

Marramarra murru

(creating pathways)

First Nations Economic Development Symposium
Symposium Background Paper

—
Foreword and Executive Summary



Australian
National
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First Nations
Portfolio

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Marramarra murru

Marramarra murru is a local Ngambri, Ngunnawal and Wiradjuri term that describes the creation of pathways. The pathways were created by Biyaami, the creator and protector who gifted and shared them with the ancestors. Passed on from generation to generation, these pathways serve to ensure survival and wellbeing by maintaining and transferring knowledge, lore, custom and cultural authority, as well as facilitating trade.

Like these ancient pathways, the Marramarra murru First Nations Economic Development Symposium will lead to contemporary pathways to economic self-determination for Australia's First Nations peoples.

— Paul Girrawah House



Crow and Eagle

The members of the Walgalu (Ngambri and Ngurmali) and Ngarigu nations belonged within the nation to one of two classes or sections, which were inherited through the mother. The Walgalu were divided into Eagle-hawk people and Crow people. The people of each of these groups were blood relatives and were not allowed to marry another member of the same group. Legends concerning Eagle-hawk and Crow are widespread in south-eastern Australia. The basic story concerned Kannua (the Eagle man), who was short, thickset and dark-haired, and Waaku (the Crow man), who was tall and light-haired. As well as belonging to one class or section of a society, each person inherited a totem. This meant that each person or group has a special bond with a specific landscape, natural species such as a bird, animal, plant or even a star (dindima / dyurra).

Reference

ngambri.org/about.html

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All Artwork by Rohit Rao



Foreword

The 2022 Federal Election campaign focussed the attention of Australians on the Nation's challenges and how they should be addressed. There was much debate about priorities such as the cost of living, affordable housing, climate change and strengthening our national security. While the challenge of achieving equity and justice for Australia's First Nations people was largely absent across party campaigning, it was immediately elevated by the new incoming government.

This is a challenge that our Federal Parliament has acknowledged on many occasions, particularly over the past decade. Whatever the reasons for it not being a prominent part of the Federal Election campaign and regardless of the fact First Australians still have an uncertain road to travel, the rapidly escalating prominence given to the issue by Australia's new Prime Minister, The Hon. Anthony Albanese, MP and Minister for Indigenous Affairs, The Hon. Linda Burney, MP, is indeed well overdue and very welcome.

The nation continues to shoulder a massive burden for the poor social and economic status of First Nations people and the lack of a formal settlement for the brutal dispossession and colonisation of our people. That burden includes the growing expenditure of Australian Governments to respond to disadvantage, the opportunity cost associated with not optimising economic development on the Indigenous estate, the fraught relationship between First Nations people and Australian Governments and negative international attention.

A critical part of achieving equity and justice is reforming policy of Australian Governments with respect to economic development for First Nations. In my view, there is no more important national policy requiring structural reform than First Nations economic development. More than anything else, the objective of the Marramarra murru First Nations Economic Development Symposium is to promote reform in this vital area.

The Marramarra murru First Nations Economic Development Symposium and its related events focus on opportunities for Australia's First Nations people to develop a truly self-determined First Nations economy—one that leverages from the legal interests in land, water, sea country and cultural and intellectual property that our people have and continue to reclaim. The optimal economic activation of these rights will require not only the development of new capabilities in our emerging First Nations economy, but also a pivot in First Nations economic development policy that facilitates the creation of wealth from the rights and asset base that is unique to Australian Aboriginal and Torres Strait Islander people through economic activity that is aligned with our aspirations.

Driven largely by the resilience and determination of our people, the Australian First Nations economy has made some progress from an almost non-existent status 50 years ago. However, from the perspective of reaching its potential, or indeed providing economic equality for Australia's First Nations people, it still has a long road to travel.



Self-determination, including economic self-determination, is a fundamental right of all peoples, recognised by the United Nations and by several international conventions to which Australia is party.

Whilst in most instances not understanding the full, detailed history and its implications, most Australians now accept that the Australian continent was taken from our ancestors and that First Nations resistance was suppressed in many instances by incarceration, violence and murder and in more recent times, by means of insidious and subversive racist policy. As a result, national and international empathy toward the plight of Australia's First Nations peoples and the lack of progress by Australian governments in addressing significant socio-economic inequality is at an all-time high.


However, what is less widely appreciated is that this lack of progress is mainly attributable to a policy and legislative framework that has been implemented by Australian governments over the past 30 years. That framework, while intended to create opportunity, rectify past injustices and provide for economic equality has in effect created a form of economic apartheid, whereby at a most fundamental structural level, First Nations Australians have less opportunity to determine their economic destiny than other Australians.

For the most, Government policy has focused on creating training and employment pathways for First Nations people, better enabling them to

engage in the mainstream economy. Recently, and far later than in other nations with a similar colonial heritage such as Canada and the United States, Australian governments have also started to focus on policies to enable First Nations businesses to access government procurement opportunities. These are important pathways for many and help build a baseline skills capacity among First Nations people, providing the programs are jointly designed with us through shared decision-making, which has typically not been the case.

However, to a large extent, activating the rights and assets of First Nations which have been reclaimed or will continue to be reclaimed to support our economic development has not featured to a significant extent in Australian public policy. Consequentially, many First Nations people who are outside of the mainstream economy have limited avenues for economic development, and even those who are engaged find the ability to activate those assets and rights substantively fettered. As a result, the Australian First Nations economy is notably smaller than that which exists in comparable nations.

Unless this changes, First Nations Australians will continue to be second class citizen in their own country, destined to manage a portfolio of rights and assets that are the subject of deliberate development constraints, working only in the mainstream economy in mainly mainstream jobs for which in most circumstances they are not the ultimate or main beneficiary.



Rectifying this manifestly unfair circumstance will require a strategic and national approach, combining innovative business models with progressive and significant change to government policy and legislation. I believe this is the challenge of our generation. We must stand on the shoulders of the many who came before us and substantially advance this cause, ensuring that our children live in an Australia where they walk in two worlds, prospering equally from a status of economic self-determination.

With a mandate to make a leading contribution to national policy on the relationship between Australia and its First Nations people, there is no more pressing an issue facing the University's First Nations Portfolio than that of not only creating the pathway but advancing down the pathway toward full self-determination.

The Marramarra murru Symposium is a major step on this journey, a journey which I hope you will join us on to the end.

Yours faithfully



Peter Yu
Vice President
First Nations Portfolio



Executive summary

The disastrous economic impact of colonisation on Australian First Nations is immeasurable...

Prior to European settlement, the societies and economies that characterised Australia's First Nations were not materially different to many across the world. Britain's claim to sovereignty and subsequent colonisation of the Australian continent (an act that has been determined by Australia's highest law as unjust), together with the two centuries of discriminatory and oppressive colonial and later State and Federal government policies directly and deliberately prevented First Nations Australians from participating in the economy.

For a majority of the past 250 years (equivalent to 0.4 percent of Australian First Nations history), Australia's First Peoples have barely been citizens in their own country, let alone participants in the economy.

Because this period of Australian First Nations history coincided with the largest economic expansion in human history, the opportunity cost incurred by First Nations Australians as a result of colonisation is immeasurable.

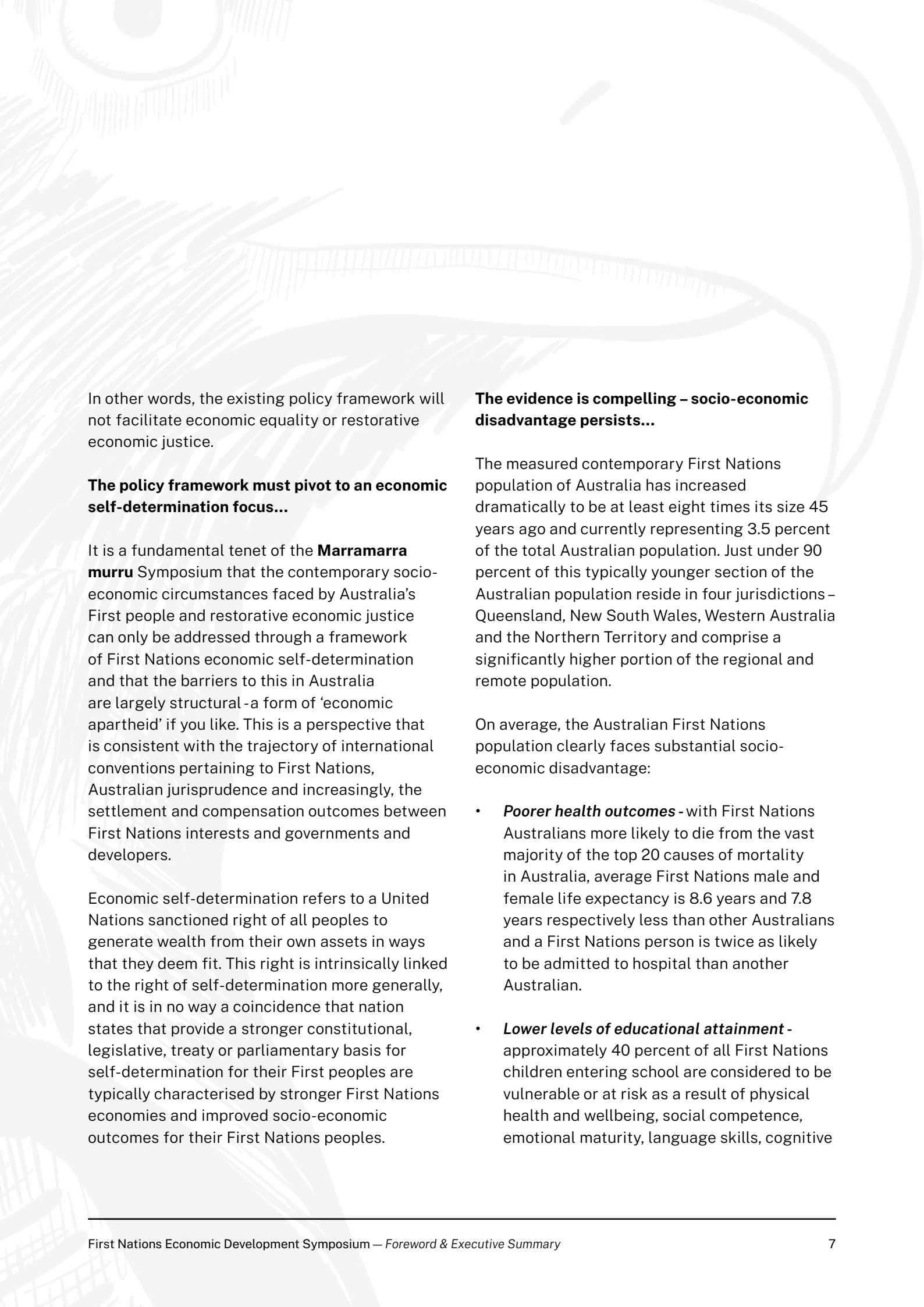
The economic injustice is recognised, but the current policy framework is not delivering adequately...

The past 55 years have been characterised by a relatively sustained policy reform process that has reinstated civil rights for Australia's First

Nations people and begun to restore some legal interests in lands, water, sea country and cultural and intellectual property, albeit by international standards this has occurred at glacial pace and as a result, a majority of First Nations people remain, from an economic perspective, 'second-class' citizens.

By virtue of the dire socio-economic circumstances that are endured by significant sections of the First Nations community in Australia, the cost associated with servicing this disadvantage and increasing domestic and international community and market attention, the need to develop economic capacity among First Nations Australians is not lost on Australian governments. However, the vast majority of First Nations economic development policy across Australia focuses on fostering education-training-employment pathways for First Nations people and preferred procurement programs for First Nations businesses in the mainstream economy.

To the extent these programs create some opportunity and build capacity among First Nations people and businesses they are valuable. However, this framework falls significantly short of that which is required to build sustained, substantial and meaningful wealth for First Nations people that delivers economic equality, let alone a level of wealth that is remotely comparable to that which has been foregone as a result of colonisation and its structural legacy.



In other words, the existing policy framework will not facilitate economic equality or restorative economic justice.

The policy framework must pivot to an economic self-determination focus...

It is a fundamental tenet of the **Marramarra murru** Symposium that the contemporary socio-economic circumstances faced by Australia's First people and restorative economic justice can only be addressed through a framework of First Nations economic self-determination and that the barriers to this in Australia are largely structural - a form of 'economic apartheid' if you like. This is a perspective that is consistent with the trajectory of international conventions pertaining to First Nations, Australian jurisprudence and increasingly, the settlement and compensation outcomes between First Nations interests and governments and developers.

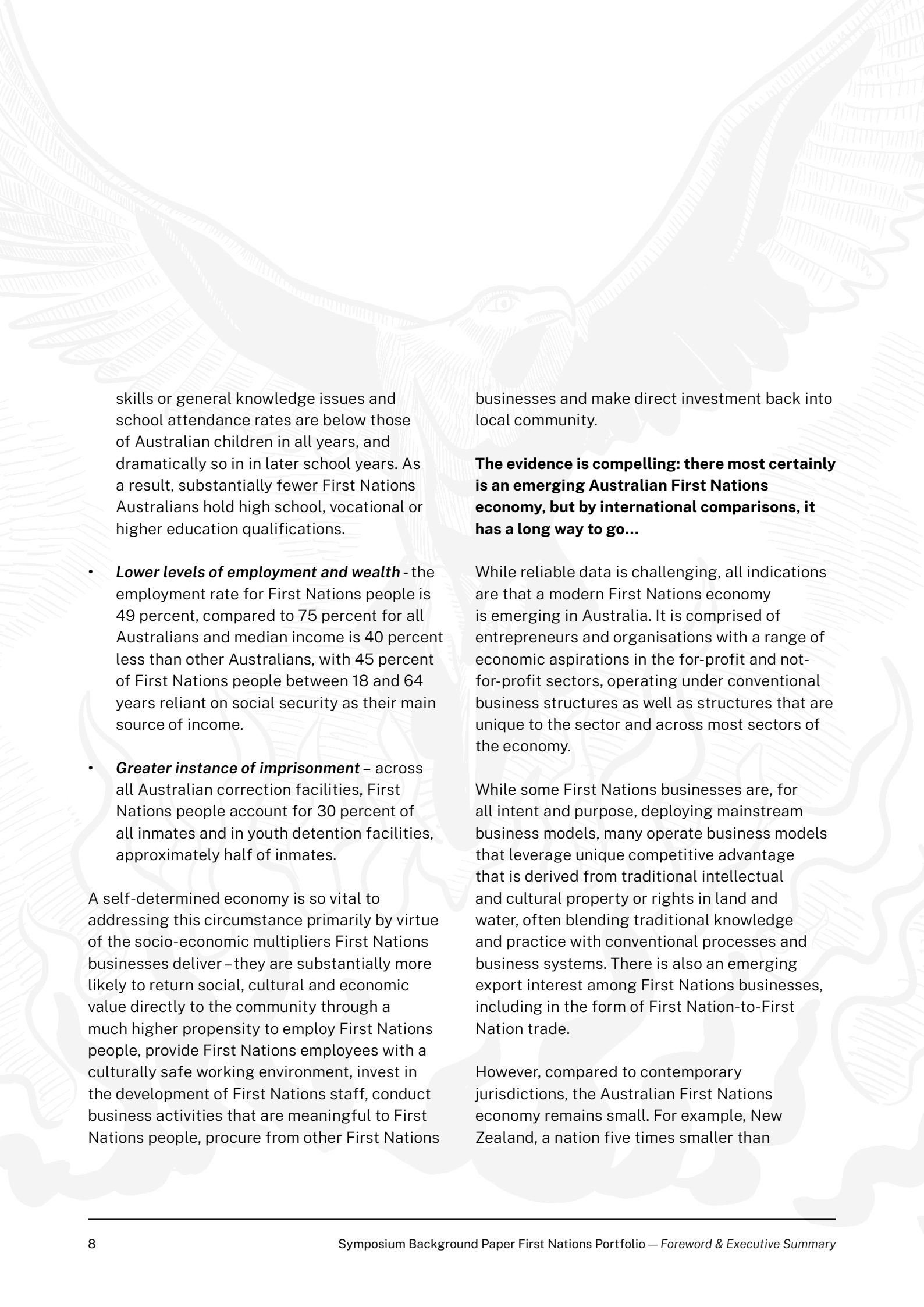
Economic self-determination refers to a United Nations sanctioned right of all peoples to generate wealth from their own assets in ways that they deem fit. This right is intrinsically linked to the right of self-determination more generally, and it is in no way a coincidence that nation states that provide a stronger constitutional, legislative, treaty or parliamentary basis for self-determination for their First peoples are typically characterised by stronger First Nations economies and improved socio-economic outcomes for their First Nations peoples.

The evidence is compelling – socio-economic disadvantage persists...

The measured contemporary First Nations population of Australia has increased dramatically to be at least eight times its size 45 years ago and currently representing 3.5 percent of the total Australian population. Just under 90 percent of this typically younger section of the Australian population reside in four jurisdictions – Queensland, New South Wales, Western Australia and the Northern Territory and comprise a significantly higher portion of the regional and remote population.

On average, the Australian First Nations population clearly faces substantial socio-economic disadvantage:

- **Poorer health outcomes** - with First Nations Australians more likely to die from the vast majority of the top 20 causes of mortality in Australia, average First Nations male and female life expectancy is 8.6 years and 7.8 years respectively less than other Australians and a First Nations person is twice as likely to be admitted to hospital than another Australian.
- **Lower levels of educational attainment** - approximately 40 percent of all First Nations children entering school are considered to be vulnerable or at risk as a result of physical health and wellbeing, social competence, emotional maturity, language skills, cognitive



skills or general knowledge issues and school attendance rates are below those of Australian children in all years, and dramatically so in later school years. As a result, substantially fewer First Nations Australians hold high school, vocational or higher education qualifications.

- **Lower levels of employment and wealth** - the employment rate for First Nations people is 49 percent, compared to 75 percent for all Australians and median income is 40 percent less than other Australians, with 45 percent of First Nations people between 18 and 64 years reliant on social security as their main source of income.
- **Greater instance of imprisonment** – across all Australian correction facilities, First Nations people account for 30 percent of all inmates and in youth detention facilities, approximately half of inmates.

A self-determined economy is so vital to addressing this circumstance primarily by virtue of the socio-economic multipliers First Nations businesses deliver – they are substantially more likely to return social, cultural and economic value directly to the community through a much higher propensity to employ First Nations people, provide First Nations employees with a culturally safe working environment, invest in the development of First Nations staff, conduct business activities that are meaningful to First Nations people, procure from other First Nations

businesses and make direct investment back into local community.

The evidence is compelling: there most certainly is an emerging Australian First Nations economy, but by international comparisons, it has a long way to go...

While reliable data is challenging, all indications are that a modern First Nations economy is emerging in Australia. It is comprised of entrepreneurs and organisations with a range of economic aspirations in the for-profit and not-for-profit sectors, operating under conventional business structures as well as structures that are unique to the sector and across most sectors of the economy.

While some First Nations businesses are, for all intent and purpose, deploying mainstream business models, many operate business models that leverage unique competitive advantage that is derived from traditional intellectual and cultural property or rights in land and water, often blending traditional knowledge and practice with conventional processes and business systems. There is also an emerging export interest among First Nations businesses, including in the form of First Nation-to-First Nation trade.

However, compared to contemporary jurisdictions, the Australian First Nations economy remains small. For example, New Zealand, a nation five times smaller than



Australia with fewer resources, has almost twice as many First Nations businesses and Canada, a more structurally comparable nation has five times as many. Again, a framework that supports self-determination has likely performed a fundamental role in the New Zealand and Canadian First Nations economic outcomes.

Structural constraints over reclaimed rights over land and water and associated assets...

First Nations legal rights and interests of varying nature are now recognised over approximately 57 percent of Australia's landmass and are expected to reach 65 percent over the next decade as native title claims progress to determination. While significantly less in quantum, rights over sea country is also increasing, while there is a significant need for enhancement of inland water rights.

In only a few instances have First Nations interests in their land and water estate been able to develop economic projects on that estate for their own benefit. In some instances, First Nations interests have been able to negotiate financial return from third party developers that are active on that estate.

However, while the regulatory constraints that apply to much of the land and water estate may be designed to protect ownership in perpetuity, the reality is that it substantially constrains the ability of First Nations interests to undertake economic development on that estate for

their benefit, including using the estate for financing purposes. In a similarly paternalistic context, in a vast majority of cases where First Nations interests have been able to negotiate a substantial income from third party developers, the vast majority of that income is 'locked-up' under trust deeds that includes significant constraint as to how much and on what that revenue can be expended.

These are not conditions conducive to economic self-determination.

Structural constraints over cultural and intellectual property...

The inability of Australian First Nations interests to be able to protect and leverage economic benefit from the competitive advantage that is encapsulated in their unique intellectual property – traditional knowledge (including ecological knowledge), cultural expression and particularly, genetic resources – is a major constraint to the development of a self-determined Australian First Nations economy.

This is an issue of global-scale, whereby Western centric derived intellectual property frameworks provide limited protection for First Nations intellectual property. However, while international conventions have made some progress toward a suitable framework, Australia has been slow to adopt world-best-practice.

The fact that it is largely legal for non-First



Nations interests to appropriate economic value from First Nations cultural and intellectual property - circumstance that is commonplace – is not just manifestly inequitable and abhorrent to most First Nations people. The absence of adequate protection also has a compounding economic impact whereby, the absence of a suitable First Nations cultural and intellectual property framework means that many First Nations custodians of intellectual property understandably guard it fiercely, often to an extent that is beyond cultural requirements.

This represents a significant opportunity cost, whereby with an appropriate protection framework and in accordance with cultural protocols, this cultural and intellectual property could potentially underpin significant sectors of a self-determined First Nations economy.

The current skills development framework is useful, but it's not enough...

Building a self-determined First Nations economy certainly requires the development of a range of vocational, technical, professional, business and entrepreneurial skills, albeit in the context of a self-determined First Nations economy much of this capability needs to be nuanced for the unique cultural and social context the First Nations economy.

However, developing a strong self-determined First Nations economy is akin to developing any new, relatively unfamiliar sector of an economy

that requires structural reform to facilitate its growth. Industry leadership needs to be aligned with respect to the reform required and be effective in the advocacy necessary to give effect to that reform.

Furthermore, while Australian First Nations notions of sovereignty will, for the foreseeable future, at best co-exist with the Crown, that sovereignty has limited value without at least a degree of economic independence. At its core, the objective of a self-determined First Nations economy is to economically empower a people. As such, there are also elements of 'nation-building' to this effort.

Given the challenges, more than investing in rudimentary vocational, professional and business skills is required. Industry building and to some extent, national building, capability must also be developed at a world-class level.

Constrained market access...

The challenges that Australian First Nations businesses face with respect to accessing markets for their products and establishing and participating in supply chains are closely aligned and interwoven with the challenges that First Nations businesses face more generally – limited markets for what are often niche products, limited human resources markets, limited supply chain partners, constrained negotiating power and limited access to finance. Further, First Nations business is often located in regional or

remote areas that are characterised by small local markets, significant distance to larger markets, limited access to specialist services, severe constraints on infrastructure and a range of social and cultural issues that need to be navigated.

The growth of a self-determined First Nations economy will need to find solutions to these structural challenges and have a significant focus on growing markets and market access for the products and services of First Nations businesses.

Access to financial markets is a particular challenge...

Globally, debt and equity capital is highly mobile, seeking out opportunities and return profiles that meet its investment objectives.

Access to finance is a particular challenge for Australian First Nations enterprise. A full one-third of the Australian First Nations population is either unable or faces significant challenges with respect to accessing financial services. This circumstance is the result of generally lower levels of employment, particularly among the higher paid vocations and professions, limited inter-generational wealth transfer, limited personal assets and institutional biases.

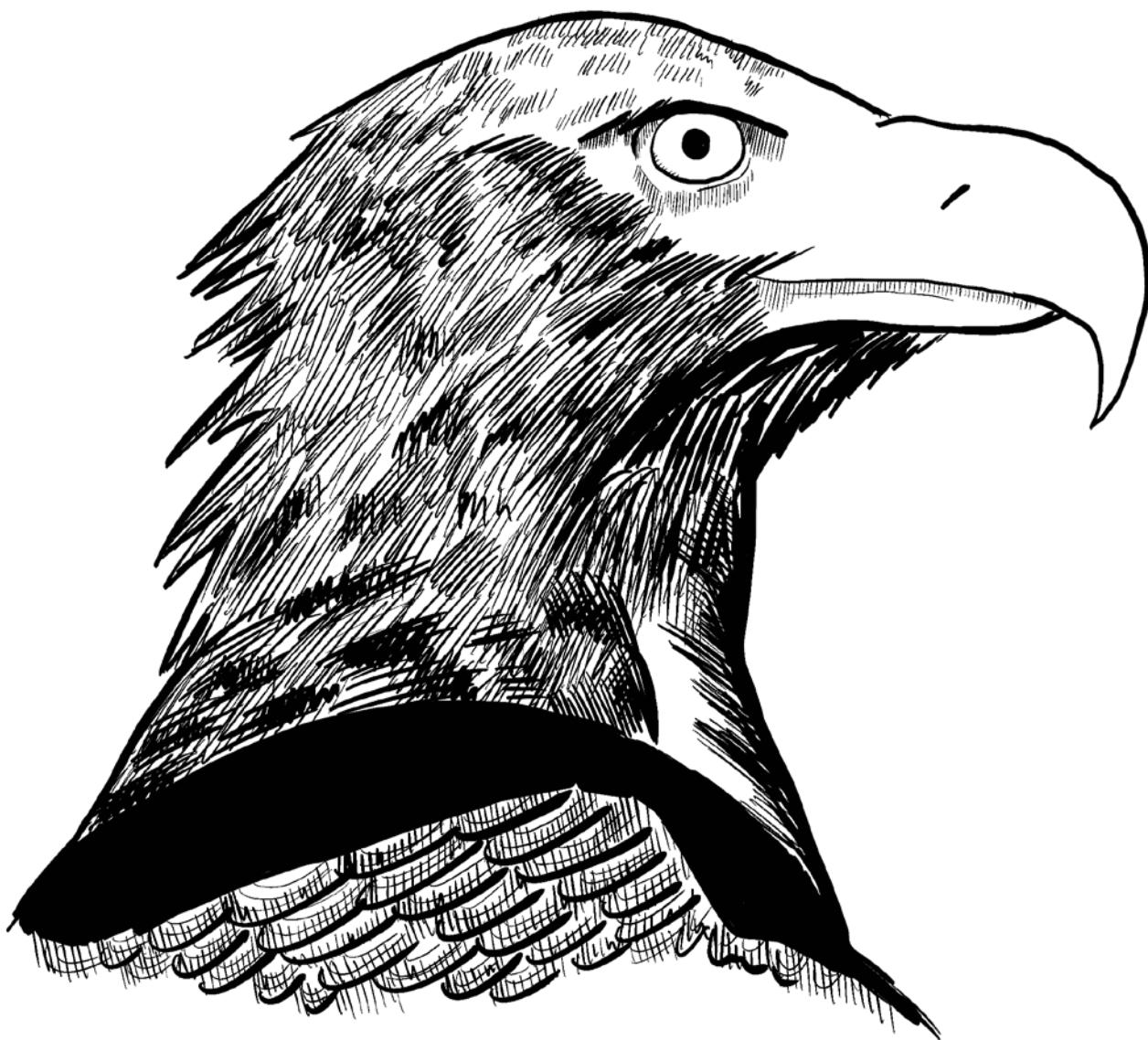
However, with the right policy framework there is opportunity to use tried-and-tested private capital incentivisation policies to increase

the flow of private capital into the emerging Australian First Nations economy, particularly in the case of the growing USD \$700 billion global social impact asset subclass, a potential from ESG aligned investment more generally.

Once certainty: a prospering self-determined First Nations economy will be operating in a different environment that today...

Business operating models and market opportunities across the globe are rapidly evolving as a result of the complex interaction between a number of global megatrends:

- ***Imbalance, scarcity and growing pressures***
– changes in climate; resource and energy access, scarcity and security; urbanisation; geopolitical conflict; humanitarian pressures; and a focus on sustainable development goals and the green economy.
- ***Shifting consumer identities and preferences***
– changes in population demographics; urbanisation; valued product attributes; growth of the fourth estate; green economy; developing nations; and progress of globalisation.
- ***Technological empowerment and disruption*** – rapidly accelerating advances in science and technology; digital connectivity; remote work; cybersecurity; fourth industrial revolution; artificial intelligence; machine learning; and big data.



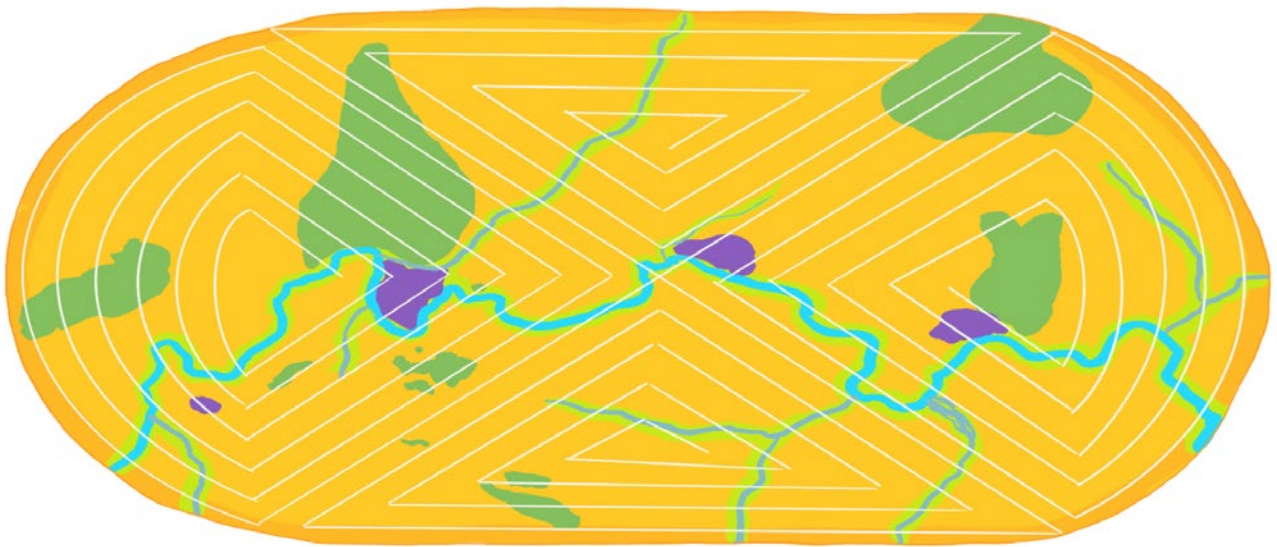
These megatrends will present a wide range of opportunities and challenges to a self-determined First Nations economy – some predictable and many not.

However, with a shift from the current First Nations economic development policy framework – one that is focused primarily on training and jobs and procurement in the mainstream economy – to one that removes the constraints that First Nations people face with respect to realising

economic dividends from their reclaimed rights and assets and unique cultural and intellectual property, combined with an eagle's eye on the challenges and opportunities created by these global megatrends and the determination and resilience of Australian First Nations people, it is an economy that is sure to prosper.

This is the journey we are embarking on ■





Artwork title: Ngambri-Kamberri-Canberra Dhaura

The artwork shows three main Ngambri (Kamberri) corroboree grounds and 'Canberra Station' depicted in purple located along the Ngambri River at Acton Peninsula (ANU, NMA, AIATSIS), St John's Church Reid, and Duntroon Dairy (Pialligo) and Ngambri Ck (Sullivan's Creek) at ANU along with Yarralumla Station (Governor General's residence). The Canberra (Ngambri) Plains depicted in yellow and Canberra (Ngambri) Ranges including Black Mountain, Mt Ainslie, Mt Pleasant, Dairy Farmers Hill, Kurrajong / Camp / Capital Hill (Parliament House) and Red Hill are depicted in green. The landscape is embedded with mallangarri yurwangu dhaura (alive and strong on country) tree scarring representing key Ngambri (Kamberri), Walgalu totems, Crow and Eagle.

Artist and Story: Paul Girrawah House, Ngambri (Kamberri) custodian



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