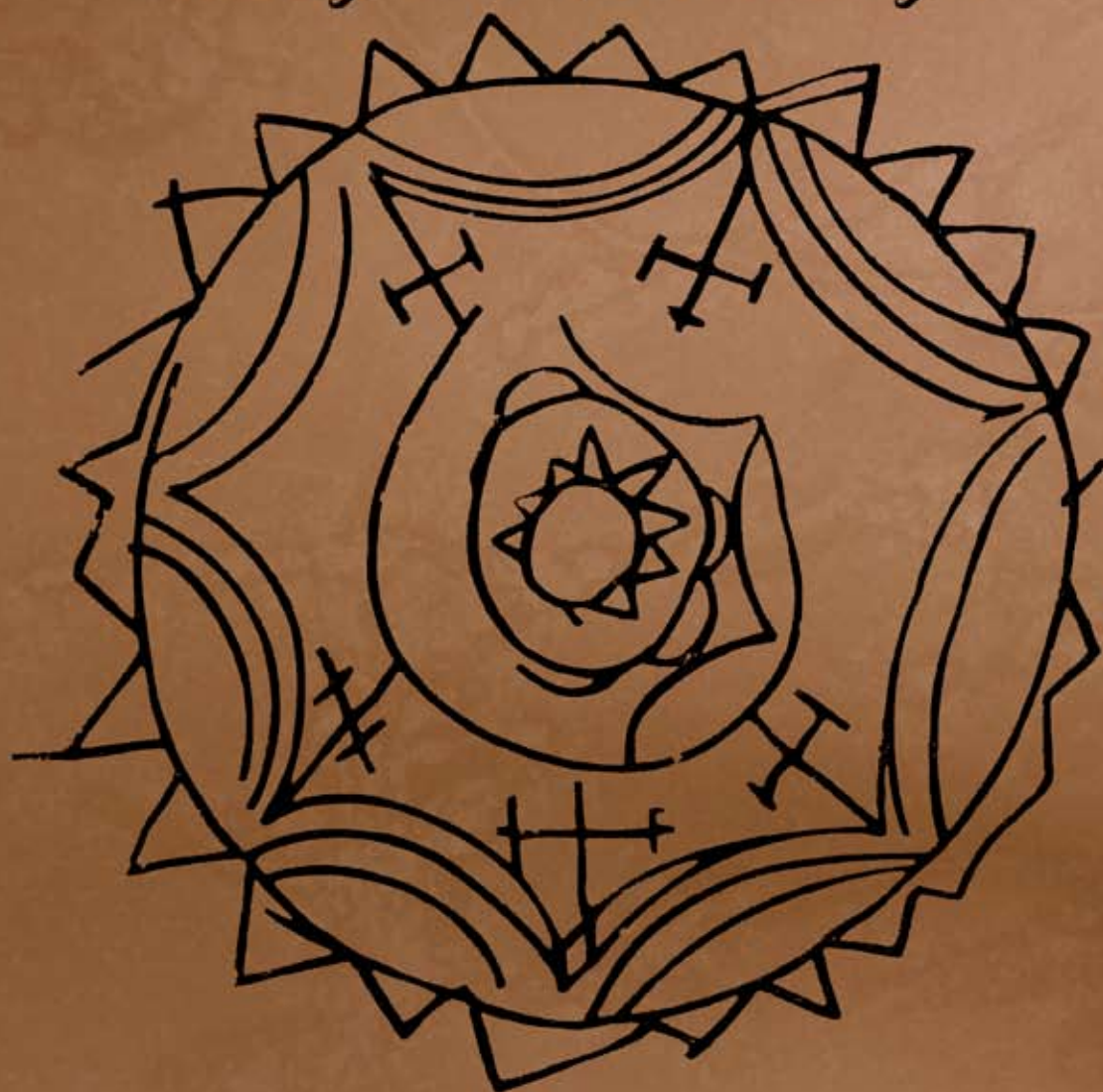




Mikmaq

Ecological Knowledge



Study Protocol

1st Edition



The Assembly of Nova Scotia Mi'kmaq Chiefs would like to recognize and commend the efforts of the following Mi'kmaq organizations who through their technical representatives, provided much guidance and support throughout the drafting stages of this Mi'kmaq Ecological Knowledge Study Protocol





Assembly of Nova Scotia Mi'kmaq Chiefs

Mi'kmaq Ecological Knowledge Study Protocol

As Ratified on November 22, 2007





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Foreword

The enclosed Mi'kmaq Ecological Knowledge Study Protocol (MEKS Protocol) represents an important milestone for the Nova Scotia Mi'kmaq to manage the collection and distribution of Mi'kmaq Ecological Knowledge throughout Nova Scotia. The protection of Mi'kmaq Ecological Knowledge¹ (MEK) has been highlighted as a key issue through the Assembly of Nova Scotia Mi'kmaq Chiefs (the "Assembly"). The Assembly exists as an institution of governance for the Mi'kmaq of Nova Scotia with respect to issues of common interest and concern. It includes representation from all the thirteen Mi'kmaq Bands located throughout the province of Nova Scotia.

The purpose of the MEKS Protocol is to identify the essential components of an MEKS in accordance with the concerns and aspirations of the Assembly. By enacting this MEKS Protocol, the Assembly trusts that it will contribute to the following objectives: acknowledgment and respect of Mi'kmaq cultural practices, values and traditions; preservation of a Mi'kmaq cultural identity; an open, transparent and accountable MEKS process that is receptive to the unique needs of the Nova Scotia Mi'kmaq.

Although this MEKS Protocol will serve as the primary basis for any proposed MEKS in Nova Scotia, it should not be read in isolation from other Mi'kmaq regional or provincial processes regarding MEKS. Furthermore, the MEKS Protocol does not operate as to replace other applicable Mi'kmaq research ethics practices or procedures that exist or may be created from time to time. Where said provincial and regional processes exist, this MEK Protocol shall be liberally interpreted for consistency with said regional and provincial processes. If in the event that there is a clear conflict between this MEKS Protocol and other provincial and regional processes, this MEKS Protocol shall take precedence and prevail.

The MEKS Protocol is also a working or rolling document that through the course of time will undergo further discussion and change. Therefore, when undertaking an MEKS in Nova Scotia, please check for the latest revised document to ensure that any proposed MEKS practices are in keeping with the most recent positions and perspectives of the Nova Scotia Mi'kmaq.

¹ Throughout this document, Mi'kmaq Ecological Knowledge is intended to reflect the concept and meaning of Aboriginal Traditional Knowledge. However, it should also be noted that Mi'kmaq Ecological Knowledge is also specific to the unique practices, culture, values and traditions that the Mi'kmaq people have to all components of the natural environment.





Section I – Introduction

Since time immemorial, the Mi'kmaq have used and occupied their traditional territory known as Mi'kma'ki which includes Nova Scotia, Prince Edward Island, New Brunswick and parts of Quebec, Newfoundland and the northeastern part of Maine. Mi'kmaq Paleo-Indian sites in Nova Scotia provide archaeological evidence of Mi'kmaq occupation for over 10,500 years. Today, the Mi'kmaq continue to use and occupy Mi'kma'ki and share a deep and profound relationship with their traditional lands.²

In Mi'kmaq cultural tradition, the Mi'kmaq utilize Netukulimk – a Mi'kmawey concept which includes the use of the natural bounty provided by the Creator for the self-support and well-being of the individual and the community at large. Netukulimk also encompasses ecological beliefs through the interplay of collective and individual responsibilities of the Mi'kmaq to the natural world. Such relationships with the land are holistic in nature and consider many aspects of the natural and spiritual world. These include, but are not limited to, land/marine resource use, management, conservation and Mi'kmaq spiritual beliefs.

Throughout history and today, Mi'kmaq subsistence and spiritual practices encompass the natural world in a manner that is, at times, distinct from understandings inherent in western society. The Mi'kmaq do not perceive the natural and spiritual world as separate and distinct spheres. This longstanding relationship that the Mi'kmaq have maintained for centuries with their natural surroundings is the foundation for MEK. For the Mi'kmaq, MEK is not just simply an exercise in the examination of Mi'kmaq land and resource use; rather, it also involves a unique approach to the gaining of this information through Mi'kmaq cultural practices and tradition.

Secondly, MEK is not static. It is constantly reanalyzed and tested through the experiences of new generations of Mi'kmaq. This experience considers and incorporates new and emerging resource issues thus enabling reliable MEK data to emerge through a shared experience. In light of this cultural dialogue or practice, it is important that a guiding and interpretive framework be advanced to take into account these unique practices, beliefs and perspectives through a respect for cultural difference.

² Taken from confidential source material from: The Confederacy of Mainland Mi'kmaq, Membertou Corporate Inc., and the Unama'ki Institute of Natural Resources.





Section II – Definitions

2.1 Within this Mi'kmaq Ecological Knowledge Study Protocol:

“Assembly” means the Assembly of Nova Scotia Mi'kmaq Chiefs which operates as an institution of governance for the Mi'kmaq of Nova Scotia.

“Consultant” means a company, group or individual that has primary responsibility to undertake and deliver a Mi'kmaq Ecological Study within the province of Nova Scotia.

“Consultation” means any Crown and Mi'kmaq government³ discussion, negotiation or meeting used to justify Crown infringement of Aboriginal and treaty rights.

“Government” means any federal, provincial or municipal department, agent or representative.

“MEK” means Mi'kmaq Ecological Knowledge and includes the collection and adaptation of knowledge that Mi'kmaq people have with all components of the natural environment and the interrelationships that exist between all life forms from a unique historical, cultural and spiritual perspective.

“MEKS Protocol” means the Mi'kmaq Ecological Knowledge Study Protocol and includes all attached appendices and amendments that may be made from time to time.

“Mi'kmaq Ecological Knowledge Study” means all components related to the planning, collection, analysis, reporting and distribution of Mi'kmaq Ecological Knowledge in Nova Scotia.

“MEK Report” means any document that considers MEK data pursuant to any Project defined in this MEKS Protocol.

“Mi'kmaq Community” means any of the Mi'kmaq First Nation Bands, affiliated communities or other Mi'kmaq communities that exist throughout Nova Scotia.

“Mi'kmaq Participant” means any person of Mi'kmaq descent who has agreed to participate in an MEKS.

³ Mi'kmaq Government is intended to mean any of the thirteen Nova Scotia Mi'kmaq Bands in whole or in part.





“**Netukulimk**” means the Mi'kmaq use of the Creator's natural bounty for self-support and well-being and the interplay of collective and individual responsibilities that the Mi'kmaq have to the natural world.

“**Project**” means any undertaking that has triggered an MEKS to occur.

“**Proponent Company**” means a company, group or person responsible for undertaking a Project.

Section III – Interpretation

3.1 Nothing in this MEKS Protocol or any related discussions, communications or documentation shall be interpreted as to abrogate, derogate, or in any way, affect, limit or detract from the existing Aboriginal and treaty rights that the Mi'kmaq people individually and collectively enjoy throughout Nova Scotia.

3.2 For greater certainty to Section 3.1, nothing in this document shall be interpreted as Consultation for purposes of justifying an infringement on Mi'kmaq Aboriginal or Treaty rights that exist or may be found to exist in the future.

3.3 This MEKS Protocol shall be read to compliment any Mi'kmaq regional or provincial processes that pertain to MEK data collection and, in the event of a conflict between said process(s) and this Protocol, this Protocol shall take precedence and prevail.

Section IV – MEKS Methodology

4.1 MEKS methodology provides guidelines and standards⁴ on suggested practices and procedures relevant to the planning/design, development, implementation and reporting stages of an MEKS.

Phase I - Planning and Design

This Phase includes all preliminary work specific to the development of an MEKS. Although Consultants may differ on the approach or substance of the components contained within this Phase, it is a requirement that an MEKS both consider and address each of the following elements:

⁴ This MEKS Protocol provides both standards and recommended guidelines for all stages of an MEKS. For greater certainty, guidelines should be interpreted as general “rules of thumb” or “best practices.” Standards exist as requirements or obligations that are to be followed at various stages of an MEKS.





A) Communications:

Communication is a key activity to the Phase I component of the MEKS. At the front end of the MEKS process, the Consultant shall draft a letter outlining its intention to the proposed MEKS process. At a minimum, this letter should include the following:

- information on the Proponent Company
- outline the nature of the Project
- include background information on the Consultant
- outline the purpose of the MEKS
- specify the proposed MEKS process and related activities
- comment on the intended use of the MEKS
- provide relevant contact information
- provide an opportunity for feedback/input

The letter should be sent to the Assembly, Union of Nova Scotia Indians, The Confederacy of Mainland Mi'kmaq, Kwi'mu'kw Maw-klusuaqn and the political leadership of each Mi'kmaq First Nation Band that the Consultant intends to collect MEKS data within. For a list of relevant contact persons and Mi'kmaq Bands see Appendix B.

B) Research Principles and Protocols – Mi'kmaw Ethics Watch:

The Research Principles and Protocols provides a prescribed approval process to the collection, analysis and reporting of research data generated from Mi'kmaq First Nation communities throughout the province of Nova Scotia. The Consultant should consider the Research Principles and Protocols as an additional research process requirement in the early planning stages of an MEKS. For a copy of the Mi'kmaq Research Ethics Protocol, see Appendix D.

Phase II - Delivery and Implementation:

This Phase includes all work specific to the delivery and implementation of a MEKS in Nova Scotia. As previously stated, although Consultants may differ on the approach or substance contained within this Phase, it is highly recommended that a MEKS both consider and address, at a minimum, each of the following elements:

A) Informed Consent and Confidentiality:

Before data collection of MEK data takes place, it is highly recommended that the Consultant first secure informed consent with the Mi'kmaq Participant. Two key elements to informed consent involve education and agreement. The Consultant should ensure that the interviewee is provided



information and demonstrate a clear understanding of the following:

1) Education:

- proposed project specifics
- purpose of an MEKS
- use of MEKS data in the approval process(s)
- the MEKS is not intended to be Consultation for the purpose of justifying an infringement on Aboriginal and Treaty rights

2) Agreement:

- that participation is voluntary
- written Consent and Release form is explained and completed

B) Project Scoping:

The collection of MEK data is based on the concept of Netukulimk. When determining the study area, the Consultant should take into account the nature of MEK data which demands the inclusion of the following:

- MEK data is project and time specific and as such will require recent and updated MEK data
- collection of MEKS data within a buffer area may be considered to be more extensive than the proposed Project footprint
- the collection of Mi'kmaq use and occupation sites and their importance to Netukulimk
- the significance of the inclusion and recognition of Mi'kmaq historical, spiritual and cultural information

C) Developing a Relationship and Interviewing:

This MEKS Protocol does not restrict or define who does a MEKS. However, it does recognize that every Mi'kmaq community has the right to decide whether they should participate with a Consultant on a MEKS. When engaging a Mi'kmaq Participant through an MEKS interview process a number of areas should be considered in terms of developing an approach to the collection of MEK data. At a minimum, these areas should include the following:

- interviews are conducted in the Interviewee's language of preference
- interviews should be conducted at the place of preference to the interviewee



- the interviewer should have appropriate materials including maps and recording devices
- tokens of Appreciation and Gratitude
- the interviewer should be knowledgeable and respectful of Mi'kmaq cultural norms
- the interviewer should take into account “response burden”
- first and second hand accounts should be considered in the collection of MEKS data

D) Sufficiency of MEK data:

It is important that the Consultant ensure that an adequate amount of MEKS data is collected within the proposed study area. The collection of MEK data is dependent on a number of factors. When conducting a MEKS, the Consultant shall make every effort to uncover MEK data from a target group of Mi'kmaq Participants. The target group, at a minimum, must include Mi'kmaq Participants who have specific MEK knowledge or have conducted land use activities in the proposed study area. It is recommended that the Consultant ensure that appropriate time, funding and resources are available to account for the collection of sufficient MEK data. In the event that the Consultant is not able to collect a sufficient amount of MEK data, the reasons or potential causes for this circumstance must be outlined in the MEK Report.

E) Historical Research and Ground Truthing:

The MEKS must include a historical review of Mi'kmaq activity both within and surrounding the proposed study area and an “on the ground” site visit. At a minimum, these activities should include the following:

- historical research from primary and secondary resource materials and oral accounts
- site visits identifying and confirming MEK data
- due regard to safety issues

Phase III - Finalizing the MEKS Report and Disclosure:

This Phase includes all work specific to the analysis of MEK data, reporting and disclosure of MEK information. It is recommended that a MEKS both consider and address, at a minimum, the following two key elements:

A) MEK Data Analysis:

- when reporting MEK data, the Consultants shall use a GIS software program
- when determining the significance of MEK Data the Consultant shall have due regard to both scientific and Mi'kmaq cultural practice and tradition





- the Consultant utilize the following factors when determining the significance of MEK data:
 - the uniqueness and nature of the land or resource use/occupation
 - the cultural use or spiritual meaning of the land or resource use/ occupation
 - the availability and the importance of the land or resource use/ occupation

B) Disclosure and Reporting of MEK Data:

- MEKS Report findings should contain MEK baseline information such as the type of use and species including numbers present
- only MEK of significance be outlined in the report through the use of a GIS
- consideration and due regard should be granted to confidentiality of a Mi'kmaq Participant's MEK data
- the MEKS should provide suggestions on mitigation or remediation of potential impacts in a manner that reflects sound environmental practice from a scientific and Mi'kmaq cultural perspective
- the MEKS Report should be distributed in a timely manner to the Mi'kmaq political organizations as outlined in Appendix C
- the MEKS Report must account for the explicit reservation and protection of Intellectual Property Rights that the Mi'kmaq individually and collectively enjoy in Nova Scotia
- the Consultant shall make explicit reference in the MEKS Report that it is not intended nor is it to be interpreted as constituting Consultation for the purpose of justifying an infringement on the existing Aboriginal and Treaty rights of the Mi'kmaq in Nova Scotia

Section V – Amendments

6.1 This MEKS Protocol can be amended at any time by resolution through majority vote at a duly convened Assembly meeting.

6.2 In the event that an amendment is made to this MEKS Protocol, the said amendment shall be recorded in the Assembly minutes and a copy of the motion shall be attached to the MEKS Protocol as an Appendix.





Section VI – Appendices

See Attached





APPENDIX A

ASSEMBLY OF NOVA SCOTIA MI'KMAQ CHIEFS

Resolution Respecting: A Mi'kmaq Protocol on Mi'kmaq Ecological Knowledge Studies in Nova Scotia

Whereas the Assembly of Nova Scotia Mi'kmaq Chiefs (hereinafter the "Assembly") exists as an institution of governance for the Mi'kmaq of Nova Scotia in respect of issues of common interests and concerns;

And Whereas the Assembly is, in part, responsible to communicate to Canada and Nova Scotia the common position of the Mi'kmaq of Nova Scotia on matters of concern to all the Mi'kmaq people in Nova Scotia;

And Whereas the Assembly, by motion at a duly convened meeting on January 25th 2007, have identified the need to undertake a Mi'kmaq Protocol specific to the design, development and implementation of Mi'kmaq Ecological Knowledge Studies (MEKS) within the province of Nova Scotia;

And Whereas the overall objective of the Protocol is to set up standards and understandings on items that the Assembly considers to be proper MEKS in Nova Scotia;

And Whereas for said purpose, the Assembly has mandated the composition of a committee of technical representatives from the various Mi'kmaq organizations throughout Nova Scotia;

And Whereas the technical committee has jointly developed the attached MEKS Protocol for consideration and approval by the Assembly;

Now Therefore The Assembly Resolves That:

The attached MEKS Protocol is formally adopted by the Assembly of Nova Scotia Mi'kmaq Chiefs.

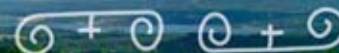
Passed at Old Orchard Inn, Wolfville, Nova Scotia, this 22nd, day of November, 2007.

Moved By: Chief Wilbert Marshall, Chapel Island (Potloteck) First Nation

Seconded By: Councilor Ian Knockwood, Proxy, Shubenacadie (Indian Brook) First Nation

Decision: Carried by Consensus.





APPENDIX B

List of Nova Scotia Mi'kmaq First Nation Bands and Designated Contact Persons

Acadia First Nation Band

RR#4 Box 5914-C Yarmouth, NS, B5A 4A8
Telephone (902) 742-0257
Fax (902) 742-8854
Contact Person: Chief Deborah Robinson

Millbrook First Nation Band

P.O. Box 634 Truro, NS, B2I 5E5
Telephone (902) 897-9199
Fax (902) 893-4785
Contact Person: Chief Lawrence Paul

Annapolis Valley First Nation Band

P.O. Box 89, Cambridge Station Kings Co., NS, B0P 1G0
Telephone (902) 538-7149
Fax (902) 538-7734
Contact Person: Chief Brian Toney

Paq'tnekek First Nation Band

RR#1 Afton, Antigonish County, NS, B0H 1A0
Telephone (902) 386-2897
Fax (902) 386-2043
Contact Person: Chief M. Gerard Julian

Bear River First Nation Band

P.O. Box 210, Bear River, NS, B0S 1B0
Telephone (902) 467-3802
Contact Person: Chief Theresa Meuse

Pictou Landing First Nation Band

Box 55, Site #6 Pictou Landing NS, B0K 1X0
Telephone (902) 752-4912
Fax (902) 755-4715
Contact Person: Chief Ann Francis- Muise

Eskasoni First Nation Band

Eskasoni, NS, B0A 1J0
Telephone (902) 379-2800
Fax (902) 379-2801
Contact Person: Chief Charlie Dennis

Chapel Island (Potlotek) First Nation Band

Box 538 Chapel Island, NS, B0E 3B0
Telephone (902) 535-3317
Fax (902) 535-3004
Contact Person: Chief Wilbert Marshall

Glooscap First Nation Band

P.O. Box 449 Hantsport, NS, B0P 1P0
Telephone (902) 684-9788 Fax (902) 684-9890
Contact Person: Chief Shirley Clarke

Waycobah First Nation Band

P.O. Box 149, Whycocomagh, NS, B0E 3M0
Telephone (902) 756-2337
Fax (902) 295-3398
Contact Person: Chief Morley Googoo

Shubenacadie (Indian Brook) First Nation Band

MicMac Post Office, Indian Brook, NS, B0N 1W0
Telephone (902) 758-2049 Fax (902) 758-2017
Contact Person: Chief Jerry F. Sack

Wagmatcook First Nation Band

P.O. Box 30001, Wagmatcook, NS, B0E 3N0
Telephone (902) 295-2598
Fax (902) 295-3398
Contact Person: Chief Lester Peck

Membertou First Nation Band

111 Membertou Street, Membertou, NS, B1S 2M9
Telephone (902) 564-6466 Fax (902) 539-6645
Contact Person: Chief Terrance J. Paul





APPENDIX C

A List of Relevant Mi'kmaq Organizations and Designated Contact Persons

Assembly of Nova Scotia Mi'kmaq Chiefs

72 Church Rd. Truro, NS. B2N 6N4

Contact Person: Janice Maloney

**Treaty and Aboriginal Rights Research Centre
of Nova Scotia**

Box 341 Shubenacadie, NS. B0N 2H0

Telephone (902) 758-1953

Fax (902) 758-1759

Contact Person: James Michael

Unama'ki Institute of Natural Resources

4123 Shore Rd. P.O. Box 8096 Eskasoni, NS. B1W 1C2

Telephone (902) 379-2163

Fax (902) 379-2250

Contact Person: Lisa Young

The Confederacy of Mainland Mi'kmaq

840 Willow St. Box 1590 Truro, NS. B2N 5V3

Telephone (902) 895-6385

Fax (902) 893-1520

Contact Person: Michael Cox

Union of Nova Scotia Indians

Box 961 Sydney, NS. B1P 6J4

Telephone (902) 539-4107

Fax (902) 564-2137

Contact Person: Kimberly Paul

Eskasoni Fish And Wildlife Commission

4123 Shore Road Eskasoni, NS. B1W 1A6

Telephone (902) 379-2024

Fax (902) 379-2159

Contact Person: Tom Johnson

Kwilmu'kw Maw-klusuaqn (Mi'kmaq Rights Initiative)

72 Church Rd. Truro, NS. B2N 6N4

Telephone (902) 843-3880

Fax (902) 843-3882

Contact Person: Janice Maloney





APPENDIX D

Research Principles and Protocols - Mi'kmaw Ethics Watch

Background

Wla wjit Mi'kmaq kisutmi'tij Sante' Mawio'mi 1999 ek. Wla nekmokw Sante' Mawio'mi ika'lapni maw ni'kmnew koqoey.

Don Julian, Executive Director, Confederacy of Mainland Mi'kmaq
Eleanor Bernard, Executive Director, Mi'kmaw Kina'matnewey
Dr. Marie Battiste, Academic Director, Aboriginal Education Research Centre, Professor,
Department of Education Foundations, University of Saskatchewan
Stephen J. Augustine, Curator of Ethnology Eastern Maritime, Canadian Museum of Civilization
Lindsay Marshall, Associate Dean, Mi'kmaq College Institute, Cape Breton University
Erik Zscheile, Legal Advisor, Confederacy of Mainland Mi'kmaq

Nike' wla Nipniku's 11, 2000 na elkitmi'tij Eskinuapimk ta'n kisutaq Sante' Mawio'mi wjit Mi'kmaq. Wla nike' ninen ewikasultiek kisi-te'tmek tlwisin "Ethics" *Eskinuapimk* wejatekemk na tlwi'tisnen "Ethics" *Eskinuapimk*.

A Mi'kmaq Ethics Committee has been appointed by the Sante' Mawio'mi (Grand Council) to establish a set of principles and protocols that will protect the integrity and cultural knowledge of the Mi'kmaw people. These principles and protocols are intended to guide research and studies in a manner that will guarantee that the right of ownership rests with the various Mi'kmaw communities. These principles and protocols will guarantee only the highest standards of research. Interpretation and conclusions drawn from the research will be subject to approval to ensure accuracy and cultural sensitivity.

At Chapel Island on July 25, 1999, the Sante' Mawio'mi established a committee to study and develop principles and guidelines to protect Mi'kmaq people and their knowledge. The committee studied the issues involved in research among Indigenous peoples, and developed a set of standards so that Mi'kmaq people might be informed of research - its benefits and costs, be treated fairly and ethically in their participation in any research, and have an opportunity to benefit and gain from any research conducted among them. These principles and guidelines are now being disseminated broadly to each of the Mi'kmaw communities for their review, discussion, and ratification.

[Note: The author of this document is the Mi'kmaw Ethics Watch.]





Principles

Mi'kmaq people are the guardians and interpreters of their culture and knowledge system - past, present, and future.

Mi'kmaw knowledge, culture, and arts, are inextricably connected with their traditional lands, districts, and territories.

Mi'kmaq people have the right and obligation to exercise control to protect their cultural and intellectual properties and knowledge.

Mi'kmaw knowledge is collectively owned, discovered, used, and taught and so also must be collectively guarded by appropriate delegated or appointed collective(s) who will oversee these guidelines and process research proposals.

Each community shall have knowledge and control over their own community knowledge and shall negotiate locally respecting levels of authority.

Mi'kmaw knowledge may have traditional owners involving individuals, families, clans, associations, and societies which must be determined in accordance with these peoples' own customs, laws, and procedures.

Any research, study, or inquiry into collective Mi'kmaw knowledge, culture, arts, or spirituality which involves partnerships in research shall be reviewed by the Mi'kmaw Ethics Watch. (Partnerships shall include any of the following: researchers, members of a research team, research subjects, sources of information, users of completed research, clients, funders, or license holders.)

The Sante' Mawio'mi is the authorized body of the Mi'kmaq people and thus has to delegate authority as to how the Watch is composed.

All research, study, or inquiry into Mi'kmaw knowledge, culture, and traditions involving any research partners belongs to the community and must be returned to that community.

The Mi'kmaq Ethics Watch (Committee, etc.) shall conduct a fair and timely review of all research conducted among Mi'kmaq people and shall maintain control over all research processes.

Obligations and Protocols

For researchers/students/agencies/organizations/corporations conducting research involving Mi'kmaq people and whose research/inquiry enters the public domain (theses, dissertations, published journals, books, technical reports):

All research on the Mi'kmaq is to be approached as a negotiated partnership, taking into account all





the interests of those who live in the community(ies). Participants shall be recognized and treated as equals in the research process instead of as “informants” or “subjects”.

All research partners must show respect for language, traditions, standards of the communities, and for the highest standards of scholarly research.

All research scholars shall assume responsibility to learn the protocols and traditions of the local people with whom they do research and to be knowledgeable and sensitive to cultural practices and issues that ensure respect and accommodation to local norms.

All research partners shall provide descriptions of research processes in the participant’s own language (written and oral) which shall include detailed explanations of the usefulness of the study, potential benefits and possible harmful effects on individuals, groups and the environment. Researchers must clearly identify sponsors, purposes of the research, sources of financial support and investigators for the research (scholarly and corporate), tasks to be performed, information requested from Mi’kmaq people, participatory research processes, the publication plans for the results, and anticipated royalties for the research. All consent disclosures shall be written in both Mi’kmaq and English, depending on the community norms. No coercion, constraint, or undue inducements shall be used to obtain consent. All individuals and communities have the right to decline or withdraw from participating at any time without penalties.

All research involving children (under the age of 14) or information obtained about personal histories of children will involve informed consent of parents or guardians.

All research partners shall inform participants in their own language about the use of data gathering devices - tape, video recordings, photos, physiological measurements, and how this data will be used. They shall also provide information on the anonymity or confidentiality of their participation, and if not possible, to inform the participant that anonymity is not possible. Participants shall be informed of possible consequences of their choice to remain in the research and their right to withdraw consent or participation in the research at any time.

All research partners shall provide each person or partner involved in the research with information regarding the anticipated risks involved in their participation, and any anticipated benefits.

All research partners must be duly informed of each research step along the way and be provided with information about the research process and the distribution of results and information.

All research partners should attempt to impart new skills into the community, e.g. data collection, whenever possible, advisable or desirable by the community.





All research scholars shall invite Mi'kmaw participation in the interpretation and/or review of any conclusions drawn from the research to ensure accuracy and sensitivity of interpretation.

All research scholars should consider a variety of research processes, including qualitative and participatory research methods and move beyond the dominant quantitative methods to empower indigenous voices and skills.

Mi'kmawey L'nui Skmaq (Obligations for Mi'kmaw Ethics Watch)

These principles have been initiated by the Sante' Mawio'mi:

The Mi'kmaw Ethics Watch shall come from local community representatives authorized to review ethic principles, standards, protocols, practices of research conducted, knowledge, and heritage.

Each community shall decide levels of authority locally, and who shall speak for the community.

Members of the Watch shall work collaboratively to avoid misuse of information supplied by individuals without permission of the community.

The Mi'kmaw Ethics Watch shall operate on the basis of self-determination of each community and consider the risks and benefits of research and the rights of individuals and collectives to be recognized and protected.

The Mi'kmaw Ethics Watch shall consider the credentials and intentions of each research project, its sensitivity to Mi'kmaw culture and heritage, and consider how the research can benefit the community.

The Mi'kmaw Ethics Watch shall consider problems surrounding the purchase or publication of private materials and removal of artifacts. Private papers, photographs, or artistic productions are protected under copyright. One cannot legally cite, reproduce, publish, refer to, or distribute, documents without permission, from the authors, heirs, or institutions that hold copyright.

Any research involving the collection of human genes, Mi'kmaw genetic material, or involving the Human Genome Diversity Project shall be rejected or considered only as to its benefits to the Mi'kmaq people.

The Mi'kmaw Ethics Watch shall increase efforts to educate each community and its individuals to the issues, concerns, benefits, and risks of research involving Mi'kmaq people, heritage, environment, and promote ethical conduct and conformity concerning protocols and guidelines for doing research in and about Indigenous peoples with some kind of disciplinary action against those who do not





comply.

The Mi'kmaq Ethics Watch shall consider the context of the research being requested and the issues of power and control that influence research topics, questions, and results.

The Mi'kmaq Ethics Watch shall encourage researchers to consult with and interpret the research from the tribal perspective and to make research and results available to Mi'kmaq people in their own language(s) and/or orthographies.

Applications to Conduct Research

Shall include:

1. Name of researcher(s) and/or supervisor(s) and related department(s). Name of contact person(s) and contact address (indicate summer addresses if pertinent).
2. Anticipated start date of the research study and expected completion date. Include anticipated field research dates.
3. Title of study.
4. Abstract (100-250 words), giving a brief statement of the hypotheses (or brief statement of research questions and significant proposed research) to be examined.
5. Funding source: indicate the source of research or study funds, and whether grant funds have already been provided.
6. Participants: describe the procedures for recruiting, selecting, and assigning participants.
7. Consent: describe the process by which participants consent to participate in the research project; that is, how will participants be informed of their rights as participants, and by what means they will signify their understanding of those rights and consent to participate. Any research involving children shall require parental informed consent.
8. Language: describe how language and cultural differences of Mi'kmaq people will be accommodated in communicating or deriving consent. Describe process for determining and using appropriate protocols and traditions for entering into Mi'kmaq territories and homes.
9. Methods/Procedures: indicate if any aspects of the study involve risk to the participants or to the Mi'kmaq people collectively. Describe any risk to the person/persons as a result of the findings being



reported or published.

10. Risk or deception: indicate if any aspects of the study involve risk to the participants or to the Mi'kmaq people collectively. Describe any risk to the person/persons as a result of the findings being reported or published.

11. Usefulness and Benefits: describe any benefit(s) for the individual Mi'kmaq person or to the Mi'kmaq Nation as a whole as a result of this study or its published report or findings.

12. Interpretation of Results: explain how the data will be analyzed and whether any Mi'kmaq people will be involved in, consulted with, or informed about, the interpretation process of analyzing the data or the presentation of its findings and conclusions.

13. Storage of data: detail how the data will be stored to ensure safety and confidentiality of the participants in the study. How long will the data be kept? Will the data be used again in another aspect of the study? Will the participants have the right to consent to this next phase of the study?

14. Confidentiality: describe what measures will be taken to protect Mi'kmaq participants and third party privacy (confidentiality and anonymity).

15. Publication and royalties: describe anticipated publications or plans for publication from this research and how any royalties from book sales will be shared with the participants of the study.

Send application to:

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