

2021 State of the Environment Report

Collaboration Guidelines for Indigenous Co-Authorship

Indigenous Co-Authorship Strategy

For the first time in the history of the State of the Environment Reports, there is collaboration between Indigenous and non-Indigenous knowledge systems. The 2021 State of the Environment Report will be co-authored by both Indigenous and non-Indigenous experts. Indigenous people are the stewards of the Country and environment, now known as Australia. Their role and expert knowledge gained through caring for Country since time immemorial is critical to a sustainable future. The knowledge within the oldest continuing environmental management systems in the world will be coalesced with Western science knowledge systems to produce a holistic and cross-cutting State of the Environment Report.

This Indigenous Co-Authorship Strategy acknowledges the international conventions that Australia have committed to which reinforce and recognise the connection of Indigenous peoples to their lands and waters. These include the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP); United Nations Convention on Biological Diversity, the Nagoya Protocol on Access and Benefit Sharing, United Nations Framework Convention on Climate Change, World Heritage Convention, Burra Charter and Ramsar Convention on Wetlands.

There are also key frameworks to guide collaboration between Indigenous and non-Indigenous peoples. These include *Our Knowledge: Our Way in caring for Country Best Practice Guidelines* and the Australian Institute of Aboriginal and Torres Strait Islander Studies' *Guidelines for Ethical Research in Australian Indigenous Studies*.

The conventions and framework provide a strong foundation for Indigenous inclusion in the Australian State of the Environment report 2021.

Headings for Indigenous content for Scoping Paper

1. Caring for Country - The wholistic and deep connection (physical, social & spiritual), long-standing nature of Indigenous interaction with nature
 - a. Indigenous cultural foundations or connections
 - b. Indigenous customary laws/lore – roles for land and seas protocols
 - c. The meaning of Country and sea Country
2. Indigenous Rights-based approach
 - a. Land rights, native title, Uluru Statement, UN Declaration on the Rights of Indigenous Peoples, law and policy.
3. Self-determination (Indigenous-led research, Indigenous voices, we speak for our knowledge and ways)
4. Connections to community and community-based approaches (Rangers, IPA's, other forms of agreements).
 - a. Innovation of new economies e.g. carbon farming / restoration economy – new ways of doing business that are based off the continued connection to Country and staying on Country.
5. Links to wider Indigenous policy
 - a. Also what policy gaps are identified in the themes
6. Languages, Arts and heritage
7. Sustainable environment management practices – eg: traditional hunting, harvesting and agriculture, traditional burning practices.
8. Leadership and Cultural governance – Rangers, IPA's, PBC's, Body Corps, alliances, joint management
9. Revitalising cultural practice and reconnecting to Country and kin
10. Wellbeing
11. Reports and protocols documents – eg: *Our Knowledge*, *Our Way*, Burra charter, True Tracks®, Convention on Biological Diversity, Ramsar Convention on Wetlands
12. Projects of significance in Indigenous collaboration or Indigenous control.
 - a. Case Studies that interlink the themes together to showcase the interconnectedness of our knowledge and ways of doing/being. Inherently will also showcase interconnectedness of the environment.
13. Data
 - a. What research is being done or is needed
 - b. What are the key research projects, data collection projects and reports in the last 5 years.
14. Future focus
 - a. Next 5 years will see Indigenous leg programs as the forefront. Self-determination is a key focus.
 - b. Next 7 generations – long term caring.

State of the Environment Co-Authorship Principles¹

1 Respect

- 1.1 Indigenous people have a long and unique relationship with Australia's land and waters. Indigenous people have the rights to:
 - a) protect, maintain, control and benefit from their cultural heritage.
 - b) care for Country and the deep connection and responsibilities that Indigenous peoples have to their Country.
 - c) Respect cultural protocols around Indigenous knowledge systems.

2 Self-Determination

- 2.1 Indigenous people have the right to self-determination and to be empowered in decision-making processes about projects that affect their cultural heritage and the Indigenous Land Estate.
- 2.2 Authors will seek guidance from Indigenous knowledge holders about decisions that use their cultural knowledge.

3 Consent & Consultation

- 3.1 Indigenous people have roles and responsibilities to culture, land, seas and kin. Free, prior and informed consent and consultation must be sought for the use of Indigenous knowledge.
- 3.2 Indigenous connections to culture, land, seas and kin are ongoing. Connections and consultation with Indigenous knowledge holders on the use of Indigenous knowledge is also ongoing.

4 Interpretation

- 4.1 Indigenous people are responsible for maintaining their culture and the interpretation of their cultural heritage. This includes the meaning and significance of words, the spelling and pronunciation and who can speak for knowledge.
- 4.2 An Indigenous Glossary will be added to the SoE 2021 the interpretation of words relevant to Indigenous knowledge.

5 Cultural Integrity

- 5.1 Maintaining the integrity of cultural heritage is cultural/customary practice and facilitates connection to Country and kin.
- 5.2 Authors will ensure that case studies capture the wholistic and deep connection (physical, social & spiritual) of Indigenous interaction with nature, as well as the interconnectedness between themes.

¹ These principles are based on the True Tracks® Principles developed by Dr Terri Janke.

6 Secrecy & Privacy

- 6.1 Indigenous people have the right to keep maintain the secrecy of Indigenous knowledge according to their practices. Private and personal informs should also be respected. Care will be given to ensure the secret and private knowledge is not published. This includes cultural mourning protocols.

7 Attribution

- 7.1 Indigenous knowledge holders are experts in their respective fields and speak for their knowledge and ways. Indigenous peoples have the right to be attributed and appropriately reimbursed and accredited as the custodians of Indigenous knowledge.
- 7.2 Authors will consult with knowledge holders about how they want to be attributed.

8 Benefit Sharing & Reciprocity

- 8.1 Indigenous peoples have the right to benefit from the use of their knowledge and culture.
- 8.2 Authors must consider how the project can respect the principles of benefit sharing and reciprocity.
- 8.3 Authors will seek to include knowledge holders in opportunities that involve their knowledge such as future research projects or publications.
- 8.4 Authors will engage with knowledge holders to ensure connections to community and community-based approaches are included in themes where appropriate.

9 Maintaining Indigenous Culture

- 9.1 Indigenous cultures are dynamic and evolving. It is important to consider how the use of knowledge might affect future use by others who are entitled to inherit the cultural heritage. Future use refers to both the next 5 years and the next 7 generations.
- 9.2 Authors should not decontextualize connections to both tangible and intangible cultural heritage such as language, spiritual connections to Country and artistic expression.
- 9.3 Authors will prioritise projects that are community based or have significant Indigenous collaboration or control.

10 Recognition & Protection

- 10.1 Authors will recognise Indigenous people's rights to their knowledge and cultural heritage.
- 10.2 Authors will consider where gaps in Australian law and policy may diminish these rights and seek to adhere to key frameworks and international laws to uphold these rights.

State of the Environment Co-Authorship Guidelines

Background

These Guidelines are intended to provide a strong foundation for collaboration between authors of the State of the Environment Report 2021 (SoE). They are based on the SoE Indigenous Co-Authorship Strategy including Headings for Indigenous Content and Co-Authorship Principles; *Our Knowledge: Our Way in caring for Country: Best Practice Guidelines from Australian Experiences*²; the Australian Institute of Aboriginal and Torres Strait Islander Studies, *Guidelines for Ethical Research in Australian Indigenous Studies*³; and general research ethics and collaboration principles.

Co-Authorship Guidelines

To the greatest extent possible within the resources and time available, authors will endeavour to consider the following guidelines in developing the SoE Report 2020.

1. Authors shall be familiar with the Indigenous Co-authorship Strategy, Indigenous content headings and co-authorship principles, and commit to the application of these in their work processes.
2. Authors shall respect the rights of Indigenous peoples, including their cultural heritage and traditional knowledge; self-determination; connections with land, sea and kin; privacy and secret protocols.
3. Successful collaboration requires openness to different worldviews, priorities, and ways of working. This requires that all authors allow the time to develop trust and shared understanding through regular routine communication.
4. Authors recognise that Indigenous knowledge is oral and performance based and constantly evolving, stemming from thousands of years of practice. This knowledge may not have the same Western science evidence based. Where we include a principle in Western science, authors should look to compliment the principle from an Indigenous perspective. It is acknowledged that this may concur or differ, but we will respect the diversity of views.

² Emma Woodward, Rosemary Hill, Pia Harkness and Ricky Archer (eds), *Our Knowledge, Our Way in caring for Country, Indigenous-led approaches to strengthening and sharing our knowledge for land and sea management*, NAILSMA and CSIRO, 2020, <<https://www.csiro.au/en/research/indigenous-science/Indigenous-knowledge/Our-Knowledge-Our-Way/OKOW-resources>>.

³ Australian Institute of Aboriginal and Torres Strait Islander Studies, *Code of Ethics for Aboriginal and Torres Strait Islander Research* (the AIATSIS Code), AIATSIS, 2020 <<https://aiatsis.gov.au/research/ethical-research/code-ethics>>.

5. Indigenous engagement shall only take place with free, prior and informed consent. Authors must respect the right of Indigenous people to maintain control over Indigenous content, including the right to withdraw or change the basis for engagement.
6. Authors shall seek to align with Indigenous language, concepts and values early in the process of developing content, where possible. This could be done for example, by including a preface for each theme which includes a short opening statement with an Indigenous language and English. Where appropriate, bi-lingual names shall be included, for example for place names in case studies. The SoE Headings for Indigenous Content and Indigenous Glossary should be used to guide authors in incorporating values, concepts and language.
7. Indigenous perspectives are often diverse, requiring engagement with multiple people and communities. Authors will work with Indigenous people early in the process to engage broadly, encompass multiple perspectives, and support collective decision-making.
8. Indigenous knowledge shall be incorporated and represented in a form that best reflects its nature and cultural context. This may involve knowledge in the form of case studies, imagery, stories and practices.
9. Indigenous content shall be managed, stored and shared in accordance with general research data integrity and Indigenous cultural protocols, including verification, security, privacy and respecting Indigenous data sovereignty.
10. Authors shall ensure that Indigenous content is properly attributed, protected, and provides benefit to Indigenous people. Content which has been developed collaboratively shall provide mutual benefit, and follow general research authorship principles regarding substantial contribution, approval and accountability.
11. SoE authors and processes shall build Indigenous capacity. This will require additional time and resources but is an important investment in current and future generations.

Indigenous Glossary

The following terms and definitions are meant to be understood in the context of the contributions of the Indigenous co-authors of the State of the Environment Report.

- **Agency** – The rights and capacity of Indigenous People living in a collective territory to speak for themselves and make their own self-determined choices. This includes representation, economic well-being, development and governance.
- **Area Agreement** – a type of Indigenous land use agreement.
- **Caring for Country** – is a process by which Indigenous people describe, connect, manage and perform their customary obligations to that country, their kin and ancestors for present and future generations. It is also used to reference the Australian Indigenous movement of people asserting their rights and interests.
- **Caring for our Country** - was an initiative that offered multi-year funding to provide certainty for stakeholders. The Australian Government announced that Caring for our Country would be combined with the National Landcare Programme in 2013.
- **Country** – The lands and waters that Indigenous Peoples and local communities occupy and use collectively. Specifically, it is a distinct geographic, cultural and ecological space that is common to a specific Indigenous People, group of peoples or local community. Tenure is held collectively – either legally or non-legally – and resource definition and use, as well as cultural practice, is governed within a common property context.
- **Co-responsibility** – An obligation or a commitment to achieve common outcomes shared among the people living in their country.
- **Culture** - The accepted ways of knowing and behaving and a set of common understandings shared by members of a group or community. Culture includes land, waters and living things, language, ways of living and working, artistic expression, relationships and identity. Culture includes the tangible and intangible things that are all necessary for Indigenous people to maintain their identity, beliefs and practices.
- **Cultural continuity** – a dynamic process of upholding and reactivating relationships, values, spirituality – an Indigenous way of being -- in a rapidly changing world. It is both the way and responsibility to receive, generate/process and transmit traditional knowledge, wisdom and practices from generation to generation through families, kinship structures and connections to the place and ancestral memory. It is a determining factor of Indigenous identity and self-determination as a distinct people.
- **Cultural Practices** – cultural ways of doing things that continue over time, and are nurtured and developed by Indigenous people.
- **Cultural Safety** – Cultural safety refers to the practice and respectful engagement of Indigenous people where Indigenous people can feel safe and secure in expressing their identity, cultural practices and belief. It is about enabling Indigenous people to feel respected and listened to especially when sharing experience and knowledge with others.

- **Custodian** - A person charged with maintaining and passing on particular elements of cultural significance (e.g. knowledge, stories, songs, dances, language, ritual and imagery).
- **Customary activities** - Refer to the cultural activities that Indigenous Peoples undertake for customary purposes. Activities are considered to be done for a customary purpose if they involve traditional practices to do with making and eating food, making and using medicine, and practicing artistic, ceremonial or other customary activities, No activity is considered customary if it is done for financial gain or reward.
- **Customary law** - Also referred to as 'lore', customary laws are based on traditions and customs of a particular group in a specific region.
- **Climate change** - A change of climate attributed directly or indirectly to human activity that alters the composition of the global atmosphere and is additional to natural climate variability observed over comparable time periods (under the terms of the United Nations Framework Convention on Climate Change).
- **Decolonisation** - Describes the ending of colonisation and the liberation of those who were colonised. The process includes dismantling the 'colonial state' and its laws. The ultimate goal is self-determination of those who were colonised. Those pursuing decolonisation start by reconnecting with kin and country, and disengaging with the colonial system.
- **Determination** - a decision by an Australian court or other recognised body that native title does exist or does not exist. A determination is made either when parties have reached an agreement after mediation (consent determination) or following a trial process (litigated determination).
- **Elder** – An Indigenous person who has gained recognition within their community as a custodian of knowledge and lore, and who has permission to disclose knowledge and belief to others
- **Engagement** – the act of approaching Indigenous peoples about their country, interests and aspirations.
- **Financial sustainability**: The long-term condition of having financial means available to enable people to secure the guardianship of their collective territories.
- **Free, Prior informed Consent** – FPIC is specific right for Indigenous peoples enshrined in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and embedded within the universal right to self-determination which sets a high standard for the involvement of Indigenous peoples in decision making processes for large projects that affect them and their territories. FPIC means Indigenous people must be informed about projects in a timely manner and given time to approve or reject projects. FPIC enables them to negotiate the conditions under which the project will be designed, implemented, monitored and evaluated.

- **Good governance:** The ability of Indigenous Peoples to define and maintain clear mechanisms, processes and rules that guide decision making and implementation of a self-determined vision of wellbeing that secures cultural continuity and the health of the ecosystems they depend on. This concept recognizes long-standing customary governance mechanisms and how that intersects also with modern forms of governance.
- **Guardianship** – The ability of Indigenous peoples to act upon an inherent right and acceptance of responsibility to govern and manage collective territory using their own laws and values.
- **Heritage** - That which comes or belongs to one by reason of birth, sometimes also understood as 'descent' when talking about identity. It can include intangible heritage and tangible heritage. It also is connected to natural heritage which covers natural features, geological or physical formations of the environment that have special value for future generations, and the present community. For Indigenous people, the stories, relationships and knowledge of these natural places are important intangible cultural heritage.
- **Homeland** - Homelands are located on Aboriginal ancestral lands with cultural and spiritual significance to the Aboriginal people who live there. Complex connections to land include cultural, spiritual and environmental obligations, including obligations for the protection of sacred sites.
- **Indigenous Cultural and Intellectual Property:** Indigenous Cultural and Intellectual Property refers to the rights that Indigenous people have, and want to have, to protect their traditional arts and culture.
- **Indigenous Knowledge:** The network of knowledge beliefs and traditions developed over time and pass from generation to generations that encompasses people, language and culture and their relationship to the environment. Indigenous knowledge (also known as [Traditional Knowledge](#) (TK), Indigenous environmental knowledge (IEK), Traditional ecological knowledge (TEK), Indigenous bio-cultural knowledge (IBK)) refers to the understandings, practices, skills and cultural values, beliefs and philosophies developed and maintained by First Nation Peoples over millennia while interacting with their natural surroundings. This knowledge is adaptive, cumulative, holistic, intergenerational, invaluable, irreplaceable, unique and rooted in a community's responsibility for the well-being of the natural environment. This knowledge complements Western science and improves our overall understanding of how natural systems operate.
- **Indigenous Land Use Agreement (ILUA)** - An ILUA is a voluntary agreement between a native title group and others about the use of land and waters.
- **Indigenous peoples** – also known as **First peoples, First Nations, Aboriginal peoples** or **Torres Strait Islanders** - throughout Australia define themselves differently and do not endorse any one definition. They are the people that have and maintain strong connection to their country, values, cultural practices and distinct social systems.

- **Indigenous Protected Area:** An Indigenous Protected Area is an area of Indigenous-owned or jointly-managed land or sea where traditional owners have entered into an agreement with the Australian Government to promote biodiversity and cultural resource conservation.
- **Kinship** - An important part of Indigenous cultures and values. It includes all relationships and being related to and belonging to the land.
- **Language group** - Language is linked to particular geographical areas. The term 'language group' is often used in preference to the term 'tribe', and many Aboriginal people identify themselves through their language group.
- **Land Rights** - The struggle by Aboriginal people to gain acknowledgment of prior ownership of their land both legally and morally and allowing all the accompanying rights and obligations which stem from this association to manifest.
- **Land use** - The way land and water are used and maintained both physically and spiritually. Modern land use can include non-Aboriginal parties.
- **Law** - Social control based on consensus and individual rights being subordinate to the welfare of the community
- **Long-term sustainability** – the quality of being able to continue implementing key activities to ensure Indigenous guardianship of vital ecosystems. It involves securing that financial sustainability is in place and that good governance is maintained over time.
- **Native title-** A form of recognition of Indigenous people as rightful owners of that land - Native title is the recognition that Aboriginal and Torres Strait Islander people have rights and interests to land and waters according to their traditional law and customs as set out in Australian Law. Native Title is governed by the Native Title Act 1993 (Cth).
- **Native Title Representative body:** Native Title Representative Bodies are organisations appointed under the *Native Title Act 1993* (NTA) to assist Indigenous people with all aspects of their native title claims.
- **Nation** - A nation is a group of Aboriginal people who share the same language and area of land, river and sea that is their traditional land.
- **Negotiation** – The process of discussing the details of the shared commitments, with the goal of reaching an agreement.
- **Network** – A group of complementary partnerships that are interconnected conceptually, geographically, culturally or practically.
- **Partners** – Indigenous peoples, NGOs, NFPs, Government, private sector and other groups and individuals working together to strengthen Indigenous caring for country.
- **Prescribed Body Corporate (PBC)** - prescribed body corporate, a body nominated by native title holders which will represent them and manage their native title rights and interests once a determination that native title exists has been made.

- **Registered Native Title Body Corporate (RNTBC)** - prescribed body corporate (PBC) nominated by native title holders to represent them and manage their native title rights and interests once a determination that native title exists has been made. Once the court determines that the corporation is to be the PBC, it is entered onto the National Native Title Register as a registered native title body corporate (ss 193(2)(e) and 253 NTA).
- **Self-determination** - When Aboriginal people determine their affairs themselves, including decision making, interacting with non-Aboriginal parties and creating the solution to a problem.
- **Self-determined vision** – Vision developed by Indigenous Peoples living on their country that describes their contemporary sense of wellbeing, their aspirations and priorities for the future. This vision can be transmitted orally, can be found in existing community development plans or can be developed with external support.
- **Site** - Aboriginal sites are places of importance and significance to Aboriginal people because they provide a link to former or current traditions, people or practices.
- **Spirituality** – A quality of being that transcend our physical reality and provides a deep sense of interconnectedness.
- **Terra nullius** - A concept in international law meaning 'a territory belonging to no-one' or 'over which no-one claims ownership'. The concept has been used to justify the invasion and colonisation of Australia.
- **Traditional custodians / owners** - 'Traditional owners' is an English term stemming from the *Aboriginal Land Rights Act (Northern Territory) 1976* and refers to Aboriginal decision-making. It refers to a group of Aboriginal people who belong to a certain area of land ('country') and have the cultural obligation to maintain it. The term 'custodians' considers that in Aboriginal culture the land owns its people (and not vice versa), while 'owners' gives credit to the fact that it is Aboriginal land (both terms are in use).
- **Traditional Knowledge** - (TK) is defined by the World Intellectual Property Organisation as the knowledge, know-how, skills and practices that are developed, sustained and passed on from generation to generation within a community, often forming part of its cultural or spiritual identity.
- **Traditional Ecological Knowledge** - Traditional ecological knowledge may be defined as a cumulative body of knowledge, practice and belief evolving by adaptive processes and handed down through generations by cultural transmission, about the relationship of living things (including humans) with one another and with their environment.
- **Traditional or (Indigenous) Biocultural Knowledge** - encompasses intergenerational ecological, spiritual place-based knowledge of Country, understood by Indigenous peoples as integral to their relationships with Country.