



Traditional Knowledge Protocols

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North Slave Métis Alliance

This document is intended to inform all external personnel on the guidelines that North Slave Métis Alliance staff follow when completing traditional knowledge interviews, studies, surveys, etc. to ensure we respectfully document, treat, and store our members' local and traditional knowledge, land use data, stories, and history. This document is subject to change based on member, leadership, and legal input.

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North Slave Métis Alliance

32 Melville Dr, Yellowknife, NT X1A 2P7, PO Box 2301

Importance of Proper Documentation

Traditional knowledge (TK) documentation is now widely discussed as a way of guaranteeing the social, cultural, and economic interests of Indigenous peoples and local communities. TK documentation has emerged as a tool that can help impede further loss of TK, maintain TK over time, support benefit sharing between TK holders and those who use it, and ultimately protect TK from unwanted uses.

The reasons why TK documentation initiatives are undertaken and the objectives they seek to meet vary greatly. In most cases, the benefits that TK documentation can provide seem straightforward, but there may also be risks that are not always so evident. Many of the benefits and risks concern intellectual property. For example, TK documentation may help Indigenous peoples and local communities prevent others from wrongly asserting intellectual property rights over their TK. However, a poorly conceived documentation project may jeopardize the protection of secret TK or even give third parties intellectual property rights over the documented TK.

Concerns have been raised regarding TK documentation and its potential effects on the rights, cultures, and livelihoods of Indigenous peoples and local communities. There are concerns that documenting TK may lead to communities losing control over it, making it widely available, compromising the secret nature of some TK, and so on. Documenting TK is not in itself an effective strategy for protecting it. TK documentation does not necessarily ensure legal protection of TK.

As such, it is imperative that our staff follow rigorous, well-informed protocols when documenting TK in any capacity, to ensure that our initiatives have the best possible impacts on our community.



Traditional Knowledge Documentation Protocols

A. Before Traditional Knowledge Interviews

Expectations for Interviewers

- ☐ Understand why this information is being collected.
- ☐ Understand what is non-confidential versus confidential TK
 - Confidential TK may require additional conditions and securities; ensure that these are in place.
- ☐ Be aware of the principles of FAIR (Wilkinson et al., 2016) and CARE (Carroll et al., 2020) and agree to respect them.
- ☐ Provide a verification plan for the participant to review their information once it is finalized, make changes where needed, and approve the transcript with signatures of the participant(s) and interviewer(s)
- ☐ Ensure adequate honoraria is available and the participant is aware of the compensation prior to the interview taking place
- ☐ If the interviewers are not staff or community members, additionally ensure the following:
 - A staff member or community member is present wherever possible, as needed.
 - The interviewers have previous experience working within Indigenous contexts.
 - If they do not, it is advisable for staff to be present during all interviews
 - The person being interviewed feels comfortable with an external interviewer.
 - If they do not, the appropriate steps must be taken to ensure they are comfortable (e.g. staff or member being present, a different interviewer, postponing/cancelling the interview altogether, etc.).

Required Signed Forms

- ☐ Informed Consent Form (signed by the participant(s) and witness).
- ☐ Data Sharing Agreement (if data are being shared outside of our organization).

Verbal Pre-amble

- Explain to the participant how their data will be stored within NSMA's server and used in the future (also outlined in the consent form).
- Ensure the participant is aware that they can (also outlined in the consent form):
 - End the interview at any point in time without consequence.
 - Decline to answer any questions without further probing.
 - Strike any items from the record that they do not feel comfortable sharing
 - Review the written transcript after the interview and make any changes as needed



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B. During Traditional Knowledge Interviews

- ☐ If the participant is comfortable and agreeable, audio record the conversation.
 - It is advisable to record on two devices in case one device fails.
 - Recording interviews is critical to ensure the transcriber accurately interprets shared information, and to maintain accurate records.
- ☐ State interview details at the start of the recording.
 - This statement should include the names of all people present, the date and time, the location, the project, purpose of the interview, verbal confirmation that informed consent has been obtained, and any other relevant information.
- ☐ Information should be documented in a precise and standardized manner (using Direct-to-Digital mapping techniques—see internal protocols).
- ☐ Adapt the interview to the person's needs and comfort level as needed.

C. After Traditional Knowledge Interviews

- ☐ Promptly transcribe the interview.
 - Ensure interview details are included in the transcript (the names of all people present, the date and time, the location, the project, purpose of the interview, verbal confirmation that informed consent has been obtained, and any other relevant information).
 - Add any new interview details to the transcript, including transcriber name and length of interview.
- ☐ Allow the participant to confirm the information in the transcript is accurate.
- ☐ Allow the participant the opportunity to make any changes they wish (remove information, provide more details, etc.).
- ☐ Once finalized, ensure the participant and witness sign and date the transcript.
- ☐ Label the files in a precise and standardized manner as outlined in the internal documentation protocol.
- ☐ Store the transcribed interview, original recordings, and any signed forms in a precise and standardized manner as outlined in the internal documentation protocol.
- ☐ If the interviewer is not a staff or community member, ensure that all data and forms are provided to NSMA staff to be stored as appropriate.



Citations

- Carroll, S. R., Garba, I., Figueroa-Rodríguez, O. L., Holbrook, J., Lovett, R., Materechera, S., Parsons, M., Raseroka, K., Rodriguez-Lonebear, D., Rowe, R., Sara, R., Walker, J.D., Anderson, J., Hudson, M. (2020). The CARE Principles for Indigenous Data Governance. *Data Science Journal*, 19(1), 43. <https://doi.org/10.5334/dsj-2020-043>
- Wilkinson, M. D., Dumontier, M., Aalbersberg, Ij. J., Appleton, G., Axton, M., Baak, A., Blomberg, N., Boiten, J.-W., da Silva Santos, L. B., Bourne, P. E., Bouwman, J., Brookes, A. J., Clark, T., Crosas, M., Dillo, I., Dumon, O., Edmunds, S., Evelo, C. T., Finkers, R., ... Mons, B. (2016). The Fair Guiding Principles for Scientific Data Management and Stewardship. *Scientific Data*, 3(1). <https://doi.org/10.1038/sdata.2016.18>



Appendix

Indigenous Data Governance

Indigenous data are data, information, and knowledge, in any format, that impact Indigenous Peoples, nations, and communities at the collective and individual levels; data about their resources and environments, data about them as Individuals, and data about them as collectives.

Indigenous Data Sovereignty draws on the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), which reaffirms the rights of Indigenous Peoples to control data about their peoples, lands, and resources.

Indigenous data governance enacts those rights through mechanisms grounded in Indigenous rights and interests that promote Indigenous values and equity, while providing a framework for addressing deeper historical issues associated with barriers for underrepresented communities and knowledge systems.

FAIR and CARE Principles

FAIR are guiding principles for open scientific data management, while CARE are guiding principles for Indigenous Data Governance. These complementary principles can be used together to ensure that we manage and share our data in a way that is grounded in Indigenous rights and interests.

FAIR: Findable, Accessible, Interoperable, Reusable
(Wilkinson et al., 2016)

Findable

- (meta)data are assigned a globally unique and persistent identifier
- data are described with rich metadata (defined by R1 below)
- metadata clearly and explicitly include the identifier of the data it describes
- (meta)data are registered or indexed in a searchable resource

Accessible

- (meta)data are retrievable by their identifier using a standardized communications protocol
- the protocol is open, free, and universally implementable
- the protocol allows for an authentication and authorization procedure, where necessary
- metadata are accessible, even when the data are no longer available



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Interoperable

- (meta)data use a formal, accessible, shared, and broadly applicable language for knowledge representation.
- (meta)data use vocabularies that follow FAIR principles
- (meta)data include qualified references to other (meta)data

Reusable

- meta(data) are richly described with a plurality of accurate and relevant attributes
- (meta)data are released with a clear and accessible data usage license
- (meta)data are associated with detailed provenance
- (meta)data meet domain-relevant community standards

CARE: Collective Benefit, Authority to Control, Responsibility, Ethics

(Carroll et al., 2020)

The CARE Principles are designed to be complementary to the FAIR Principles, Findable, Accessible, Interoperable, Reusable, and other mainstream data frameworks, and promote equitable participation and outcomes from data access, use, reuse, and attribution in contemporary data landscapes.

Given the tension between protecting Indigenous rights and interests in data while encouraging FAIR data in a global research environment that also supports open data, implementation of the CARE Principles should be seen as a required dimension of open and FAIR data that ensures the use of data aligns with Indigenous rights, is as open as determined by Indigenous communities, is purposeful, and enhances the wellbeing of Indigenous Peoples.

The CARE Principles detail that the use of Indigenous data should result in tangible benefits for Indigenous collectives through inclusive development and innovation, improved governance and citizen engagement, and result in equitable outcomes.

Collective benefit is more likely to be realized when data ecosystems are designed to support Indigenous nations and when the use/reuse of data for resource allocation is consistent with community values.

UNDRIP asserts Indigenous Peoples' rights and interests in data and their *authority to control* their data. Access to 'data for governance' is vital to support self-determination and Indigenous nations should be actively involved in 'governance of data' to ensure ethical reuse of data.

Given the majority of Indigenous data is controlled by non-Indigenous institutions there is a *responsibility* to engage respectfully with those communities to ensure the use of Indigenous data supports capacity development, increasing community data capabilities, and the strengthening of Indigenous languages and cultures.

Similarly, Indigenous Peoples' *ethics* should inform the use of data across time in order to minimize harm, maximize benefits, promote justice, and allow for future use.