

What to consider when starting a nature market project

Disclaimer

This document contains general advice only. Groups should seek their own legal, technical and financial advice before making any decisions regarding nature market projects.

Introduction

Most Indigenous land management organisations in the desert have not had much experience with nature markets. So far, there are 2 government-led nature markets in Australia:

- a carbon market, called the Australian Carbon Credit Unit Scheme, or ACCU Scheme
- a biodiversity market, called the Australian Nature Repair Market, or NRM.

Carbon markets have existed in Australia for over 10 years, but biodiversity markets are new and still developing.

Nature market projects can be complicated. So, Indigenous land management organisations often need extra support to run these projects.

Understanding your rights

Under the Australian Government's carbon and nature repair laws, the legal right to run nature market projects belongs to the landowners and native title holders who have exclusive possession. Most of the Indigenous land management organisations that work with the IDA have this right.

The government always checks that the group running a nature market project has the right to do so, before it will register the project.

These legal rights mean that Traditional Owners have full control and the final say on whether a project can happen on their land.

If someone offers to help set up a nature market project on your land, you do not have to agree to it. Do not sign any papers if you are not sure about the project. You are in charge, not the person or company making the offer. That company cannot do anything without your approval.

You can choose:

- if you want to do a project
- when you want to do it
- who you want to work with.

Yalti Napangarti, Desert
Habitat Method trial
workshop, Kiwirrkurra
IPA, 2024



Running a nature market project

Nature market project managers need to:

- understand how the markets and rules work
- hold meetings and consultations with Traditional Owners
- complete the paperwork to register the project
- carry out the land management activities
- monitor progress
- report to the government
- generate and sell credits or certificates
- seek legal and financial advice.

Because there are many parts to a project, it can be a good idea to get help in specific areas.

Examples of Indigenous-led carbon projects

Biodiversity markets are just starting, so, there are no examples of Indigenous-led biodiversity projects, yet. There are already more than 2,000 registered projects in the Australian carbon market. Approximately 39 of those projects are Indigenous-led. Most of them use the Savanna Fire Management method.

North Kimberley Fire Abatement Project

It is possible to keep full control over all decision making in a project and still get external help to run it. For example, in Western Australia, 4 native title groups own and run their own independent carbon projects in the North Kimberley Fire Abatement Project. Each native title group makes their own decisions for their Country. The Kimberley Land Council supports them with particular activities, such as carbon reporting and fire management activities.

Savanna Fire Management Program

In the Northern Territory, the Indigenous Land and Sea Corporation, or ILSC, provides funding and support for Traditional Owners to start their own carbon projects through the Savanna Fire Management Program. The projects are fully Indigenous-owned and operated. Groups can choose to leave the program at any time and run their projects without support from the Indigenous Land and Sea Corporation.

Olkola Ajin Savanna Burning Project

On Cape York, the Olkola Aboriginal Corporation runs its own carbon project with their own staff. They only use external help when needed, such as for aerial burning or annual carbon reporting.

In these 3 examples, Indigenous groups fully own and control the projects. They receive support on their own terms. All financial benefits from the project go directly to the community. The groups are not tied into long-term contracts or locked into arrangements they cannot change. External parties provide some support, but they do not make any decisions over the land, the project, or the income.

Working with commercial service providers

Carbon service providers

Some land managers, especially non-Indigenous ones, choose to work with companies known as carbon service providers, or CSPs. Carbon service providers offer services to land managers who want to start nature market projects.

There are many carbon service providers. Each one operates differently. It is important to know how a carbon service provider operates and what it offers before deciding if and how you want to work with them.

Most of the time, carbon service providers are for-profit companies. Sometimes they ask for payment by taking:

- a share of the carbon credits
- a portion of the profits.

Carbon service providers may demand a long-term contract. These contracts can be hard to get out of later, if your group changes its mind. Some carbon service providers might even try to become the official project owner. Carbon service providers may make all the decisions about where to sell the credits.

Working with carbon service providers is a different experience to managing your own project. Traditional Owners keep full control of Indigenous-led projects. Get legal advice if you are thinking about working with a carbon service provider. Beware of the contract conditions. They may have long-term impacts.

Biodiversity service providers

The Australian Nature Repair Market is a biodiversity market. It is very new. It does not have methods that desert land managers can use, yet. But they are being developed.

Commercial biodiversity service providers will probably start offering their services to Indigenous land management organisations in the desert. They might even be the same providers that offer carbon services and they might work in the same way.

Desert Habitat Method trial workshop,
Nyangumarta Warrarn IPA, 2024



What should we do if a commercial service provider approaches us?

As nature markets grow, more commercial service providers will start contacting Indigenous land management organisations in the desert to start carbon or biodiversity projects.

If this happens:

- think carefully about what is best for your group
- look at all of your options
- get independent technical, legal and financial advice
- assess what is best for you.

Key principles for considering nature market projects and commercial service providers

- Any commercial service provider must fully inform Indigenous groups of their rights and options. This is part of the Free, Prior and Informed Consent process. It includes the right to say “no” to any offer of assistance from third parties.
- Indigenous groups should stay in full control of all project related decisions, including how to run the project and how to sell credits or certificates.
- Any outside help should be on fair contract terms. What is fair will depend on the situation, but will include things like:
 - the price
 - how long the contract is for
 - how clear the roles and responsibilities are
 - how the service provider and Indigenous groups will resolve disputes.

You do not have to say “yes” to any provider. You can choose to start a project without using a commercial service provider. Most Indigenous carbon projects already operate without using a carbon service provider.

If you are thinking about starting a nature market project or have been approached by a commercial service provider, you can contact the IDA for advice and support: info@indigenousdesertalliance.com

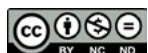


IDA nature market fact sheet series

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