

Key Steps Forward

Building on the previous work of TOs from across the GBR, some of the necessary big steps forward have already been discussed and include:

- 1 The core task is to **build the strength and capacity** of local Indigenous land and sea management organisations at the right scale through:
 - The positive and active resolution of sea country claims;
 - The strengthening of the key governance capacities of GBR land and sea organisations;
 - Long term programme support for progressive sea-country planning and delivery, including greater use of TO rangers for on-ground work;
 - Stable knowledge management systems and sharing of TO technologies;
 - Business planning and development for Indigenous institutions; and
 - Network building across Indigenous organisations.
- 2 **Partnership frameworks are required for the engagement** of government and non-government organisations at the GBR-wide, regional and local scales that may include:
 - TO determined structures at the local (or sub-regional) scales (e.g. Indigenous Marine Advisory Committees (LIMACs);
 - TO determined structure/s at the whole of GBR scale (e.g. a GBR-wide forum or Big-MAC);
 - Continued support for the Indigenous Reef Advisory Committee (IRAC); and
 - The development of country-based planning, management and compliance agreements.
- 3 **Support for open engagement with information and knowledge generation** is critical by:
 - Information provision to TOs;
 - The building of an Indigenous-led research capacity in the GBR; and
 - Co-research (monitoring, values of sea country management, impact assessment).

The Reef 2050 Indigenous Implementation Plan, identified three key areas to focus on as immediate priorities:

- 1 **Coordination:** A coordinated approach for TOs to liaise with government, industry and other stakeholders on GBR matters and monitoring and reporting on delivery of Reef 2050 actions;
- 2 **Cultural Heritage:** Greater TO-led protection and information management of heritage; and
- 3 **Business Capacity:** Greater partnerships to increase the value of work being undertaken on country and more opportunities to deliver outcomes from Reef 2050 actions.

Through the Reef 2050 Plan Traditional Owner Aspirations and Commitments Project, an opportunity now exists for TOs across the GBR to come together and further discuss their aspirations, to have their perspectives better reflected in the Reef 2050 Plan long-term and increase their participation in delivering the Reef 2050 Plan.



How Do We Measure Success?

Monitoring and reporting is critical to understand our progress towards delivery of TO commitments in the Reef 2050 Plan, and effective engagement is critical to better understand their aspirations for ownership, access to, and involvement in the management of GBR sea country, and its linkages to improved environmental conditions. The Indigenous Heritage Expert Group of the Reef Integrated Monitoring and Reporting Program (RIMREP) has developed a **Strong Peoples – Strong Country** framework, together with subjective indicators to assess progress in six key domains: Country health; People's health; Heritage and knowledge; Culture

and community; Education; Empowerment and Economics. Further work is now proposed to test the framework and develop it further under the Reef 2050 Plan.

The desired outcome of the project on TO aspirations and commitments under the Reef 2050 project is that deep engagement with TOs will deliver well-supported options and recommendations to the Australian and Queensland governments on how to better reflect Traditional Owner aspirations and enduring ways to deliver on TO commitments under the Reef 2050 Plan, including on partnership frameworks, monitoring, reporting and adaptive management.

Traditional Owners and Governance of the Great Barrier Reef: A Discussion Starter

Overview and Context

There are at least 70 Traditional Owner (TO) groups with rights, interests and aspirations in sea country across the length of the Great Barrier Reef (GBR), stretching from the Burnett Mary region into the Torres Strait and spanning tribal, clan and family groupings. For over 20 years, TOs from across the GBR have been coming together to explore and call for a collective approach to achieving their rights and aspirations for ownership, access to, and involvement in the management of sea country. Under their own lore, Indigenous people have a set of rights and responsibilities in relation to sea country which they are waiting to have recognised by broader society and government

Over these years, people have made some progress in securing better recognition of their rights and developing local capacities to govern and manage their sea country. Land and sea claims have been secured or are underway or planned; management agreements have been reached; and new Land and Sea Country organisations have been established. Today, over half of the GBR catchment and 13.5% of the marine World Heritage Area is subject to formal

Indigenous ownership, interest or co-management arrangement (see Map). Universities and research organisations have also started to improve the way they follow protocols and consult with TOs about research in sea country.

The Reef 2050 Plan was established in 2015 as the 35-year framework to improve the health and resilience of the Reef. The Reef

There are at least 70 Traditional Owner (TO) groups with rights, interests and aspirations in sea country across the length of the Great Barrier Reef

2050 Plan Investment Framework identifies Traditional Owner actions as one of 6 priority areas for future investment. The Australian Government is providing more funding and support to better understand TO aspirations and better deliver on existing commitments under the Reef 2050 Plan. However, with the future health of the GBR under threat from climate change and other stresses, it is now even more critical to harness the capacity of TOs for reef protection and management into the future.

This short discussion paper is intended to support TOs in the GBR to celebrate their achievement in securing a more "joined-up" approach across the GBR, and it seeks to distil their core aspirations regarding the management of sea country. It explores what the Reef 2050 Plan committed to, reviews its implementation to date and helps TOs discuss the best way forward for their increased participation under the Reef 2050 Plan.



What Did the Reef 2050 Plan Say and How Has it Delivered for TOs?

The Reef 2050 Plan has provided opportunities across the seven theme areas of ecosystem health, biodiversity, heritage, water quality, community benefits, economic benefits and governance.

The inclusion of TO related commitments in the Reef 2050 Plan were a big step in the right direction towards the Commonwealth and State governments committing to a more engaged approach to governing the GBR in partnership with TOs. Examples of some of the key actions in the Plan Include:

- Objective EB01 – TOs derive economic benefits from conservation and sustainable use of biological resources; and
- Action GA11 – Improve TO participation in governance arrangements for protection and management of the Reef.

Building on the progress made in the Plan, from a TO perspective, structured governance arrangements needed to enable equity and authority for TOs (while also ensuring there is strong accountability, focus and feedback for implementation).

What has changed for Traditional Owners since the Reef 2050 Plan?

Since the Reef 2050 Plan was established, there have been big policy and operational changes in the world affecting TO rights and interests in sea country:

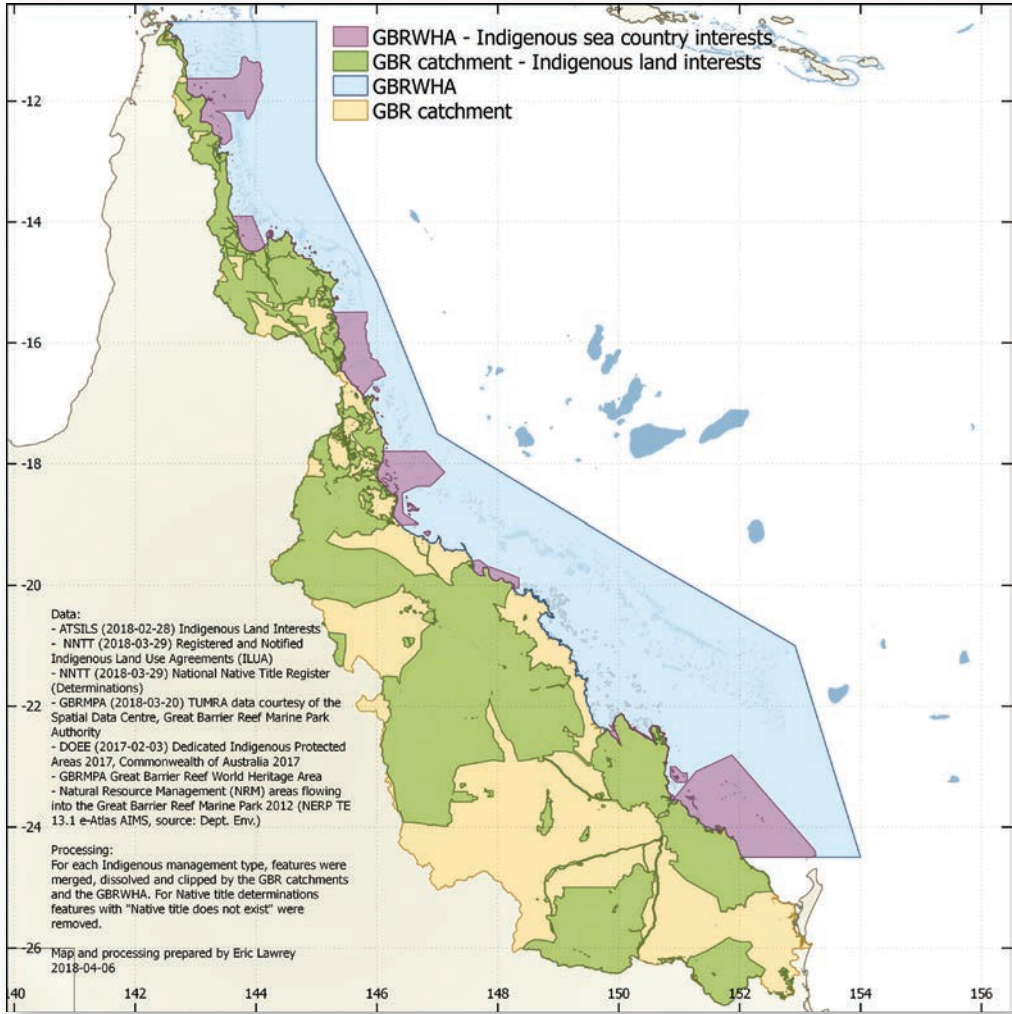
- **International recognition of Indigenous knowledge and rights** - Globally, Indigenous peoples and local communities are now recognized as having responsibility for managing 12% of all land, including the majority of remaining high-biodiversity areas. Indigenous and local knowledge is also becoming central within global efforts to address climate change and biodiversity loss through international agreements and assessment processes;
- **Increasing Popular Recognition of Traditional Owner Interests** - In recent years, there has been growing popular support and sentiment for the recognition of TO rights and the desire for the nation to reconcile and rebuild new relationships. These changes have included the Constitutional Recognition process, the extensive progression of reconciliation action processes and even the emerging discussion of potential treaties or agreements across certain geographic scales and policy issues. These processes and approaches are driving cultural change, with a greater incidence of researchers consulting with sea country TOs and the emergence of more co-managed resource use agreements;



- **Growing Indigenous Rights to Country:** There has now been some 20 years of the active progression of native title rights and interests following the determination of claims and the negotiation of Indigenous Land Use Agreements (ILUAs) under the Native Title Act 1993, historic sea country determinations (e.g., Torres Strait and Blue Mud Bay) and other related land and sea rights related legislation, policies and programs. The table shows that almost 60% of GBR catchments and more than 13% of GBR sea country have some form of recognised Indigenous right and interest. In Cape York for example, TOs hold rights to some 95% of the GBR catchment area and are currently progressing significant sea country claims and the One Claim process will increasingly deal with sea country. More than a million hectares of sea-country Indigenous Protected Areas (IPAs) have been declared in the wet tropics coastal regions alone. There have been significant developments in the negotiation of Traditional Use of Marine Resources Agreements (TUMRAs) across many parts of the GBR, combining strengthening TO governance, stronger compliance and partnerships with regulatory agencies. Finally, there has been an increasing call from TOs to be involved in all (tenure-blind) aspects of planning, development and conservation of their sea country estates; and

- **Traditional Owners Drive and Grow the Business of Sea Country Management** - As land and sea country rights continue to be settled and landmark ILUAs and TUMRAs settle into place, there has been outstanding growth in the development and strengthening of TO-led land and sea organizations. Across the native title estate, the formation of various Prescribed Body Corporates (PBCs), Land Trusts or aligned/representative TO-led land and sea organisations has occurred up and down the GBR coast, these organizations are becoming more involved in every aspect of the governance, planning and management of the GBR catchments, coasts and reefs. These organizations play a critical role in supporting TOs while TO rights continue to increase in recognition through various legal processes. Collectively, these organizations also continue to support and promote the growth of TO customary rights and governance systems through their involvement in sea country management and business.

Together, these developments suggest that, increasingly, major policy and delivery agendas in catchments and sea country business must recognize the relationship with TOs as significant rights-holders.



Traditional Owner Sea Country interests along the GBR

Traditional owner land and sea rights and interests in the Great Barrier Reef World Heritage Area and catchments

	GBR Catchments		GBR World Heritage Area	
	km²	%	km²	%
GBR World Heritage Area	-	-	389,344	100
GBR Catchments	418,714	100	-	-
Indigenous Land Interests (ILI) (eg A/TSI Freehold)	29,858	7.1	127	0
Indigenous Land Use Agreements (ILUA)	229,742	54.9	5,533	1.4
Native Title Determinations (NTD) (Native title exists in parts of or the entire determination area)	65,562	15.7	4,209	1.1
TUMRA	0	0	43,040	11.1
Indigenous Protected Areas (IPA)	5,515	1.3	12,464	3.2
Merged ILI, ILUA, NTD, TUMRA, IPAs	240,594	57.5	52,551	13.5

Key Strategic Themes Emerging For Traditional Owners of the Reef Going Forward

TOs across the GBR have long been advising that there remain several critically important things that they would like to see resolved going forward:

- Aspirations for Increased Co-governance and Co-management of the GBR: TOs hold rights that arise from customary laws, recognized by Federal and State governments. In this context, there are management actions and priorities specific to TOs that they want to lead, implement or to have supported. There are often established Indigenous structures and processes that need to be recognized and/or spaces for Indigenous people to design and implement their own governance. There are also a number of parallel processes relating to sea country management and authority and Indigenous capability and capacity that may need to be considered in context of the Reef 2050 Plan (e.g. the Pama Futures work on Cape York);
- Toward Co-design of Key Reef Initiatives: TOs desire participation across all stages of policy and program design and delivery;
- Long Term and Stable Sea Country Programs: Stable policies and programs supporting TO governance of sea country and catchments (e.g. IPA/TUMRA/WOC/ Indigenous Business);
- Long Term Approaches to Lifting TO Sea Country Governance and Capacity: Clear and long term approaches are needed to partner TOs in the development of their capacities and opportunities to govern their sea country well;
- Towards a More Negotiated Approach to Resolving Sea Country Claims (Which Extends Beyond the Domain of the Reef 2050 Plan): With many GBR sea claims yet to be resolved, TOs have indicated that more resources and streamlined processes need to be in place to facilitate more progressive and positive resolution of sea country claims and ILUAs;
- Towards a Longer Term Focus on Building Cultural Values and The Economy: Much higher level recognition, protection and promotion of the cultural values of the GBR is required;
- Building Indigenous Business Opportunities: Opportunity exists for TOs to play a central role in the GBR economy, so effort is needed to support them to access these opportunities; and
- Traditional Owners and Research Partnering: TOs desire to become real partners and collaborative researchers in the progression of science within the GBR.