

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 Julien, 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,
Dept. of Education Foundations, University of Saskatchewan
Fred Metallic, Ph.D. Candidate, York University, Keptin Grand Council
Lindsay Marshall, Principal, Unama'ki College of Cape Breton University
Mary Jane Abram, Legal Advisor, Confederacy of Mainland Mi'kmaq
Patrick Johnson, Director, Mi'kmaq Student Services, Cape Breton University**

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* weja'tekemk 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 peoples and their knowledge. The committee studied the issues involved in research among Indigenous peoples, and developed a set of standards so that Mi'kmaw 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: Author of this document is the Mi'kmaw Ethics Watch.]

Principles

Mi'kmaw 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'kmaw 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 the 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 licence 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'kmaw people and shall maintain control over all research processes.

Obligations and Protocols

For researchers/students/agencies/organizations/corporations conducting research involving Mi'kmaw 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 done 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 usefulness of 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'kmaw 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 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 rights 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 voice 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 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'kmaw 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'kmaw 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'kmaw 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 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'kmaw people will be accommodated in communicating or deriving consent. Describe process for determining and using appropriate protocols and traditions for entering into Mi'kmaq territory and homes.

9. Methods/Procedures: indicate if any aspects of the study involve risk to the participants or to the Mi'kmaw 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'kmaw 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'kmaw person or to the Mi'kmaw 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'kmaw people will be involved in, consulted with, or informed about, the interpretation process of analyzing the data or in its 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 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 participants of the study.