



# Native Title in the Torres Strait

Ned David – Chair, Magani Lagaugal



# Torres Strait

- 100 islands plus, scattered over 48,000 square kilometres between tip of Cape York and the Kiwai coast of PNG
- Population of approx 6,500 - not including a significant transient population





# History

- August 23, 1937 Masig
- The Mabo Decision 1992
- Saibai and Mualgal
- June 1996, 69 claims registered, (3 mile)





# Native Title Determinations in the Torres Strait

- 26 successful determinations
- 25 uncontested
- 34 ILUAs
- 4 Outstanding claims – including the Sea Claim





# Traditional Context

- Meriam (Eastern)
- Gudamaluilgal (Lower Western)
- Kulkaigal (Central)
- Maluilgal (Top Western)



# Political Context

- TSRA (Torres Strait Regional Authority)
- TSIRC (Torres Strait Island Regional Council)
- Torres Shire Council
- Commonwealth and State agencies
- NGOs
- Religion
- Torres Strait Treaty
- State and Federal members





# Queensland – won last night

- QLD is leading the nation in Native Title claims
- 40 out of the 43 claims have resulted in mediated agreements between both parties
- Torres Strait has the highest number of Native Title claims in one region.

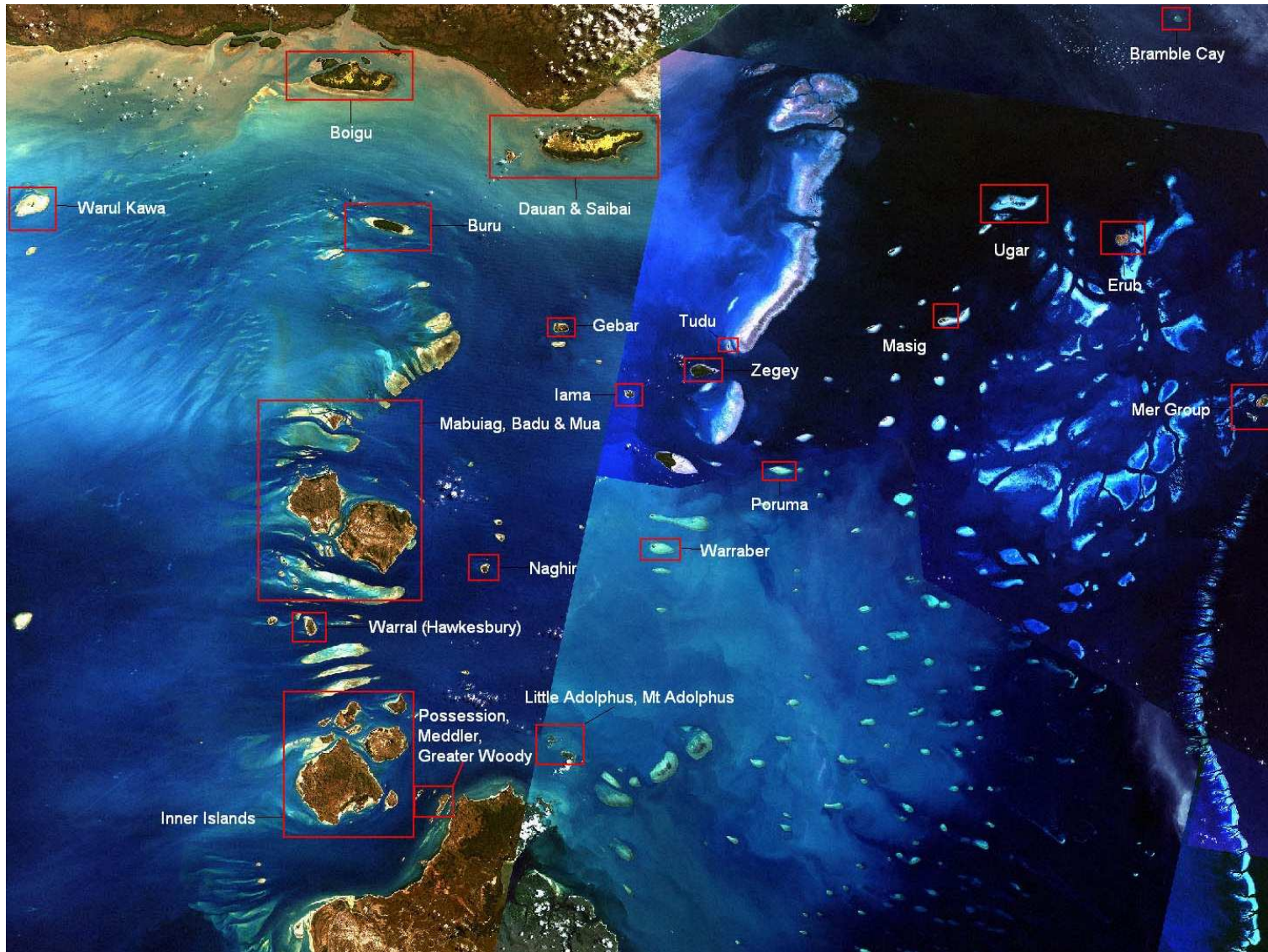
# Sea Claim

- 2002 Sea Claim lodged
- Covers the sea from 10 nautical miles from Western PNG, to the tip of the Inner Island Clusters – Thursday Island, Hammond and Prince of Wales
- Evidence and documents collated and being presented for the final hearing on the 20<sup>th</sup> July 2009





# Sea Claim





# PBCs in the Torres Strait

- 20 PBCs in the Torres Strait
- Have regular workshops to discuss emerging issues and identify opportunities that will take us forward into the future





# Challenges with Native Title

- Climate Change
- Lack of possible industries to gain a financial gain / economic independence
- International boarder / treaty
- Chronic disease
- Traditional owners having to exercise their powers to protect their identity and livelihood from Government constraints



# Future Directions

- Torres Strait Land Act Review
- MOU – TSRA / TSIRC

