

A RECONSTRUCTED METAPHOR FOR ABORIGINAL PROPERTY RIGHTS AND INTERESTS



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Triple
BL Consulting



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- **TK** or Indigenous Knowledge, covers wide ranging subject areas from art to agriculture, to medicinal uses of plants and traditional systems of medical diagnosis.
- **TK** has no accepted international definition.

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UNDRIP Article 24

1. Indigenous peoples have the right to their traditional medicines and to maintain their health practices, including the conservation of their vital medicinal plants, animals and minerals. Indigenous individuals also have the right to access, without any discrimination, to all social and health services.

2. Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right.

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- Garma Conference, Northern Territory 2008
- Indigenous Water Declaration, Turkey 2009
- Values and beliefs
- Language

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- Private and Public Property Rights
- Relationships
- Recognition

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- Rights of the Crown and State
- Statutory separation of water from the land
- Aboriginal laws

A RECONSTRUCTED METAPHOR FOR ABORIGINAL PROPERTY RIGHTS AND INTERESTS

- Aboriginal ontology
- Misinterpretation and Context
- The complexity of Cultural Meaning
- Reconstructing Concepts
- The notion of Stakeholders
- Identity

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- Self-determination
- Intellectual Property
- Commercialisation
- Benefit Sharing
- Community

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*A Web of Aboriginal Water Rights: examining
the competing Aboriginal claim for Water
and Property Rights in Australia*

Macquarie University, V. Marshall 2014