

Working in good faith with indigenous communities: Implementing principles of Free Prior Informed Consent

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Abstract: For years, indigenous communities have advocated for their sovereignty rights and increased control over their lands, natural resources, and cultural heritage. One outcome of these efforts is the United Nation Declaration on the Rights of Indigenous Peoples (UNDRIP), which emphasizes Free, Prior and Informed Consent (FPIC) and centers indigenous communities' rights to self-determination in working with researchers and other outside interests. FPIC is decision-making founded on consent that is not coerced or biased; required and given before gaining access; and based on communities having access to all relevant information on benefits, costs, and risks. The right of indigenous communities to FPIC is embedded in indigenous rights to self-determination and supported by human rights instruments. Given that this is a new standard, there remains a lack of awareness regarding the meaning and significance of this instrument as it applies to research and professional practices. This session seeks to fill this gap by creating an engaging multidisciplinary discussion of the normative and ethical standards embedded in FPIC, its advocacy potential, and ways in which it can be implemented in the professional work of cultural and educational institutions.

Objectives:

1. Promote awareness of UNDRIP and FPIC among researchers working with indigenous communities and emerging education and information professionals
2. Inform LIS and museum professionals about specific standards and issues with conservation and repatriation of indigenous materials in collections
3. Educate participants about human rights instruments and international standards
4. Create partnerships across disciplines
5. Share projects and research

Outcomes: Learning about each other's work was a very rich outcome. In the international discussion, academia is under fire due to failures to properly obtain the free prior informed consent of indigenous communities participating in research endeavors. However, while most of the documented FPIC violations occur within academia, it is at the behest of corporate interests that have the money and personnel to evade being caught violating. Nevertheless, within the academy, we need to be aware of our poor reputation in this area and be proactive about implementing appropriate research protocols in our work with indigenous communities.

FPIC is poorly understood because it is rarely discussed in terms of intangible heritage, but it is embedded in many international codes and it was originally developed to protect land and property. Because of this history, we need a stronger movement to better understand and protect intangible heritage across memory institutions and research endeavours. This would be

aided by communities publishing their protocols and up-to-date contact information for consultation online.

Further, regarding our final proposed outcome, this is an interdisciplinary field and we would like to include a broader range of scholarship in future conversations.

Participants shared multiple current research projects, including presenting FPIC to the United Nations (Ulja Gosart), applying ethical sharing of traditional knowledge to digital materials (T-Kay Sangwand), the history of preservation of cultural heritage and inclusion of indigenous preservation practices before the advent of the museum as an institution (Ellen Pearlstein), how institutionally held archives can be resources for tribal communities (Julie Botnick), and protocols for sharing institutionally-held indigenous materials through social media platforms (Christina Hummel-Colla).

Session Format: The session was a round table discussion where all participants were able share expertise and experience and discuss applications of norms in their work. Each person at the table will had a chance to speak in turn, either sharing their research, responding to another participant, or verbally passing.