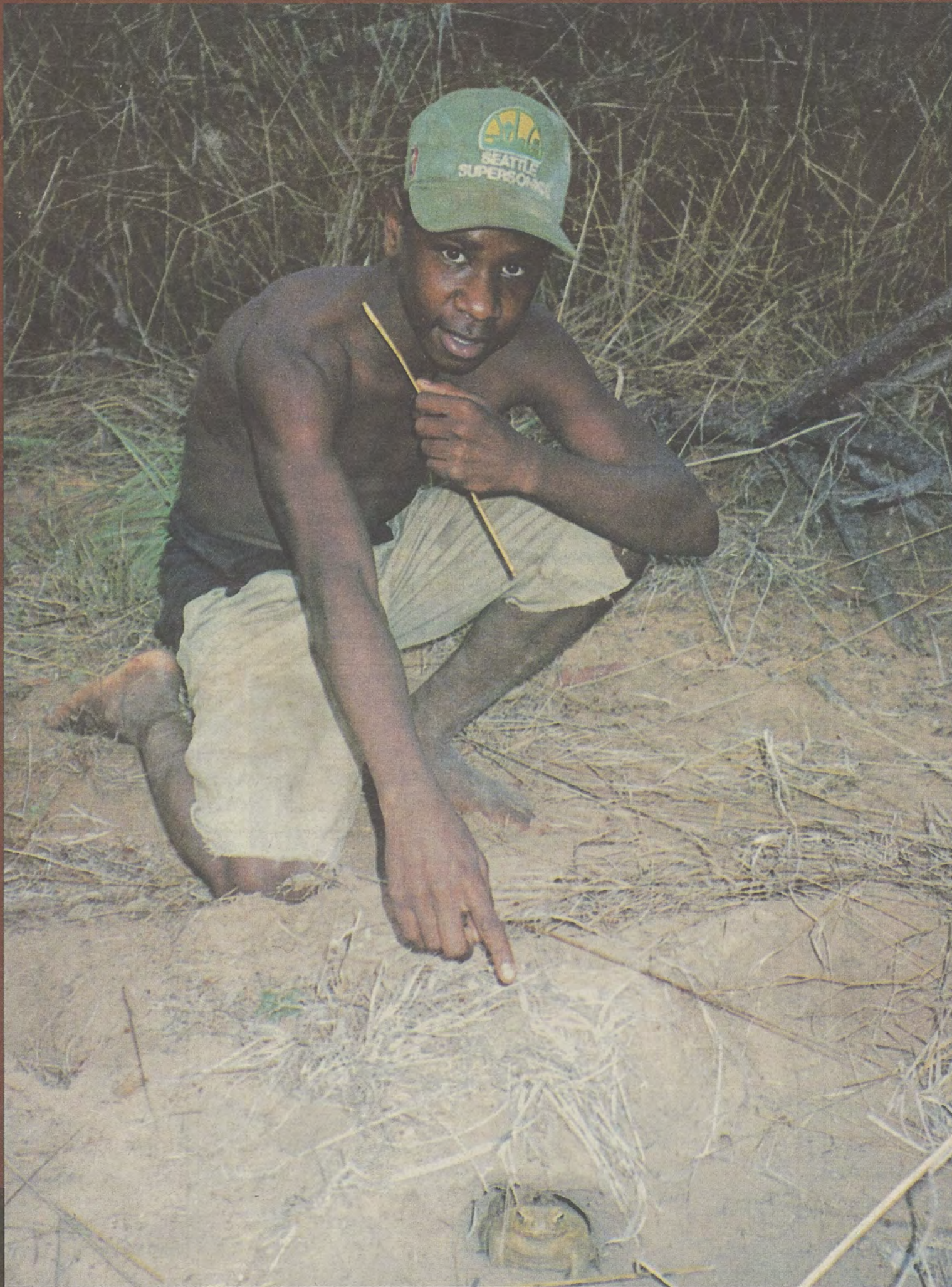




LAND RIGHTS NEWS



One Mob, One Voice, One Land



INSIDE: Cartoon centre spread , oil and gas venture, Alice Springs native title

LAND RIGHTS NEWS

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COVER PHOTO

Jerome Camfoo points to a cane toad in Arnhem Land

The Republic question

The October Referendum rejected the Republic - but it doesn't mean that the issue is gone forever. There is nothing to stop the Republic question coming up again in the future.

Next time, it needs to be more inclusive of Aboriginal people.

The Republic model presented did not provide any positive benefits for the rights of Aboriginal people, but the Northern Land Council had felt that a Republic would provide a better chance in the near future of securing recognition of Aboriginal law and protection of Aboriginal rights in a rewritten Constitution.

Northern Land Council chairman, Mr Galarrwuy Yunupingu, said that at the very least a YES vote would have signalled that Australia was ready to embrace change and recognise Australia's Indigenous peoples and protect our rights.

Acting director of the Central Land Council, Mr David Ross, also said he thought a Republic could ease the way to entrench Aboriginal rights in the Constitution. He said that the last debate had clearly by-passed Aboriginal people and he hoped any future

moves would address Indigenous concerns more closely.

If the Republic question does get raised again, the important role of the Land Councils will be to make sure that Indigenous rights are recognised within the Australian Constitution.

Preamble

Both Land Councils were happy that more than 60% of voters said NO to the proposed preamble to the Australian constitution.

The preamble is the words that introduce the constitution and normally talks about the principles or basis for how Governments should run, or says how people would like things to be done.

Unfortunately, Aboriginal people were not consulted in the drafting of the Preamble, and the set of words on offer did not recognise Indigenous ownership and custodianship of the land and diminished the status of Aboriginal people. Consequently the Northern Land Council recommended a NO vote. ●

State issue back on the agenda

Aboriginal people have very real concerns about the process and timing of the current push to Statehood.

Despite a No vote to Statehood just over a year ago, the Chief Minister Denis Burke is pushing ahead with a public education campaign in the lead up to another vote on Statehood, possibly as early as July 1, 2000. And there are no indications on how they will include Aboriginal Territorians.

But Acting director of the Central Land Council Mr David Ross said that Aboriginal people were not interested in Statehood unless our fundamental rights, like land rights and native title, were enshrined in a new Constitution.

The Northern Land Council also has stated that the process must ensure recognition of Aboriginal laws.

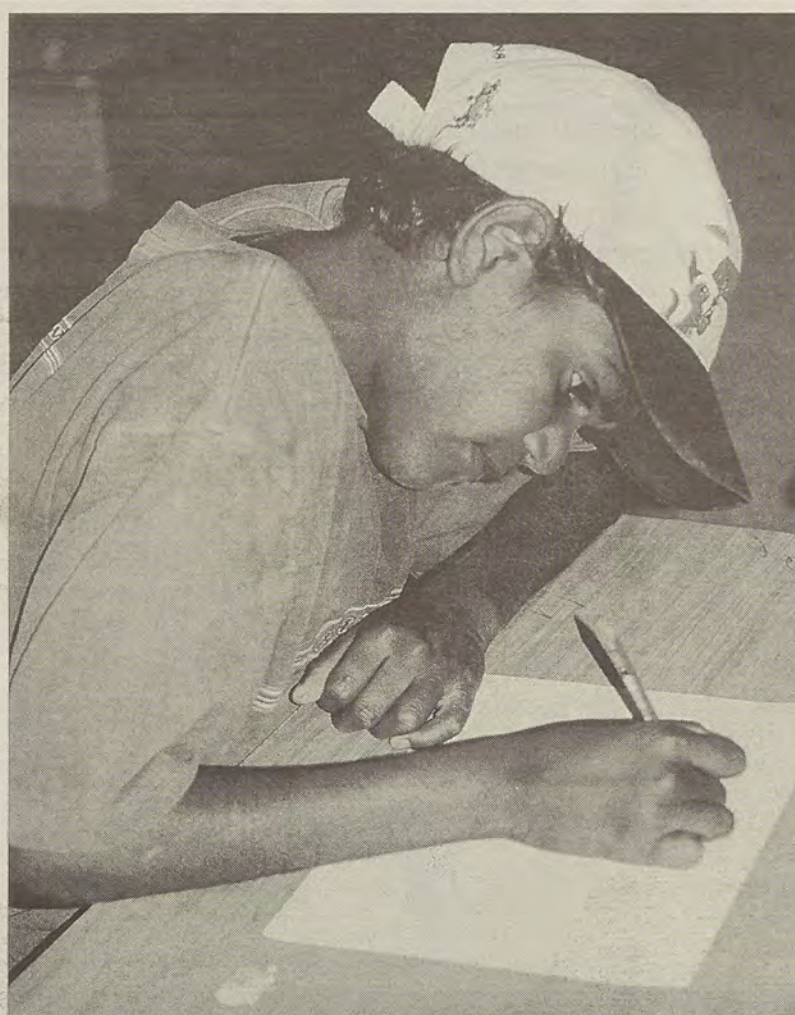
Specifically, the Indigenous Constitutional Committee has said that protecting the integrity of the Land Rights Act as it is, and not changing the legislation without the informed consent of Aboriginal people, is an essential precondition of any move towards Statehood.

Mr Burke told ABC News that he thought Territory Day 2000 would be a good day to hold a threshold vote on whether Territorians wanted Statehood.

This follows earlier public statements that he favoured two votes on the process to Statehood. The first poll would determine whether the community supported a move towards Statehood and the second would be to approve a model (determined by the Federal Parliament) for a Territory constitution.

It is very clear that the issue of Statehood is not going away. Indigenous people need to be vigilant to make sure that any changes to the constitution don't damage their rights, and they need to be pro-active to ensure Indigenous and human rights are protected.

They have to ask themselves if the current Territory government has moved forward since the drafting of the historic Kalkaringi Statement and the recommendations from the Batchelor Constitutional Convention ●



This student at Areyonga is doing better than many Aboriginal kids in the Northern Territory - he's at school. The new Collins report on education *Learning Lessons* highlights lack of attendance as a major problem. Story page 7

Wardaman people win back Innesvale Station

"We, through this speech delivered on behalf of all our Wardaman people, seek to draw attention to our situation up to this time and to show you that we are strong in our law, in our culture and in the knowledge of our land."

With these words, May Rosas (with Bill Harney translating into the Wardaman language) concluded the ceremony held in Katherine on November 5 for the official handover of Innesvale Station, about 150kms south west of Katherine, to the Wardaman traditional landowners.

Older claimants at the handover can recall first-hand experience of the frequently harsh and punitive conditions on cattle stations in the area. There is a strong oral tradition relating to the often violent early frontier period which saw many Aboriginal people from this area killed, including close relations and immediate forebears.

But despite this recent harsh history, the Wardaman claimants to Innesvale Station have maintained strong traditional attachments to the area.

They see the hand back as a way of making sure that future generations can maintain their connections and knowledge of the country. They feel that important knowledge can only be given while people are actually on the land.

The claim complements steps already taken by Wardaman people to care for their country and to make sure that future

generations have the right skills and knowledge to carry on this task.

At the moment, many of the claimants live either in Katherine or nearby communities, but many now say they would like to plan to return to live on the land.

Wardaman people are proud of the mythological richness of their country, and several rock art sites are registered with the Australian Heritage Commission.

Land of the Lightning Brothers, a film documenting mythological and ceremonial traditions of Wardaman people, was released in 1987.

Wardaman people also emphasise the abundance of their country's resources, such as yams, sugarbag, fish, turtle, turkey and kangaroo.

Much of Innesvale Station, covering 2820 square kilometres, is rugged country, studded with eucalypt woodlands interspersed with open grass and lightly timbered plains. Much of it is inaccessible by vehicle, particularly in the north, with mountainous areas and deep gorges.

The handover by the Federal Minister for Aboriginal and Torres Strait Islander Affairs Senator Herron follows an agreement with the



Wardaman men Kenny Allison (30) and Matthew Gill (16) proudly hold the title deed for Innesvale property.

NT Government in 1996.

Chief Executive Officer of the Northern Land Council, Mr Norman Fry, welcomed the move.

"I would like to see more land claims dealt with through agreements, rather than the adversarial process involving the Land Commissioner," he said.

"Innesvale is a perfect example of a claim that is clearly indisputable," Mr Fry said.

"The traditional owners have a continuing, close connection with this land, which is rightfully theirs.

"There are many similar cases waiting to be dealt with – and I would like to think that the NT Government will recognise their validity without forcing the traditional owners to go through the drawn-out process involving the Land Commission." ●



The Governor-General Sir William Deane hands title for 4500 square kilometres of land to traditional owners at Tempe Downs and Middleton Ponds earlier this year.

The area handed back lies between the Finke Gorge National Park and Watarrka National Park, close to the popular tourist resort of Kings Canyon.

The Governor-General also handed title to land to the traditional owners of Mt Wedge.

Special day for Southern Arrernte



Land trust members with the title deeds with Senator Herron and CLC Chairman Max Stuart.

It may be a small parcel of land, but for the Southern Arrernte traditional owners of the Yewerre Aboriginal Land Trust it was a special day when they received the title to the land in August - almost ten years after the claim was lodged.

The handback ceremony was held at Titjikala, where many of the traditional owners live, about 50 km from the land. On behalf of all the members of the land trust, Daisy Morton, Emily Schilling, Susan Amungara and Danny Schilling accepted the title deeds from the Minister for Aboriginal and Torres Strait Islander Affairs, Senator Herron. In return they presented the Senator with wooden carvings.

Speaking in Arrernte, Daisy Morton said: "I waited so long to get this traditional land back, I am so happy and my family is so happy. It is a place for us to grow old together and a living place for our kids to grow up."

CLC Chairman Max Stuart, who grew up on the land, said: "Some of the traditional owners are not here today but I am glad to see all the daughters and grandchildren, my family and nieces here." He later added, "We are pushing really hard to return what was stolen from us and we are going to battle on until we are six feet under."

Phillip Wilyuka who was master of ceremonies said: "We are really proud to have this hand back for the first time in Titjikala today. We always read in Land Rights News about hand backs in the north and waited a long time for this one to happen."

The 6554 hectares of land is a small, wedge-shaped area about 170 km south east of Alice Springs between Allambie and Horseshoe Bend pastoral leases in an isolated area between Rodinga Range and Pillar Range. Although the area is relatively small it is an important gain for traditional owners, as much of the land south of Alice Springs is under pastoral lease.

It was the last of four areas granted following the North West Simpson Desert Land Claim lodged in 1989.

In October 1991, the Northern Territory Lands Minister tried to lease the area to the Northern Territory Land Corporation to block future claims to it. However the Central Land Council lodged the Urrpantyene (Repeat) Land Claim in December 1991 and the Land Commissioner declared the lease invalid.

In early 1998, an agreement between the claimants, the Northern Territory Government and Allambie Station was reached.

Allambie Station workers are entitled to enter the land to retrieve straying stock and the claimants will abide by various NT legislation relating to stock and fencing. ●

Plans to settle Upper Daly land claim

A small parcel of land called Sawmill Block, west of Katherine, which has huge spiritual and cultural significance, is being handed back to the traditional Wagiman people.

This handback is part of an agreement that has been negotiated with the NT Government to settle the Upper Daly (Repeat) Land Claim, which involves various parcels of land.

The land claim settlement follows a series of meetings involving large groups of all claimants, meetings with family groups and individuals, and extensive consultations and negotiations with the NT Government.

"This is a positive result and a good settlement," NLC Chairman Mr Galarrwuy Yunupingu said.

The settlement was reached just before a hearing was to take place in early November before the Aboriginal Land Commissioner Justice Olney at Pine Creek.

Basically, the agreement involves the Wagiman securing Aboriginal freehold title for Sawmill Block, which was not part of the original claim, and Aboriginal freehold title over a large proportion of the claim.

Umbrawarra Gorge will be granted as NT Freehold, and the Gorge will be managed as a park by the Wagiman and the NT Government jointly.

Sawmill Block is very important to the claimants, as it contains burial sites, birth sites,

historical sites, dreaming sites and a particularly important men's site.

As part of the settlement, the claimants will withdraw their claim over a portion of land called Stray Creek Block and will also not object to the NT Government compulsorily acquiring the Wagiman native title rights over Stray Creek Block and also Douglas Station.

Mr Yunupingu said the negotiations were conducted in a very positive way, and resulted in a win-win situation.

He said that the Aboriginal claimants were able to secure recognition and protection of very important country, and at the same time agricultural and other developments have been facilitated on large parts of the region.

Mr Yunupingu pointed out that, in the past, land claims were automatically opposed by the Government, costing millions of dollars and lengthy delays, even though the claims were eventually successful.

"Settling in this way avoids costs and delays and addresses the interests of all parties," he said.

The land claim hearing has been adjourned to allow all parties to finalise negotiations and settlements. ●



Senior Wagiman traditional owners George Huddlestone Jabulgari and Joe Huddlestone Kawayung

Gagadju

Media treatment of stories involving Aboriginal affairs varies greatly. Recently in the Northern Territory, the spotlight has been on the Aboriginal owned Gagadju Association in Kakadu, mining and exploration activity in the Territory and the return of a sacred rock to its rightful place in Central Australia.

Different outlets have different approaches to their stories, revealed in their headings, their angles and their finishing touches.

Here are three examples of how the media handled the Gagadju story.



Headline :

Mine cash blown in booze binge

Angle

Pointing the finger of blame. Beer consumption is a major focus and choice of words include "squandered" "staggering" "litany of waste" "frittered" and "reckless."

Finishing touch:

Pretty grim outlook: Key words include "cultural decline" "community despair" and "crisis."

The Australian

Heading:

Revealed: the dirt-poor community of 300 that wasted \$46m

Angle:

Outlining how the money was spent, including the investments (good and bad) and money spent on essential services; commenting on

questionable management skills, mal-administration and the involvement of non-Aboriginal "expertise"; and listing contributing factors to financial problems such as the falling price of uranium.

Finishing touch:

A positive note - Gagadju could confidently rebuild and contribute to improving the lot of Aboriginal people in Kakadu.

The Age

Heading:

Aboriginal mining income 'squandered'

Angle:

Finding solutions, including the need to change the Land Rights Act in the area of Royalty distribution (which the Land Councils have called for), and calling on the government to take more responsibility.

Finishing touch:

A statement from former Senator Bob Collins stating that: "I'm just tired of seeing Aboriginal people getting ripped off."

Note:

The NLC's explanation is that Federal and NT governments have failed to provide adequate services. The NLC angle is "don't blame the victim" and the finishing touch is positive: far from collapsing in May when it was forced to sell 70% of its main assets, this move is a major step in the rebuilding of the Association.

Permits - there for a reason

Traditional owners of Aboriginal land near Uluru-Kata Tjuta National Park were upset to find a sacred site on their country had been desecrated.

They have requested the Aboriginal Areas Protection Authority to bring a prosecution under the Northern Territory Aboriginal Sacred Sites Act for entry, use and desecration of a sacred site on the land.

They have also asked the police to prosecute charges of entering Aboriginal land without a permit.

Eight people travelling with camels and wagons were allegedly crossing Aboriginal land without a permit in late August when the incident occurred.

Senior men at Mutitjulu said it appeared that the defendants had camped at a men's site

without appropriate permission, had left rubbish and damaged the area.

CLC Acting Director David Ross said the whole point of permits was to prevent this type of incident.

"People are not only breaking the law about sacred sites and permits, but showing disrespect for the owners of the country.

"If these people had bothered to go through the proper channels they would not be facing court charges today.

"It is something the Central Land Council views very seriously." ●

Anything for a good yarn



The Centralian Advocate engaged in a moment of fantasy with this recent headline.

After years of research and negotiation between traditional owners and other stakeholders, the rock at Flynn's Grave was finally returned to its original home at Karlu Karlu amid a flurry of national and international publicity.

However, a few weeks later the Centralian Advocate spoilt its initial fair coverage by running on the front page the story of an elderly pastoralist who claimed it had been returned to the wrong place.

Pastoralist Jack Chambers said he camped by that very rock 58 years ago while driving in the Barkly region and it didn't belong at Karlu Karlu.

The Rev Fred Mackay, the man who originally removed the rock to put on Flynn's Grave, and pinpointed its original position, was belatedly given a few small paragraphs on page 2 where he clearly said he took it, he photographed it and he saw it moved to Flynn's Grave.

The power of government propoganda

There was considerable media interest in a comment made in Parliament recently about an unnamed company in an unnamed part of the NT pulling out of an unnamed venture. The only "fact" was that it was all because of native title.

A look at the "evidence" discloses that someone (in government?) had been touting for criticism. We don't know, of course, how many companies were asked for comment - for all we know perhaps the angle could have been that only one company among 100 listed native title as one of the many factors...

As NLC's chief executive Norman Fry has suggested to Government: "These kind of statements from the Assembly are not sending the right signals to companies who are considering their options. Stop these games. Stop working against native title and accept it is here to stay."

Even the Government's Department of Mines and Energy website does not rate native title as a major determinant of exploration activity. We all know that there are many more important factors such as commodity prices etc.

Note:

At the same time as this statement was being made, traditional owners and native title holders were signing many land use agreements, including a native title agreement with - you guessed - a major international oil and gas exploration company. ●

On the Machine

Powerful accounts of people living with kidney disease

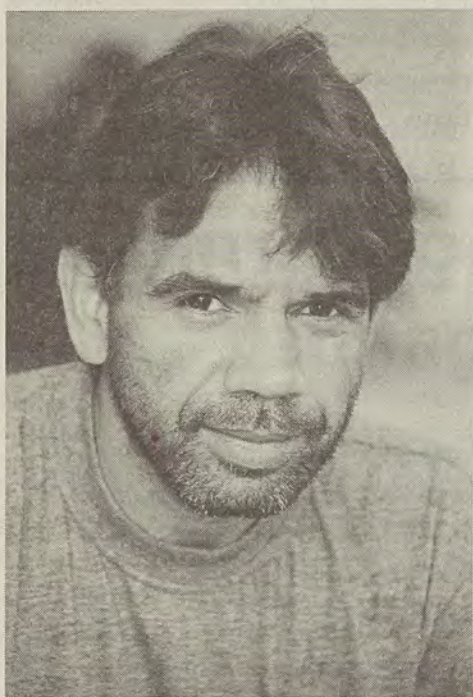
The results of a study into the devastation caused by the epidemic proportions of kidney disease among Aboriginal people have been published in two very readable books: *Living on Medicine* and its companion volume *On the Machine*.

"Most Aboriginal people now, they have sorrows nearly every year - more than European people does; (among) Aboriginal people, the young and old are dying." (Daughter of dialysis patient 1994)

The moving personal narratives in the publications are possibly the first time that patients who are facing treatment for End Stage Renal Disease have had the chance to say how they feel about issues such as: the difficulties they face when they are forced to move into town; the relationship they have with their carers and the isolation they feel living far away from their families.

Researchers Jeannie Devitt and Anthony McMasters were commissioned by Aboriginal health body Central Australian Aboriginal Congress to work on the study with Aboriginal people in Central Australia.

Between 1987 and 1993, the number of people requiring dialysis in the Northern Territory quadrupled. Of these, 90 percent



Health worker Anthony McMasters

were Aboriginal. Furthermore, the Northern Territory has the highest rate of new renal failure patients than anywhere else in Australia.

By 1994, 36 Aboriginal people and one non-Aboriginal person were undertaking treatment for End Stage Renal Disease (ESRD) in Alice Springs. It was some of these patients and their families who participated in Devitt and McMasters' study.

Patients tell of their difficulties with housing, their shame of their illness, their attitudes to kidney transplants and the unpleasantly strict regime of treatment 'on the machine'. They talk about the unappealing diets they must try and stick to, and their perceptions of the causes of their illness.

The study debunks the myth amongst the

non-Aboriginal medical fraternity that Central Australian Aboriginal people don't donate kidneys although they receive a higher proportion of transplants. Nearly half of all transplants to Central Australian Aboriginal people were through organs donated by other local living Aboriginal people. National levels of living related donors only account for 15 percent.

At times it is a stark portrayal. Two patients graphically described the fear and devastation they felt when they were first put on the machine:

"Really frightening, I nearly blacked out all them people sitting in chairs on that machine - just like science fiction, I knew straightaway I didn't want that."

"yeah its scary. Just going in and looking at everyone sitting around with blood circulating around... every time I went down there - every time - it just freaked me out, even though I was on it, I was just scared... Every time the hand ticked past that time, I started panicking - I'd panic - like, its time! Take me off! (laughs) I'd start sweating. " hey no-ones coming to take me off, I've done my bit! - right on the minute! I used to watch that hand (on the clock) - I'd open my eyes and look up and think, "Oh another hour!" - close my eyes."

A key issue was the lack of communication between patients and carers. Devitt and McMasters found most people on the haemo-dialysis program

spoke English only as a second or even third language and had the little knowledge about their bio-medical condition. Little attempt has been made to assist them. For instance, interpreters were used only occasionally by health staff to improve matters.

"I don't know - maybe due to the futile nature of [it]... the effort put in is sometimes futile. Cornering people to translate - to go

"Some of the patients I've looked after for five years and they will have talked to me one dozen sentences, in spite of the fact that I see them fairly regularly - at least once a week usually."

[Renal specialist Alice Springs 1995]

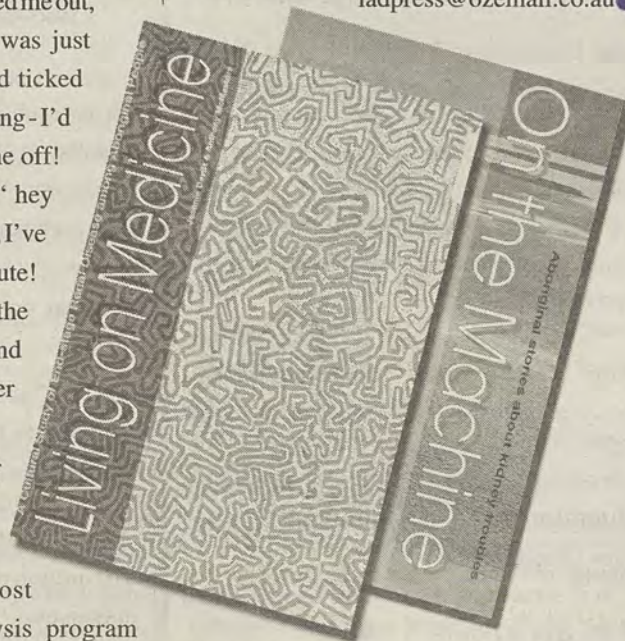
He doesn't talk much, doesn't explain anything - just looks at us really hard. He doesn't talk to us much - just to the other doctors (staff) (Patient describing specialist 1994)

through the agony of it all. I am ashamed to admit it but I'm frightened sometimes of offending and being a failure" (dietician's response when asked about using interpreters)

The lack of complaints by the patients has been interpreted as a signal to maintain the status quo but Devitt and McMasters place the haemo-dialysis patients firmly in a wider context and come to a somewhat different conclusion:

"The renal patients, the 'consumers' are a small impoverished, unorganised, culturally diverse group of extremely ill people. They are understandably reluctant to challenge their carers. But, in the absence of challenge, scrutiny or evaluation the development of 'best practice' collapses into an ethos of 'least attention'.

Read these books. For copies, contact: iadpress@ozemail.co.au



Men need to take more responsibility

Indigenous men need to take greater responsibility themselves to improve the status of men's health and play their rightful role as leaders, fathers, uncles, husbands and grandfathers.

This was the clear message from the first National Indigenous Male Health Convention at Ross River in October, attended by more than 150 Indigenous men from the NT and other parts of Australia.

The Convention recognised the need for redirecting resources to enable culturally appropriate and accessible services for men, and supported greater recruitment and involvement of male Aboriginal Health Workers and male nurses and the development of male places for health care support.

However, the strong feeling of the Convention was that Indigenous men should provide leadership and direction to achieve these outcomes. ●

Indigenous health statistics

Indigenous people are still the least healthy group in Australia - and there is evidence that the difference between Indigenous and non-Indigenous health has widened in recent years.

The lack of real improvement in Indigenous mortality in Australia contrasts markedly with the situation among Indigenous people in New Zealand, Canada and the United States.

The following improvements are needed: infrastructure (including physical environmental and socioeconomic aspects); self-determination of health services; access to a network of community-controlled primary healthcare services; an adequate level of resources; and a skilled workforce.

A quick look at available statistics indicates that life expectancy for Indigenous men is 56.9 years and 65.2 years for Indigenous women, aged between 16 and 19 years, compared with 75.7 years for non-Indigenous males and 81.2 years for non-Indigenous females.

Disease of the circulatory system (including heart disease and stroke) was the leading cause of death for Indigenous people. The next most common causes were injuries, disease of the respiratory system, neoplasms (cancers), endocrine diseases (particularly diabetes) and digestive disorders. ●

Yipirinya School

- top of its class

Midst the gloom and appalling outcomes surrounding Indigenous education in the Northern Territory, one school in Alice Springs is proving that Aboriginal students can and do enjoy learning and reading.

Children at independent Aboriginal school Yipirinya are learning to read and write English in leaps and bounds - possibly signalling an entire shift in the focus of Indigenous education.

They have been able to overcome learning difficulties and make significant gains in reading and writing skills through the adoption of the 'scaffold literacy' model by the school.

School principal Fiona McLaughlin said the results so far were outstanding.

"This model has taught these kids to read and to enjoy reading," she said.

"They are more confident, there are fewer behavioural problems and they are totally engaged in what they are doing."

"I think they are all feeling very proud of what they have achieved this year - especially with writing.

"Many of them are starting to explore other books and it's flowing on to our language program too - children are more motivated to read and write in any language."

Scaffold Literacy Project Officer Rhonda

Inkamala said that the adoption of the program this year had made an enormous difference to the whole school.

"These kids aren't being stuck with one line readers anymore," she said. "Often that is what Aboriginal students end up with because of both the perception and reality of their literacy skills. It's a vicious circle.

"Scaffolding learning is a way of teaching kids to read so that they understand the story before they learn grammar, phonics, and the intricacies of written English.

"We go through the pictures, we talk about the author, words that they may not have encountered before, we talk about the whole book before we actually read it. We do this each time before working with the text.

"By then the children have a high understanding of the story and are totally engaged in it," she said.

"They understand words that they would never have come across before in their use of the English language.

"They are then able to write the story using the words they learnt reading the book."



Pamela Samson and Glorianne Lewis show off the Warlpiri classroom

Ms McLaughlin said one key to the program's success was keeping the language programs entirely separate. Every student at Yipirinya does an hour and a half of basic scaffolding literacy every day and separate vernacular language classes.

She said that this model of scaffolding literacy took the opposite approach to remedial teaching, where children are withdrawn.

"Those kids who have more learning difficulties aren't separated from the class - they get set up before the class so they are able to participate and achieve." ●



Project Officer Rhonda Inkamala

Aboriginal education 'a social catastrophe'

A new report calls for major changes to how Indigenous education is managed and delivered in the Northern Territory and warns continued current practices will result in "a social catastrophe".

The report identified poor attendance as a major factor in poor outcomes and highlights such issues as the lack of secondary schooling outside of the major urban centres; lack of support for Indigenous teachers; problems of teacher retention in remote areas; and the links between health and infrastructure and education.

Former NT Senator Bob Collins review of Aboriginal education in the Northern Territory found that the Northern Territory

Government's Department of Education had also failed to deliver appropriate and adequate education to Aboriginal students.

Learning Lessons - An Independent Review of Indigenous Education in the Northern Territory, was released in mid-October.

Learning Lessons does not call for the reinstatement of the bilingual program, but it does recommend that the NT supports "two-way learning programs" in schools where the local community wants such a program.

Mr Collins found "unequivocal evidence of deteriorating outcomes from an already unacceptably low base" and noted that the NT Education Department had failed to access "significant available Commonwealth funds to address poor outcomes..."

A key recommendation of the report is the establishment of an Indigenous Education Advisory Council which would include representation from Land Councils and ATSIC.

He also makes substantial recommendations for change to the policy, operations and structure of the NT Education Department, including such long-running issues as the provision of housing for local Aboriginal teachers and health workers who currently do not enjoy the same benefits as their non-Aboriginal colleagues.

The NT Education Minister Peter Adamson is yet to respond to the report. ●

NT Government accused of funds misuse

A confidential NT Government report tabled in parliament by ALP Education spokesman Peter Toyne last month indicates that millions of dollars of Commonwealth funding for Aboriginal education has been misused.

The Indigenous Education Strategic Initiatives Program (IESIP) review indicates that targeted Commonwealth resources are

being used to substitute for Territory government spending.

MSIP funding is provided by the

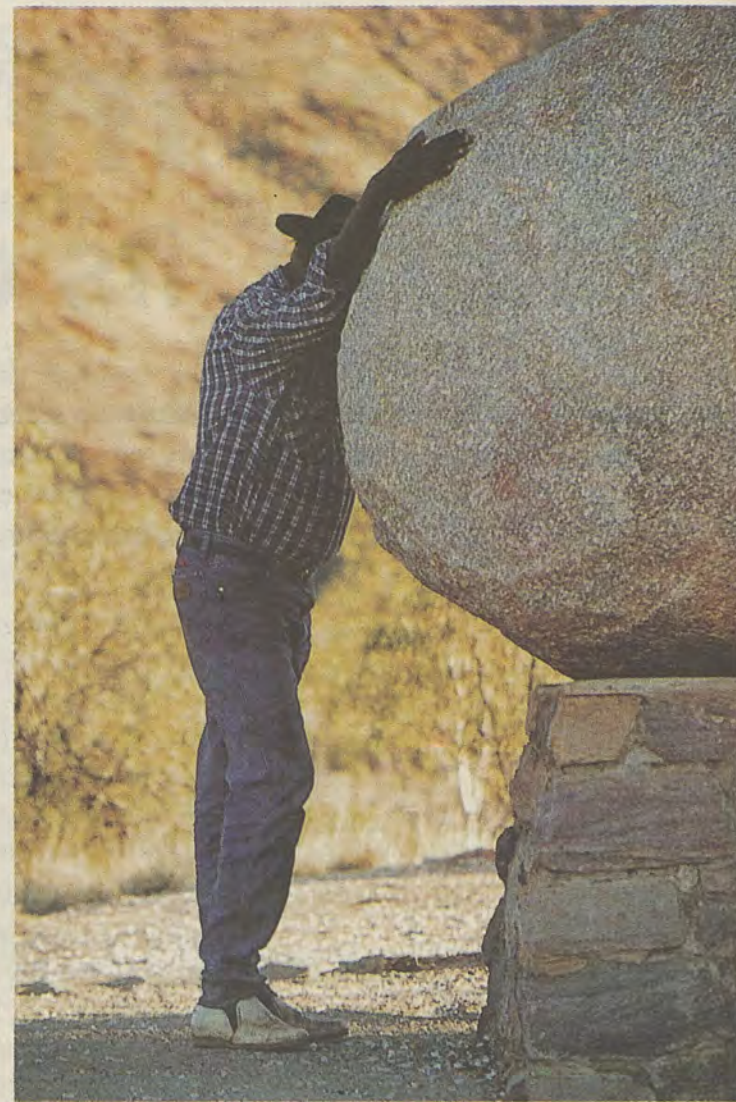
Commonwealth Government for specific measures to improve Aboriginal education, and is intended to supplement the Territory's own expenditure.

The Northern Territory receives more than \$10 million a year for Aboriginal education initiatives.

The confidential report indicates that these

tied funds have been the only resources dedicated to Indigenous education by the NT's Education Department.

The report also drew attention to the high administration charge levied by the NT on Commonwealth funds, amounting to more than forty per cent of monies received. ●



Flynn's Grave - the Rock goes home

Warumungu and Kaytetye traditional landowners from around Tennant Creek in the Northern Territory and Arrernte traditional landowners in Alice Springs came together in September to celebrate the return of a sacred rock to its rightful place.

For both groups it was the end of a long story which spanned generations.

At the centre of the story is a sacred rock, removed from Karlu Karlu (Devil's Marbles) 50 years ago and taken to Alice Springs to mark the grave of the Reverend Dr John Flynn.

It is now back at Karlu Karlu, 100 kilometres south of Tennant Creek.

And, thanks to the goodwill of the Arrernte people, Dr Flynn's grave is now marked with a similar rock selected from an Arrernte registered sacred site in Alice Springs.

Almost 100 people gathered on 4 September to watch the exchange of rocks at Flynn's Grave and ceremonies by both Arrernte people and the Uniting Church to reconsecrate the site.

The following day, Warumungu and Kaytetye traditional owners welcomed the marble back to Karlu Karlu with dance and ceremonies.

In October 1996, negotiations involving traditional owners, the Central Land Council, Uniting Church, Rev. Fred McKay, the Aboriginal Areas Protection Authority and the Parks and Wildlife Commission of the Northern Territory resulted in agree-

ment being reached for the stone to be returned to Karlu Karlu.

The truck and crane hire for moving the rocks was financed by Community Aid Abroad (Oxfam Australia) which works with poor communities around the world including Australia.

The Uniting Church's Rev. Fred McKay, now 93, was involved in the removal of the marble in 1953 for the grave and welcomed the gift of the sacred Arrernte stone to replace it.

"The sacrificial pride and positive goodwill of the Arrernte people are probably unmatched in the outback history of our time and the sacred dignity of the grave of a godly servant of bush people will be worthier and more significant to everybody than ever before," Rev McKay said. ●

Above left: Leslie Foster Jampijimpa and Murphy Japanangka at Flynn's grave before the rock was replaced.

Top right: Leslie Foster Jampijimpa welcomes the sacred rock before it returns to Karlu Karlu.



Arrernte custodians from left: Rosie Furber, Thomas Stevens, Harold Furber, Murphy Japanangka and Leslie Foster Jampijimpa and the Rev Flynn's grandson, Mr Baird.

Arrernte Generosity

Arrernte custodian Rosie Furber said that Arrernte (Alice Springs traditional owners) people were happy to replace the rock.

"We'd like people who hear about it to recognise it as goodwill to all people," she said.

She said that Arrernte people had been concerned about a rock from another country being on their land.

"We didn't know where it came from and then when we grew up we heard about it then," she said. "It's come from another country and we wondered why it was

brought down to Alice Springs.

"They used to talk about it around the campfires and they felt a little bit shame because that rock didn't belong here. And then later down the track Warumungu people started talking about it, talking about taking the rock back to Devil's Marbles. That's when we started thinking about it that we had to give the rock back." ●

Like taking a child from its parents...

Leslie Foster Jampijimpa, a Warumungu/Kaytetye custodian of Karlu Karlu (the Devils Marbles) said taking the rock from its proper place was like taking a child away from its parents.

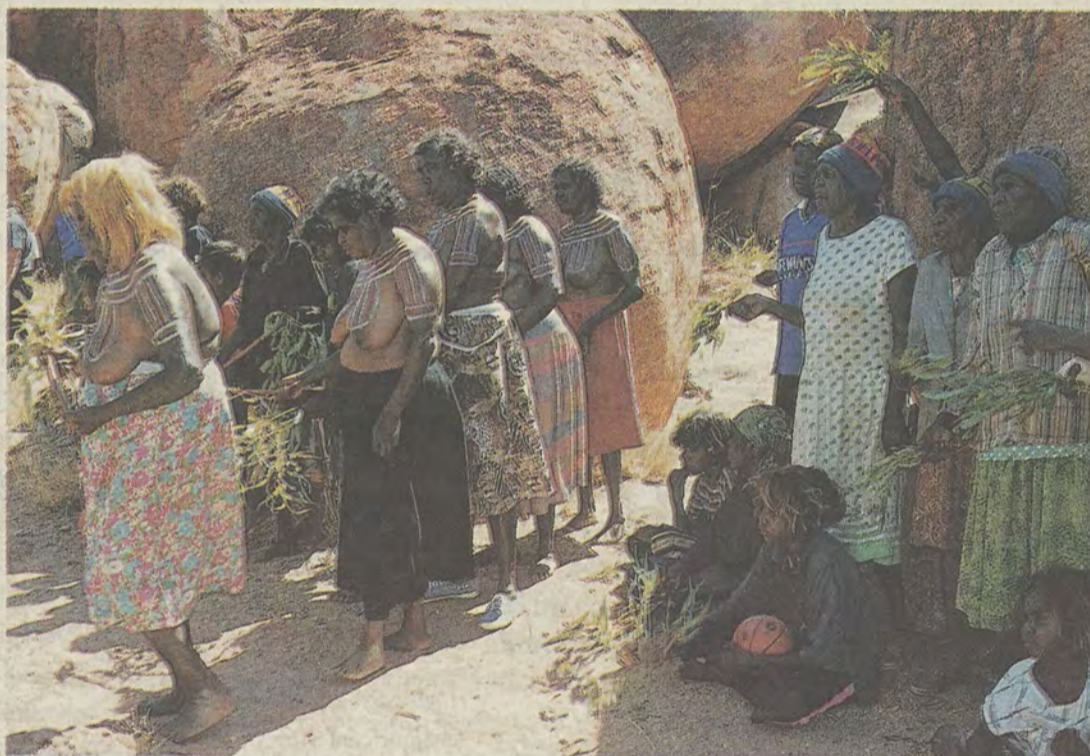
"First of all I would like to say thank you to everyone for this," he said. "I've been worrying about this just like a parent - it's like when they took those kids away from Hatches Creek, they forget about their grandfathers and maybe nanna.

"If you take away from mother or something you're a little bit sad. This rock is the same."

The custodians of Karlu Karlu had been concerned about the removal of their rock for a long time. A similar rock removed in 1980 from another important site in the Tennant Creek region, Kunjarra, caused such disquiet in the community that it was returned by the council which had installed it in a recreational park in the town's centre. At that time, there were also calls from the Karlu Karlu custodians to return the rock taken for Flynn's Grave. ●

Photos clockwise from top right:

- Warumungu and Kaytetye children watch the rock returned to its original place at Karlu Karlu.
- Women celebrate its return with dancing while members of local communities (bottom right) look on.
- Below left to right: Leslie Foster Jampijimpa, Murphy Japanangka and Arrernte man Thomas Stevens watch the removal of the rock in Alice Springs. The rock donated by the Arrernte people to replace it is on the truck behind them.



Arrernte score a victory

After five hard years Arrernte native title holders finally secured a win for their native title claim over parts of Alice Springs in September. But the hard work is not over yet.

"This claim was the first and only chance the Arrernte people have had to receive any recognition of their rights to country and they have worked very, very hard over five years to get this far."

CLC Acting Director David Ross was speaking soon after Justice Olney handed down his decision that native title exists in 113 parcels of land in and around Alice Springs.

And Arrernte *apmereke-artweye* and *kwertengerle* are the people who will decide who the native title holders are for that land.

The task was acknowledged in the decision by Justice Olney that native title exists in a majority of the land claimed by the three estate groups (Mparntwe, Antulye and Irlpme).

Important parcels of land where native title exists include the Telegraph Station, Whitegate town camp, Billygoat Hill, the Todd River, Charles Creek and the Western Macdonnell National Park.

The positive result for the Arrernte people of Alice Springs is "a credit to their resilience that they were able to maintain their strong cultural life and spiritual attachment to the country within and around Alice Springs against such odds," said Mr Ross.

After their win in September, the claimants will set up the Artepe Ulpaye Corporation to act as an agent for their native title claim.

Artepe Ulpaye means 'Todd River' in Arrernte and is particularly significant because it flows through the land of the three estate groups.

Coexistence

Importantly for Aboriginal people in the Northern Territory, Justice Olney said the rights of native title holders continued to exist alongside the rights of pastoralists and many of the other interests that have affected the land around Alice Springs over the past 127 years.

Justice Olney said that native title holders have the right to camp, hunt and gather food on their land, to make decisions about the use

of their land, and to protect their sacred sites.

However, claimants were disappointed with some of Justice Olney's findings.

One was that native title was judged to be extinguished on land containing a sacred site because of plans for a retention dam.

Another was that the Olive Pink Reserve, the Quarantine Reserve and a large tract of land previously held by the Mbantuarinya Corporation all had native title extinguished.

Much of the extinguishment of native title arose out of the amendments to the Native Title Act as part of the 10 point plan in 1998.

Justice Olney also said that native title holders did not have exclusivity - the right to keep all other people off their land, or own the minerals in the ground; and that where native title existed, it had to give way to the valid

laws and the rights given to other people by the Government.

Welcoming the decision, Mr Ross said that "the Court's acknowledgement that the Alice Springs Arrernte have maintained their native title in many of the areas claimed is the first positive step in a long struggle.

"It's a decision which supports coexistence and is a significant step in the right direction for reconciliation."

However, Mr Ross did share the Alice Springs native title holders' concerns about the limits placed on their rights by the decision and what this meant for their ability to exercise and enjoy their native title.

Claimant Annette Williams said she felt really proud about what the Arrernte people had achieved.

"We have waited a long time. Our people passed away and we kept going. We told the judge how our great great grandparents lived and how our parents lived and that's the way we're going carry on in the future. We are looking at this for the future of our children. The people are very happy," she said.

The judge is still to hand down his final determination and there are still many issues to be resolved. ●

"Our people passed away and we kept going. We told the judge how our great great grandparents lived and how our parents lived and that's the way we're going carry on in the future"

Larrakia sign agreement with Phillips Oil Company

The Northern Land Council and a US oil exploration and production company have signed a landmark native title agreement for a major development in Darwin.

This is the first time in Australia that a major company and native title holders have negotiated such a native title agreement for a commercial development in a capital city.

The agreement over land at Wickham Point is between Wickham Point Pty Limited, a related company of Phillips Oil Company Australia, and the Larrakia native title holders. The land will be used to build facilities to receive and process natural gas from the Bayu-Undan field.

The agreement also allows for a corridor through the Beagle Gulf which is subject to claim under the Aboriginal Land Rights (NT) Act. Phillips needs this corridor to build a pipeline to carry the natural gas from the Bayu-Undan field, which is located in the Timor Gas Zone of Cooperation. This part of the agreement only comes into effect when Phillips gets the green light for its development.

"This agreement is of mutual benefit to Phillips and the Larrakia," NLC's Chief Executive Officer Mr Norman Fry said.

"When Phillips commences work the Larrakia can look forward to employment opportunities as well as other benefits from the use of their land."

"The agreement also requires that environ-

mental and site protection safeguards are in place.

"And it is also a very promising start for the newly emerging nation of East Timor, as the venture will also provide them with significant economic and employment opportunities."

Mr Fry said the agreement showed the way forward regarding native title matters in town and city areas.

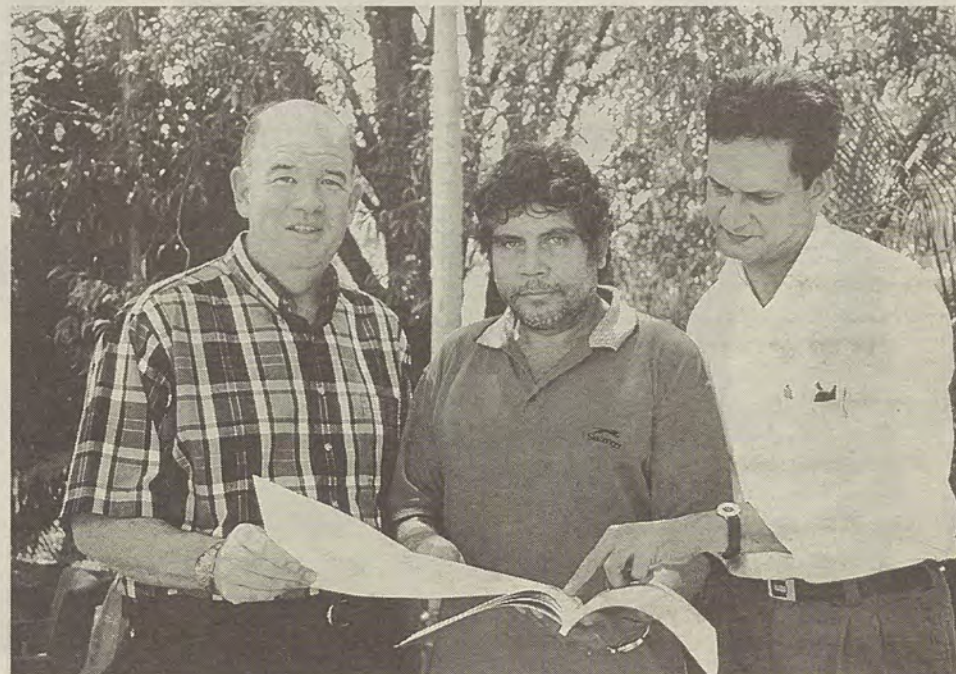
He pointed out that, with the amended Native Title Act, there was no compulsion to negotiate on this deal, as it was within a town boundary.

"But Phillips recognises the value and benefits in dealing fairly and equitably with all native title holders of this land," he said.

"Increasingly we are finding companies are taking this positive stance. In many ways they are showing the leadership which government and other companies can follow."

Spokesman for the Larrakia people, Mr Bill Risk, said: "This has been a lengthy negotiating process, as the agreements are with a number of native title holder groups.

"Everyone has shown a lot of patience, but it has been worth it." ●



Above left to right: Jim Godlove, Bill Risk and Norman Fry

Hopes for a real say over proposed park



Davenport Range Native Title claimants and CLC staff from left Charmain Cox, Doris Kelly (background), Betty Beasley Akemarr, Gina Smith, Linda Dobbs Apwerl, Jessie Petterson Akemarr, Topsy Beasley Akemarr, Lena Pula, Polly Nelson Nangala and Hilda Spratt Apwerl.

Alyawarr, Kaytetye, Warumungu and Wakay native title applicants hope the recognition of their native title rights will lead to traditional owners having a real say about the future of the proposed controversial Davenport Range National Park.

They held meetings at Aleyepewehn (Black Tank) over ten days in September to finalise documents for their claim on the proposed park and the former township of Hatches Creek. The anthropology report and other documents have to be lodged with the court in November.

The native title application was first lodged in 1995 with hearings on the land expected to begin next year.

The proposed park is on land surrendered from the Kurundi pastoral lease southeast of Tennant Creek in 1993 without consulting the native title holders. In a special deal with the Northern

Territory government, the pastoralist was given generous compensation for the surrender of the land, rights to run tourist enterprises in the park, conditional rights for a lease for a proposed camping area and the contract to bulldoze and fence the park boundaries.

The Northern Territory government proposed the national park even though the traditional owners were negotiating with the leaseholder to buy Kurundi because of its significance and sacred sites.

Pleas from the traditional owners to take part in the boundary work were ignored, as was the need to get sacred site clearances. This caused

heartbreak for the traditional owners when two sacred sites were bulldozed.

The park boundary wraps around three sides of the western end of the Anurrete Aboriginal Land Trust, returned under the Land Rights Act in 1992.

The other area covered by the native title application is an area, inside the land trust, set up in 1953 for the township of Hatches Creek that was never built. Because areas inside town boundaries are excluded from claim under the Land Rights Act it was never included in the land trust even though there is no town there. ●



Left: Cleo Wilfred and Dorothy Watson preparing a bush tucker lunch for the court at Wardangaja for all the claimants, the judge and the government lawyers.

On the menu were bush turkey, wild duck, wallaby, fresh water mussels, lily seed damper, and lily roots. They cooked the turkey, ducks and wallaby in a ground oven.

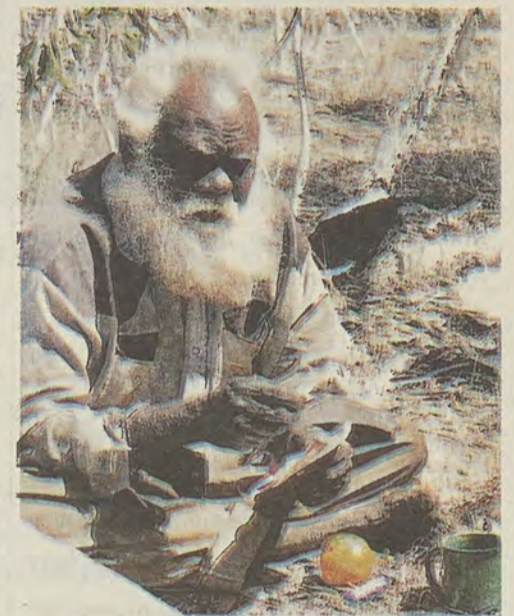
Traditional ways still strong at St Vidgeon

Native title claimants for St Vidgeon Station on the Roper River near the Gulf of Carpentaria have given extensive evidence about the major role that traditional laws and customs continue to play in their lives.

St Vidgeon, about 7,500 kilometres square, is one of the largest pastoral leases in the Northern Territory. However, it has been unoccupied since the 1980s, when it was purchased by the NT Land Corporation.

Cleo Wilfred and Steven Roberts, who both live at Hodgson Downs, are two claimants who spoke about initiation and higher ceremonies.

Giving evidence at a court hearing at Wardangaja, Cleo said: "In these ceremonies, young people learn about their dreamings and



Claimant Steven Roberts at Wabara (No 8 Lagoon)

their country. The women's side of these ceremonies are conducted in the same way as when I was a young woman."

Cleo also pointed out that they regularly conduct smoking ceremonies following the death of significant group members and they still observe a range of restrictions.

These include eating restrictions relating to one's own dreaming, gender-based restrictions on the circulation of certain information about the country and geographical restrictions, such as access to certain places.

"Younger people get taught about country and their culture in a variety of different ways: in the ceremonies, on visits to country, through formal programs in the school and informally," Cleo said.

"I still dance at ceremonies and all my daughters dance too." (continued page 26)

Empowerment - the way of the future

The Djelk Rangers at Maningrida are playing a leading role in getting other Aboriginal communities throughout Arnhem Land interested in land management.

The Maningrida community and surrounding outstations recently received \$96,185 in Commonwealth funding to build on their achievements in caring for their country.

Bawinanga Aboriginal Corporation received the funding in the latest round of Natural Heritage Trust grants.

The money will be used on aspects such as working out how much local communities rely on wildlife for food and how much wildlife contributes to commercial enterprises; identifying habitats that need protection; and developing a longterm strategy that the community can use to manage their wildlife resources.

The Djelk Community Ranger scheme at Maningrida, run by Bawinanga, is a vivid illustration showing how empowering Aboriginal communities is the way of the future in land management.

It is a story that stretches from five years ago, when a group of men were brought together, with limited resources, to receive basic training, to today, where the picture shows experienced rangers now offering their expertise and knowledge to help neighbouring communities.

NLC's Chief Executive Officer Mr Norman Fry used the rangers as an example during a presentation at a major national conference on planning, held in Darwin in September, when he stated:

"Empowerment is the philosophy of building the capacity of the people to look after the land."

"Up to date, the tendency has been for agencies to look after the land for the people.

This is disempowerment."

The Maningrida story began when staff of the NT Dept of Primary Industries and Fisheries Weeds Branch were called in to treat the weed mimosa with herbicide and two local men were employed on a Commonwealth program to undertake the follow-up work.

This was the start for what has developed into an holistic formal land management program - the Djelk Community Rangers.

Over the past five years, more people have

joined the program, and resources and more advanced training were sought to deal with broader land management issues. For example, the Faculty of Aboriginal and Torres Strait Islander Studies from the Northern Territory University delivers accredited land management training to the Rangers in the bush in two-week blocks several times a year.

The program is now at a stage where there are 20 Rangers, and there is a ranger station, visitors quarters and a laboratory.

The rangers have moved beyond weed control and eradication to dealing with feral animals and erosion. The Djelk Rangers are also investigating ways to make money using natural resources on their land; money that could be turned back into supporting land management in the longer term.

And they are looking to the future with investigations into ventures such as plant products for the cosmetic industry, freshwater fish for the aquarium trade, sportsfishing operations, buffalo safari hunting ventures, crocodile egg collection and hatching for sale to crocodile farms, adult crocodile wild harvest for meat and skin, and the sale of art and craft materials.

"Now we move to close the circle," Mr Fry told the conference.

"Earlier this year the Djelk Rangers discovered a new infestation of mimosa in a neighbouring catchment and have

moved quickly to manage it.

"Now they have the skills and resources to act independently.

"Moreover the Djelk Rangers are playing a leading role in getting other Aboriginal com-

munities throughout Arnhem Land interested in land management and are offering assistance and advice.

"This story is one of empowerment at its best." ●



Dean Yibarbuk, Senior Ranger with the Djelk Community Rangers at Maningrida, shows Federal Minister for Forestry and Conservation, Wilson Tuckey an NLC *Caring for Country Unit* booklet



**The Centre for
Aboriginal Medical
and Dental Health**

and

**The Faculty of
Medicine and
Dentistry**

at

**The University of
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The Aboriginal Pre-Medicine Programme is a one-month intensive course to provide Aboriginal and Torres Strait Islander students with the skills necessary for entry into medical or dental studies at The University of Western Australia.

WHO SHOULD APPLY?

All Aboriginal and Torres Strait Islander people seeking to qualify for entry into medical or dental studies. There are no formal entry requirements but previous studies or relevant work experience will be an advantage.

The Centre for Aboriginal and Medical and Dental Health offer a range of alternative pathways for direct entry to medical and dental studies for Aboriginal and Torres Strait Islander students.

COURSE DATES: 14 JANUARY TO 16 FEBRUARY 2000

For more information and application forms contact
Dr David Atkinson or Mr Ray Garrett
The Centre for Aboriginal Medical and Dental Health
The University of Western Australia, Nedlands, WA 6907
Telephone: (08) 9380 2038; fax: (08) 9380 1100
Free call: 1800 819 292
Email: datkinso@ecel.uwa.edu.au

Cane toads on the move

The cane toad has reached Darwin - and the government says we will have to learn to live with it.

Australia has done more research on the cane toad than any country in the world - but no way of controlling their spread has been found.

While its poison can kill a wide variety of animals, there is a long list of species that are known to exist with the cane toad in the Northern Territory.

Goanna numbers seem to suffer, but certain ones don't see the cane toad as food and it is said that the goanna population recovers in time.

Some pet dogs try to eat cane toads but can be successfully treated if taken to a vet quickly.

Last wet season the main infestation reached Bulman and Weemol in central Arnhem Land and now they are just south of Mataranka near Katherine. About 30 have been found in Darwin. Their next destination is to travel completely over the Top End and into Western Australia.

The cane toad is very good at hitching a ride on boats, pot plants, trailers and even in people's swags. People can help track the movements of the cane toad by reporting any suspected sightings to the Parks and Wildlife Commission on 08 89994526. ●

Crazy ants

An introduced insect called the Crazy Ant has been found south of Nhulunbuy, in Northeast Arnhem Land.

It is thought that the Crazy Ant might originally come from tropical Africa or tropical Asia - but no-one knows how it got here.

It is a nuisance for people, getting into their homes; it is a pest for agriculture, because it looks after sap-sucking insects in orchards and digs around crop roots, making them fall over; and it is a worry for the environment, because it pushes out other animals, particularly ants and spiders.

The Crazy Ant seems to be pushing out the Green Ant, which plays an important in pollinating flowering plants.

The Department of Primary Industries and Fisheries plans to work with local traditional landowners and Rangers from Dhimurru Land Management Corporation to find out ways to eradicate the ant. ●

Mimosa battlefront is in the communities

The crucial on-the-ground involvement of Aboriginal communities in fighting mimosa infestation has been recognised with a \$42,650 per year grant from the Natural Heritage Trust to the Northern Land Council



Wanga Djakamirr Community Rangers from Ramingining viewing the big mimosa infestation on the Adelaide River Floodplain

The mimosa battle is being fought through a major project, with a budget of more than \$700,000 per year for five years, involving the Indigenous Land Corporation (ILC), the NLC, the NT Department of Primary Industry and Fisheries (DPIF) and the White Eagle Aboriginal Corporation (WEAC).

This existing agreement is focussed on aerial control of the mimosa using helicopters and herbicide.

The new three-year grant, announced by the Federal Minister for Forestry and Conservation, Wilson Tuckey, on October 30, will enhance that agreement by providing funds to make sure that Aboriginal communities can undertake the follow-up work in the longer term.

surveillance therefore has to be a concerted, long-term effort."

The battle against mimosa must be collaborative "because mimosa doesn't recognise boundaries of tenure," Mr Fry said.

"It is a common enemy - affecting biodiversity, Aboriginal use, agriculture, tourism etc."

Mimosa invades open floodplains where it replaces grasslands and sedgelands and the understorey of riparian and swamp forests, affecting wetlands and rare and vulnerable species of plant and wildlife.

It is thought that 34% of the current mimosa infestation is situated on Aboriginal land.

The magpie goose which is a tourist icon

water resources; reducing availability of traditional foods such as tortoise and water birds; affecting sacred sites and sites of cultural significance; and reducing current and potential uses of land.

However mimosa is not just an issue for Aboriginal landowners, as the weed's capacity to spread across state borders is a major concern.

The CSIRO predict that mimosa could spread east to Queensland and as far south as Ballina in northern New South Wales while to the west it could spread as far south as Broome in Western Australia.

Other grants in this latest round that have an impact on Aboriginal land include \$248,000 to the Bushfires Council of the NT to develop

Mimosa is thought to have been originally introduced in the late 1800s to the Darwin Botanical Gardens because of its curiosity value - its leaves close up when touched.

The focus will be on building their ability to assist through training and resourcing.

"It is comparatively easy to spray 1,000 hectares of mimosa from the air," NLC's Chief Executive Officer Mr Norman Fry said.

"The follow-up work is the hard part. Mimosa grows very quickly and has the ability to set seed very quickly. On-ground

and an important food resource for Aboriginal people has already suffered.

Aboriginal people continue to rely heavily on the wetlands for food, for cultural reasons and for making a living through pastoralism, tourism etc.

Mimosa can put an end to all that with impacts like reducing access to land and

a longterm fire management scheme in Western Arnhem Land and \$93,400 to the Wangamaty (Lower Daly) Landcare Group to foster links between landholders in the Lower Daly River region, such as traditional owners, Aboriginal communities, pastoral and tourism interests. ●

Battle still on to protect Land Rights Act

The battle to protect the Northern Territory's Land Rights Act is not over.

Admittedly the latest announcements about its future have been positive.

The Parliamentary Committee (HORSCATSIA), looking into the report and recommendations by John Reeves to drastically change the Act, has knocked back most of Reeves' recommendations.

Another report on the National Competition Policy, dealing with mining provisions, was also very positive about the Act and the need to maintain the existing rights of traditional Aboriginal owners.

The Government hasn't made any announcement about whether or not it supports the committee's or NCP reports.

In September, the Land Council wrote to the Minister seeking his views on the HORSCATSIA and NCP, but he has not replied.

We do know that the Government is drafting changes to the Land Rights Act without consulting the Land Councils, but we don't know what they are or when they will be introduced.

It could be as early as the beginning of next year, but with the world looking at Australia next year because of the 2000 Olympics, the Government may not want to appear to be watering down Aboriginal land rights.

The Minister for Aboriginal and Torres Strait Islander Affairs, Senator Herron had been invited to talk at the NLC's Council meeting in October, but apparently was unable to make the commitment.

He will be invited to the next Council meeting, scheduled for February/March, 2000.

Mr Lou Lieberman, chairman of the Parliamentary committee has also been invited to visit Aboriginal communities in the New Year to discuss the HORSCATSIA report ●.



The Reeves report gets burnt by traditional owners at Yuendumu

THE GOOD NEWS

The No 1 recommendation by the Parliamentary Committee states that there should be no changes to the Land Rights Act without the informed consent of traditional Aboriginal owners and Aboriginal people.

Rejection of Reeves

The Committee rejected all of Reeves's major recommendations which would have taken away Aboriginal rights.

Rejected - the establishment of NTAC, a decision-making body appointed by government to control land rights

Rejected - breaking up the NLC and CLC into 18 regional land councils

Rejected - giving the Northern Territory Government powers to compulsory acquire Aboriginal land

Rejected - the abolition of the permits system

Rejected - the takeover of royalty associations' assets.

THE NOT SO GOOD NEWS

More reviews and committees ahead?

The committee called for more reviews and consultations on some of the issues already dealt with by Reeves and the parliamentary committee, including a new ABR structure, permits, application of NT Laws, and compulsory acquisition.

The problem with this:

If more reviews are planned, they should be managed by a committee with a majority of Aboriginal people represented.

Changes to ABR

The Committee suggests that the Minister appoint a committee to decide who controls ABR money. They would consider two alternatives. One option would be to keep the arrangements as they are now.

The other option would be to:

- change ABR so that Land Council members are not allowed to be represented
- increase funding to areas affected by mining from 30% to 40% of mining royalty equivalents

- take the royalty money away from the traditional owners' royalty associations and distribute this money through grants require royalty associations and Land Council to apply each year for their money.

The problem with this

- Royalty Associations would lose control of their money.
- Land Councils and Royalty Associations would not be able to plan for the future or start longterm programs or services.

Broken promise puts Herron in Court

Aboriginal people are suffering considerable hardship as a result of a decision by the Aboriginal Benefits Reserve to stop money to help them attend ceremony and sorry business.

In the past, grants from ABR to the Land Councils have helped people in difficult times to meet travel and other costs.

However, the ABR suddenly broke its promise and withdrew the funding a year and half after it had allocated the money to them, arguing that the Land Councils functions in relation to land do not include ceremonial business.

CLC Acting Director Mr Ross says Aboriginal land, culture and ceremony cannot be separated.

"It is a vital link that keeps country alive, it's how country is looked after, how sacred sites are looked after, how ownership is demonstrated and passed on to younger people. Ceremony is a crucial spiritual dimension of land ownership."

The Land Councils are trying desperately to resolve the situation with the ABR and the Minister for Aboriginal and Torres Strait Affairs Senator Herron.

Under the Land Rights Act, the Minister can direct that funds be paid out of the ABR for the benefit of Aboriginal people living in the Northern Territory.

For a number of years the Minister has done this to assist people with the costs of conducting ceremonial and funeral activities.

Both Land Councils had already expended a considerable sum assisting Aboriginal people when they were advised of the decision and have been forced to challenge the Minister in the Federal Court.

"We are reluctant to take this action but unfortunately we don't have much choice at this stage," said Mr Ross.

The CLC will seek the reimbursement of the money it has spent, a review of the decision and a declaration stating it is within the CLC's functions to distribute money to Aboriginal people in its area. ●

Croc back on the menu for Murandoo

"I can just see me brothers there pulling up the boat out of the yard and getting it fuelled up and sharpening the spears, and we're going to get a fresh one and I'm going to have me photo taken in front of Burketown Police Station with a monster with his jaws open."

Murandoo Yanner was speaking on ABC Radio last month after the High Court's ruling that native title rights to hunt and fish for traditional foods are not overridden by state licensing laws.

For Mr Yanner it had been a long haul.

Arrested in 1994 with illegally taking fauna under Queensland's Fauna Act when he killed two young crocodiles with a traditional harpoon, the charges were dismissed by the Mount Isa Magistrate who ruled he was acting in accordance with the Native Title Act.

Mr Yanner had eaten some of the crocodile meat with other members of his clan and frozen the rest. Crocodile meat is a traditional

food for Aboriginal people in the area.

The Queensland Government then appealed to the State Supreme Court and won, arguing the act didn't apply to fishing and hunting rights. Mr Yanner appealed to the High Court - leading to the five to two majority in favour of traditional hunting and fishing rights.

Queensland Premier Peter Beattie said that he would work out what it meant to the state and "we'll make it work" while Opposition leader Rob Borbidge was outraged, arguing that hunting with Toyotas and rifles was not traditional and that endangered animals would be hunted. ●



Dhimurru Chief Ranger Nanakiya Munungurritj fishing at Yirrkala. If Queensland Opposition Leader Rob Borbidge had his way he would not be classed as hunting traditionally - he's wearing clothes. Tradition evolves over time and court judgements have confirmed that the use of rifles and outboard motors, for example, is consistent with traditional hunting.

Stony silence from the NT Government on native title

The Northern Territory Government needs to resume talks with the two major Land Councils in the Territory - the NLC and the CLC - about a new native title law for the NT.

Talks began after the NT Government tried, but failed, to get the Senate to accept its new native title scheme, which would have replaced the right to negotiate procedures under the existing federal legislation.

Speaking at a recent NT Minerals Council lunch, NLC Executive Officer Mr Norman Fry, said that, rather than using the opportunity to establish a Territory Native Title regime which could genuinely reflect rights, needs and interests of all stakeholders, the Territory Government had tried to reduce the rights of Native Title holders; had blocked the issue of exploration licences; and refused to use the Native Title Act - except of course on a few occasions when it suits them.

The NT Government did not consult with the Land Councils before putting up their new scheme, which would have taken away the right to negotiate.

Mr Fry said there were three main areas of concern.

"In general terms, the legislation does not encourage negotiated agreements," he said.

"The scheme is more aptly described in Senator Hill's words as "a fast track to compensation."

"Second is the issue of the backlog of exploration licences. Because the Government has failed to use the amended Federal Act, and refused to issue exploration licences for nearly three years, over 900 are now backed up in the system. We need to find a way to efficiently deal with this backlog.

"Thirdly is the issue of security with any Territory alternative scheme. A flaw in the drafting of the amended Federal Act has meant that the Senate wouldn't be able to stop the Territory making more changes to their watered-down scheme further down the track."

Mr Fry said that the Land Councils wanted to get back to the discussion table with the Government, but "at the moment, we are experiencing stony silence."

It was important in the talks, he said, to make sure that any new native title laws for the Territory were fair and workable.

NOTE: The Land Councils have presented to the Government an Issues Paper which provides a framework for negotiating solutions to all of the issues. The NT Government has rejected the proposal and the request for further negotiation. ●

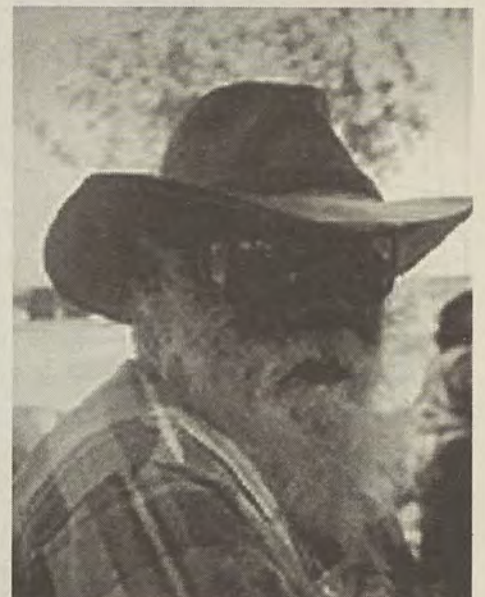
Singing at Buddawarka

A cassette containing gurrula, bungalin-bungalin and malwa song verses recorded at Buddawarka on 15 July 1999 has been presented to the Federal Court following the performance of traditional owners at hearings into the Urapunga native title claim.

The cassette, produced by the NLC, includes notes about the music, song and dance performed.

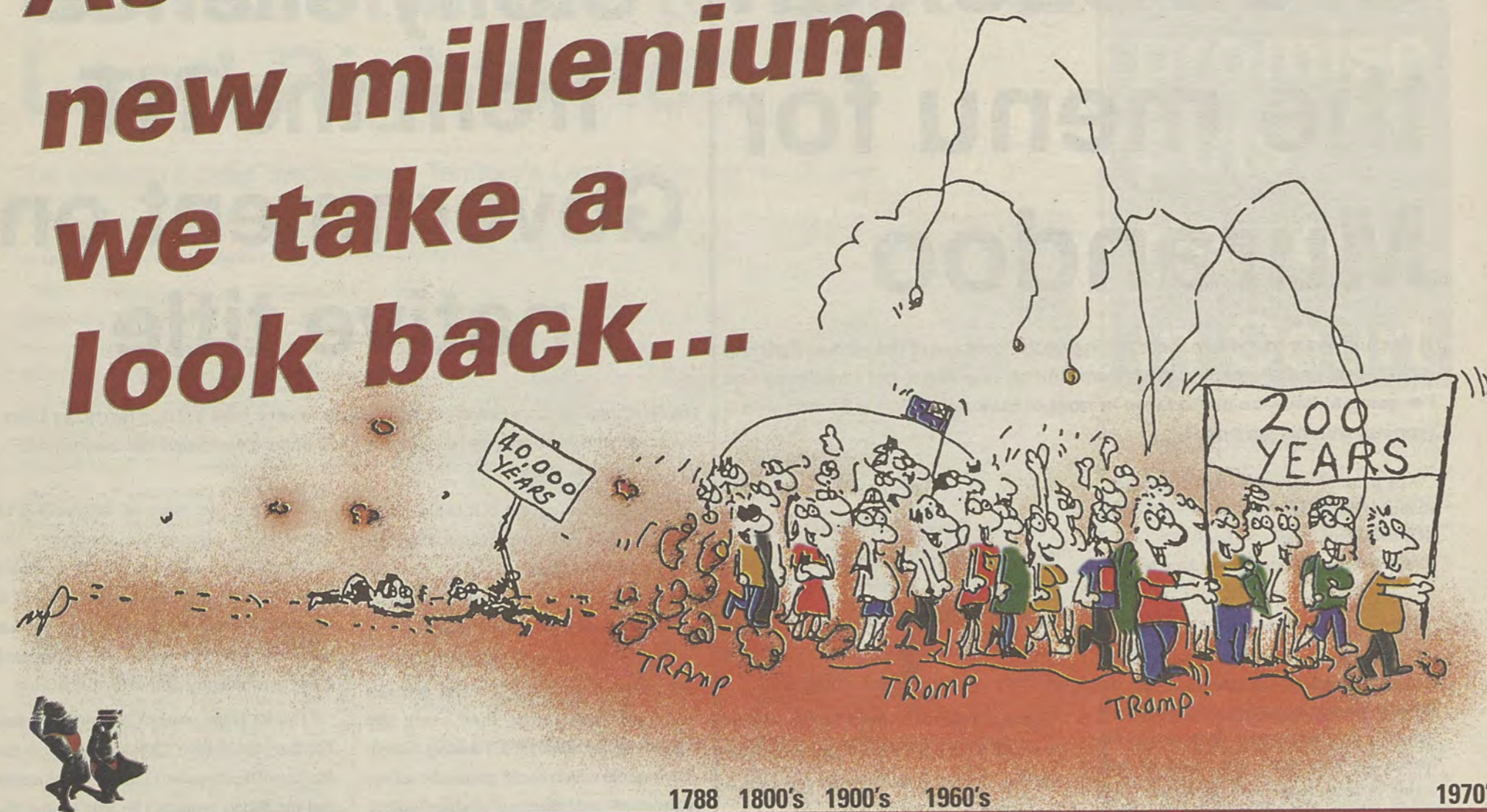
The main didgeridu player on the cassette is Arnold Duncan and the main singers include Peter Woods, Stephen Roberts and Roy Golokurndu.

The native title claim continues with expert evidence scheduled for hearing next year.



Singer Stephen Roberts

As we approach the new millenium we take a look back...



1788 1800's 1900's 1960's

1970's 1980's

1990's

For 60,000 years, Aboriginal people lived here, basically with Aboriginal law and full land rights. Then in 1788, it was all taken away from them.

Dating shows a rock shelter in Arnhem Land was used by people, probably to prepare pigments for rock painting or body decoration.

Captain Phillip raised the Union Jack at Sydney Cove and the invasion begins.

The White Australia Policy begins.

Aboriginal people fight in a war for a land where they have no rights.

In the second half of this century Aborigines started to get some rights back...

1963 - Bark Petition

The Yolngu people of north-east Arnhem Land present a bark petition against mining on the Gove Peninsula to the Federal Parliament, calling for recognition of their land rights.

1966 - Strike

200 Aboriginal cattle workers and their families walk off Wave Hill Station striking for better pay and conditions. The nine-year strike developed into a successful claim for return of traditional Gurindji lands.

1967 - Referendum

Successful referendum allows Aborigines to be counted in the census and for the Commonwealth to legislate on matters to do with Aboriginal people which could over-ride any state legislation. It is not the referendum which gave people the vote as is commonly believed. Aboriginal people were voting before this.

1971 - Tent Embassy

Aboriginal people set up a "tent embassy" outside the then Parliament House in Canberra calling for national land rights and an end to discrimination.

1972 - Yolngu Land Rights

The Yolngu peoples' fight for land rights around the 1963 Bark Petition led to a Federal Court case where Justice Blackburn found that Yolngu could not prevent mining on their lands because Australia was legally terra nullius (empty, unoccupied land).

1973 - Woodward Inquiry

The Gove case led to the establishment of the Woodward Royal Commission into Aboriginal Land Rights in the Northern Territory.

1975 - Gurindji Hand Back

Prime Minister Gough Whitlam hands over title to traditional Gurindji lands.

1976 - Land Rights Act

The Aboriginal Land Rights (Northern Territory) Act is a benchmark law, being the first attempt by an Australian government to recognise our rights to land and to set up processes to win back our land through land councils.

...Land Rights Act...Land Claims...Mabo...Wik... Native Title Act...

...then those gains began to be whittled back.

What's in store for the future?



1992 - Mabo
The Mabo High Court decision which exploded the legal myth of terra nullius that Australia was uninhabited before the arrival of British settlers.

1993 - Native Title Act
The Native Title Act brings the findings of the Mabo case into law and establishes the Native Title Tribunal to deal with native title claims.

1996 - Wik
Wik case rules that Aboriginal people's native title rights are not extinguished by pastoral leases.

1997 - Sunset Clause
The sunset clause in the Land Rights Act comes into effect, stopping any more new claims under the Act.

1998 - Reeves Report
Darwin lawyer John Reeves QC presents his review of the Land Rights Act, which makes many recommendations that would weaken Aboriginal rights.

1998 - Native Title Amendment
Native Title Amendment Bill significantly winds back native title rights.

1998 - Hindmarsh Case
High Court rules in the Hindmarsh case that the legislation passed by the 1967 referendum did not necessarily mean that the Commonwealth had to rule in favour of Aboriginal people.



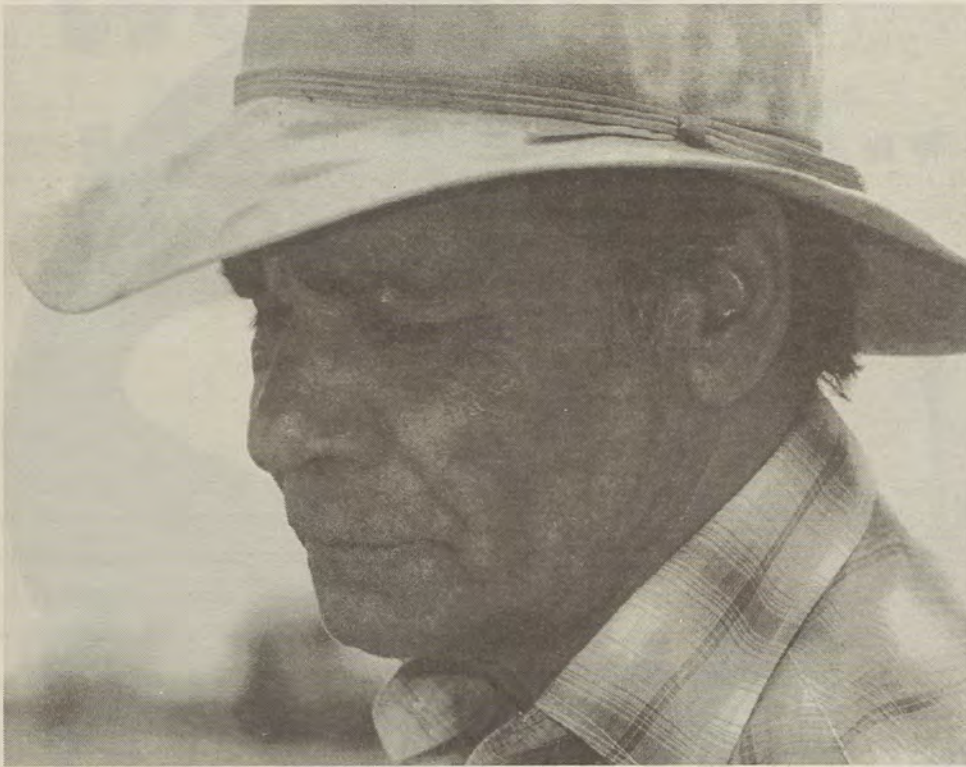
This Year...
Australia's reputation is in international human rights disrepute, and the Howard Government is asked to explain the changes in the Native Title Act to the United Nation's Committee for the Elimination of Racial Discrimination.

1999 - Reeves and Land Rights
The report of the Reeves Review into the Land Rights Act, conducted by HORSCATSIA (House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs) rejects all of Reeves' major recommendations which would have taken away Aboriginal rights. HORSCATSIA's 1 recommendation states that there should be no changes to the Land Rights Act without the informed consent of traditional Aboriginal owners and Aboriginal people.

1999 - Constitution Preamble
The proposed Preamble to the Constitution, which merely notes indigenous people as having a kinship with the land instead of custodianship is defeated in a national referendum. So is the proposal to change from a monarchy to a republic.



Peter and Lorna paving the way



Peter Gunner "I am very proud for all the support I got while I was in Alice Springs and I think Lorna will feel the same

"I thank Peter and Lorna for being so prepared to stand in front and tell their stories and their brothers and sisters and families who stood with them. They are paving the way for all of us."

Harold Furber of the Alice Springs Stolen Generation reference group paid this tribute to Peter Gunner and Lorna Cubillo on the last day of the Alice Springs hearings into their compensation case against the Commonwealth Government for emotional and physical harm after being taken away from their families as children.

It is seen as a test case for other members of the Stolen Generation who could try for compensation if Gunner and Cubillo win.

As a result, the Commonwealth is spending huge amounts on lawyers defending their position fearing that the case could lead to massive compensation payouts.

The trial has been personally difficult for Gunner and Cubillo with details of their lives being combed through and questioned by the Commonwealth's lawyers.

Throughout the case however, members of the Stolen Generation in the Territory and throughout the country have provided support and encouragement for Gunner and Cubillo and witnesses appearing in the case. This has included vigils outside the courts and rallies.

Peter Gunner commented: "I am very proud for all the support I got while I was in Alice Springs and I think Lorna will feel the same.

"Since the court case started in Darwin I really appreciate the support units for their organising and other organisations and people who have supported us not only in the Territory but around Australia as well and I am very proud of that knowing that I have great support behind me.

"Thank you all for the support I got while I was in Alice Springs."

The case has resumed in Darwin for more hearings this year and final submissions will be heard next year. ●

NLC Councils want to contribute

The Northern Land Council's Regional Councils want to contribute financially towards the activities of the Stolen Generation.

They have recommended that an ABR grant be given to the Stolen Generation from contributions from the ABR allocations for their regions.

The ABR Advisory Committee meets at the end of November when it will consider this recommendation.

Traditional owners examine farm proposal

The Northern Land Council and Kimberley Land Council are working together with traditional owners to get a clear understanding about an irrigated agriculture proposal for Miriuwung and Gajerrong land.

Miriuwung and Gajerrong country is in the north west of the Northern Territory and crosses into Western Australia taking in Lake Argyle, Kununurra and much of the Ord River and Keep Rivers.

A working group representing all the traditional owners affected by the project expects a busy time next year with negotiations and impact assessment work.

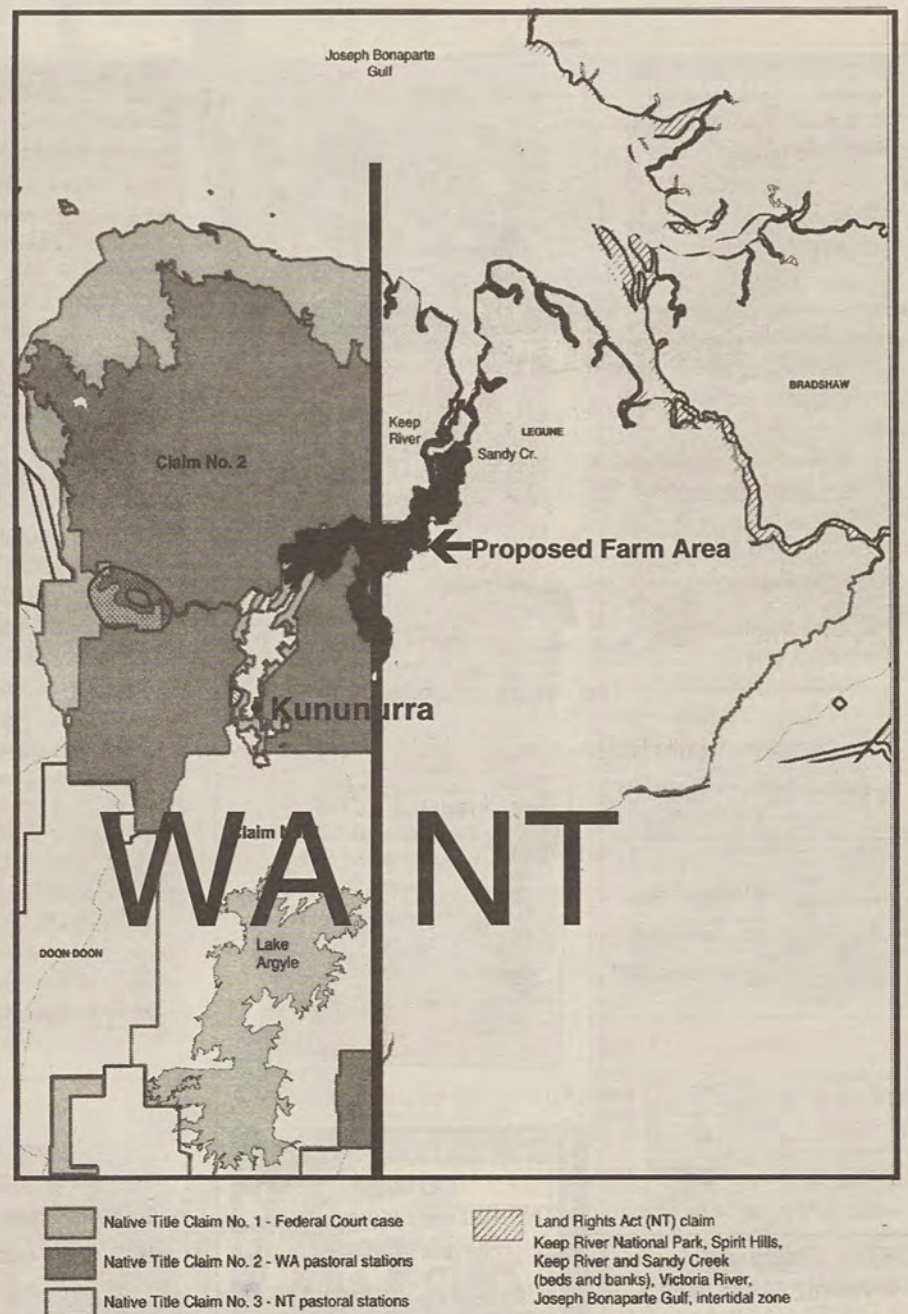
The NT and WA Governments want the land as part of the Ord Stage II scheme - the name for the plan to expand the Kununurra farm lands up through Weber plain, into the black soil plains between the Keep and Sandy Rivers, and down around Nheligan through the Knox Creek Plain.

Wesfarmers Pty Ltd, a Western Australian company is in a joint venture with Marubeni,

a Japanese multinational, and is looking at whether they can make a profit by turning this country into farmland and growing sugar on it. Wesfarmers have said that they will not develop the country if traditional owners do not want it to happen.

On the Northern Territory side of the border, this country is under native title claim, and some of it is also under claim under the Aboriginal Land Rights Act. On the Western Australian side, part of this land is country which Justice Lee found Miriuwung and Gajerrong people to hold very strong title under the Native Title Act.

Wesfarmers, Marubeni and the WA Water Corporation have until the end of the year 2000 to decide whether they want to go ahead with the project. ●



Still the 18th century at Curtin Springs

Mt Connor, a prominent landmark in Central Australia, has been declared a sacred site by the Aboriginal Areas Protection Authority.

However the leaseholder of Curtin Springs on which Mt Connor is located, Peter Severin told ABC Radio that Aboriginal people visiting the site would be a 'damned nuisance'.

"That would be a damned nuisance if the Aboriginals want to go and visit their sacred site in as much as they would have to get the key from us, and they [will] probably never ever return the key, and they would wander all over the place and in amongst the cattle et cetera," he said.

Acting CLC director David Ross said Mr Severin should come to terms with the present and unlock his gates, stating: "This mentality belongs to the 18th century.

"People have always had the rights under reservations in the Pastoral Lands Act to enter and hunt on pastoral leases," he said.

"The Sacred Sites Act has been around for a good 20 years and the law says custodians should have access to the sacred site and be consulted about any proposed developments.

"There has been the Mabo decision for at least six years, and now the High Court has just handed down a decision in Queensland which says native title rights to hunt and fish for traditional foods are not overridden by state licensing laws."

This latest decision, he said, reinforced the leaseholder's obligation under the law to allow access to the property. ●

Bulman communities have plans for their land



Feral pigs cause severe damage

Communities in the Bulman region are looking at how they can best develop a management plan to look after the country.

Some groups have met to talk about what they want to do and, after meetings have been held with all the outstations and communities, everyone will come together to make a final plan for Bulman region.

This plan will be used to explain to government, ATSIC and other funding organisations how people in the Bulman region want to look after their country and what they need to be able to do it.

The Caring for Country Unit at the Northern Land Council has been helping to

develop the strategy. Booklets from meetings for people from Barrapunta Homeland and from Weemol, Gopulyu and Momob contain photographs and diagrams explaining how they worked out the major issues they want to deal with and what they need to do to start the work.

Some of the main issues for all the groups include looking after sacred sites, water places and rock paintings, dealing with pigs, cats and other feral animals, weeds and fire management. ●

Vice Chancellors Support Bush University

The Australian Vice Chancellors Committee (AVCC) has agreed to support the development of an emerging bush University at Gulkula near Nhulunbuy in north east Arnhem land.

They see the planned Garma Cultural Studies Institute as the start of an exciting opportunity to share knowledge and create a place for indigenous and non-indigenous knowledge systems in Australia.

Professor John Niland, president of the AVCC and Vice Chancellor of the University of New South Wales, committed Australian Vice Chancellors to establish a working party to support and foster the Institute during a two-day visit to the area, hosted by the Yothu Yindi Foundation.

This could take the form of student scholarships to study at Garma, research fellowships for collaborative projects at Garma, the development and delivery of existing and new units and courses at Garma, and support for short courses, seminars and conferences at Garma.

Nineteen Vice Chancellors or their representatives from universities throughout Australia had responded to the invitation to visit the region, which was issued in the form of a maak - a small piece of ironwood carved with a traditional pattern.

The maak had been given to the Opposition leader Kim Beazley and leading Indigenous academic Professor Marcia Langton in July during the Garma Festival at Gulkula.

The visiting academics attended cultural

ceremonies, presentations on collaborative research and visited education and cultural facilities at Yirrkala before meeting with senior elders from the region at the site of the Garma festival and the proposed venue for the Garma Cultural Institute.

Galarrwuy Yunupingu, Chairman of the Yothu Yindi Foundation, explained to the academics that the Garma site was where the ancestral being Ganbulabula had brought forth the yidaki (or didgeridu).

"The dhardalal, a special yidaki, is a sound that unites people and calls people together to meet, reconcile their differences and learn from each other," he said.

"This Garma is about reaching out. This Garma is an invitation. This Garma is about building common ground and sharing our knowledge."

Professor Niland, in committing the Vice Chancellors to the working party, said "we must do this for the children and grand children. There must be a path we can follow and steps we can take."

Professor Ian Chubb, the Vice President of the AVCC and Vice Chancellor of Flinders University commended the vision, enthusiasm and dedication of the Aboriginal people of north east Arnhem Land to using education to improve the life of Aboriginal and non-Aboriginal people. ●

Pictured (from left): Galarrwuy Yunupingu, Professor John Niland, Vice Chancellor of the University of New South Wales, Mandawuy Yunupingu and Professor Ian Chubb, Vice Chancellor of Flinders University, South Australia.



Fight for our rights: Andy

Andy Andrew, the NLC's executive member for the Katherine region, is a long-time campaigner and supporter of various Aboriginal organisations and causes.

He was the first President of the Bagot Community in Darwin, and currently is involved with the Jawoyn Association, Nitmiluk Gorge Board of Management, ATSIC Katherine region and the ABR committee.

On his involvement with the NLC, Andy says: "We moving all the time. We take up these issues for the people - not only for land, but we also got to fight for our rights. It is a big thing."

Andy condemned any attempts to take away permit system and take away rights from communities.

"We are not going to let our people down," Andy said.

Andy is keen to encourage more people to get involved in local organisations and community actions.

"I am trying to get more people involved, especially the young ones," he said. "But it is hard to get them to do something."

"Maybe happening everywhere. Young people think of themselves first. They want to do things they want to do."

"You have to keep talking to them. You have to making a good relationship before you push them," Andy said.

"You need better communication, then say to them: 'I will be here standing by.' They don't like being pushed."

"But once you start it, you have to communicate, make him understand, sitting, sitting, before you can say: 'It is now your time, and I am going to fall back', and he now has to start trying," Andy said.

"For our young ones, sometimes they are too frightened to stand up and speak at meeting or with European people. They are too shy."

Spirituality is important for Andy. "A lot of the older people are really worried that we gonna lose the culture," he said. "The young kids - we must try to teach them," he said. "We are losing culture and need to reverse that and young kids need to be taught."

Andy has witnessed slow progress in Aboriginal issues over the years.



Andy Andrew

"Lot of things still dragging on with Aboriginal lifestyle, especially education and health," he said. "They are real issues."

"It is happening very slowly and very small."

Andy considers his background makes him useful as an Aboriginal campaigner.

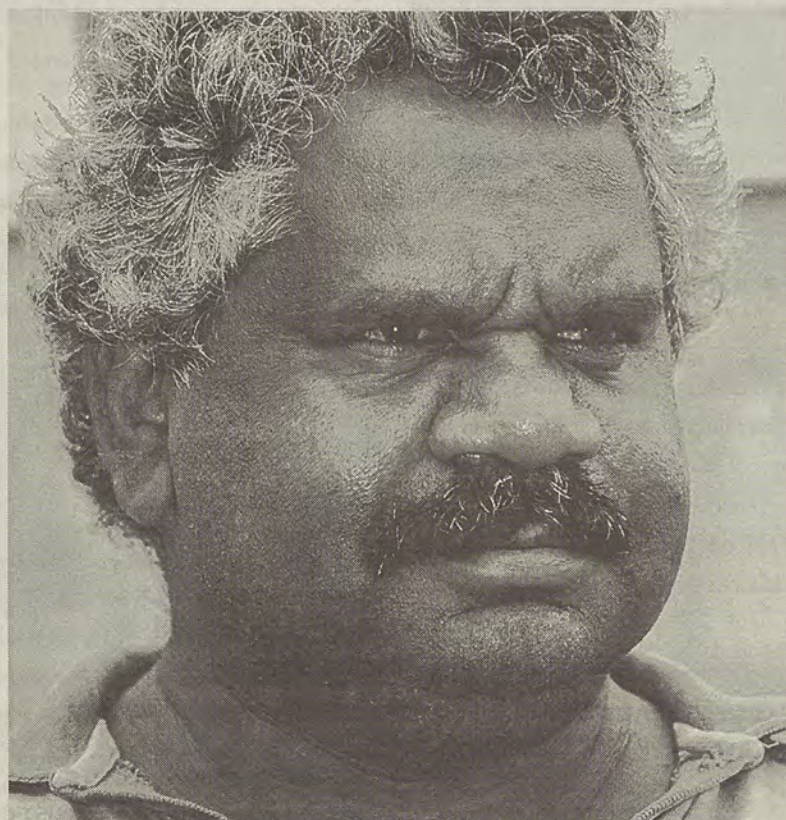
"I think I can do things," he said. "My

background, I have been throughout this Territory. I know. I have seen the conditions.

"Everything we do for our people. Some mob only interested in their small needs in their own community. That will not do. We got to think of all Aboriginal people throughout the Territory." ●

New Regional Co-ordinator at CLC

Richard Dodd (below) has been appointed as the new co-ordinator for the Central Land Councils Eastern Sandover Region. Richard has spent the last several weeks in the CLC's head office in Alice Springs learning the ropes before heading east.



NLC Tennant Creek office reopened

The NLC's Tennant Creek office has reopened.

Project Officer is Mr Peter Sherman.

The address is 17 Windley Street and the phone number is (08) 8962 2904.

CD launch

Dhimurru Land Management Aboriginal Corporation and CINCRM will launch the Manydjarrrnga-Nanydjaka CD Rom at the Mal Nairn Auditorium on Wednesday 1st December from 1.00pm.

The CD Rom has been prepared for the Australian Heritage Commission and provides an assessment of the cultural, historic, and natural heritage values of Nanydjaka against National Estate criteria.

It also provides data for the use of Dhimurru in the management of the area.

BAGOT COMMUNITY INC

P.O. Box 38871 Winnellie NT 0821

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fax 89482093

A PUBLIC APOLOGY TO LINDA HILL

Linda Hill was previously employed as the assistant CDEP Manager at Bagot community.

Whilst Bagot Community and Rafael Perez did not intentionally discriminate against Ms Hill, they acknowledge that some matters relating to her employment at Bagot Community could have been better handled.

Both Bagot Community and Mr Perez apologise to Ms Hill for any pain and distress that she may have suffered as a consequence.

Bagot Community wishes to acknowledge the contribution made by Ms Hill, particularly in securing funding for the new women's centre and the safe house at the community.

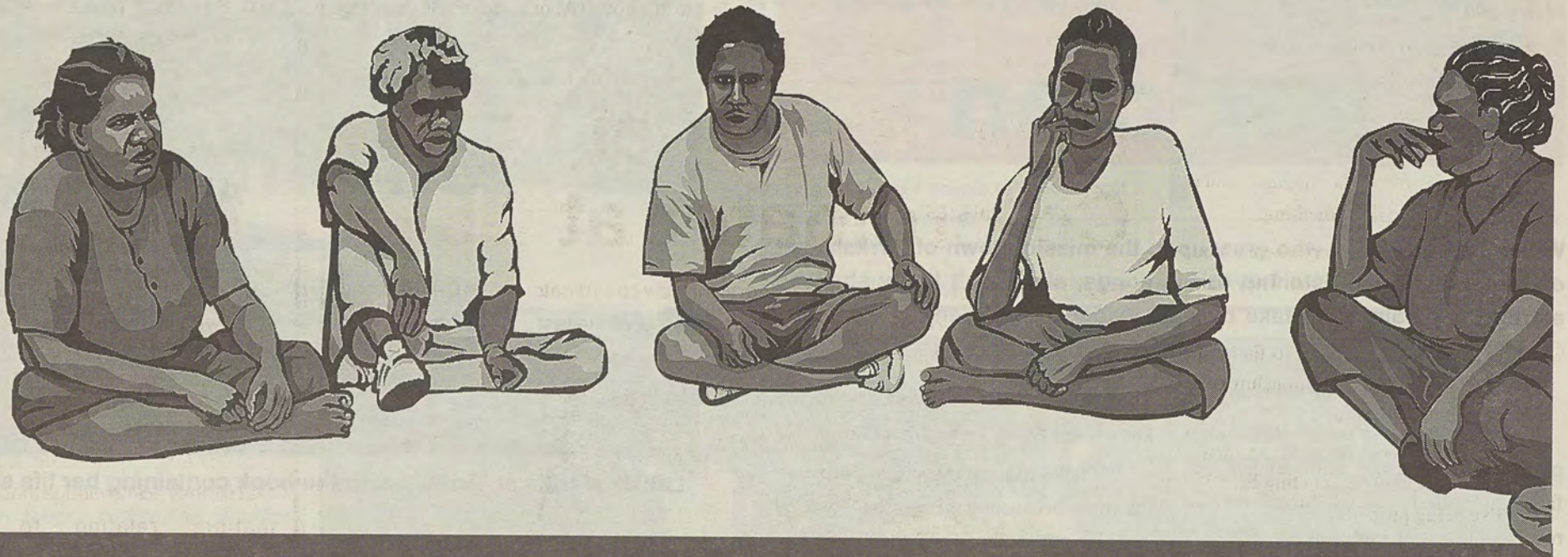
Both Bagot Community and Mr Perez wish Ms Hill every success in her future career.



MANDATORY JAIL LAW INQUIRY

The Senate is holding an Inquiry into mandatory jail laws in the Northern Territory.

The Inquiry will report back to the Federal Parliament early next year.



To Have Your Say Call Your Local Aboriginal Legal Service.



Girls urged to stay at school

Two hundred young women attended the third annual Kungka Career Conference held at the Ayers Rock Resort in September.

The Ngaanyatjarra Pitjantjatjara Yankunytjatjara (NYP) Women's Council organised the conference for women aged 12 to 20 years old from its member communities to inspire and inform young women about education, training and career paths.

Mary Anderson of the NPY Women's Council said in her opening address: "The world is changing and we need all you girls to stay at school to get an education because you are our future. Always remember that education is the key to this big world you are stepping into."

Professional Aboriginal women speakers at the career conference included Anita Heiss, Avril Quail, Barbara Cox, Catherine Liddle, Gina Smith, Helena

Saunders, Janet Forrester, Inawinti Nyangu Katrina Tjitayi, Kerrie Tim, Kerriane Cox, Kylie Miles, Leisa McCarthy, Nerida Shadforth, Rita Mills, Sharon Finnan and Tessa Rose.

Workshops covered areas such as song writing, literature, women's health, dance, leadership skills, teaching, and fitness training.

The conference concluded with live performances by the Swanz and Parakelye Pertame Aboriginal Dance Troupe from Alice Springs followed by a BBQ and sports carnival at the Mutijulu Oval.

For the first time the SA, NT and WA Departments of Education, Training and Youth Affairs funded the conference. ●



"Career girls" in the conference T-shirt designed by Samara Burton from Amata in the Pitjantjatjara lands of SA.

Laklak leads her clan

When Laklak Marika, who grew up in the mission town of Yirrkala, sat on her father's lap listening to his songs, she didn't know she was starting her training to take over as leader of her clan.

At 21, she learned all the ceremony.

At 51, as the most senior Rirratjingu person following the death of her late father's brother, Laklak took over the responsibilities of leader of her clan.

With all her knowledge, she is the one who gives permission for special ceremonies. She is the one consulted on important issues. And she is the one who now, is passing on her knowledge for future generations.

"Everything I was learning, I was keeping for myself," she said. "I didn't give away to the people until recently. I am 56 years old now. So that knowledge, I am now giving away to my family, to my sisters - especially to my younger sister Banduk.

"When the time comes for me, well they have got that knowledge when I pass away. I don't want to take all my

knowledge away, so I am giving my knowledge to my Rirratjingu family.

"We have to keep our culture alive all the time, because that is our background and also our mother earth and everything that we do is our culture.

"Banduk, she is writing it all down into a book and also she will keep it to herself and pass it on to her children when she gets old."

Laklak's life story is in *Gong-Wapitja*, by Gillian Hutcherson.

"There is a story in the book about my spirit," Laklak said. "My spirit comes from Yalangbara. It is important that I am a person that my father dreamed at Yalangbara and that is why all the knowledge that I've got is important to the family.

"Our land - it's part of us, and our spirit comes from the land. My spirit comes



Laklak Marika at Yirrkala with the book containing her life story.

from Yalangbara because that's most important place for Rirratjingu people, and that is why I am written in the book."

Laklak's story also describes how she came to work eventually in the health profession. Her first job on leaving school was as a house cleaner for the missionaries, eventually moving into the mission hospital - still as a cleaner.

One of the Sisters began teaching Laklak some basic skills and the following year, 1973, she went to Darwin for further training as a health worker.

After gaining her certificate in health work, for the next 10 years, Laklak's working life included being an assistant tutor teaching

other Aboriginal health workers from the east Arnhem region, and also attending conferences.

Laklak now spends much of her time in the homelands in Bremer Island set up by her husband who passed away in 1994, and says in the book: "I am very happy to stay here at the homeland my husband established until I die."

Gong-Wapitja: Women and Art from Yirrkala by Gillian Hutcherson and printed by Aboriginal Studies Press, is available through AIATSIS, Customer Service, GPO Box 553, Canberra, ACT 2601 and through Buku Larrnggay Mulka Arts Centre, Yirrkala. ●

Mine Catering Deal Spinoffs

A new catering deal for the Tanami mine will ensure that more of the proceeds of mining on Aboriginal land will go to local Aboriginal businesses.

The Aboriginal-owned grocers, Red Centre Produce based in Alice Springs, will now supply fresh fruit and vegetables to the Tanami Mine catering contractors.

The contract caterers at the Tanami Mine, Eurest Australia, have entered a joint venture with Aboriginal Catering Service Pty Ltd, a charitable trust with proceeds to be used for health, welfare, education and employment.

The directors of Aboriginal Catering Service Pty Ltd are Des Rogers of Red Centre Produce, Alice Snape of Cuz Café and Willy Tilmouth representing Centrecorp.

Red Centre Produce services a range of businesses in Alice Springs, Tennant Creek and stores in 14 Aboriginal Communities as far away as Western Australia. The business has grown by 25 percent over the last year and Des recently had a refrigerated truck made in Alice for his deliveries to remote communities.

Des says: "The trick is to know your business, provide good service and fresh produce at a reasonable price." The Tanami

deal means he can hire another worker in the packing shed where orders are prepacked according to the needs of each customer. ●



Des Rogers of Red Centre Produce Alice Springs

Ngukurr achievements recognised

The achievements of Yugal Mangi Council at Ngukurr have been recognised twice in two months.

In September, competing against nominations received from throughout the Northern Territory, Yugal Mangi Council won the Telstra Local Community Landcare Award for the work they have done over the last five years.

This year's Landcare Awards were announced at a presentation dinner in Katherine on September 4.

The Council's work has involved revegetation, dust suppression and weed and fire control in and around their community.

Clarry Rogers has been managing the project in the community and working with CDEP workers and the Council's successes have encouraged other communities in the region to inquire about following a similar direction.



Marjorie Hall, Helen Ponto, Jo Morrison, Grace Daniels, Margaret Rogers, Clarry Rogers, Jennifer Rogers, Janet Rogers, Roger Rogers, Ali Garing.

In October, Yugal Mangi Council was again a winner - receiving a \$42,500 Natural Heritage Trust grant to help reintroduce traditional burning regimes in the area.

Achievements honoured

Ms Ruth Mula, co-manager of the CDEP Guesthouse in Milingimbi, has won a special award at this year's NT Vocational Training Awards, in recognition of her significant personal development and educational achievement.



Ruth Mula

The Judges Commendation was announced at a gala function in Darwin in September to celebrate the outstanding achievements of trainees, apprentices, students, employers and training providers of vocational education and training in the NT.

Ruth, who is currently studying Hospitality through the NT University to increase her skills in managing the Guesthouse, said her vision for the future was to help Yolngu people to become self-reliant and manage their own business affairs.

Ruth, a well respected member of the

Milingimbi community, is also a representative on the Women's Advisory Council.

The 1999 NT Aboriginal and Torres Strait Islander Student of the Year is Mr Masun Nasir.

Masun currently works with Australian Hearing Services as an Aboriginal Health Worker, Hearing Specialist covering all Aboriginal communities in the NT and the Kimberley region of Western Australia.

Masun recently completed a traineeship in Small Business Management with CRC - Menzies School of Health and has also undertaken studies in Health and Adult Education. He plans to complete further studies in the profession of Audiology. ●



Masun Nasir

Pool from profits at Areyonga



The new pool is closed during school hours for these Areyonga kids – and wagging school also means no pool that day.

The people of Areyonga, 200 kilometres west of Alice Springs, have built their own swimming pool from the profits they have made doing contract work around the community.

In the past three years, Areyonga has successfully tendered for contracts from IHANT, Telstra and the Department of Transport and Works to build several houses at a profit, run their own telecommunications lines into the community and performed major work on the power house and sewerage system.

This program has enabled them to provide employment and skills to local people and to keep money within the community. Usually this type of work is performed by non-Aboriginal contractors from Alice Springs.

Australian Medical Association President David Brand who was taken to Areyonga to look at the initiatives was impressed. Mr Brand said that the importance of good infrastructure should never be underestimated.

“Good water, good sewerage, good rubbish disposal and good housing - all those things are bigger determinants of health in the prevention of the diseases we are faced with than the treatment side of things,” he said.

Swimming pools are known to have positive health effects in reducing ear and respiratory problems and reducing incidents of scabies as well as providing hours of entertainment for community members.

Mr Brand was visiting Central Australia as a guest of Central Australian Aboriginal Congress to find out about Aboriginal health at a grass roots level

Arnhem Land, always a drawcard for television and film companies, has had a stream of camera-toting visitors over the past few months.

Yirrkala was chosen as one of only a handful of Australian locations for a 26-hour epic Millennium broadcast called *2000 Today*, to be screened worldwide on New Year's Eve through to New Year's Day.

2000 Today will take viewers to all parts of the globe to hear what people think about their communities. Hunting, art and landcare arose as some issues important to the people of Yirrkala.

Galarrwuy Yunupingu, as chairman of the Northern Land Council, his brother Mandawuy Yunupingu, as front man for the internationally known band Yothu Yindi were interviewed, as were a number of local people involved in health, the arts, education etc.

Robert Hughes, the Australian art critic, historian and writer will also fea-



It's a dream come true

For Darwin lad Shannon Motlop, it was a dream come true earlier this year when he played for the winning team in the AFL Grand Final, the North Melbourne Kangaroos.

Shannon, 21, took some outstanding marks and possessions and kicked two goals in the match against Carlton - in what was only his 8th game with the Kangaroos.

Shannon's mum, Stephanie, who works

in the Darwin office of the Northern Land Council, was at the ground on Grand Final Day to watch her son, along with the mothers of Shannon's black brothers on the team, Byron Pickett and Winston Abraham. ●

The films keep rolling on



Follow the leader: Merrikwuy Ganambarr, a teacher at Yirrkala CEC, is followed by the producer, the camera man, the sound man and the director in the making of the *2000 Today* documentary.

ture Galarrwuy Yunupingu and East Arnhem in his six-part documentary series called *Beyond the Fatal Shore*.

This series, co-produced with ABC TV Australia, BBC in the UK and PBS in America, is also a millennium-inspired project. It will explore Australian history

and provide a snapshot of contemporary Australia as we enter the year 2000.

Also, Galarrwuy's involvement in recording the country song Guringi Blues back in the 1970s will feature on a Film Australia documentary *Buried Country* looking at the history of Aboriginal country music. ●



- Above: Teddy Briscoe at a CLC regional meeting at Laramba.
- Above right: Ladies at Lajamanu regional meeting from left to right: May Jamu Nappaljari, Jean Birru Napparula and Nora Nungarrai.



- Pictured above right: Frances Kelly with one of the new set of Central Land Council posters at the Full Land Council meeting at Titjikala recently.
- Right: Peppi Simpson, elected as the stand-in Executive member for the Tennant Creek region at a Regional Council meeting.
- Rita Nangala at Laramba for a CLC regional meeting.



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St Vidgeon *continued from page 11*

Cleo was born at Nutwood Downs and her bush name is Mambid. Her father, who was fluent in the Warndarrang language, worked as a stockman at Nutwood Downs for part of the year and her mother used to help at the station house.

"I regard myself as being Warndarrang and Marra," Cleo said. "I speak both Kriol and Alawa and understand Marra."

After spending most of the time as a small child at Nutwood Downs, Cleo's family came down to the New Roper River Mission, which was where Ngukurr is now.

"I went to school at the New Mission," she said. "I sometimes used to run away from school, but got strapped with a stingray tail for this. During holiday time I would come over to St Vidgeon."

"We travelled by dugout a lot. We went up the river as far as the Bar and as far south along the coast to Bing Bong near Borroloola and up the Towns River. We would collect bush tucker like lily roots, wild yams and cassava, sugar bag, goanna, blue tongue lizard, turtle, shark and stingray."

"We would catch turtles using spears and dig yams with digging sticks."

"We use bark to stop head colds or chew for tooth aches. We still get all the same tucker and medicines today."

As well as working in the Alawa language program at Hodgson Downs school, Cleo teaches the kids about bush tucker and traditional medicines.

"According to my firearm licence I was

born on the 1st of December, 1927," Steven Roberts told the hearing.

"I was born on St Vidgeon at a place called Wulangarra. My father was Caleb Roberts. His bush name was Minamiya. My mother was Rachel. Her bush name was Jirrburr. My bush name is Nanimiya. I am Alawa and speak that language."

Stephen went to school for a while at the Mission and recalled how he was 13 when he went to live with his father, who worked on Old St Vidgeon Station at Walgundu. His father drove a big wagon used to cart salt, wood, fencing and yard building materials.

He spent many years working on cattle stations and worked a lot with other Marra and Alawa people.

Explaining his connections, Stephen said: "I am Mingirringi for Burdal country on Hodgson Downs and St Vidgeon. I get my rights in that country from my father and grandfather. I pass those rights on to my daughter. The main dreamings on that country are Yarrgala (Plains Kangaroo), Buburnarra (Black Headed Python) Awaran (Lightning and rain) and Garrinji (Jabiru)."

Steven is also active in the Alawa language program at Hodgson Downs school. Part of the program involves taking the kids out to Alawa country. "Its important to teach the kids Alawa and keep our culture strong," he said.

The court will reconvene in Darwin in early February to hear the evidence of the Northern Territory Government, the Fishing Industry and the Northern Territory Land Corporation. Expert evidence will then be given in early March. It will be some time before Justice Olney makes a decision. ●



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Website spreads student messages of racial tolerance

A website featuring work and messages from students around the Northern Territory is part of a project called Sticks 'n' Stones, which aims to bring together youth from refugee, Indigenous, migrant and other cultural backgrounds to celebrate their cultural identities and to promote racial tolerance through a range of creative art forms.

The project is being developed by Torture and Trauma Survivors Service of the Northern Territory and Track Dance.

Sticks 'n' Stones is part of the Commonwealth Government's Living in Harmony initiative, administered by the Department of Immigration and Multicultural Affairs.

The website address is: www.sticksnstones.org.au ●

Land Rights News apologises to Warren Williams. In our last edition we mistakenly called Cassandra Williams his daughter. She is his niece. Sorry Warren.



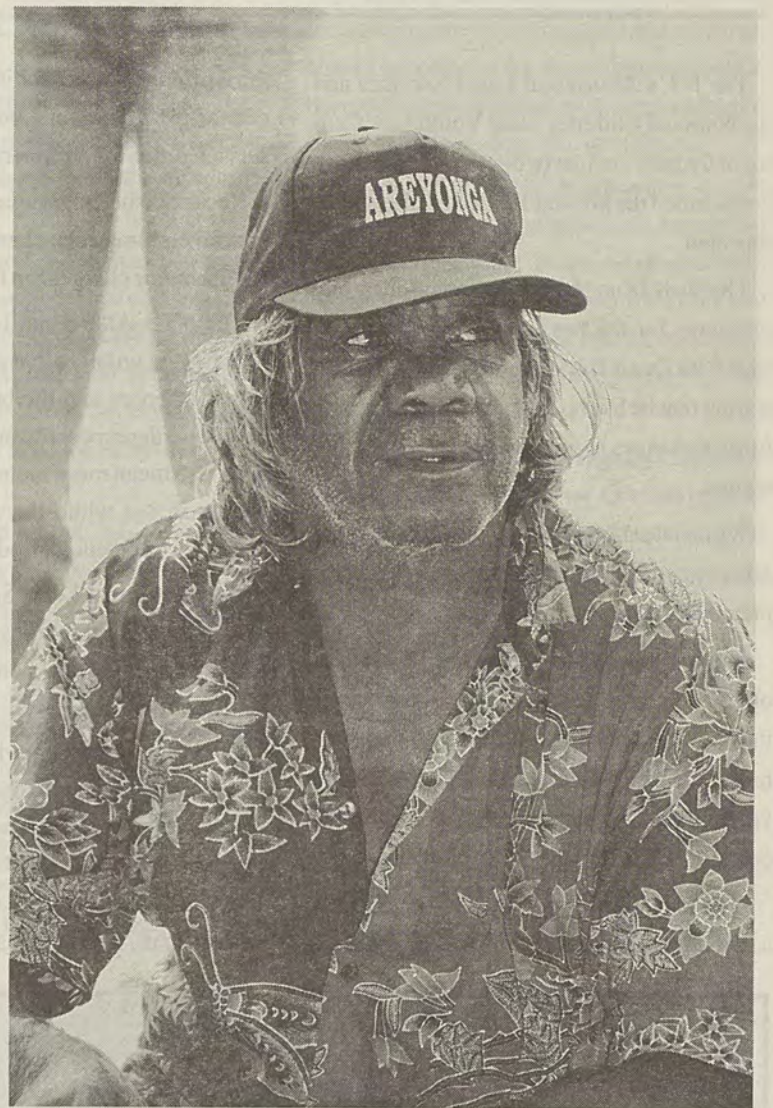
Above: Wenton Rubuntja speaking at the celebrations of the return of the sacred rock to Karlu Karlu



Left: traditional dancing at Yipirinya School. left- right, Hazel Raggat, Linda Anderson and Carrina Clyne



Above: Marilyn McCormack at a CLC Regional meeting in Alice Springs



Above right: Punkai Bob at Areyonga.

Right: Celebrations at the handback of Mt Wedge by the Governor-General Sir William Deane



Mandatory sentencing laws should be scrapped

The Senate's Legal and Constitutional Affairs Committee is visiting the Northern Territory to examine the impact of the mandatory sentencing laws.

The NT's Aboriginal Legal Services and the National Children's and Youth Law Centre in Sydney are just two groups which have condemned the laws and called for them to be repealed.

The visit from the Senate committee and pressures for the laws to be abolished contrast with Denis Burke, as Attorney-General, stating that he has no intention of making any further changes to the mandatory sentencing regime.

While late submissions to the Senate committee are possible, the report has to be completed by February next year.

The laws mean that if you are 17 years or older and you steal something, smash something, write on something that is not yours, break into a house, have something that is not yours, steal a car or even get a ride in a stolen car, you will go to jail.

For a first offence you will get 14 days in jail, a second offence is three months in jail and a

third offence gets a year in jail. Your lawyer cannot get you a fine, bond or community service order for a property offence.

Recently the government gave judges a special circumstance clause to let people off for the unfair charges but this is very limited.

The NT's Aboriginal Legal Services say the laws are unfair in that people go to jail for minor offences and the laws hit Aboriginal people harder especially in communities. The laws also mean more money is spent keeping people in jail while there is no proof that mandatory sentencing reduces crime.

The Aboriginal Legal Services are hoping to visit some communities to discuss the laws and are lobbying the Senate Committee to visit communities as well.

Committee members will ask the Northern Territory Government to provide more of the statistics it says prove the laws work. The committee will also ask the NT Government about how the laws break United Nations treaties that Australia has signed. ●

Cultural heritage under threat

Both Land Councils in the Northern Territory consider proposed changes to the Commonwealth Heritage Act would allow the Commonwealth to walk away from its responsibilities completely.

They say the plan by the Commonwealth to hand over the power to protect sacred sites and cultural property to the States and Territories would take away the safeguard that Aboriginal people have if they find the NT laws are not protecting their cultural heritage.

The changes would also allow the NT Government to water down the NT laws themselves and would affect native title rights.

While the existing Act is not perfect and needs some changes, it has given some protection.

For example, the Central Land Council successfully used the Commonwealth Act to protect Junction Waterhole on the Todd River, a site the NT Government had earmarked for a dam.

Without the Commonwealth Heritage Act, the dam would have gone ahead and would have flooded important women's sacred sites.

The proposed changes, to be debated in

the Senate in late November, include taking away blanket protection for sites - like we currently have in the NT and only providing protection to "Heritage Sites" if the Government says it is in the "National Interest". "National Interest" is not defined and is unlikely to be a matter of Aboriginal interests.

The Land Councils and ATSIC have consulted traditional owners throughout the past two years and have made submissions to Government inquiries, but the government has not listened to what Aboriginal people say.

Along with land councils from other States, the Land Councils have been drafting alternative amendments to make the Act work better. Further negotiations with the Government and Opposition parties in the Senate are likely to take place during the period the proposed changes will be debated in the Senate in late November. ●



The Commonwealth heritage legislation was one of the essential instruments in saving Coronation Hill.

GST

Important information for Indigenous organisations

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Castan QC AM

The loss of Mr R Castan AM QC in October this year will be felt deeply by many Aboriginal communities in Australia.

Chief Executive of the NLC Mr Norman Fry said Mr Castan was a long time friend and advocate for Indigenous people, and represented the NLC in many landmark cases regarding the Land Rights Act since the 1970s.

"Mr Castan's strong advocacy and success in those cases set the stage for his greatest victory - the Mabo case in 1992," Mr Fry said.

"It was these cases, which established land rights and native title in Australia, that provided the legal basis for an equal partnership and for true reconciliation between Indigenous and non-Indigenous people.

David Ross Acting Director of the CLC said that "Australia has lost one of its greatest ever philanthropists."

"The Aboriginal community is particularly deeply indebted to Mr Castan, who fought for us so long, and so hard and so well. He generously offered his legal skills to Aboriginal people in Australia in the Mabo and Wik cases and on many, many other occasions."

"He was always generous and gentle and he was equally at home sitting down with Aboriginal people in the bush or sitting in the Prime Ministers office. He had been helping us for nearly thirty years - usually unpaid and always uncomplaining.

"Mr Castan always displayed a dignity and calmness which made him an ideal ambassador for us in situations where bitterness and anger could have easily prevailed.

"He was a legal adviser to the National Indigenous Working Group and did much to assist us through very difficult times."

"The legacy Mr Castan left was to make native title a reality and help establish Aboriginal customary law and land ownership rights as fundamental principles of Australian law."

"I would also like to pay a special tribute to Mr Castan's wife Nellie, children, grandchildren and extended family for their generosity and forbearance when Mr Castan's work for human rights in Australia took him away from them so often," Mr Ross said. ●

Jawoyn Buffalo aid

The Jawoyn people are donating 50 young water buffalo as a basis for a breeding herd for rural East Timor.

The gesture follows news that up to 98% of East Timor's working animals and cattle have been destroyed in the aftermath of the independence vote.

"We have watched with great sadness what is happening so close to us," Jawoyn Association executive director Robert Lee said. "We had to do something."

The buffalo have been mustered on Jawoyn traditional lands and will be kept until the East Timorese are ready to receive them - hopefully in a few months.

Mr Lee said that the Jawoyn were also interested in developing a "sister community" relationship with an East Timorese village.

Mr Lee said that the Jawoyn building and construction company, Nabirndak, was prepared to help with housing.

"We hope this will develop into a long term relationship, where the Jawoyn and East Timorese can learn from each other, and exchange ideas and skills as we both work towards economic independence for our respective peoples," Mr Lee said. ●

Permit rights are too important to misuse

The Northern Land Council met with Maningrida traditional owners as a group in mid-November following moves to revoke permits for certain residents.

The NLC wanted to hear their full story and to consider how to resolve underlying problems, before authorising any legal action.

Some traditional owners see the permit system as their main and maybe only way to assert their rights of ownership over their traditional land.

This is an important right - too important to be misused.

In some cases, however, it becomes apparent that certain people try to manipulate the permit system to suit their own personal and political ends or try to use it to sort out other internal community issues.

The Land Council recognises that traditional Aboriginal owners have concerns that their land rights are not properly recognised in towns on Aboriginal land and that employment and commercial development opportunities appear to be taken by other people.

In addition, the NLC is aware that traditional land owners are expected to give up their private land for public infrastructure

and occupation in a way that would not be contemplated elsewhere.

The outcome of the meeting was that the traditional owners would continue to work with the Land Council to develop an agreement between traditional Aboriginal owners and the local government body and other organisations operating in Maningrida. A traditional owners' agreement would acknowledge land rights in these townships, provide for agreements on land usages and set down agreed procedures for developments, operation of businesses and employment and training of staff, including staff permits.

In order to facilitate development of this agreement, and in time honoured Aboriginal tradition, traditional owners asked certain people to leave the community for a time and "cool off". Meanwhile the Land Council will continue to mediate and develop the agreement.

The Land Council has recently concluded the first such "Traditional Owners Agreement" at Minjilang, a smaller township on Croker Island. It has taken nearly three years to complete. ●

Below: Marcia Langton, Peter Yu, Lowitja O'Donohue, Pat Dodson and Gatjil Djerrkura with their support group in London after meeting with the Queen on a recent lobbying trip to England and Europe. The delegation's historic meeting with the queen was the first meeting between a British Monarch and Aboriginal Australians since Bennelong met King George III in 1793. The issue of Britain's historical legacy was raised with Her Majesty who showed a great deal of interest in the position of indigenous people in Australia."



AROUND THE NLC REGION



Pictured clockwise from top left:

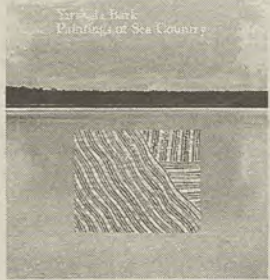
- Splinter Gerreperre (foreground) Roy Golokundu (rear left) and Felix Farrel at Yawarra (Queensland Crossing).
- Helen Ponto, Majorie Hall, Grace Daniels, Margaret Rogers and Janet Rogers at the Northern Territory Landcare Award ceremony at Katherine in September.
- Queenie Riley and Maureen Thompson at Wabara (No 8 Lagoon).
- Nancy Djulumba and Helen Williams at the West Arnhem regional meeting in October.
- Djulurr Munugiritj (left) and Yalumul Thorne after a day on the beach at Yirrkala.

Saltwater

Yirrkala Bark Paintings of Sea Country

Published by Buku Larrngay Mulka Arts Centre

Saltwater



Buku Larrngay Mulka Arts Centre have published a beautiful and powerful book to accompany a national tour of 78 monumental bark paintings depicting the importance of sea rights to the Yolngu of north east Arnhem Land.

The exhibition had its origins in 1996 when traditional owners discovered an illegal barramundi fishing camp at Garrangali - the ancient home of the Baru, a primal force which took both human and crocodile form. The desecration included the discovery of a severed head of a crocodile.

Djambawa Marawili, Chairman of the Buku Larrngay Mulka Arts Centre responded by painting the sacred designs of the area to educate strangers to the importance of the sea country. The idea was taken up by the elders

at Buku Larrngay and the resulting barks from 49 different artists are the most comprehensive cultural and artistic statement of the importance of sea country ever assembled.

In an artist declaration, Dula Ngurruwuthun states: "this is sea rights. This painting spiritually links the people ... as caretakers for this ocean. This is our Law and our art. We have been strengthened by our Law which has remained strong from the beginning because of these sacred designs. We are working on our Law. This is interpreting our wisdom, our foundation and the sinews of Yolngu.

Djamabawa Marawili makes a plea for understanding: "somehow the world doesn't know about the patterns and paint that comes from the land. There is not even an emerging understanding of the patterns and designs underlying Sea Rights or Native Title. This book will teach the world."

The book is lavishly illustrated with detailed stories for each painting, artist declarations and an introductory essay by Djon Mundine.

The book, \$35, is available as it tours to the John Curtin Gallery, Perth (4-28 Nov 1998), Australian National Maritime Museum, Sydney (5 May - 9 July 2000), The Museum of Modern Art at Heide, Melbourne (19 Aug-15 Oct 2000), The Araluen Centre, Alice Springs (2 Dec 2000-20 Jan 2001); or from the Buku Larrngay Mulka Arts Centre at Yirrkala (Tel: 08 8987 1701). ●

Trepang – the hit of the Darwin Festival

Trepang, an Indigenous opera telling the story of the first contact between the Macassans of Sulawesi and Yolngu people of northeast Arnhem Land was performed to rapturous receptions over four nights in September during the Darwin Festival

Crowds of 300 or more per night enjoyed the atmosphere of the outdoor amphitheatre specially adapted for this unique, original, exciting and at times hilarious production.

Performed by the ancestors of the Macassan visitors and their Yolngu hosts, the production documents the Macassan sea journey to Arnhem Land looking for trepang to supply a lucrative trade to the Chinese.

The trepang trade between the Macassans and Yolngu took place for around 300 years until 1906, when the Australian Government halted the long standing trade, and with that the friendship, shared customs and close family ties that grew with annual visits.

First contact in the opera is an electric

moment as the relationship teeters between friendship and distrust. Despite language and culture barriers - also experienced by the English-only speakers in the audience - the two groups manage to effectively communicate and develop an understanding which begins with simple trade and later extends to inter-marriage.

One wonders what Australia would be like now if the later visitors, the British, had treated Aboriginal people with the same respect shown by the Macassans?

Somehow it is this thought that underpins the joy and spirit of the production - the Macassan and Yolngu actors and musicians are doing more than telling their story; they are mapping out a history that can provide lessons for the future. ●

Time to prepare youth for future leadership

The Women's Committee of the Northern Land Council will ask the Full Council to establish a Youth Committee as a first step to prepare young men and women to take on leadership roles in the future.

Chair of the Women's Committee and Deputy Chair of the NLC Mary Yarmirr, from Croker Island in the West Arnhem region, said the time was right to make this move.

"This is the time, otherwise there will be no-one behind to take the responsibility," she said.

"This Youth Committee, it would be both men and women and they will be observers at Full Council meetings, seeing what the Council is doing. We need to start pushing our young ones forward.

"We need younger people to be more informed about the NLC. We need to start training them.

"Our children, who have Western ideas as well as traditional ways, can come to the Full Council and prepare for the future."

Nellie Camfoo, NLC member from the Katherine region, pointed out: "It will be like

round the campfire when we tell our story - both way. It will be same as we do training for our culture."

May Rosas, also from the Katherine region agreed: "We must ask the young ones. Otherwise they will be lost."

Kava, CDEP, land use agreements, education, land management and ceremony funds were just some of the issues the Women's Committee dealt with at their meeting, held just before the Full Council meeting at Lake Bennett on October 17.

"This is a very important forum for women," Mary Yarmirr said.

"It gives women a voice.

"We are interested in community issues, matters that affect our people directly and often we write to government departments and politicians asking for information and requesting action.

"We also discuss national issues, such as land rights and native title."

Robin Knox, the women's officer in the Caring for Country Unit, addressed the meeting and explained her role, which is to help women to be involved in land management activities in their communities. ●



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Applications will close on 26 November 1999.

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00023

ART

NT artists scoop national art prizes

Long Tom Tjapanangka (left), a Pintubi/Ngaatatjarra speaker of Haasts Bluff, has won this year's \$20,000 National Aboriginal and Torres Strait Islander Art Award, with his painting *Ulampuwarra* (Haasts Bluff Mountain)

Mr Tjapanangka paints a variety of culturally important western desert landscapes using dramatic blocks of colour to show mountains or ranges.

Northern Territory scooped all the major prizes in the competition, sponsored by Telstra, which attracted almost 500 works by indigenous artists throughout Australia.

An exhibition of the works continues at the Darwin Museum and Art Gallery until 21 November.

The bark painting award went to John Mawurndjul from Mumeke outstation near Maningrida. Gertie Huddlestone from Ngukurr won the general painting award. Lofty Bardayal Nadjamerrek from Oenpelli won the work on paper award, and the Wandjuk Marika Memorial Three-dimensional award was won by two Tiwi artists from Nguiu working together, Sylvester Victor Robert Fernando and Cyril James Kerinauia.

Left: Gladys Desmond from Lajamanu at the Warnayaka Arts Centre

Weaving skills on show

Weavers from Wadeye, Gumbulanya, Maningrida, Ramingining, Galiwinku and Peppimenarti shared and displayed their expert weaving skills at the Barddiy'wanga String Festival in Darwin in August.

The annual four-day Festival included culture talks, story telling, fashion parades, music and food.

The String Festival was launched in 1996 by stringmakers from Maningrida in Central Arnhem Land and Ramingining in North East Arnhem Land.

The aim is to show the work of senior string makers to the wider public, to unite and communicate with cultural groups across the homelands, and to involve the younger generation in string craft and associated events.

