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PROSPECTS FOR CO-MANAGEMENT IN AUSTRALIA

Co-operative management (known as co-management) offers flexible possibilities for combining indigenous common property rights and responsibilities with private property and resource rights of other stakeholders in environmental management. It can work where the resources in question are primarily common property, as in fisheries (Pinkerton 1989), or in situations where combinations of common, private and public (government-managed) property rights apply. The essence of co-management arrangements is that they are negotiated among the stakeholders - hopefully to mutual satisfaction - so that arrangements can be customised to each circumstance.

Co-management has evolved in different ways in North America and Australia. Canada has co-management agreements over single, usually migratory, species (Osherenko 1988), and also embeds such agreements in Comprehensive Claims agreements. Here a species may migrate across land (or waters) under different property regimes, but it makes ecological and management sense for the property owners and resource users to co-operate in a unified management and usage arrangement. It is also commencing co-management in national parks (Peckett 1998).

Washington State in the USA has created and attempted multi-purpose agreements involving commercial timber land and water resources (see below). These examples show a different type of legal basis, in which common and other types of property rights co-exist[1]. The private property rights of timber landowners are affected by State and federal government legal responsibilities (established in US vs. Washington 1974 and 1980) to manage the land so as to

[1] The legal basis for indigenous interests in habitat management on private lands, while rooted in common property rights, is a formal legal one arising from the ratification of Treaty Rights (Cohen 1986, Brown in preparation)

conserve fish habitat to meet Indian Treaty Rights (Timber-Fish-Wildlife Agreement). In Washington, water users have private property rights in the water derived from older common law practices by both non-indigenous and indigenous peoples.
Australia=s nearest equivalent is Ajoint management@ of national parks (see below). Here the introduction of land rights in the Northern Territory in 1976, followed by legal interpretation that existing national parks were among the lands eligible for claim, led to a unique arrangement negotiated in some secrecy during the consideration over the land claim over Kakadu National Park (Young et al 1991). Rather than risk their claim failing, Aboriginal parties offered to lease the park back to the government to continue operation. When the claim succeeded, this meant that the land became owned freehold by Aboriginal owners, while at first its management continued as before. This quickly evolved into a scheme of shared management, which was emulated in other parks even where the legal basis differs (Woenne-Green et al. 1994).

Australian interest in co-management is growing in the context of environmental management and sustainable development possibilities arising from legislation recognising native title to land (Native Title Act 1993) and the implications of a 1996 High Court decision (the Wik decision). These may, depending on the eventual outcome of fraught federal parliamentary processes and any further court challenges, modify the potential of native title as a negotiating springboard for environmental management agreements. Arising from the same High Court decisions and legislation, Australians are also exploring the possibilities of Aregional agreements@, adapted from the models provided by the Canadian Comprehensive Claims agreements (Richardson et al. 1994).

Indigenous Australians hold at least two distinct interpretations of the concept Aco-management@, which affect their interest in it. Since Australians have become accustomed to the term Ajoint management@ for twenty years now, Aco-management@ is interpreted by some indigenous people as a weaker form of shared administration, far less acceptable than Ajoint management@ which is construed to imply equality (cf the discussion of co-management versus consultative management in McCay and Jentoft 1996). Kowanyama community, on the other hand, which brought the term to Australia (see below) construes the term in the same way as in North America. Most indigenous Australians= first preference is to hold primary responsibility for resource management, in association with recognised title to their customary lands. Joint management and co-management are seen as secondary options, where the first is not available.

Current Australian co-management

In Australia=s strongest precedent in co-management, the joint management of national parks, indigenous people and government conservation agencies manage a number of national parks in partnership. Under this model, the indigenous people own the land under the land rights legislation pertaining in their State, and lease it back to the Commonwealth or a State conservation agency, usually for 99 years, to be managed as a national park (Woenne-Green et

al 1994). This model has evolved so that in the strongest versions[2] indigenous people and representatives of the conservation agencies share decision-making in a Board of Management with a slight Aboriginal majority, and share in the preparation of five year management plans. Indigenous owners and residents of the parks are also consulted directly on the management plans, and on any issues arising during plan operations which might affect their interests. Indigenous participation has changed the nature of park management substantially, for instance in providing for indigenous communities= residence and hunting rights in parks, in experimentation with indigenous resource management techniques such as fire management, naming and description of places, and indigenous employment as park rangers. In at least some parks, elders= pre-eminence in local decision-making is recognised as a qualification in their selection as park rangers.

Whereas the majority of indigenous communities and regional organisations have concentrated on securing and asserting their rights over land and use of environmental resources, Kowanyama community on the Gulf of Carpentaria in Queensland has explicitly favoured co-management strategies for about a decade. It adopted the ethos of co-operation and a number of strategies from the Aboriginal peoples of Washington State, USA, with whom it has arranged a number of exchange visits. Kowanyama commenced with strategies towards developing co-management of fisheries, with Queensland=s fisheries management authority and with commercial and recreational fishers. As subsistence users, they had to adopt some interesting strategies to gain acceptance as stakeholders in fisheries management. They began policing illegal fishing at their own expense - demonstrating their seriousness and their locational advantage over the fisheries authority in observing illegal practices. They bought two commercial fishing licences, intending not to use them at all, in order to assist fisheries recovery (Dale 1991). While no formal co-management agreement over fisheries yet exists, relationships with the fisheries authority have continued to develop strongly, and the community employs its own fisheries officer who enjoys high credibility with the State authority and commercial fishers.

Kowanyama=s other major step towards co-management is the formation, with its neighbours, of a catchment management group (Carr 1993). These groups are common throughout Australia under a variety of names, but this is the first such group in which indigenous people have played a major role. Catchment management and Landcare groups generally include all landholders in a river basin, with participation by other stakeholders including government departments, urban and business interests. The groups identify, and work co-operatively on, the environmental management issues most important to their land and rivers.

Another initiative which could be cast as a form of Aco-management@ is the proposal for Indigenous Protected Areas (Smyth and Sutherland 1996). Under this proposal, indigenous people holding recognised land rights will be offered incentives to manage part of their lands for conservation purposes, since the ecosystems with which much of their indigenous land coincides happen to be under-represented in the national reserve system. They will thus be

[2] The strongest models are Uluru, Kakadu and Nitmiluk in the Northern Territory. Some States have weaker versions.

taking responsibility for the conservation roles usually conducted by governments, on their own land. In some areas there is consistency between indigenous and government aims, where indigenous people are more interested in managing their country for biodiversity (enhancing habitat for subsistence hunting and gathering), than in commercial alternatives such as pastoralism.

Steps towards co-management are also taking place in marine resource management, with the Great Barrier Reef Marine Park Authority=s policy on turtle and dugong management, and the Marine Strategy for the Torres Strait, developed by Torres Strait Island people (Ross et al 1994).

Indigenous people are involved in wildlife management in a variety of ways, with many strong examples available of community management on community land (Davies et al forthcoming). Co-management remains a potential way of extending indigenous participation to species resident on other lands.

Native Title as an opportunity for co-management

Australia=s AMabo@ High Court decision of 1992 for the first time recognised customary land ownership or Anative title@ under national law[3]. Previous to this, limited rights to hunt and gather on pastoral leases had been preserved under some state land acts. The legislative response to the High Court=s decision, the Native Title Act 1993, provides a process for native title claims to be heard, and for resolutions to claims to be negotiated. These negotiations may (in principle) resolve the ways in which native title rights can be exercised in coexistence with other stakeholders= rights in land and land use, or may lead to the payment of compensation for relinquishing use rights. The act also includes a clause permitting the negotiation of regional agreements.

[3] This is a separate legal issue to the granting of freehold tenure in the form of AAboriginal land rights@, for which legislation exists in the Northern Territory (commencing 1976) and several states. Under land rights legislation, many former government reserves for indigenous people were transferred into indigenous ownership, and claims processes were established enabling indigenous groups to lay claim to unalienated Crown land with which they could demonstrate customary relationships. The native title decision recognised legally that Australia was not a *terra nullius*, owned by no one at the time of British invasion, but owned under customary systems by indigenous peoples.

A second High Court decision, the AWik@ decision in 1996, established that native title can coexist with pastoral leases, but that the exercise of pastoral lease rights prevails in the event of any conflict. The eventual outcome of a draft legislative response to this High Court decision remains unclear. Following adverse public reaction to the High Court decision, the government prepared contentious legislation to extinguish (or severely deplete) native title rights over pastoral leases, and to remove the Aright to negotiate@ over mining which is central to the operation of the native title act[4].

One the one hand the native title regime, and negotiations occurring under the 1993 Act, offer potential for co-management arrangements to be negotiated where these suit the interests of the parties. This could apply particularly under the Wik decision, which in principle allows scope for indigenous people to negotiate roles in wildlife and habitat management on pastoral land, alongside their visiting and hunting rights. Since the Native Title Act 1993 includes marine rights, this Act could also provide support for negotiation of marine co-management . Indigenous people could well follow the Canadian initiative of including wildlife management regimes in regional agreements, designed to apply over land which is held under indigenous freehold titles, Crown (public) land and conceivably private land.

[4] The legislation has been amended in the upper house, in a way which the government deems unacceptable, and has not been signed into law. The next step appears to be that the Prime Minister will use the rejection of his original bill (and some other rejected bills) to call for a dissolution of Parliament and fresh elections later this year.

On the other hand, indigenous leverage to negotiate such arrangements appears likely to be reduced in the near future, depending on the outcome of the legislative response to the Wik decision. While native title currently dominates the public debates, we need to remember that negotiation on any subject need not be mandated by legislation. It can be a voluntarily process, entered into whenever parties see fit[5]. Negotiation is becoming increasingly common between mining companies and indigenous groups, as a means of resolving impact issues including economic transfers between companies and local people. Indigenous people on Cape York Peninsula have also negotiated a cooperation agenda with pastoralists and conservationists, known as the ACape York Heads of Agreement@.

Lessons from the USA

Should indigenous people and other parties become interested in co-management, the successful and partially successful co-management negotiations of Washington State provide valuable learning experience.

Timber-Fish-Wildlife Agreement

[5] Although legislative powers can help motivate the parties to cooperate.

The Timber-Fish-Wildlife Agreement (TFW), negotiated in 1987 between indigenous peoples, State government, the timber industry, and conservation organisations (local government was added later), concerns the management of fish and wildlife habitat on commercial forest lands. It was negotiated to solve protracted conflicts in court over the environmental impact of forest practices, centred on the Forest Practices Act 1974, and Stage II of the US vs Washington case (1974, 1980 [6]) which established that the State and Federal governments were obliged to maintain salmon habitat in order to fulfil indigenous treaty rights to fish (see Cohen 1986). The agreement was preceded by several years of relationship-building between 26 Indian Tribes[7] and the peak body of the timber industry (Pinkerton 1992, Waldo 1988), then negotiated over five months in 1986-87. It involved over sixty meetings of a policy group and working groups. It applies to an area of over 8.7 million acres of privately owned commercial timber land.

The agreement provides processes linked to the State=s Forest Practices Act 1974 which enable the parties to collaborate in decision-making about the approval of particular logging applications, and in policy discussions. They also collaborate in research. Technical collaboration among the specialist staff of the Tribes, State government and timber industry is an important feature of the processes. For the Tribes, the agreement provides a say over the management of lands they were forced to cede under treaties (the Western Washington Tribes signed in 1854-5), as well as federal funding support which enabled them to build up their technical capacity in environmental management (to the benefit of their reservation lands as well). It provides an avenue for asserting sovereignty and treaty rights, focused on the management of salmon, traditionally an important cultural and economic resource. The agreement has recently acquired new roles in watershed analysis and planning under the Clean Water Act (federal).

While negotiating the Agreement was a major achievement, maintaining the relationship over a decade has been equally important. The Agreement is a Ahandshake@ (unsigned) one, which works on full consensus among the parties. The parties have faced problems of stalling on issues, and periods in which some parties have wavered in their commitment. It has come close to dissolving at times, with the parties maintaining it mainly to avoid the damaging consequences of returning to the courts.

The factors which appear to have made TFW work are:

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[6] Phase 1, 1974 (the ABoldt decision@) established that under the 1854-5 Treaties A in common with all citizens@ means 50% of the catch destined for each Tribe=s traditional fishing places. It also confirmed indigenous rights to fish off-reservation (upheld on appeal 1979). Phase 2, 1980 (the AOrrick decision@) established that Treaty rights guarantee protection of the salmon from habitat destruction, and also addressed hatchery-bred fish. This decision was remanded on appeal in 1985 because of difficulty in fixing the precise nature of the environmental right. This was resolved by the State Governor in the form of a policy decision. The Centennial Accord (1989) is also relevant to the negotiation of co-management agreements. Under this Accord the State of Washington and Indian Tribes agreed to conduct dealings on a government-to-government basis - the Federal government had always done so, under the Treaties (see Cohen 1986, Brown in preparation, Pinkerton 1992 for further details).

[7] 27 Tribes are now formally recognised by the federal government, and participate in the Agreement.

1. Concentration on higher order goals. The parties created mutual goals which incorporated their separate interests, for instance the Tribal governments see it as being in their interests to maintain a viable timber industry, since alternate land uses would be even more destructive of fish habitat. The timber industry added environmental management goals to its economic goals.

2. Respect for one another=s interests. The parties recognise the legitimacy of one anothers= interests.

3. Focus on management rather than legal rights (see Cottingham 1993 on the Chelan Agreement)

4. Commitment to the process.

5. Personalities and leadership. These affect the strength of constituency support within each party to the agreement, and willingness to deal in good faith with the other parties.

6. Maintaining constituencies= support. This requires keeping constituencies informed, and maintaining their trust in the leadership.

7. Recognising the alternatives to a working agreement. Should the Agreement fail the alternatives are a return to court - already shown to be expensive, time consuming, and ineffective - or the land being sold to other users and cleared. This is the ultimate threat to wildlife.

8. Efficiency for the parties. Under TFW State government decision-making about forest management has improved, and the costs are shared among the parties. The timber industry avoids damaging PR problems, while Tribal governments assert their sovereignty, obtain a say in the management of their ceded lands, and have gained resources which have underpinned their environmental management capacities. Consensus decision-making appears cheaper than litigation for the timber industry (Pinkerton 1992), though not necessarily for government (Seiter 1993).

However, the Agreement is threatened by:

1. Consensus decision-making problems. These include stalling, and settling for the lowest common denominator in reaching a decision; turnover in representatives and constituency members, requiring constant re-education; and a perceived failure to move forward sufficiently on important issues. These are related to leadership and constituency problems.

2. Lack of support from the Alegislature@, the political arm of government. TFW (and the other agreements described below) was negotiated with public servants representing

government. Elected representatives are not easily incorporated into such processes. Changes of government have created a need for education of each new government. Governments have been reluctant to vote financial support, have no perceived >stake= in making the Agreement work, and some have not understood the legal realities of Indian rights.

Similar difficulties applied to the Chelan Agreement.

Chelan Agreement

The Chelan Agreement, now lapsed, concerned the allocation of water resources. It was negotiated to provide a solution to an impasse which was likely to arise for water allocation, when native American user rights on behalf of salmon habitat were confirmed as part of the legal picture (also under US vs Washington Stage II, 1980). Washington=s water use rights operate on a historical basis, so that the first users retain prior rights over subsequent users of each river provided they maintain their rates of use (Cottingham 1993). This queued system of rights is an invitation to over-use of water. Legal affirmation of native Americans Treaty Rights and their implications for water presented a legal conundrum: they could probably have jumped to the top of the order of water rights, on behalf of the salmon=s habitat rights. Rather than press this argument in the courts or cause hardship to all parties, they expressed magnanimity by choosing to negotiate.

The Agreement[8] was negotiated over about a year in 1990 among eight parties: Indian Tribes, the State government, local governments, agriculture, business, fisheries, environmental and recreational groups. The complex negotiations were handled by holding two large conferences of around 200 people, with meetings in between of a team which prepared options for a State-wide water resources planning process. At the large conferences, the negotiating parties presented themselves as Acaucuses@ which could break for within-party discussion during the proceedings. This procedure allowed a large number of people to participate in the process, widening the base of familiarity with what was happening and acceptance for the outcomes, while keeping discussions efficient.

The Agreement created a State-wide policy committee known as the Water Resources Forum to review water management policies, and a framework for the development of regional water management plans (Seiter 1993). It commenced pilot processes for the negotiation of water allocations in two catchments, the Dungeness-Quilcene (a pair of adjacent catchments on the Olympic Peninsula) and the Methow (an inland catchment). The Water Resources Forum existed for four years, then the agriculture and business parties withdrew in 1994, looking to a newly elected Republican State government to support their interests better than the negotiation process was able [9]. Indigenous people were also dissatisfied with the process, as it

[8] It was another handshake agreement, but legislation passed in 1990 supported the co-operative planning effort and provided funds for the pilot studies (Seiter 1993).

was not protecting their sovereign rights, and weakening their federally protected senior water rights. The process was also disrupted by some parties= difficulties in maintaining constituency support, turnover in membership (50% by year 2), and by administrative changes and budget cuts in the Department of Ecology, the State department responsible for water resources.

The pilot studies negotiated successfully to reach agreement on ways of solving water allocation problems in their catchments (Nelson 1994, Seiter 1993), then struck difficulties in implementation. They were relying on substantial State government financial inputs for implementation, which were not forthcoming owing to a change of government and lack of commitment on the part of elected members of government to processes in which they had not been involved. The Dungeness-Quilcene pilot study also separated into two processes, as these sub-catchments had somewhat different needs and problems. The Dungeness process was facilitated by a Tribal Government, the Jamestown S=Klallam (Seiter 1993). Its= scheme attempted implementation by the parties seeking funds from a variety of sources, including Jamestown S=Klallam obtaining grant moneys then re-allocating them to irrigators to solve water wastage problems and threats to fish fry (A. Seiter, pers.comm). There are now prospects of implementation funding under the State=s Trust Water RightsProgram: the first agreement under this program was signed in the Dungeness.

While the Chelan Agreement is no longer operative owing to the withdrawal of some parties, indigenous people and the State government continue to support the agreement in principle, and the parties to the pilot studies continue to support them.

Sustainable Forests Round Table (SFRT)

A third example of the negotiation of complex co-management agreements is the Sustainable Forests Round Table (SFRT), a set of negotiations commenced in 1989 by the Washington Department of Natural Resources and intended to improve on wildlife management aspects which had been neglected in the implementation of the Timber-Fish-Wildlife Agreement (TFW). The negotiations took a year, using a combination of large conferences and subject-specific working parties to work out the detail. Unlike TFW and the Chelan Agreement, which lay broad frameworks for a management system without intense detail, the drafts for the

[9] There is a triangle of options for the resolution of environmental conflicts: through the courts, through political means, and through negotiation. By and large negotiated solutions offer the best prospects of maintaining control among the participating parties, but in order to succeed negotiated solutions must satisfy the parties s better than the other two alternatives.

Sustainable Forests Round Table Agreement were highly complex and detailed. The negotiation timetable was hasty given the complexity of the issues, and it was difficult for the parties to maintain understanding of all the aspects, and maintain constituency support. Some parties later had criticisms of the facilitation process. The proposed agreement remained unsigned, because some of the environmental groups were uncomfortable with the extent of trading off amongst issues, but nevertheless had policy influence (see Pinkerton 1992 for detail).

These three negotiation processes are not distinct. They were responses to legal issues, connected with the confirmations of Treaty Rights made by the US vs Washington case as well as other legislation challenged by environmental groups. They involve some of the same parties, especially the Tribal and State governments. They reflect an ethos of cooperation in problem solving to which the Tribes are highly committed. While indigenous people emphasise the mutuality of the solutions reached with other parties, they appear to have taken much of the initiative in building and maintaining relationships with the industrial sectors affecting salmon and salmon habitat.

The parties to these Agreements are involved in other initiatives which support the ethos of cooperation. The original parties to TFW established the Northwest Renewable Resources Center, a facilitation and research body, to support further negotiation and relationship building. This centre (now closed) provided facilitators to environmental negotiation processes in three Pacific Northwest states. One of its projects was the Tribes and Counties Project, a three-year project set up to build relationships between Tribal and local governments in three case study areas. The process was not designed to lead to negotiations or solutions, though cooperative working arrangements have arisen. For instance, there is now considerable cooperation between the planning departments of some local and indigenous governments.

These three agreements - attempted and successful - demonstrate that complex agreements over large and fragmented areas of land, with multiple stakeholders, and multiple issues, are possible. In this respect these models are similar to the concept of regional agreements[10]. They show a close linkage between indigenous rights, such as sovereignty in the USA, and environmental management as the exercise of those rights. They give indigenous people a say in the management of their ceded lands. Fundamental to the success of co-management arrangements is an ethos of co-operation, founded in a belief that co-operation is superior to other means of resolving disputes. In Washington, this has revolved around clarification of indigenous peoples goals (to save salmon rather than to win court cases), and encouraging all parties to collaborate in the creation of shared, higher order goals which subsume their sectional interests.

The negotiation processes in themselves offer numerous lessons: the importance of cohesion, support and leadership among the constituencies; the ways in which large numbers of people

[10] Although these agreements are focused on particular purposes, such as water allocation. Regional agreements are likely to incorporate a broader base of main issues.

can participate at the negotiating table, with little loss of focus; and what it takes to keep an agreement viable long after the completion of negotiation. Relationship-building for years prior to the negotiations proved vital. The negotiating culture[11] is also important. The parties now make little mention of facilitation by mediators, yet this was part of each process. TFW and Chelan were broad agreements which required detail to be filled out later, while the SFRT drafts were detailed. Each approach has merits and difficulties. The particular environmental management arrangements designed under each agreement (and the round table which did not reach agreement) include some creative approaches to shared decision-making.

The negotiations illustrate that both the process and the product (outcomes) of negotiations are important. Keeping agreement is just as important - and difficult - as reaching it. They also suggest that negotiations can work well if initiated from outside government (by the other parties). They offer some creative solutions to the handling of participation at the negotiating table. Generally the smaller the group at the table, the more easily the discussion flows, yet this excludes the range of party members who can contribute to and learn from the process. Wide participation becomes beneficial when turnover occurs, since there is a pool of people familiar with the original process to draw from in finding replacements.

[11] The actual systems used in the three negotiations is not entirely clear. The TFW process had some aspects of Aprincipled negotiation@, a system of negotiation based on identifying common interests developed by Harvard University=s negotiation school, combined with an emphasis on timeframes and sense of crisis emanating from the style of labour negotiations (Waldo 1988, K. Baril pers.comm). More detail on the negotiations is available by Mangin (1989), Halbert and Lee (1990) and Flynn and Gunton (1996).

Most importantly for Australia, these cases illustrate the parties= need to have a firm and clear motivation for working together. Australian politics is still dominated by an exclusionary ethic, of competition over rights, though co-operative ethics are also emerging strongly (with considerable support from the Reconciliation[12] movement). Co-management needs to be founded in a co-operative ethic, which requires trust to generate and maintain. In Washington, the conversion of indigenous people to a co-operative ethic appears to have pivoted on a reappraisal of the nature of their goals. They realised they were winning an overwhelming number of court cases in defence of their newly confirmed legal rights, but meanwhile the salmon were continuing to decline. This prompted them to clarify that their goal was primarily to save fish, not to win court cases, and that other strategies were therefore necessary.

Conclusions

Australian indigenous people, like North Americans, clearly see co-management as a complement, not an alternative to, their pursuit of land rights and direct control of resources. Where community management is feasible, this will usually be the preferred course. Indigenous people need to consider their goals, and what co-management could offer in cultural and social terms, environmentally and economically. Co-management is an obvious component to consider in the negotiation of regional agreements, and can also be considered for stand-alone agreements.

Why should Australians consider co-management? I believe:

1. It offers a practical formula for resolving environmental management and resource use in situations where property regimes overlap, especially where native title rights coexist with the private property rights of other landholders. The negotiation of co-management would assist the parties to develop clear understandings of how their rights relate to one another, and to build relationships to make their coexisting rights more workable in practice.

2. It offers new opportunities for indigenous people to become involved in resource management, to the benefit of government - which can use its own resources more

[12] Australia=s Reconciliation process was established as an initiative of the federal government in 1991. It created a Council for Aboriginal Reconciliation consisting of hand-picked individuals - equal numbers of indigenous and non-indigenous prominent Australians, under an indigenous Chair and non-indigenous deputy chair. The Council is non-partisan, but includes former politicians. It has now spread to a national movement, with local initiatives and many grass-roots initiated bodies which also promote the Reconciliation theme.

efficiently - and sometimes of private property owners. The public would benefit from improved conservation, and use of government funds.

3. We are already used to co-management, under a different name (joint management of national parks).

However, indigenous trust in the concept of co-management is currently doubtful, and many resource management sectors are beset with distrust between indigenous and non-indigenous players. For co-management to spread to sectors other than national parks, the parties need to develop greater trust in one another and respect for one another=s rights and aims, and the long-term benefits of cooperation over conflict need to be considered. While any party may approach others to initiate the negotiation of a co-management arrangement, the prospects currently look strongest in Australia if the non-government parties - indigenous and non-indigenous - initiate the processes.

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