

The background is a collage of fishing-related images. In the top left, a large school of blue fish swims in clear water. In the top right, a large, brown, conical fishing net is shown, with a fish visible inside. In the bottom left, a large, reddish-brown crab is shown. In the bottom right, the head and upper body of a large, spotted fish, possibly a salmon or trout, are visible. The overall background has a blue tint.

NEGOTIATING INDIGENOUS FISHING AGREEMENTS

ALLOCATION OF ACCESS IN SOUTH AUSTRALIA

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THREE PROCESSES

- **Negotiation of ILUAs**
 - 10 claims
 - Narungga first (Yorke Peninsula)
- **Review of fisheries legislation**
- **National principles**





THREE LESSONS

1. ESTABLISH BROAD PRINCIPLES FIRST

2. LET LOCAL ISSUES DRIVE LOCAL NEGOTIATIONS & ARRANGEMENTS

3. ALLOCATION AND MANAGEMENT ARE CLOSELY LINKED – can't solve one without the other





LESSON 1 - BROAD PRINCIPLES

ALLOCATION:

Customary fishing must be defined – commercial v. non-commercial

Biological sustainability of fish stocks is the primary concern in all fisheries management arrangements.

Any issues associated with allocation of access to fisheries resources must be dealt with explicitly.



FOCUS ON LOCAL ISSUES

1. The traditional **fishing activities** of the relevant Aboriginal community:
eg. Species, Area, Gear, Methods, Seasons
2. The ways in which **fish and fishing activities** are used and undertaken by the community – food, education, camps, ceremonies, other cultural purposes.
3. The size of the **community** and the number of people that undertake fishing activities within that community – individual, family and community.
4. The **quantities of fish** likely to be taken by various fishing activities.
5. Whether any proposed access arrangements will result in **more fish** being taken, or able to be taken, compared to current access arrangements ie. **Re-allocation?**
6. Any **sustainability constraints** that exist in relation to relevant species or fisheries and restrictions that may need to be made to other sectors to accommodate new access arrangements for the Aboriginal community.





LESSON 3 - LINK MANAGEMENT AND ALLOCATION

GUIDING PRINCIPLES

Regulatory arrangements for cultural fishing activities should be as practical as possible. Avoid excessive red tape.

Catch over and above recreational fishing limits needs to be monitored and regulated.

Regulatory arrangements should be designed so that identification issues don't need to be dealt with by indigenous fishermen or Fisheries Officers in the field.





Data collection / research strategy

Limit scope for latent effort / future expansion

Possession limits to restrict movement of commercial quantities

Individual v community catch

Community regulated





BENEFITS OF APPROACH

**Negotiating within agreed boundaries =
problem solving rather than fighting**

**Small scale and local = issues are at a scale
that are solvable and manageable;
ownership by parties involved in process**

**Linking allocation and management = one
can inform the other; doesn't leave the
fisheries management agency to sort out
allocation issues by proxy**

