

# **AMSA INDIGENOUS ENGAGEMENT WORKSHOP**

## **ETHICAL STANDARDS FOR RESEARCH IMPACTING ON ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLES**

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**Darwin, 7 July 2017**

# ACKNOWLEDGEMENT OF COUNTRY

**I would like to acknowledge the Larrakia people on whose Country we are meeting today. I also want to pay my respects to their Elders past and present and their Leaders for the future.**

**I also want to acknowledge and pay my respects to all Aboriginal and Torres Strait Islander peoples here today.**

# AIATSIS – Guidelines for Ethical Research in Australian Indigenous Studies (GERAIS)

- The GERAIS was first published in 2002 and updated in 2012.
- Covers 14 Principles which fall under 6 themes:
  1. Rights, Respect and Recognition
  2. Negotiation, Consultation, Agreement and Mutual Understanding
  3. Participation, Collaboration and Partnership
  4. Benefits, Outcomes and Giving Back
  5. Managing Research: Use, Storage and Access
  6. Reporting and Compliance
- Ensures best ethical practices are upheld in Australian Indigenous research.
- Recognised nationally and internationally as the standard for ethical conduct research impacting on Indigenous peoples

# ASK FIRST – A Guide to Respecting Indigenous Heritage Places and Values

- Developed by the Australian Heritage Commission in 2002
- Initial Consultation – identifying the rightful Traditional Owners for Country (land and sea)
- Identifying Indigenous heritage places and values – ensuring that Indigenous people are actively involved in the identification of their heritage
- Managing Indigenous Heritage Places – identifying management requirements; identifying constraints; and implement and review outcomes with the Traditional Owners
- EXAMPLES OF INDIGENOUS HERITAGE MANAGEMENT PRACTICES
- REFERENCES AND RESOURCES



AIATSIS  
AUSTRALIAN INSTITUTE OF ABORIGINAL  
AND TORRES STRAIT ISLANDER STUDIES

# Guidelines for Ethical Research in Australian Indigenous Studies

2012



# Ask First

A guide to respecting Indigenous  
heritage places and values



# NHMRC – NATIONAL STATEMENT

- **Summary information**
- **Publishing date:** 2007
- **Status:** Current
- **Available in print:** No - PDF only
- **Further information:** The *National Statement on Ethical Conduct in Human Research (2007)* (National Statement (2007)) consists of a series of guidelines made in accordance with the *National Health and Medical Research Council Act 1992*. The National Statement is subject to rolling review. This means that parts of the National Statement will be updated as needed, rather than reviewing the entire document every five years. Information about changes to the National Statement can be found below.

# The Australian Code for the Responsible Conduct of Research (The Code)

- The purpose of the Australian Code for the Responsible Conduct of Research(the Code) is to guide institutions and researchers in responsible research practices. In describing good practice, this Code promotes integrity in research for researchers and explains what is expected of researchers by the community. May 26, 2017
- Publishing date: 2007
- Status: Under Review
- Available in print: Yes
- Further information: The Code guides institutions and researchers in responsible research practices and promotes research integrity. It assists institutions in developing their own employee codes of conduct and procedures for the investigation of allegations of research misconduct by providing a comprehensive framework of acceptable academic standards.

# NHMRC – Values and Ethics

- The six values that lie at the heart of these guidelines are:
  - Spirit and Integrity
  - Reciprocity
  - Respect
  - Equality
  - Survival and Protection
  - Responsibility

**CURRENTLY UNDER REVIEW AND OUT FOR CONSULTATION  
WITH *KEEPING RESEARCH ON TRACK* – BOTH DUE FOR  
COMPLETION IN DEC 2017**

They can be represented in diagrammatic form:

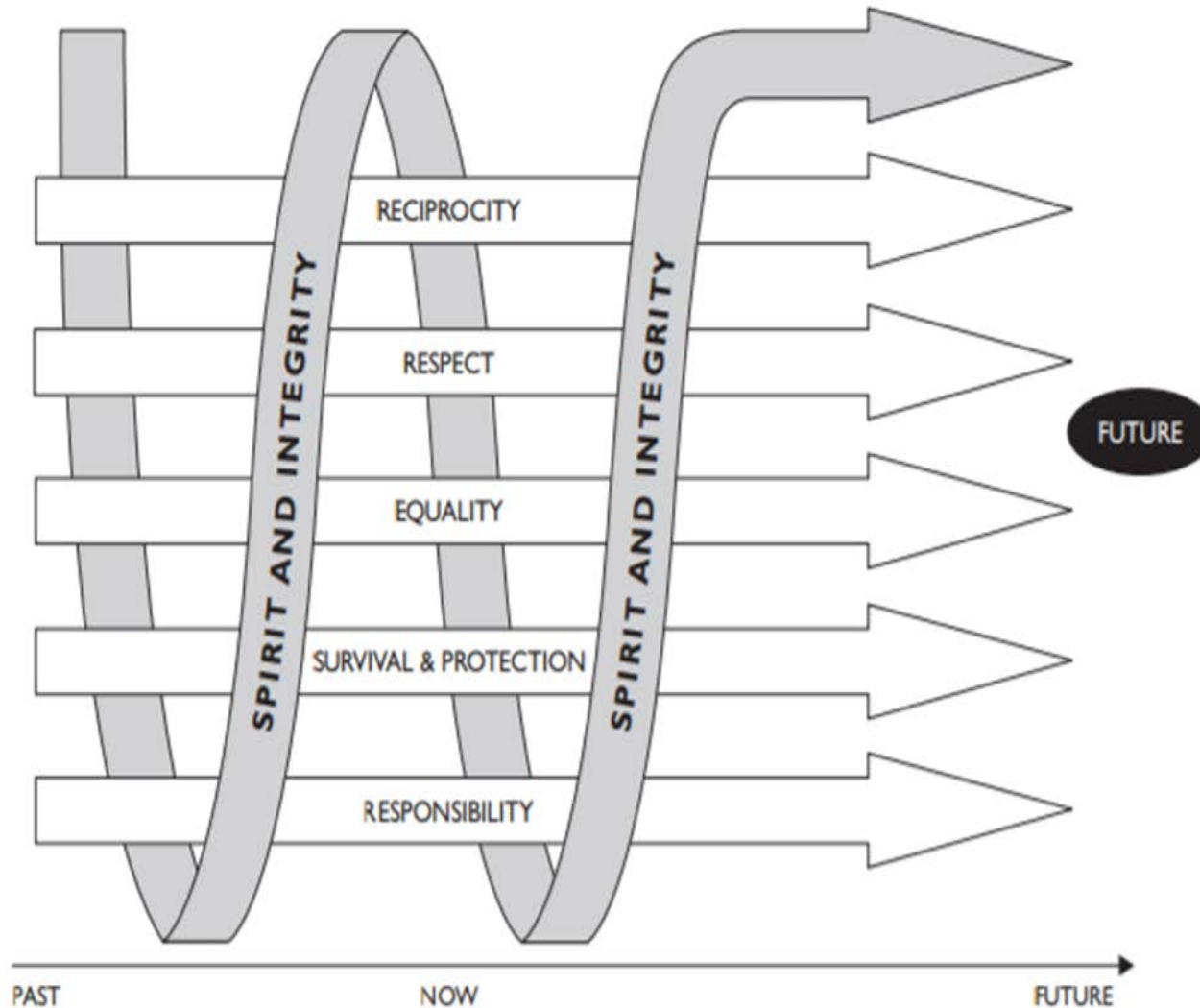


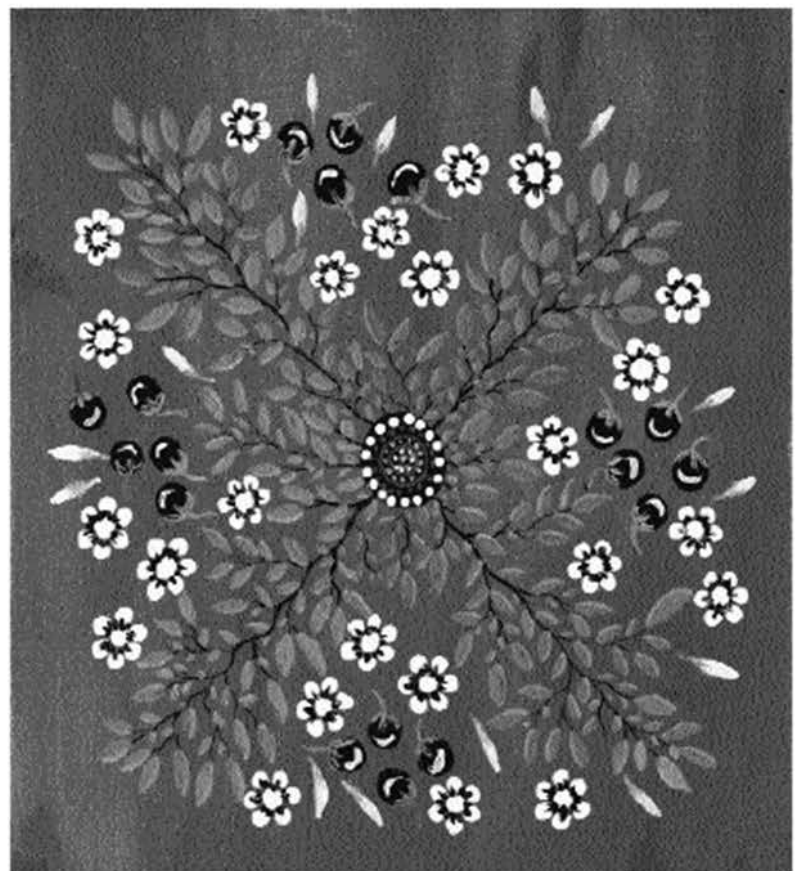
Diagram 1: Aboriginal and Torres Strait Islander Peoples values relevant to health research ethics

## Values and Ethics: Guidelines for Ethical Conduct in Aboriginal and Torres Strait Islander Health Research



# OUR CULTURE: OUR FUTURE (The Janke Report)

- Commissioned by ATSIC in 1998
- Report with findings and recommendations on Australian Indigenous Cultural and Intellectual Property to develop practical reform proposals for the improved recognition and protection of indigenous Cultural and Intellectual Property.
- Extensive consultation with many individuals, organisations and government departments and written submissions to the Discussion Paper.
- *Stopping the Ripoffs Issue Paper*, the House of Representatives Aboriginal and Torres Strait Islander Standing Committee's *Inquiry into Culture and Heritage*.



## ***Our Culture : Our Future***

Report on Australian Indigenous  
Cultural and Intellectual Property Rights

# INTERNATIONAL RESOURCES

- **UN DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES**
- **UN CONVENTION ON BIOLOGICAL DIVERSITY – The Convention on Biological Diversity is a multilateral treaty with 193 parties, including Australia. (Article 8(j) on Traditional Knowledge and Article 10 (c) on Customary Sustainable Use)**
- **The Nagoya Protocol – CBD -The three objectives of the convention are: the conservation of biological diversity; the sustainable use of its components, and the fair and equitable sharing of the benefits arising from the use of genetic resources.**
- **CBD Voluntary Guidelines for the Repatriation of Traditional Knowledge Relevant to the Conservation and Sustainable use of Biological Diversity KEY SCIENTIFIC AND TECHNICAL NEEDS RELATED TO THE IMPLEMENTATION OF THE STRATEGIC PLAN FOR BIODIVERSITY 2011-2020 AND RELATED RESEARCH**
- **DEVELOPING BEST-PRACTICE GUIDELINES FOR THE REPATRIATION OF INDIGENOUS AND TRADITIONAL KNOWLEDGE AND VOLUNTARY GUIDELINES FOR FREE, PRIOR AND INFORMED CONSENT**

- **UNESCO POLICY ON ENGAGING WITH INDIGENOUS PEOPLES**
- **UNESCO CONVENTION ON THE SAFEGUARD OF INTANGIBLE CULTURAL HERITAGE – CODE OF ETHICS**
- **IUCN AN EXPLANATORY GUIDE OF THE NAGOYA PROTOCOL ON ACCESS AND BENEFIT SHARING**
- **THE TKARIHWAIÉ:RI CODE OF ETHICAL CONDUCT TO ENSURE RESPECT FOR THE CULTURAL AND INTELLECTUAL HERITAGE OF INDIGENOUS AND LOCAL COMMUNITIES**
- **Bonn Guidelines on Access to Genetic Resources and Fair and Equitable Sharing of the Benefits Arising out of their Utilization**
- **AICHI TARGET 18: By 2020, the traditional knowledge, innovations and practices of Indigenous peoples and local communities relevant for the conservation and sustainable use of biodiversity, and their customary use of biological resources, are respected, subject to national legislation and relevant international obligations, and fully integrated and reflected in the implementation of the Convention with the full and effective participation of Indigenous peoples and local communities, at all relevant levels.**



**Daintree Heads, Cape York, Qld (Mother's Country)**



**Kubin on Moa Is. in the Torres Straits - (Father's Country)**

**THANK YOU FOR LISTENING**