Chapter 4.19
Agreements Treaties and Negotiated Settlements Database

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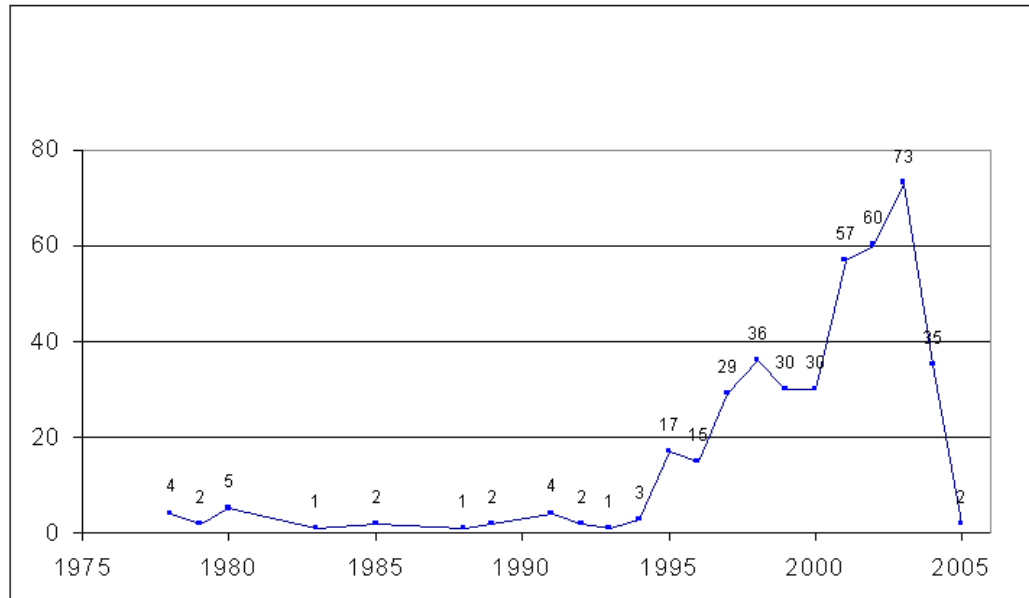
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The Agreements Treaties and Negotiated Settlements (ATNS) database (www.atns.net.au) is an online gateway and resource that links current information, historical detail and published material relating to agreements made between indigenous peoples and others in Australia and overseas. Designed for use by indigenous and other community organisations, researchers, government and industry bodies, the ATNS database includes information on agreements not only relating to land, but those made in the areas of health, education, research, policy and indigenous relations. Since its public launch in 2003, the database has become an important research facility and is the only resource of its kind in Australia that demonstrates the range and variety of agreement making with indigenous peoples in various jurisdictions.

As governments, industry and indigenous peoples are using agreements as the major policy and governance tool for the conduct of their relationships, the database's significance lies in its utility as a public resource. In Australia, as in other settler states, agreement making with indigenous peoples is becoming increasingly important. Since the first land use agreements signed under the provisions of the federal statute, *Aboriginal Land Rights (Northern Territory) Act 1974* more than twenty years ago, there has been a proliferation of agreements between indigenous peoples and other parties including local, state and federal governments; proponents of major

Figure 1. The number of agreements with indigenous peoples in Australia by year recorded on the ATNS Database*

* This chart details agreements that have been recorded on the ATNS database as of April 2005 and does not intend to be a comprehensive representation of all the agreements made in Australia between Indigenous peoples and others.

infrastructure projects; farming and grazing representatives; universities and other institutions and agencies (see Figure 1). The Australian High Court decision in *Mabo v Queensland (No 2)*, the subsequent native title decisions of the courts and the federal statute, *Native Title Act 1993* (*NTA*) have all influenced the culture of agreement making and have placed parties under an obligation to negotiate and mediate proposals for land, sea and resource use.

While some agreements have statutory status, are registered under the terms of the *NTA* or result in determinations of the Federal Court of Australia, others are more simple contractual statements, service delivery agreements, memoranda of understanding or statements of commitment

or intent. The ATNS database developed as an innovative and communicative tool to capture the diverse range of agreements made within different social, historical and legal settings, involving a wide variety of parties and seeking to address very different issues. Made available via the Internet, the database provides information on agreements in a comprehensive and accessible format (see Figure 2).

Information included in the ATNS database is gathered from a range of published materials, including newsletters, journals and periodicals, as well as from material and documents provided by the organisations and agencies that are involved in the agreement making process. Synthesised and arranged to provide a comprehensive and

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