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Co-managed research as a strategy for informing the development of Indigenous and government management partnerships over the Great Barrier Reef.

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Abstract

Two sets of property rights and responsibilities overlap in the Great Barrier Reef Marine Park and World Heritage Area: Indigenous Australians' sea country; and Australian national and State co-operative governance of the area as a multiple use Marine Protected Area. The Great Barrier Reef Marine Park also has an 'open access' regime of reasonable multiple use based upon the application of a zoning and permitting system administered by the Great Barrier Reef Marine Park Authority. Managing to provide opportunity for multiple use provides a wide variety of stakeholders the opportunity to use and enjoy the area whilst at the same time protecting its natural values. Following a series of calls from Indigenous meetings and groups, The Ministerial Council for the Great Barrier Reef Marine Park is currently considering whether – and if so how – to embrace co-operative management with Indigenous people as a management strategy for the park. There are already limited localised initiatives in this direction, and indigenous participation in the park's dugong and turtle management plan.

A research project has been initiated to develop a framework for potential co-management of the Great Barrier Reef Marine Park, capable of accommodating the variety of forms of co-management possible (wildlife and fisheries, habitat, and regional) and local variations in demand and circumstances. It also seeks to inform the prospective parties of their possibilities, by bringing them information about overseas and Australian co-management experiences. This will come from literature review, and case studies of Queensland experiences in developing resource management partnerships between Indigenous people and agencies.

The project is jointly managed – through representatives - by a collective of Indigenous traditional owners, the Great Barrier Reef Marine Park Authority, and the research team. This paper describes the logic and strategy of co-managed research being adopted by the project, and its importance given the sensitivities of Indigenous, scientific, and shared knowledges as a foundation for successful co-management.

Co-management is a recent administrative strategy (some 25 years old) which has evolved separately in different natural resource management and geographical contexts to cater for situations in which different parties have overlapping property *rights* (such as indigenous customary or legal ownership, government, other parties rights of 'take'), cultural or legislated *responsibilities* to manage the area or resource, and different knowledge, skills and availability to contribute to effective management.

Here we use the term 'co-management' to refer to equitable partnerships in management (McKay and Jentoft 1996), synonymous with the Australian term 'joint management' (eg Lawrence 2000). We acknowledge that the term has also been used to refer to consultative arrangements, in which one party clearly retains control, and also to community-based management where a community has the main control and initiative, but relies on another partner (usually government) for some resources. We say 'equitable' rather than 'equal', to promote the idea that co-management arrangements can be agreed mutually and fairly, yet the allocation of roles may differ and may or may not easily be described as 'equal'. The essence is that the partners have balanced power relationships in decision-making, while contributing in possibly different way according to their interests, priorities and capacities. In a situation in which either party needs to build up capacity over time, we see no reason against the role allocations being negotiated to take effect in stages, as the parties achieve readiness.

This paper is written to share a research and information-providing strategy we are developing with two partners to support their capacity to negotiate co-management in the Great Barrier Reef World Heritage Area. Aboriginal Traditional Owners (TOs) of sea country in the Southern Great Barrier Reef have been lobbying the Queensland and Commonwealth governments (partners behind the Great Barrier Reef Marine Park Authority) to negotiate a 'framework agreement' for co-management. Northern TOs have also been expressing interest in co-management for some years. The governments are actively considering whether to enter negotiations. Whether or not negotiations take place in the near future, Aboriginal people are taking an increasingly important role in the management of endangered species such as dugong and turtle, as contributors to planning

processes, and as adjacent landholders, subsistence and potential commercial fishers, and hosts or contributors to tourism ventures. They are geographically well positioned to manage remote northern parts of the Park that are not easily reached from Park Headquarters.

The Great Barrier Reef World Heritage Area and its natural resources can be viewed as multi-layered forms of common property, under the terms of two cultures.

Indigenous common property. The land and sea country of over 80 TO groups that have clan-based common property rights and cultural responsibilities for defined areas of land and sea, culturally defined subsistence rights, and responsibilities for the management of the sea country and well-being of its species. (Some of these rights are also recognised in non-indigenous law, through ‘native title’ and some legal precedents).

Marine Park. An Australian Marine Protected Area extending along much of the east coast of Queensland (Map). This was established by the Commonwealth Government through Great Barrier Reef Marine Park Act (C’Wth) 1975. The Marine Park is managed by the Great Barrier Reef Marine Park Authority (GBRMPA), a Commonwealth Statutory Authority. An administrative arrangement exists whereby the State of Queensland undertakes the Day to Day Management of the Marine Park on behalf of the Commonwealth. We portray this is analogous to common property, in that it is deemed to be held in trust by the Commonwealth Government for all Australians. Various stakeholders have use rights including tourism and recreational visitation, and commercial fishing in certain parts. The park is zoned to permit or exclude different activities in different areas.

World Heritage Area. Much, but not all, of the marine park is declared as World Heritage Area, held in trust as global heritage (Lucas, Webb, Valentine and Marsh 1998).

The challenge for co-management between Indigenous people and the Great Barrier Reef Marine Park Authority will be to design (negotiate) a regime which allows for management:

- At different scales between each TO group’s frame of reference and scope of decision-making – their sea country – and the GBRMPA’s frame of reference, the whole park (and zones within it).
- That entails different forms and loci of decision-making, recognizing that TOs have customary decision-making only over their own country, yet will almost certainly need to engage in joint decision-making at higher scales (‘representative’ governance is highly problematic in Australian Indigenous society).
- That incorporates the legal and cultural obligations of each party, from international, national and state, to customary law. This is exceedingly complex, incorporating law of the sea, species protection, native title legislation, the act

governing the marine park management, fisheries legislation, shipping access rights, and more.

- Caters for different capacities including knowledge, financial resourcing, human capabilities, and relative geographic advantages.
- Considers and is responsive to the needs of other Marine Park stakeholders.

History

On the 14 June 1997, the Great Barrier Reef Ministerial Council instructed both GBRMPA and relevant Queensland Government Agencies that they develop with Indigenous representatives cooperative management arrangements for the management of Dugong. A prior decision by the Marine Park Authority also has relevance to the Ministerial Council decision and provides a GBRMPA policy directive for the development of cooperative management:

The MPA DECIDED to direct staff to investigate and negotiate co-management and heritage zone arrangements during the current and all future reviews for sections of the GBRMP and in ongoing planning and management activities. MPA 145/18

Since the Ministerial direction of 1997, and in response to recent conflicts about broader marine policy decisions Indigenous groups in the Southern Great Barrier Reef have formed a community based alliance known as The Southern Great Barrier Reef (SGBR) Sea Forum (area from Hervey Bay to Cooktown). This is a coalition of TO groups, permitting them to confer, and coordinate their decision-making and communications, without relinquishing authority to any office bearers. It coordinates through a 'working group', convened with the help of a part-time coordinator and resourced by the Commonwealth government's agency for Indigenous Affairs, the Aboriginal and Torres Strait Islander Commission (ATSIC).

To guide the process of developing co-management arrangements, SGBR Sea Forum issued a discussion paper (Sea Forum 1999), researched by CSIRO under the direction of the SGBR Sea Forum. The discussion paper advocates a process consisting of negotiation of (1) a 'framework agreement', (2) negotiation of 'priority issues', (3) a 'regional agreement' (outcome of actioning the framework agreement including reaching negotiated outcome on priority issues) (4) community capacity building and community planning (provide Traditional Owners with understanding of what is in the Regional Agreement) and (5) specific negotiation of local estate level co-management arrangements.

In July 1999 the Ministerial Council for the Great Barrier Reef Marine Park Authority, issued a further directive on co-management, and requested that:

The Great Barrier Reef Marine Park Authority (GBRMPA), Queensland Environmental Protection Agency (EPA), Department of Primary Industries and Aboriginal and Torres Strait Islander Commission (ATSIC) prepare a multi-agency strategy, with costing, for the development and implementation of co-operative agreements with Indigenous peoples for natural resource management

GBRMPA, in consultation with relevant Queensland agencies, to prepare a strategy on co-operative management including mainstream marine park rangers, to address conservation issues emanating from traditional hunting and fishing.

A consultancy by GBRMPA (Appleton 2000), in response to the Ministerial Council directive, has explored the implications for government of co-management, including current state of preparedness, logistical and financial requirements to proceed towards co-management.

The GBRMPA consultancy reported to Ministerial Council with recommendations for how both Commonwealth and the State Government could begin a process of working with Indigenous groups to achieve some form of co-management. The report to Ministerial Council suggested for the Southern Great Barrier Reef that the cooperative management strategy be based on the SGBRSea Forum process and for the northern section of the GBR it was agreed that a process for co-management arrangements needed to be negotiated with Traditional Owners.

Meanwhile, a number of Indigenous groups currently seek collaborative management arrangements with GBRMPA or are in the early stages of developing such arrangements. Individual Aboriginal and Torres Strait Islander peoples are seeking community-based management of protected wildlife, with a view to extending these arrangements into more comprehensive co-management arrangements, most likely under a 'regional agreements' model. Eleven native title claims are active over parts of the GBRWHA, and co-management is certain to be an important element of native title negotiations.

Research program

In 1988 the Cooperative Research Centre¹ for the Great Barrier Reef World Heritage Area (CRC Reef <http://www.reef.crc.org.au/>) in designing its next 7-year research program identified the need for research to inform the development of co-management. Helen Ross was invited to conduct it. James Innes was put forward by the GBRMPA as the CRC Reef's Task Associate person to liaise on the task – he and Helen then decided to collaborate. They spent several months consulting SGBR Sea Forum (Members of the Working Group and the full forum), Sea Forum's Scientific Adviser, staff of the Cape York Land Council and its commercial and environmental management arm Balkanu², GBRMPA staff and fellow researchers to flesh out the research ideas and ensure their consistency with Indigenous and agency wishes. Agreement with SGBR Sea Forum was formalized in a letter setting out key aspects of the research. Sea Forum asked that the research include Indigenous people as far as possible, and that the research assistant position go to an indigenous person who could bring learning back to the community. The idea of case studies (see below) came from this request. At first other GBRMPA staff

¹ A CRC is a, government-initiated institutional arrangement for supporting research, in which research organizations (Universities, other research organizations) and research users (eg industry, government agencies) form partnerships to organize 7-year research programs in a subject area of mutual interest. Funds come from the members, and Commonwealth government grants.

² Balkanu is a subsidiary arm of the Cape York Land Council. Its role is to promote economic development opportunities for Cape York Traditional Owners and promote partnerships for natural resource management of Aboriginal Land and Sea Country.

feared that involvement in this research project could jeopardize their emerging relationship with Sea Forum, by seeming to compete with Sea Forum's own research arrangement with its Scientific Adviser. They became supportive on learning that Sea Forum's Chair and Scientific Adviser had worked out role relationships with this project team, and that the two programs had pledged mutual support. We agreed that the Scientific Adviser would continue to support Sea Forum specifically (while communicating with us), while our project would serve both negotiating parties equally (and together) as well as having a longer life.

The project is premised on the idea that the parties to co-management need to be well-informed and to consider all aspects of designing and sustaining co-management in order to prepare an effective regime. Active exploration and understanding of the possibilities is required, in order for both parties to contribute constructively to the discussions necessary in developing a co-management system. Before the project, Sea Forum was active about informing itself, while GBRMPA and the relevant State Agencies risked being under-informed in the negotiations and in anticipating the implications for their own resource allocation (eg developing and adapting information resources) if they relied on a reactive stance to Sea Forum's proposals. The research team perceived that negotiations could become problematic if the agencies had not really considered beforehand what they could be 'letting themselves in for'. This would not be in Sea Forum's interests in creating a sustainable agreement with a fully committed partner.

Aims

The project was established with the fundamental purpose of promoting informed decision-making about co-management, by providing research, information and knowledge building services to the prospective negotiators of co-management. Its aims are:

To provide information and relationship-building support to GBRMPA and Indigenous Traditional Owners who wish to be involved in future co-management, in developing a process and structure for co-operative management of areas and natural resources within the Great Barrier Reef Marine Park area.

To help develop a framework for co-management and other forms of partnership in management of the GBRMP, suited to Indigenous management and potential later participation of other stakeholder groups.

The emphasis is on *providing information* and supporting *mutual learning*, towards the best possible design and implementation of co-management arrangements.

Approach

The research is designed to support an evolving process, in which priorities for information may well change.

This called for an adaptive and consultative, client-centred and policy-oriented research process. While general directions could be laid out in the research proposal, details must be worked out collaboratively with the beneficiaries of the research, the parties intending to develop co-management arrangements together. Because its role is to support an

unfolding process, it is impossible – and philosophically inappropriate - to be precise in advance about all details of the research. Within the general directions approved for the research, the team recognized it had to be ready to adapt activities according to client wishes and changing circumstances.

The primary clients of the research are these parties, although the research will benefit a wider circle of agencies and Indigenous people supporting the development of co-management or considering similar arrangements, and the national and international set of academics, professionals and community interests researching or engaged in co-management.

Co-managed research

The foundation of the research process has evolved as *co-managed research*, a structure and process through which the Indigenous and Agency beneficiaries of the research collaborate formally *with the researchers* in guiding the research, by taking the most important research and resourcing decisions jointly. Ross' (1999) research in USA has demonstrated the value of sharing research resources, in the development and implementation of co-management relationships.

The arrangement is to ensure the research is responsive and adaptive towards the future negotiating parties' needs for its information, to bring their advice to the core of the research design, and to ensure the research procedure works optimally for Indigenous and GBRMPA interests. A further opportunity lies in trialing a structure which repositions the power dynamic between researcher and the subjects of research. We hope that co-managing the research will assist in relationship-building among the prospective negotiators, and between researchers and users. An important consideration is sensitivity towards Indigenous protocols for information handling.

SGBR Sea Forum suggested a 'working group' structure for managing the research, a mode they use for many of their activities. The centerpiece is a committee, the Reef CRC Co-Management Research Committee, consisting of the researchers (now three with hired Indigenous team member Melissa George), two Sea Forum delegates, and two GBRMPA delegates. These are the formal decision-makers, but the group works in an inclusive way with a Balkanu delegate and Sea Forum's Scientific Adviser on permanent invitation. They help to maintain liaison with the northern GBR (not members of Sea Forum), and strengthen the collaborative link with Sea Forum's research (we will probably work jointly on some tasks, or fill out part of Sea Forum's research agenda).

This is not an advisory or steering committee separate from the researchers – we felt the need for equal contributions to deciding research directions, and had learnt from our own and other researchers' past experiences of insufficient engagement between committees and researchers. Further, academic research cannot be directed like a consultancy or agency staff: the researchers need to be partners with their clients in deciding how the research will be conducted. We think of the co-managed research arrangement as 'starting as you mean to continue', gaining experience in co-management and building some personal relationships towards it through one of the tasks (information management) which will be necessary if co-management eventuates. It takes the

evolution of the well-established concept of 'participatory research' to the research management level, as equal decision-making.

The project started at the end of February 2001. The committee has met twice so far, the first time mainly to build relationships and start familiarizing with the project's aims and philosophy, and the second to start making decisions on research directions and resource allocations, and convene as selection panel for the research assistant. As well as guiding the research, the committee is already working as a forum for sharing information on progress in each party's sphere between meetings. So far a comfortable climate seems to be establishing, and a sense of common direction.

We envisage the committee meeting seven times over the two-year course of the project. Tele-conferencing is possible between meetings. The Committee will be complemented by building-in a reporting structure to the full constituencies of its members. The research team also commits to report to a full meeting of Sea Forum at least once a year (more often if SGBR Sea Forum desires) and to present a seminar annually for GBRMPA staff.

Research activities

The research strategy involves

1. *literature reviews* based on research into international and national experience with co-management and related topics, including native title negotiations, collaborative planning, collaborative development of information, to provide models and precedents for consideration, management advice based on experience elsewhere, and support to build up the information management systems co-management will require. After an initial scoping paper, the list of topics will be amended continually to adapt to shifts in information needs. The team is co-ordinating with the SGBR Sea Forum Technical Adviser, and also the Cape York Land Council, to allocate roles in providing this information. The information will be distributed in a series of 'plain English' papers.
2. *Case studies* to promote *learning* and *relationship-building*, from experience to date in developing agency/Indigenous environmental management partnerships, and community-based initiatives in the GBR coast and nearby inland regions. The Committee shared ideas for case study themes at its second meeting, then decided to refer to issue to the next Sea Forum meeting, and subsequently to the government agencies. Our plan is to invite parties with relevant messages to share to offer case studies, although the committee may well encourage some communities or author-partnerships to take up the opportunity. We will then offer the communities or teams funds to prepare their own case studies, by whatever method they choose. Our team will be available to help them if they so wish. They will be given ample time to prepare a written version, then we are considering holding a workshop at which the case studies can be presented verbally and discussed.

Indigenous participation is thus designed into the research, both at decision-making levels (co-managed research and responsiveness to the full Indigenous constituency) and in research activities. Melissa George, a TO from the Townsville area, has taken up appointment as part-time researcher. There will be intensive, paid Indigenous

participation in the preparation and dissemination of case study information, under appropriate protocols for decision-making rights and information management.

The project supports learning and dialogue among the parties interested in co-management. It focuses on gathering and producing knowledge towards a better-informed negotiation process and sound future management.

Protocols

It is essential that the research program develop appropriate decision-making, behavioural and information-management protocols with its Indigenous participants and beneficiaries. Considerations include conducting research demonstrably *for* rather than *on* Indigenous people, working closely with Indigenous parties – particularly Traditional Owners - to ensure the research serves their interests, working consistently with Indigenous institutional arrangements such as SGBR Sea Forum, Land Councils, and native title claim processes, negotiating protocols for the gathering and dissemination of information to meet Indigenous expectations. Discussion of such considerations commenced in the project design phase through SGBR Sea Forum and Cape York Land Council, and will be continued by the research committee.

Outcomes

The intended outcomes of the project are

- A more informed, shared, information base for the development of co-management between Indigenous peoples and GBRMPA.
- Relationship-building through shared learning and shared management of the research.
- Progress towards more effective and collaborative management of the GBRMP.
- Transfer of learning to assist the development of environmental management partnerships elsewhere in Australia.
- Experience in co-managed research, as a model for engaging directly with the users of research.

Outputs of the research include

- Documentation of approaches to co-management used internationally, with evaluation of their applicability to the GBRWHA. This will be in plain English short reports, posters, information fliers, as well as academic papers.
- An adaptive framework (process and structure) for negotiation of co-operative management between GBRMPA and Indigenous peoples, and potentially with other stakeholder groups in future.

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