

Indigenous perspectives in water management, reforms and implementation

Authors:

**Sue Jackson, research scientist with CSIRO's Division of Sustainable Ecosystems.
Joe Morrison, Executive Officer of the North Australian Land & Sea Management Alliance (NAILSMA).**

Abstract

The NWI explicitly recognises the special character of Indigenous interests in water. The challenge posed by the NWI is to incorporate Indigenous social, spiritual and customary objectives in water planning, take account of the possible existence of native title rights to water, account for any water allocated to native title holders, and include Indigenous representation in water planning. Given low levels of awareness of water reforms amongst the Indigenous sector, elements of the NWI relating to community partnerships, knowledge and capacity building are also of considerable importance.

The paper discusses the issues that may affect the degree to which Indigenous people benefit from the NWI. These include lack of clarity in conceptualising and defining Indigenous water requirements, limited knowledge of the means of addressing them, as well as impediments posed by uncertainty, contestation and lags in native title claims processes.

The literature surveyed is very recent and contains substantial knowledge gaps. It is geographically biased towards cultural studies of northern Australian circumstances where there are fewer resource pressures, with much of the legal analysis focused on speculative discussion on the nature and extent of Indigenous rights. There is negligible empirical evidence of the impact of various water reforms, for example, on rates of Indigenous participation in either economic or environmental water-based activity. The paper identifies a range of knowledge gaps and key areas for further research, including Indigenous institutions governing water management, the interaction between market-based and customary rights systems, and models to incorporate Indigenous water resource requirements into emerging and evolving institutions.

