

CHAPTER 4.4

NGARRINDJERI VISION FOR THE ECOLOGICAL CHARACTER DESCRIPTION OF THE COORONG AND LOWER LAKES

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NGARRINDJERI AND RAMSAR MANAGEMENT

The Ngarrindjeri Vision for Country contains long-standing principles of ‘wise use’ of their ‘Country’, supporting healthy rivers, lakes, estuaries and coastlines. Fundamental to this vision is an understanding that everything is connected and that both cultural and natural wellbeing require healthy lands, waters and all living things (Ngarrindjeri Nation 2007, p. 5). Ngarrindjeri use the term ‘*Ruwel Ruwar*’ to describe this interconnectivity. Ngarrindjeri and Indigenous peoples internationally understand their humanity and their Indigenous sovereignty as being constituted in inextricable relations with the non-human world. For Ngarrindjeri, this philosophy is embodied in the concept and practice of *Yannarumi*, or ‘Speaking as Country’. This philosophy expresses the interconnectivity between the lands, waters and all living things. As part of the living body of their Country, Ngarrindjeri believe they have an abiding right and responsibility to sustain what Western science understands as ‘ecological health’.

In 1985 the Coorong and Lakes Alexandrina and Albert regions of Ngarrindjeri Country were declared wetlands of international significance under the Ramsar Convention (1971). This area includes the ‘Meeting of the Waters’, which has been recognised in State legislation as a location where the cultural and spiritual significance of the area is especially crucial for Ngarrindjeri wellbeing. Since this time, Ngarrindjeri have sought a meaningful contribution to the formal management of the Ramsar site. In 1998 Ngarrindjeri leaders established a formally constituted Ngarrindjeri Ramsar Working Party to develop a Nation-endorsed position paper for inclusion in a proposed Coorong, Lakes Alexandrina and Albert Ramsar Management Plan (DEH 2000; Hemming et al. 2002; NRWG 1998). However, the South Australian Government excluded this from the final Ramsar Management Plan, thereby blocking formal recognition of deep Ngarrindjeri connection to Country. In 2006 the then SA Department of Environment and Heritage published an Ecological Character Description (ECD) of the

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Coorong, Lakes Alexandrina and Albert wetland (Philips & Muller 2006). Ngarrindjeri input into its development was largely limited to a ‘long-term “oral history” data-set of wetland system change over the past 50 to 60 years ...’ (Phillips & Muller 2006, p. 224). Since the 2006 ECD, Ngarrindjeri have created a new relationship with the State of SA through a number of agreements and partnerships, establishing a framework for consultation and negotiation, enabling Ngarrindjeri engagement in Natural Resource Management (NRM). This Ngarrindjeri strategy of engagement, outlined below, has provided the framework for better Ngarrindjeri involvement in the latest version of the ECD, and is a first attempt at comprehensively bringing Ngarrindjeri understandings of the relationship between healthy lands and waters and all living things into Ramsar wetland planning and management.

NGARRINDJERI STRATEGY FOR ENGAGEMENT

In a continuing attempt to change the character of contact between their Nation and Australian government agencies, Ngarrindjeri leaders and elders developed their own management plan — the *Ngarrindjeri Nation Yarlumar-Ruwe Plan* (2007) (henceforth, the *Yarlumar-Ruwe Plan*, or ‘the plan’), which details a broad vision for Country and a set of strategic directions for better care of Ngarrindjeri Country (Ngarrindjeri Nation 2007). The release of the *Yarlumar-Ruwe Plan* coincided with the establishment of the Ngarrindjeri Regional Authority (NRA) as a peak regional organisation to represent the Ngarrindjeri Nation, built upon a long history of Ngarrindjeri political organisation and resistance to colonisation (Rigney et al. 2015). The NRA provides a centralised point of contact between non-Indigenous interests and the Ngarrindjeri Nation and negotiates with government on a leader-to-leader basis to create policy that guarantees improved health for their Country. This is an Indigenous-led pathway to engagement with the State that utilises ‘key political technologies created by the Ngarrindjeri Nation to enable its successful influence in matters affecting their country and community ... firmly grounded in Ngarrindjeri ways of knowing, being and doing’ (Rigney et al. 2015, p. 334).

In 2009 Ngarrindjeri negotiated a formal agreement with the State to begin a process of non-Indigenous recognition of the importance of Ngarrindjeri *Ruwel Ruwar* (Country) to Ngarrindjeri wellbeing (Hemming & Rigney 2008; Hemming et al. 2002; KNYA 2009). The negotiation process is founded upon a respectful ethos of ‘*kungun Ngarrindjeri yunnan*’ (KNYA), or ‘listening to Ngarrindjeri people talking’, which is formally protected by legal accords co-signed by the Ngarrindjeri leaders and authorised State Ministers on behalf of the Crown of South Australia (SA) (KNYA 2009). The contract law process provides a starting point for negotiations that require State recognition of Ngarrindjeri interests in lands and waters (Rigney et al. 2015). The landmark 2009 *Kungun Ngarrindjeri Yunnan Agreement* (KNYA) created a mechanism for building Ngarrindjeri Nation capacity to become a critical contributor to regional Natural Resource Management (NRM) impacting their Country. The KNYA also provided a framework through which Ngarrindjeri were able to secure A\$6 million from the SA and Australian Governments to carry out their Caring as Country work and engage in the SA Government’s Murray Futures program (see Chapter 4.5). This involved the Department of Environment, Water and Natural Resources (DEWNR) and NRA co-designing the Ngarrindjeri engagement strategy for the CLLMM Recovery Project through

a Ngarrindjeri Partnerships Project, which supported Ngarrindjeri to build their core capacity to meaningfully engage in the project's management actions, and included a review of the ECD (Hemming et al. 2017; NRA & DEWNR 2012).

In mid-2013 a working party of Ngarrindjeri and State Government officials was established to jointly develop a Statement of Commitment (SOC) to frame Ngarrindjeri engagement in the update of the ECD. This SOC was finalised and signed in 2014, committing the SA Government and the NRA to a series of principles, objectives and processes that provide protection for Ngarrindjeri cultural knowledge (NRA & DEWNR 2014). This framework provided Ngarrindjeri with the opportunity to engage at a deeper level with the national ECD framework and gain a better understanding of the ECD assessment process, and its limitations (Hemming et al. forthcoming). Ngarrindjeri 'ecological' knowledge of the Ramsar site stretches back before the last ice age, including its connectivity with surrounding regions; and Ngarrindjeri have documented changes in the ecological character of the region over millennia. The integration of core Ngarrindjeri values into the updated ECD is thus a crucial step for Ngarrindjeri knowledge of *Yarluwar-Ruwe* to be a formally acknowledged part of ongoing management planning and implementation, thus radically transforming a policy-writing process that is usually contracted to a non-Indigenous 'expert'.

NGARRINDJERI CONTRIBUTION TO THE 2017 ECD

In recent years the Ramsar Convention has made progress in its advocacy work, calling for contracting parties to consider cultural values in the wise and sustainable use of Ramsar wetlands and the need for meaningful engagement of Indigenous peoples in Ramsar site management (Pritchard 2013; Ramsar Convention 1999, 2002, 2005; RCN 2014). This recognition has materialised in the resolutions and guidelines prepared by the Convention and in the *Fourth Ramsar Strategic Plan 2016-2024* through Target 10 (Ramsar Convention 2015). Change was also made to the Ramsar Information Sheet (RIS) format to incorporate a set of four cultural criteria to support greater consideration of cultural values (including Indigenous cultural values) in Ramsar site listing (Ramsar Convention 2012). Despite this work, there are still no criteria that specifically recognise the cultural values of Ramsar wetlands. This means that it is up to contracting parties, such as Australia, to interpret the Convention in its fullest form.

Ngarrindjeri, through the NRA, have worked closely with DEWNR with the aim of transforming the ECD from a narrow ecological perspective to a broader one that incorporates Ngarrindjeri values and perspectives throughout the whole document. The partnership with DEWNR has supported this process, but the document — which is owned by the Commonwealth — is still under consideration, and the impact of this work is yet to be determined. This highlights the powerful influence that the multiple actors engaged in the interpretation of the Ramsar Convention and the application of the National framework (DEWHA 2008) in Australia can have on consideration and integration of Indigenous values and perspectives into ECDs (Hemming et al. forthcoming).

Ngarrindjeri have found that the ECD framework, as it currently stands, is inadequate for truly engaging with the Ngarrindjeri worldview based on principles of connectivity, responsibility, reciprocity and mutuality — where humans are connected as part of the whole 'ecosystem'. In the first instance, the ECD framework compartmentalises Ngarrindjeri lands

and waters into ecosystem components, processes and services (CPS). This does not align with Ngarrindjeri rights and responsibilities, which rely on the connectivity between lands and waters and all living things: for Ngarrindjeri, all CPSs are interconnected and are an embodiment of *Ruwel/Ruwar*. The model relies on the hierarchical classification of CPSs into ‘critical’ and non-critical elements that comprise the ecological character, a classification which is also alien to Ngarrindjeri. As such, Ngarrindjeri philosophy poses complex challenges for Western models of compartmentalised ecosystems, particularly for the notions of ‘critical services’ and ‘Limits of Acceptable Change’.

The ECD uses an ‘ecological services’ framework that breaks down the ecological system into ‘services’ for humans — thereby prioritising humans as unique and superior within the framework and focusing on the service benefits that the wetland can provide to humans, rather than on the interconnected benefits that flow between people and Country through wise environmental management. Additionally, Indigenous values are compartmentalised under ‘cultural services’, thereby reinforcing the stereotype that Indigenous culture is ‘static’ and properly located in the past as an aspect of environmental heritage. This undermines Ngarrindjeri emphasis on connectivity and insistence that all parts of the ecosystem are inherently cultural for Ngarrindjeri.

Furthermore, ‘critical services’ are conceptualised in terms of a linear progression of intermediate services, final service and benefits — rather than in Ngarrindjeri terms of cyclical and interconnected benefit or reciprocity. The concepts of interconnected benefit and flow help to explain the fundamental interdependence and cyclical relationship that Ngarrindjeri have with *Yarluwar-Ruwe*. In addition, it is evident that the benefits identified in the ECD model leave out Ngarrindjeri benefits (such as fishing) and exclude Ngarrindjeri human capital and agency. For Ngarrindjeri worldviews to be effectively integrated in the ECD, beyond history and ‘cultural’ stories, Ngarrindjeri also need to be recognised as a ‘critical service’ for the wetland. The clear trend in the majority of Australian ECDs produced under the National Framework to date, however, aside from two in the Northern Territory, is that ‘cultural services’ are not listed as critical (Hemming et al. forthcoming).

Ngarrindjeri understandings of long-term, resilient, wise use provide a deep knowledge of the Coorong and Lakes Ramsar site, which is being shared through the development of respectful and healthy partnerships between the Ngarrindjeri Nation and the non-Indigenous government agencies. However, recognition is only slowly emerging that Ngarrindjeri should be key decision makers in this process of setting Limits of Acceptable Change. This is in part tied up in the limitations of the current national framework — Limits of Acceptable Change (LACs) are only defined for ‘critical’ CPSs in ECDs and, as mentioned, the general trend amongst Australian ECD content is that ‘cultural services’ are not included as critical (Hemming et al. forthcoming).

Although Ngarrindjeri support the overall need to define LACs to drive an improvement — and not a worsening — of the current health of Ngarrindjeri lands and waters, this approach focuses on Western quantitative parameters (like salinity levels), with limited (if any) recognition and contribution from Ngarrindjeri science. Ngarrindjeri consider given definitions under the model problematic — for example, approaching or reaching ‘the point of no return’ can have severe consequences for Ngarrindjeri, but this is not currently recognised.

For Ngarrindjeri, effective LACs require an appropriate alignment with Ngarrindjeri concepts of flow, interconnectivity and reproduction, as well as with the principles of ‘wise use’ that are at the centre of Ngarrindjeri law and form the backbone of Ramsar philosophies. From this perspective, and keeping to the language of the ECD, a ‘threat’ to the system that could lead to a detrimental ‘change of state’ could potentially be a reduction in respectful engagement with Ngarrindjeri, which lessens their capacity to speak as Country. From a Ngarrindjeri perspective, LACs need to be measured/assessed by Ngarrindjeri themselves, rather than by other ‘experts’. Genuine Ngarrindjeri engagement in defining LACs would involve a commitment under the existing KNY framework to develop an agreed set of values, negotiated by Ngarrindjeri, scientists and local non-Indigenous people. This could provide the basis for agreements relating to critical features, sustainable benefits and services and the agreed limits of acceptable change (Hemming et al. forthcoming).

TOWARDS A MORE EQUITABLE MANAGEMENT FRAMEWORK?

The ECD tool is a fundamental driver for determining how the Coorong and Lakes Alexandrina and Albert Wetland Ramsar site will be managed. When the ‘ecological character’ of Ngarrindjeri Country is described in a particular way, then that description affects the flow of funds for managing the area. Using a different description, based on the equitable sharing of worldviews in its development, would lead to different priorities for management and a different funnel of funding. The ECD is influential, as it determines what counts in management decisions, whose approach to management is considered important, and who is resourced. Ngarrindjeri have engaged in the current ECD process as partners, seeking to incorporate Ngarrindjeri worldviews where possible. However, the existing ECD approach does not, and cannot, incorporate or value Ngarrindjeri worldviews appropriately.

Ngarrindjeri argue that a separate Ngarrindjeri assessment of the health of the ECD should be conducted alongside the ECD approach and integrated into the *Ramsar Management Plan* as the translator for both approaches (see Hemming et al. forthcoming). Ngarrindjeri have long practised a traditional ecological assessment process known as a *Yannarumi* (Speaking as Country) assessment. Ngarrindjeri *Yannarumi* has a historical meaning which is currently being articulated by Ngarrindjeri leaders in a contemporary form that takes into account the impacts and changes that have occurred to Ngarrindjeri *Yarluwar-Ruwe* as a result of colonisation. In its engagement with the development of the redrafted ECD, the NRA is conducting a *Yannarumi* (Speaking as Country) assessment of the health of the Ramsar site, addressing the overall wellbeing of Ngarrindjeri *Yarluwar-Ruwe*. This incorporates an assessment of the health-giving effects of the ECD process that has been collaboratively developed with the SA Government. Ngarrindjeri have used the *Yannarumi* framework to assess the capacity of the Ramsar site to reproduce Ngarrindjeri wellbeing through what can be translated as a philosophy of interconnected benefit and responsibility (Hemming & Rigney 2016). *Yannarumi* assessments could provide a basis for sharing Ngarrindjeri worldviews into the ECD development as part of the Ramsar Management Plan, and could be used on an ongoing basis as part of the co-governance and co-assessment process for Ramsar site monitoring on Ngarrindjeri Country. To further translate Ngarrindjeri philosophy, Ngarrindjeri have further developed the KNY framework to include Speaking as Country agreements, which acknowledge that

Ngarrindjeri speak as/for, control and care for their Country. The 2014 Speaking as Country Deed, for example, specifically commits the Government to working with Ngarrindjeri to further improve the health of the culturally and spiritually significant 'Meeting of the Waters' area, which is crucial to Ngarrindjeri wellbeing (NRA & MSEC 2014).

Ngarrindjeri are establishing themselves as sovereign partners in wetland management, thus demanding that the State Government respond by sharing power in decision making, by foregrounding Indigenous involvement in environmental policy creation, and by prioritising opportunities for Indigenous employment in policy implementation. This is required to safeguard the meaningful, well-resourced involvement of Indigenous agents throughout the whole process, so that Ngarrindjeri Country, and thus Ngarrindjeri themselves, can be healthy. As Ngarrindjeri leaders and elders have consistently and publicly stated: 'The lands and waters are a living body. We the Ngarrindjeri people are part of its existence. The lands and waters must be healthy for the Ngarrindjeri people to be healthy' (see Trevorrow in Hemming et al. 2002, p. 3).

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