Jabalbina Yalanji Aboriginal Corporation: our experiences of native title

Jabalbina is the Eastern Kuku Yalanji (EKY) People’s Registered Native Title Body Corporate, primary Land Trust and registered Cultural Heritage Body. As Trustees of the EKY Peoples’ traditional estate, Jabalbina’s vision is to be caring custodians of bubu (land) so EKY People benefit culturally, economically, academically and socially, while enhancing EKY tribal lore and cultural values. This paper explores Jabalbina’s experiences in ILUA implementation and the many challenges traditional owners have faced and continue to face in trying to achieve this vision.

The paper will discuss the considerable progress that has been made in areas including country based planning and ranger programs. It will also explore the failures to properly resource the governance of the corporation and the limitations this imposes including around future act and other referral processes, cultural heritage assessments and assisting EKY People to fulfil their aspirations to return to live on, manage and make a living from their bubu.

Mary-Anne Port is a proud Eastern Kuku Yalanji woman who also has connections to Thaypan country around Coen in central Cape York Peninsula. She is a proud mother who has raised many children to be strong in their Bama culture. As well as serving on the Jabalbina Board, she has also spent time working for the community on the Goobidi-Bamanga Community Advancement Cooperative Society Ltd and Burungu Aboriginal Corporation boards.

Jim Turnour, as the CEO of Jabalbina Jim is responsible for ensuring the organisation is focused on supporting Eastern Kuku Yalanji traditional owners achieve their aspirations. His previous work experience is in academia, as an MP in the Australian Parliament, running his own business and working for the Queensland Department of Primary Industries and Fisheries. He is an Adjunct Research Fellow at the Cairns Institute, James Cook University where is undertaking PhD studies part time with a focus on Indigenous economic development.
MICK GOODA

A new conversation regarding Indigenous land and economic development

This keynote will outline some of the feedback that was received from a recent roundtable convened by the Commission, together with Indigenous leaders on economic development and property rights. The purpose of the meeting was to identify key challenges to economic development opportunities for Aboriginal and Torres Strait Islander peoples around the use of their land once native title determinations have been made.

Tensions between individual and collective title were explored, along with issues around cultural matters and environmental protection. Other key issues that came up revolved around fungibility, business development support, financing economic development, compensation and promoting Indigenous peoples right to development.

Overall, roundtable participants identified that a new dialogue with government on the issue of our property rights was needed.

Mick Gooda is a descendent of the Gangulu people of central Queensland and is the current Aboriginal and Torres Strait Islander Social Justice Commissioner. His term in this position commenced in February 2010.

Mick has a long experience in Aboriginal and Torres Strait Islander affairs, having worked in remote, rural and urban environments throughout Australia for over 30 years. He has a strong record of achievement in implementing program and organisational reform and delivering strategic and sustainable results across the country.

As Commissioner, Mick builds on this experience to advocate the human rights of Aboriginal and Torres Strait Islander peoples in Australia and then promote respect and understanding of these rights among the broader Australian community.

Introductory Remarks
Gail Mabo
Cultural Performance
Kuku Yalanji Dancers
NOEL PEARSON

In pursuit of a regional, reciprocal responsibility settlement for Cape York: what is the right package of reforms for Indigenous social, political, economic and cultural development

Indigenous people want to take charge of our own affairs and lead our own development agendas. In Cape York, we are working towards a comprehensive regional, reciprocal responsibility settlement to set in place structures for a more equal partnership with government. This requires a package of constitutional, institutional and legislative reforms to give us an authoritative voice in our own affairs. Only we can decide our paths towards social, political, economic and cultural development, such that we can prosper both as self-determining peoples and as equal citizens.

Noel Pearson is the Founder and Director of Strategy of Cape York Partnerships, a lawyer and Indigenous activist. Noel comes from the Guugu Yimidhirr community of Hope Vale on south-eastern Cape York Peninsula, and is the primary architect of the Cape York Agenda. In 1990 Noel co-founded the Cape York Land Council and played a key part in negotiating the Native Title Act 1993 after Mabo. He has written and spoken extensively on Indigenous rights and the reinstatement of Indigenous responsibility.

TIM WILSON, BRUCE MARTIN, WAYNE BERGMANN, RICKY ARCHER, DR LISA STRELEIN

Dangerous Ideas

The ‘Dangerous Ideas’ panel will see five prominent Australians spending five minutes each pitching a challenging, controversial or ground-breaking concept to conference participants. The aim is to generate conversations, ideas and energy about the possibilities for native title, land rights and social justice that set the tone for the rest of the conference discussions.

Tim Wilson is Australia’s Human Rights Commissioner. As Commissioner he is focused on promoting and advancing traditional human rights and freedoms, including free speech, freedom of association, worship and movement and property rights. In addition to his role as Human Rights Commissioner, Tim is also the defacto Commissioner for sexual orientation, gender identity and Intersex issues. He has worked in trade and communication consulting, international aid and development, as well politics.

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Bruce Martin is a Wik man from Aurukun in western Cape York Peninsula. In the last few years, he has been instrumental in the establishment of Aak Puul Ngantam (Our Ancestral Country) – APN Cape York – a community-owned organisation which has as a primary focus the development of productive livelihoods on traditional Wik country. Bruce is currently Managing Director of Regional Development Corporation.

Wayne Bergmann is the current Chief Executive Officer (CEO) of Kimberley Region Economic Development (KRED) Enterprises, where his current focus is on helping Indigenous people get control of their future through providing increased business opportunities and economic independence. He is also a member of the Prime Minister’s Northern Australia Advisory Group and Managing Director of Aboriginal Maritime Pty Ltd.

Mr Bergmann previously spent 10 years as the head of the Kimberley Land Council. Through this role, Mr Bergmann prioritised securing the rights and interests of Kimberley Traditional Owners through the Native Title system. Mr Bergmann has also held significant roles in negotiating agreements between resource developers, industry and Government on behalf of Traditional Owners to secure long-term benefits for Indigenous people. He has also implemented land and sea management activities across the region, including the Kimberley Indigenous Ranger Program and held the role of Chair at the Northern Australian Indigenous Land and Sea Management Alliance (NAILSMA).
Ricky Archer is a Djungan man from the Western Tablelands region of North Qld. Mr Archer works as the Project Coordinator for the North Australian Indigenous Land & Sea Management Alliance (NAILSMA). He is a member of the Federal Minister for Environment, The Hon. Greg Hunt’s, Indigenous Advisory Committee. Ricky is also Co-Chair of the Northern Australia Future Generations Panel which provides a youth perspective and strategic contribution towards the North Australian Indigenous Experts Forum on sustainable economic development in the North Australia region.

Mr Archer has been employed in the NRM sector for over ten years with a background in GIS, Traditional Knowledge recording & database management. He has previously worked with regional bodies in the Qld Gulf and Western NSW regions. Ricky is passionate towards empowering Indigenous people in NRM initiatives with a strong focus on promoting youth participation.

Dr Lisa Strelein, Director of Research at the Australian Institute of Aboriginal and Torres Strait Islander Studies.

Lisa’s research and publications have focused on the relationship between Indigenous peoples and the state, and the role of the courts in defining Indigenous peoples’ rights.

Lisa has made a significant contribution to academic debate on native title in Australia, including her book *Compromised Jurisprudence: Native Title Cases since Mabo*.

Lisa maintains strong networks within the native title system, conducting research projects in partnership with, or in response to, the needs of native title representative bodies and holders as well as government departments. Lisa has an interest in taxation and corporate design and planning elements of native title organisations.

Lisa is the convenor of the annual National Native Title Conference, which remains the leading annual Indigenous policy conference in Australia.

She has degrees in Commerce and Law and was awarded a PhD, for her thesis examining Indigenous sovereignty and the common law, from the Australian National University (ANU) in 1998. Lisa is an Adjunct Professor at the ANU.

The Native Title Year in Review

The Year in Review presentation provides an opportunity to recognise and celebrate the achievements of native title groups over the last year. While we acknowledge that proving native title remains an onerous and challenging task, it is inspiring to see those who have reached that milestone and are now looking forward to the enjoyment of their rights and reasserting themselves as the first peoples of their territories.