



AIATSIS

AUSTRALIAN INSTITUTE OF ABORIGINAL AND TORRES STRAIT ISLANDER STUDIES

Native Title Research Unit

NATIVE TITLE NEWSLETTER

March and April 2001

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The Native Title Newsletter is published on a bi-monthly basis. The newsletter includes a summary of native title as reported in the press. Although the summary canvasses papers from around Australia, it is not intended to be an exhaustive review of developments.

The Native Title Newsletter also includes contributions from people involved in native title research and processes. Views expressed in the contributions are those of the authors and do not necessarily reflect the views of the Australian Institute of Aboriginal and Torres Strait Islander Studies.

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We have been experiencing difficulties with temporary fax numbers following our relocation to the new premises on Acton Peninsula. For future correspondence please fax (02) 6249 7714. We apologise for any inconvenience this has caused. Phone and email contact details have not changed.

List of abbreviations

Note: Where an item also appears in other newspapers, etc, an asterisk (*) will be used. People are invited to contact the Native Title Research Unit at AIATSIS if they want the additional references. The NTRU will try to provide people with copies of recent newspaper articles upon request.

Ad = Advertiser (SA)	LRO = Land Rights Queensland
Age = The Age	Mer = Hobart Mercury
Aus = Australian	NNTT = National Native Title Tribunal
CM = Courier Mail (QLD)	NTA = <i>Native Title Act 1993</i>
CP = Cairns Post	NTRB = Native Title Representative Body
CT = Canberra Times	NTN = Native Title News (State editions)
DT = Daily Telegraph	SC = Sunshine Coast Daily
FinR = Financial Review	SMH = Sydney Morning Herald
HS = Herald Sun (VIC)	TelM = Telegraph Mirror (NSW)
KM = Kalgoorlie Miner	WA = West Australian
ILUA = Indigenous Land Use Agreement	WAus = Weekend Australian
IM = Illawarra Mercury	
LE = Launceston Examiner	
LR News = Land Rights News	

NEWS FROM THE NATIVE TITLE RESEARCH UNIT

Upcoming Conference

Regular readers will be aware that the Unit is organising and jointly sponsoring this year's *Native Title Representative Bodies Legal Conference: The Past and Future of Land Rights and Native Title*, 28-30 August 2001, Townsville, Southbank Hotel and Convention Centre. This conference commemorates the 20th anniversary of a national conference, *Land Rights and the Future of Australian Race Relations*, organised by the James Cook University Students Union and the Townsville Treaty Committee in Townsville on 28-30 August 1981, out of which the *Mabo* case evolved. The first day of the conference program will commemorate the work of Eddie Mabo, Ron Castan, Nugget Coombs and Judith Wright in achieving recognition of Indigenous rights and native title and will address significant issues in the current native title debate. The second day examines developments in native title, including framework agreements, compensation and issues arising out of recent High Court and Federal Court cases. Sir Anthony Mason will be the after dinner speaker. The third day is a joint session with the National Environmental Law Association on Indigenous heritage and the environment, heritage and planning, sea rights and land management. Once the final arrangements have been made, the program will appear on our web-site and will be included in the next Newsletter. A registration form and preliminary program follow at the end of the Newsletter.

A reminder that the *Native Title Conference: Expert Evidence in Native Title Court Cases: Issues of Truth, Objectivity and Expertise* will be held at Adelaide University 6-7 July 2001. The program follows at the end of the Newsletter.

Seminar Series

Lisa Strelein, Visiting Research Fellow in the Unit, has convened the Research Section's Seminar Series *The Limits and Possibilities of a Treaty Process in Australia*. More than a dozen academics and policy makers have agreed to take part, including Mick Dodson, Marcia Langton and Geoff Clark. The relationship of native title to the proposals for a treaty making process in Australia is a central aspect of the debate. Seminar presentations will be published on-line beginning next month. For the seminar program, updates and papers visit <http://www.aiatsis.gov.au/rsrch/>.

An Important Library Acquisition

With the assistance of the Unit, the Library at AIATSIS has purchased a significant document in Australia's history - the transcript of the proceedings of the *Mabo* case in the Supreme Court of Queensland in which the evidence supporting the native title claim of the Meriam people was presented. The case had begun in the High Court in 1982 and was remitted to the Supreme Court of Queensland in 1986 for hearing of the issues of fact. The transcript covers the period 13 October 1986 to 6 September 1989 during which Justice Moynihan heard the evidence. The case returned to the High Court, and resulted in the history-making judgment of 3 June 1992 that native title exists in the Torres Strait.

Book Launch Hosted by Mirimbiak

Melissa Castan recently launched *Native Title in the New Millennium* in Melbourne. The book is dedicated to the memory of Ronald Castan AM QC and is the proceedings of the inaugural Native Title Representative Bodies Legal Network conference held in Melbourne in April 2000. The Mirimbiak Nations Aboriginal Corp, the native title representative body for Victoria, hosted the launch in conjunction with the NTRU. Bryan Keon-Cohen QC, principle legal officer for Mirimbiak, was the book's editor. A description of the book and order form follow at the end of the Newsletter.

Workshop on Compensation

In April the NTRU hosted a small workshop focussed on new directions for the calculation of monetary compensation for the loss of native title rights. The workshop was well attended by native title practitioners and scholars from New South Wales, Victoria, Western Australia and the Australian Capital Territory. The workshop was lead by Paul Burke. The NTRU engaged Paul Burke to develop a paper on compensation, and the workshop was designed to provide critical

feedback on discussion points in his paper. The paper is currently a work-in-progress and will be available once it is completed. Paul Burke provides the following background to the project:

As we continue to await the Delphic utterances of the courts the task of developing a distinctive body of jurisprudence about native title compensation languishes. This is probably because of the complexity of the intercultural event we are all awaiting: the first contested compensation determination. Money can never equal native title. Yet despite this inherent incommensurability and complexity, pragmatic criteria, such as consistency with the legal theory of native title, consistency with our knowledge about actual traditional connection and the availability of evidence, can be developed to assess potentially useful principles. Using an idealised example of a compulsory acquisition of full native title rights for a government purpose, this paper makes an initial exploration of some possible principles.

The huge variation in the market value of land in Australia has major implications for what is 'just terms' in native title because it is likely that those areas with the strongest native title will coincide with those areas of least economic value. It is argued that the minimal implication of 'just terms' is that in compensating for loss of native title rights the economic value of analogous tenures should be included but it should not in any way constrain the calculation of non-economic loss. Because of the sui generis nature of native title new principles need to be developed for a sui generis compensation regime.

The first overriding principle should be:

The scale of compensation in native title should be of a magnitude that reflects the importance of rights to land for indigenous people and that it is a group right.

In practice this could be implemented in relation to non-economic loss by making an upward adjustment from a base figure arrived at from a consideration of the evidence of the key witnesses.

Non-economic loss should be assessed under conceptually distinct sub-headings that are relevant to native title such as:

Compensation for the insult associated with the loss of important rights without consent;

Compensation for the physical inconvenience caused by the loss; and

Compensation for mental distress associated with the loss of homelands.

The sui generis nature of native title also justifies the proposition that compensation for loss of native title rights should include an amount for future generations.

These proposed principles are then applied to several hypothetical examples assuming varying degrees of disturbance and loss of traditional country. The examples attempt realistic scenarios and informed descriptions of likely evidence.

NATIVE TITLE IN THE NEWS - MARCH & APRIL 2001

National

In the first native title claim to be heard by the High Court since the 1996 Wik decision, the Miriuwung Gajerrong People of east Kimberley asked the Court to clarify the extent to which native title exists on pastoral leases and the basis for extinguishing land claims. The appeal is against a Federal Court ruling last year in a case brought by the WA and NT governments that reversed a 1998 decision giving the Miriuwung Gajerrong control of 7,900 sq km of land which included the Ord River irrigation area and the Argyle Diamond Mine. A ruling is expected later in the year. (*Australian* 6 March 2001, 7 March 2001)

The Yorta Yorta People filed application in the High Court seeking special leave to appeal a Federal Court decision upholding a Trial Court's finding that their connection to land had lapsed. (*Koori Mail* 21 February 2001, *Riverine Herald* 16 March 2001)

The High Court heard an appeal that will determine whether native title sea rights include exclusive hunting and fishing rights. The appeal involves a claim to native title over waters around Croker Island in the Northern Territory. (*Koorie Mail* 21 February 2001)

New South Wales

The Maaingal Clan have threatened a court injunction to block a decision to declare Stockton Beach, near Newcastle, as a national park. While the Worimi Land Council has dismissed the threat as groundless, the arrangement between it and the state could be delayed for several years while the native title claim is being tested in the courts. (*Newcastle Herald* 26 February 2001)

Shire councils, including Bathurst and Evans, are responding to an Aboriginal land claim involving an area roughly including Cowra to the Blue Mountains and Crookwell to Penrith. The claim in behalf of the Gundungurra Tribal Council Aboriginal Corporation was registered in June 2000 by Elsie and Pamela Stockwell. Notice of the application was forwarded to the local governments in November 2000. No date for a hearing of the claim has been set. (*Western Advocate* 7 March 2001)

Western division landholders were warned by the NSW Farmers Association that the cut off dates were quickly approaching for registering their interest in two area native title claims. They need to have registered so they can contribute in the progress of claims, made by the Barkandji clan, by February 28. The Association offered to represent landholder interests in the claims. (*Western Herald* 22 February 2001)

Notice of a land use agreement between the Arakwal People and NSW gives unidentified prospective native title holders three months in which to object. The

agreement would see the creation of the Arakwal National Park at Cape Byron. (NNTT 7 March 2001)

Elders of the Walbunja clan met with Eurobadalla Shire Council to explain what it would mean if they became native title claimants. Of the two claims in the area, the Broulee have asked for theirs to be discontinued which, if agreed to, will leave only the Walbunja claim. (*Sussex Inlet Times* 7 March 2001)

A conclusion has nearly been reached in two native title claims which include the Clarence Valley between Casino and Grafton. The claims have been made by the Yaegl, Bundjalung and Gumbaynggirr Peoples in Maclean Shire and the Bandjalang People between Casino and Grafton. (NNTT Media Release 7 March 2001)

The NNTT has called for affected land owners to register for talks in claims by the Ngayabul People for land in the Ballina region and by the Djiringanj People to an area on the far south coast. (NNTT Media Release 18 April 2001)

The NNTT has called for affected landowners to register for talks related to a land claim by Donald Bell on behalf of the Ngunawal which covers areas in the southern tablelands. (NNTT Media Release 18 April)

Victoria

The Southern Grampians Shire Council will become a party to the Gunditjmara land claim in the Hamilton region of western Victoria. The area is 20,360 sq km in extent and includes inland waterways, a sea claim and the Grampians National Park, among others. Advising the Council, Bronwyn Herbert said that becoming a party to the claim enables better understanding of the applicants and their issues and, importantly, would include the Council in the mediation process. The NNTT extended the registration period to the end of May to allow off-shore fishing interests to make submissions. (*Hamilton Spectator* 20 February 2001, *Portland Observer* 21 March 2001)

SAMAG has signed a Mining Native Title Agreement with representatives of the Adnyamathanha People, one of two claimants over the proposed mining site near Leigh Creek. (*Port Augusta Transcontinental* 28 March 2001)

South Australia

The NNTT has given public notice of an Indigenous Land Use Agreement between the Narungga People and the South Australian Government. Barring objections, the Narungga People will surrender their native title rights to allow the development of Vincent Landing, a subdivision and marina on the Yorke Peninsula. This will be the eleventh ILUA nationally and the first in South Australia. (*Yorke Peninsula Country Times* 27 February 2001)

Native title claimants who have an interest in land and waters within Nukunu in Port Pirie are asked to come forward and take part in a mediation to settle the

claim and have three months to register as parties to the application. (*Port Pirie Recorder* 20 February 2001)

Information sessions are being held for fishing enthusiasts in the Eyre Peninsula to help them become aware that their rights can exist alongside those of the Indigenous owners. The sessions, run by the NNTT, are held to provide information about native title applications in the region. (*Loxton News* 28 February 2001)

A complicated agreement between three Aboriginal communities in the state's far north, the state government and six oil and gas companies has been brokered by the Aboriginal Legal Rights Movement. The negotiations centred on compensation and heritage. The deal will allow development of land in the Cooper Basin previously held under licence by Santos since the 1950s around the gasfields town of Moomba. (*Ad* 17 April)

Queensland

In an historic deal the people of the Mapoon settlement in western Cape York, the Queensland government and the mining company Comalco have signed a land use agreement. As part of the signing Queensland Premier Peter Beattie apologised to the former residents of the mission near Weipa. In 1963 the Queensland Government saw the community's homes, school and church burnt to the ground when it forcibly removed the residents to the tip of Cape York. Regarding the agreement, Comalco Executive Keith Johnson expressed his delight, saying, 'It forges even stronger bonds under which Comalco, Traditional Owner[s] and community aspirations for co-operative and fruitful relationships in the Western Cape can be realised.' (*CM* 14 March 2001)

Notices inviting affected landholders to register for talks have been issued for four north Queensland applications by the Wakamin People, the Ewamian People, the Bindal People and the Jirandali People. (NNTT 7 March 2001)

The Gooreng Gooreng, Bailai and Gurang native title claimants and the Gladstone Area Water Board have reached a land use agreement to allow the raising of the water level in the Awoonga Dam to its capacity. (NNTT 20 March)

The NNTT has asked affected interest holders in the Western Yalanji claim in Mareeba and Cook Shires and in the Iman People's claim in the Shires of Chinchilla, Tara and Wambo to register for talks. (NNTT 18 April 2001)

Other applications in Queensland over which notice has been given to register for mediation involve the Gooreng Gooreng People for area near Miriam Vale, the Gurang People for area near Fitzroy, the Ghungalu for area near Emerald, the Taribelang Bunda People for area near Hervey Bay, the Wangkumarra People for area near Quilpie and the Bidjara for area near Barcaldine. (NNTT 1 March 2001)

Geraldton City Council have asked the NNTT to become a party to the mediation process in a native title claim which covers Council controlled land and waters. (*Geraldton Guardian* 4 April 2001)

Affected landowners have been asked to register for mediation in claims in the Torres Shire by the Badu Islanders and the people of Aureed Island, near Fitzroy by the Barada Barna, Kabalbara and Yetimarla Peoples and in the Roma area by the Mandandanji People. (NNTT 4 April 2001)

Local councils and pastoralists have expressed frustrations about land use agreements in the native title process at a hearing at the Roma Bungil Cultural Community Centre. These hearings are being held throughout Queensland to listen to comments on the importance of Indigenous Land Use Agreements. (*Western Star* 23 March 2001)

Western Australia

Native title has been said to have become the focus of racism in Kalgoorlie-Boulder. A forum has been called to tackle the problem of the lack of knowledge about native title in the Goldfields. (*KM* 7 March 2001)

The WA government has initiated a review of procedures intended to facilitate the settlement of the state's 130 native title applications. The review will involve representatives from the NNTT, the Chamber of Minerals and Energy, Prospectors and Leaseholders Association of WA, land councils, government and Aboriginal communities. They hope to work together so they can all benefit from the resources available and achieve a better understanding of native title processes. (*KM* 20 April 2001, *KM* 21 April 2001)

Stirling is one of 10 metropolitan councils in the Perth region affected by a complex native title claim over many of its public reserves. The claims, which could involve half the of the Stirling Council's reserves, are on behalf of the Ballaruk and Nyoongar people. Legal Aid will pay Minter Ellison's fees in the case against the Indigenous claimants. (*Stirling Times* 27 February 2001)

The Pastoralists and Graziers Association's Native Title Committee took advantage of their annual conference to update committee chairmen on the current state of native title deliberations in Perth. This comes as a result of a native title claim in the Pilbara area which includes the Burrup Peninsula. (*Farm Weekly* 1 March 2001)

A native title claim by the Nyoongar People covers 30,000 sq km of the state's south west, including the city of Bunbury. Speaking for the Noongar People, Joe Northover said the claimants hoped to 'continue to do hunting and to maintain what sites we do have left...We are not land grabbers. We don't want to stop development, we want to be part of it.' Bunbury CEO Michael Whittaker said that the Council had

registered an interest, but would probably not be involved if the claim had no impact on the city. (*South Western Times* 15 March 2001)

A native title claim on the University of WA's Crawley campus has been held to have been extinguished due to the land's community purpose lease for education. The claim, made by the Ballaruk People, covered land and waters of the region and surrounding areas.(WA 30 March 2001)

The Federal Court in Perth has rejected a plea by the Kimberley Land Council for adjournment due to inadequate finances. The third such rejection this year, the KLC is struggling to represent Aboriginal applicants in a native title claim by the Mowanjum People to 70,000 sq km of land near Derby in WA's far north. (WA 26 April 2001)

Northern Territory

An area spanning over 100,000 ha in Arnhem land was officially declared protected after traditional owners agreed to its inclusion in the Northern Territory's first Indigenous Protected Area. (*The Northern Territory News* 17 March 2001)

As part of a deal with the NT government, the Larrakia People have waived their native title claim to Darwin's port development area at East Arm Port. The decision was said to be mutually beneficial, but depends on the NLC's efforts to have two other claims in the area removed. (*Aus* 28 March 2001, *Northern Territory News* 28 March 2001)

The NNTT has given permission for a land use agreement between the mining company Giants Reef Exploration and the Central Land Council over 7,500 sq km of land around Tennant Creek. The final approval of this agreement will clear the way for mining, exploration and related activities as well as protection and rehabilitation of the environment and the protection of native title rights including sacred sights. (*Tennants & District Times* 23 March 2001)

ACT

Two of the three groups of the Ngunawal People have negotiated a deal with the ACT Government over management of Namadji National Park which would extinguish native title. The third group continues their claim to the 106,000 ha area. All three groups are claiming other crown land. (*CT* 29 April 2001)

APPLICATIONS

The National Native Title Tribunal posts summaries of registration test decisions on their website at: <http://www.nntt.gov.au>

The following decisions are listed for March and April 2001.

Jurruru People	accepted
Mallapunyah North	accepted
Mary River West	accepted
Tipperary North	accepted
Pitta Pitta People	accepted
Mt Drummond	accepted
Goondooloo - Moroak	accepted
Newry-Rosewood	accepted
Urapunga #2	accepted
Taungurung Peoples	not accepted
Mountain Valley	accepted
Proposed Lot 9192 Alice Springs	accepted
Larrimah	accepted
Kurundi	accepted
Kalamaia Kabu(d)n People (amended 29/03/2001)	not accepted
Bonrook	accepted
Chatterhoochee	accepted
Calvert Hills No.2	accepted
Gumbangirri People	accepted
Gunn Point Road	accepted
Kiana Calvert	accepted
Gooniyandi C	accepted

The decision indicates whether an application has met or not met each of the conditions of the registration test against which it was considered.

'Abbreviated' decision indicates that the application has been tested against a limited number of conditions.

If an application does not pass the registration test it may still be pursued for determination through the Federal Court.

NOTIFICATIONS

Applications currently in Notification

Notification period is 3 months from the Notification start date.

NEW SOUTH WALES

Closing date	Application no	Application name	Location
20 June	NC96/38	Yaegl, Bundjalung, Gumbaynggirr People	Maclean Shire
	NC98/19	Bandjalang People #2	Lismore
17 July	NN01/2	Metropolitan Local Aboriginal Land Council	Hornsby
	NN01/3	Metropolitan Local Aboriginal Land Council	Ku-ring-gai Council
	NN01/4	NSW Government #57	Great Lakes Council

QUEENSLAND

06 June	QC97/37	Taribelang Bunda People	Bundaberg to Hervey Bay
	QC97/49	Bidjara #3	South east of Longreach
	QC99/16	Ghungalu	Emerald
	QC99/19	Gooreng Gooreng People # 2	Rockhampton to Bundaberg
	QC99/20	Gurang People	Rockhampton to Bundaberg
	QC99/29	Wangkumarra People #2	Quilpie
20 June	QC00/9	Jirandali People	Flinders Shire
	QC97/40	Wakamin People	Lower Cape York
	QC99/13	Ewamian People #2	Etheridge
	QC99/21	Bindal People	Townsville
17 July	QC97/50	Mandandanji #2	Roma
17 July	QC97/59	Barada Barna, Kabalbara & Yetimarla	South west of Mackay

*A non-claimant application (marked with an *) is one made by someone who is not claiming native title themselves but who has an interest in the area which is not a native title interest and they want the Federal Court to determine whether anyone has a native title interest in the same area. The location is meant to be indicative only.*

For further information regarding notification of any of the applications listed contact the National Native Title Tribunal on 1800 640 501 or www.nntt.gov.au

Recent publications

Native Title Report 2000, Report No.1/2001, Aboriginal and Torres Strait Islander Social Justice Commissioner, Human Rights and Equal Opportunity Commission.

The *Native Title Report* is always a critical summary and analysis of the contemporary debates in native title. This year discussion in the *Native Title Report 2000* about the CERD decisions (the Committee on the Convention on the Elimination of All Forms of Racial Discrimination) on the native title amendments is joined by consideration of similar criticisms by the Human Rights Committee, and discussion of the Australian government response to CERD articulated in the majority report of a Parliamentary Joint Committee inquiry. Much of the international and national debate on the amendments has focused on the meaning of equality – substantive versus formal – and while, the *Report* comments, understanding of this has increased, it has not resulted in the removal of the amendments. Implementing the amendments is discussed in Chapter 5, such as the re-recognition of representative bodies, and a substantial focus on procedural rights: ‘opportunity to comment’ provisions, time limits governing the right to negotiate, enforceability, procedural rights under alternative state regimes, etc. Chapter 2 covers the definition and extinguishment of native title by the common law. Sea rights are discussed in Chapter 3. The protection of Indigenous heritage through native title and heritage legislation, and the international discourse on Indigenous heritage protection are addressed in Chapter 4. Appendices include the Social Justice Commissioner’s submission to the Parliamentary Joint Committee on CERD and information on native title provided by HREOC to UN Committees in 2000.

Social Justice Report 2000, Report No.2/2001, Aboriginal and Torres Strait Islander Social Justice Commissioner, Human Rights and Equal Opportunity Commission.

The four main Chapters in the *Social Justice Report 2000* address: reconciliation and human rights; international scrutiny of Australia’s Indigenous affairs policies; achieving meaningful reconciliation; and reparations. Native title issues do not receive broad coverage, but the *Report* does tackle issues which are part of the native title debate. These issues include self-determination and governance, equality, constitutional protection of racial non-discrimination, negotiating ‘unfinished business’, and compensation.

The annual *Native Title* and *Social Justice* reports of the Aboriginal and Torres Strait Islander Social Justice Commissioner Dr William Jonas are available from the Aboriginal and Torres Strait Islander Social Justice Unit at HREOC (phone 02 9284 9600, fax 02 9284 9611, email atsisju@hreoc.gov.au). The reports can also be downloaded from the HREOC website at www.hreoc.gov.au/social_justice.

Hot Topics: Burning Legal Issues in Plain Language: Native Title, Legal Information Access Centre (LIAC), New South Wales State Library, 24 pages, \$16.50.

The *Hot Topic* series is produced for the general reader. In this case, the brochure is a revision of a 1997 edition. The surprisingly thorough coverage begins with background concepts – sovereignty, *terra nullius*, self-determination, native title, recognition, protection, extinguishment, compensation, fiduciary duty, limitations, and pastoral leases. The land rights legislation in the states and territories then receives a one page summary. The section on native title in the courts provides an especially clear description of the bundle of rights debate and the coexistence of interests. This section is basically chronological. The Commonwealth legislative response is covered in several pages which include a description of the *Native Title Act 1993* (Cth), the 10-point plan and the NNTT process from registration test and mediation to ILUAs and alternative provisions. The section on international scrutiny covers the CERD proceedings and the federal government's response. The last several pages present a helpful timeline and further reading and contacts. Other recent *Hot Topics* have covered health, drugs, sentencing and children and families. The LIAC services are available in most NSW public libraries.

Native Title Research Unit publications

The following NTRU publications are available for purchase from AIATSIS. Please phone (02) 6246 1186, fax (02) 6246 1143 or email: sales@aiatsis.gov.au

Native Title in the New Millennium A Selection of Papers from the Native Title Representative Bodies Legal Conference, 16-20 April 2000: Melbourne, Victoria, (includes CD of complete proceedings) Bryan Keon-Cohen editor, Native Title Research Unit, AIATSIS, 2001.

A Guide to Australian Legislation Relevant to Native Title 2 volume set, Native Title Research Unit, AIATSIS, 2000.

Native Title in Perspective: Selected Papers from the Native Title Research Unit 1998-2000 Edited by Lisa Strelein and Kado Muir, 2000.

Land, Rights, Laws: Issues of Native Title, Volume 1, Issues Papers Numbers 1 through 30, Regional Agreements Papers Numbers 1 through 7 1994-1999 with contents and index.

Regional Agreements: Key Issues in Australia - Volume 2, Case Studies Edited by Mary Edmunds, 1999.

A Guide to Overseas Precedents of Relevance to Native Title Prepared for the NTRU by Shaunnagh Dorsett and Lee Godden, 1998.

Working with the Native Title Act: Alternatives to the Adversarial Method Edited by Lisa Strelein, 1998.

Regional Agreements: Key Issues in Australia - Volume 1, Summaries. Edited by Mary Edmunds, 1998.

A Sea Change in Land Rights Law: The Extension of Native Title to Australia's Offshore Areas by Gary D. Meyers, Malcolm O'Dell, Guy Wright and Simone C. Muller, 1996.

Heritage and Native Title: Anthropological and Legal Perspectives Proceedings of a workshop conducted by the Australian Anthropological Society and AIATSIS at the ANU, Canberra, 14-15 February 1996.

The Skills of Native Title Practice Proceedings of a workshop conducted by the NTRU, the Native Title Section of ATSIC and the Representative Bodies, 13-15 September 1995.

Anthropology in the Native Title Era Proceedings of a workshop conducted by the Australian Anthropological Society and the Native Title Research Unit, AIATSIS, 14-15 February 1995.

Proof and Management of Native Title Summary of proceedings of a workshop conducted by the Native Title Research Unit, AIATSIS, on 31 January-1 February 1994.

Copies of papers in the Land, Rights Laws: Issues of Native Title are available free of charge from the Native Title Research Unit, AIATSIS, Phone (02) 6246 1161, Fax (02) 6246 1122:

Issues Papers

Volume 2

- No 8 ***Economic Issues in Valuation of and Compensation for Loss of Native Title Rights*** by David Campbell
- No 7 ***The Content of Native Title: Questions for the Miriuwung Gajerrong Appeal*** by Gary D Meyers
- No 6 ***'Local' and 'Diaspora' Connections to Country and Kin in Central Cape York Peninsula*** by Benjamin R Smith
- No 5 ***Limitations to the Recognition and Protection of Native Title Offshore: The Current 'Accident of History'*** by Katie Glaskin
- No 4 ***Bargaining on More than Good Will: Recognising a Fiduciary Obligation in Native Title*** by Larissa Behrendt
- No 3 ***Historical Narrative and Proof of Native Title*** by Christine Choo and Margaret O'Connell
- No 2 ***Claimant Group Descriptions: Beyond the Strictures of the Registration Test*** by Jocelyn Grace
- No 1 ***The Contractual Status of Indigenous Land Use Agreements*** by Lee Godden and Shaunnagh Dorsett

For a full list of past Issues Papers please consult our web site. Individual issues are available from the Unit. A bound volume including Issues Papers 1 through 30, the Regional Agreements papers and an index is available for purchase through Aboriginal Studies Press

Our email address is:	ntru@aiatsis.gov.au
Our postal address is:	GPO Box 553, Canberra ACT 2601
Our phone number is:	02 6246 1161
Our fax number is:	02 6246 1122
Our website is located at:	http://www.aiatsis.gov.au

This newsletter was prepared by NTRU staff