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Indigenous Knowledge and Digital Infrastructure Futures: Introducing Local Contexts and the Traditional Knowledge Labels

27 March 2018 – AIATSIS Mabo Room

Overview

This seminar will provide an overview of the Local Contexts work of Dr Jane Anderson from New York University together with the True Tracks ICIP protocols framework of Terri Janke from Terri Janke & Company, Lawyers and Consultants. This will be set in the context of a proposed collaboration with the national biodiversity portal the Atlas of Living Australia (<https://www.ala.org.au/ala-and-indigenous-ecological-knowledge-iek/>) to test and integrate the TK labels in this open e-infrastructure.

Topic

Australia is an international leader in advancing pathways for recognizing the concerns that Aboriginal and Torres Strait Islander peoples have in sharing their diverse knowledge and cultural expressions. While there has been no change within Australian intellectual property legislation that directly address these issues, the widespread recognition and use of cultural protocols, especially the True Tracks ICIP Protocols developed by leading lawyer Terri Janke have shifted understandings in a wide range of contexts (including within the arts and film sector and various industry and university contexts and including recently around fire management partnerships). It has also led to changes in practice in research and documentation of Indigenous knowledge, as well as how Indigenous knowledge is digitally captured, archived, managed, and made accessible to a range of publics. Nevertheless, very few Aboriginal and Torres Strait Islander communities have the resources to define the extent of their stake in the circulation of traditional knowledge already accumulated within national collections and databases, or to define the types of access and management strategies for the digital circulation and use of cultural heritage and traditional ecological knowledge (TEK).

Local Contexts is the name of the online platform and educational project that also delivers the Traditional Knowledge Labels. Developed in 2010 as a grassroots project to extend the idea of cultural protocols and practically find ways to address Indigenous concerns regarding the management of Indigenous Cultural and Intellectual Property (ICIP) rights within the digital environment, this initiative is an innovative new development in the field of ICIP. Focusing on supporting the recognition of, and education about, the ownership, control, circulation and future use of Indigenous knowledge, the TK Labels are a direct mechanism for implementing cultural protocols in machine readable forms directly into diverse digital contexts, including e-infrastructure, content management systems, digital repositories and across available open-source software platforms.

ICIP Protocols can be used in the digital space to establish acceptable standards for dealing with ICIP. The [True Tracks](#) Protocols provide a useful framework for developing projects and dealing with Indigenous Knowledge. The Framework address issues such as recognition and respect of Indigenous culture and rights, self-determination, and free prior and informed consent

Speakers

Dr Jane Anderson is Associate Professor at New York University. Jane has a PhD in Law from the University of New South Wales. Her work is focused on the philosophical and practical problems for intellectual property law and the protection of Indigenous/traditional knowledge resources and cultural heritage in support of Indigenous knowledge sovereignty. While Jane has worked as an Expert Consultant for the World Intellectual Property Organization on a number of policy proposals for the protection of traditional knowledge, since her move to the US in 2007 she has actively worked with and for Native American and First Nation communities to develop strategies and regain control and cultural authority of cultural heritage held within cultural institutions in the United States. <http://www.jane-anderson.info/>. Her most recent project with Kim Christen is [Local Contexts](http://www.localcontexts.org). Local Contexts (www.localcontexts.org) is an initiative to support Native, First Nations, Aboriginal, Metis, Inuit and Indigenous communities in the management of their intellectual property and cultural heritage specifically within the digital environment. Local Contexts provides legal, extra-legal, and educational strategies (including [TK Labels](#)) for navigating copyright law and the public domain status of this valuable cultural heritage. By providing strategic resources and practical solutions, Local Contexts and its partners are working towards a new paradigm of rights and responsibilities that recognizes the inherent sovereignty that Indigenous communities have over their cultural heritage.

Terri Janke is the Solicitor Director of Terri Janke and Company, a commercial law firm. She is an international authority on Indigenous Cultural and Intellectual Property (ICIP). The firm has written the leading protocols and ICIP models in the film, arts and the museum and archival sector. Terri is valued mentor, an advocate for Indigenous rights, an accredited mediator and governance expert. Terri was born in Cairns and has family connections to the Torres Strait Islands (Meriam) and Cape York (Wuthathi). She was awarded NAIDOC Person of the Year 2011, the Attorney General's Indigenous Lawyer of the Year 2012, and was a finalist in the 2015 NSW Telstra Business Women's Awards.]. The firm's recent projects include developing ICIP Protocols for the Museum of Applied Arts and Science; the Indigenous Keeping Place Project and the Museums Galleries Australia Indigenous Roadmap.

Stephanie von Gavel is Business Development Manager with CSIRO Land & Water and also supports the ALA IEK Program of work.

