

**Intellectual Property Issues in Cultural Heritage:  
Theory, Practice, Policy, Ethics**

**A SSHRC Major Collaborative Research Initiative**



**Mid-Term Report**

**April 2008 – June 2011**

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## Table of Contents

Overview of Project Objectives .....	2
Project Structure and Management, .....	2
- Response to Issues Identified by MCRI Adjudication Committee in 2007 .....	3
- Advisory Board .....	4
Progress to Date .....	4
1) Progress on the Knowledge Base .....	5
2) Progress on Case Studies .....	6
- Community Based Initiatives/Case Studies .....	6
- Topical Studies .....	11
3) Working Groups .....	13
4) Progress Reporting .....	16
Team Integration and Communication .....	16
The IPinCH Student Experience .....	17
Addressing Delays in Milestones Schedule .....	18
Partner and Stakeholder Engagement and Contributions .....	18
Schedule for Completion .....	20
- Integration and Synthesis .....	20
- Dissemination, Public Engagement, and Impact .....	21
Dissemination, Public Engagement, and Impact .....	20
Budget .....	21
Appendix A Draft Table of Contents for the IPinCH Guide to Community-based Cultural Heritage Research .....	23
Appendix B Students and Selected Student Output .....	25
Appendix C Selected IPinCH Project Output .....	27



During the November 2009 visit to the Smithsonian Institution, Inuvialuit elder **Albert Elias** tries on snow goggles collected from his ancestors by Hudson’s Bay Company Trader Roderick McFarlane in the mid-nineteenth century. Photo by IPinCH Associate Kate Hennessy.

*Cover:* Our project logo, “Perpetuation,” is by lessLIE (Leslie Sam), a Coast Salish artist who works at the interface of traditional and modern values, modes of expression, and social and political inequities. The image is used with the permission of the artist.

## OVERVIEW OF PROJECT OBJECTIVES

The *Intellectual Property Issues in Cultural Heritage (IPinCH)* project is an international, multi-sectoral research collaboration designed to build research, knowledge, and resource foundations to assist scholars, institutions, descendant communities, policymakers, and other stakeholders in negotiating equitable and successful research policies and practices in the realm of cultural heritage. Over the past three years, through partnerships with Indigenous communities (and others), the use of reflexive and participatory research methodologies, and dynamic intercultural and interdisciplinary exchanges, the IPinCH project has been examining intellectual property (IP) dilemmas arising over issues of control related to specific forms of cultural knowledge, how that knowledge is used, who has access, and who benefits.

Our objectives are:

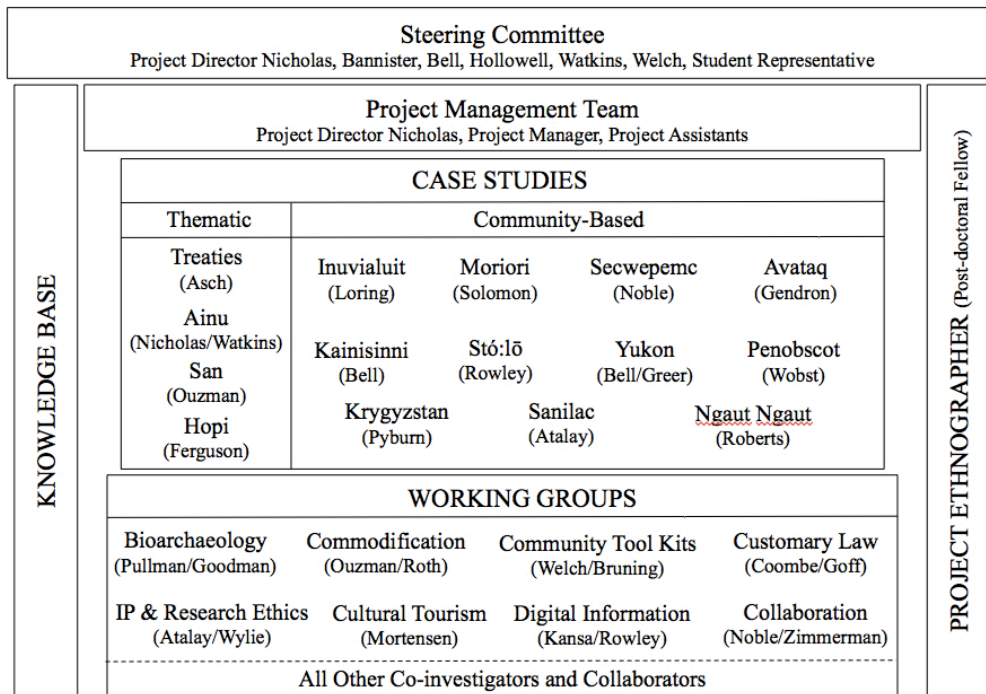
- to document the diversity of principles, interpretations, and actions arising in response to IP issues in cultural heritage worldwide;
- to analyze the many implications of these situations
- to generate robust theoretical understandings and exemplars of good practice; and
- to make these findings available to stakeholders—from Aboriginal communities to professional organizations and government agencies—assisting development and refinement of stakeholders' theories, principles, policies, and/or practices.

## PROJECT STRUCTURE AND MANAGEMENT

The IPinCH core research team consists of 50 archaeologists, anthropologists, lawyers, ethicists, museologists, and other specialists from seven countries, as well as over 25 partner organizations. Our three primary research components (Figure 1) consist of (1) a *Knowledge Base* to compile and disseminate publications, literature reviews, case studies, protocols, and other resources relevant to our research foci; (2) *Case Study* Research to examine IP issues through community-based and topical research, and (3) eight thematic *Working Groups* exploring the theoretical, practical, ethical, and policy implications of IP issues in cultural heritage. This structure is providing us with grounded, case-based, empirical data that, in turn, inform our collective analyses of theory, practice, policy, and research on IP issues in cultural heritage, as well as their implications in domains such as research ethics, human rights, sovereignty, open access, and cultural commodification.

Over the past three years, the Steering Committee, whose members communicate regularly by e-mail and teleconference, has dedicated significant time and energy to facilitating research goals and integrating project components. Co-investigators and collaborators have been active in the development of case studies, contributing to Working Group initiatives, and in the recruitment of Students and Partners, and Associate team members. The first three years of dynamic involvement by team members has set the stage for Years 4-7, which will focus on further integration of collaborative processes as the project transitions from the collection of empirical data and case study analyses to focus on broader themes and the implications of our findings. Meanwhile, our project ethnographer (a dedicated postdoctoral fellow) has begun to trace actions, communication, information, and knowledge flows throughout the project, and to analyze relationship dynamics among various research participants and stakeholders.

Changes in composition of the team since inception include the addition of co-investigators Anne Pyburn (previously on the Advisory Board), Martin Wobst (previously a collaborator), and Maui Solomon (previously a collaborator), and Lester Rigney (Australia) as a collaborator. Susan Forbes stepped down after retiring from the Te Papa Museum, and Parks Canada partner representative and collaborator James Molnar replaced Martin Magne, who was promoted.



KNOWLEDGE BASE

PROJECT ETHNOGRAPHER (Post-doctoral Fellow)

Figure 1: IPinCH Organization and Team Member Roles

**IPinCH Associates**

A new *IPinCH Associate* category<sup>1</sup> was created for graduate students, Post-doctoral Fellows, and senior scholars whose research overlaps with our interests and objectives as a way to allow them to actively contribute to the project. To date, 8 graduate students, 4 Post-doctoral Fellows, and 9 scholars have been approved as Associate members.

**Response to Issues Identified by MCRI Adjudication Committee in 2007**

The Adjudication Committee found that our research “would make an important contribution to the field.” The committee endorsed our collaborative, participatory methodology and commitment to reflexivity, recognizing that it would indeed require the very kind of careful negotiations with case study participants that we were proposing to craft for each case study. In their summary comments, the Committee alerted us to three areas requiring caution.

First, although the Committee commented that while the range of student opportunities was “novel and exciting,” there was “concern about the great number of students to be supervised.” We addressed this in Year 1 by converting our 24 planned internships into Research Assistant (RA) positions for each of our Working Groups. With additional budget revisions, a total of 48 WG RA positions were created for Years 2 to 7. While this decreased the opportunity to place students on-site with partner organizations, it increased opportunities for graduate students to work directly with team members in a research environment, in some cases co-authoring publications.

Second, the Committee’s support for our community-based participatory research methodology included recognition of challenges to be faced in implementing our Case Study research plans. The Committee identified the Mid-term Review as the venue for “ascertaining whether the research program has been fully developed and put in motion.” During the first half of the project we have refined and implemented our case study methodology. In particular, the case study proposal development and review process we created has nurtured collaborations among co-investigators, community partners, and Steering Committee members, and encouraged robust and realistic strategies for achieving intra-study goals while contributing substantially and strategically to broader IPinCH

<sup>1</sup> [http://www.sfu.ca/ipinch/about/ipinch\\_people/ipinch\\_associates](http://www.sfu.ca/ipinch/about/ipinch_people/ipinch_associates)

project objectives. The workshops and information sessions held in Greencastle, Indiana (April 2009), North Vancouver, B.C. (October 2010), and Hokkaido, Japan (January 2011) have allowed case study teams to share experiences and to advise the Steering Committee on improving the case study process. We have also worked closely with SFU's Office of Research Ethics and Office of Research Services to improve research review and administrative processes.

Finally, the Committee noted that our proposed "*Best Practices Guide*" was "one of the more eagerly anticipated research outcomes" and recommended it take a "more concrete form." This has been accomplished. We now have a plan and draft table of contents for a *Guide to Community-Based Cultural Heritage Research (Appendix A)*, developing it as a web-based publication to allow for flexibility and wide dissemination.<sup>2</sup> The *Guide* is being compiled by a core group of team members (Bannister, Hollowell) and project ethnographer Alexis Buntin, with contributions from other team members, partners, and scholar/practitioners within but also beyond IPinCH. It draws extensively on our Knowledge Base, making many key documents and research findings available to the public. Participants at our Community-based Cultural Heritage Research Workshop (October 2010) provided extensive comments on the *Guide's* objectives, contents, and format.

### **Advisory Board**

Members of our Advisory Board provide input on various aspects of the project, generally in response to specific requests from the Project Director or Steering Committee. The current Board<sup>3</sup> is: Michael Brown (Williams C.); Larry Chartrand (U. Ottawa); Robert Layton (U. Durham); Peter Levesque (Knowledge Mobilization Works); Robert Paterson (UBC); Marilyn Strathern (Cambridge U.); and David Stephenson (Rocky Mountain Thunder Law). Advisors have provided review of our annual reports; offered crucial feedback on specific case study proposals and processes; suggested Associate members; advised on the direction, objectives, agendas, and outputs of the project; attended project meetings and workshops; and advised on strategies for linking with stakeholders and disseminating results. We expect changes in composition over the life of the project. To date, Advisor Wilk stepped down; Anne Pyburn moved to co-investigator to lead our Kyrgyzstan case study.

## **PROGRESS TO DATE**

Measured against our Milestones Report, of the three main IPinCH components, the *Knowledge Base* met almost all milestones, *Working Groups* accomplished more in some respects, and *Case Study Research* is somewhat behind schedule though all aspects are well underway. Some of the Case Study delay is due to the time needed to develop policies and documents to engage communities in research, and for community representatives to find time for proposal development; additionally, it is attributable to time and effort required for multiple ethics review for each project (at SFU, at each co-investigator's university, and in the community itself), and for the creation and negotiation of sub-contracts and grant transfer agreements. That said, at both the community and institutional levels, our experiences with these research processes are proving a rich source of material for further analysis.

### **I. PROGRESS ON THE KNOWLEDGE BASE ([www.sfu.ca/kbipinch](http://www.sfu.ca/kbipinch))**

Our IPinCH Knowledge Base (KB) is the online, full-text searchable repository and archive of items related to IP issues in cultural heritage.<sup>4</sup> This valuable tool provides resources, and related bibliographic information, meta-data, and basic analyses. Registered team members have full access to almost all compiled resources, including material subject to copyright or other custodial arrangements. The public can access IPinCH output, material in the public domain, information and

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<sup>2</sup> A prototype web page for the *Guide* is viewable at <http://ipinch-online-guide.takahashidesign.ca/>. Hard copies of the *Guide* will be available for those with restricted Internet access.

<sup>3</sup> For more information see [http://www.sfu.ca/ipinch/about/ipinch\\_people/project\\_advisors](http://www.sfu.ca/ipinch/about/ipinch_people/project_advisors)

<sup>4</sup> The technical know-how to construct our new KB in the python-based language Django with a MySQL backend was provided by the SFU Teaching and Learning Centre.

analyses related to copyrighted or otherwise restricted material, and when available, links to other sites providing copyrighted resources.

Progress: The functions of the KB and the number of resources it holds have exceeded expectations. Milestones were slightly missed, however, because in Year 2 we produced 4 bibliographies / resource sets instead of 5 (10 completed by end of Year 3). We are also exploring publication of a KB-based reader in IP and cultural heritage with partner Left Coast Press.

#### Selected Activities and Output:

In response to feedback at the January 2009 Working Group Co-chair meeting, the interface was made more user friendly; the repository function of the KB was realized; and a full-text search function was added. In mid-2009, the team began testing the improved version of the KB by adding objects. The KB went online at its current publicly accessible site on March 23, 2010. Zotero open source reference management software was enabled for direct harvest of KB citations early in 2011. As of June 2011, the KB housed over 2,225 resources.

- *Analysis.* The KB includes basic analyses of the resources it contains in the form of “IPinCH Descriptions,” which correspond roughly to annotated bibliographies, with fields for geographic locations, IPinCH Community-based Initiative/Case Study, Working Group, IPinCH themes, stakeholders, an abstract, keywords, IPinCH subject headings, and key dates. By mid-June, 2011, more than 80% of entries in the KB were accompanied by “IPinCH Descriptions.” KB users can add additional information by using a downloadable Detailed Analysis form with fields for describing stakeholders, explaining historic contexts, discussing practical constraints, and more. Team members may upload completed forms or their own analyses for any of the KB entries.<sup>5</sup>

- *KB Bibliographies and Protocols.* Ten thematic bibliographies were produced on material in the KB by 6 Working Group RAs, the Project Manager, and other team members:

- WG Bibliography for Digital Systems and Cultural Heritage, Parts I & II;
- WG Bibliography for Commodifications of the Past?;
- WG Bibliography and Selected Annotations on Bioarchaeology, Genetics and IP;
- WG Bibliography for Bioarchaeology, Genetics and IP;
- WG Bibliography for Sourcebook and Community Took Kit;
- WG Bibliography for Cultural Tourism;
- Bibliography for Community-Based Participatory Research and Ethics; and
- Bibliography for Intellectual Property in Heritage Management, Parts I & II.

Two written protocols were also produced:

- Protocols for Digital Asset Entry (for use by IPinCH RAs contributing to the KB); and
- Protocols for Object Collection (for use by IPinCH RAs at SFU and elsewhere).

#### **Continuing Activities of the Knowledge Base Team**

- Ongoing addition of analyses (i.e., “IPinCH Descriptions”);
- Identification and entry of new external resources<sup>6</sup>;
- Development of additional Internet search strategies;
- Dissemination to stakeholders and the public about potential uses of the KB; and
- Interface, hyperlinking, and integration with the contents of the *Guide to CBCHR*.

Student Training/Experience: (see *Appendix B*): Three Graduate RAs contributed to initial KB design, and added resources and analyses. Two undergraduate Work Study students received training in adding entries and extracting information from resources. Thirteen Working Groups RAs (graduate and undergraduate) have assisted in adding identifying, compiling, adding, and analyzing resources.

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<sup>5</sup> Users are informed that all original analyses of resources uploaded to the KB are licensed under Creative Commons Attribution 2.5 Canada.

<sup>6</sup> Team members can use a dedicated email address (kbpinch@sfu.ca) to submit entries to the KB.

## II. PROGRESS ON CASE STUDIES

### A) Community-based Initiatives/Case Studies<sup>7</sup>

Our community-based studies are situated within Indigenous communities across Canada and around the world. The number was reduced to 15 from 20 due to constraints of our IPinCH timeline, community research priorities, community politics, funding issues, and availability of community personnel.

Each community-based study has been co-developed by one or more team members in collaboration with one or more partner organizations (as noted below), with extensive review and feedback from the Steering Committee on submitted proposals. Community-based studies distributed an Interim Report at the October 2010 IPinCH workshop. Final reports of research findings from each study will be vetted at the community level before release to IPinCH Working Groups for further analysis. A brief description of each case study is included below, with additional outputs listed in *Appendix C*.

#### **“A Case of Access: Inuvialuit Engagement with the Smithsonian’s MacFarlane Collection” (Northwest Territories, Canada, and Washington, DC, USA)**

Co-developers: Natasha Lyons (SFU Post-doctoral Fellow / IPinCH Associate), Stephen Loring, Kate Hennessy (IPinCH Associate) and Partners Inuvialuit Cultural Resources Centre, Arctic Studies Center, Parks Canada, Smithsonian Institution, Prince of Wales Northern Heritage Centre

Objectives: To repatriate knowledge to the source community from a little studied or exhibited collection of Inuvialuit artifacts purchased in the 1860s by Hudson’s Bay Company trader Roderick MacFarlane for the Smithsonian Institution.

Progress: **Complete except for final reporting.** This study entailed a 2009 visit—by eight Inuvialuit Elders, two youth, three educators, four anthropologists (Lyons, Arnold, Loring, Hennessy), two filmmakers, and a journalist—to the Smithsonian Institution for a 10-day workshop on the MacFarlane Collection, followed by extensive community engagement. One example of the impact of this project’s IP repatriation is the revival of the lost art of glove making after seamstresses brought patterns traced from gloves in the Smithsonian collection back to the Inuvialuit community.

#### Selected Activities and Output:

- Numerous school, elder, and community presentations and feedback gathering sessions;
- Stakeholder meetings with Parks Canada and Microsoft Research (Cambridge, MA);
- CBC radio interviews in Vancouver, Yellowknife, and Inuvik; 2 CBC website news stories;
- 2 half-hour documentaries airing later this year on the Aboriginal Peoples’ Television Network;
- A community-oriented report with contributions by academics and community members;
- A new website<sup>8</sup> live in early July 2011 by Hennessy and Lyons (funded by a separate SSHRC grant) to make the repatriated knowledge more accessible to Inuvialuit and the general public; and
- Academic and lay presentations and publications, including an in-flight magazine.

Student Training/Experience: Two recent Inuvialuit high school graduates helped document elders’ knowledge and received training in ethnographic documentation and visual presentation techniques.

#### **“Moriori Cultural Database” (Rekohu/Chatham Islands, New Zealand)**

Co-developers: Maui Solomon and Partner Te Keke Tura Moriori (Moriori Identity Trust)<sup>9</sup>, in affiliation with the Hokotehi Moriori Trust<sup>10</sup> and Kotuku Consultancy

Objectives: To establish a Moriori cultural knowledge database to record traditional knowledge and protect IP through appropriate protocols; to contribute to a Hokotehi mentorship program on

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<sup>7</sup> Some groups prefer “Case Study” to “Community-Based Initiatives,” so both terms are used. For more information about each of these initiatives, see the IPinCH website at: [http://www.sfu.ca/ipinch/project\\_components](http://www.sfu.ca/ipinch/project_components)

<sup>8</sup> See [www.sfu.ca/ipinch/Inuvialuit\\_Smithsonian\\_Spotlight](http://www.sfu.ca/ipinch/Inuvialuit_Smithsonian_Spotlight) for more information; site: [www.inuvialuitlivinghistory.com](http://www.inuvialuitlivinghistory.com)

<sup>9</sup> This organization exists to preserve, revive, and promote Moriori identity, culture, language, and heritage.

<sup>10</sup> The Hokotehi Moriori Trust represents the Indigenous people of Rekohu (Chatham Islands).

knowledge recording and archaeological methods that will help expand the documentation project in future years; and to explore options for land and resource management that protect cultural heritage.

Progress: **Complete but for final reporting.** Field studies completed; final report in preparation.

Selected Activities and Output:

- Two on-site field studies with elders and youth by the case study team on Rekohu (February and November 2010), which utilized an Indigenous methodological and ethical framework;
- Documentation of traditional knowledge about land and resource use with elders and landowners using culturally appropriate software known as *Traditional Knowledge Revitalization Pathways*<sup>11</sup>;
- Partner-to-Partner presentation to Yukon First Nations to aid in YFN case study development;
- Workshops with Moriori youth that resulted in an exhibition in *Kopinga marae* (traditional meeting house) with *taonga* (ancestral objects) that have been returned to Moriori.

Student Training: Moriori youth were trained to record the knowledge of their elders.

**“Education, Protection and Management of *ezhibiigaadek*–Sanilac Petroglyphs” (Michigan, USA)**

Co-developers; Sonya Atalay and Partner Ziibiwing Center of Anishinabe Culture and Lifeways of the Saginaw Chippewa Indian Tribe of Michigan

Objectives: To develop a management plan for a rock art site containing over a hundred “teachings.” The goal is to utilize Anishinabe values and advice in negotiating with the State of Michigan, and for public education, while protecting knowledge and images from misuse or commercialization.

Progress: **At ethics application revision stage.** The partner representative was required to take Indiana University’s (IU) online ethics test (to work with her own people). Revisions at IU meant the SFU approval had to be amended, and the IU approval then had to be revised to meet SFU standards.

Selected Activities and Output:

- In August 2010, spiritual leaders met at Ziibiwing to discuss how the research should proceed;
- 2 Anishinabe elders attending our Oct. 2010 workshop evaluated IPinCH and gave final approval;
- Visitor information sheet on the Sanilac Petroglyphs State Park with IPinCH case study details;
- Conference presentation at the World Archaeological Congress Inter-Congress (June 2011); and
- In June 2011, the Ziibiwing Center hosted a group of IPinCH team members and Native museum professionals on a visit to the Center and petroglyph site, and reported on developments.

Student Training:

- At Indiana University, 19 PhD students in Atalay’s year-long community-based research methods course applied what they learned through service learning partnerships with Ziibiwing.

**“Developing Policies and Protocols for the Culturally Sensitive Intellectual Properties of the Penobscot of Maine” (Maine, USA)**

Co-developers: Martin Wobst and Julie Woods (PhD student, UMass-Amherst), and Partner Penobscot Nation (Bonnie Newsom, Tribal Historic Preservation Officer)

Objectives: To draft a culturally appropriate plan for the Penobscot to protect and manage their IP, and a policy to govern outsiders’ use of, and impacts on, Penobscot IP; to develop an IP Sensitivity Training Workshop for outside personnel who wish to work with the Nation; and to develop and disseminate approaches that are useful to other communities seeking to protect and manage IP.

Progress: **Underway.** After an initial delay in the UMass ethics review process and concern over IP wording in the grant transfer agreement, the project got underway in January 2011. Reorganization of the Penobscot Nation Cultural and Historic Preservation Committee, which oversees heritage research, slightly delayed consultative aspects, but documentary research is on schedule.

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<sup>11</sup> [www.tkrp.com.au](http://www.tkrp.com.au)



Selected Activities and Output:

- A review of literature and documentary research; and
- An initial workshop to gather IP-related information from community members has been planned.

Student Training: PhD students Bonnie Newsom (UMass-Amherst) and Julie Woods (UMass-Amherst) serve as full co-developers in every aspect of this study.

**“Kainisinni: Protection and Inclusion of Blackfoot Knowledge and Principles in Government Consultations Affecting Our Cultural Heritage” (Alberta, Canada)**

Co-developers: Catherine Bell and Partner Mookaakin Cultural and Heritage Foundation, Blood Tribe of the Blackfoot Nation (Dorothy First Rider)

Objectives: To explore the intersection of Canadian law, policy, and Blackfoot knowledge associated with archaeological sites and other elements of cultural landscapes within the context of Alberta consultation policies and guidelines; to explore how to achieve intercultural dialogue that gives equal and meaningful consideration to Blackfoot ways of knowing and being and ensures proper use, protection and control of Blackfoot knowledge via such means as Traditional Use Studies.

Progress: **Core project substantially modified.** This case study received approval from the Mookaakin Cultural and Heritage Foundation of the Blood Tribe; further approvals needed to include other Blackfoot traditional groups (Siksika Nation in Canada and the Montana Blackfeet) were not forthcoming. During the project’s first workshop, a representative of the Blood Tribe indicated that approval from the Band Council was needed before consent forms allowing use of information gathered at the workshop could be signed. Concerns arose largely in relation to legal research aspects of the project, which suggested that the scope of research could exceed Mookaakin’s jurisdiction over heritage research. Although permission was obtained from the Piikani Band Council in November 2010, without Blood Tribe Band Council approval, co-developer Dorothy First Rider could no longer take on key coordinating roles or continue as a partner on behalf of Mookaakin.

**Revised Work Plan:** The experiences gained in the initial stages of this work will be included in a larger meta-analysis by Bell on tensions between law and ethics in collaborative research. This, along with Bell’s previous First Nations cultural heritage research, offer many lessons demonstrating the range of complexities, benefits, and constraints of Indigenous-centered ethics processes, whether in protecting First Nations from unanticipated risks and ensuring equitable benefit sharing or in potential creation and enforcement of contract clauses that restrict researchers’ use of information.

Selected Activities and Output:

- Workshop with Blackfoot Consultation and Traditional Land Use Coordinators held in October 2010 to provide information on IPinCH and details of the case study research necessary for informed consent, as well as sharing experiences, best practices, and concerns on the study topic.

Student Training/Experience:

- An IPinCH PhD Graduate Fellow co-developer of the initial study is now exploring increasing Indigenous authority over significant places to improve government management practices; and
- Two law student RAs (JD/LLB) assisted with background legal research; received technical training on recording; recorded the Blood Tribe workshop; prepared a thematic report on the workshop; summarized key features of Traditional Use Studies and their critiques; and helped prepare the ethics application. One co-authored with Bell a forthcoming article in *Inuit Studies*.

**“Cultural Tourism in Nunavik” (Nunavut, Canada)**

Co-developers: Daniel Gendron and Partner Avataq Cultural Institute

Objectives: To assist the Nunavimmiut Inuit of Nunavik in identifying key issues in tourism with an impact on preservation of their traditions and culture, and to foreground their needs with respect to cultural tourism, which the Provincial Government has identified as a key economic strategy. This

study will help the Nunavimmiut to be directly involved in defining culturally appropriate tourism in their territory and will facilitate development of a Nunavimmiut-centred tourism policy.

Progress: Underway. Since the Avataq Cultural Institute is not a signatory to the SSHRC MOU, it took several months before SFU granted ethics approval in May 2011. Funds are now released and research has begun. At the end of June 2011, interview sessions got underway with a range of participants including Nunavimmiut concerned about cultural tourism, Inuit and Non-Inuit active in tourism development in regional government (Kativik Regional Government, Makivik Corporation), local organisations, the Nunavik Tourism Association, and several Québec government departments.

Selected Activities and Output:

- Gendron presented at the IPinCH October 2010 Case Study workshop;
- Forthcoming in the *International Journal of Heritage Research*, “Community-based values as a foundation for heritage research and policy,” co-authored by Gendron (with Hollowell and Greer).

Student Training: A PhD student aided in preparing questions for the interview guides and, paired with a Nunavimmiut person, is conducting the first interview sessions in Nunavik.

**“The Journey Home: Guiding Intangible Knowledge Production in the Analysis of Ancestral Remains” (British Columbia, Canada)**

Co-developers: Susan Rowley and Partners Stó:lō Research and Resource Management Centre, and the Laboratory of Archaeology (LOA), University of British Columbia

Objectives: To develop a set of guidelines for use around repatriation and analysis of First Nation ancestral remains, focusing on issues of associated intangible IP rights and knowledge production. Linking community-based questions and information needs with scientific analyses and processes, the template (e.g., an MOU) produced for the development of a joint plan for research of ancestral remains will address the types and parameters of research to be pursued, and the equitable sharing of resulting information. The guidelines and protocols are intended for later adaptation by others.

Progress: Ethics application in preparation. Co-developers preparing for SFU ethics review.

Selected Activities and Output:

- At the January 2009 workshop for Working Group co-chairs, Stó:lō Partner representative Dave Schaepe gave a presentation on Stó:lō policies relating to cultural heritage research and IP; and
- Co-investigator Susan Rowley has given numerous presentations on these issues to Canadian and international audiences at conferences and workshops, and at the October 2010 IPinCH workshop.

Student Training: Numerous students have been trained in related repatriation projects, but IPinCH student training will begin after ethics approval is in place for this project exploring IP aspects.

**“Secwepemc Territorial Authority: Honoring Ownership of Tangible / Intangible Culture” (British Columbia, Canada)**

Co-developers: Brian Noble and Partner Arthur Manuel (Secwepemcul’w; Spokesperson for the Indigenous Network on Economies and Trade)

Objectives: A four-day Conversation Circle in early 2012 will bring together Secwepemc Band representatives and a group of established social, legal, and political scholars. The case of a contested ancestral burial site at Pritchard, BC, will be used to spark discussions relating to Secwepemc territorial authority over their culture, knowledge, and lands, and to explore possible political or jurisdictional relationships in which Secwepemc authority is duly recognized. Findings will provide guidelines to other future research projects around tangible and intangible culture and heritage that respect Indigenous self-determination and territorial authority.

Progress: Final stages of grant transfer. Ethics approvals came from Dalhousie in March, and from SFU in April 2011. Concerns of the co-developers with the wording of the grant transfer agreement delayed the official start of this case study, but these issues have just been resolved.

Selected Activities and Output:

- A workshop on Political Consent / Free, Prior, and Informed Consent is planned at the IPinCH midterm conference, designed to dovetail directly with the objectives of this study.

Student Training: A Dalhousie MA student worked closely with Noble, gathering background documentation, and meeting with the partner representative to plan the Conversation Circle.

**“Yukon First Nation Heritage Values and Heritage Resource Management” (Yukon)**

Co-developers: Sheila Greer, Catherine Bell, and Partners Champagne & Aishihik First Nations (CAFN) Heritage, Carcross-Tagish First Nation Heritage, and Ta’an Kwäch’än Council

Objectives: To explore Yukon First Nation (YFN) heritage values through community-based ethnographic research with the goal of improving YFNs’ ability to fulfill their rights and obligations under their respective Land Claim and Self-Government Agreements.

Progress: **Underway.** Councils of three YFNs have given approval. Ethics approvals in place. Funding transfer agreement complete (June 2011). First workshop with heritage staff held in July.

Selected Activities and Output:

- Greer and former CAFN Chief Diane Strand consulted with Ainu at the Hokkaido symposium;
- A Research Partner & Planning Workshop with YFNs Heritage staff, Whitehorse July 19-20, 2011;
- A guidebook to ethics and ethnographic research for the YFN project was completed June 2011; and
- Forthcoming article on community-based values as a foundation for heritage research and policy, co-authored by Greer (with Hollowell and Gendron), *International Journal of Heritage Research*.

Student Training:

- Two U. Alberta law students (JD/LLB) assisted by conducting legal research (see Blackfoot study above) and undergoing ethics training to aid in preparing the U. Alberta ethics application.

**“Grassroots Resource Preservation and Management in Kyrgyzstan: Ethnicity, Nationalism and Heritage on a Human Scale” (Kyrgyzstan)**

Co-developers: Anne Pyburn and Partners Avaz Tursunbaev (Kyrgyz Sacred Heritage Association and Uzgben State Museum), Momytbaev Yimadin Birnazarovich (Herdsman /Deputy, Kara Sas Region), Abakir Kalybekov (Teacher, Charynov, Ozgorush, Toktogul region)

Objectives: To address the preservation and educational use of Kyrgyz IP and cultural heritage by facilitating a public conversation on these topics in Kyrgyzstan, a post-Soviet nation where ties to the past have been attenuated. Pyburn facilitated Kyrgyz community members in designing 13 small-scale, community-embedded projects. Three are funded by IPinCH and constitute this case study:

- 1) *Developing a New Foundation for an Ancient Structure:* A public opinion survey on cultural and intellectual heritage values associated with an internationally significant heritage site of local spiritual significance will guide local government plans for its improvement and development.
- 2) *Cultural Heritage as Environmental Protection:* Preserving oral traditions that focus on land and heritage stewardship by recording of traditional songs and stories for local radio will reconnect Kyrgyz youth to their heritage. A companion workbook will be developed.
- 3) *Recovering Heritage Memories:* The creation of a photographic and video-graphic record of archaeological and cultural sites in the Kara Sas region to be used to direct both tourists and Kyrgyz people to sites of cultural significance and to locals willing to talk with them.

Progress: **At ethics application review stage.** Research designs for the three projects outlined above are completed. Ethics reviews and protocols for funding transfers are in process.

Selected Activities and Output:

- Presentation at the October 2010 IPinCH Case Study Workshop; and
- Conference paper at June 2011 World Archaeological Congress InterCongress in Indianapolis.

**“The Ngaut Ngaut Interpretive Project: Providing Culturally Sustainable Online Interpretive Content to the Public (South Australia)”**

Co-developers: Amy Roberts (IPinCH Associate)<sup>12</sup> and Partner, Mannum Aboriginal Community Association Inc. (MACAI), Isobelle Campbell, Chairperson

Objectives: To address the lack of culturally sustainable interpretive online content, Roberts and MACAI seek to continue a long-standing relationship, engaging with community members to develop materials for a digital publication to provide accurate content about the tangible and intangible related to this key heritage site. The publication may address such intangible values as cultural meanings and interpretations of rock art, Dreamings, oral histories, and more. The South Australian Department of Environment and Natural Resources has offered to sponsor and help disseminate the (PDF) booklet.

Progress: **At ethics application stage.** Ethics: SFU approved May 2011; Flinders submitted.

**B) Topical Case Studies**

Our four topical studies are more comparative and analytical in orientation, examining a theme or one critical issue in depth or across situations.

**“Treaty Relations as a Method of Resolving IP Issues” (Alberta, British Columbia, Manitoba, Saskatchewan, Ontario, and Northwest Territories, Canada)**

Developer: Michael Asch, with Postdoctoral researcher Marc Pinkoski

Objectives: To seek a possible framework for the resolution of IP issues with Indigenous groups (in Canada) by exploring the relationship established between First Nations and the Canadian government in the negotiations of eight treaties in the 19<sup>th</sup> and early 20<sup>th</sup> centuries.

Progress. Nearing completion. Asch’s team compared oral understandings of the treaties, both at the time of negotiation and today, with contemporaneous European accounts, and then with written versions of the treaties. Of the eight treaties studied, analyses of four are completed, with completion of others anticipated by September 2011. In each case, the oral accounts are closer to the way the participants perceived the relationship entailed in the treaties than the written versions transmitted by Commissioners acting as agents of the Crown. There was a shared understanding that the treaties were to inaugurate a relationship based on cooperation and mutual understanding, rather than transactions in which land or cultural objects were ceded, sold, or transferred to the Crown.

Student Training/Experience: A First Nations BA student from one of the treaty areas under study is assisting with Asch’s research. A Law MA student from a Treaty 1 First Nation is researching Treaty 1. Two MA students conducted and completed their MA theses analyzing three of the treaties.

**“Ainu Management of Ainu Cultural Heritage and Landscape” (Hokkaido, Japan)**

Co-developers: George Nicholas, Joe Watkins, and Partners Center for Ainu and Indigenous Studies (CAIS, Hokkaido U.), Hokkaido Ainu Association, and Ainu Policy Division, Biratori

Objectives: To assist the Hokkaido Ainu Association, and Ainu community members in clarifying their needs in terms of cultural and IP policies and protocols for protecting their heritage, in light of their 2008 official recognition as Indigenous people by the government of Japan.

Progress: Under development. Hirofumi Kato (CAIS), Nicholas, and Watkins have been engaged in discussions with Ainu communities in Nibutani and Lake Akan (both on Hokkaido, northern Japan) to identify community concerns regarding their tangible and intangible heritage. Nicholas and Watkins met twice with Ainu community members in Japan, in October 2009 and January 2011, and

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<sup>12</sup> Amy Roberts is in the process of applying to become an IPinCH co-investigator. Should SSHRC not allow this change in the team, funding could flow through co-investigator Lyn Leader-Elliott, also at Flinders University.

at the IPinCH Case Study workshop in 2010. Kato has held two international symposia to introduce IPinCH to the Ainu and Japanese research communities, and to facilitate information exchange.

Selected Activities and Output:

- “Cultural Resources and Intellectual Properties of Indigenous Peoples: Theory and Practice Symposium,” Kushiro, Japan, January 2011, organized by Kato, with Nicholas, Watkins, Ferguson, Greer, Strand (YFN Partner), and Kuwanwisiwma (Hopi);
- English translation of “The Prospects for the Management of the Ainu Cultural Landscape: A Case study with the Nibutani Community,” by Hidehiko, Kimura, Yoshihara, and Kato;
- “Cultural and Intellectual Property Issues and the Ainu Symposium,” CAIS, Hokkaido University, Sapporo, Japan, October 2009, organized by Kato, with Nicholas and Watkins; and
- English translation, “Investigation into Measures for Conservation of Ainu Cultural Environment: Summarizing Report, Part I: Summary of the Opinion of the Investigation Committee,” June 2011.

**“A History of Hopi Intellectual Property Protection Initiatives” (Arizona, USA)**

Co-developers: TJ Ferguson and Partners Hopi Tribal Preservation Office (Leigh Kuwanwisiwma, director) and Anthropological Research LLC.

Progress: Under development. Kuwanwisiwma has been involved with an array of tribal legislation and policy designed to protect Hopi cultural and intellectual property. This project will take form around a series of interviews with Leigh Kuwanwisiwma, and documentary research.

Selected Activities: Both Ferguson and Kuwanwisiwma attended the Lake Akan Symposium in Japan (January 2011) and engaged in partner-to-partner discussions with Ainu and other participants.

**“A Case Study of the Socioeconomic Impact on the San of Cultural Heritage Revitalization Actions Concerning San Rock Art Heritage Claims” (South Africa)**

Co-developers: David Stephenson, Sven Ouzman, Associate Rachel Giraurdo and Partner Chennells Albertyn Law Firm (Roger Chennells)

Progress: Under development. The study will explore San efforts to recapture control over their rock art heritage in South Africa (and possibly Botswana), specifically exploring the impact of giving voice to San communities and their individual members through new media art and cybermuseology as an alternative to traditional museum curatorial practices. Stephenson has indicated he will be resigning from the Advisory Board to participate in this study. Chennells is a South African human rights lawyer who has been acting for the San peoples of southern Africa since the 1990s on issues of land, heritage and IP rights of Indigenous peoples. Their revised proposal is soon expected.

### III. WORKING GROUPS

Working Groups (WGs) have been more active in the first half of the project than planned. Our original intention was for them to become active once final reports from our Case Study Research were available for analysis and interrogation. Also, while we anticipated that each team member would join at least one WG, the reality has been that group composition has been more flexible, with team members coming together under the umbrella of a WG to participate in a particular initiative. WG co-chairs have initiated their *Work Plans* developed in the first two years; added resources and analyses to the KB; and produced a significant number of publications, conferences, and other outputs (See *Appendix C* for a listing of publications and conferences organized by WG theme). Since Year 2, IPinCH-funded student RAs have assisted WG co-chairs of each group. Working Groups also have a presence on our website. In general, WG activities have helped to integrate our large team. The groups will take on an expanded analytical role in the second half of IPinCH.

**Bioarchaeology, Genetics and IP Working Group** (Co-chairs: Daryl Pullman & Alan Goodman).

This group is exploring issues arising at the interface between genetics and culture, including how

genetic and biological data are sometimes being used to claim cultural relationships and affiliations, or, alternatively, to dispute the legitimacy of cultural claims and affiliations.

Activities and Output:

- Panel discussion on “Implications of the Genographic Project for Archaeology,” held at the 2008 Chacmool conference, organized by George Nicholas and Julie Hollowell. Panelists included team members Daryl Pullman, Sheila Greer, and Dongya Yang;
- Special section of the *International Journal of Cultural Property (IJCP)*, edited by Hollowell and Nicholas, that included the transcript of the panel discussion, with additional commentaries by other scholars and stakeholders in this field, including collaborator Dorothy Lippert; and
- Presentation in the Research Ethics session organized by collaborator Murielle Nagy at the Inuit Studies conference in November 2010, being developed for a special issue of *Inuit Studies*.

Student/Training:

- 3 MA RAs have been involved with entering resources and “IPinCH Descriptions” into KB; and
- 2 undergraduate RAs from DePauw University assisted with the *IJCP* publication above.

**Collaboration, Relationship, and Case Study Working Group** (Co-chairs: Brian Noble & Larry Zimmerman). This WG is exploring the nature of research relationships and of engaged, active partnerships on questions around respect, dignity, mutuality, and obligation, alongside the more conventional and increasingly prevalent literature on community-researcher collaborations. It is promoting discussion around “alternative,” relational, and collaborative approaches and multi-media methods of fostering this discussion. The group has focused on multi-media methods, especially as a tool for sharing research experiences, knowledge, and progress, and in generating discussion online.

Selected Activities and Output:

- Video and discussion on “A Call to Conversation about the Olympics!” posted on the IPinCH website ([www.sfu.ca/ipinch/node/649](http://www.sfu.ca/ipinch/node/649)) to invite team member discussion, and serve as a pilot study;
- This WG and Steering Committee member Hollowell organized a workshop for Case Studies and research ethics (April 18-21, 2009) at the Prindle Institute for Ethics, DePauw University, Indiana, to collaboratively discuss guidelines for our community-based research component;
- The group instigated the *Flipcam Initiative* to facilitate cross-project communication and collaboration—using video to document and share research experiences, knowledge, progress, and to generate discussion in interactive and creative forums. With the help of our partner, the World Archaeological Congress, IPinCH received a 2-for-1 grant to buy Cisco Flip video cameras; and
- Planning is underway for a workshop on free, prior, and, informed consent (FPIC) for members of the IPinCH research community, including academic institutions, as part of our Fall 2011 meeting.

Student Training/Experience:

- One MA RA has been working with co-chair Noble at Dalhousie since Fall 2009. Two new MA RAs will soon take on this role. RA duties include involvement in documentary research, workshop organization, video production, webpage development, our Flipcam project, and conferences.

**Commodifications of the Past? Working Group** (Co-chairs: Sven Ouzman & IPinCH PhD Fellow Solen Roth). This group engages with issues related to the appropriation and commodification of tangible and intangible cultural heritage. These include the definition and valuation of tangible/intangible heritage; research as a process of commodification; the role and efficacy of heritage legislation; and the many uses of “the past” by descendant communities, researchers, and the public.

Selected Activities/Output:

- Co-chair Roth has been writing an IPinCH blog,<sup>13</sup> focused on students, sharing thoughts related to the WG theme stimulated by participation in workshops, colloquia, and digital art projects;
- Roth organized the “Collaboration, Communication, and Negotiation in the Age of Digital Media

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<sup>13</sup> [http://www.sfu.ca/ipinch/outputs\\_resources/blogs](http://www.sfu.ca/ipinch/outputs_resources/blogs)

and Mass-Production” session for the WAC Intercongress, June 23-24, 2011.

Student Training/Experience:

- IPinCH Graduate Student Fellow Solen Roth (UBC) had her work reviewed by co-chair Ouzman and the Project Director;
- Roth co-supervised an MA RA who identified, analysed, and added resources to the KB.

**Cultural Tourism Working Group** (Chair: Lena Mortensen). This WG focuses on (1) reviewing scholarly literature concerning the intersection of cultural tourism and IP; and (2) identifying examples of cultural tourism that reveal different dimensions of sustainable, equitable, and culturally responsible practices. The scope of research includes: a) modes of commodification specific to tourism contexts; b) community claims to participation in tourism; c) rejections and/or exclusions of tourism development; d) visitor expectations/experiences relating to “heritage” resources and values; and e) innovation in communicating/representing culturally appropriate meanings and values.

Selected Activities and Output:

- A volume on *Cultural and Archaeotourism* is under development, co-edited by Mortensen and co-investigator Lyn Leader-Elliott for the *Research Handbooks in Archaeology* series<sup>14</sup> published by partners Left Coast Press and the World Archaeological Congress.

Student Training:

- At U. Toronto, 1 MA and 3 BA RAs have identified and entered KB resources and analyzed tourism charters and IP elements of tourism projects, the BAs using a template created by Mortensen.

**Customary, Conventional and Vernacular Legal Forms Working Group** (Co-chairs: Rosemary Coombe & IPinCH Scholar Associate Patricia Goff). This group examines the pluralism of law relating to the protection of cultural heritage. It seeks to foster awareness of the global political and legal landscape in which conventional forms of IP protection intersect with human and Indigenous rights protections, customary law, informal and vernacular intellectual property forms, and moral economies of practice pertaining to cultural heritage goods.

Selected Activities and Output:

- A roundtable on “Intellectual Property and Indigeneity: International Policy Making between Neoliberalism and Human Rights” was held at York University, September 2010, with co-chairs Coombe and Goff and Catherine Bell (IPinCH Steering Committee member); and
- A workshop on “Customary Law, International Politics and Cultural Heritage: Fragmentation of Regimes or Pluralism in the Multiversity” is planned at York University in Fall 2011.

Student Training/Experience:

- One Master of Law RA identified resources and beta-tested an external database containing thousands of items related to IP rights and Indigenous peoples to determine its usefulness to us; and
- A PhD RA organized the 2010 roundtable, developing a web posting from it, and, in a forthcoming volume on digital fair dealing, will author one chapter and co-author a second with Coombe.

**Digital Information Systems & Cultural Heritage Working Group** (Co-chairs: Susan Rowley & Eric Kansa). Formerly the *Open Access, Info Systems & Cultural Heritage WG*, this group examines how new information and communication technologies may either challenge or assist ethical exchanges of information between Indigenous and research communities. It explores scholarly and legal debates around uses of digital technologies to redefine, revitalize, adapt, and protect traditional knowledge in view of concerns raised by descendant communities about inappropriate uses of their heritage, and researchers’ concerns around the uses of research results.

Selected Activities and Output:

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<sup>14</sup> [http://www.lcoastpress.com/books\\_series.php?id=17](http://www.lcoastpress.com/books_series.php?id=17)

- Development of a webinar on key issues and concepts related to the WG theme to be showcased at the 2011 Mid-term Conference, encouraging other WGs to utilize this mode of creative discussion;
- “Remixable Cultural Heritage: The Promise and Problems of Open Data, and Radical Transparency for the Past on the World Wide Web,” a presentation by Kansa at the May 2011 “Why Does the Past Matter?” conference of the UMass Center for Heritage and Society; and
- Vetting the “Guidelines for Use of Video,” collaboratively developed by IPinCH team members for the Flipcam project, intended as useful guidelines for sharing cultural context in digital video.

Student Training/Experience:

- PhD student RA Carr-Locke (also Student Representative to the Steering Committee) contributed KB entries and “IPinCH Descriptions,” created a report on research findings, including lists of KB entries and Terms of Use from various museum websites, and is now developing the WG webinar.

**IP and Research Ethics Working Group** (Co-chairs: Sonya Atalay & Alison Wylie). Compiling research agreements and guidelines, professional society statements on ethics, and related documents, this group is identifying themes and key concepts from these resources to serve as a source of guidance for those grappling with IP and ethics issues in the contexts of archaeological practice and collaborative research. The WG is (a) identifying the key terms and themes in these documents; (b) exploring methods of indexing and/or content analysis; and (c) conducting interviews with case study members to compile a set of key concepts for negotiating working partnerships in community-based cultural heritage research (CBCHR) to be integrated into the *Guide for CBCHR*.

Selected Activities and Output:

- “Expanding Interdisciplinarity: From Campus to Community” Public Panel and Workshop, Simpson Center for the Humanities, U. of Washington, organized by Alison Wylie, June 2008;
- “Constructive Engagement: Scientific and Aboriginal Communities in Collaboration” Public Panel organized by Alison Wylie, SFU Harbour Centre, Vancouver, June 2009;
- Compilation and KB entry of 80 examples of Memoranda of Agreements or Understandings;
- Compilation and KB entry of over 70 examples of professional society ethics statements, and more than 20 statements by archaeological societies (e.g., museum acquisition policies);
- Comments on the *Draft 2nd Edition of the Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans* sent to the Tri-council Panel on Research Ethics, June 30, 2009;
- Initial identification of key concepts and themes to guide systematic indexing and/or content analysis of resources, and structure interviews with IPinCH case study members, in part, based on discussions at the October 2010 IPinCH Community-based Cultural Heritage Research workshop;
- Sven Ouzman is including IP issues in a policy on Human Remains now under development at the Iziko Museum, South Africa, plus drafting a separate IP document for use of any archaeological material, related photographs, meta-data, electronic data, and such; and
- Plans are underway to host a Working Group meeting on research ethics at our Fall Conference.

Student Training/Experience:

- Two PhD student RAs at Indiana U. utilized the Knowledge Base to build then analyze a useable resource base of research ethics documents. They presented their preliminary results and demonstrated the online IPinCH KB at the World Archaeological Congress Intercongress in June 2011.

**Sourcebook and Community Toolkit Relating Working Group** (Co-chairs: John Welch & Susan Bruning). Determining how best to make IPinCH research findings, knowledge, and resources available to communities, researchers, and other stakeholders, this group works to ensure the lessons learned by IPinCH are not “lost in translation” but help to meet community and research needs. This WG will contribute heavily to the *Guide to Community-Based Cultural Heritage Research*.

Selected Activities and Output:

- An extensive annotated literature review of research and documents on the topic of IP and Cultural Heritage located on partner and stakeholder websites (particularly of our UN partner, WIPO);
- A glossary of terms and acronyms intended for use in communicating with non-academic audiences;



- An initial list of “Frequently Asked Questions” (FAQs) communities may wish to address when tackling issues related to IP and cultural heritage; and
- Co-chair Welch with SC members Hollowell and Bannister, developed a questionnaire for participants in the IPinCH project that will help to identify useful tools and resources on IP and heritage issues that IPinCH can provide to participants and stakeholders.

Student Training/Experience:

- 2 MA student RAs have contributed to the KB; one developed inventories of comparable source-books and tool kits, created a bibliography, and compiled a glossary and FAQs; the other tested the KB applicability for use in research on specific IP concerns, starting with heritage tourism.

#### IV. PROGRESS REPORTING

On SSHRC’s advice, a reporting system to monitor progress is in place. Brief progress reports are due from case study leaders and Fellows semi-annually, from Working Groups at the end of each term, and from Associates annually. A template outlines the information required for SSHRC reporting, and asks researchers to compare their progress with the research goals set out in their case study or Fellowship proposals or in their Working Group work plans. These reports integrate well with the requirements for institutional funding transfer. The annual *Milestones Report*, reviewed by our Advisors, has stimulated any tardy team members to provide timely accounts of their progress.

#### TEAM INTEGRATION

The structure of the IPinCH project (*Figure 1*) emphasizes integration, with the Knowledge Base and Case Studies feeding resources and results to Working Groups for further analysis and synthesis. We have learned face-to-face team member meetings are vital to developing a sense of integration, teamwork, and collaboration, especially with inter-cultural communication between Indigenous and non-Indigenous research partners. We have had several meetings with members of our research team and case study partners (January 2009, Working Group Co-Chairs; April 2009, Collaboration Working Group; October 2010, Case Study Co-developers). Each gathering stimulated interchanges of ideas and a sense of commitment among participants, including students. We have used these meetings to share the work participants are doing, to discuss, and to seek advice from the team on forthcoming project outcomes and initiatives. True to our grounding in critical theory and participatory methodology, typically parts of the agenda at these meetings are generated by participants. In-person meetings with a shared agenda make it easier to sustain the sense of collaboration subsequently over e-mail and by other means. We believe that cultivating a sense of collegiality and shared knowledge exchange carries over significantly to integration of research outcomes.

Other effective ways we foster and sustain team integration include:

- The Project Director, Steering Committee members, and our Project Ethnographer have paid site visits to several case study communities. Site visits in Alberta, BC, Yukon, Québec, Michigan, Arizona, Australia, New Zealand, and Japan have fostered a sense of being part of IPinCH, particularly among community partners hosting events. Moriori and Ainu case study delegations have met with the Project Director and other team members in the Vancouver area.
- IPinCH-organized conference sessions and workshops have fostered integration and a public sense of working together. We also hold informal receptions at conferences for collegial conversation;
- The IPinCH Knowledge Base exemplifies team integration as it compiles resources and information contributed by individual team members and Working Groups into one shared repository. We expect the integrative role of the KB to be more fully realized in the second half of the project;
- We have engaged in several collaborative publication projects (with up to 7 co-authors) bringing together team members and integrating their interests and areas of expertise (see *Appendix C*);
- Team members, students and partners receive by email (a) a monthly project digest (initiated at team members’ request); (b) notice of opportunities to participate in conference sessions or collaboratively written articles; (c) the newsletter; (d) invitations to IPinCH events; and other information;

- Our project website [[www.sfu.ca/ipinch](http://www.sfu.ca/ipinch)] was developed as a tool for communication among team members, reaching into inboxes by new posting alerts. Continually evaluated and updated to make it more user-friendly, the website is rich with project news, and each WG and case study has its own webpage; thus it is an important way to document, share, and integrate IPinCH activity. In addition to its public pages, the website hosts fora for private team communication, however, they have not been as successful in fostering interactions as anticipated;
- Our semi-annual *IPinCH Newsletter* contains short news articles written by members and in-depth interviews with different IPinCH “talking heads.” The quality of the newsletter and its public face give us all a greater sense of the significance of the shared research we are undertaking.<sup>15</sup>

### THE IPinCH STUDENT EXPERIENCE

Students are integral to IPinCH and its activities. Their involvement includes (a) participating in the Case Studies, Working Groups, the Knowledge Base, and on the Steering Committee; (b) conducting research with team members and on their own; (c) being mentored by team members; (d) assisting in organizing conference sessions, workshops, and roundtables; (e) presenting at conferences; and (f) authoring or co-authoring publications. Their activities have been detailed throughout this report, and summarized in *Appendix B*. Graduate students are treated as full team members. We benefit greatly from their perspectives, enthusiasm, and ideas. In return, they benefit from opportunities such as experiencing the practical realities of collaborative research (both within academia and with communities) or learning about the world of academic publication.

To date, IPinCH has been involved in training 43 students and post docs, consisting of: 4 Postdoctoral researchers; 13 PhD Students; 14 MA Students; 8 Undergraduates; 2 LLB/JD Students; and 2 MA in Law Students. In addition, IPinCH has a PhD Student (Associate, author and Steering Committee Representative) funded by an SSHRC dissertation grant (LaSalle), and a Postdoctoral Fellow funded by SSHRC (Lyons). Student research skills have been developed by assisting team members with literature reviews; preparing KB bibliographies, summaries, and basic analyses; searching for and evaluating information for Working Group co-chairs and case study teams; and pursuing their thesis topics. Students are working directly with some of the leading scholars in their respective fields.

IPinCH students have a seat on the Steering Committee to identify and address student issues. The richness of IPinCH student discussion on project-related topics is reflected in Fellow Solen Roth’s blog<sup>16</sup> on the conversation at a recent student dinner in Vancouver. IPinCH students make a point of networking among themselves and with team members at IPinCH events and academic conferences.

### ADDRESSING DELAYS IN MILESTONES SCHEDULE

Our Knowledge Base has met almost all milestones, Working Groups have met most milestones and initiated further work, and the Case Studies are slightly behind schedule. Missed milestones have related to the following activities, all of which are now underway: (1) case study research start-up and implementation; (2) the conferring of Graduate Student Fellowship awards; (3) identifying and retaining a qualified Post-doctoral project ethnographer; and (4) implementing the Partner/Stakeholder Liaison position; and (5) the publication schedule. The Steering Committee has advised and supported project management in resolving the many unforeseen challenges that arise in a major research initiative such as this, especially one grounded in critical theory with an international reach.

1) Delays in case study research start-up and implementation are largely attributable to (a) the time required for soliciting case study proposals from community co-developers, and for community representatives to develop proposals with Steering Committee support, and (b) lengthy negotiations with various institutional bodies (mainly universities) to address unique issues such as Indigenous

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<sup>15</sup> Both the semi-annual newsletter and monthly email digest are available electronically or by hard copy for those with server-access challenges.

<sup>16</sup> [www.sfu.ca/ipinch/blog/103](http://www.sfu.ca/ipinch/blog/103)

ownership and control of data, and for ethics clearance and funding transfer, nationally and trans-nationally.<sup>17</sup> These critical issues have been resolved through many meetings and email conversations among the project director and manager, and SFU Research Services legal counsel and REB head. Persistence has paid off; university entities have said they are learning from IPinCH. This has drawn our attention to the need for critical examination of the tensions between legal, ethical, and institutional obligations of researchers, offering a rich source of material for analysis. The unanticipated challenges faced in mounting some case studies have provided important and unique opportunities to explore the practicalities of participatory and community-based research models in an academic setting. Also, decreasing the case studies funded from 20 to 15 allowed communities to fit their schedules with the IPinCH timeline, providing each study the support needed for adequate proposal development and start-up, while still covering all project themes.

2) Our plan to fund two MA and two PhD fellowships per year has not quite met its goal, largely because of our stringency in finding high quality students, who are a good fit. We require students to have first completed their coursework, and have their thesis topic approved, and ask that they apply for a SSHRC graduate research grant before applying for IPinCH funds. We see increased interest in Graduate Student Fellowships from direct recruitment, email inquiries, and from our website.

3) SSHRC clarification on Post-doctoral Fellow funding will facilitate retention. Our postdoctoral funding was designated for a project ethnographer. In Year 2 our ethnographer moved to a tenure track position within 6 months. In spring 2011 we contracted a new ethnographer and are instituting *Targeted Mini-Fellowships*, funding post-docs conducting short-term research, allocating two to date.

4) Rather than hire one half-time individual as Stakeholder Liaison, funds provided by SFU were used to contract different people for specific contributions toward the goals for the position. The project director and Steering Committee put extra effort into the liaising role. In the second half of project, stakeholder liaising and knowledge mobilization will be facilitated and expanded.

5) Finally, we have shifted emphasis in Years 1-3 to journal outputs for rapid dissemination (*Appendix C*), but are still planning the edited volumes noted in the Milestones Report.

These delays in the milestones schedule are not expected to have an impact on the completion date, though academic writing initiatives in particular may continue beyond the term of the MCRI award.

### **PARTNER / STAKEHOLDER ENGAGEMENT AND CONTRIBUTIONS**

Our most active partners have been Case Study co-developers and community research hosts. As co-researchers, they can contribute to every aspect of research, from design to analysis to dissemination. We learned as much from our community partners about collaboration, as have they about engaging with academic researchers. Partner representatives have participated in many project meetings and conference sessions—we include their voices and concerns in making meeting agendas, increasing their engagement. We also welcome partner representatives as members of our Working Groups. Partners play widely diverse roles, depending on their resources and abilities. For example, the World Archaeological Congress invited us to organize sessions for their InterCongress on Indigenous People and Museums, and served as the non-profit umbrella required for our FlipCam grant.

Participation of additional partners is expected to increase as Case Study research intensifies. Other

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<sup>17</sup> Revisions to Schedule 9 of SSHRC's MOU in April 2009, as funding began to flow for this MCRI, meant it became necessary for SFU to ensure non-eligible institutions follow MOU standards, resulting in lengthy, slow-to-execute sub-contracts. While grant transfer agreement negotiations with eligible institutions generally move faster, they can still take considerable time. Given the nature of our research, IP clauses are particularly problematic to our co-investigators and the community partners they share them with. The introduction of the 2nd edition of the *Tri-Council Policy Statement on Ethical Conduct for Research Involving Human Subjects* in 2010 likewise lengthened the time for ethics approval.

partners will increase their participation as we transition to developing position papers, compiling the *Guide to CBCHR*, and especially as we begin to develop tools for stakeholders. Importantly, we are increasingly seeing partner-to-partner interactions that provide mutual sharing and support.

We have added a number of new partners since our MCRI proposal. All have joined via case study or topical research. While case studies with some partners did not proceed, we remain in touch in more a stakeholder role. We find that being flexible in terms of what a partner can contribute at a given time maximizes engagement. Partners often have full agendas and are already overcommitted, but they are often as eager to see the results of research as we are. Financial contributions are listed on page 21.

We delineate partners directly engaged in contributing to IPinCH from stakeholders standing to benefit from the knowledge and resources generated by the project. During these first years, we have connected with numerous stakeholders through presence at conferences, word of mouth, and other outreach activities. Increasingly, we find they seek us out. For example, the BC Law Institute has approached us about informing several policy initiatives.<sup>18</sup> Internationally, the Ainu have asked for our assistance with heritage policy development. Significant efforts will be spent in the second half of the project to expand stakeholder relationships and to determine how best to disseminate results.

### SCHEDULE FOR COMPLETION

The outcomes set out in our MCRI proposal are proceeding regarding major project components; Knowledge Base resource gathering and dissemination; case study initiation; Working Group plans; partner and stakeholder engagement; and student training. With case studies underway, or in some cases close to completion, we are further developing our Working Group efforts for the second half of the project. They will focus on (a) analysis and interpretation of research results to contribute to more robust academic theory and practice; (b) dissemination of results and resources to partners and stakeholders; and (c) contributions to public policy and knowledge mobilization. We will also be conducting a critical self-analysis of the project with the aid of our project ethnographer.

Our preliminary research findings point to a significant broadening of understanding on such topics as the nature of knowledge in the context of cultural heritage; the importance of local knowledge and values in decisions about managing heritage; the recognition of intangible values as a long-ignored component of cultural (material) property; the limitations of legal IP regimes for protecting cultural knowledge; the flows of benefits; the indivisibility of tangible and intangible heritage, and of nature and culture; differences among local, national, and international heritage legislation and policies; and even concerns about the notion of “property.” We anticipate insights from our investigations will lead to more successful and satisfying research relationships and knowledge-sharing arrangements created by, for and with descendant communities, governments, researchers, and the public. Indeed, what we are learning through our critical theory-based collaborative research will make solid contributions towards the institutional establishment of, and epistemological basis for, new research approaches foregrounding community-based work in the realm of heritage studies.

Ironically, our research also demonstrates that even in a project devoted to collaboration and equity—working with team members highly experienced in community-based research and with willing partners—it has still been a struggle at times to successfully meld research and community needs, values, and protocols with SSHRC and university rules. We believe that IPinCH is already making significant inroads here, especially with our reflexive approach to collaborative research, sharing not only successes but our trials and tribulations (*Appendix C*).

### Integration and Synthesis

As our project continues according to plan, integration and synthesis of findings are natural outcomes

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<sup>18</sup> We have also been approached by Canada’s Truth and Reconciliation Commission; the Deputy Secretary of the Smithsonian Institution; and the Center for Heritage and Society; amongst others.

of information and knowledge flows from the KB and Case Study Research to Working Groups. Overarching themes and concepts are emerging through team discussions (e.g., on differing meanings of “collaboration” from standpoints of various parties engaged in research relationships) and through meta-analysis of case study reports. One such theme concerns the need for exploration of tensions between legal and ethical obligations around ownership and control of research products; a topic already being addressed through publication and other work in progress during the first three years.

The *Guide to Community-Based Cultural Heritage Research* not only is one of our key IPinCH products, but exemplifies the integration of team experience and expertise with relevant resources from the KB. A dissemination strategy, the *Guide* makes these available to heritage practitioners and the public. Working Groups. Potentially all team members and partners will contribute to the *Guide*. In addition, Steering Committee members Hollowell, Bannister, and Welch developed a questionnaire for team members and partners, strategically providing a bridge from empirical case study research to some of the overarching research questions set out in our MCRI proposal, and assessing the kinds of useful tools or resources IPinCH might provide to communities and stakeholders, mobilizing research results. A survey draft was evaluated at our Community Research Workshop.

### **Dissemination, Public Engagement, and Impact**

IPinCH is committed to dissemination of research results and resources to multiple sectors. Our website ([www.sfu.ca/ipinch](http://www.sfu.ca/ipinch)) provides a comprehensive public interface. It includes profiles of team members, students, associates, and partners; access to our *Newsletter*, project reports, and other publications; information on all aspects of the project, including IP-related conferences and funding opportunities; and is the portal to our KB. New dissemination avenues have also been added, including semi-annual newsletters (distributed widely at conferences, along with our brochures), a Facebook page, and a Twitter feed. Plans for webinars are underway.

Publications and conference presentations are two significant ways we disseminate activities to local, national, and international audiences, both lay and professional (*Appendix C*). To date, we have produced 3 book chapters (3 forthcoming), 8 publications in peer-reviewed academic journals (most co-authored; 1 translated and printed in a German journal), 54 conference papers, 12 conference panels/sessions, 2 videos<sup>19</sup>, 9 plenary lectures/keynote addresses, 3 public panels, 12 public lectures, 2 presentations to government bodies, a presentation to Microsoft Research, and other publications. Our academic publications have a high citation index. Media have covered IPinCH in a Radio New Zealand interview, 5 CBC radio interviews, 18 web news stories (2 on CBC), and 13 print articles.

Since the project began, student interest in the topic of cultural heritage and intellectual property has exploded, becoming a “hot topic” in departments of anthropology, archaeology, and law across Canada and internationally. Notably, we are included in Paul Mullins’ “2010 Year in Review” article<sup>20</sup> in *American Anthropologist*, in the context of “Practicing anthropologists [who have] made a concerted effort to critically assess precisely what constitutes collaboration, engagement ... (p. 235).”

IPinCH’s impact can be measured by what stakeholders are saying, and also by the increasing requests for engagement we receive from sectors as diverse as Canada’s Truth and Reconciliation Commission, the BC Law Institute, and an American college sports team. We now regularly receive invitations to participate in conferences, and are solicited by journal and encyclopedia editors for contributions. Over the past three years, the term “IPinCH” has become a recognized entity in certain research sectors; many scholars and students are aware of the project and pointing to our work as an example of cutting edge collaborative research. This will expand over the second half of the project,

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<sup>19</sup> One of these, *Oral Tradition into Written Tradition* (2010), directed by team member Barbara Winter (SFU), explores re-mixes, mash-ups, copyright, and intellectual property rights, and features project director George Nicholas. Available at: [http://www.sfu.ca/media-lab/archive/2009/428\\_wayang/h264\\_large/dharma\\_right\\_large.mov](http://www.sfu.ca/media-lab/archive/2009/428_wayang/h264_large/dharma_right_large.mov)

<sup>20</sup> *American Anthropologist* 113(2): 235-245.

## Appendix A: Draft Table of Contents

### *IPinCH Guide to Community-Based Cultural Heritage Research (CBCHR)*

[prototype webpage: <http://ipinch-online-guide.takahashidesign.ca/>]

#### **II. Introduction**

- 1.1. The Community-Based Research approach and its application to cultural heritage issues
  - 1.1.1. Focus/rationale for this volume; what it does and does not cover
  - 1.1.2. How to use it
- 1.2. How to contribute

#### **Part One: Background and Contexts for Research**

- 2. Defining community-based cultural heritage research
  - 2.1. Defining “community-based”; Defining “cultural heritage”; Defining “research”
- 3. Background for CBCHR: History, Philosophy, Theory, Practice, Policy
  - 3.1. Origins of the CBR approach (feminism, health, natural resource research, and more lead the way)
  - 3.2. Philosophical basis for CBR: underlying principles and ethics
  - 3.3. Practice as informed by:
    - 3.3.1. Ethnocritical framework, virtue ethics, and other frameworks for research ethics
    - 3.3.2. Research and harm; the precautionary principle
  - 3.4. Emergent theory in CBCHR
  - 3.5. Policy background
- 4. CBCHR contexts and applications
  - 4.1. Spectrums of involvement
    - 4.1.1. Academia, state agencies, sovereign governments, international bodies (WIPO; UN)
    - 4.1.2. How community-identified research emerges in each context; constraints and obligations
    - 4.1.3. Working with “outside” researchers
  - 4.2. Motivations and intentions of researchers, communities, and other entities
  - 4.3. Research relationships; the importance of long-term relationships
  - 4.4. “Continuum of collaboration”
  - 4.5. Working in your own community
  - 4.6. Political aspects and contexts (colonialist/postcolonialist/settler); power and resource differentials

**Part Two: Engaging in Research** [note: Each “chapter” may include a summary of good practices (which can then be compiled in the final section) and quotes or vignettes from individual experiences.]

- 5. Planning and Design
  - 5.1. A CBR approach to cultural heritage research design (overview)
  - 5.2. Grant writing and funding
    - 5.2.1. Granting bodies and grant-making relationships
    - 5.2.2. Opportunities and challenges: budget and finance considerations (links to funding sources)
  - 5.3. Building support
    - 5.3.1. Community Support
    - 5.3.2. Institutional support
  - 5.4. Capacity issues
  - 5.5. Guidelines, permissions (see also Part IV below)
    - 5.5.1. Community review
    - 5.5.2. Institutional ethics review
    - 5.5.3. Iterative consent
    - 5.5.4. Copyright
    - 5.5.5. Considerations with images and video
  - 5.6. Research design: what does research based on community values look like?
  - 5.7. Mutually-agreed terms, negotiations, benefit sharing
  - 5.8. IP rights; future uses, Memoranda of Understanding (MOUs), Memoranda of Agreement (MOAs)
  - 5.9. Community-based Contractual Agreements
  - 5.10. Delineating shared decision-making and responsibilities among the research team
- 6. During the Research Project (putting principles into practice)
  - 6.1. Cultural competency training for external researchers working in/with a community
  - 6.2. Negotiating day-to-day practices, communication, language use, compromise, conflict resolution

- 6.3. Ongoing evaluation, consent, and review
- 6.3. Community review
- 6.4. Critical ethnography
- 6.5. Involvement of elders, youth and other sectors of the community
- 6.6. Reporting and documenting; thinking through what to share and what not to share
- 6.7. Dissemination during the project (see also Part 3 below and Part 4 above)
- 6.8. Media coverage
- 7. Techniques and Technologies - Pros and Cons
  - 7.1. Traditional Use Studies
  - 7.2. Mapping
  - 7.3. Databases (Mori Cultural Resource Database; RRN)
  - 7.4. Use of Websites, Social Networking, and Video (pros and cons)
- 8. Outcomes
  - 8.1. Continuing Relationships
  - 8.2. Knowledge Mobilization
  - 8.3. Education (curriculum development; youth and elders)
  - 8.4. Project Evaluation; Lessons Learned
  - 8.5. Further Dissemination
    - 8.5.1. What should and should not be shared
    - 8.5.2. Publication venues, target audiences, reaching the public
    - 8.5.3. Methods and technologies for dissemination
  - 8.6. Archives and Repositories
    - 8.6.1. “Exit strategies” for data; rights to and over data
    - 8.6.2. What happens to knowledge and information once a project ends? (access; MOUs, MOAs)
- 9. Informing Future Policy, Practices, Theory, and Ethics (completing the circle) [See also Part 7]

**Part Three: Specific Topics in Cultural Heritage Research** IPinCH Working Groups play key role here;

- 10. Key readings, resources, and examples for each topic in Knowledge Base by Working Group topics;
  - 10.1. Methods: participant-observation, interviews, archival research, ethnohistorical research, oral histories
  - 10.2. Repatriation of ancestors; repatriation of objects; repatriation of knowledge
  - 10.3. Secret/sacred knowledge and sacred sites
  - 10.4. Archaeological heritage management
  - 10.5. Cultural tourism
  - 10.6. Commodifying culture
  - 10.7. Bioanthropological studies
  - 10.8. Uses of images
  - 10.9. Developing heritage websites
  - 10.10. Information sharing
  - 10.11. Ethnobotany

**Part Four: Guidelines for CBCHR: Research Policies and Protocols**

- 11. Legal Considerations
  - 11.1. IP Issues (copyright, trade secrets, trademarking, branding, patents)
  - 11.2. IP Matrix
- 12. Protocols and guidelines (examples from communities, institutions, professional bodies and more,
  - 12.1. Comparisons and analyses

**Part Five: Compilation of principles of good practices in CBCHR** (with links back to specific examples)

**Part Six: Real-life examples, from start to finish: Stories from people with CBCHR experience**

**Part Seven: How this Guide can be used to inform/change/implement policy**

- 13. Implementing Change
  - 13.1. Community level Policies
    - 13.1.1. Changing policies or power dynamics as a result of research and/or as part of research design
  - 13.2. Provincial/state and federal governments’ heritage policies
  - 13.3. International policy (WIPO; United Nations)

**Glossary**

## **Appendix B: Students in the IPinCH Research Project**

General student activities are detailed throughout this report; individual students are accounted for here, with the degree program each is pursuing listed in parentheses:

1. Siku Allooloo (First Nations BA, U. of Victoria), Case study RA, researching her home territory;
2. Nicole Aylwin (Ph.D, York U., Communication and Culture) Working Group RA, workshop organization, co-author of articles and chapters.
3. Julia Aoki (MA, York University), Working Group RA;
4. Ursula Arndt (PhD, SFU, Archaeology) Working Group RA;
5. Harry Au (BA, U. of Toronto), Working Group RA;
6. Karen Brady (MA, SFU, Resource Management), Working Group RA;
7. Gregory Carr (BA, DePauw U., Black Studies), publication assistance; literature review on Community-based Research and Ethics; assisted with 2009 IPinCH workshop;
8. Sarah Carr-Locke (PhD, SFU, Archaeology), Steering Committee Rep., Working Group RA;
9. Lindi Conover (BA, DePauw U., Anthropology), assisted with 2009 IPinCH workshop;
10. Elena Cirkovic (PhD, York U.), Working Group RA;
11. Aimée Craft (Treaty 1 First Nation student, MA, U. Victoria Law), Case Study RA, Treaty 1 research;
12. Kristen Dobbin (MA, U. Toronto, Social Cultural Anthropology), Working Group RA;
13. Emma Feltes (MA, Dalhousie U., Social Anthropology) Working Group RA & Case Study RA;
14. Alice Flahive (BA, U. Toronto) Working Group RA;
15. Kate Hennessy (PhD, UBC, Anthropology) moved from IPinCH Graduate Student Associate to Assistant Professor at SFU during the Inuvialuit case study; video specialist for Inuvialuit case study;
16. James Herbert (MA, SFU, Archaeology) KB developer; Working Group RA;
17. Heather Hogan (MA, York U.), Working Group RA;
18. Andrew Jacob (MA, York U.), Working Group RA;
19. Patrik Kawnik (BA, U. Toronto), Working Group RA;
20. Heather Kendall (MA, SFU, Archaeology) KB and Working Group RA;
21. Michael Klassen (PhD, SFU, Archaeology) IPinCH Fellow; Blood Tribe case study co-developer;
22. Mykol Knighton (MA, SFU, Resource Management), Working Group RA;
23. Marina La Salle (PhD, UBC, Anthropology) Associate, Steering Committee Student Rep. author;
24. Dru McGill (PhD, Indiana U., Anthropology), Working Group RA;
25. Jonathan McKenzie (MA, York U, Law) Working Group RA;
26. Lisa Norton (MA, York U.), Working Group RA;
27. Magdalena Olszanawska (MA, York U.), Working Group RA;
28. Andrew Paterson (LLB/JD, U. of Alberta, Law), RA for 2 Case Studies;
29. Nova Pierson (MA, SFU, Archaeology), KB and Dissemination RA;
30. Jennifer Pook (BA, SFU, History), KB data entry, and basic information extraction and analysis;
31. Solen Roth (PhD, UBC, Anthropology) IPinCH Associate, WG Co-chair, Student blog author;
32. Émilie Ruffin (PhD, Université Laval, Geography) Case Study RA;
33. Caeleigh Sheir (LLB/JD, U. of Alberta, Law) RA for 2 Case Studies;
34. Smith, Joshua (PhD, U. of Western Ontario, Anthropology) research with Asch and Noble;
35. Davina Two Bears (PhD, Indiana U., Anthropology) Working Group RA;
36. Allyshia West (MA, U. Victoria, Anthropology) MA thesis with Case Study;
37. Julie Woods (PhD, U. Massachusetts–Amherst, Anthropology) Case Study co-developer;
38. Kelsey Wrightson (MA, U. Victoria, Political Science) MA thesis with Case Study;



39. Jade Zhou (BA, SFU, Health Sciences) KB data entry, information extraction, analysis; organization.

### Graduate Theses

Allyshia West. 2010. Indigenous and Settler Understandings of the Manitoulin Island Treaties of 1836 (Treaty 45) and 1832. MA Thesis, Anthropology, University of Victoria.

Kelsey Radcliffe Wrightson. 2010. We are Treaty Peoples: The Common Understanding of Treaty 6 and Contemporary Treaty in British Columbia. MA Thesis, Anthropology, University of Victoria.

### Selected Student Publications and Projects (some co-authored with team members)

Aylwin, N. forthcoming 2011. Cultural Diversity: Another Important Part of our Heritage? In *Dynamic Fair Dealing: Creating Canadian Cultural Heritage Online*, edited by R. Coombe, D. Wershler, and M. Zeilinger. University of Toronto Press, Toronto.

Bell, C. and C. Shier. forthcoming December 2011. Control of Information Originating from Aboriginal Communities: Legal and Ethical Contexts. *Inuit Studies* 35(1-2).

Carr-Locke, S. 2011. Intangible Heritage in Museums: How Collaborations with Indigenous peoples are changing museum practice and exhibition. Indigenous People and Museums. World Archaeological Congress Intercongress, Indianapolis, June 22-25.

Carr-Locke, S. and G. Nicholas 2011. Working Towards Greater Equity and Understanding: Examples of Collaborative Archaeology and Museum Initiatives with Indigenous Peoples in North America. *SfAA Newsletter* 22(1): 4-9.

Coombe, R. and N. Aylwin. forthcoming 2011. Rethinking Cultural Heritage using International Human Rights Norms. In *Dynamic Fair Dealing: Creating Canadian Cultural Heritage Online*, edited by R. Coombe, D. Wershler, and M. Zeilinger. University of Toronto Press, Toronto.

Coombe, R. and N. Aylwin. 2011. Bordering Diversity and Desire: Marking Place-Based Products in Commerce. Stellenbosch Institute for Advanced Study Fellows Symposium, Feb. 25.

Feltes, E. 2011. Reciprocity, Protocol, and the Research Relationship. Society for Applied Anthropology. Seattle, WA, Mar. 31.

La Salle, M. 2010. Community Collaboration and Other Good Intentions. *Archaeologies* 6: 401-422.

La Salle, M. 2009. "C" is for...Community, Consultation, Capitalism, Colonization...and Collaboration. Canadian Anthropology Society and American Ethnological Society Meeting, Vancouver, BC. May 15.

Roth, S. 2011. Collaboration, Communication, and Negotiation in the Age of Digital Media and Mass-Production. Indigenous People and Museums. Session at World Archaeological Congress Intercongress, Indianapolis, June 23.

Smith, J. 2011. Action Anthropology and the 'Settler Question in Canada'. Society for Applied Anthropology. Seattle, WA. Mar 31.

### IPinCH Student Blogs

Carr-Locke, S. 2011. Social Networking. IPinCH website blog post. [www.sfu.ca/ipinch/node/751](http://www.sfu.ca/ipinch/node/751) May 17.

Carr-Locke, S. 2011. Remix, Copyright, A2K, and Indigenous IP Rights. IPinCH website blog post. [www.sfu.ca/ipinch/node/754](http://www.sfu.ca/ipinch/node/754) Jun. 6.

Roth, S. 2010. Not Just Their "Kitsch Mirror": Museum Reproductions and the Native Northwest Coast Giftware Industry. American Anthropology Association, New Orleans, LA, Nov. 19.

Roth, S. 2010. Notes from "The Otsego Institute" – Fenimore Art Museum, Cooperstown (NY), May 23-27, 2010. IPinCH student blog: [www.sfu.ca/ipinch/node/638](http://www.sfu.ca/ipinch/node/638) Jun. 10.

Roth, S. 2011. Marilyn Strathern – Graduate student workshop – "Can we still talk of 'cultural property'?" – October 13, 2010. Student blog on IPinCH website. <http://www.sfu.ca/ipinch/node/707>. Jan. 10.

## Appendix C: Selected IPinCH Project Outputs

(names in bold are members of the core IPinCH team; \*= IPinCH Associate; \*\* = IPinCH student)

### 1. ACADEMIC PUBLICATIONS

#### A) General Publications on IP Issues in Cultural Heritage

- Colwell-Chanthaphonh, C.\*, **T.J. Ferguson, D. Lippert, R. McGuire, G. Nicholas, J. Watkins, and L. Zimmerman**. 2010. The Premise and Promise of Indigenous Archaeology. Comment on R. McGhee's "Aboriginalism and the Problems of Indigenous Archaeology." *American Antiquity* 75(2): 228-238.
- Hollowell, J.**, and **G. Nicholas**. 2008. Intellectual Property Issues in Archaeological Publication: Some Questions to Consider. *Archaeologies* 4(2): 208-217.
- Nicholas, G.** forthcoming. Intellectual Property Issues. *Oxford Companion to Archaeology*, edited by N. Silberman. Oxford University Press.
- Nicholas, G., C. Bell, K. Bannister, S. Ouzman**, and J. Anderson. 2009. Intellectual Property Issues in Heritage Management, Part 1: Challenges and Opportunities Relating to Appropriation, Information Access, Bioarchaeology, and Cultural Tourism. *Heritage Management* 2(2): 261-286.
- Nicholas, G.**, A. Roberts\*, **D. Schaepe, J. Watkins, L. Leader-Elliot**, and **S. Rowley**. forthcoming 2011. A Consideration of Theory, Principles and Practice in Collaborative Archaeology. *Archaeological Review from Cambridge* (November).
- Nicholas, G., J. Welch, J. Watkins, R. Coombe, C. Bell, J. Anderson, B. Noble** and **K. Bannister**. 2010. Intellectual Property Issues in Heritage Management, Part 2: Legal Dimensions, Ethical Considerations, and Collaborative Research Practices. *Heritage Management* 3(1): 117-147.

#### B) Publications on IPinCH Community-based/Case Study Research

- Hollowell, J., D. Gendron**, and **S. Greer**. forthcoming. "Community-based Values as a Foundation for Heritage Research and Policy." *International Journal of Heritage Research*.
- Hollowell, J.** and **G. Nicholas**. 2009. Using Ethnographic Methods to Articulate Community-Based Conceptions of Cultural Heritage Management. *Public Archaeology* 8(2-3): 141-160.
- Lyons, N.\* forthcoming 2011. Archaeology & Native Northerners: The Rise of Community-Based Practice across the North American Arctic. In *Oxford Handbook of Arctic Archaeology*, edited by T. M. Friesen and O. Mason. Oxford University Press.
- Lyons, N.\* forthcoming. Creating Space for Negotiating the Nature and Outcomes of Collaborative Research: Projects with Aboriginal Communities. *Inuit Studies* 35(1-2) (special IP and Ethics issue).

#### C) Publications on IPinCH Working Group Themes

##### *Bioarchaeology, Genetics and IP*

- Hollowell, J.** and **G. Nicholas** (editors). 2009. Decoding Implications of the Genographic Project for Archaeology and Cultural Heritage. *International Journal of Cultural Property* 16(2): 141-181. Includes the transcript of a panel discussion that features **D. Pullman, S. Greer**, and **D. Yang**, comments by **D. Lippert**.
- Pullman, D.** and **G. Nicholas**. forthcoming. Intellectual Property and the Ethical/Legal Status of Human DNA: The (ir)Relevance of Context. *Inuit Studies* 35(1-2) (special IP and Ethics issue).
- Nicholas, G., J. Jules** and **C. Dan**. 2008. Moving Beyond Kennewick: Other Native American Perspectives on Bioarchaeological Data and Intellectual Property Rights. In *Kennewick Man: Perspectives on the Ancient One*, edited by H. Burke, et al., pp. 233-243. Left Coast Press.
- Nicholas, G., J., Welch, A. Goodman**, and **R. McGuire**. 2010. Beyond the Tangible: Repatriation of Cultural Heritage, Bioarchaeological Data, and Intellectual Property. *Anthropology News* 51(3): 11-12.

##### *Commodification of the Past*

- Nicholas, G.** and **A. Wylie**. 2009. Archaeological Finds: Legacies of Appropriation, Modes of Response. In *The Ethics of Cultural Appropriation*, edited by **J. Young** and **C. Brunk**, pp. 11-54. Wiley-Blackwell.

### **Cultural Tourism**

**Mortensen, L. and G. Nicholas.** 2010. Riding the Tourism Train? Navigating Intellectual Property, Heritage, and Community-Based Approaches to Cultural Tourism. *Anthropology News* 51(8): 11-12.

### **Customary, Conventional and Vernacular Legal Forms**

**Coombe, R.** 2009. The Expanding Purview of Cultural Properties and their Politics. *Annual Review of Law and Social Sciences* 5: 393-412.

**Coombe, R.** 2010. Der zunehmende Geltungsbereich von Cultural Properties und ihrer Politik. In *Die Konstituierung von Cultural Property: Forschungsperspektiven*, edited by R. Bendix, et al. pp. 235-256. University of Göttingen Press.

**Coombe, R.** 2010. Honing a Critical Cultural Studies of Human Rights. *Communication and Critical/Cultural Studies* 7(3): 230-246 (Special issue on Human Rights).

**Coombe, R.** 2011. Possessing Culture: Political Economies of Community Subjects and their Properties. In *Ownership and Appropriation*, edited by M. Busse and V. Strang. pp 105-127. Berg.

**Coombe, R.** 2011. Cultural Agencies: 'Constructing' Community Subjects and their Rights. In *Making and Unmaking Intellectual Property*, edited by M. Biagioli, et al., pp. 79-98. University of Chicago Press.

**Coombe, R. and N. Aylwin\*\*.** forthcoming 2011. Rethinking Cultural Heritage using International Human Rights Norms. In *Dynamic Fair Dealing: Creating Canadian Cultural Heritage Online*, edited by **R. Coombe, D. Wershler, and M. Zeilinger.** University of Toronto Press, Toronto.

### **Digital Information Systems and Cultural Heritage**

**Brown, D.\* and G. Nicholas.** forthcoming. Protecting Indigenous Cultural Property in the Age of Digital Democracy: Conventional Legal Approaches to Canadian First Nations and Maori Heritage. *Journal of Material Culture.*

**Nicholas, G.** forthcoming 2011. Indigenous Cultural Heritage in the Age of Technological Reproducibility: Towards a Postcolonial Ethic of the Public Domain. In *Dynamic Fair Dealing: Creating Canadian Cultural Heritage Online*, edited by **R. Coombe, D. Wershler, and M. Zeilinger.** University of Toronto Press, Toronto.

### **IP and Research Ethics**

**Bell, C. and C. Shier\*\*.** forthcoming December 2011. Control of Information Originating from Aboriginal Communities: Legal and Ethical Contexts. *Inuit Studies* 35 (1-2) (special IP and Ethics issue).

**Carr-Locke, S.\*\* and G. Nicholas** 2011. Working Towards Greater Equity and Understanding: Examples of Collaborative Archaeology and Museum Initiatives with Indigenous Peoples in North America. *SfAA Newsletter* 22(1): 4-9.

**Nicholas, G. and A. Wylie.** forthcoming 2011. "Do Not Do Unto Others...": Community-Based Participatory Research Approaches to Identifying Indigenous Heritage Concerns and Avoiding Harm. In *Appropriating the Past: Philosophical Perspectives on Archaeological Practice*, edited by R. Coningham and G. Scarre. Cambridge University Press.

**Nicholas, G., C. Bell, J. Watkins, J. Welch and K. Bannister.** 2009. Comments on the *Draft 2nd Edition of the Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans*. Submitted to the Interagency Advisory Panel on Research Ethics of the Tri-Council of Canadian Research Agencies, Jun. 30.

## **2) CONFERENCE PRESENTATIONS, WORKSHOPS, SYMPOSIA, AND POPULAR MEDIA**

### **A) General IP Issues in Cultural Heritage**

**Bell, C., P. Goff\* and R. Coombe.** 2010. Intellectual Property and Indigeneity: International Policy Making between Neoliberalism and Human Rights. Symposium sponsored by the York Centre for Public Policy and Law and IPinCH, York University, Sep 23.

**Bell, C.** 2010. IP and Trade in Indigenous Cultural Heritage: Research and Reform. York Symposium (above).

**Brown, D.\*** 2010. Interview on Intellectual Property in Cultural Heritage. Ideas. Radio New Zealand, Feb 28.

- Carr-Locke, S\*\*. 2011. Intangible Heritage in Museums: How collaborations with Indigenous peoples are changing museum practice and exhibition. Indigenous People and Museums, World Archaeological Congress Intercongress, Indianapolis, June 22-25.
- Hollowell, J. 2010, discussant, 'Saving the Lore' Version 2.0?: Sustainability, Heritage Studies, Cultural Preservation and Development. American Anthropological Association, New Orleans, LA.
- Nicholas, G.** 2010/2011. Essential Tensions in Archaeological Theory and Practice. Stanford Archaeology Centre. Archaeology Workshop Series. Stanford, CA, Nov. 18. and University of California-Berkeley. Berkeley, CA. Feb 16.
- Nicholas, G.** 2011. Achieving Reasonable Balance in Archaeological Practice. Society for American Archaeology Conference, Sacramento, CA, Apr. 2.
- Nicholas, G.**, organizer. 2011. Panel on "When the Tangible and Intangible are One": Exploring the Implications of Indivisible Cultural Heritage for Archaeology. Society for American Archaeology, Sacramento, CA, Apr. 3.
- Nicholas, G.** 2010. Interview on IP Issues in Cultural Heritage and the Vancouver 2010 Olympics. On the Coast with Stephen Quinn. CBC Radio One, Jan. 22.
- Nicholas, G.** 2010. Forum participant in A New Age for the SAA: International Indigenous Archaeology, organized by **J. Watkins**. Other participants include H. Kato\* and **E. Yellowhorn**. Society for American Archaeology, St. Louis, Missouri, Apr 15.
- Nicholas, G.** 2009. Decolonizing Archaeology. Brown University International Advanced Research Institute, Providence, RI, Jun. 10.
- Nicholas, G.** 2009. Intellectual Property Issues in Cultural Heritage: Global Challenges, Community Responses. Center for Ainu and Indigenous Studies, Hokkaido University, Sapporo, Japan, Oct. 4.
- Nicholas, G.** 2008. Who Owns or Has the Right to Benefit from the Past? The Global Archaeologies Conference of Archaeology, Dublin, Ireland, Jul 5.
- Nicholas, G.**, D. George-Shongo, R. West and J. O'Neal 2011. Panel on North American Indigenous Archival Materials. Truth and Reconciliation Commission of Canada's National Research Centre Conference, Vancouver, BC, Mar. 3.
- Nicholas, G.**, and **J. Hollowell**, organizers. 2008. Forum on Intellectual Property Issues in Archaeology: Appropriation vs. Fair Use, Forum at the Society for American Archaeology, Vancouver, British Columbia, Mar. 26. Participants included **S. Atalay**, **S. Rowley**, **L. Mortensen**, **E. Kansa**, and **D. Gendron**.
- Nicholas, G.**, **E. Kansa**, **S. Forbes** and **M. Solomon**, organizers. 2008. Intellectual Property Issues in Archaeological Heritage: Case Studies, Challenges, Fair Access, Best Practices, Equitable Resolution. 6th World Archaeological Congress, Dublin, Jun 29-July 4.
- Nicholas, G.**, **S. Ouzman**, **S. Forbes** and **E. Kansa**. 2008, organizers. Cultural and Intellectual Property Issues in Archaeological Heritage: Identifying the Issues, Developing Modes of Resolution. 6th World Archaeological Congress, Dublin, Jun 29-July 4.
- Nicholas, G.** and **D. Schaepe**, organizers. 2008. The IPinCH Project: Addressing Intellectual Properties Issues in BC Archaeology. Panel participants **G. Nicholas, G.**, **D. Schaepe**, **J. Welch**, **S. Rowley**, S. Dielissen. BC Archaeology Forum, Chilliwack, British Columbia, Canada, Oct. 18.
- Wylie, A.** 2008. Legacies of Collaboration: Transformative Criticism in Archaeology. Patty Jo Watson Distinguished Lecture, American Anthropological Association, San Francisco, Nov. 21.
- Wylie, A.** and K. Fryer Edwards, organizers. 2008. Expanding Interdisciplinarity: from Campus to Community: Community-based Participatory Practice in Focus. Public Panel (June 5, 2008) and Academic Workshop (June 6 -7, 2008). IPinCH Participants: **S. Atalay**, **TJ Ferguson**, and **G. Nicholas**. Sponsored by the Science Studies Network of the University of Washington, June 5-7.
- Wylie, A.**, **G. Nicholas**, S. McHalsie, **D. Schaepe**, L. Arbour, D. Cook and L. Fortmann. 2010. Constructive Engagement: Aboriginal and Scientific Communities in Collaboration. Public Panel on Objectivity in Science: What is It? Why Does it Matter? University of British Columbia, June 17-20.

## B) On IPinCH Community-based/Case Study Research Themes

### **General Community-based/ Case Study Research**

- Hollowell, J.** 2008. Archaeologies and Ethnographies. American Anthropological Association, San Francisco, Nov. 20.
- Hollowell, J., and G. Nicholas.** 2008. Using Ethnographic Methods to Articulate Community-Based Conceptions of Heritage Management and Explore Intellectual Property Issues in Archaeology. Wenner Gren Workshop on Archaeological Ethnographies: Charting a Field, Devising Methodologies. Poros, Greece, Jun. 6-8.
- Watkins, J.** 2009. Community-based Participatory Research: Building Partnerships with “The Other.” Plenary Lecture, Society for Applied Anthropology, Santa Fe, Mar. 19.
- Nicholas, G.** 2009. Collaboration through Community-based Research Approaches to Indigenous Knowledge. In invited AAA Presidential Session: Indigenous Knowledge and Archaeology. American Anthropological Association, Philadelphia, PA, USA, Dec. 5.
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- Joe, M. and N. Lyons\*. 2011. The Inuvialuit Smithsonian Project: Engagement with the MacFarlane Collection. Parks Canada, Western Arctic Field Unit, Inuvik, Feb. 16.
- Joe, M., N. Lyons\*, D. Nasogaluak, J. Pokiak, and R. Pokiak. 2011. The Inuvialuit Smithsonian Project: Engagement with the MacFarlane Collection. Mangilaluk Secondary School and Tuktoyaktuk Elders Committee, Tuktoyaktuk, Feb. 17.
- Loring, S., N. Lyons\* and M. Lepage.** 2010. Inuvialuit Encounter: Confronting the Past for the Future: an IPinCH Case Study. *The Smithsonian Arctic Studies Center Newsletter* 17, Mar.
- Lyons, N.\* 2010. An Inuvialuit Journey to the Smithsonian. *Up Here In-flight Magazine*. Mar. 1:2.
- Lyons, N.\* and A. Elias. 2009. Interview on Inuvialuit Smithsonian Visit. BC Almanac with Mark Forsythe. CBC Radio One, Nov. 13.

### **Kyrgyzstan Case Study**

- Pyburn, A., C. Beebe and A. Zhumabaeva.** 2011. On Display: Local Museums and Heritage in Kyrgyzstan. Indigenous People and Museums, World Archaeological Congress Intercongress, Indianapolis, June 24.

### **Yukon Case Study**

- Greer, S.** 2011. Yukon First Nations Heritage Programs. International Symposium on Cultural Resources and Intellectual Properties of Indigenous Peoples: Theory and Practice, organized by the Center for Ainu and Indigenous Studies. Kushiro, Hokkaido, Japan, Jan. 18.
- Greer, S. and S. Forbes.** 2010. IPinCH Case Studies: Moriori to Yukon First Nations Heritage Group. Presentation at Yukon First Nations Heritage Group meeting. Whitehorse, Yukon, Feb 24.
- Strand, D. 2011. *Aduri – Our Way*. International Symposium on Cultural Resources and Intellectual Properties of Indigenous Peoples: Theory and Practice, organized by the Center for Ainu and Indigenous Studies. Kushiro, Hokkaido, Japan, Jan. 18. (a partner-to-partner presentation)

### **Ziibiwing Case Study**

- Martin, S., W. Johnson and **S. Atalay.** 2011. Learning Together: Core Tribal Values, Transformative Influences, and Shared Benefit. Indigenous People and Museums, World Archaeological Congress

Intercongress, Indianapolis, June 24.

### C) On IPinCH Working Group Themes

#### ***Bioarchaeology, Genetics and IP***

**Pullman, D.** and **G. Nicholas.** 2010. Intellectual Property and the Ethical/Legal Status of Human DNA: The (ir)Relevance of Context. 17th Inuit Studies Conference, Val-d'Or, QC, Oct. 28.

#### ***Collaboration, Relationships, and Case Studies***

Feltes, E.\*\* 2011. Reciprocity, Protocol, and the Research Relationship. Society for Applied Anthropology. Seattle, WA, Mar. 31.

La Salle, M.\* 2009. "C" is for...Community, Consultation, Capitalism, Colonization...and Collaboration. Canadian Anthropology Society and American Ethnological Society Meeting, Vancouver, BC, May 15.

**Nicholas, G.** 2008. Why "Collaboration" Means Much More Than "Working Together." Plenary presentation, Society for American Archaeology Conference, Vancouver, British Columbia, Mar. 26.

**Noble, B.** 2011. The "Settler Question" in Canada and the Challenge of Living Together in Common Lands. Canadian Anthropology Society. Fredericton, NB, May 12.

**Noble, B.** 2009. Tripped up by Coloniality: Anthropologists as Agent-Tools of Indigenous People's Autonomy. Colloquium, University of Victoria, BC, Mar. 20.

**Noble, B.** 2009. Anthropologists as Agent/Tools of Indigenous People's Autonomy: Insecurity, Research and the Unlimits of Relations. American Anthropological Association Conference, Philadelphia, Dec. 3.

#### ***Commodifications of the Past?***

**Bell, C.** 2011. Ownership and Trade of Aboriginal Cultural Heritage in Canada. International Trade in Indigenous Cultural Heritage: Legal and Policy Issues Workshop, Univ. of Lucerne, Switzerland, Jan. 17.

**Coombe, R.** and N. Aylwin\*\*. 2011. Bordering Diversity and Desire: Marking Place-Based Products in Commerce. Stellenbosch Institute for Advanced Study Fellows Symposium, Feb. 25.

**Coombe, R.** 2011. Bordering Diversity and Desire: Marking Place-Based Products in Commerce. Centre for the Study of Globalisation and Social Change. City University of New York Graduate Faculty, Apr. 6.

**Coombe, R.** 2011. Indigenous Cultural Heritage Goods at the Intersection of Cultural Heritage and International Trade. International Trade in Indigenous Cultural Heritage: Legal and Policy Issues Workshop. University of Lucerne, Switzerland, Jan. 17.

**Coombe, R.** 2011. Bordering Diversity and Desire: Marking Place-Based Products in Commerce. Law and the Geographical Imagination symposium. Food Studies Centre, School of Oriental and African Studies, London School of Economics, Mar 24.

Roth, S.\*\* 2011. Session organizer: Museum-Community Partnerships in the Age of Mass Reproduction, Indigenous People and Museums, World Archaeological Congress Intercongress, Indianapolis, June 23-24.

Roth, S.\*\*. Beyond Collaborative Research and Exhibitions: Markets, Reproductions, and the Idea of "Collaboration." World Archaeological Congress Intercongress, Indianapolis, June 23-24.

#### ***Customary, Conventional and Vernacular Legal Forms Theme***

**Bell, C.** 2011. Aboriginal and Treaty Rights in the Canadian Constitution: Current Research on Consultation and Métis Rights. Department of Canadian Studies, Hebrew University of Jerusalem, Israel, Apr. 13.

Brown, D.\* and **G. Nicholas.** 2010. Protecting Canadian First Nations and Maori Heritage through Conventional Legal Means. Canada and New Zealand: Connections, Comparisons and Challenges Conference. U. of Wellington, Wellington, NZ, Feb. 9.

**Coombe, R.** 2008. Cultural Subjectivities and Neoliberal Regimes. Plenary Panel on Law and Global Minorities. Cultural Studies Association Meeting, New York, Apr. 22.

- Coombe, R.** 2008. Law and the Geography of Cultural Rights. South African Research Chair in Property Group Symposia, Stellenbosch University. Stellenbosch, South Africa, Nov. 23.
- Coombe, R.** 2008. Cultures, Communities and Properties in a New Neoliberal Geography. Keynote Address, Commonwealth Association for Social Anthropology Meetings, Dec 8.
- Coombe, R.** 2009. Intellectual Property and its Cultures: Informational Capital and Cultural Resources in a Neoliberal Era. Plenary Panel, Law and Social Sciences in South Asia, Centre for the Study of Law and Governance, Jawaharlal Nehru University, New Delhi, Jan 10.
- Coombe, R.** 2009. Worlds we have inherited: Tradition and its knowledge within Modern Law. At: Inheriting the World: Concepts and Practices of Intergeneration Transfer in Global Cultural Policy, a Workshop at the Zentrum fur Literature-un Kulurforschung. Berlin, Germany, Apr. 22.
- Coombe, R.** 2010. Intellectual Property, Heritage, and Cultural Rights: Alternative Paradigms. In Intersections: Intellectual Property, Cultural Heritage & Indigenous Peoples, organized by Daniel Sherman\* and Jessica Facciponti. Society for Applied Anthropology, Merida, Mexico, Mar 27.
- Coombe, R.** 2010. Property Forms and Heritage Politics. In the session Critical Heritage Studies: Knowledge, Identity and Power, organized and chaired by M. Baird\* American Anthropological Association. New Orleans, LA, Nov. 21.

### ***Digital Information Systems and Cultural Heritage***

- Carr-Locke, S.\*\* 2011. Social Networking. IPinCH website blog post. [www.sfu.ca/ipinch/node/751](http://www.sfu.ca/ipinch/node/751) May 17.
- Carr-Locke, S.\*\* 2011. Remix, Copyright, A2K, and Indigenous IP Rights. IPinCH website blog post. [www.sfu.ca/ipinch/node/754](http://www.sfu.ca/ipinch/node/754) Jun. 6.
- Kansa, Eric.** 2011. Remixable Cultural Heritage: The Promise and Problems of Open Data, and Radical Transparency for the Past on the World Wide Web. "Why Does the Past Matter?," Center for Heritage and Society, UMass-Amherst, April 3–7.

### ***IP and Research Ethics***

- Bell, C.** 2010. Access to and Control Over Data and Products of Research: IP, Research and Tribunal Contexts. Presented to the Canadian Bar Association North, Nov. 3.
- Bell, C.** 2011. We Are This: Ethical and Legal Responses to Protection of Indigenous Cultural Heritage in Canada. Harry S. Truman Research Institute for the Advancement of Peace, Hebrew University of Jerusalem. Jerusalem, Israel, Apr. 11.
- Hollowell, J.**, organizer. 2009. Symposium on Ethics and Community-based Fieldwork: Sharing Lessons Learned and Good Practices. Participants included **C. Bell, J. Anderson, S. Loring DePauw U.**, Greencastle, IN, Apr. 21.
- Nagy, M.** 2010, organizer, Intellectual Property and Ethics Session. Inuit Studies Conference, Val-d'Or, QC, Oct. 28-30.
- Bell, C.** 2010. Access to and Control over Information Originating from Aboriginal Communities in Canada. Inuit Studies Conference, Val-d'Or, QC, Oct. 28.
- Bell, C.** 2010. Respect, Rigour and Responsibility: Collaborative Ethics Practices and the Academy. Inuit Studies Conference, Val-d'Or, QC, Oct. 29.
- Lyons, N.\* 2010. The Middle Ground: Negotiating the nature and ownership of research outcomes in collaborative projects with Aboriginal communities. Inuit Studies Conference, Val-d'Or, QC, Oct. 28.
- Nicholas, G.** 2009. The Ethical Dimensions of Intellectual Property in Cultural Heritage: Community-Based Approaches to Identifying and Avoiding Harm. Appropriating the Past: The Uses and Abuses of Cultural Heritage Conference. Durham University, St Hild and Bede College, Jul. 7.
- Two Bears, D.\*\* and D. McGill\*\*. 2011. Seeking Best Practices and Important Themes in Collaborative Research Agreements. Indigenous People and Museums, World Archaeological Congress Intercongress, Indianapolis, June 24.