

Questions to Inform and Guide the Collaborative Process

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This appendix gives examples of questions that should be raised early in the project negotiation process. We have organized these into four sections, each dealing with specific aspects of a project. Not all questions will be applicable to all projects, and this is by no means an exhaustive list of issues to discuss. However, we believe that they will prove useful in starting and guiding discussion and/or consultation around collaborations, how research will proceed, and how different products of the research will be disseminated.

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Step 1: Free, Prior, and Informed Consent

The first step in any collaborative project is ensuring free, prior, and informed consent as affirmed in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). Projects are often structured through a Memorandum of Agreement (MoA) or Memorandum of Understanding (MoU). These outline different parties' rights and expectations.

Step 2: Establishing the Parties, Goals, and Structure of the Project

- Who are the parties that will be involved? This includes both the descendant communities who may have a stake in the project, but also in terms of the different research teams who will perform analysis.
- What are each party's goals or questions for the project?
- What are the best methods to address these goals or questions?
- What funds or resources are needed to achieve this goal?
- How and by whom will ancestral remains be accessed?
- What sampling or analytical methods will be used?
- How long will the project run?
- What are the expected project outcomes and products?
- What does a successful project look like for both parties?

Step 3: Clarifying Rights and Responsibilities of the Parties

- Who will be responsible for securing funding and/or other resources?
- Who will have access to the ancestral remains?
- How and where will the products of the research be stored?
- Will a memorandum of understanding or research contract be drafted?
- Who owns the rights to findings? How will intellectual property rights be established and negotiated?
- Will the results of the research be communicated to the descendant community, the public, or the scientific community? If so, what form should these take?
- If project staff will be hired, how will positions be advertised and who will select them?

- Will any training and mentoring (cultural and technical) be necessary for project staff? If so, who will provide this training? When?
- Will the project be publicized? If so, who will be responsible for press releases? For social media?

Step 4: Planning for Contingencies

- In the event that funding cannot be secured for the project, what will happen?
- What should happen to the products of the research if any of the parties were to decide to leave the project?
- If project members must leave partway through the project, how will a replacement be selected?
- What will happen if there is a change in community leadership?
- If unexpected or external events impact the project timelines, what procedures should be followed?
- What will happen if scientific findings do not agree with community knowledge or understandings of events, people, or places?

Step 5: Planning for the End of the Collaboration/Project

- What data will be retained after the end of the project? For how long can it be retained? For what purpose can it be used?
- Who is responsible for producing reports or other documents communicating the results of the research?
- How will the results of the research be communicated to the community?
- Who holds the intellectual rights to both the products of the research and the results of the research?
- What information can be shared with the public, and what information should be kept for community leadership?
- In the case of academic publications, who will coauthor and review the papers? What venues (i.e., which journals, conferences) will be targeted?
- How will the Ancestors be returned if they have been housed elsewhere?
- What will be the final resting place for the Ancestors? How will they be accompanied to that place?

Resources

UNDRIP: <https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html>

First Nations Information Governance – Principles of OCAP: <https://fnigc.ca/ocap>

Australian Institute of Aboriginal and Torres Strait Islander Studies – Guidelines for Ethical Research in Australian Indigenous Studies: <https://aiatsis.gov.au/sites/default/files/docs/research-and-guides/ethics/gerais.pdf>

South African San Institute – San Code of Research Ethics:
<http://trust-project.eu/wp-content/uploads/2017/03/San-Code-of-RESEARCH-Ethics-Booklet-final.pdf>

Te Ara Tika Guidelines for Māori Research Ethics: A Framework for Researchers and Ethics Committee Members:
https://www.hrc.govt.nz/sites/default/files/2019-06/Resource%20Library%20PDF%20-%20Te%20Ara%20Tika%20Guidelines%20for%20Maori%20Research%20Ethics_0.pdf