

Indigenous people and World Heritage: the Benefits, Opportunities and Challenges

Chrissy Grant

I want to thank and acknowledge Henrietta Marrie for her warm Welcome to Country, and show my respect to the Elders past and present from the Yidinji Traditional Owners and other Traditional Owners present here today.

I am a Kuku Yalanji Traditional Owner on my mother's side with responsibilities on country from south of Daintree River to Cape Tribulation. My heritage also includes Mualgal from Kubin in the Torres Strait on my father's side.

To present this paper it was essential that I talk to as many of the Traditional Owners in the World Heritage properties as possible. Without their willingness I would not have the rich input into my paper. My thanks to them all and I have acknowledged them in references.

There is reliable evidence of Aboriginal people living in Australia's vast landscape of up to 60,000 years ago. After a decade of research Bill Gammage (2011) in his latest book *The Biggest Estate on Earth: How Aborigines made Australia* determines that early Europeans commented again and again that the land looked like a park. He also argues that Aboriginal people managed the landscape effectively with traditional methods and fire regimes that prevented catastrophic fires such as have occurred in more recent times. Aboriginal people were thought to have managed the land in a far more systematic and scientific fashion than it was ever realised.

Aboriginal people have actively managed the land and the environment for a sustainable existence across many types of landscapes of land and sea. Those landscapes included vast areas of rainforests, deserts, grasslands, forests, mountain ranges, rugged coastlines, inland lake systems, rivers, reefs and islands; some of which are now recognised at the highest level being listed as World Heritage Areas.

World Heritage Areas with Indigenous cultural significance

Worldwide there are 962 World Heritage Areas (Areas) of which there are 745 protected for their cultural values as well as 29 mixed with natural and cultural values. That leaves 188 World Heritage places protected for their natural values. For Aboriginal people there are cultural values and significance across the landscapes and natural features. Stories lie across the land giving it





Cave art in Kakadu World Heritage.
Photo © Tom Smith, Commonwealth of Australia (DSEWPaC)

special importance to the Traditional Owners.

With Australia's 19 World Heritage Areas inscribed on the UNESCO World Heritage List there are only four recognised for their Indigenous cultural values – Kakadu, Willandra Lakes, Uluru Kata-Tjuta, and the Tasmanian Wilderness. However, Fraser Island, the Great Barrier Reef and the Wet Tropics listings also include mention of Aboriginal people's prior occupation and the cultural significance of the area in the description of the Areas. The serial World Heritage listings for the Gondwana Rainforests of Australia in NSW and Queensland amount to 11 properties - mainly National Parks and Nature Reserves; there are two Fossil Mammal Sites in Riversleigh in Queensland and Naracoorte in South Australia; and a total 12 separate sites for the Convict sites across Tasmania, NSW, Western Australia and External Territories.

For some Traditional Owners, the fact that only four out of 19 listed Australian World Heritage Areas are formally

recognised for Indigenous culture, is unacceptable. So it is no wonder that they are questioning why the Aboriginal cultural values are not recognised in World Heritage listings, particularly where the landscapes have been managed for thousands of years.

The following is a brief overview of what is currently in place across some of those Areas with perspectives from the Traditional Owners that I was fortunate to be able to speak to about their Areas. Their input and feedback provided some valuable suggestions for management arrangements, dedicated funding, the need for appropriate representation of Traditional Owners in the decision making structures, and for meaningful engagement across all aspects of World Heritage.

Uluru-Kata Tjuta National Park

The Uluru-Kata Tjuta National Park was initially listed for its natural heritage in 1987 and relisted for cultural heritage in 1994. Leading up to 1985 there were many

years of negotiation for Anangu to become the legal owners of their traditional land. They wanted the right to look after the area in what they believed to be the proper way. Anangu became increasingly concerned that their traditional lands were under pressure from pastoralism, mining and tourism.

Established in 1986 the Uluru-Kata Tjuta Board of Management has 12 members, eight of whom are Anangu, one representative each from tourism and environment, nominated by the Federal Minister and one representative nominated by the Northern Territory Government. All are approved by Anangu and the Director of National Parks. They are responsible for the preparation of the Plan of Management and making policy and management decisions.

For Anangu people *Tjukurpa* is the foundation of Anangu life and society. *Tjukurpa* is not written down, but memorised and it guides the development and interpretation of policy as set out in the Plan of Management which are developed in consultation with Anangu and a wide range of individuals and organisations associated with the park.

Unfortunately with the Anangu going through 'sorry business' I was unable to talk with the appropriate Traditional Owner. However with the structure in place the Anangu are actively engaged at all levels of the Area from the Joint Board of Management to implementation on the ground.

Kakadu National Park

Kakadu National Park is listed for its natural and cultural heritage and declared in three stages 1981, 1987 and 1992 – with the latest extension being Koongarra which was added to the Kakadu World Heritage Area by the World Heritage Committee on 27 June 2011. Like other areas around the boundaries of Kakadu, Koongarra was under threat of being mined. Traditional Owners wanted to protect and conserve the strong cultural values so pushed for a number of years to have it included in the WHA listing (Australia map, 2012).

A Board of Management with a majority of 10 representatives of the traditional owners out of 15 was established in 1989 to prepare, along with the Director, Plans of Management for the park; to make decisions about the management of the park that are consistent with the Plan of Management; to monitor the management of the park with the Director; and to give advice, along with the Director, to the Minister on all aspects of how the park develops in the future.

Unfortunately Kakadu Traditional Owners were also going through 'sorry business' and again I was unable to speak with the appropriate person. However you've

heard the concerns directly from the Mirrar people at the conference with their concerns about World Heritage listing or conditions imposed on Indigenous people without their free, prior and informed consent. Not surprisingly the Mirrar are not the only Traditional Owners to raise this issue.

Willandra Lakes Region

The Willandra Lakes Region (Region) is inscribed on the World Heritage List for its cultural values bearing an exceptional testimony to a past civilisation. It is an extensive area found in western NSW that contains a system of ancient lakes formed over the last two million years. Most of these long dry lakes are fringed by a crescent shaped dune or lunette. Aborigines lived on the shores of the lakes for at least 50,000 years, and the remains of a 40,000 year old female found in the dunes of Lake Mungo are believed to be the oldest ritual cremation site in the world. The Aboriginal cultural heritage values are described as unique cultural tradition including landforms and locations which greatly extend our understanding of Australia's environmental and Aboriginal cultural history.

There are three official World Heritage committees responsible for policy and management in the Region. The Two Traditional Tribal Groups Elders Council represents the interests of those Aboriginal people who are traditionally affiliated with the area and provide traditional perspectives on management issues, directions and priorities; the Community Management Council (CMC) made up of traditional owners, landholders, shire councils & government agencies and the Technical Scientific Advisory Committee.

In addition there are other committees and bodies that make significant contributions to the Region's activities such as the Mungo Joint Management Committee, the Willandra Landholders Protection Group, Department of Lands, and the Lower Murray Darling Catchment Management Authority.

From a Traditional Owner's perspective the committees are working well. In fact the pastoralists and the Traditional Owner groups decided that they needed to work together and they're doing that now. There are a majority of Aboriginal heritage officers dealing with cultural issues. While they are struggling with funding to maintain their World Heritage Unit, there are benefits and advantages as well. With the entry fees into the Park a small amount is put towards the Discovery Rangers working and the remainder goes back into the park for management and not into the general revenue.

The Tasmanian Wilderness

The Tasmanian Wilderness World Heritage Area (Area) was also originally listed for its natural and cultural heritage in 1982 and extended in 1989, 2010 and 2012 under criteria not identical with the criteria for the original listing. The Aboriginal values recognised that human societies in this region were the most southerly known peoples on earth during the last ice age.

They are into their second Plan of Management which has a timeframe of 10 years and has retained the general thrust of the 1992 plan. Some new additions to the new plan affecting the Aboriginal communities are:

- increased emphasis on engaging the community;
- increased emphasis on identifying and protecting the world heritage and other natural and cultural values of the Area which may result in updating or re-nomination of the area for World Heritage listing;
- increased Aboriginal involvement in management of the Area with a partnership set up between the government agency and the Aboriginal community to manage for the conservation of Aboriginal values in the Area; and
- allowing for the continuation of established practices, where these do not negatively impact on the values of the Area.

From the Traditional Owners' perspective, the Aboriginal engagement in the management of the Area has had its ups and downs. It started with the establishment of the Tasmanian Wilderness World Heritage Advisory Committee (TWWHA) with 16 members and working well between the Advisory Committee, the Land Council and the Elders Committee up until two years ago when a reduction of funds caused the committee to be disbanded.

The Tasmanian Government recently approved TWWHA Advisory Committee to start up again but with a smaller membership of eight - where there are two Aboriginal Board members – one male and one female. The new Advisory Committee will meet four times a year. There are good relations between the Aboriginal community, the Advisory committee and Aboriginal rangers implementing the Plan of Management. It will continue to feedback relevant information to the Land Council and the Elders Committee and seems to working well at this stage. While the change is less than what was previously in place, Traditional Owners are heartened about the future of their engagement with the management of the Tasmanian Wilderness World Heritage Area.

Fraser Island World Heritage Area

Fraser Island was listed in 1992 and its description acknowledges that there has been Aboriginal occupation of at least 5,000 years and in fact further archaeological work may even indicate earlier occupation.

The Butchulla people are the Traditional Owners of Fraser Island. Butchulla people lived in harmony with the seasons and the land and sea and today continue to walk the cultural pathway of their ancestors.

The Indigenous Advisory Committee (IAC) with eight Aboriginal members provides advice to the Management Committee on matters relating to the protection, conservation, presentation and management of the Fraser Island World Heritage Area (Area). Each family group within the Butchulla nation is invited to nominate one representative and Committee positions are held for a period of three years.

The Traditional Owners would like to see a scheme where a minimal percentage of funds raised from visitation to Fraser Island are set aside for the Traditional Owners to implement initiatives for scholarships and jobs schemes for their younger people, but nothing has advanced in this area yet. The Butchulla people have aspirations for tourism ventures, as while there is heavy visitation to the Island which impacts on the environment, there are currently no benefits coming back to the community from general tourism.

There are four Aboriginal rangers with Queensland Parks and Wildlife Service, comprising male and female rangers. The IAC works with the Department of Environment and Heritage Protection (DEHP) and Queensland Parks and Wildlife Service and sometimes meets with the rangers to deal with cultural issues.

The committee meetings combine twice a year with the rangers but for the Traditional Owners (TOs) it is not considered enough interaction between the TOs and rangers implementing the management plan. According to the TOs the committee is not working to its fullest potential as there is very little involvement in the decision making processes.

Traditional Owners urge that caution must be heeded to ensure that when funds are allocated to any World Heritage Area, TO engagement must be secured, particularly when there are cultural sensitivities and impacts on the natural environment to be managed.



The discovery of ancient human remains at Lake Mungo in 1968 revolutionised our understanding of the antiquity of Aboriginal civilisation in Australia.
Photo © Mark Mohel Commonwealth of Australia (DSEWPAC)

The Great Barrier Reef

Australia's Great Barrier Reef (Reef) is the largest coral reef ecosystem on the planet and one of the richest and most complex natural ecosystems. The Reef was listed in 1981 and also acknowledges the cultural importance with many archaeological sites of Aboriginal or Torres Strait Islander origin that includes fish traps, middens, rock quarries, story sites and rock art. The inscription includes a number of islands where there are spectacular galleries of rock art, some of which record the history of the ships and vessels that travelled up and down the east coast past Aboriginal communities living on the mainland.

The Great Barrier Reef Marine Park Authority (Authority) is the overarching governing agency for the Great Barrier Reef World Heritage Area (Area) which sits within the boundary of the broader Great Barrier Reef Marine Park (Marine Park). The management structure consists of a five person Board of Management (Board) with one Traditional Owner member and four Reef Advisory

Committees who provides advice to the Board on the Area and the Marine Park. The Reef Advisory Committees are Catchment and Coastal; Ecosystem (with one Indigenous representative); Indigenous (with four Traditional Owners); and Tourism and Recreation (with one Traditional Owner). Additionally there are 12 Local Marine Advisory Committees covering areas from Cape York to the Burnett where Indigenous people are able to have input.

There are seventy-four Traditional Owner groups along the length of the Reef. Traditional use of marine resources provides environmental, social, economic and cultural benefits to Traditional Owners and their sea country.

From a Traditional Owner's perspective the Indigenous Reef Advisory Committee (IRAC) has met five times since it was established in 2009. The IRAC is currently utilised more as a policy group rather than a representative group of TOs but there are changes due soon to the way the committee currently works.



Purnululu National Park. Photo © John Baker & DSEWPaC

The committee has the opportunity to view and make comment on major policy documents such as Biodiversity Strategy.

No Aboriginal rangers are employed directly by the Authority, although there are a number of Indigenous Compliance Officers... There is currently an opportunity to support a Cultural Authority around the harvest of marine species through the development of Traditional Use Marine Resource Agreements (TUMRAs). These agreements are where TOs enter into a voluntary agreement for their use and management of marine resources. Recognition of Traditional Knowledge, as opposed to working within a western scientific framework will require a change of mindset within the Authority. TOs feel this has, and will, prove to be challenging into the future.

The cultural values are not listed and it needs to happen. Peoples' connection and use is recognised under Criterion 9 'Man's Interaction with the Environment' for which the Reef was inscribed on the

World Heritage List in 1981. There are moves to develop an Indigenous Heritage Strategy that will look into getting the Indigenous cultural values listed.

There needs to be a broader focus on TOs participation in the management of Sea Country, not just focused on turtles and dugongs, but for the development of more comprehensive management frameworks.

Wet Tropics World Heritage Area

The Wet Tropics were listed in 1988 and acknowledge Aboriginal occupation as far back as 50,000 years with a rich environment for hunter-gatherers. Eighteen rainforest Aboriginal language groups exist across the Wet Tropics area. These Aboriginal rainforest people used a range of forest products including toxic food plants. This usage is not recorded anywhere else.

The Wet Tropics Management Authority (WTMA) was established under the *Wet Tropics World Heritage Protection and Management Act 1993* to provide leadership, facilitation, advocacy and guidance in the



management and presentation of the Wet Tropics World Heritage Area (Wet Tropics).

The management structure is across three levels with the State and Commonwealth Ministerial Council coordinating policies and providing funding and the Wet Tropics Management Authority Board responsible for general planning and policy development. The six person board has two Indigenous Directors. The Board is advised by the Rainforest Aboriginal Peoples' Alliance, the Community Consultative Committee and the Scientific Advisory Committee. The State Department of Environment and Heritage Protection manage the day to day aspects of the Wet Tropics.

The experience of some Traditional Owners in the Wet Tropics can be described as frustrating, discriminating and uncertain. As a whole group they feel that they are not getting the respect that should be in place for a good working relationship with agencies to manage their traditional country. The Rainforest Aboriginal people lodged a re-nomination for their cultural values

to be added to the Wet Tropics listing and are disappointed that nothing has been finalised after nearly 5 years of waiting; and frustrated that there has been no formal communication to the Traditional Owners about their re-nomination proposal. So the message from the Minister that cultural values for the Wet Tropics will be added is very welcomed by the Rainforest Bama and more broadly the Australian public and we look forward to a positive outcome.

Some uncertainty for the northern TOs is that they are already dealing with two World Heritage Areas with the Wet Tropics and the GBRWHA. The Yalanji language group is already split into Western and Eastern and traditionally it was never separated – they were all one group. Hence with Cape York Traditional Owners going through the process of consultation for World Heritage, there is the possibility of having yet another World Heritage Area to deal with. This is a very daunting prospect for people who do not perceive the boundaries imposed by non-Indigenous society.

There are some positives with the Rainforest Aboriginal People becoming stronger and united in their engagement with Government and other stakeholders. The Rainforest Aboriginal People's Alliance was formed by Traditional Owners to represent and advocate the interest of the Bama across the whole Wet Tropics region. This Alliance strongly promotes the principles contained in the UN Declaration on the Rights of Indigenous Peoples and advocates against the practice of selective consultation with particular individuals and groups about matters affecting the whole region. For this to be achieved the TOs believe that respect has to be given to the role of the Alliance by governments, industries, businesses and organisations when doing business with Rainforest Bama.

Indigenous people and their connection to their Country in other World Heritage Areas such as Purnululu, Ningaloo, Shark Bay and Greater Blue Mountains are also advocating that their cultural values are recognised and included in the World Heritage listings.

Indigenous Rights and Management

Australia has supported the adoption of the *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) that recognises rights associated with the right to participate in decision-making in matters which would affect them; free prior and informed consent; self-determination; have rights to the lands, territories and resources which they have traditionally owned, occupied or used; and to improve their economic and social conditions to name a few.

The feedback from a range of TOs was about exactly these things. They want to work with governments to be engaged on decision making committees – not just continuing to be giving advice that does not seem to be going anywhere. They want to participate in all processes, but also to be informed prior to the event so that they can make informed decisions and give their consent freely. Indigenous people everywhere work towards self-determination where they are in control. They also want the opportunity through the World Heritage listing to pursue their economic, social and cultural development. They want to stay on Country and practice their culture and more importantly educate their younger people on Country.

But they cannot, and should not be expected to continue to do this work on a voluntary basis. They should be adequately compensated. Very often Indigenous people at the forefront of community interests wear several different 'hats' and are constantly having to change them even within the one meeting. It comes with the territory of being a responsible

Traditional Owner working to improve the conditions of their communities. But I think we've adapted well.

Usually where Indigenous people still have access to their Country, they are still involved in managing and caring for Country. Managing their Country may be through a number of ways – it could be an Indigenous Protected Area; Rangers working on Indigenous land, in national parks, Indigenous Protected Areas, Wild Rivers, community organisations and the like. Indigenous land management is the fastest growing employment area for communities.

Indigenous people are advocating obtaining access to World Heritage Areas to be able to maintain their cultural practices and traditions. For Indigenous people, the importance of having access to their country regardless of title, is evidenced by the fact that there are improvements in their health and well being, language, education, cultural knowledge and skills... the list can go on.

While some Aboriginal people are engaged in a number of ways in the management of the World Heritage values, others want equity in representation at Committee levels and involvement in the management of the World Heritage values. It is time to recognise Aboriginal people's cultural values and the appropriate resources to manage them in Australia's World Heritage Areas.

Opportunities for Traditional Owners of World Heritage Areas

A recent World Heritage and Indigeneity Workshop was held in Auckland, New Zealand in March 2012 with Australian Aboriginal input from two Areas – the Greater Blue Mountains and Willandra Lakes. The outcomes from the workshop offered substance to the inclusion of a fifth strategic objective to 'Enhance the role of Communities in the implementation of the *World Heritage Convention*' into the Operational Guidelines. The outcomes from that workshop will be presented to the UNESCO World Heritage Committee.

The terminology of 'Indigeneity' received mixed views but all agreed that Indigenous people are those that have an intimate and powerful connection to the lands on which they live and their cultural identity shapes and is in turn shaped by their natural environment.

There is a strong push to have the Australian World Heritage Indigenous Network (AWHIN), or a similar arrangement for Traditional Owners to be actively involved in the management and promotion of their cultural values. The AWHIN must be re-instated and properly resourced. There may be other opportunities to gain funding for such a network, and governments need

to work with the Indigenous members to secure those resources. A meeting every three years is not effective in anyone's language.

Indigenous Traditional knowledge and practices contribute to 'cultural sciences' and should be acknowledged equally as western science. While the Anangu are working with scientists at Uluru, there needs to be recognition of Indigenous 'cultural scientists' and traditional knowledge holders through inclusion in World Heritage Scientific Advisory Committees.

The Commonwealth is currently developing a set of guidelines for Indigenous engagement and it is a perfect opportunity to include a set of principles that will address Indigenous engagement specific to World Heritage nomination and management of the values. The guidelines should also endorse the *UN Declaration on the Rights of Indigenous Peoples*, the *Convention of Biological Diversity* for 10(C) and 8 (j), and the Nagoya Protocol as well as the *AIATSIS Guidelines for Ethical Research into Australian Indigenous Studies* for best practice standards.

The Environment Protection and Biodiversity Conservation Act 1999 (the EPBC Act), Subdivision G – Assistance for protecting World Heritage properties, S.324 could be used to assist Traditional Owners become more engaged in the management of World Heritage Areas. This section in the EPBC Act has the capacity for the Minister as he thinks fit, to give financial or other assistance to Traditional Owners (any other person) to protect or conserve the values of a declared World Heritage property. Therefore through Plans of Management Indigenous people could be assisted to manage and protect their Indigenous cultural heritage.

My final word is that in researching previous meetings and conferences focussing on Indigenous People's engagement in World Heritage, the opportunities and issues raised today are the same issues and recommendations that have been raised since 1998. It seems that there has been very little or no action to improve the situation. Let's hope that the next time a World Heritage Conference or meeting is held at the national level, that we won't be repeating these concerns again.

Primary Sources for Indigenous Comment

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Melissa George, Traditional Owner, Great Barrier Reef, personal comment, 2012.

Robyn Bellafquih, Traditional Owner, Wet Tropics and Great Barrier Reef, personal comment, 2012.

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Biography

Ms Chrissy Grant is an Aboriginal (Kuku Yalanji from the Jalunji-Warra clan) and Torres Strait Islander (Mualgal from Kubin on Moa Island) Elder. Ms Grant is a retired public servant and works as a consultant as well as holding positions on Ministerial Advisory Committees, other governmental panels and committees and non-government boards.

Ms Grant has worked at the national level for more than 30 years and has built extensive networks within Indigenous communities from housing to heritage across the country. During her career, Ms Grant has facilitated many workshops and meetings and has extensive experience previously as Director of Indigenous Heritage in the Australian Heritage Commission (AHC) and later the Department of Environment and Heritage working with communities on cultural and natural resource management and particularly with heritage management, conservation and protection.