PROJECT ANNOUNCEMENT PRESS RELEASE (April 10, 2008)

Project Title: "Intellectual Property Issues in Cultural Heritage: Theory, Practice, Policy, Ethics"
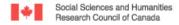
Prepared by: Dr. George Nicholas, Project Director, Archaeology Department, Simon Fraser University

Short Summary (203 words):
Indigenous peoples, scholars, practitioners, and policy-makers are increasingly faced with dilemmas about rights, responsibilities and access to intellectual products associated with cultural heritage including research data, and use of artifact and site images. George Nicholas, Professor of Archaeology at Simon Fraser University, will be leading an international and interdisciplinary team of archaeologists, lawyers, anthropologists, museum specialists, ethicists, and others to explore issues surrounding legal and ethical entitlements to information derived from cultural heritage with particular emphasis on the archaeological record and other aspects of the past. The team just received an award of $2.5 million from Canada's Social Sciences and Humanities Research Council to support the projects' initiatives.

Working in collaboration with Indigenous and other communities, the project aims to identify a range of intangible cultural heritage and intellectual property concerns faced by Indigenous peoples, researchers, and other stakeholders in order to gain theoretical insights on the nature of knowledge, intangible cultural heritage, and culture-based conceptions of rights and responsibilities and to generate ideas for fair and effective research practices. Nicholas and his team intend the results to assist descendant communities, archaeologists, academic institutions, scholars, policy makers, and other stakeholders in negotiating more equitable and successful research and heritage policies in the future.

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Long Summary (527 words):
Indigenous peoples, scholars, practitioners, and policy-makers are increasingly faced with dilemmas about rights, responsibilities and access to intellectual products associated with cultural heritage including research data, and use of artifact and site images. George Nicholas, Professor of Archaeology at Simon Fraser University, will be leading an unprecedented international collaboration of archaeologists, lawyers, anthropologists, museum specialists, ethicists, policy makers, and Indigenous organizations, representing eight countries, working to explore and facilitate fair and equitable exchanges of knowledge relating to archaeology and cultural heritage. Composed of 50 researchers and 25 partnering organizations from Canada, Australia, United States, New Zealand, South Africa, Germany, England, and Finland, the project team just received an award of $2.5 million from the Major Collaborative Research Initiatives program of Canada's Social Sciences and Humanities Research Council.

The 7-year project was co-developed by Nicholas, Dr. Julie Hollowell (Indiana University) and Dr. Kelly Bannister (University of Victoria). The project will be led by Dr. Nicholas and guided by a steering committee of six team members representing five universities (Catherine Bell [University of Alberta], Joe Watkins [University of Oklahoma], and John Welch [Simon Fraser University], plus Hollowell and Bannister [see above]). Team members represent 9 Canadian and 19 international universities, and 11 Canadian and international organizations. Twenty-five partnering groups include the World Intellectual Property Organization (Geneva), Parks Canada, the Canadian Archaeological Association, and over 12 Aboriginal Nations, from the Sto:lo in the greater Vancouver area to the Barunga Community of northern Australia. A project advisory board will provide an annual review of project activities in addition to advice on strategies for linking with stakeholders and dissemination of results (Michael Brown [Williams College], Larry Chartrand [Métis; University of Winnipeg], Robert Layton [University of Durham, UK], Peter Levesque [Children's Hospital of Eastern Ontario], Robert K. Paterson [UBC, Faculty of Law], K. Anne Pyburn [Indiana University], Dame Marilyn Strathern [University of Cambridge, UK], David Stephenson [Brauchli-Snyder, LLC, Boulder, CO], Richard Wilk [Indiana University]). Approximately one-quarter of the project budget is reserved for student fellowships and research support, and one-quarter for community-based participatory research for case studies related to the project themes.

The team will identify a range of intangible cultural heritage, intellectual property (IP) and ethical concerns faced by researchers, communities, and others, and use this information to generate ideas for norms of good practice and theoretical insights on the nature of knowledge, IP, and culture-based rights. Areas of particular concern are research on and access to cultural material and cultural heritage sites – including implications of applying both Indigenous and Western legal frameworks – cultural tourism, censorship, commercial use of rock art and other images, open vs. restricted access to information, applications in new products, bioarchaeology and the uses of ancient genetic data, legal protections, and research permissions and protocols. The project will conduct 20 case studies employing a community-based participatory research methodology, compile a web accessible knowledge base, and explore the implications of the empirical data for theory and policy in our topical working groups and publications. The results will assist archaeologists, academic institutions, descendant communities, scholars, policy makers, and other stakeholders in negotiating more equitable and successful terms of research and heritage policies in the future.

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