to help traditional owners coordinate their approaches, plan for tourism on their land and use their assets better.

It will also investigate the issue of a regulated safari hunting industry and its effects on traditional owners, operators, government and clients.

## 80,000 HECTARES OF MIMOSA



Malak Malak senior land owner Albert Myoung standing in front of a moving wall of mimosa that will steadily swallow up his land if nothing is done.

**Aboriginal landowners are stepping up the fight against Mimosa, a "super weed" considered to be one of the greatest threats to Top End wetlands.**

Currently over 80,000 hectares of flood-plains have been infested by the weed, with new infestations continuing to be found.

Aboriginal people own most of the major wetlands and rely heavily on them for food, cultural reasons and as a source of income through pastoralism and tourism. Mimosa threatens all that.

However, since the signing late last year of an agreement by the NT Department of Primary Industry and Fisheries (DPIF), the Indigenous Land Corporation, the Northern Land Council and White Eagle Aboriginal Corporation at Wagait, landowners are gearing up to prevent the further spread of mimosa and to start pushing it back to reclaim lost ground.

The five year agreement has the potential to greatly improve the management of mimosa on Aboriginal lands, keeping large areas free of the weed and reducing the impact of the weed in currently infested areas.

The NLC is making sure Aboriginal communities take part in the program so that the weed is managed properly in the long term.

The five-year time-line gives the opportunity to move away from the DPIF spraying poison on the mimosa from helicopters to the communities doing the work themselves using teams of people to control the weed on the ground.

The NLC will help communities start up mimosa control teams with people employed on CDEP.

The DPIF and the NLC will then arrange training for these teams and make sure people have the equipment they need to do the work.

Although mimosa is the immediate problem, it is hoped that these teams will broaden their activities to deal with other land management issues such as feral animals and other weeds.

Such land management programs exist at a number of sites already. For example there is Clarry Rodgers and his team at Ngukurr, Mangay Guyula and countrymen at Mirrngadja, the Wanga Djakamirr Program at Ramingining, the Djelk Rangers at Maningrida and Rusty Wodidj and his team at Palumpa. All these groups are effectively dealing with their mimosa problem.

Other areas need some assistance and the NLC and DPIF have started to talk to these groups.

Meetings have been held with the Malak Malak people on the Daly River, the Acacia Larrakia Aboriginal Corporation about mimosa control at Acacia Gap and the Demed Homelands Resource Centre about controlling mimosa on the Oenpelli flood plain.

A workshop was recently held with Memelma (the Council of Elders at Wadeye) about a regional approach to mimosa at Daly River/Port Keats.

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web site is up and  
running again!**

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**www.clc.org.au**

# INTERNATIONAL

## Government attacks self determination



Joe Clarke and Mischa Cartwright attending the UN Working Group on the Draft Declaration on the Rights of Indigenous Peoples

Two CLC staffers who attended a United Nations meeting in Geneva last December say they were shocked by the Australian Government's moves against Aboriginal people.

Mischa Cartwright and Joe Clarke took part in the 4th session of the UN Working Group on the Draft Declaration on the Rights of Indigenous Peoples.

The meeting discussed Australian Government attempts to have the term 'self-determination' removed from the Draft Declaration and replaced with 'self-empowerment' or 'self-management'.

Ms Cartwright said it was another embarrassing backwards step by the Government.

"Like other Indigenous

delegates, I was horrified by the Government's attempt to strip self-determination out of the Declaration. It will affect people all over the world," she said.

Joe Clarke said he was also shocked and disappointed by the Government's moves.

Self-determination had been Australian policy in indigenous affairs since 1972.

## OLYMPIC EXPLOITATION OF ABORIGINAL CULTURE

Many Indigenous Australians are feeling suspicious and dissatisfied with the way their image is being used in the promotion and packaging of the Sydney Olympics, according to a researcher at Northern Territory University.

Research fellow Darren Godwell says Aboriginal people are being stereotyped and their culture is being appropriated by the Sydney Games.

"My impression is that we have shifted away from the optimism Indigenous people had when Sydney won the Games about what the Games could offer them," Mr Godwell said "There's an underlying dissatisfaction and suspicion about what's going on."

"The Olympics is a multi billion dollar project with massive public works, licencing agreements, subcontracting, jobs and so on, and somewhere in that wave of public expenditure, Indigenous people thought they might get a piece of the pie. The pieces are amounting to crumbs."

Mr Godwell said that in an attempt to set the Sydney Olympics apart from previous games, Indigenous motifs, designs and styles were being appropriated.

He fears Indigenous people are being typecast in stereotyped images of "exotic primitives" that do not reflect social progress.

He is also concerned that Indigenous people are being used to promote the Games at a time when the Federal Government is attempting to

strip away Indigenous peoples' rights.

"There's a contradiction in it," he said.

"You can't tell the world how great Indigenous people are and on the other hand try to take away our rights, not apologise to the Stolen Generation, cut back funding to Indigenous groups, and fight to get words like 'self determination' removed from United Nations declarations."

Mr Godwell's research is aimed at documenting the expectations and ambitions of Indigenous people involved in the early stages of the Sydney Olympics. He expects to publish a paper on his findings at the end of the year, and may do a follow-up study after the Games are over.

He has met with the Sydney Organising Committee for the Olympic Games, Government and community organisations and individuals.

"There are so many people wanting to get things off their chests," he said.

The study is part of a research grant from the Australian Research Council.

"People are waiting to see if the Olympics will deliver on their expectations."

## Australia's International shame

Australia is being harshly criticised around the world for a number of Government decisions and actions dealing with Aboriginal, human rights and environmental issues.

Bodies such as the United Nations, the European Union (EU) and British politicians have condemned the Commonwealth Government in recent weeks.

And Australian leaders, both Indigenous and non-Indigenous, have called on the Government to take a long hard look at the direction it is taking and the shame it is bringing to the nation.

The international spotlight most recently has focussed on the changes last year to the Native Title Act. The UN Committee on the Elimination of Racial Discrimination (CERD) has found that the Howard Government has discriminated against Indigenous people.

This followed closely on the conclusion by the UN World Heritage Committee that

Kakadu was under threat of losing its world heritage listing because the Howard Government was not adequately recognising and protecting the natural and cultural heritage values in the Kakadu region.

Australia also has been criticised for lobbying against moves by the EU to insert human rights clauses in trade treaties between Australia and European countries.

Government moves to remove the words 'self determination' from the Draft Declaration on the Rights of Indigenous Peoples have also been attacked at home and overseas.

And the list is expected to get longer, with the potential for further backlash from decisions concerning areas such as:

- the amendments to the Commonwealth Heritage Act (which weaken sacred site protection)
- the Biodiversity Bill (which undermines the joint

management of national parks in the NT and threatens the leases of Kakadu and Uluru)

the current Reeve's review of the Aboriginal Land Rights Act (which takes away the fundamental right of traditional Aboriginal owners to control decisions on their land)

- attacks on ATSIC
- the refusal to apologise to the Stolen Generation
- and now the draft preamble that has been proposed for the Constitution (which denies the existence of on-going Aboriginal custodianship).

In the wake of all this criticism, Professor Germaine Greer was among a prominent list of people including trade unionists, politicians and organisations such as Amnesty, who rallied outside the British Parliament on March 22 to support a Treaty between the Australian Government and the Aboriginal Peoples and Torres Strait Islander Peoples.



## Japanese Visit

Central Land Council staff briefed a Japanese human rights group visiting Alice Springs in February.

The delegation from the Kanagawa Human Rights Centre was interested in learning about issues affecting Aboriginal people in the Territory, and also visited Congress and

Tangentyere Council.

The KHRC was set up in 1988 on the 40th anniversary of the Universal Declaration of Human Rights.

It was the first time the group had visited Australia.

The delegation will compile a report when they return home.

## First Warlpiri man to do Masters degree

Warlpiri man Simon Fisher and his daughter-in-law Lisa Watt are making history by being the first students in Australia to do a joint Masters degree.

The pair are conducting research into the history of their family's traditional lands, Pikilyi, before and after the arrival of European colonisers.

Mr Fisher is also the first Warlpiri man to study at the Masters level.

The duo began their research last year as a healing process.

Their family was going through the difficult process of applying for a living area on the massive Mt Doreen pastoral lease in central Australia.

The traditional owners asked for 8.5 km sq on the 7367 km sq pastoral lease.

The matchbox-sized area is adjacent to Pikilyi, one of the biggest springs in central Australia, the heartland of Warlpiri country. But the pastoralist opposed their application.

"There was a lot of tension at the time of the hearing into the application in 1997," Ms Watt said. "The pastoralist obviously had every intention of trying to stop the application and their lawyers said only the two applicants could go onto the pastoral lease for the hearing, but we all decided to go."

**The matchbox-sized area is adjacent to Pikilyi, one of the biggest springs in central Australia, the heartland of Warlpiri country. But the pastoralist opposed their application.**

"We had already waited seven and a half years for that hearing. On the night of the hearing, the family's spirit was low and there was a general feeling that the application may not be successful."

"We still have not heard the Tribunal's decision. So, then and there the family appointed Simon and me to conduct research, to tell the truth about the historical events which led to us being dispossessed."

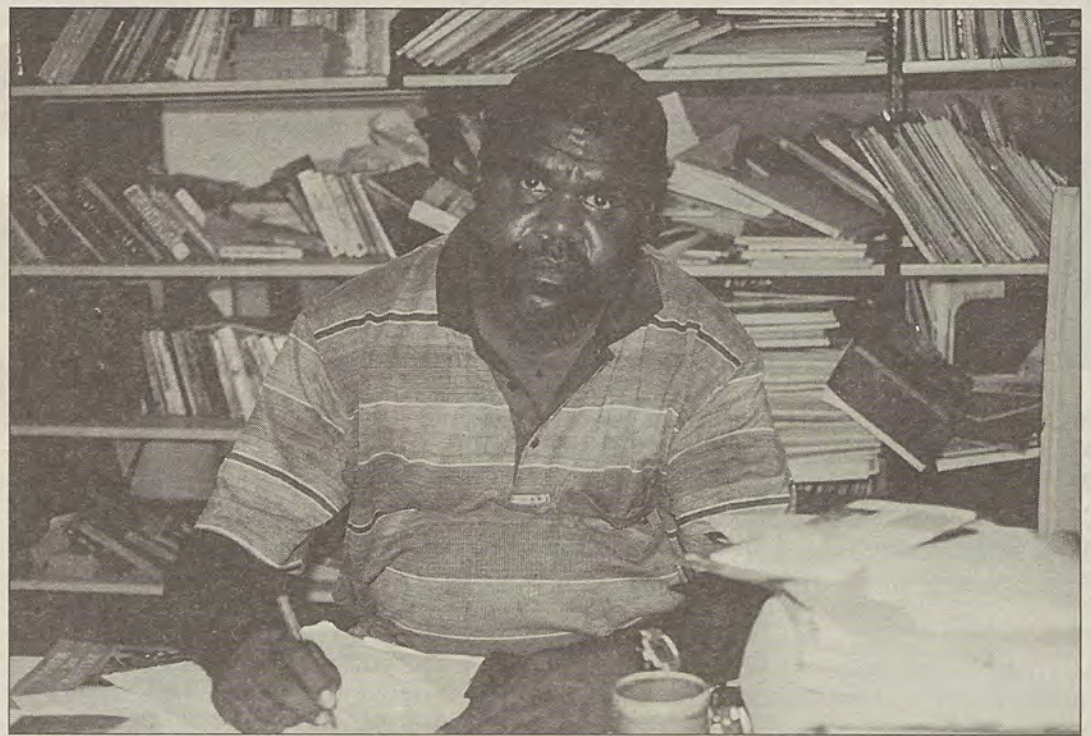
spiritual connection to the Pikilyi area in pre-contact days.

It will also document Pikilyi owners' accounts of their relationships with pastoralists, government agencies and missionaries.

Ms Watt is searching archives around the country for more information.

"People don't know enough about Indigenous history and what happened in the past," Mr Fisher said.

"We'll be looking at pre-



Simon Fischer

Mr Fisher is gathering oral histories from around 40 relatives, including several who lived in the area of the Mt Doreen pastoral lease before whiteman came.

The research will focus on oral accounts of the elders'

and post-contact up to dispossession in 1947.

"Post-contact, Warlpiri were working, labouring on cattle stations as stockmen. It was like slavery, they had poor wages and poor living conditions. In those days there was the assimilation policy, people were put in reserves, forced off their land.

Mr Fisher and Ms Watt are doing their Masters through the Faculty of Aboriginal and Torres Strait Islander Studies at Northern Territory University.

## Alice in 10 Years

Many of the proposals in a new discussion paper by the NT Government about the future of Alice Springs are exactly what the Central Land Council has been pushing for years, according to CLC director Tracker Tilmouth.

"The Territory Government is following our lead in its paper The Face of Alice Springs in Ten Years Project," Mr Tilmouth said.

"Many of the initiatives they're proposing, which are aimed at boosting Alice Springs economy, are already being implemented by the CLC and traditional landowners.

"Mining agreements we've negotiated are successfully advancing the increased use of Alice Springs as a service centre. They're also creating job and training opportunities, and seeing more money flowing into our town and region.

"They show yet again that land rights brings benefits to the whole community."

Mr Tilmouth said Alice Springs had been the 'poor cousin' to Darwin in terms of development for far too long.

"We're glad the Government is addressing this - and catching up with our successful policies.

"We hope we can have a productive working relationship with the Territory Government to develop the strategies we have initiated to enhance Alice Springs' role as a service centre for mining in the region."

Mr Tilmouth said other issues in the discussion paper had a depressingly familiar ring to them.

"Unfortunately we see a glimmer of Stone-ism re-entering the debate," Mr Tilmouth said.

"The Government

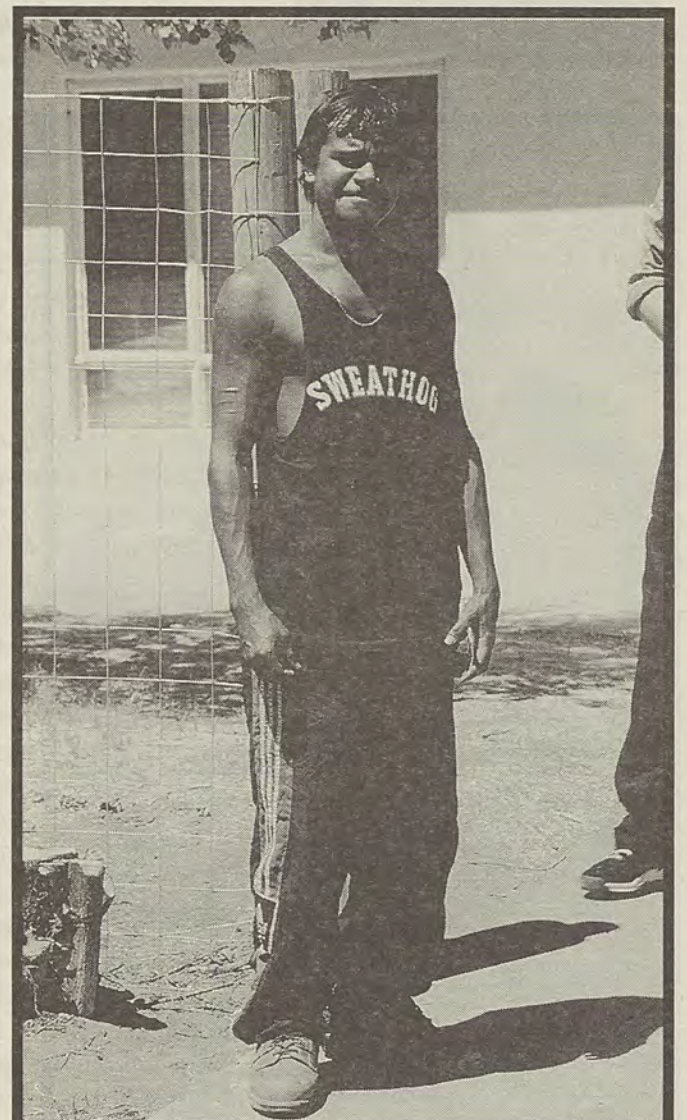


CLC Director Tracker Tilmouth

says in the discussion paper that it wants to remove Aboriginal people from the Todd River - and suggests doing this by making social security payments available only in communities.

"If they want to do that, then the Government has to

provide essential services out there - like health centres, education facilities, housing and so on. You can't solve anti-social problems by shifting them somewhere else of sweeping them under the carpet."



Detour student, John Doolan, during the filming of their new project, a thriller. See story page 30.

## NT prices rip-off

The NT Government has set up an inquiry to look into the high cost of food throughout the Territory.

Chief Minister Dennis Burke announced the inquiry after reports by Life Be In It and the Australian Bureau of Statistics found people in the Territory pay much more for food than in other places.

A Territory Health Service Report also found that in some communities the price of food was as much as 60 percent higher.

There were also street protests in Darwin against the high prices being charged by the big supermarkets.

Following pressure from the Labor Party, Dennis Burke agreed to widen the inquiry to include groceries and other non-food household items.

The inquiry will report to Parliament by August and includes three CLP and two ALP members, including Member for Arnhem John Ah Kit.

Meanwhile, the NT's Federal member of parliament, Warren Snowdon, has re-started Pricewatch, to act as a consumer watchdog in the Territory.

Pricewatch, or the National Prices Network, used to be run by the Federal Department of Consumer Affairs until 1996.

Mr Snowdon said Pricewatch will now be run out of his office by volunteers.

# GST TO HIT REMOTE COMMUNITIES

The Federal Government is pushing to introduce a Goods and Services Tax (GST) which is bad news for remote communities.

The new tax will be on everything people buy (like food and clothes) and any services people use (like health and power).

A series of new reports has found that people in the Northern Territory, especially in remote communities, will be harder hit by the new tax than most other Australians.

Goods and services are already much more expensive in remote areas than in large regional centres or cities and they will cost even more with a GST.

A big concern is that limited economic opportunities for Aboriginal people in remote communities might be restricted as art, craft and tourism activities will cost more, making people less likely to buy these things.

The NLC has given a report to the Government which found Aboriginal people living in remote

areas will see a reduced standard of living.

More expensive fresh fruit and vegetables will see worse nutritional standards.

The NLC report says that the negative effects of the GST will not be offset by the compensation measures the Government is proposing.

Research done for ATSIIC by the Economics Professor Owen Stanley of James Cook University in Townsville found that Aboriginal people in remote communities will feel the tax the most.

Professor Stanley found that because Aboriginal people generally have lower incomes, they spend a bigger part of their income on food, clothing and other essential things.

So, they'll feel the effects of a GST more than richer people who spend a lesser part of their income on essential things.

Another indirect impact on businesses and services in remote areas is that more accounting and clerical skills

will be needed to collect GST.

This could cost these organisations more as these skills are often not available in remote areas and will have to be brought in.

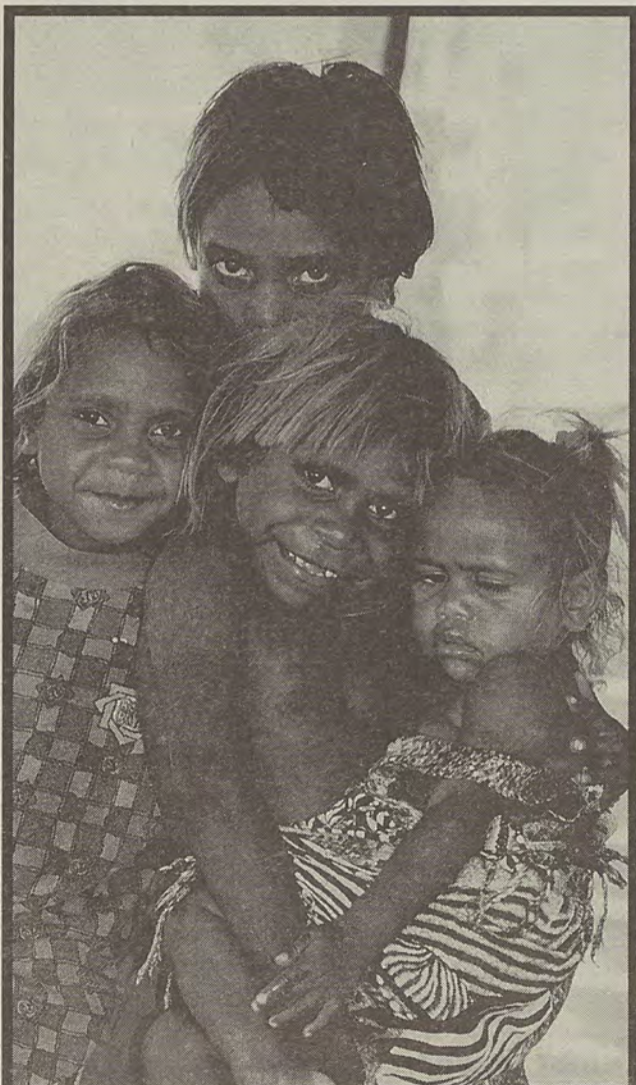
The NLC's submission on the GST also highlighted unanswered questions on the effect of the tax on funding to Aboriginal local government organisations.

Darwin's North Australia Research Unit has published a collection of papers presented at a GST seminar in December last year.

It is called *The Implications of a Goods and Services Tax for Northern Australia* with arguments for and against the GST.

A Senate committee is now looking at the tax and is due to report to Parliament at the end of March.

The Federal Government wants to have the GST laws passed through Parliament by the end of June.



Kids at the CLC's new Yuendumu office. The new Co-ordinator for the region is Neville Poulson.

## \$\$\$ POSSIBLE GST IMPACTS \$\$\$

- \$ Food prices up
- \$ Second-hand car prices and maintenance up
- \$ Increase in the housing backlog as construction and maintenance costs go up
- \$ More expensive public housing
- \$ Petrol prices up (except diesel)
- \$ New cars more expensive
- \$ Car maintenance costs up
- \$ Telephone calls more expensive
- \$ Non-prescription medicines more expensive
- \$ Books more expensive
- \$ Alcohol and tobacco up
- \$ Insurance (except for health and life) more expensive
- \$ Household goods up

## \$\$\$ NOT AFFECTED \$\$\$

- \$ Residential rents
- \$ Second hand goods sold by individuals
- \$ A range of medical services
- \$ Prescription drugs and medicines
- \$ A range of educational services
- \$ Childcare provided at recognised services
- \$ Religious services
- \$ Health insurance



## BURKE MEETS WITH NLC FULL COUNCIL

For the first time in the history of the NT Government and the Northern Land Council, the Territory's Chief Minister Denis Burke spoke at the NLC Full Council meeting.

Denis Burke was welcomed to the meeting at Katherine on Wednesday March 17, when he outlined his commitment to work with the NLC and listened to some of the concerns of Council members.

Northern Land Council Chairman Galarrwuy Yunupingu said he saw Denis Burke as the first opportunity in 25 years for Aboriginal leadership to forge a decent working relationship with the NT Government.

"Today is history in the making," Mr Yunupingu said at the Council meeting.

"It has taken 25 years to get to where we are today.

"In that time, our lives have

changed, from humpies to houses. And things have changed also for the NT Government - from a hut to that big white building in the middle of Darwin.

"Rednecks can no longer take the leadership of the NT Government or our leadership for a ride."

"This is a very, very important move for this Government leadership to come down and sit with a prominent and powerful organisation such as the NLC," Mr Yunupingu said.

Mr Burke's visit to the Full Council is his second meeting with Mr Yunupingu. Shortly after he became Chief Minister, Mr Burke and Mr Yunupingu met to discuss



Chief Minister Burke

potential for future communication and discussion on Territory issues.

Mr Burke told the Full Council that Mr Yunupingu's words "require some thought and I will give them the

seriousness they deserve."

Issues Council members raised with Mr Burke included the importance of the Land Rights Act, concerns about the Reeve's Review and the permit system.

Mr Burke was also given a list of nine points for consideration.

Mr Burke and Mr Yunupingu agreed that some of these matters may be longterm issues, but there were also some issues of mutual interest which could be acted on immediately.

The two leaders recognised the difficulties of history which had to be overcome, but agreed to try to build mutual confidence and cooperation.

### May Rosas an NLC delegate from the Katherine Region

Following on a story Denis Burke gave about the NT Government and the NLC behaving like two fighting kangaroos who crush the grass (children), May said: "We know historically that the Government basically has been developing policies that have created a lot of poison in the soil.

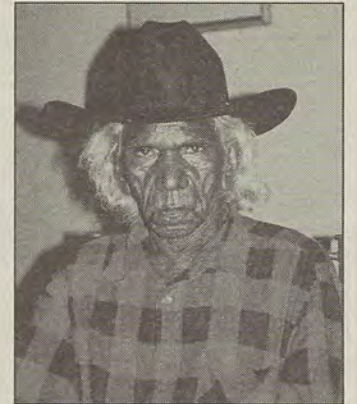
"There has been an imbalance because in Aboriginal issues we have poison or over fertilisation in the way Government sees things for Aboriginal people and I would like you to go away and consider.

We need ingredients to have a strong foundation. We would like to improve the soil because that is the beginning stages of any seeds."

She also said: "The Government can't deal with one (person or group of people) and say we are all the same. We all have different needs."

**Left: James Gaykamangu and Donald Biiiningdjirri, East Arnhem delegates at the NLC Full Council meeting at Knots Crossing in March.**

## Some comments from the delegates



### Lindsay Joshua an NLC delegate from the Ngukurr region

"Services in remote communities are very important. We need to make sure we have enough police. That is important now. But also we need to talk about housing and health."



### Neville Barclay an NLC delegate from the Boorooloola/Barkly region

"Rio Tinto exploration mining company ... used to come to us and ask us to make an agreement detrimental to our rights. We said 'No' and Rio Tinto turned round and woke up. Rio Tinto now is actually negotiating. They had one-track thinking and I think that if Rio Tinto, a powerful mining company worldwide, if they can change their views then nothing is impossible.

"A lot of these mining companies, they take their money overseas. But the royalties we fought for means that this money stays in Australia. Aboriginal people fought for that through the Land Rights Act and they contribute so much to the economy.

## Opposition says government must be for all

The Territory Labor Party leader Clare Martin reiterated her party's commitment to supporting land rights and native title at the Northern Land Council's Knotts Crossing Full Council Meeting.

"We are proud to support land rights and native title," said Ms Martin. "They are fundamental Indigenous rights and they are good for the economy."

Ms Martin also addressed the issues of health and education, and the appalling services which Aboriginal

people receive from the Northern Territory Government.

"Labor stands for a fair go," said Ms Martin, "That means fighting for health, education, employment and housing for all Territorians. Economic development means not just opportunities but also social justice. We must tackle unemployment and underemployment, and lack of job security".

"We will also oppose the privatisation of essential services such as health, power and water."



Opposition Leader Clare Martin

"Government must be for everyone, not just those in CLP electorates."



## NOW YOU'RE TALKING, TELSTRA



Telstra's Peter Kent (right) hands over a cheque for the project position to Ms Edna Barolits, NLC Manager for Regional Development. Also pictured is Telstra's Mike Hall.

**Telstra is continuing its funding for a project officer position with the NLC to help with planning and access to Aboriginal land.**

When Testra wants to lay cable, install equipment or build a structure, the NLC consults with traditional owners to make sure clearances are given for the work to be done.

Telstra says it wants to develop good working relationships with traditional owners and Aboriginal communities as it carries out its program to provide communication

services to remote areas of the Northern Territory.

Telstra's Regional General Manager, Network and IT, Mr Peter Kent, says the company recognises and respects the significance of any construction activity on Aboriginal land.

"We have always made it a priority to work closely with the NLC to make sure we respect Aboriginal tradition and culture.

"This project position is just the beginning. We want to explore other ways to work more effectively together in the future."

Land Council Chief

Executive Norman Fry said the NLC was keen to work closely with Telstra.

"Communication is a big issue in remote areas and the demand for services is growing," he said.

"The Land Rights Act provides the means through which huge corporations like Telstra can negotiate agreements with traditional Aboriginal owners for access to their land to install their equipment. We can help them do their work as quickly and easily as possible."

## Howard's "glib" preamble

**The Prime Minister's draft preamble to the Australian Constitution is a distraction from the real issue of protecting Aboriginal rights in the Constitution itself.**

That's the view of the Central and Northern Land Councils, which have criticised the document for ignoring the views of Aboriginal people and many others.

"The important point for Aboriginal people is to ensure that our existing rights are protected in the body of the Constitution," NLC chief executive officer Norman Fry said.

"John Howard's preamble is a disappointment because it is a subtle affirmation of the myth of terra nullius.

"But it is more important to focus on protecting Aboriginal rights so they can never again be unilaterally extinguished in the way Howard's government wiped out native title last year."

CLC director Tracker Tilmouth said the Mr Howard's preamble was a glib document.

He criticised the Prime Minister's decision to describe Aboriginal people as having "inhabited" Australia, rather than using the term "custodianship" which was recommended by the Constitutional Convention.

"The argument isn't about previous ownership and rights, it's about current ownership and the rights of Aboriginal people," Mr Tilmouth said.

"It's about the inherent rights of Indigenous peoples, rights that are protected by international conventions to which Australia is a signatory. They are rights Australian law recognises, but that Mr Howard seems to have trouble accepting."

Mr Tilmouth said Mr Howard's preamble is disturbing because if it gets the go-ahead in the November referendum, it will set the spirit of the Constitution itself.

"If the spirit isn't right in the preamble, if Aboriginal people are not properly recognised in the preamble, then unfortunately the words that follow in the Constitution will be less than advantageous to our position.

"What's likely to come out of the process will be very much a reflection of this Government's position on native title."

Public opinion on the preamble is divided.

As Mr Howard does not want Australia to become a republic, his real goal may be to defeat the November referendum on the issue.

## UTOPIAN CITRUS



**Aboriginal landowners in the Utopia region are on the verge of setting up a major citrus growing project that is expected to generate substantial profits and up to 40 full time jobs.**

The project hinges on groundwater quality. Test drilling is being conducted near Soapy Bore, north east of Alice Springs, this month. Experts are confident the drilling will show the water is suitable for citrus growing.

The CLC began investigating the possibility of growing citrus in central Australia in 1996 in response to communities saying they wanted to set up horticultural enterprises on their own land which would provide social and economic benefits.

If the project goes ahead, it will be a joint venture between an Aboriginal

company and Australia's leading export company River Fresh Pty Ltd.

Around 100,000 trees will be planted on a 200 hectare block.

It will produce 10,000 tonnes of oranges a year when in peak production.

The major advantage of growing citrus in central Australia is that it will ripen earlier than the fruit in more southern orchards, bringing a premium price.

The project will mean Aboriginal people will have somewhere on their own country where they can get jobs and training.

Half the profits will go to Aboriginal people.

A recent workshop looking at horticultural potential on Aboriginal land found significant potential exists at Ti Tree, Ali Curung, Utopia and Willowra.

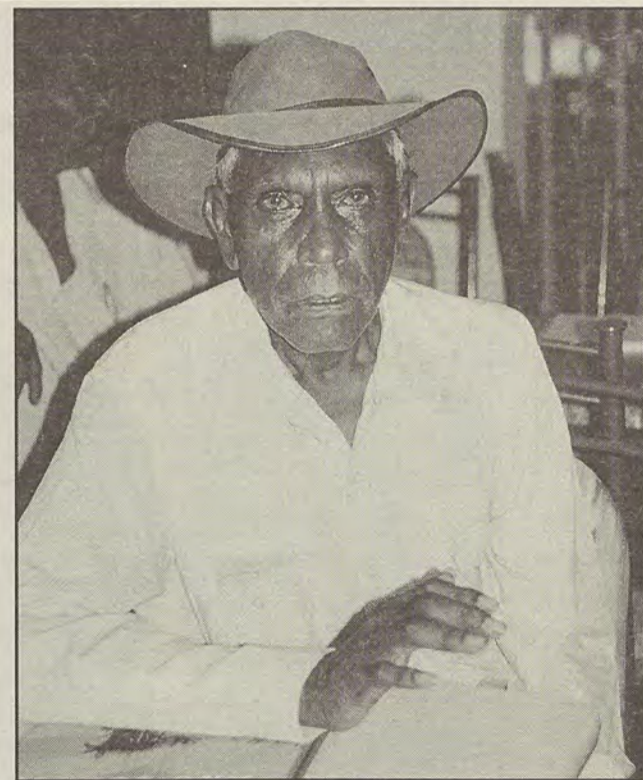
There are longer term prospects for date production in the Simpson desert.

Horticulture development on Aboriginal land has been given a high priority by the NT Department of Primary Industries and Fisheries under the direction of Dr Niranjan Dasari, and local DPIF staff in the Alice Springs region, including Geoff Kenna.

Technical advice on soils and water has been provided by the Department of Lands, Planning and Environment.

In 1996 traditional owners from Angarapa (Utopia) Aboriginal Land Trust visited River Fresh headquarters at Cadell in the Riverland in South Australia.

They were so encouraged by the visit they decided to push ahead with plans for their own citrus project.



Powder Punch, Northern Land Council member for the Borroloola/Barkly region, at the NLC's recent Full Council meeting in Katherine.

# High praise for Daly River pub venture

The Nauiyu community has taken over the Daly River Roadside Inn, a success story arising from the devastating 1998 Australia Day floods.



The Roadside Inn was bought in part through a grant from the Aboriginals Benefit Reserve (ABR) the body set up under the Aboriginal Land Rights Act to handle mining royalty moneys.

The community, looking for economic independence through commercially viable business ventures, saw the potential of redeveloping the business, which was damaged in the floods.

It is not known if Federal Aboriginal Affairs Minister Senator John Herron saw the irony of the situation when he officially opened the Inn on March 5.

While he was congratulating the community for its initiative and praised the concept of self-empowerment, a public inquiry in Darwin at the same time was looking at recommendations to change the Land Rights Act which would seriously affect the Aboriginals Benefit Reserve.

A major recommendation

in the Reeve's Report into the Act would remove control of ABR money from Aboriginal people and put it into the hands of a Government-based body, removing the whole concept of self-empowerment.

Meanwhile Senator Herron said on ABC radio that Aboriginal people must be allowed to develop economic ventures.

"We've got to allow Aboriginal people economic developments," he said on radio.

"As Jack Downer a respected elder in the Derby community said, Aboriginal people have to carry their own swags and I think they want to.

"Many people have reached the stage realising that the only way to the future is to be self empowered by having their money in their pockets, which they have earned themselves."

At the official opening, ATSIC Commissioner Ms Josie Crawshaw pointed out



Top: MLA John Ah Kit, NLC CEO Norman Fry and Mike Lane, Manager of the ABR at the official opening.

Above: The Nauiyu community turned out in force to celebrate the takeover.

that the Nauiyu community had looked for new ways to build their economic base and she wished them well for the future of the business.

"As the Commissioner responsible for ATSIC's economic portfolio, I am well aware of the need to promote economic independence for

our people and to assist especially those in remote areas to establish commercially viable business ventures," she said.

## ORGANISATIONAL REVIEW FOR NLC

Patrick Dodson has told the NLC's Full Council that land councils now face new challenges in the era when no new land claims can be made under the Land Rights Act and at a time when Aboriginal rights are under threat.

Mr Dodson was telling the Full Council at its recent meeting in Katherine about the review he is doing of the land council's organisation and structure.

"The Land Council has many things to be proud of, not only in the Top End but in helping other Aboriginal people around Australia," he said.

"In the Territory,

getting land back and helping them look after their country, defending Aboriginal rights and Aboriginal law have all been important achievements.

"The Land Council is not responsible for providing government services, but it should have some influence on these issues," he said.

The new direction identified by Mr Dodson is economic

development, coupled with caring for country, and a new emphasis on social policy and planning.

The current branch structure of the NLC will be changed to fit in with these new approaches.

The Full Council approved the restructure in principle and asked the Chairman and CEO to begin putting it in place.

## Mt Wedge and Tempe Downs coming back

**Traditional landowners in three areas in the CLC region are looking forward to having their traditional country handed back to them.**

Hundreds of Aboriginal people will benefit from the handbacks, which will be celebrated in special ceremonies

in the near future.

Federal Aboriginal Affairs Minister John Herron accepted the recommendation of the Aboriginal Land Commissioner to hand back land following the Central Mt Wedge and Tempe Downs land claims.

And land at Urrpantylene will be returned after a

settlement was reached between the NT Government, neighbouring pastoral lease holders and the claimants.

The handbacks will see a total of more than 11,000 square kilometres of land returned to its traditional owners.

## Remote communities lose footy broadcasts

**Remote communities in the Northern Territory are "political footballs" in the current debate over the loss of AFL television coverage for this season.**

The AFL footie season has kicked off – but many remote Aboriginal communities are missing out on the television broadcasts because Imparja has lost the rights to broadcast the games.

As well as disappointing hundreds of footie supporters in remote communities, there have been warnings that the loss of AFL football broadcasts could impact on the tourism industry of some small communities, and could affect the development of young Aboriginal footballers unable to watch their heroes playing.

The problem is that most communities have access to one commercial station – Imparja – and would have to pay up to \$20,000 for another transmitter to be able to

receive Channel 7, which holds the rights to broadcast the AFL.

Imparja used to pay a fee to be able to broadcast Channel 7's football coverage. This is no longer possible, because Imparja is now in direct competition Channel 7, as they both now cover the same area.

Various commitments and promises by the Government have so far come to nothing.

A suggestion that money from the Telstra sale would be used to give remote communities money to get Channel 7 coverage was first of all discounted as a cynical stunt to overcome Senate opposition to the further sale of Telstra – and then the Government withdrew the Bill from the Senate anyway.

Then there was the suggestion that Channel 7 and Imparja had come to a program-swapping arrangement to solve the problem, but this has come to nothing.

And yet another suggestion that Aboriginals Benefit Reserve money be used to pay for the extra equipment has prompted the Central Land Council to issue a sharp reminder to the NT and



Federal Governments that ABR funds are private money – not a cash reserve for governments.

"ABR money is compensatory in nature," Mr Tilmouth said.

"ABR is not a bucket of money for governments to

dip into whenever they feel like it, or to pay for services which the government provides for free to other sections of the community."

"It is for Aboriginal people and organisations."

On February 17, NT Minister for Communications, Daryl Manzie announced in a press release that the NT Government would provide \$134,000 to improve television reception in Darwin's northern suburbs.

The same day, he claimed the Government did not have the money to fund improvements in reception so remote communities could receive AFL broadcasts.

Mr Manzie's suggestion that ABR money be used for the upgrades "would mean Aboriginal people, unlike people in Darwin's northern suburbs, would be required to pay for their own upgrades," Mr Tilmouth said.

"By almost any measure, Aboriginal people are among the poorest sector in Australia. Mr Manzie's proposal is like mugging the poorest person in the Territory to pay for services others get at Government expense."

Representatives from Imparja, speaking at the Northern Land Council Full Council meeting, urged members to join in a submission that Imparja and CAAMA were making for money from the Black Spot Television Fund for the upgrades in BRACS communities.

Imparja also asked for some representatives from the NLC to join a working party to get the Australian Broadcasting Authority to come to the Territory and find ways to solve the problem.

The NLC Full Council has undertaken to approach the NT and Federal Governments to investigate options to assist Aboriginal communities to get access to AFL broadcasts.

## New Community Living Areas

**The NLC has 33 ongoing community living areas (CLA) applications in progress and three which have been approved but not granted.**

Community living areas are an important way for people who have been dispossessed by the pastoral industry to gain some secure title to their traditional land.

The NT Government (NTG)

process for negotiating CLAs has been very unsuccessful and isn't responsive to Aboriginal peoples' needs.

The NTG and many pastoralists have been hindering the process and not cooperating, most recently unnecessarily blaming native title issues as a reason for not granting CLAs.

The NLC has been trying to

make the NT Government better understand the native title issues and is optimistic that the situation may be fixed soon and some CLAs granted from July this year.

The NLC has always worked with traditional owners on CLA issues to ensure that the right people benefit from any application. This means that from the NLC's point of view, native

title is not a problem.

In addition to the expectation of native title issues being resolved, the NT Government is also proposing some changes to the Pastoral Lands Act to allow business activities to be undertaken on CLAs.

This will help Aboriginal people on CLAs to develop an economic base for the future from their land.

## Mining research partners

**A new partnership between the Northern Territory University, the Northern Land Council and mining company Rio Tinto, has recently been announced.**

The partnership will fund a three-year research scholarship into the relationship between Aboriginal communities, resource industries and government.

The doctoral (PhD) level scholarship will be administered by the Centre for Indigenous Natural and Cultural Resource Management (CINCRM) at the Northern Territory University.

The research will focus on the collection of data, the decision making for and distribution of benefits from developments, and the laws and systems to regulate commercial development.

Interested candidates for this PhD scholarship should contact the Northern Territory University Info Shop (08 8946 7766) for an information kit and application forms.

Aboriginal and Torres Strait Islander people are encouraged to apply.

Closing date for applications: 30 April 1999.

## Tribunal and ILC under review

Federal politicians are having a close look at how effectively the Native Title Tribunal operates and how extensively the Native Title Act extinguishes or impairs native title rights and interests.

The Parliamentary Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Fund is also looking at the operations of the Indigenous Land Corporation (ILC) and the Indigenous Land Fund, which the ILC uses to help indigenous peoples buy land and manage indigenous-held land.

The review started with a conference-style public hearing in Canberra on March 12, at which several indigenous leaders gave their views, including ATSIC NT Northern Zone Commissioner Josie Crawshaw, ATSIC Chairman Gatjil Djerkurra, Parry Agius from the South Australian Aboriginal Legal Rights Movement and Indigenous Land Corporation Chair David Ross.

The committee is due to visit Broome, Katherine, Kununurra and Mt Isa in April.



**Another enthusiastic dancer at the Walukurrung Video Festival at Kintore in March.**

**See full story on page 9.**

## Government's dirty tactics on Kakadu

**Attempted "buy-offs", "grubby vote-buying deals" and "extensive international bullying" are just some of the criticisms made against the Commonwealth Government in its current tactics to stop Kakadu being put on the World Heritage in-danger list.**

The Commonwealth Government is spending \$1 million on a propaganda campaign which appears to mirror the Olympic-style lobbying practices currently under scrutiny.

The campaign has already involved numerous international trips with more in the pipeline, aimed at lobbying the 21 countries on the World Heritage Committee which have already voted 20:1 that the Jabiluka uranium mine is threatening the status of the park.

"For all we know, he (Environment Minister Senator Hill) is running around to these developing countries offering support for their mining pursuits (in world heritage areas) in return for support for mining in ours," Democrat Senator Lyn Allison said.

Labor's foreign affairs spokesman Laurie Brereton said the high-level lobbying activities were yet another example of behaviour that would diminish Australia's reputation internationally.

He said world heritage issues should be determined on environmentally specific grounds, instead of "grubby vote-buying deals".

The Commonwealth Government is also trying to discredit the bodies that the World Heritage Committee

depends on for expert advice.

Senator Hill has written to the World Heritage Committee suggesting that Australia could help appoint a new panel of experts to examine the impact of the Jabiluka uranium mine on Kakadu.

The Government was "going to extraordinary lengths" to overturn the World Heritage Committee vote, said Mr Mark Wakeham, coordinator of the Environment Centre of the NT.

"If we wish to belong to international organisations like the World Heritage Committee, we have to be prepared to uphold their standards," he said.

Ms Jacqui Katona, a spokeswoman for the Mirrar people (one of the traditional owning groups in Kakadu) said the discovery of this \$1 million campaign made a mockery of meetings with Senator Robert Hill and showed the Commonwealth's only intention was to try to buy them off.

Ms Katona, along with Christine Christopherson, a member of the Gunjehmi Association representing the Mirrar traditional owners, recently served 10 days in jail for refusing to pay \$500 trespass fines after they were arrested during the Jabiluka protests last year.

The traditional owner of the mine site, Yvonne Margarula, also fined for trespassing on the land, is appealing against the NT Supreme Court decision to uphold the conviction.

If her appeal fails and she does not pay her \$500 fine, she also faces 10 days in jail.

## NLC Full Council Decisions

### Mabunji Lease

The traditional owners of the Borroloola area have approved a lease for the Mabunji Resource Centre. The lease will provide Mabunji with security of tenure and will give traditional owners a minimal rent.

### Elsely Pipeline Agreement

The traditional owners of Elsely Station have agreed to a lease to NT Gas to finalise the arrangements for the gas pipeline which has crossed their land since 1988.

Elsely Station has been recommended for claim by the Land Commissioner but has not yet been handed back by the Minister for Aboriginal Affairs. The finalisation of the gas pipeline agreement may be important in convincing the Minister that

there should be no further delay in handing the land back, and that the land becoming Aboriginal land will not prevent appropriate developments which are consented to by Aboriginal owners.

### Senior Bininj Group

The Full Council noted with approval the formation of a Senior Bininj group to provide advice and input on issues in relation to the Ranger mine and royalties. This group includes senior representatives from the three main organisations in the region, and provides high level leadership to the group.

The Full Council also agreed to take into account the advice of the Senior Bininj group in relation to the distribution of the Ranger royalty monies.

**Pictured below are some of the women council members at the Northern Land Council Full Council meeting at Katherine in March. Dhuwarrarr Marika (top left), East Arnhem region; Nellie Camfoo (top right), Katherine region; and Victoria River District members Deborah Jones (bottom left), and Nancy Roberts (bottom right).**



## The case of the disappearing Garnbak

**The Jawoyn Association along with the Northern Territory University's Centre for Tropical Wildlife Management and Parks and Wildlife scientists have launched a three year study into sustainable harvesting of wood for didgeridus.**

Garnbak, or the didjeridu, is a musical instrument the Jawoyn share as traditional cultural heritage with Aboriginal groups ranging from Doomadgee in the Gulf of Carpentaria north and west through Arnhem Land and the Daly River region as far west as the fringes of the East Kimberley.

It is used in certain

ceremonies such as funerals, Marradjiri (Morning Star) and Lorrkon (Hollow log mortuary), as well as in secular settings.

The instruments are made from lengths of various species of Eucalyptus hollowed out by termites; subsequently further hollowed and shaped, and then decorated with ochre paintings with mouthpieces tipped with the sugar bag wax from wild honey bees.

In the past decade, demand for didgeridus has exploded: partly through tourism; partly through international faddism sparked by "world music" and "New Age" philosophies.

In recent times a number of cases have been documented where areas near Katherine, on Jawoyn traditional lands, have been literally "strip mined" by non-indigenous people.

### "Nyrri-rrn-dok-bunay garnbak" -

### "We cut didgeridus"

They raid stands of Eucalyptus with quad bikes and chain saws, returning hundreds of "sticks" to a "mother truck" for return to Darwin and other centres.

Here they are hollowed and shaped mechanically and painted with "Aboriginal designs" by people such as backpackers.

Permits to harvest wood are issued by the Parks and Wildlife Commission of the Northern Territory.

By agreement, no permits have been issued over Jawoyn land in recent years. Despite this, unmanaged harvesting by non-Aboriginal people has continued.

In conjunction with the Commission, the Northern Territory University and the Centre for Tropical Wildlife Management, the Jawoyn

Association has obtained funding to develop a management plan for the sustainable harvest of woody stems for the crafting of didgeridus.

Areas that will be investigated would be the establishment of "green labelling" for wood used in didgeridu that has been harvested sustainably.

Used in conjunction with the long-proposed "authentication" mark for Aboriginal art/craft, this has the potential to bring widespread controls over the exploitation of Aboriginal culture and the environment from which that culture springs.

**O**utback Adventures TV star Troy Dann and Aboriginal academic Professor Marcia Langton threw their support behind the Institute of Aboriginal Development at a special function in Alice Springs recently.

The high profile pair were guest speakers at a dinner to launch Friends of IAD, a new group aimed at helping the Alice-based adult education college maintain and develop Indigenous forms of education.

The group may also be a useful ally in IAD's battle with the Territory Government, which is refusing to hand over \$2.6 million which the Federal Government made available in 1995 for upgrading the college.

Dann and Langton kept the audience entertained with stories and anecdotes.

Dann said he had learned a lot about hunting, and the spiritual side of the land from Aboriginal people. His show, which is seen in 100 countries throughout the world, regularly features stories with Aboriginal people. He praised IAD as a leader in its field saying, "I'm a friend of IAD."

Professor Langton, who once taught at IAD, recalled the dedication of students who often got up from a swag in a town camp to study at IAD. "It was said at the outset that we need to develop Aboriginal leadership in the town, we need an institution to do that," she said. "IAD took the lead."

However Professor Langton said the ideas behind IAD - educating Indigenous people within the Indigenous paradigm using Indigenous languages and Indigenous teachers - were under threat in the current political climate.

She questioned why former Liberal Party president John Elliott was not castigated by the Prime Minister for his recent derogatory comments about Aboriginal people.

She talked about the rise and decline of Hansonism, "yobboville" myths and "grand fantasies" about Aboriginal people, recalling one non-Aboriginal man who seriously believed Aboriginal people received "dog endowment cheques" from the government for their pets.

But Professor Langton said "Aboriginal culture is very, very strong and it's not going away." She toasted AID for "showing the light, especially in these darkest of times."

If you are interested in joining Friends of IAD contact Charlie Goldsmith 08 895111315 or Brian Day 08 8951 1302



Top right:left to right:Myra Ah Chee, IAD Director Donna Ah Chee, Brian Butler, Pat Miller, Barb Satour and Rachel Ellis

Right centre: Troy Dann, Minnie and Melissa Cole

Far right centre: Professor Marcia Langton entertained the crowd with witty anecdotes and a humorous contemporary political analysis. She recalled one non-Aboriginal man who seriously believed Aboriginal people received "dog endowment cheques" from the government for their pets.

Bottom right: Josie Douglas, Denella Hampton and IAD Deputy Debra Maidment.

## Danila Dilba pays tribute

**The Danila Dilba medical service has started a lecture series which will become a lasting tribute to its founding director, the late Sally Ross.**

Ms Ross played a vital role in establishing Danila Dilba, which in 1991 became



Above: Lowitja O'Donoghue with members of the Ross family

Darwin's first Aboriginal community controlled health service.

Ms Ross is also remembered by the thousands of people whose lives she touched in the 25 years she fought to establish community controlled Aboriginal health services throughout the Northern Territory.

Former ATSIC chairperson Lowitja O'Donoghue, who delivered the Inaugural Sally Ross Memorial Oration in Darwin recently, said community control was crucial to Aboriginal health.

"In traditional Aboriginal culture there was no single or separate word for 'health'," Ms O'Donoghue said.

"Health was life. It was experienced in the connection with the land, with people, and with the spiritual meanings which are at the core of our culture.

"Aboriginal people have been sidelined by a foreign culture. A culture which in many ways operates in absolute contradiction to our traditional values and ways of doing things...

"It is not possible to separate health issues from life experience. We cannot talk about Aboriginal health without taking on board the social circumstances that have led to particular health outcomes...

"There are strong links between good health and adequate housing, education, a clean environment, clean water and good health...

"Community control means lots of things. It means the community setting its own health agenda, determining its own priorities, managing its own clinics and services, responding to local needs, planning its own budget.

"Community control is about self-determination. It's about grass roots - not top down - decision making."

The lecture was held in conjunction with Danila Dilba's class of 1998 Aboriginal Health Worker Graduation.

## Native Title Test Cases

A number of major test cases over Northern Territory native title claims are currently moving through the courts. The cases are the Croker Island Seas case, the Miriuwung/Gajerrong case (Keep River National Park) and the Alice Springs case. Test cases are important for recognising the land and sea rights of Aboriginal people in Australian law. These cases will sort out many of the outstanding native title legal issues. The Northern Land Council is providing legal representation in both the Croker Island and Miriuwung/Gajerrong cases. The Central Land Council is providing representation in the Alice Springs case. There are a range of other important cases including Larrakia claims in the Darwin area, the St Vidgeons claim, the Township of Urapunga claim (on the Roper River) and compensation claims. These native title cases will also have important implications for the protection of traditional artwork, the recognition of traditional rights to native plants and wildlife as well as criminal law.

### CROKER ISLAND

The Croker case was decided by the Federal Court in July 1998, which found that native title exists over the entire area of sea and sea-bed which was claimed (2,000 square kms).

However, the decision was narrow and limited because the Croker Island traditional owners will have little say over developments on their sea country.

Balanda people and fishing interests can enter native title sea country without asking permission and without negotiating compensation about fishing, pearling, or other developments.

This is because the court said the native title was 'non-exclusive' and 'non-commercial'.

Traditional owners gave strong evidence that they had exclusive traditional rights over their sea country.

Despite the limits of this decision, the Federal Government has appealed against it, saying that native title cannot legally exist beyond the low tide mark.

The traditional owners have also appealed against the decision, saying that rights to trade in the resources of the sea, rights to minerals on the sea bed and current fishing licences are not valid because the Croker seas are 'private' waters and that their native title is not subject to the public right to enter their waters and fish, navigate, or to international right of free passage.

The appeal is due to be heard in late May.

### MIRIUWUNG/GAJERRONG

The Federal Court's Justice Lee handed down his decision in the Miriuwung/Gajerrong case in November 1999, which covers land in Keep River National Park in the NT and large areas of vacant Crown land around Kununurra in WA.

This decision was a major victory for Aboriginal people, which has scuttled the WA Government's native title legislation.

In contrast to the Croker Island case, Justice Lee found that the Miriuwung and Gajerrong peoples have substantial and exclusive native title rights which are equivalent to full ownership of the land.

This includes:

- exclusive rights of possession, occupation, enjoyment and use of the land;
- exclusive rights to the resources of the land which, it seems, might include minerals;
- a right to trade in the resources of the land;
- a right to a portion of any resources taken from the land.

The NT and WA Governments have appealed against the Miriuwung/Gajerrong decision to the Full Bench of the Federal Court.

Justice Lee found that it is very difficult to extinguish native title and that the traditional owners kept their spiritual and fishing rights in Lake Argyle.

This means that traditional owners might be able to influence commercial developments and tourism on the lake.

### ALICE SPRINGS

Federal Court hearings into the long running Alice Springs native title application have closed.

Some final written submissions have yet to be resolved, but a decision on the application is expected some time this year.

This claim is to crown land in and around the town of Alice Springs.

In February, the hearing resumed for the fourth time in Alice Springs.

Lawyers for the applicants have argued that native title has not been extinguished in the areas under claim, and that the rights of all the Arrernte native title holders who have maintained their connection to Alice Springs must be recognised.

The NT Government has acknowledged the continuing Arrernte connection to Alice Springs.

However, Government lawyers have argued that native title has been extinguished by the various grants and activities of the Territory Government and administration over the past 127 years.

More than 70 witnesses have given evidence during the course of the hearings over the past two years.

The application is over vacant Crown land, reserved land and leasehold held for national park purposes.

Meanwhile, the NT Government has started issuing notices proposing development in the Alice Springs town area, following amendments to the Native Title Act.



Barb Cox, pictured here with Central Land Council Chairman Max Stuart (*left*) and Deputy Director Harold Furber, celebrates 20 years at the Central Land Council (that's nearly as long as the land councils have been around!). Barb is now the Womens' Officer at the CLC.

## Invitation wait

The Central and Northern Land Councils are still awaiting an invitation from the Minister for Aboriginal and Torres Strait Islander Affairs, Senator Herron, for recognition as Representative Bodies under the new Native Title Act.

Senator Herron indicated in February that he intended to invite the Land Councils to re-apply to be Representative Bodies for their existing regions.

Organisations around the country have to re-apply for recognition as Representative Bodies following amendments to the Native Title Act last year.

The re-recognition of Representative Bodies is due by the end of October 1999.

Where an area includes all or part of an existing Representative Body area, the Act requires that the existing Representative Body be given preference.

## LAND BACK

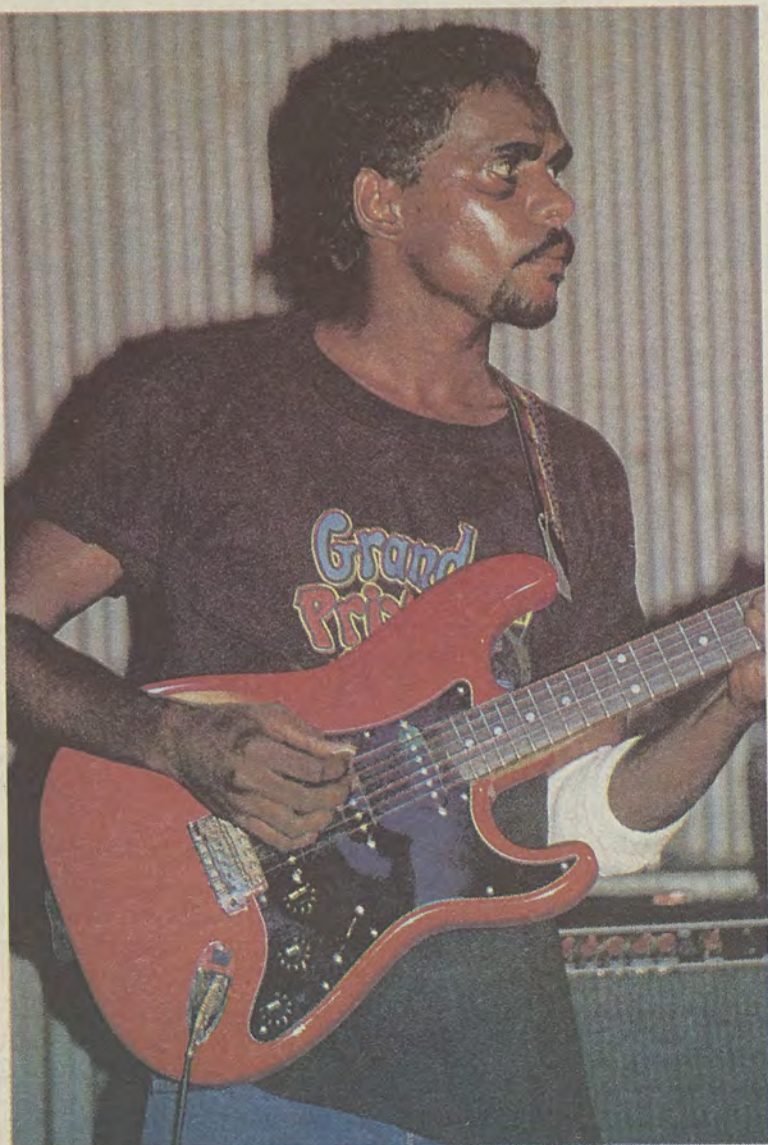
Traditional landowners in three areas in the CLC region are looking forward to having their traditional country handed back to them.

Hundreds of Aboriginal people will soon celebrate the handbacks in special ceremonies.

Federal Aboriginal Affairs Minister John Herron accepted the recommendation of the Aboriginal Land Commissioner to hand back land following the Central Mt Wedge and Tempe Downs land claims.

Land at Urrpantyenye will be returned after a settlement was reached between the NT Government, neighbouring pastoral lease holders and the claimants.

The handbacks will see a total of more than 11,000 square kilometres of land returned to its traditional owners.



Top left: Maryanne Fisher from Yuendumu. Maryanne won one of the Central Land Council prizes for Young Achievers at the Walungurru Video Festival.

Top right: The kids at Kintore rocked into the night with Lajamanu Teenage Band.

Centre left: Gawirrin Gumana part of the delegation who came to dance at the public hearing held by the Parliamentary Committee enquiring into the Reeves Report on the Land Rights Act at Northern Territory Parliament House.

Above: Winners at the Tiwi Grand Final

Left: Terry from the Lajamanu Teenage Band at Kintore

Below: The opening of CAAPU in Alice Springs in January this year.





# IT'S FESTIVAL TIME !!!



*Aboriginal communities around the Northern Territory will spend the coming months celebrating the cool weather coming in the centre and the Dry in the Top End. Here's some of them:*

**June 6**

**Merrepen Arts Festival,  
Naiyu/ Daly River**

**June 11-14**

**Barunga Festival**

**June 18-20**

**Borrooloola Festival**

**June 25-27**

**Ramingining Festival**

**July 4-11**

**National NAIDOC Week  
celebrations, Alice Springs**

**July 12-16**

**Garma Festival of Traditional  
Culture at Gulkula**

**July 30/31**

**Yuendumu Sports Carnival**

**August 14**

**Oenpelli/Kunbarlanjanja  
Open Day**

**August 20-22**

**Borrooloola Rodeo**

**September 11**

**Jabiru Wind Festival**



## Briefly...

### SINN FEIN APOLOGY CALL

Sinn Fein leader Gerry Adams says Australian Aborigines deserve an apology from the Federal Government.

Mr Adams made the call after meeting a large group of Aboriginal leaders in Sydney recently.

Mr Adams was praised for taking the stand while visiting Australia.

Sinn Fein is the political wing of the Irish Republican Army.

### \$24 SIX-PACK FOR THE ALIEN!

The owner of a central Australian roadhouse has been charging Aboriginal people nearly twice as much for a six pack of beer as non-Aboriginal people.

The Wycliffe Well roadhouse proprietor began charging members of Ali Curung community \$24 for a six-pack after somebody trashed his "alien" tourist attraction.

The CLC filed complaints with the NT Liquor Commission and the Human Rights and Equal Opportunities Commission after a non-Aboriginal staff member was charged \$13 for a six-pack at the roadhouse.

The "alien" construction outside the roadhouse is made of bits and pieces and is used in promoting the business in an area where UFOs have reportedly been seen.

The roadhouse claims it has resumed charging normal price to all customers because it has recouped the cost of damage to the "alien". The case has received widespread publicity in the Northern Territory.

The roadhouse is about 350kms north of Alice Springs and about 40kms from the Aboriginal community of Ali Curung.

### AJAC REFORMS

The Territory's Aboriginal Justice Advisory Committee (AJAC) has reformed and set its priorities for 1999. Key areas to be looked at by the AJAC include:

- Aboriginal deaths in custody
- Indigenous court interpreters
- The impact of mandatory sentencing
- Prison transfers between Darwin and Alice Springs
- Detention of juveniles in adult facilities.

The new AJAC committee is made up of representatives of the Territory's four Aboriginal legal aid services and is chaired by Eddie Taylor.

### OPPORTUNITIES

Community art centres are often the most economically viable businesses in remote communities.

This is according to Felicity Wright who has just completed a national survey of Aboriginal art centres.

### NATIONAL NATIVE TITLE TRIBUNAL

Notice of Intention to Register an Area Agreement on the Register of Indigenous Land Use Agreements

#### Venn Blocks - Warlangluk Katherine, Northern Territory DIA99/01

This notice is taken to have been given on 7 April, 1999.

##### Description of the area covered by the Agreement.

"The horticultural land" is that part of NT Portion 2255 held by the Northern Territory Land Corporation under Crown Lease Perpetual 197. "The Site" of approximately 16 hectares is described as NT Portion 5607 (A). See the site plan below for the location of the horticultural land and the Site, which together comprise all the area subject to the Agreement.

##### PARTIES TO THE AGREEMENT AND THEIR ADDRESSES

Katherine Land Claim No 240 Claimants	c/- Chairman Northern Land Council PO Box 42921 CASUARINA NT 0811
Native Title Holders of the Site and the Horticultural Land	c/- Chairman Northern Land Council PO Box 42921 CASUARINA NT 0811
Jawoyn Association Aboriginal Corporation	Director Jawoyn Association PO Box 371 KATHERINE NT 0851
Northern Land Council (NLC)	Chairman Northern Land Council PO Box 42921 CASUARINA NT 0811
Northern Territory Land Corporation (NTLC)	Chairman Northern Territory Land Corporation GPO Box 326 DARWIN NT 0801
Northern Territory of Australia	Chief Executive Officer Department of Lands, Planning and Environment GPO Box 1680 DARWIN NT 0801.

The Agreement contains the following statements:

2. The current native title holders of the horticultural land and the Site surrender their native title rights and interests in the horticultural land and the Site to the Territory. The current native title holders acknowledge that the surrender of their native title rights and interests in the horticultural land and the Site will extinguish those rights and interests.
- 2.1 The Territory undertakes to grant an estate in fee simple (freehold title) in the Site to the Warlangluk Aboriginal Corporation (under incorporation).
- 2.2 All of the parties agree that Part 2 Division 3 Subdivision P (of the *Native Title Act 1993*, and which refers to the right to negotiate) is not intended to apply to any of the future acts proposed in the Agreement.

##### Objections

This application has been certified by the Northern Land Council as the representative body for the area. Any person claiming to hold native title in relation to any of the land or waters in the area covered by the Agreement may object to the Registrar in writing, by 6 July 1999, against the registration of the Agreement on the ground that the requirements of s.202(8) (a) and (b) of the *Native Title Act 1993* were not satisfied in relation to the certification.

Section 202(8) requires that the representative body made:

- (a) all reasonable efforts to ensure that all persons who hold or may hold native title in relation to land or waters in the area covered by the agreement have been identified; and
- (b) all of the persons so identified have authorised the making of the agreement.

Such objections should be sent to:

Registrar  
National Native Title Tribunal  
GPO Box 9973  
DARWIN NT 0801

This application for registration was received on 15 March 1999. Further information about the application can be obtained by calling 1800 640 501. Further details of the application may be obtained from the Darwin Registry of the National Native Title Tribunal, by calling (08) 8936 1600. Search and photocopy fees apply.

### NATIONAL NATIVE TITLE TRIBUNAL

#### Notice of Claimant Native Title Determination Application by a non-native title interest holder

This notice is taken to have been given on 7 April 1999. The following application has been made by a non-native title interest holder (a "non-claimant application"). Any person whose interests may be affected by a determination in relation to the application, and who wishes to become a party to the application must notify the Registrar of the Federal Court, in writing, at NT District Registry, Commonwealth Law Courts, Cnr Mitchell and Herbert Street, Darwin NT 0801 by 6 July 1999. If a person wishes to become a party to the application after that period they must apply to the Federal Court for special permission to become a party.

The notice to the Court should specify the interest which will be affected and include the Court's file number given below. The National Native Title Tribunal may be able to assist persons to prepare their application to become a party.

It should be noted that unless a native title claim by a native title claim group is lodged and registered by the Tribunal before 6 July 1999 acts may be carried out on the area covered by this application in accordance with the Native Title Act.

It should also be noted that there can only be one determination of native title for an area.

If a person does not become a party in relation to the application, there may be no other opportunity for the Federal Court, in making its determination, to take into account the person's native title rights and interests in relation to the area concerned.

##### PINE HILL STATION

Federal Court No: DG6041/98 (NNTT: DN 98/1)

State	Northern Territory
L.G.R	Alice Springs Town Council
Type	Land

**Description** The part, situated east of the Stuart Highway, of Northern Territory Portion No 725 held under Perpetual pastoral lease no 1030, known as Pine Hill Station, comprising approximately 1173 sq kms and excluding access and energy supply easements as noted on the certificate of title.

For further information call 1800 640 501. Further details of the application may be obtained from the Darwin and Perth Registries of the National Native Title Tribunal. Search and photocopy fees apply.

## Mutitjulu mob do it for themselves

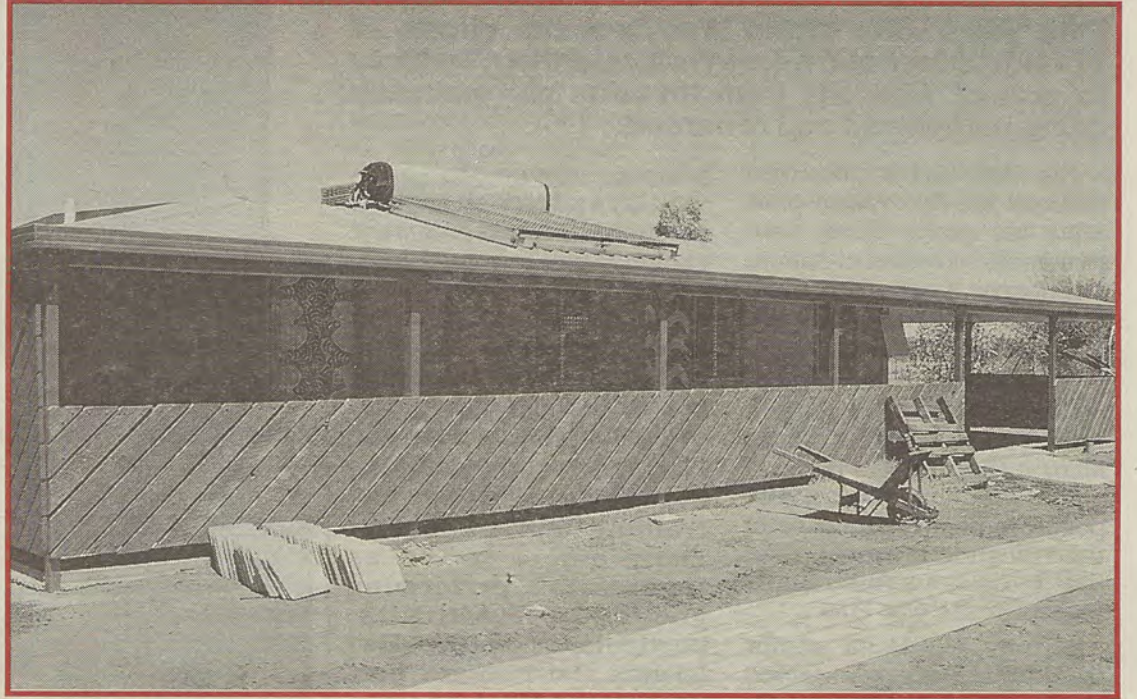
With the help of the NPY Women's Council, the Mutitjulu Community was able to build a house specifically to accommodate disabled people and their families.

Funded and designed by the community, the house is intended as a respite centre for disabled people wanting to take a break from home. Mutitjulu Community Store and Territory Health Services provided the funding.

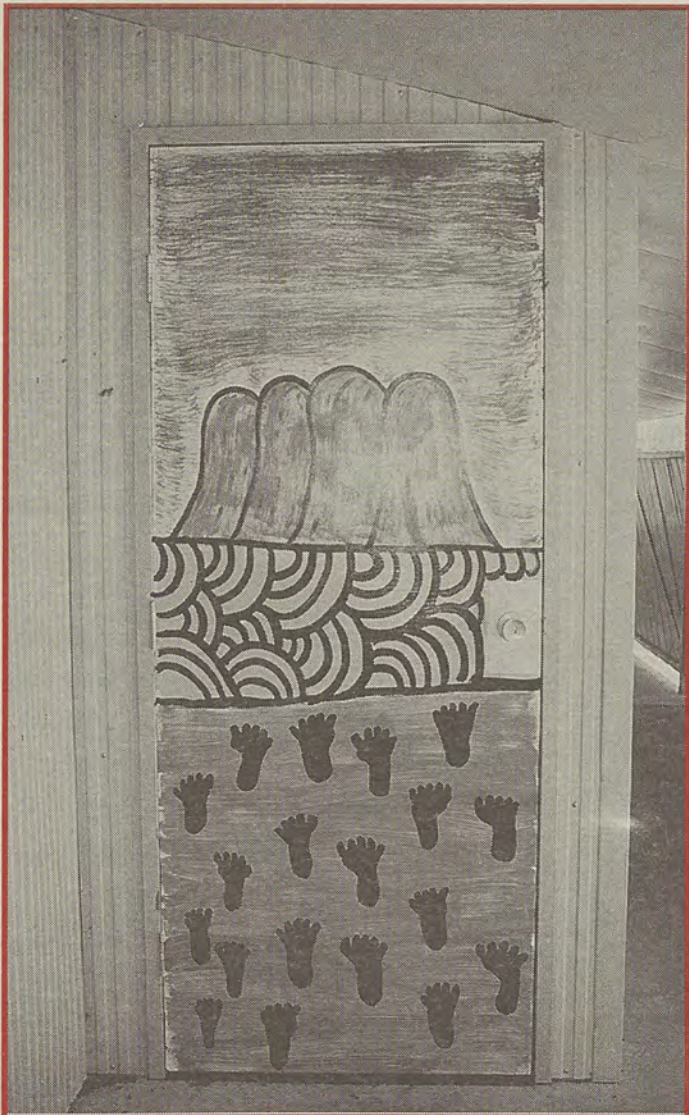
A feature of the house are the beautiful doors painted by community members.



Above: Elsie Wanatjura at Mutitjulu. Elsie is on the Committee in charge of the house built by the community to provide short term accommodation for disabled people and their families. The project is an initiative of NPY Women's Council.



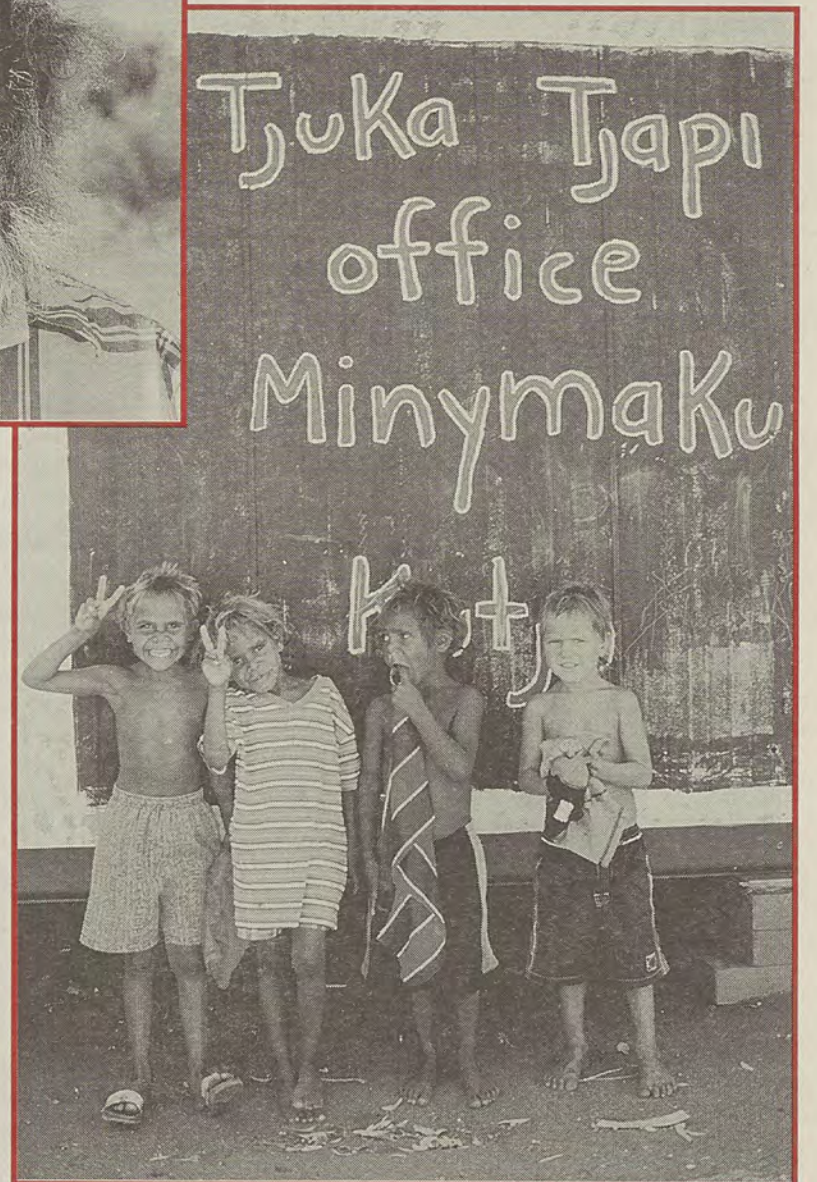
Above: The house donated by the community. The path was built by the young men of Mutitjulu.



Above: Walter Pukatjwara who is also on the Committee.

Left: One of the brilliant doors to the house painted by Rene Kulitja.

Right: Mutitjulu kids outside the NPY office at the community.



## WAR EFFORT FINALLY RECOGNISED

Fifty years after World War Two, the efforts of Aboriginal men and women in the Northern Territory to protect Australia from invasion are gradually being recognised and rewarded.

Two Port Keats men, who rescued an Australian pilot after his plane burst into flames and crashed in remote northern Australia have received the Civilian Service Medal 1939-1945.

In presenting the medals on March 4, Aboriginal and Torres Strait Islander Affairs Minister, John Herron acknowledged that many people still are unaware of the tremendous contribution that Indigenous Australians played in the war effort.

Johnny Chula, a senior traditional elder, who served in the Royal Australian Air Force Aboriginal Labour Unit accepted his medal from Senator Herron,

Leo Melpi accepted the medal on behalf of his late brother Danny Melpi who served in the Australian Army Aboriginal Labour Unit.

The medals recognise the service both men made to the nation on the homefront during WWII.

In 1945, Mr Chula led the team, including Danny Melpi, which rescued an injured pilot hanging by parachute in bushland after his Vultee Vengeance attack bomber burst into flames and crashed killing a senior RAAF official.

Hundreds of Indigenous

people served in both military and civilian support positions, undertaking work ranging from tanning hides, collecting firewood and growing fruit and vegetables for the troops, to taking up arms and patrolling beaches, building airstrips and destroying sea mines.

As well as being employed in the military, with formal training and induction, many others served as "irregulars" performing guerilla activities, particularly on the Tiwi Islands and in North East Arnhem Land. A third group of more than 700 worked as civilian labourers.

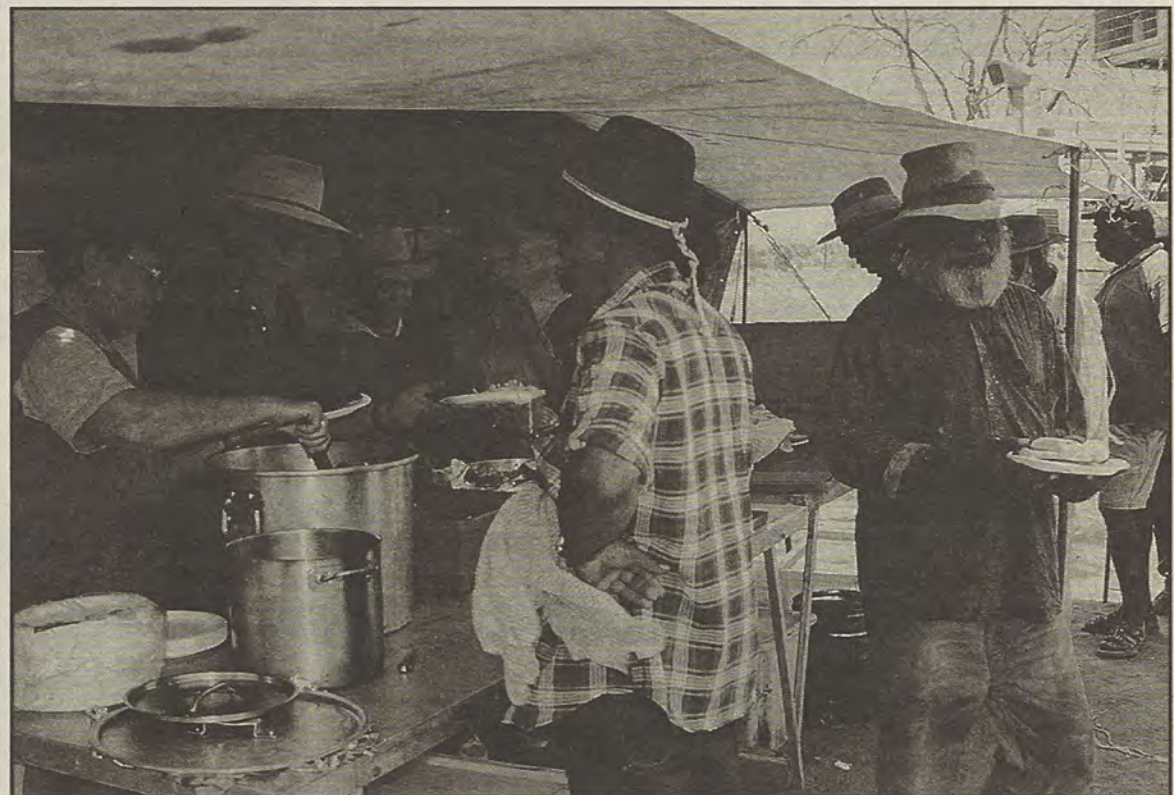
The "irregulars" did not receive any pay at the time for their efforts, while the civilian labourers were paid the minimum wage for Aboriginal people, which was sometimes paid "in kind".

In recent years, the "irregulars" and the civilians finally have been recognised for their efforts.

The "irregulars" received financial rewards for their efforts in the early 1990s and the war efforts of the civilian labour units have only just this year been recognised with the presentation of service medals.



Johnny Chula receives the Civilian Service Medal from Minister for Aboriginal and Torres Strait Islander Affairs, Senator John Herron at Port Keats.



The Central Land Council held a Full Council Meeting at Three Bore outstation north east of Alice Springs on 9-10 March this year.

Left: CLC director Tracker Tilmouth addresses the meeting about the Reeves Report and the parliamentary committee which is currently touring the Northern Territory.

Above: The CLC mobile kitchen provides breakfast lunch and dinner for some 80 delegates at every Land Council meeting.

**About this little devil and this little fella**  
**Albert Barunga, Stephen Muecke**  
**and Julie Dowling**

**Magabala Books \$12.95**



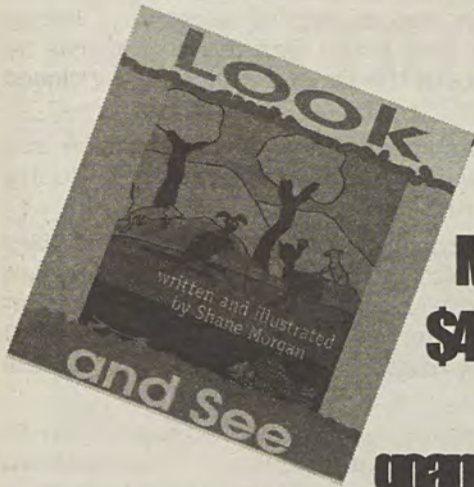
**M**agabala Books, Indigenous Australian Publishing from Broome, continues its program of quality children's books with three new offerings.

"About this little devil and this little fella" is a story told by Albert Barunga before he passed away in 1977. Barunga was a senior elder from the Prince Regent area of the Kimberley whose life was devoted to the promotion of Aboriginal culture. This remarkable fable, one of a number of stories recorded by Stephen Muecke in the mid 1970s, has all the elements to keep a young child entranced: a family outing, a scary devil and salvation. The message of the story, that children should not touch or harm bats, is especially important today because of the health risks

we now know exist from fruit bats.

"Look and See" is a pocket-size book written and illustrated by Shane Morgan as part of a Magabala series for 'little kids'. Aimed at early reading, or pre-reading age children, the designs are simple but effective, and there is enough life in the text to keep a young child coming back for more.

The pick of the three new offerings, however, is the delightful story 'goanna jumps high' by Uradangi State School. Uradangi is south-west of Mount Isa, near the Northern Territory border. This pocket-sized book tells the story of how the school trained a goanna to do the high jump so they could win the local sports competition. This is a great little story that a reader of any age will enjoy, again and again.



**Look and See**  
**Shane Morgan**

**Magabala Books**  
**\$4.95**

**goanna jumps high**

**Uradangi State School**  
**Magabala Books \$4.95**



**Nabarlek band**  
*munwurrk bushfire*

**"MUNWURRK"**

*Konda nuk barri-wurhengk*  
 Maybe they are burning the country

*Konda nuk barri-wurhengk*  
 Maybe they are burning the country

*Nuk ngaye nganang*  
*karrongdolkkan*  
 Maybe that's smoke I saw rising up

I seen the fire burning across the land  
 It rising through the land of the kangaroo  
 And now it's time to hunt and catch wild game

*Konda nuk barri-wurhengk*

*Konda nuk barri-wurhengk*  
*Nuk ngaye nganang*  
*karroingdolkkan*

Just like the people back in the olden days  
 They paint themselves before sunrise  
 They start the fire when the sun is up

*Konda nuk barri-wurhengk*  
*Konda nuk barri-wurhengk*  
*Nuk ngaye nganang*  
*karroingdolkkan*

*Kumekke manwurrk*  
 That's where the bushfire  
*Bibom ngabbard*  
 burnt my father  
*Kumekke barndi*

He climbed up high there  
*Yayameng kunj yirrokmeng*  
 and returned home with the kangaroos he speared

*Konda nuk barri-wurhengk*  
*Konda nuk barri-wurhengk*  
*Nuk ngaye nganang*  
*karroingdolkkan*

They always return loaded with wild game  
 And when the night falls  
 They always make a feast  
 They sing and dance all through the night

*Konda nuk barri-wurhengk*  
*Konda nuk barri-wurhengk*  
*Nuk ngaye nganang*  
*karroingdolkkan.*

**T**he Nabarlek Band's first CD and Cassette is selling like wildfire....and so it should. The album is entitled *Munwurrk* which is the Kunwinjku word for bushfire.

Since recording the album in a small room temporarily turned into a recording studio at Manmoyih outstation, where most of the band live, the band has played to big crowds all around Western Arnhem Land.

Nabarlek Band takes its name from the smallest of the rock wallabies ...not the uranium mine, which was also named for the animal.

Bushfire is a fantastic mix of traditional songs shifted in tempo and arrangement to suit electric equipment.

The Bushfire theme reflects the deep cultural importance of traditional burning and using fire for hunting in western Arnhem Land.

The album is on sale in selected music outlets in Darwin but mail order copies can be purchased by telephoning Debra Mason or Derek Carter at Demed Association Kunbarllanjja on 08 89 790144.

Northern Territory University's Professor Marcia Langton and TV star Troy Dann at the Friends of IAD fundraising dinner in Alice Springs see p22.



Djomi Museum Maningrida, Arnhem Land N.T.  
 postal: PMB 102 Winnellie NT 0822 Australia  
 ph 08-89795925, 08-89795946, fax 08-89795996

# ARRERNTE KIDS MAKE THRILLER FILM



THE DETOUR VIDEO TEAM left to right: Valentine Palmer, Zac Coonan, John Doolan, Cathy Turner, Gwen Hayes, Deborah Cambell, Shirley Turner, Shane Webb.

how to tell good stories."

The course is the second run by Mr Vadivaloo and the Detour Project. A pilot video called Iwerre Heherrame or Two Paths was made last year by Detour kids about the Detour Project being closed down.

The video was shown on Imparja Television and received an award at the Australian Film Industry Awards last year.

The Detour Project, a joint initiative of the Alice Springs-based Tangentyre Council and Centralian College, offers a supportive and culturally sensitive learning environment for Aboriginal youth 'at risk' in Alice Springs who have not been accessing education.

Most of the students who come to Detour live in difficult and dysfunctional family situations in town camps in Alice Springs and have Arrernte as their first language.

Many live in tin sheds on the outskirts of town with no electricity and others live in houses containing up to 30 people.

Detour student Zac Coonan said he much preferred Detour to normal school.

"Its more practical - you do real things down there - like this film for instance," he said. "Most of my friends prefer it to normal school too."

"Next year I want to go to the college in Darwin so I am doing some Year 11 subjects by correspondence. Detour has helped me with that."

David Vadivaloo said the students had learnt even more than he had hoped.

"Its been fantastic," he said. "What they have done so far has far exceeded my expectations of any group of new students that I've worked with in five weeks of training."

**E**ight Alice Springs town camp kids are writing, directing and acting in their own 20 minute thriller.

Course coordinator David Vadivaloo said the kids, many from White Gate camp in Alice Springs, wrote the plot in two hours.

"The original course plan was for seven two minute videos but they decided they would prefer to make

a 20 minute thriller," David said.

"They worked out all the twists themselves, they named all the characters, and they made more complex back stories and twists in the plot than I would have ever expected, given they have only been doing the film course for five weeks.

"It's also indicative of how video literate they all are, and how aware of story structures and

## The Milingimbi Festival



Above: Internationally renowned Milingimbi artist Daisy Manybunharrawuy took out the prize of overall winner of the festival's Art Competition with her four paintings depicting the Wagilag Creation story.

Below: Keith Lapalung and the Wirrynga Band in full flight playing the Wipeout at the 13th Milingimbi Cultural Festival.



# Jurnkurakurr Softballers win Tournament



The Jurnkurakurr Softball Team: Natasha Storey, Gina Smith, Anita Meyers, Eva Ricky, Denise Meyers, Shirley Lewis, Jackie A'Hang, Sheralee Taylor, Tania Liddle, Rowena Rankine, Jolene Cottrell, Bronwyn Snith and officials Graeme Smith (Coach) Alan Cassman (Assistant Coach) and Murray Liddle (Manager).

**Ten Tennant Creek softballers will be part of the Indigenous Australian side to tour New Zealand and Fiji in January next year**

The Jurnkurakurr Softball Team from Tennant Creek were undefeated at the first Ngunnawal Cup National Indigenous Softball Tournament in Canberra early this year.

Jurnkurakurr gave the Canberra Reds a thrashing winning the grand final by 17-0 and took out the gold medal.

Gina Smith who played in the

tournament said it was a fantastic experience.

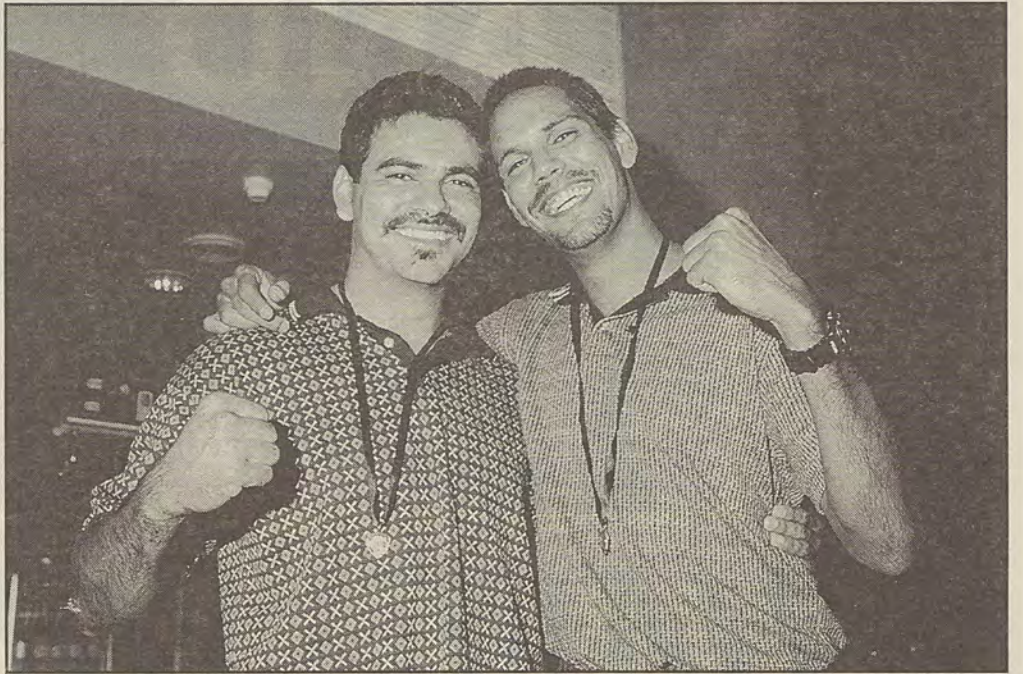
"All the girls played fantastically - it was a true team even though it was the first time we had ever played together," Ms Smith said.

"It was a credit to the organisers."

"The players picked to tour with the Indigenous side are really excited," Ms Smith said.

The Tennant Creek players are seeking sponsorship if anyone can assist.

# Aboriginal Players Win Medals



Above: Adrian Collard and Tommy Weetra with their Nicholls Medals

**Two Aboriginal players have tied for this year's NTFL's Nichols medal.**

NT football's most prestigious medal was won by Southern Districts forward Adrian Collard and St Mary's defender Tommy Weetra.

Both players won 14 votes, making it the second tie for the medal in three seasons.

Collard, originally from WA said that winning the medal rates "right up there with winning last year's grand final".

Weetra said Collard's ankle injury in the last round was probably the main reason he was able to pick up the points he needed to tie.

"I'm rapt. I thought I had a chance when Popsy (Collard) got hurt in the last round," he said.

Collard also won this year's NT News-Coca Cola Player of the Year.

## Smith picked for ABL



**Alice Springs baseballer and CLC employee Graeme Smith is the only Aboriginal person picked to play in the Australian Baseball Team to tour Europe in June this year.**

Mr Smith is a well known sporting figure in both Tennant Creek and Alice Springs and toured with the Australian Baseball team in 1997 to the Czech Republic, Italy and Austria.

# TIWI CELEBRATE THEIR FOOTY

**"The whole of the Tiwi Islands love their football - if they are not talking about it, they are playing it."**

And to prove his words, Tiwi Islander, former VFL footballer and current Member of the Legislative Assembly in the NT Government Maurice Rioli did both on Sunday March 14, the biggest day of the Tiwi footie season.

The Tiwi Islands Football League Grand Final on Nguiu Oval attracted hundreds of supporters from Bathurst and Melville Islands and the mainland. They watched Imalu Tigers defeat first-time finalists Ranku Eagles 9.8 (62) to 3.6 (24), to take out their 14th premiership.

To mark the 30th anniversary of the Tiwi Islands Football League, four skydivers,

flying the team colours and Tiwi flag, dropped into the oval before the big game.

The crowd was also entertained by dancers in ceremonial costume and Tiwi women and children singing the Tiwi anthem and songs promoting healthy living.

The program also included a match between Tiwi Island Superules and NT Superules, with players including Maruice Rioli

and NT Federal MP Warren Snowdon.

Participation is the name of the game at the Tiwi Grand Final, with supporters stepping onto the field at every opportunity - from the women, dressed in their team's colours, flocking round the goalposts to cheer on their players, to children displaying signs of their future footie skills during the breaks, and people milling around the

coach and players to involve themselves in the quarter-time pep talks.

In the presentation ceremony at the end of the day, Imalu half-forward Paschal Tipungwuti received the John Pye Medal for the best player.

Brother Pye, now 92, arrived on Tiwi in 1941 and is credited with introducing Aussie Rules to the islands.

"Football on Tiwi is clear, fast and

determined, and many great players have come from the islands over the years," Brother Pye said.

Ranku's Nathan Pilakui was awarded the Ted Whitten Medal for the best and fairest player in the competition, while Imalu captain Albertus Tipungwuti accepted the Maurice Rioli Premiership Cup on behalf of the team..

# LAND RIGHTS ACT REVIEW...



## HAVE YOUR SAY!

ALICE SPRINGS	APRIL 12
TENNANT CREEK	APRIL 13
KALKARINGI	APRIL 13
TI TREE	APRIL 14
UTOPIA	APRIL 14
YUENDUMU	APRIL 15
ULURU	APRIL 15
ALICE SPRINGS	APRIL 16
KATHERINE	MAY 4
NGUKURR	MAY 5
YIRRKALA	MAY 6
GROOTE EYLANDT	MAY 7

The Land Rights Act, has let Aboriginal people win back almost half of their country in the Northern Territory. The Act also lets people use their country how they want - for culture or business. A committee from Canberra is looking at the Reeves Review of the Land Rights Act and will be visiting the N.T. on these dates to take evidence from the public. Make sure you and your community have a say on the Reeves review and protect your land rights.

*For more information, contact the Northern or Central Land Councils.*