



ESK'ETEMC TRADITIONAL KNOWLEDGE AND RESEARCH ETHICS POLICY



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The development of this Traditional Knowledge and Research Ethics Policy is the result of the collaborative effort of many Esk'etemc. First, we would like to thank Chief Fred Robbins for his interest and participation in the project and Council members who have supported the project.

We would also like to thank the Esk'etemc Elders, Knowledge Keepers, community members and staff who participated in the engagement sessions and provided us with their knowledge, experience

and encouragement. Biographies of some of the main participants are provided in the Biography section at the end of the report.



We are indebted to the many First Nations and communities who have developed their own Heritage Policy guides. These include: the Lheidli T'enneh, the Inuit Tapiriit Kanatami, the Lower Nicola Band, the Sto:lo, Simpcw, and the First Peoples' Cultural Council.

It was a privilege to have expert comments on the early drafts of this report. These experts are listed in the Biography section at the end of this document.

We also would like to thank the funders, New Relationship Trust for supporting this initiative.

EXECUTIVE SUMMARY

This Esk'etemc Traditional Knowledge,(Cqwelkúiten)¹ and Research Ethics Policy Manual provides a guide to Esk'etemc research values and how it will permit research to be undertaken in our community. This manual will assist researchers or developers who are interested in working with the Esk'etemc or within Esk'etemcúlucw while ensuring that Esk'etemc values are protected.

The development of the Policy Manual was inspired by an Esk'etemc PhD Candidate in Natural Resources and Environmental Studies who wishes to conduct research in the community by interviewing local Elders and Knowledge Keepers.

This Policy Manual is grounded in the excellent work undertaken by other Indigenous communities, it has been adapted and developed to reflect Esk'etemc values.

Esk'etemc is a unique community with a rich history and a strong cultural tradition. The community has been at the forefront of many initiatives such as developing language curriculum and the sobriety movement. Esk'etemc is politically independent, and has always charted their own path.

Because of Esk'etemc's distinct history, a great deal has been written about the community. The overwhelming majority of this work has been undertaken by outsiders and the benefits of this work have accrued to the writers, not the Esk'etemc. As the stewards and owners of this information they have not seen the benefits. Up to this point research undertaken on and about Esk'etemc has been a "tool of colonialism".² It has not been written from the Esk'etemc perspective, but from the view of interested outsiders.

The layout of this policy manual is intended to quickly answer questions that researchers may have: "What is important and what do I have to do?". The first section focusses on Esk'etemc Research Values and identifies the goals of this policy manual, followed by the five stages of the research process. These are explained in detail to provide a guide for researchers. This is followed by a fuller description of the Esk'etemc community follows. This is supported by the Esk'etemc Title Declaration from 2017 and the Esk'etemc Mission Statement and Esk'etemc Vision Statements.

A description of the Esk'etemc community outlining research values and traditional laws as well as a historic synopsis and origin histories that ground the reader in Esk'etemc values follows.

The next section provides principles for researchers to consider and standards of work along with example contracts and consent forms for community members.

The last section is a description of the research committee and the terms of reference. Guidelines are included that can form the basis for the research committees' evaluation of research proposals.

¹ Traditional knowledge

² This point is made by the Inuit Tapiriit Kanatami, P. 5. Inuit Tapiriit Kanatami, 2018. National Inuit Strategy on Research. Inuit Tapiriit Kanatami Ottawa.

Many individuals assisted with the preparation of this Traditional Knowledge and Research Ethics Policy they are listed in the Biographies section. After the References Cited are the definitions for Secwepemctsín terms.

The final section provides pertinent excerpts addressing Indigenous Knowledge from UNDRIP that are included for reference.

A note on the use of Secwepemctsín: The Secwepemctsín language is spoken over a large part of central BC. Secwepemctsín was an oral language and the systematic writing and teaching of Secwepemctsín has been developed within the last few generations. Secwepemctsín has many dialectical differences that emerge between regions and communities and even within communities. This has resulted in numerous spellings and localized uses of the language. This document uses spellings that have been provided by Esk'etemc Elders, where possible variant spellings are used.

THE COMMUNITY OF ESK'ET



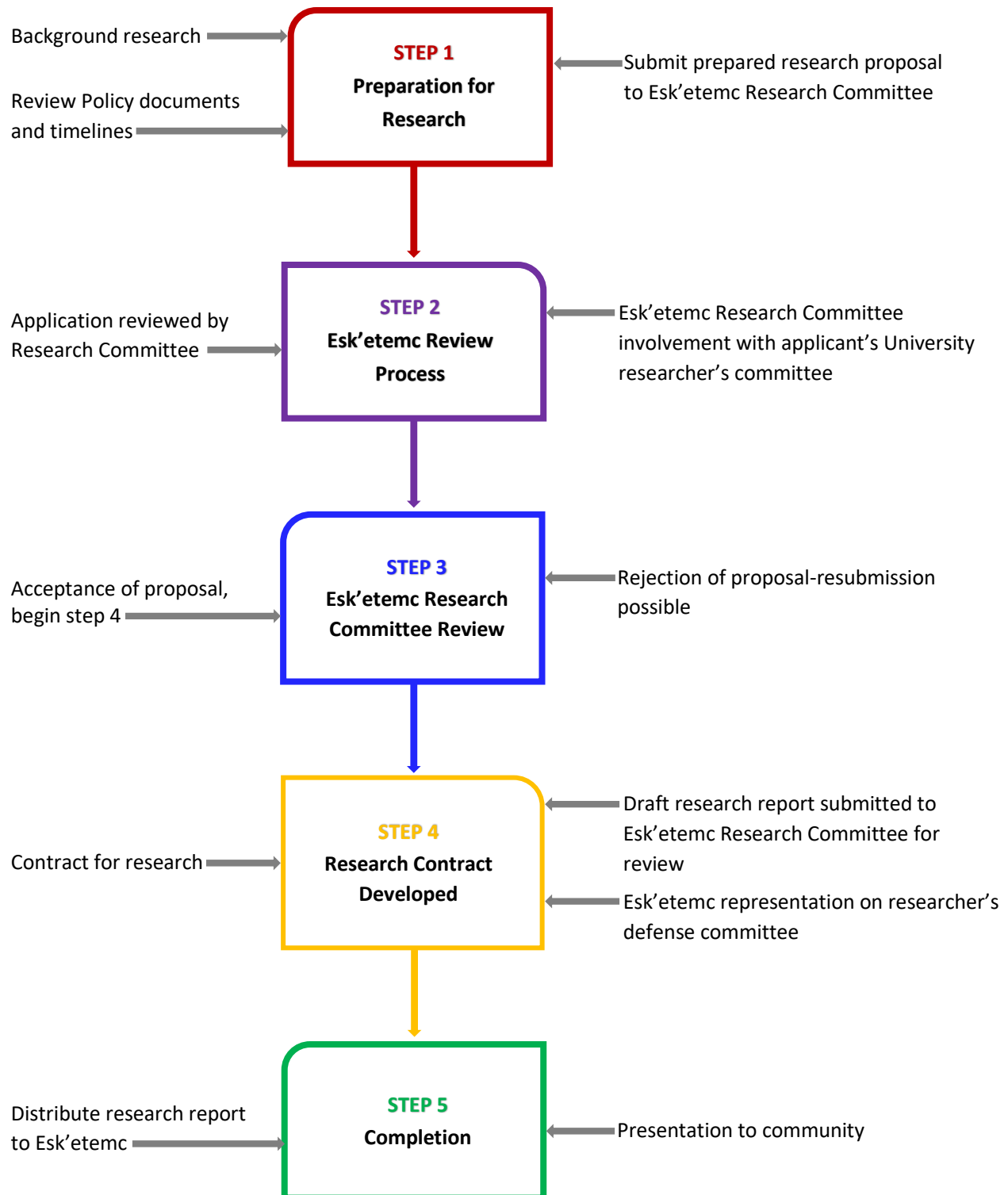
Section 1. GOALS OF THE ESK'ETEMC TRADITIONAL KNOWLEDGE AND RESEARCH ETHICS POLITICS

1. To provide a research and ethics protocol that clearly outlines the ethical obligations and responsibilities of any researcher who undertakes research on or with any aspect of the Esk'etemc, our community Esk'et, or in Esk'etemcúlucw.
2. To emphasize Esk'etemc st'kweme7iple7 [laws and protocols] to ensure that any research on Esk'etemcúlucw or with the Esk'etemc adheres to our laws, values, and responsibilities while also ensuring the rights, privacy, and welfare of the Esk'etemc and community remain intact.
3. To honour and protect Esk'etemc culture and history, cqwelkúltén, language, and Esk'etemcúlucw in a manner that supports the Esk'etemc and our Title and Rights that flow from being Esk'etemc.
4. To share the benefits of research and development with the Esk'etemc community members.
5. To assist the researcher and potential researchers to learn about Esk'etemc, Esk'etemcúlucw and the st'kweme7iple7³ around research and partnerships.
6. To assist staff, community members, partners, and researchers to participate in ethical research guided by the Esk'etemc that benefits the Esk'etemc.
7. To encourage Esk'etemc scholars and researchers to undertake research that benefits their community.
8. To emphasize that the heart of Esk'etemc is respect and relationship building while honouring cultural traditions, cultural obligations, practices, and cultural knowledge.



³ Laws and protocols

AN OUTLINE OF THE STEPS IN THE ESK'ETEMC RESEARCH PROCESS



STEP BY STEP GUIDE FOR RESEARCHERS

Step 1 - Preparation for Research

- a. Determine when Esk'etemc is accepting research applications and when they will be reviewed. This is important for non-Esk'etemc and Esk'etemc researchers.
- b. Orient yourself to this manual and the Esk'etemc Community (values, laws, mandates).
- c. Develop your research Proposal and contact the Director of Lands and Natural Resources and submit your proposal.
- d. Include any letters of support, funding documents and other supporting documents.
- e. As part of your application, a fee of \$600 is required. This is to work towards covering some of the costs of the Research Committee. The Research Committee has the flexibility to adjust this application fee in some circumstances.
- f. Stay in touch with the Research Committee. If your application is approved, the Research Committee must hear back from you within two months, or your application will be cancelled.

Step 2 - Esk'etemc Review Process

- a. The Research Committee will review your application. This is a time sensitive review, please ensure all your documentation is complete when submitted. Part of this review process may include a telephone interview or an in-person meeting.
- b. If the Research Committee accepts your application, please schedule a meeting with them as soon as possible to get to know your community contacts and begin arrangements for your research.
- c. If this is a non-academic project such as broad-based archaeological overview research or an archaeological impact assessment or other funded research, the Research Committee may work together with Esk'etemc or other experts to ensure an impartial and informed evaluation.
- d. If this is a thesis or dissertation project, it is suggested that a member of the Research Committee or other representative will be a part of the review committee during the initial university ethics review, thesis proposal defense and final thesis/dissertation defense. This means that the relationship with the community and the Esk'etemc Research Committee should start early in the research process. When needed the Research Committee will consult with experts in the relevant field.
- e. If the Research Committee rejects your application, they may provide suggestions for changes. Please make these changes and resubmit your document. No additional fee will be charged for this.

Step 3 - Esk'etemc Research Committee Review

- a. To proceed with the research, a contract will be drawn up describing the project and agreed upon activities, timelines, and objectives. This will guide the subsequent research activities. Included in the contract will be an agreement with the researcher's graduate supervisor to maintain contact with the Esk'etemc. This is important when sensitive cultural information is being discussed, or if extenuating circumstances necessitate a leave of absence or the termination of a student's research, and in the event the researcher cannot return the materials, the graduate supervisor can ensure this obligation is met. The supervisor will ensure that original Esk'etemc research materials are returned to the research committee and Esk'etemc archives.

Step 4 - Contract Developed

- a. Active research: during this time, the researcher will follow the contract to undertake the work described. The researcher will also maintain contact with the Research Committee on a regular basis and keep them informed about the project's progress.
- b. When a final draft report is ready, this will be submitted to the Research Committee for review. Comments may be made by the Esk'etemc Research Committee to be included in the final report.
- c. For a thesis or dissertation defense the representative from Esk'etemc should be present at the defense examination.

Step 5 - Completion

- a. After the successful completion of the research, final reports will be sent to the Esk'etemc Research Committee, Esk'etemc Archives, and digital or hard cover copies to the Chief and Council and participants in the research.
- b. Esk'etemc may request that the researcher provide a presentation describing the research and the results for the community.



Section 2 INTRODUCTION TO THE ESK'ETEMC COMMUNITY

The Esk'etemc assert their sovereign ownership and stewardship of their lands, resources, laws, culture, traditional knowledge, and their histories, and tseptekwll⁴. They own the tangible and intangible aspects of their culture. They also own the biological products and all information derived therefrom. The use of any of these essential elements without explicit Esk'etemc approval, is contrary to their laws and they consider it as theft.⁵

This document has been developed to provide guidance to potential researchers and others who are interested in the Esk'etemc, Esk'etemcúlucw, and Esk'etemc culture and cqwelkúiten. It introduces the community, and the protocols and traditions that underlie the Esk'etemc approach to research. This is a living document that reflects a living culture. The values shared are part of the Esk'etemc Stk'weme7iple7,⁶ the traditional laws of respect, balance, and reciprocity. This manual will lead the researcher on the path of conducting research with and within the community while being guided by the community.



Esk'etemc Rights and Title flow from many sources. These include their sacred origins, occupation of their territory, customary practices, Secwepemctsin, and legal instruments.

These sources are confirmed in the Esk'etemc Title Declaration, Esk'etemc Oral History, and the Esk'etemc stewardship of Esk'etemcúlucw, as well as Esk'etemc cultural and spiritual practices. Other instruments are the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Section 35 of the *Constitution Act* (1982), *Tsilhqot'in Nation v British Columbia*, (2014) SCC 44, as well as *R v Dick* (1985), and *R v Alphonse* (1993).

⁴ Community histories

⁵ Article 8.1 of UNDRP states that "Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture." See appendix II

⁶ Traditional laws

ESK'ETEMC TITLE DECLARATION 2017

"We, the Esk'etemc, of the Secwepemc Nation are the Original people of Esk'etemcúlcw. Esk'etemc hold collective title and rights to Esk'etemcúlcw, no elected governments have authority to infringe our title lands or on our communal rights.

As a sovereign and self-governing People, Esk'etemc declares our right to self-determination. We have never ceded, surrendered, or given up our sovereign title and rights over the lands, waters and resources within Esk'etemcúlcw, nor the exercise of our laws on the lands. Our rights and responsibilities are laws, which were given to us by the Tkel Kukpi7 to protect, maintain and enhance the lands, waters, and resources within Esk'etemcúlcw for future generations.

We declare our ancient laws of respect, reciprocity, and balance, to be the law of the land. Our laws are exercised through our harvesting and stewardship practices, through our language, and through our ceremonies.

We will continue to exercise our rights and responsibilities within Esk'etemcúlcw, and in relation to one another, our ancestors, those generations not yet born, and all living things. The United Nations Declaration on the Rights of Indigenous Peoples reflects fundamental human rights of Peoples, and Esk'etemc declares and upholds the principle of free, prior, and informed consent applies to our Esk'etemcúlcw.

Developments taking place within Esk'etemcúlcw requires our free, prior, and informed consent, and must respect our laws. This is respect which will build positive, healthy, and healing relationships.

Esk'etemc looks forward to a reconciled future where, with guidance from the Tkelt Kukpi7, our ancestors, and through the unity of our kw'selkwtn (relatives) and all respect for our laws, we can strengthen and share our culture, our governance, and our stewardship within Esk'etemcúlcw for the benefit of 7 generations of all Peoples and life, who make our lands their home." – Copied from the <https://www.esketemc.ca/>.



UNDRIP ARTICLE 31.1

Article 31 is important because it highlights the right to control how research is conducted and how it will be protected. This article is an important clarification for the right of Indigenous data sovereignty.

UNDRIP Article 31 1.

"Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions."

THE ESK'ETEMC VISION STATEMENT

Esk'etemc are a culturally and spiritually grounded, healthy community, practicing our laws and traditions as we pursue opportunities for the betterment of our people as a sovereign Nation.



ESK'ETEMC MISSION STATEMENT

“Esk'etemc is a unified, innovative Nation pursuing ventures that will enhance our self-sufficiency while practicing Esk'etemc culture and spirituality and protecting Secwepemculucw for future generations.”

WHO ARE THE ESK'ETEMC?

The Esk'etemc, are the original people of Esk'etemcúlcw⁷ and have lived on their lands since time immemorial. They hold Title and Rights to this land and are a forward-thinking community with deep cultural values and strong connections to the land. Esk'etemc means *the people of the white earth*⁸ and refers to a patch of white alkali within the traditional territory, it is a reminder of how the community is linked to the tmicw.⁹ This intimate knowledge of the land, and the plants and animals who live on it are the foundation of the Esk'etemc duty to steward life and the land. This duty has sacred, legal, social, and ecological components which are expressed and practiced through ceremony, traditions, and songs. This is the foundation of Esk'etemc law. The Esk'etemc legal framework encompasses sacred law, customary law, natural law and Secwepemctsín. These laws include the values of kw'selkwtn,¹⁰ and includes the relationships with humans and all other life.

This authority is carried in their hearts as they respect the land in which their ancestors are buried. The authority is confirmed through Esk'etemc place names and their long history that is grounded on the land and proven through the thousands of archaeological sites throughout Esk'etemcúlcw. Esk'etemc authority is demonstrated in the continuing stewardship of the resources and the cqwelkúltén that contains our tk'wem7iplen.

Esk'etemc has 19 Federally designated reserves that comprise a small percentage of their traditional territory. They are one of the 17 Secwepemc Nation bands, to whom they are linked culturally and linguistically through Secwepemctsín.¹¹

The Esk'etemc are politically independent and have an elected chief and council balanced with a traditional governance system. This governance system is visualized as several overlapping circles. The traditional governance system has at its center the Kye7e's¹² and the Matriarchs. They are surrounded by Sen kú'kpi7, the Hereditary Chief. Family Representatives are an important part of this governance system and serve as liaisons to communicate issues from their families to the traditional government system. This egalitarian system balances concerns and encourages transparency in the functioning of the community. It is built on the principles of respect and the k'wse'ltkten¹³ or kin relations. These relations form the network of social obligations and support and facilitate the sharing of information and maintenance of cultural values. As one community member stated, "Culture is belonging".¹⁴

⁷ The Esk'etemc Territory

⁸ According to Elder Irvine Johnson

⁹ Lands

¹⁰ These Laws are articulated in *Secwepemc Laws of Kwsel'tkten and Secwepemc-kt summary*. 2018. Indigenous Law Research Unit, Shuswap Nation Tribal Council and Indigenous Law Research Unit University of Victoria.

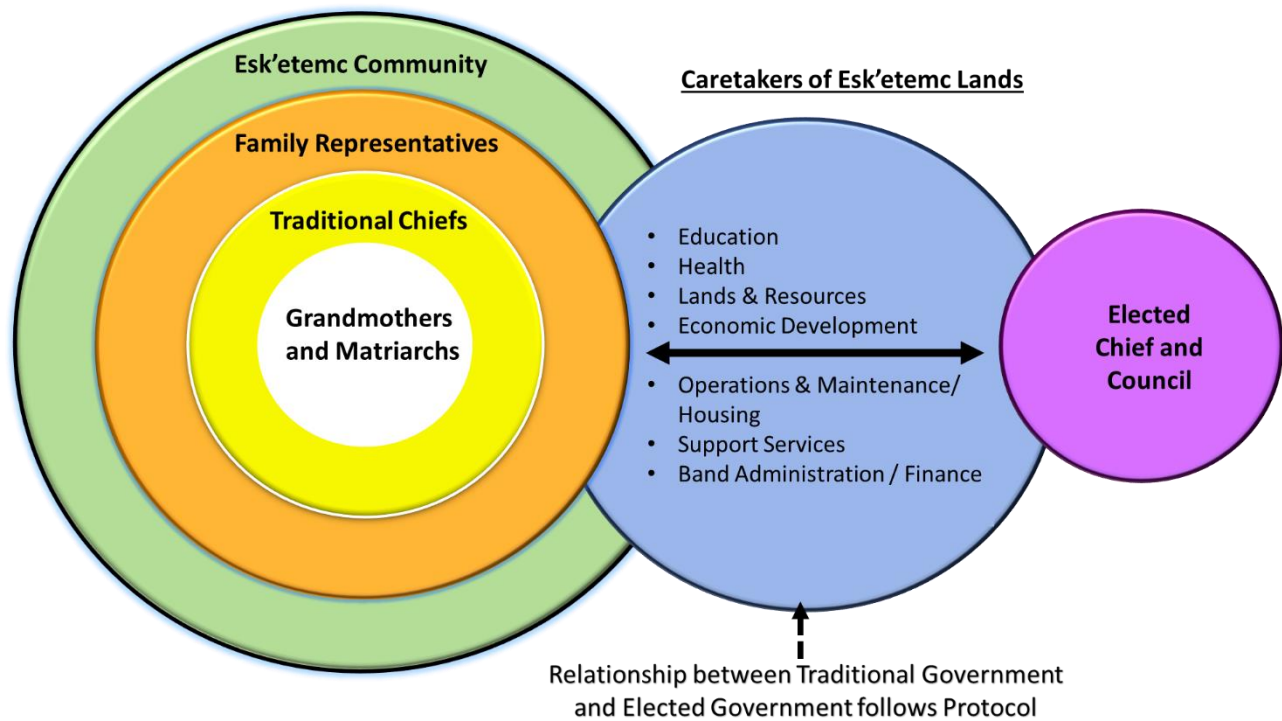
¹¹ The language spoken throughout the Secwepemc or Shuswap territory.

¹² Grandmothers

¹³ Relatives

¹⁴ Note from family representatives meeting November 4, 2020.

TRADITIONAL GOVERNANCE STRUCTURE



Alongside the traditional governance system is the elected Chief and Council. The communication between the traditional government and the elected system is governed by protocols.

The Esk'etemc state that,

"Our Traditional Governing System also comes from the land. It represents and unites all family groups and all our ancestors and their descendants through the bloodlines. Our Spirit Helpers, the animals, define our clans, our roles, and our responsibilities. It is through the animals that the Esk'etemc are further connected to the land. The Esk'etemc believe that everyone is important; everyone has distinct roles and responsibilities. The Creator, Tqeltku'kpi7, sees everyone and everything as equals."¹⁵

¹⁵ From the Esk'etemc website <https://www.esketemc.ca/beliefs-and-philosophy/> accessed November 25, 2020

The sacred responsibilities that guide the Esk'etemc are based on their oral history and state,

"The Creator, Tqeltkú'kpi7, has given the Esk'etemc the duty to protect and safeguard our lands, forests, air, water, medicines and the life that they sustain within our Traditional Territory. It is this duty that underlies all interests of the Esk'etemc people. Therefore, the protection of our lands is fundamental in order to sustain the next seven generations."¹⁶

"We work through our ancestors; our ancestors work through our being." Alexis Harry

Origin History Excerpt

According to Elder Willard Dick

"But when everything was created, they create man.

And they say the rock called a meeting of everything that was created on Earth. They had a meeting. The rock was chairing the meeting.

They asked everything, all, which one wanted to have the responsibility of protecting them, everyone they asked, every animal, every insect, every fish, and every bird, everything that was created, all the trees, nobody wanted the responsibility. But the man was sitting a ways from this meeting.

So the rock said, "What about him?" And they called him over. He come, and they ask, "Do you want the responsibility to protect everything that's on this Earth?"

That's when man took that responsibility. That the responsibility wasn't given just to one, one colour or one person or one. It was given to all men. He never mentioned no colour or no tribe or no type. Man. That was given to all man".¹⁷

The Esk'etemc have sovereign rights over and are stewards of Esk'etemcúlucw. These rights and responsibilities are the essence of Esk'etemc identity. They are also the stewards of their laws, culture, knowledge, songs, and all that makes up their identity. It is as stewards of the Esk'etemc culture and knowledge that this Esk'etemc Traditional Knowledge and Research Ethics Policy manual is written. It is an important step towards full data and cultural sovereignty.¹⁸

¹⁶ Esk'etemc – Tsemne7'ple <https://www.esketemc.ca/beliefs-and-philosophy/> November 25 2020

¹⁷ CEAA 2010a: 4738- 4739- P 119

¹⁸ This is consistent with Article 3 of UNDRIP which states that "Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development." See Appendices for pertinent excerpts from UNDRIP.

Section 3. ESK'ETEMC STEWARDSHIP

Esk'etemc's sovereignty and stewardship over Esk'etemcúlcw was intact up until the time of the European colonizers. Non-Esk'etemc travel and entry into the Esk'etemc territory was governed by strict stkweme7iple7 that recognized Esk'etemc sovereignty. The imposed colonial system sought to weaken and dismantle Esk'etemc and other Indigenous communities' control over their lands. This process began with pre-emptions and the displacement of Indigenous communities onto reserves. The sale of unceded land and the establishment of tenures by the government sought to remove Indigenous communities further from their territories. These mechanisms of government control still affect the Esk'etemc ability to fully steward Esk'etemcúlcw, despite the duty given to us by the Creator.

Other colonization policies such as the federal *Indian Act*, and residential school, along with the prohibition of sacred ceremonies drove the Esk'etemc culture underground. Negative attitudes on the part of government officials and church representatives, Indian agents, and missionaries along with the effects of residential school sought to stop the use of Secwepemctsin and to stop the practice of Esk'etemc culture. These attempts to marginalize Esk'etemc culture continue today.

While Esk'etemc culture was actively discouraged and condemned for more than a century after colonization, this culture and knowledge are now seen as a valuable commodity. Cqwelkúłten and cultural knowledge are the currency of academics, authors, and others. This appropriation of traditional knowledge by non-Esk'etemc is contrary to their laws and values. These laws hold that acting without respect and acknowledgement of Esk'etemc ownership is theft, and theft is punishable.

The theft and appropriation of our cqwelkúłten endangers our system of knowledge. Traditional knowledge flourishes within a cultural context that ensures accuracy and respect for the knowledge. It also ensures that the individual(s) holding the knowledge are recognized and the knowledge is shared and used in a respectful and appropriate manner.

The appropriation of cqwelkúłten, and its use in a culturally decontextualized setting can result in serious cultural harms. The approach to much academic and popular work results in the benefits, copyrights and profits belonging to the writer or recorder of the information, not the true owners. The Canadian legal mechanisms for intellectual property do not benefit the Esk'etemc. The current copyright regime can uproot these traditions and knowledge and commodify them. The harms inherent in this include the weakening and disrespect of cultural identity, the loss of self-esteem, grief at the misuse of sacred information, the loss of cultural control, the spreading of inaccurate information, and the mistrust of researchers.

ESK'ETEMC OWNERSHIP OF TANGIBLE AND INTANGIBLE PROPERTY

This is not an exhaustive list.

Intangible

- Esk'etemc Oral Histories, in written or oral form.
- Tseptekwll
- Traditional knowledge cqwelkúlten
- Place names
- Songs
- Dances
- Names
- Ceremonies
- Sweats
- Harvesting protocols
- Hunting protocols
- Fishing protocols

Tangible

- Artifacts, hides, baskets and
- Medicines
- Artifacts and features found associated with archaeological sites
- Sacred sites
- Archaeological sites
- Traditional resources and their locations
- Trails and travel routes
- Genomic research including blood, hair, DNA, genetic data and information developed from these protected sources.



This Esk'etemc Traditional Knowledge and Research Policy guide reflects our laws, values, and our inherent ownership of Esk'etemc culture and traditional knowledge elements, tangible and intangible.¹⁹ It guides how we, as Esk'etemc, will permit research to be undertaken within our territory and community. The policy is intended to share the benefits of any research with our

community and to recognize our ancestral knowledge. Esk'etemc is implementing these protections because there are no other effective mechanisms within the Canadian state that can safeguard Esk'etemc tangible and intangible knowledge and resources in a culturally appropriate manner



Photo courtesy of Beth Bedard

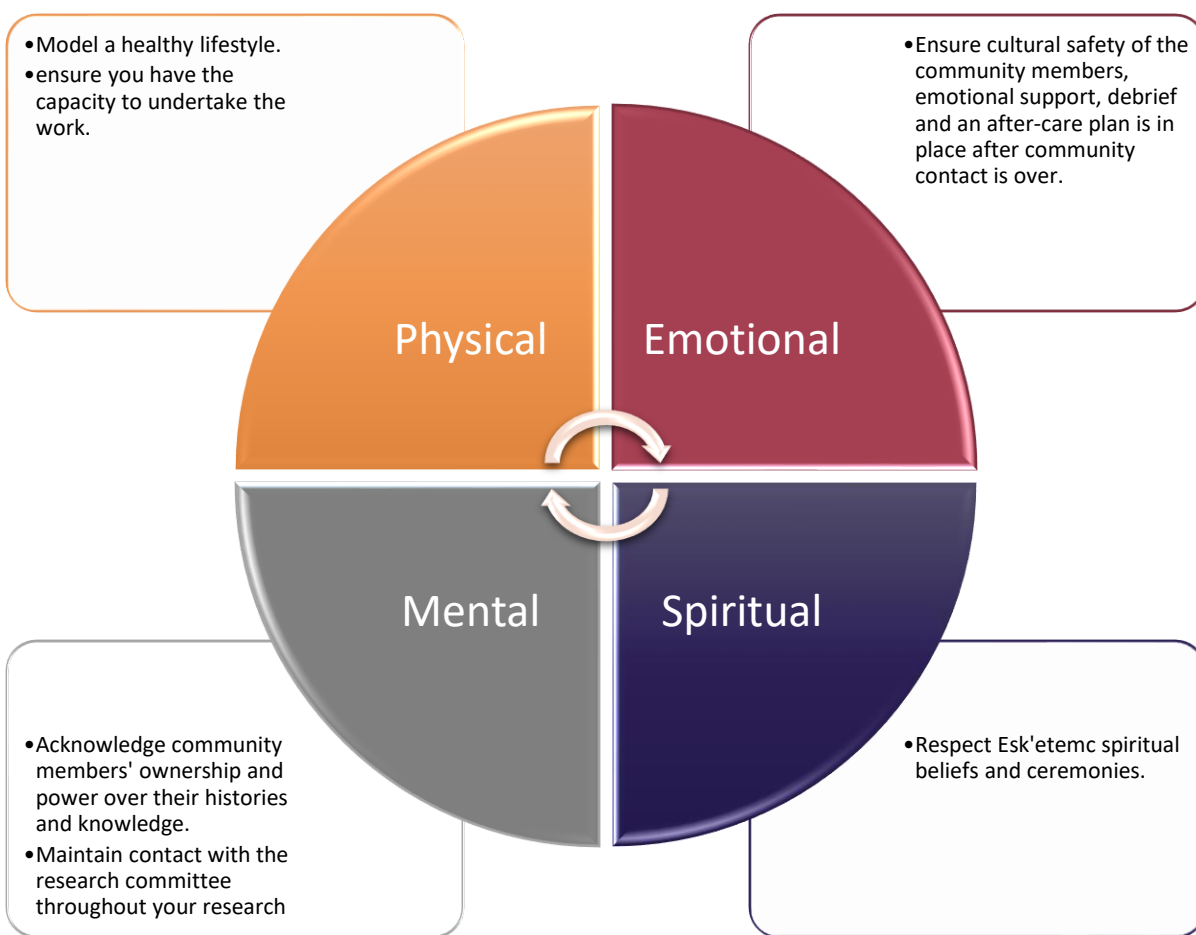
¹⁹ It includes those things that can be seen and touched, as well as the ideas, histories, ceremonies and protocols.

Section 4. ESK'ETEMC RESEARCH VALUES, STK'WEME7IPLE7 AND LAWS

This section describes how the Esk'etemc and researchers (including government, post-secondary institutions, and the public sector) can begin building positive relationships where principles of respect, communication, trust, and understanding will lead to positive and meaningful collaborations and partnerships that benefit our community.²⁰

Esk'etemc also seeks to support and encourage Esk'etemc researchers, this research policy is designed to so that our researchers can work with the Research Committee to have the flexibility to develop their research while helping the community.

CHART SHOWING THE ESK'ETEMC HOLISTIC APPROACH TO RESEARCH



²⁰Gottshall 2017, Based on the Lheidli T'enneh Research Ethics & Protocol Document.

GUIDING PRINCIPLES AND PRACTICES

The following have been identified as some of the guiding principles and practices of research involving the Esk'etemc community and Esk'etemcúlucw. As a researcher, it is important to be aware of these values when proposing a research project, assessment, or development.

1. The Esk'etemc approach to research is holistic and includes attention to the mental, emotional, physical, and spiritual aspects of individuals and the community. It is founded on the principle of respect accorded to the community before, during and after research.
 - Community health, mental and emotional well-being should be foremost in any communications and research.
 - Guidance from Elders and adherence to protocols are important to ensure community and cultural safety.
 - Please note that community events may interfere with tightly scheduled research schedules. Flexibility is important. The researchers must develop a plan to debrief participants and have a plan for providing any required support.
2. The project must be beneficial to Esk'etemc well-being and demonstrate respect for Esk'etemc history and culture through engagement with the community throughout the research process. The research must be shared with the community in a culturally appropriate manner.

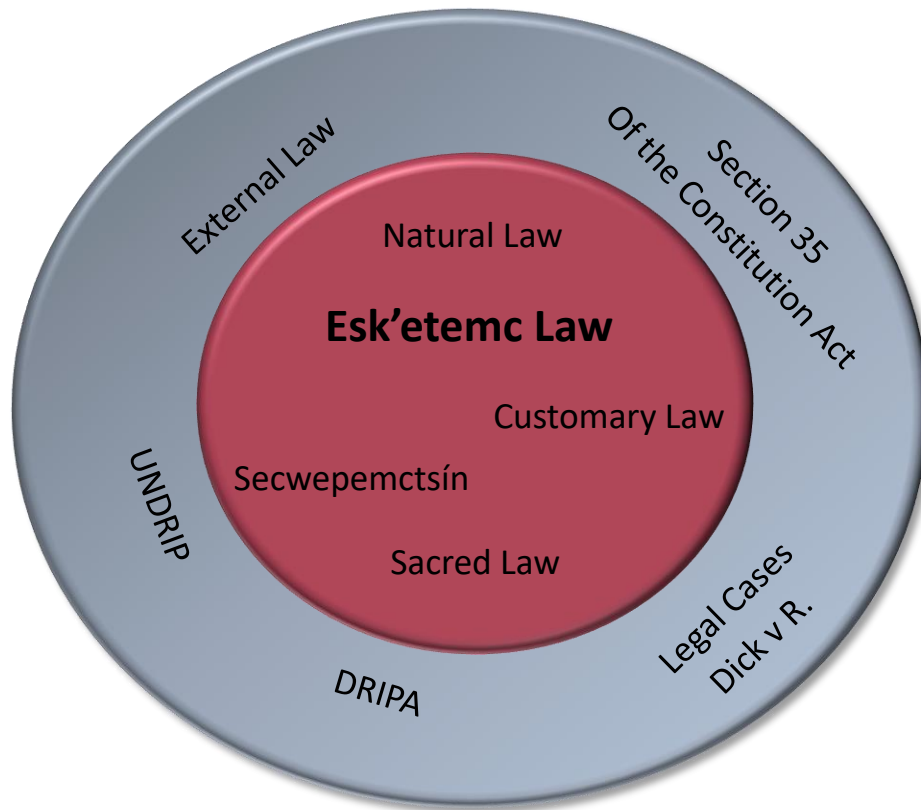


3. Research areas include those that can be arranged according to Sacred Law, Customary Law, Natural Law, Secwepemctsin and non-Indigenous legislation, laws and principles. Traditional Stkweme7iple7,²¹ and values must be respected, acknowledged, and incorporated into the research design, the research process, and acknowledgement of the rightful ownership of the research.

²¹ Traditional laws

This framework shows the Esk'etemc laws contained within the circle, while the Canadian and international laws and declarations are shown outside.²² This centers Esk'etemc values and ways of viewing the world.

RESEARCH AREAS BASED ON ESK'ETEMC WORLD VIEWS



Esk'etemc customary laws are those that govern people's actions. The failure to follow these may carry negative consequences. These customary laws include the law of the land and reciprocity.

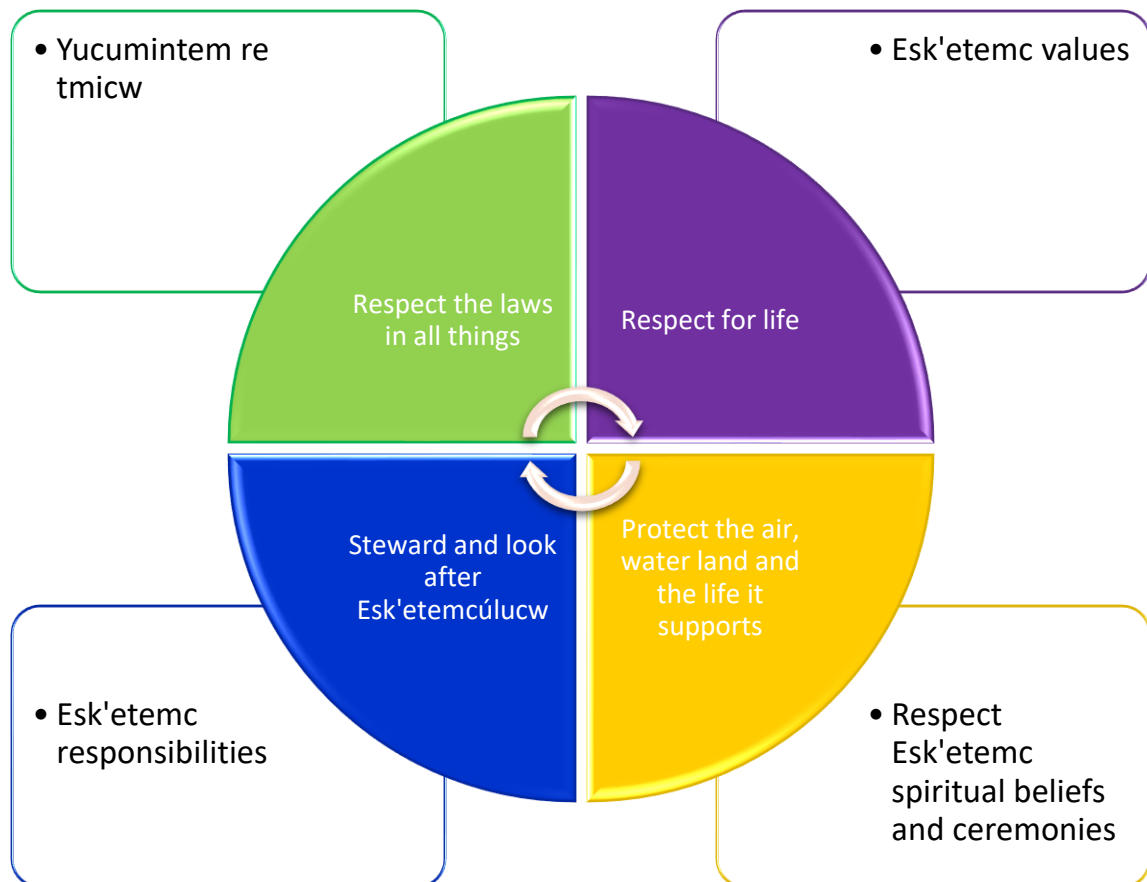
- Esk'etemc values are the aspects and qualities that are a recognized and respected part of Esk'etemc identity. These include the importance of family and community relationships and the respect for life.
- Esk'etemc principles are the core truths that guide people.
- Esk'etemc responsibilities are those actions, attitudes and behaviours that fulfill our duties as given to us by Tqeltku'kpi7.²³
- Esk'etemc stkweme7iple7 are values manifested as action, these include prayers, smudging and sweats. These protocols may provide guidance on respectful conduct during interviews to ensure cultural safety.

²² Concepts shared by Penina Sara Lynn Harding.

²³ The Creator

4. A focus on decolonizing methodologies is a fundamental Esk'etemc research paradigm and prerequisite for any research.
- Colonization and its unequal power relationships continue to affect us as Esk'etemc. This needs to be acknowledged in the research.
 - Researchers need to be conscious and explicit in recording their own biases, and underlying assumptions.

CYCLE OF ESK'ETEMC VALUES, PRINCIPLES, RESPONSIBILITIES AND LAWS



- Indigenous perspectives and values need to be central to research and the researcher must answer to the community.
- Traditional and cultural knowledge must be protected. The chart, Levels of Research Sensitivity illustrates that the most sensitive material to be protected is that which has been passed on through the generations. The foundation of our community's identity is found in this knowledge. The next levels have components that pertain to traditional knowledge but may not be subject to as great a level of confidentiality. Environmental studies may be of a more public nature. However, all areas of research are interrelated, and a determination of the level of confidentiality will be made by the Research Committee.

5. Free, prior, and informed consent is important. An Informed community, employing the concepts of free, prior, informed consent is an underlying principle for any research.

- A full explanation of the research and what it entails will be provided to the Research Committee and the participants, including copies of questionnaires and any other research tools that will be used.
- An explanation of how the research will be used and who will have access to it will be provided.
- An explanation of how confidentiality will be ensured is a cornerstone of the proposal.
- The researcher must be able to demonstrate that free, prior and informed consent has been given by participants.
- The researcher agrees not to publicly disclose research information without the prior written approval of Esk'etemc.
- All research materials must be returned to the Esk'etemc within one year after the research is complete or when it ceases. This includes all tapes, transcripts, photographs, and videos. Arrangements for this will be made on a case-by-case basis.
- An important consideration for potential researchers is that Esk'etemc Traditional Knowledge exists on multiple levels. These different levels of research sensitivity may include some information which is sensitive and protected, while other types of knowledge may have a lower level of confidentiality and sensitivity. Be aware that different types of research topics may be assessed with differing levels of confidentiality. Some sensitive research may not be made public.



LEVELS OF RESEARCH SENSITIVITY



6. Researchers' community involvement. Researchers who wish to be involved with the Esk'etmc should be willing to participate in ceremonies and gatherings to ensure their acceptance by the community and to increase their own knowledge. They must also understand that a continued relationship with the community is to be maintained throughout the research process.
 - Traditional practices and ceremonies are central to Esk'etmc identity, these may include sweats, smudges, and other ceremonies.
7. Ownership of Esk'etmc traditional knowledge and culture belongs to the community. The ownership of Esk'etmc data based on traditional knowledge and cultural research is housed in the Esk'etmc archives which holds cultural, research, historic and other pertinent data. The final disposition of original research data and documents will be in our archives.
8. Confidentiality is an important aspect of conducting research with the Esk'etmc. The Research Committee will determine whether research information should be shared through publications and the media.
9. The Esk'etmc laws of respect, balance, and reciprocity should always be practiced.

Section 5. THE APPLICATION PROCESS

APPLICATION TO CONDUCT RESEARCH

Please Include these important points in your project application.

For Step 1 in the research process, the researcher should undertake initial research on the Esk'etemc, in order to familiarize yourself with the Esk'etemc Research Policies and include the following points in your application to conduct research.²⁴

1. Why do you want to undertake this research?
2. How is your proposed research relevant to the Esk'etemc?
3. Tell us about yourself – Why are you a researcher who would 'fit' with Esk'etemc?
4. Explain clearly how your research aligns with the vision, mission, and values of Esk'etemc. How will your research directly benefit our community and its people?
5. What will the role of the Esk'etemc be in the project? What will Esk'etemc be expected to contribute to the project (please be specific – will staff time be taken up, will our clients, members, or staff be asked questions? Will you be interviewing community members?)
6. What is your anticipated timeline for research?
7. Have other sites, groups, or organizations been approached for this research?
8. Make certain that you provide copies of the research tools (interview guide, focus group guide, surveys, etc.) for review.
9. What plan is in place for counselling/debriefing for participants once the interviews, focus groups, surveys, etc. have been completed?
10. What is the plan for communicating the results of the study to the participants, the community and Chief and Council?
11. How will you respect Esk'etemc's need for confidentiality?
12. What protocols will be used to respect Esk'etemc cultural values in meetings, interviews and when interacting with the community?
13. What honoraria amount or salary are you offering to participants?
14. If a research team is involved, what are the credentials of the research team? Please provide your CV and the CVs and references for each member of the research team.
15. Is there any other relevant information about this study we should know?
16. How will the results of this research be used? How will you ensure that the integrity of the information is maintained? Do you intend to publish the results?

²⁴ This is based on the Lheidlli Teneh Research Policy.

17. Provide a copy of your institution's Research Ethics Board Approval or a letter confirming you have met the academic requirements to continue with the study.
18. Have you incorporated the OCAP principles into the design of your research proposal? (<https://fnigc.ca/ocapr.html>) Please explain how they fit.
19. Include your application fee of \$600 with this application. This fee is necessary to support the Research Committee. This fee may be waived or adjusted based on individual circumstances. Please note that payment of this fee does not guarantee approval of your proposal.

STANDARDS OF WORK FOR RESEARCHERS

- Maintain a respectful and professional approach towards the community members and work.
- Model a healthy lifestyle.
- Respect Esk'etemc religious and spiritual beliefs.
- Keep in contact with the Research Committee.
- Must be willing to undergo a criminal records check.
- Always work in a manner that is culturally safe.
- No firearms or weapons.



SAMPLE FORM FOR CONSENT TO PARTICIPATE IN RESEARCH

This form is to acknowledge that I _____ understand the goals of the _____ project.

I agree that the project has been explained to me.

I understand that I can withdraw from this work at any time.

I can remain anonymous.

I can have my information returned to me.

[Include description of the project, the role the participant will play, how the information will be used, who will see it and the steps taken to ensure confidentiality. Or if the participant wants their name or picture/video to be used, how they will be acknowledged.]

I am interested in participating in (interviews/mentoring/telling history/etc) and understand that I can stop participating at any time. I also understand that the final results of the research will be shared with me when it is complete.

Date _____

Participant name print _____

Participant Signature _____

Date _____

Witness name print _____

Witness signature _____

Section 6. CRITERIA FOR THE EVALUATION OF RESEARCH PROPOSALS BY THE RESEARCH COMMITTEE

POSITIVE ATTRIBUTES

The prospective researcher should be able to demonstrate that:

- They are and will be respectful of Esk'etemc community and traditions.
- There are clear benefits to the Esk'etemc, this can be in the form of increased knowledge or material benefits.
- A decolonizing methodology and approach are central to the research. This means it is community-driven, community-based & community-paced, not researcher-driven following Indigenous methodologies.
- The ownership and copyright of cultural knowledge stays with the community.
- There are clear confidentiality protocols, and the identity of community individuals is protected.
- The researcher understands and incorporates the impacts of colonialism and acknowledges its impact on proposed program of research.
- Builds the community's research capacity, knowledge base and skill set.
- The research question was developed by or approved by the community.
- The researcher has adequate funding to undertake the research.
- Ongoing communication with the Research Committee and Esk'etemc participants to ensure accuracy of data and to foster community engagement.
- Engagement and practice are centered in cultural practices.
- Highlight's Esk'etemc strengths as opposed to problem focused.
- The researcher is open to a community review of research.
- University researchers, additional questions include:
 - Is the supervisor/instructor/researcher familiar with Indigenous communities and protocols?
- Is the researcher willing to share drafts of the research with the community?
- Adequate budget for the researcher to cover any costs associated with the project. Ceremonies, tobacco, gifts. Honoraria and wages should meet the Esk'etemc benchmark.

RED FLAGS

- Not community-driven, limited community engagement.
- Issues that can be misconstrued.
- Feeds into existing stereotypes, commodifies culture.
- System-centric, not person/community/people-centric
- Culturally inappropriate
- Methodology does not attend to inclusion/exclusion or power/control
- People/persons not involved in a good way
- Outcomes, nothing planned for the results (i.e., knowledge translation problems)
- Colonial language
- Research for profit¹, no benefits to the community.
- Does not include Esk'etemc in methodology development.
- Does the research support a project or development that is contrary to the Esk'etemc interests?
- Is the work problem focused?



BIOGRAPHIES

Doreen M Johnson BSW – Project Lead

Doreen is Esk'etemc and is the Project Director for the Esk'etemc Traditional Knowledge and Research Ethics Project. She is the Director of the Esk'etemc Land and Natural Resources Department.



Dr. Beth Bedard – Project Researcher

Dr. Beth Bedard is an anthropologist and archaeologist who has worked with the Esk'etemc on various projects since 1996.

Penína Sara-Lynn Harding is a member of Esk'etemc and served the development of this document as a UNBC Graduate Student Advisor. At the time of publication of this document, Penína had begun the 2nd year of her Natural Resources & Environmental Studies Doctoral degree program at the University of Northern British Columbia (UNBC). The working title of her Doctoral Dissertation is: "Documenting Esk'etemc Experience of Place to Prepare for Generative Land-Use Planning"



Phyllis Chelsea is an Esk'etemc Elder and a fluent speaker and writer. She is well known internationally for her work, along with her late husband Andy Chelsea on sobriety. Phyllis has advocated to revive and teach Secwepemctsín.

Cheryl Johnson is Esk'etemc and a Secwepemctsín speaker.

Irene Johnson assisted with her knowledge of Esk'etemc culture and the language.

Isabelle Johnson is an Elder and a Secwepemctsín speaker.

Juliana Johnson is an Elder and a Secwepemctsín speaker.

Sharon Paul is an Esk'etemc speaker.

Marlene Robbins is an Elder and a Secwepemctsín speaker

Rosie Robbins Speaks Secwepemctsín.

Shirley Robbins is an Esk'etemc Elder who speaks and writes Secwepemctsín.



EXTERNAL REVIEWERS

We would like to thank the external reviewers who gave of their time and expertise to assist the project. These include:



Dr. Shelly Johnson, Canada Research Chair in Indigenizing Higher Education-Thompson Rivers University.

Dr. Rudy Reimer/Yumks, Department of Archaeology-Simon Fraser University, As a member of the Squamish Nation most my research focuses on my home territory and surrounding areas of the Salish Sea. I also have broader interests on the Northwest Coast, the Plateau and western Subarctic culture areas. My work focuses on bridging western science with various forms of Indigenous Knowledge



Dr. Henry Harder, Vice Provost of Indigenous Initiatives-University of Northern BC. Dr. Harder is the first Vice-Provost appointed to this new portfolio. He is an Indigenous Scholar, retired professor and past Chair of the School of Health Sciences.

Tina Mathew, M. Ed, Executive Director, Indigenous Education - Thompson Rivers University. Tina Mathews is a proud Secwepemc woman and member of Simpcw First Nation located in the North Thompson Valley.



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Appendix 1 DEFINITIONS

The following terms are used within the text. The Esk'etemc words provide a lens with which to view our world and values. Secwepemctsin - the Esk'etemc language has ancient roots, and many words cannot be directly translated into English. These words are imbued with meanings and connotations that reflect Esk'etemc laws and reality. These definitions will assist the reader in understanding Esk'etemc concepts and ontology. The English concepts are defined based on Esk'etemc usage in this policy.

Anticolonial: The understanding of and attempts to remedy the harms caused by colonization.

Appropriation: The removal of elements of knowledge, objects or symbols from their cultural context and their conversion or use by an individual or entity to a form which can be used for profit or status. No benefits or acknowledgement flow to the community of origin.

Colonization: The subordination of an Indigenous group through the actions of another country or entity who attempt to eliminate or devalue the social, political, spiritual, and economic characteristics of a group to subjugate a region and population.

Cqwelkúiten: Traditional Knowledge: this includes everything that has been learned in your life and “how you were born and raised till now”²⁵. The traditional knowledge that is passed from one generation to the next and which includes teachings about the land, animals, language, and histories, and all those things that make up the traditional culture. Traditional knowledge is a living knowledge.

Decolonization: To foreground the Indigenous values and perspectives by taking actions to mitigate or attempt to eliminate the harms caused by colonialism. Decolonization consists of “purposeful and intentional act[s]”.²⁶

Esk'et: The Esk'etemc community at IR # 1, also known as Alkali Lake.

Esk'etemc: This refers to the people who live on the land traditionally occupied by the ancestors of today's community. It is also the name of the governing structure. Its translated name means the people of the white earth. The name derives from an area of white alkali within Esk'etemcúlcw.

Esk'etemc Heritage: Esk'etemc Heritage refers to the general Esk'etemc history and includes archaeological sites.

Esk'etemc Standards of Employment: These standards indicate the minimum requirements for conducting respectful research within the Esk'etemc community.

Esk'etemc Principles: Esk'etemc values are expressed in Principles. These are the basic truths of Esk'etemc. The Esk'etemc Principles include the obligation to steward the land and the life it

²⁵ According to Elder Julianna Johnson

²⁶ Sefa Dei, G. 2019 Foreward p vii Decolonization and Anti-colonial Praxis

supports. This Principle is based on the values of respect and balance, identity is comprised of the Esk'etemc values of respect.

Esk'etemc Protocol: The actions and behaviours that derive from Esk'etemc values. Protocols can express values through ceremonies and practices.

Esk'etemc Values: Aspects of Esk'etemc culture that are seen as right, normal, and important as well as standards of behaviour that are at the core of Esk'etemc identity. Respect for life and an awareness of cultural and spiritual balance are an important value.

Esk'etemcúlcw: The Esk'etemc traditional territory. This encompasses an area of more than 13,458 sq kilometers. The territory crosses the Fraser River and includes many unique ecosystems. It has been occupied since time immemorial. This land is the foundation of our community and culture. It means the 'land of the white earth'.²⁷

Exploitation: This refers to taking advantage of a group, Indigenous or other, or a person to benefit from, or profit from them. In an exploitative environment the group or person being exploited does not gain from the encounter.

Family Representatives: Individuals appointed by the main family groups to represent their interests and to act as a liaison between the Traditional Governance and the families.

Free, Prior and Informed Consent: One of the important aspects of UNDRIP. It means that any decisions made must be free from coercion or pressure. The decision to consent or to withhold consent happens prior to an event happening. The individuals involved must be fully informed about a project and its impacts before making any decisions.

Indian Act: Canadian federal legislation enacted in 1876. This Act controls all aspects of First Nations/Indigenous lives on reserve lands and creates a separate state-controlled identity for "status Indians".

Kukpi7: A chief

Kw'seltkten: Relatives, this includes the concept of relations and obligations with all relatives, human and animal. Also spelled kw'selkwtn.

Kye7e: Grandmother

Pre-emptions: The Esk'etemc have never ceded or surrendered stewardship their traditional lands. A historic system formally implemented by the colonial government in British Columbia which allowed non-Indigenous individuals to claim what in Seme7 eyes was 'vacant' land and by building on it, or 'improving it', along with the payment of a small fee to obtain a government sanctioned ownership.. Ownership of the land is a government invention/concept.

Qelmucw: An indigenous person. It can also mean a person.

Research Committee: A standing committee that reviews research proposals and determines whether the proposal is consistent with Esk'etemc values.

²⁷ According to Julianna Johnson December 9 2020

Respect: A fundamental principle in the Esk'etemc value system. This refers to an awareness of life and its energies and ensuring harmony and reciprocity is present. This is inherent in following Esk'etemc laws.

Secwepemc Nation: The larger cultural and linguistic grouping in central British Columbia speaking the same language and with similar cultural beliefs. The Secwepemc Nation encompasses 17 bands.

Secwepemctsín: The larger Secwepemc language family of which Esk'etemc speaks a dialect. The language carries the law and enables connections between all Secwepemc.

Semec: Guardian spirit

Seme7: White person

Sen kú'kpi7: Hereditary chief.

Smudging: The burning of sage and/or other plants to cleanse a person or environment

Sovereign: A self-governing and independent community.

St'kweme7iple7: Esk'etemc laws²⁸ these are the rules of behaviour and protocols that have been passed on from the ancestors. These are adapted to a particular situation as 'laws' by the knowledge holders to guide community members.

Tk'wem7iplem: Lawmakers.

Tmicw: The land

Tqeltkú'kpi7: The creator (alternate spellings include Kal kukpi7, Tkelt kukpi7).

Tseptekwll: Accounts of animals and their actions, a deep history. Alternate spelling Stspetékwll

Yecwemínmen: Caretakers or stewards.

Yucumintem re tmicw re Esk'etemcúlucw: Caretakers of Esk'etemc lands.

Yucuminintwecw: We look after each other.

²⁸ According to Julianna Johnson December 9 2020

UNDRIP

The United Nations Declaration on the Rights of Indigenous Peoples is an important international declaration that identifies the minimum standard of Indigenous Rights needed to maintain an identity as an Indigenous people and individuals and to allow the Indigenous culture to survive. Canada adopted it in 2016, and in 2020 legislation was tabled by the federal government to implement UNDRIP. The British Columbia government implemented DRIPA²⁹ with UNDRIP as the basis for reconciliation in 2019.

Articles in UNDRIP

The following articles in the UNDRIP legislation underscore the important role of protecting cqwelkúłten traditional knowledge as a precious resource not only for the knowledge itself, but also for the role it plays to maintain community identity, sovereignty and to pass down cqwelkúłten and culture. The protection of Esk'etemc culture and knowledge is a human right.

Article 2 Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, **that are based on their indigenous origin or identity**³⁰.

Article 3 Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and **cultural development**.

Article 5 Indigenous peoples have the **right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions**, while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State.”

Article 8 1. Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture. 2. States shall provide effective mechanisms for prevention of, and redress for: (a) **Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities**; (b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources;”

Article 11 1. Indigenous peoples have the right to **practise and revitalize their cultural traditions and customs**. This includes the **right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature**.

Article 12 2. States shall provide redress through effective mechanisms, which may include **restitution, developed in conjunction with indigenous peoples, with respect to their cultural,**

²⁹ Declaration of the Rights of Indigenous Peoples Act

³⁰ The bolded sections have particular resonance with respect to the protection of the cqwelkúłten and Esketemc culture

intellectual, religious and spiritual property taken without their free, prior and informed consent or in violation of their laws, traditions and customs.”

Article 12 1. Indigenous peoples have the right to **manifest, practise, develop and teach their spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of their ceremonial objects; and the right to the repatriation of their human remains.**

Article 13 1. Indigenous peoples have the **right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.**

Article 18 Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, **as well as to maintain and develop their own indigenous decision-making institutions.**

“Article 25 Indigenous peoples have the **right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.**

Article 26 1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.

2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.

“Article 27 States shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, **giving due recognition to indigenous peoples’ laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used.** Indigenous peoples shall have the right to participate in this process.”

“Article 31 1. Indigenous peoples have the right **to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.”**

Article 31 is important because it highlights the right to control how research is conducted and how it will be protected. This article is an important clarification for the right of Indigenous data sovereignty.

Esk'etemc

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