

ENVIRONMENTAL JUSTICE FOR INDIGENOUS PEOPLE IN THE CAPE YORK PENINSULA

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Abstract:

Sustainable development, commonly understood to be development that meets the needs of the present without compromising the ability of future generations to meet their own needs, is based on the premise that environmental, economic and social goals must receive equal weight. However, in reality, sustainable development usually involves trade-offs between the needs of different groups and can result in different costs and benefits for different actors. This paper highlights how opportunities for sustainable development and involvement in conventional and emerging payment for ecosystem services (PES) markets by low-income Indigenous land stewards of the Cape York Peninsula (in far northern Queensland, Australia) are being stifled by increasing amounts of conservation legislation and regulation over the Indigenous estate.

Cape York Indigenous people are the owners and managers of large tracts of land and sea that contain a diverse array of cultural, ecological, economic and social values and assets. They have successfully managed their traditional lands according to a complex set of cultural practices for over 40,000 years. After a history of oppression and dispossession by white settlers, they have reclaimed their traditional lands, and now seek to manage them responsibly while also improving levels of socio-economic development in their remote communities.

In theory, the rich diversity of Cape York's natural resources creates many conventional economic opportunities as well as newly-emerging opportunities to be involved in less traditional products derived from ecosystem service projects such as carbon sequestration and biodiversity conservation. These new markets could form part of a broader economic development strategy for Cape York Indigenous people reflecting the right of Indigenous people to choose how they manage and use their country. However, in reality, as these new opportunities are developing, Indigenous property rights on Cape York are being weakened through current and proposed environmental legislation and regulations that diminish the potential for Indigenous people to benefit from both conventional and emerging markets. In effect, what this means for Indigenous communities, is that those who have caused the least damage to the environment are left with the liability and the least resources to deal with it. The industrial southern regions of Australia are currently attempting to offset environmental damage by acquiring carbon and natural assets of the relatively undeveloped north for minimal or no cost.

Current approaches to environmental management in Cape York are not only underfunded but based on a model of short-term government transfers that serves to entrench Indigenous dependence at the same time as inadequately protecting the environment. Government and conservation groups focus on the creation of a small number of green jobs as the main vehicle for Indigenous sustainable development without addressing the underlying system of extreme social and economic inequity for Indigenous inhabitants. This paper argues that without greater focus on the social dimension of sustainable development, conservation regimes over Aboriginal lands will

merely serve to entrench disadvantage. Policy must address economic, environmental and social inequity for Indigenous inhabitants in order to deal with the unequal distribution of environmental costs and benefits in the Cape York Peninsula. This paper hypothesizes that the more environmental legislation and policy is enacted over the Aboriginal estate, the less Indigenous people can achieve sustainable development and engage with the green economy on their own terms.

This paper will be structured as follows: the introduction and literature review will be followed by an outline of the key issues, including the legislative and policy environment in Australia affecting Indigenous engagement in the green economy through payment for ecosystem services. This will be followed by the concluding discussion which will highlight the need to focus on the needs of sustainable development when designing environmental legislation. It will be shown that unless policy and legislative changes are made, Indigenous inhabitants of Cape York will be excluded from the green economy transition. As Aboriginal people's primary and last remaining asset is their land, if they are unable to capitalize on this asset, their chances for future development are in jeopardy. Unless social dimensions are addressed more centrally and comprehensively, there is a danger that efforts to connect green economy, sustainable development and poverty eradication will fail.