

# GUIDANCE FOR INDIGENOUS COLLECTIONS AND INDIGENOUS DATA



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## ABOUT LOCAL CONTEXTS

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[Local Contexts](#) is a nonprofit organization that grew from the needs of Indigenous Peoples and communities who wanted a practical method to deal with the range of intellectual property issues that arise in relation to managing cultural heritage materials. Local Contexts works at the intersection of Indigenous Cultural and Intellectual Property (ICIP) and Indigenous Data Sovereignty (IDSov), helping communities control how materials are identified, disclosed, collected, managed, displayed, and accessed.

Central to Local Context's approach are the [Traditional Knowledge \(TK\) and Biocultural \(BC\) Labels](#), which embed Indigenous provenance, protocols, and permissions into digital and physical materials, and the [Engagement, Disclosure, and Collections Care Notices](#), which identify Indigenous collections and data and recognize Indigenous rights and interests. Labels and Notices have been applied to datasets, publications, cultural belongings, and genetic samples to guide ethical use, proper attribution, and bringing cultural authority back into the governance of these collections.

With the Labels, Local Contexts provides a community-led, practical tool for Indigenous communities to reclaim and protect their heritage, foster collaboration, and express sovereignty and cultural authority. The Notices are a critical tool for institutions seeking to (re)connect with Indigenous communities, to address historical legacies of exclusion, and to foster equitable access.

The use of the Labels and Notices is facilitated through the [Local Contexts Hub](#), a unique Indigenous Data Sovereignty platform. The Hub works in tandem with existing information/collections management systems and tools. By using the Hub, Labels and Notices can be directly connected to Indigenous collections and data, and support the proper recognition of Indigenous rights and interests

## ABOUT CREATIVE COMMONS

Creative Commons (CC) is an international nonprofit organization that empowers people to grow and sustain the thriving commons of shared knowledge and culture we need to address the world's most pressing challenges and create a brighter future for all. It is dedicated to defending and nurturing a commons of shared knowledge and culture that powers human creativity, equity, and innovation. The CC licenses and public domain tools give everyone from individuals to large institutions a standardized way to grant the public permission to use their work under copyright law.

CC is leading the [Open Culture Program](#), which promotes equitable open access to cultural heritage with a focus on heritage in the public domain. CC acknowledges the need to transparently engage with, consult, and involve communities of origin to enable free, prior, and informed consent in decision-making processes involving access to heritage. This means that there can be legitimate reasons not to digitize, allow access, or openly share heritage, particularly where additional governance systems may apply. CC is exploring means to ensure more participation, involvement, and agency in relation to heritage held in cultural heritage institutions all over the world, and the role that CC licenses and tools can play in the process.

In 2024, the Open Heritage Coalition, convened by Creative Commons, was formed to advance equitable access to heritage in the public domain. Its mission consists in encouraging UNESCO Member States to elaborate and adopt an international standard-setting instrument (a recommendation or other non-binding instrument) that would proactively promote and encourage open solutions to removing barriers to accessing cultural heritage in the public domain, being mindful of the various governance frameworks that determine the ways in which cultural heritage is shared and used. To that end, the Coalition developed the [Open Heritage Statement](#) to affirm shared values, identify barriers to access, and champion the power of open heritage to spark creativity, strengthen cultural rights, and support sustainable futures.

The Open Heritage Statement addresses matters related to Indigenous heritage in the Preamble at paragraphs t), u), and v), as well as in Articles 16 and 17. The Statement recognizes that there are other legal and ethical considerations to take into account when making heritage openly accessible, such as data protection, privacy, and cultural sensitivities around heritage. The [2007 United Nations Declaration on the Rights of Indigenous Peoples](#) sets minimum international standards around Indigenous intellectual and cultural property and the principles of participation and free, prior, and informed consent, while the [CARE Principles for Indigenous Data Governance](#) and [FAIR Principles](#) establish frameworks for the governance of Indigenous data. These considerations mean that some heritage materials may, through discussions with communities, not be suitable for open access. It is with these considerations in mind that we jointly offer this guidance.



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## COPYRIGHT

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**“Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.”**

**Article 31, United Nations Declaration on the Rights of Indigenous Peoples, September 2007.**

**“In our communities we’re often guarded about, you know, archives and sharing. Because so much take, take, take, take, take, take, take, take, take, take has been happening in our communities and it’s time for us to protect ourselves and protect our stories, you know, on our terms.”**

**James Eric Francis, Snr., (Penobscot Nation),  
Chair, Local Contexts Council, Library of Congress 2018**

# FOREWORD

Creative Commons and Local Contexts both share commitments to equitable knowledge sharing, proper attribution, and respect for diverse cultural and community protocols. The purpose of this guidance is for Creative Commons and Local Contexts to align open licensing tools with Indigenous data sovereignty frameworks. This strengthens our support for communities, institutions, and users navigating knowledge care and stewardship—both historical and legacy collections and those coming into institutions into the future. Both organizations are united by a commitment to ethical, inclusive, and community-centered approaches to knowledge attribution, authorship, access, use, and sharing. Both organizations believe in building systems that respect cultural and intellectual sovereignty and recognize Indigenous communities’ rights to define their own terms of participation, decision-making and governance. This includes acknowledging historical harms and their ongoing impacts, while also creating safe and thoughtful new frameworks for enabling creativity, innovation, and collaborative exchange.



Anna Tumadóttir, CEO  
Creative Commons



Hop Hopkins, Executive Director  
Local Contexts

# INTRODUCTION: ACKNOWLEDGING A COMPLEX PAST

Cultural institutions that hold Indigenous collections are at the forefront of Indigenous Peoples' efforts to achieve access to, and control over, culturally significant materials relating to their families and community practices, vital for future generations. These issues are understandably acute in settler colonial contexts, where relations with Indigenous Peoples continue to be difficult, and historical legacies of discriminatory treatment remain remarkably unacknowledged yet ever present (Marsh et al., 2020). These conversations are also part of a larger international conversation about the making as well as the future of 'colonial collections.'

The struggle for control over Indigenous collections within cultural institutions exists because these sites are primary repositories for enormous collections on the lives, cultures, and languages of Indigenous Peoples accumulated over the colonial period. This was done almost always without the consent of those being documented and recorded. With no clear explanations of where this material would be kept, who would be able to access it, and how it would be used, there was also certainly no prior informed consent for future reproduction and reuse. Alongside the troubling history of how these collections were acquired and their uses, one main point of concern is that these collections are also not legally owned by Indigenous Peoples but rather, by the person—usually a researcher, governmental official, or other party—who came to the community and made the documentation in sound, in film, through photographs, or even written transcription. This is one of the significant colonial legacies of copyright law.

Cultural heritage institutions have a unique role to play in facilitating more equitable access to heritage. When navigating acquisition, preservation, management, display, access, communication, and reuse of Indigenous heritage and associated data, alongside restitution and repatriation, digitization, copyright, and open licensing are significant considerations (NMAI, n.d.).

Currently, there is an increased understanding of the ability of cultural heritage institutions to share the collections they steward through re-connection and dialog (US Department of the Interior, n.d.). While there is no one tool to solve these issues, this Guidance aims to provide clear and concrete practical guidelines to assist institutions in handling materials and data associated with heritage of Indigenous peoples. Promoting equitable access to heritage and respecting Indigenous rights requires innovative new tools alongside new institutional

commitments to address the colonial legacies that have kept these collections away from Indigenous communities.

Many collections of cultural heritage have found themselves in the stewardship of institutions through complex historical and legal entanglements, and many communities have lost agency over access and use of their own heritage. Colonial logics and practices created conditions where Indigenous cultural heritage was removed from communities and detached from local knowledge systems. For example, the National Anthropological Archive holds over 18,000 cubic feet of cultural heritage material including 1 million ethnological photographs, 11,400 sound recordings, and 6,000 hours of film.

From the early colonial period, Indigenous Peoples and cultures around the world have been subject to research and study by government officials and researchers. Indigenous Peoples' lives and cultural practices were collected, documented, and recorded at unprecedented levels. Indigenous collections are found all around the world and far from the community contexts that they originally came from.

For example, in the United States, one collector, Gustav Heye, assembled a collection between 1875-1957 of 225,000 catalog records representing over 700,000 objects and over 500,000 photographs. This collection now forms the basis of the Smithsonian National Museum of the American Indian.

In an example of the governmental focus on documenting Indigenous lives and practices, the American Indian Records Repository (AIRR) is a 70-mile underground facility holding over 200,000 indexed boxes, each box holding one cubic foot of material or approximately 2,500 sheets of paper. While these boxes hold historical records from as far back as the 1700s, the AIRR continues to receive boxes from retired Bureau of Indian Affairs offices from around the country, with a monthly average of 1,157 boxes received.

As a result, institutions aiming to fulfill their mission of providing access to their collections face challenges when collections contain heritage that belongs to Indigenous Peoples. Photographs, sound recordings, language notebooks, and ethnographic documentation can have sensitivities that an institution is not aware of and has had no input around. The United States has legislation governing the care and return of secret, sacred, spiritual, and/or culturally-sensitive cultural heritage and cultural patrimony under the 1990 *Native American Graves Protection and Repatriation Act* (NAGPRA). While this legislation does not apply to institutions outside the US or for Indigenous communities outside the US (including in US territories) with cultural belongings in US institutions, it has been understood as a standard-setting framework to which institutions outside the US should also engage with all Indigenous materials of this nature.

# **THE EXPERIENCE: PART I**

## **The Passamaquoddy Tribe and the Library of Congress**

From the 1980s, the American Folklife Center (AFC) at the Library of Congress was actively trying to return the recordings back to the communities from where they were made. These projects would always take time, as building relationships are critical for successful projects. This is especially the case with relationships with communities, who have seen their cultural stories and legacies collected by others and carried off into unknown institutions.

With significant changes in sound technology, in 2014 the AFC had an opportunity to begin addressing early recordings held by the Library on wax cylinders. These were some of the earliest recordings known in the United States. The first recordings that were made on Native Lands were known as the ‘Fewkes’ recordings. Jesse Walter Fewkes was an amateur anthropologist who made these recordings in March of 1890. Like most collections, his name is the one that gets remembered in the catalog and in cultural memory. While there was characteristically poor provenance and information about the recordings, including what was on the recordings, the AFC were aware that these cylinders recorded Passamaquoddy representatives from northeast Maine. Originally lodged at the Peabody Museum of Archaeology and Ethnography at Harvard University sometime between 1890 and 1910, the recordings disappeared and were found again in the 1970s and sent down to Library of Congress in Washington DC for a major project that brought all wax cylinders around the country together for preservation.

While a version of the recordings had been returned to the community in the early 1980s, the cassette reproductions were indecipherable because of the poor condition of the cylinders (each time a wax cylinder is played, it degrades). This meant that it was almost impossible to fully hear the sound on the cassette copies. In 2014, with changing archeophone technology to digitally stitch together the sound taken from the cylinders in a non-invasive process, there was an opportunity for more collaboration with the Passamaquoddy community. This was also an opportunity to update an impoverished catalog record and right some historical wrongs in the erasure of Indigenous voices and perspectives.

# **BUILDING RESPECTFUL RELATIONSHIPS: FIVE AREAS OF ACTION**

The relationship between institutions and Indigenous communities is often strained by histories not of each other's direct making. Nevertheless, institutions have control and power over these collections in different ways through a range of property relationships that have been put in place through legal infrastructures that have largely served collectors and subsequently holding institutions.

Recognizing these legacies creates an opportunity to build more consistent and more responsible relationships of respect, care, and reciprocity. These new relationships of care require active attention at a personal level, as well as recognition and respect at an operational level.

In this Guidance, we outline five areas for action that institutions can systematize which will contribute significantly to improving relationships with Indigenous communities. They start with general acknowledgment and move towards recognizing cultural authority. These five steps from Hudson, Carroll, Anderson et al (2023) have been adapted on the next few pages, specifically for the context of cultural heritage institutions.

## **1. Acknowledgment**

## **2. Attribution**

## **3. Authorship**

## **4. Access**

## **5. Authority**

## **1. Acknowledgment**

An acknowledgment is generally understood as a starting point for providing initial recognition of these histories and an opportunity to bring Indigenous names and contextual specificity into an institution and its collections. Acknowledgments are the first step in a process and not an end in themselves. Popular examples of acknowledgments include land acknowledgments which have become prevalent across settler-colonial contexts like Australia, Canada, New Zealand and United States. These acknowledgments do important work to connect Indigenous names and communities to lands and waters. Their public nature also functions as a direct way of addressing historical erasure through public education.

## **2. Attribution**

Attribution is a more comprehensive way of recognizing where something has come from. More than simple acknowledgment, it starts to provide a link to the community origin of cultural heritage. Attribution works to put names, including community names, back into the historical record to combat historical erasure. Local Contexts Notices are an initial step for indicating that proper attribution is incomplete or missing, and provide space for community Labels to be added to the record. Use of Local Contexts in this way indicates a willingness to move towards appropriate and systematic attribution practices.

## **3. Authorship**

Historically, Indigenous cultural materials have been authored by people who are not Indigenous—those making the recordings, photographs, wordlists, films, ethnographies, and other ‘studies’. This is a by-product of the colonial legacy of copyright law, which has, across all jurisdictions, failed to recognize Indigenous Peoples and communities as authors and subsequently owners of cultural heritage. This is partly because of categories of ‘author’ and ‘original work’ as well as who has been doing the documentation and recording of Indigenous cultural expressions. For example, in the Passamaquoddy recordings mentioned throughout, the rights holders were initially Fewkes and then Harvard University. The Passamaquoddy Tribe should have been originally recognized as the authors of their cultural songs and narratives.

In addition, Indigenous cultural heritage is often the source for new creations that attract copyright. Institutions should be clear and encourage people using Indigenous cultural heritage material to engage directly with the Indigenous communities from which it originally derived. In some instances it may be appropriate to consider co-authorship. This would also allow those partnerships to jointly contribute to decisions about use of CC licenses.

## **4. Access**

Indigenous communities often want to engage in discussions with institutions about access—both their access to cultural heritage materials, and the level of access that others might have to those materials. These are conversations about governance and decision-making and stem directly from the problems of authorship and ownership that persist as problems for these kinds of collections.

## **5. Authority**

A number of decisions are made about cultural heritage materials, including digitization, open access, and reproduction. Providing Indigenous communities with the opportunity to contribute to those decisions is about integrating Indigenous authority into the infrastructures of institutional governance. While this takes time, it is ultimately what should happen to build enduring relationships essential to upholding Indigenous sovereignty.

# OVERVIEW

## Stages Towards Recognizing Indigenous Rights in Cultural Heritage Materials

This figure provides a full overview of the stages through which institutions can strengthen recognition of Indigenous rights in cultural heritage materials. The stages are not linear, but point toward deeper responsibility, collaboration, and shared decision-making. On pages 14-19 are a continuation of this figure, briefly considering each stage with key actions and examples.

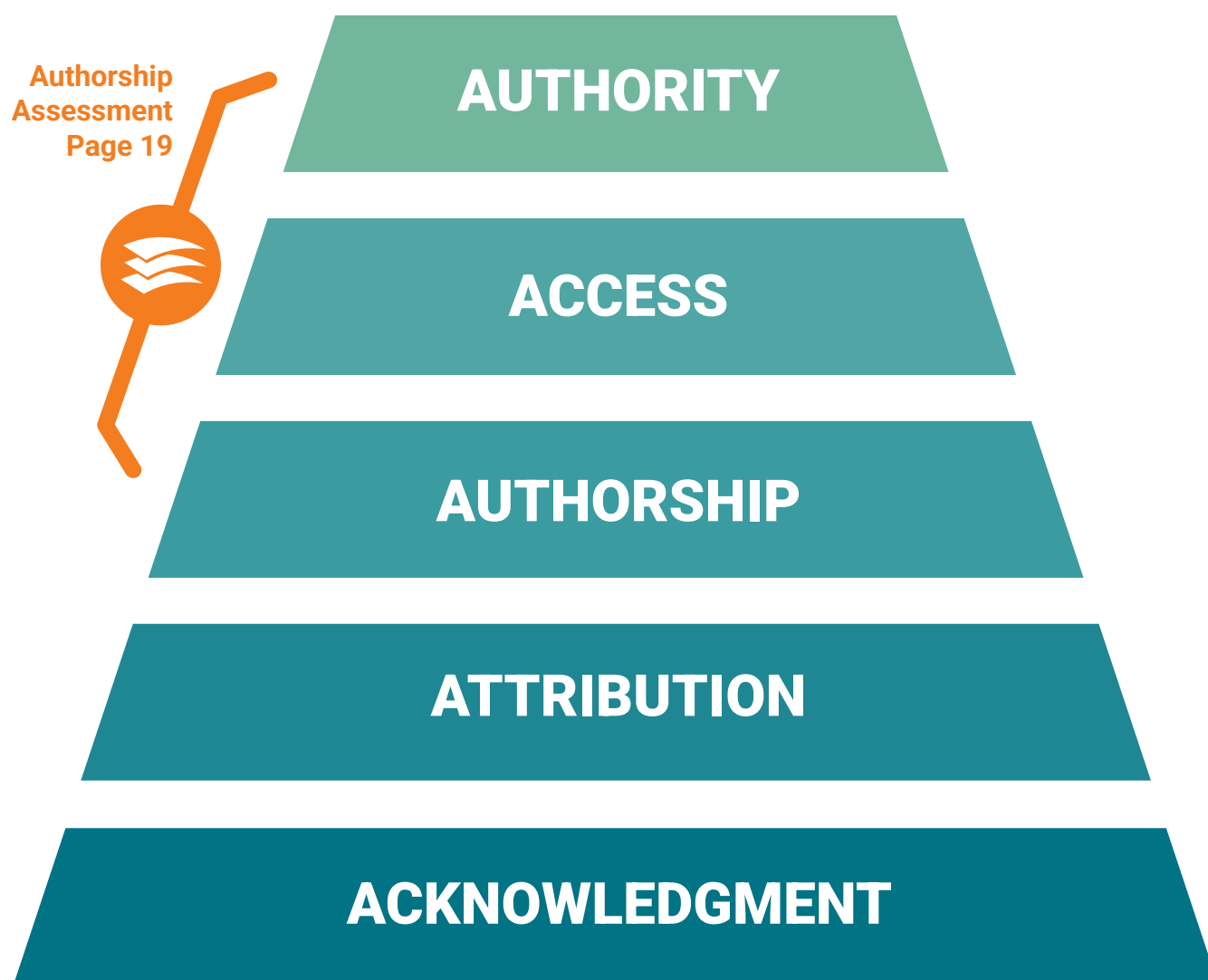


Figure 1 - Actions to recognize Indigenous rights in Cultural Heritage material.

Table from “Indigenous Peoples’ Rights in Data: a contribution toward Indigenous Research Sovereignty” by Maui Hudson, Stephanie Russo Carroll, Jane Anderson, Darrah Blackwater, Felina M. Cordova-Marks, Jewel Cummins, Dominique David-Chavez, Adam Fernandez, Ibrahim Garba, Danielle Hiraldo, and colleagues, published in Frontiers in Research Metrics and Analytics (2023), licensed under [CC BY 4.0](#). Available at: [Frontiers article](#).

# 1

# ACKNOWLEDGMENT

An acknowledgment is an act of recognizing and confirming histories or legacies of Indigenous Peoples experiences in relation to an institution. An acknowledgment is a beginning. It is a public recognition indicating that work to address unethical collecting and/or data accumulation is being initiated internally. Land acknowledgments provide one example of recognition for communities on whose land the institution is based.

Local Contexts Notices are a way to start to acknowledge the presence of Indigenous interests in cultural knowledge and material that has no formal attribution to the community. Other types of acknowledgments can be made to Indigenous communities during formal exchanges or events to recognize the relationship they have with materials stewarded by the institution.

## ACTIONS

- » DO: Develop Land and Territory Acknowledgments
- » DO: Create statements of intent to engage with Indigenous communities. This helps communities decide which institutions to prioritize working with.
- » DO: Use [Local Contexts Engagement and Disclosure Notices](#) to disclose Indigenous collections to help communities find and reconnect to them.
- » DO: Identify and acknowledge sensitive collections that might need special care according to Indigenous worldviews and responsibilities
- » DO: Create policy acknowledging different collection needs

## EXAMPLES

- » American Philosophical Society – [Indigenous Collections Acknowledgment and Guide to Indigenous Materials](#)
- » Smithsonian Institution – [Shared Stewardship and Ethical Returns Policy](#)
- » Wellcome Collection – [Invitation to Indigenous Communities](#)
- » University of Newcastle – [Living Histories](#)
- » University of Maine – [eDNA Project](#)

## USEFUL TOOLS & LITERATURE

- » For Land and Territory Acknowledgments, see [LandAcknowledgements.org](#), and [Native Land Digital](#)
- » [Local Contexts Engagement and Disclosure Notices](#)
- » “[Toward Slow Archives](#),” by Kimberly Christen and Jane Anderson (2019)
- » “[Anxieties of Authorship in the Colonial Archive](#),” by Jane Anderson (2013)
- » [Afterlives of Indigenous Archives](#), ed. Ivy Schweitzer and Gordon Henry (2019)
- » [Protocols for Native American Archives](#) (2007)
- » [Aboriginal and Torres Strait Islander Protocols for Libraries, Archives and Information Services](#) (1995)
- » “[Protocols for libraries and archives in Australia: incorporating Indigenous perspectives in the information field](#),” by Kristen Thorpe (2013)

## 2

## ATTRIBUTION

Attribution involves identifying and naming a source/s or providing proper recognition of those peoples or communities who have contributed to a work regardless of whether they are legal copyright holders.

### ACTIONS

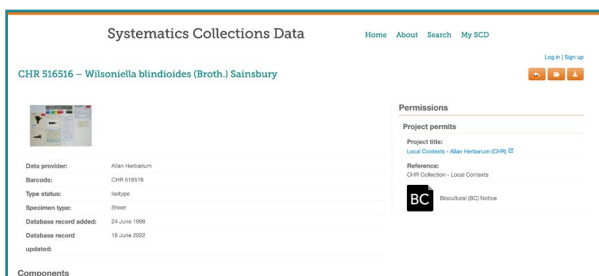
- » DO: Apply [Local Contexts Disclosure Notices](#) and support Indigenous communities' application of [Traditional Knowledge and Biocultural \(TK & BC\) Labels](#)
- » DO: Undertake provenance research
- » DO: Provide guidance for researchers on citation and attribution
- » DO: Include this information in collection metadata

### EXAMPLES

- » Australian Institute of Aboriginal and Torres Strait Islander Studies – [Deposit Offer](#) and [Code of Ethics](#)
- » Indianapolis Museum of Art at Newfields – [Provenance Research](#), [Licensing Resources](#), and [Blog](#)
- » Manaaki Whenua | Landcare Research – [example entry](#) and [blog](#)
- » University of Waterloo Can-Peat Project – [Indigenous Data Sovereignty Guidance](#)
- » IEEE – [Recommended Practice for the Provenance of Indigenous Peoples Data](#)

### USEFUL TOOLS & LITERATURE

- » “[‘Right to Know’: Decolonizing Native American Archives](#),” by Jennifer R. O’Neal (2015)
- » [Indigenous Right of Reply to Archives: Working towards Indigenous Sovereignty, Healing, and Justice in Archival Practice](#), edited by [The Indigenous Archives Collective](#), edited by The Indigenous Archives Collective (2026)
- » “[Decolonizing Attribution: Traditions of Exclusion](#),” by Jane Anderson and Kimberley Christen (2019)
- » “[Decolonising Citation: Indigenous Knowledge Attribution Toolkit and Australian Library Citational Practices](#),” by Kristen Thorpe et al (2026)



Herbarium sample, Manaaki Whenua - Landcare Research. This material carries a BC Notice. [Local Contexts Project](#).



# 3

## AUTHORSHIP

Authorship is the formal legal recognition through copyright law of the author for a written or creative output/product. In some contexts, there are social protocols and negotiations around authorship which are then formalized with the specific naming of authors granting copyright and the legal protections that affords. Historically, Indigenous cultural materials have been authored by people who are not Indigenous and who create the recordings, photographs, wordlists, films, ethnographies, and other ‘studies.’ Some institutions require the transfer of copyright when they acquire collections so that the institution has complete control over copyright management. Copyright authorship should be transferred back to Indigenous Peoples and communities wherever possible.

### ACTIONS

- » DO: Support co-authorship and include community representatives as authors
- » DO: Make clear statements about authorship in publications and citations
- » DO: Include citation of Indigenous community affiliations in publications
- » DO: Include Indigenous community in discussions about use of CC licenses
- » DO: Transfer authorship whenever possible
- » DO: Use transfer of authorship agreements for incoming collections

### EXAMPLES

- » [\*Marana Dyargali\*](#), published by UTS ePress (2024)
- » “[Green Ribbon and Blue Ribbon Stories: Applying a Bidjara Way of Knowing to Understanding Records](#),” by Leann Wilson and Rose Barrowcliffe (2023)
- » “[Repatriation as Pedagogy](#),” by Jane Anderson and Sonya Atalay (2023)
- » “[Engaging Respectfully with Indigenous Knowledges](#),” by Camille Callison, Ann Ludbrook, Victoria Owen, and Kim Nayyer (2021)
- » [Sweetgrass Cultural Protocol: Advice for Good Relations with a Culturally Significant Relative](#) (2023)

### USEFUL TOOLS & LITERATURE

- » [Guidelines for the Governance of Indigenous Data in Scholarly Publishing](#) (2026)
- » [Future Acquisition Agreements](#), Indigenous Data Law Lab, NYU

# 4

## ACCESS

Indigenous communities often want to engage in discussions with institutions about access and governance. This includes access to their own cultural heritage materials, and the level of access that others might have to data, knowledge and materials. Engaging with Indigenous communities around access can be done for both physical items and digital records.

### ACTIONS

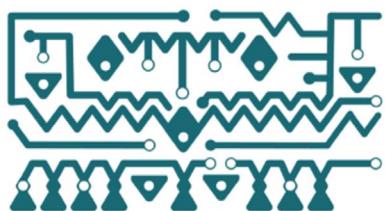
- » DO: Use content management systems that include fields for Indigenous metadata
- » DO: Digitize collections to return to communities
- » DO: Create Indigenous collection access policies
- » DO: Engage in community outreach
- » DO: Provide clear institutional contact details for community connection

### EXAMPLES

- » [Mukurtu CMS](#)
- » [Data Access Agreements](#)
- » Maine Center for Genetics in the Environment—[collaboration](#)

### USEFUL TOOLS & LITERATURE

- » [Collections Care Notices](#)
- » [Indigenous Metadata Bundle Communiqué](#), by Riley Taitingfong et al (2023)
- » “[Always Coming Home: Territories of Relation and Reparative Archives](#),” by Kim Christen et al (2022)
- » [Guidelines for Collaboration](#). by Indian Arts Research Center (2019)



**CARE Principles  
for Indigenous  
Data Governance**

[Global Indigenous Data Alliance](#)

# 5

# AUTHORITY

A number of decisions are made by institutions about the cultural heritage materials that they own, control, and steward. Providing Indigenous communities with the opportunity to contribute to those decisions and/or establishing frameworks for Indigenous authority to make decisions about cultural heritage collections is the basis for building and maintaining respectful and reciprocal relationships.

## ACTIONS

- » DO: Create Memorandums of Understandings that establish and create shared expectations
- » DO: Support the application of [TK and BC Labels](#) as tools that support Indigenous authority
- » DO: Establish frameworks that address Indigenous inclusion in organizational governance
- » DO: Prioritize Indigenous-led projects
- » DO: Prioritize Indigenous control of representation and narratives

## EXAMPLES

- » [Penobscot Nation & University of Maine MOU](#) (2018)
- » [Respectful Terminologies Platform](#)
- » [Passamaquoddy Peoples' Knowledge Portal](#)
- » [Library of Congress Ancestral Voices](#)
- » [Sakhomuhsewiw](#)
- » [Decolonization Rider, by Catalyst Dance](#)
- » [Poeh Cultural Center](#)



[Penobscot Chief Kirk Francis & University of Maine President Susan Hunter sign MOU](#). Photo credit: [University of Maine and Penobscot Nation](#).

# AUTHORSHIP ASSESSMENT

Works with Indigenous Content and Non-Indigenous Author

STEP  
1



**Is the work still in copyright?**

*If you are unsure in a US context, you can use this copyright term calculator: [copyrightcalculator.com](http://copyrightcalculator.com)*

COPYRIGHT AND CC



**YES**



**Are CC Licenses Being Used?**

**YES**

**NO**

**NO**

**(Public Domain)**

DISCLOSURE



Local  
Contexts

Add Local Contexts  
Attribution  
Incomplete Notice  
Add TK or BC Notice

Add Local Contexts  
Attribution  
Incomplete Notice  
Add TK or BC Notice

AUTHORITY  
FUNCTION

STEP  
2

Add TK and BC Labels  
(after community  
engagement)

MEETS CARE  
PRINCIPLES  
(ETHICS)

# ALIGNING THE USE OF LOCAL CONTEXTS AND CREATIVE COMMONS

Creative Commons (CC) empowers global sharing of knowledge, culture, and science through legal tools, advocacy, and community infrastructure—recognizing knowledge as a public good and its equitable access, a part of fundamental human rights. Local Contexts (LC) advances Indigenous sovereignty and ethical governance of Indigenous collections and data by embedding Labels and Notices into information systems (including metadata) and institutional practices.

Open access requires nuance and clarification around what is open and for whom. This is especially true with regard to Indigenous heritage that is in the public domain. Many communities have expressed concerns that a cultural heritage institution providing open online access to their heritage, without consultation or involvement, can open the door to misuse or misappropriation. It can also inadvertently create opportunities for unauthorized third parties to distort the cultural narrative and cause additional harm. There are thus legitimate reasons not to share any and all heritage openly, for example, when doing so would exacerbate inequity or inequality, cause harm to, or lead to the exploitation of the people identifying with such heritage. Importantly, open access to cultural heritage does not aim to force access to heritage that was never meant to be shared, let alone openly shared.

The advice provided in this guidance aims to align CC’s open infrastructure with LC’s culturally grounded framework to build respectful, inclusive pathways that honor community protocols and permissions.

A key point is that an object’s copyright/public domain status is not the only factor to consider to determine access and use possibilities, let alone determine rightful ownership or guardianship. In 2020, CC wrote on its [blog](#) that: “Open [culture] is not only about sharing cultural heritage by respecting copyright law, but also how to do it more responsibly, collaboratively, and equitably.”

Various governance frameworks may determine how cultural heritage is shared and used. These include legal restrictions like privacy rights, intellectual property rights (including sui generis rights), cultural heritage laws, personality rights, Indigenous customary laws and protocols, as well as all kinds of standards, norms or codes of conduct, customary practices, traditions, values, beliefs, and the wishes of traditional stewards, as well as forms of collective custodianship, stewardship, and guardianship. That means that both copyright and culturally grounded governance frameworks can determine access and use conditions over elements of heritage.

## In the context of Indigenous and colonial collections, we encourage the joint use of Creative Commons and Local Contexts tools.

Used together, they can elevate erased or missing Indigenous interests in a collection and help provide clarity around attribution, authority and future use. Using tools from both Local Contexts and Creative Commons brings the CARE Principles into practice regarding equitable access to heritage. There is no incompatibility between the use of Creative Commons Licenses and Local Contexts Notices and Labels—they may be used jointly.

Creative Commons Licenses are applied by copyright holders to reflect the conditions of use that they expect users to observe based on the available license variations (BY-Attribution, SA ShareAlike, NC-NonCommercial, ND-NoDerivatives).

Local Contexts Notices are applied by institutions to acknowledge the presence of Indigenous rights and Local Contexts Labels are added by communities to reflect the cultural authority and conditions of use.

At times, the condition of CC License may appear incompatible with certain Labels (e.g., CC BY and TK Community Use Only). However, this is only because Indigenous community expectations have not previously been part of the record. In these circumstances, dialogue and discussion is the pathway to resolution.



### CARE Principles for Indigenous Data Governance

In 2019, GIDA released the [CARE Principles for Indigenous Data Governance](#) that highlight the core values and expectations of Indigenous Peoples when engaging with the research communities. These principles encourage the consideration of Collective Benefit, Authority to Control, Responsibility, and Ethics in Indigenous data governance (Carroll et al 2020). The CARE principles are complementary to the FAIR principles for Scientific Data Management (Wilkinson 2016) and are widely adopted in international and national contexts. A number of collaborative implementation efforts are currently underway for the CARE principles including a [CARE Data Maturity Model](#), the use of CARE within scientific data repositories (O'Brien et al 2024), and the use of CARE within publishing contexts.

Both CC and LC promote respect for the 2007 [United Nations Declaration on the Rights of Indigenous Peoples](#) as well as for principles of participation and free, prior and informed consent and uphold the FAIR principles and CARE Principles for Indigenous Data Governance. Cultural heritage institutions are in a pivotal position to take active steps in support of Indigenous rights and interests.

i

## Indigenous Data Sovereignty

Indigenous Data Sovereignty (IDSov) is a temporal movement simultaneously looking backwards and forwards, as historical legacies inform contemporary and future practices, policy, and infrastructures (Walter et al 2021). These practices, policies, and infrastructures are the focus of current efforts to effect meaningful change supporting Indigenous Peoples' interests in participating and deriving equitable benefit from extensive and inevitable data futures (Hudson et al 2023). IDSov focuses on the protection of Indigenous rights and interests in the control and governance of Indigenous data (Kukutai and Taylor 2017). IDSov emerged as part of an intricate weaving together of Indigenous cultural and intellectual property rights (see below discussion) with Indigenous research ethics and the 2007 United Nations Declaration on the Rights of Indigenous Peoples.

Any data, information, and knowledge that impacts Indigenous Peoples at the individual and collective levels comprise Indigenous data. Indigenous Peoples' data include information about lands, skies, waters, and non-human relations; data about Indigenous people and their communities; and knowledges such as oral histories, languages, belongings, and cultural information. Indigenous data interests stretch across diverse disciplinary fields including humanities, cultural heritage, health, genomic sciences, environmental sciences, and data sciences. These diverse disciplinary fields connect community data governance ambitions with ethical research and researcher responsibilities in practice.

Governance remains central to the realization of IDSov; Indigenous Peoples require data for the governance of their own nations and communities and also exercise their rights to govern their data. Operationalizing IDSov necessitates anticolonial action to both: (1) increase access to and the amount of relevant data for Indigenous decision-making, and (2) advance Indigenous data governance for Indigenous Peoples as rights holders and other non-tribal stakeholders who steward Indigenous data.

Indigenous Peoples have been and are largely removed from the processes of data collection, analysis, and use for information that impacts their peoples, cultures, and lifeways. The current focus on data ethics situates questions around gathering and

protecting data, the harms and benefits within data, as well as how that data is used. Increasingly within machine-learning and AI contexts, IDSov functions as a pivot for considering data ethics through Indigenous experiences in the use and misuse of data. This has a spectrum from the exclusion of Indigenous Peoples in datasets, to the collection of data from Indigenous contexts that is then used in other research without consent. For instance, not being able to properly identify Indigenous datasets for training Machine Learning means that technology interventions in the genomic sciences are presented as universal but do not address specific Indigenous health problems and thus affect Indigenous health outcomes (Fox 2020; Tsosie, Fox, and Yracheta 2021). Conversely, the collection of Indigenous data that is then used for other studies without consent is precisely what led to the Havasupai Tribe in Arizona filing a lawsuit against Arizona State University (Garrison 2012).

Institutions, repositories, governments, and corporations hold vast quantities of Indigenous data that remain improperly attributed and therefore regularly have impoverished metadata. This is directly connected to, and follows from, research practices that produced the larger and longer problems around Indigenous collections described above.

Increasing capacity for Indigenous governance over data necessitates finding historical and contemporary collections of Indigenous data that have been buried and hidden in archives, libraries, museums, government departments, and other repositories. It also requires the development of practical mechanisms that can maintain Indigenous interests with Indigenous data when it is recovered. As Tsosie, Fox, and Yracheta explain, “Data are a responsibility, not an entitlement” (Tsosie, Fox and Yracheta 2021). As the proliferation of new data by researchers, governments, corporations, and other entities increases daily, new policies, ethics, and infrastructure practices must be introduced to both find and attribute already existing data while guiding the leadership of Indigenous Peoples in relation to the collection, analysis, use, and stewardship of their data into the future. Indigenous data sovereignty work is led by the [Indigenous Data Alliance](#) and networks in the US, Aotearoa New Zealand, and Australia (including [US Indigenous Data Sovereignty Network](#), [Te Mana Raraunga Māori Data Sovereignty Network](#), and [Maia nāyri Wingara](#)), [First Nations Information Governance Centre](#), and the [Global Indigenous Data Alliance \(GIDA\)](#).

## EXAMPLE

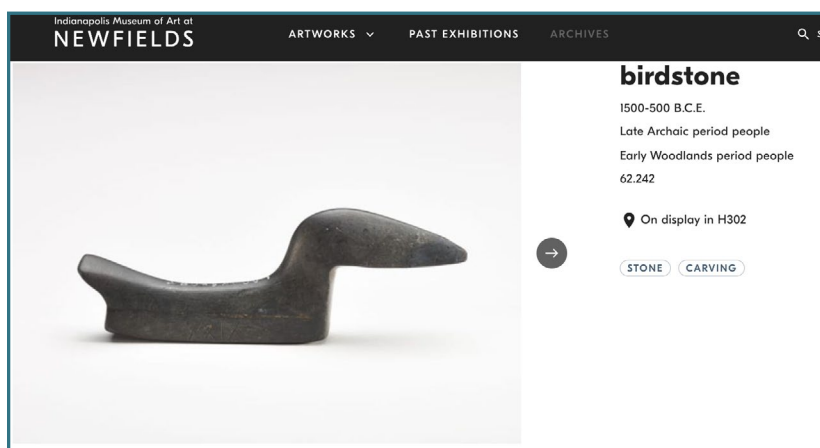
### Indianapolis Museum of Art at Newfields

The Indianapolis Museum of Art at Newfields is using Local Contexts Notices within its [online collections portal](#).

The Notices have been added to items within the African, South Pacific, and Native Arts of the Americas collections at Newfields. Newfields integrated the Notices as part of the overhaul of their online collections portal, which is within KE-EMu. These updates to their technical infrastructure and existing systems also allow for the possibilities of Labels to be added in the future.

According to the collections portal Local Contexts Provenance Research page, Newfields is using the Notices “to work towards consultations with Indigenous communities to better understand and respectfully care for and improve our stewardship of these collections while grounding Indigenous rights.”

Within the record, the Notices are below any photos and basic identifying information and above the more detailed artwork metadata. The content disclaimer and usage rights on each item also includes that some artworks may have Labels or Notices, which attribute cultural authority. Newfields uses RightsStatements alongside Notices in the individual object’s collection pages when applicable, including “No Copyright - United States” and “In Copyright - Rights-holder(s) Unlocatable or Unidentifiable.”



“[birdstone](#),” Unknown (1500 B.C.E.–500 C.E.). Public Domain (No Copyright – United States). Indianapolis Museum of Art at Newfields.

This material carries Attribution Incomplete, TK, and Open to Collaborate Notices. [Local Contexts Project](#).



It is important to remember that CC Licenses express copyright rights and responsibilities, and the LC Labels and Notices are expressing cultural rights and responsibilities. At times, the responsibilities align—and in other instances there can be tension. The value of using both is to educate users that these tensions exist. Users can then decide how best to respond to the information provided by these tools. Tension is often best resolved by seeking clarification and partnership with Indigenous communities.

## As the Creative Commons Licenses and Local Contexts Labels and Notices are not exclusive and can be used together this means that they can share the same metadata field.

The best way of doing this is making sure that unique Local Contexts Project IDs are added to the Rights field of any metadata module. In particular, within Dublin Core (dc) and Darwin Core (dwc), 'Rights' is the most appropriate field. DataCite has provided clear guidance for this.

## EXAMPLE DataCite

DataCite is a nonprofit organization established to support easier access to research data on the internet, to increase acceptance of research data as a citable contribution to the scholarly record and to support data archiving. There are currently over 98,718,750 DOIs registered on DataCite. Local Contexts and DataCite worked closely with DataCite Members in 2020 to develop DataCite Guidance on using Local Contexts Labels and Notices. Figure 3 provides the available DataCite Guidance and Figure 4 includes an example of data publication with CC and LC displayed together.

```
{
  "publicationYear": 2007,
  "identifiers": [],
  "sizes": [],
  "formats": [],
  "rightsList": [
    {
      "rights": " \n Local Contexts TK Notice https://localcontexts.org/notice/tk-notice: The TK (Traditional Knowledge) Notice is a visible notification that there are accompanying cultural rights and responsibilities that need further attention for any future sharing and use of this material. The TK Notice may indicate that TK Labels are in development and their implementation is being negotiated.\n ",
      "rightsUri": "https://localcontextshub.org/projects/71b32571-0176-4627-8e01-4d78818432a7",
      "rightsIdentifier": "tk-notice",
      "rightsIdentifierScheme": "Local Contexts"
    },
    {
      "rights": " \n Local Contexts BC Notice https://localcontexts.org/notice/BC-notice: The BC (Biocultural) Notice is a visible notification that there are accompanying cultural rights and responsibilities that need further attention for any future sharing and use of this material or data. The BC Notice recognizes the rights of Indigenous peoples to permission the use of information, collections, data and digital sequence information (DSI) generated from the biodiversity or genetic resources associated with traditional lands, waters, and territories. The BC Notice may indicate that BC Labels are in development and their implementation is being negotiated.\n ",
      "rightsUri": "https://localcontextshub.org/projects/71b32571-0176-4627-8e01-4d78818432a7",
      "rightsIdentifier": "bc-notice",
      "rightsIdentifierScheme": "Local Contexts"
    }
  ]
}
```

Figure 2 - Notices and Labels in the Rights DataCite metadata and JSON script

## PREFERRED APPROACH: TEXT DESCRIPTION + ATTRIBUTES



|                               |                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Value</b>                  | <b>Notices:</b> Notice text from the landing page of the Notice (ex: <a href="https://localcontexts.org/notice/tk-notice">https://localcontexts.org/notice/tk-notice</a> ). Use the exact text from the landing page; do not adapt or change the text.<br><br><b>Labels:</b> Custom Label text created by a community for this collection/item using the Local Contexts Hub | The TK Notice is a visible notification that there are accompanying cultural rights and responsibilities that need further attention for any future sharing and use of this material. The TK Notice may indicate that TK Labels are in development and their implementation is being negotiated. For more information about the TK Notice click <a href="https://localcontexts.org/notices/aboutnotices">https://localcontexts.org/notices/aboutnotices</a> . |
| <b>rightsUri</b>              | The URL of the landing page for the specific Notice or Label being applied                                                                                                                                                                                                                                                                                                  | <a href="https://localcontexts.org/notice/tk-notice">https://localcontexts.org/notice/tk-notice</a>                                                                                                                                                                                                                                                                                                                                                           |
| <b>rightsIdentifier</b>       | The identifier of the specific Notice or Label being applied                                                                                                                                                                                                                                                                                                                | BC-Notice<br>TK-Notice<br>Attribution-Incomplete<br>Open-To-Collaborate<br>TK-A<br>BC-P                                                                                                                                                                                                                                                                                                                                                                       |
| <b>rightsIdentifierScheme</b> | Local Contexts                                                                                                                                                                                                                                                                                                                                                              | Local Contexts                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>schemeURI</b>              | Local Contexts website URI                                                                                                                                                                                                                                                                                                                                                  | <a href="https://localcontexts.org">https://localcontexts.org</a>                                                                                                                                                                                                                                                                                                                                                                                             |

Figure 3 - DataCite Guidance

With this guidance, projects are starting to be published that display LC Notices and Labels.

The screenshot shows the DataCite Commons interface for the 'Moorea Biocode 1.0' project. At the top, there's a search bar and navigation links for Works, People, Organizations, and Repositories. The project title 'Moorea Biocode 1.0' is displayed with a DOI link: <https://doi.org/10.17913/100501.9190>. Below the title, there are buttons for 'Download Metadata', 'Add to ORCID Record', and 'Sign in to add this work to your ORCID record'. The 'Description' tab is selected, showing a paragraph about the project's aim to create a DNA barcode-based 'All Taxa Biological Inventory' of a model ecosystem. Below the description, it mentions the project was published in 2007 in iPlaces-Kotahi. There are also buttons for 'Other', 'Biological sciences', and 'Natural sciences'. The 'Cite as' section lists the creators: Davies, N., Meyer, C., Roderick, G., PLANES, S., Meyer, J.-Y., and others.

Figure 4 - Publication of Moorea Biocode 1.0 Project displaying Notices.

# ● A HOW-TO GUIDE: APPLYING LOCAL CONTEXTS LABELS AND NOTICES

## TK and BC Labels - Trusted Tools for Communities

In this section, we explain the LC tools and how to apply them.

The [Traditional Knowledge and Biocultural Labels](#) were created as interventions that educate publics and institutions about the concerns that Indigenous Peoples have over the circulation of cultural materials that may be being misrepresented, misused, or beyond Indigenous legal control. This is especially for material already in the public domain. The Labels reflect cultural rights as first rights in relation to traditional knowledge, cultural heritage, and cultural resources. Cultural rights include the right to be named or provenance, as this relates to who has responsibility for the material, and the right to determine use which is embedded in cultural protocols and permissions (Anderson and Christen, 2013, Hudson et al 2023). Each Label has a fixed visual icon, a title, a textual description, and a unique identifier.

What is special about the Labels, and perhaps why there is such enthusiasm for them globally, is that they have been developed to allow each community to adapt and customize the textual description to suit their specific needs. Labels have been designed to place Indigenous perspectives directly into the metadata of an item, collection, or dataset—providing significantly more information and a direct connection to the community it derives from. The Labels bring a contemporary Indigenous presence into the archive, library, or museum, which is carried forward as the digital heritage item circulates. As an educational intervention, it changes how this material can be understood by providing previously missing information about cultural rules and responsibilities about future use and circulation.

There are 30 Labels sorted into three categories related to their meanings. These categories are:

- a) Provenance**, allowing for proper attribution and authority offering clarity about where the cultural materials and data came from and with whom;
- b) Protocols**, allowing for distinct community rules and responsibilities around the sharing of cultural information to be included in the records; and,
- c) Permissions**, creating clear consents and permissions around current and future use.

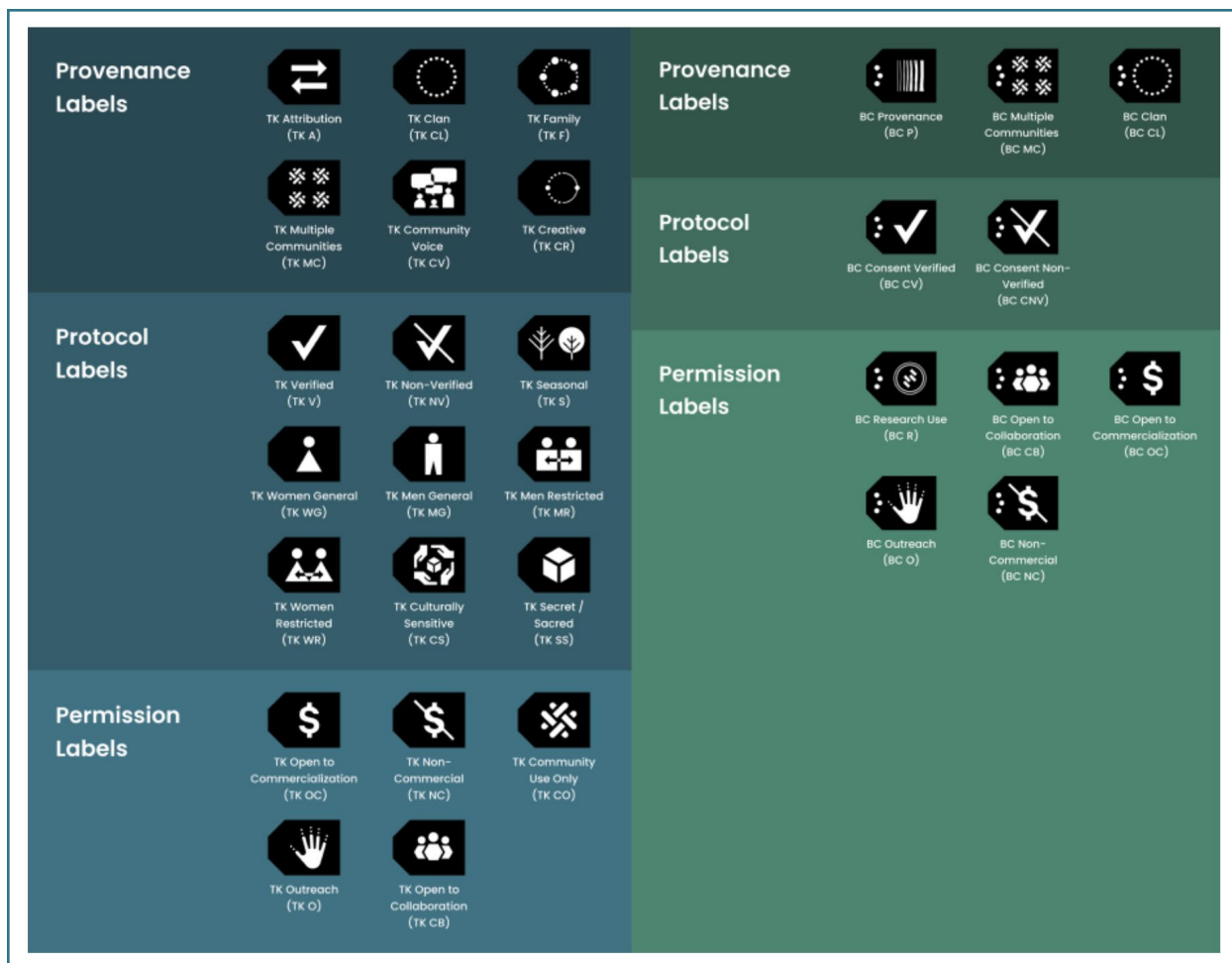


Figure 5 - The Labels arranged according to Provenance, Protocols and Permissions

## Parts of a Label & Label Customization



**Icon**  
Does not change

**+ Unique Identifier**  
generated in the Local Contexts Hub

### **TK Attribution** Title

Use template title and write own

This Label is being used to correct historical mistakes or exclusions pertaining to this material. This is especially in relation to the names of the people involved in performing or making this work and/or correctly naming the community from which it originally derives. As a user you are being asked to also apply the correct attribution in any future use of this work.

**Description**

Use/adapt template text or write own, can write multiple translations

Figure 6 - Explanation of the parts of a Label and customization

## Notices - Trusted Tools for Institutions and Researchers

The [Notices](#) were developed as a distinct tool for institutions and researchers to identify Indigenous collections and data, and recognize Indigenous rights and interests. Institutions and researchers have a responsibility to make visible and disclose Indigenous collections to Indigenous Peoples, and to make visible any rights that may be associated with these collections and data. The Notices were developed to create pathways for partnership, collaboration, and support of Indigenous cultural authority. Notices can be applied to websites, publications, datasets, museum exhibitions, items in a collection, genetic samples, and more. Institutions and researchers can generate Notices using the Local Contexts Hub. There are three kinds of Notices: Engagement, Disclosure, and Collections Care.

### **Engagement - Open to Collaborate**

The Engagement Notice—Open to Collaborate—indicates that an institution or researcher is committed to developing new modes of collaboration, engagement, and partnership over Indigenous collections and data that have colonial and/or problematic histories or unclear provenance. This Notice indicates an institutional or individual commitment to change and to develop new processes for the care and stewardship of past and future heritage collections.

## Disclosure

The Disclosure Notices are for use by collecting institutions, data repositories, and organizations to indicate where there are Indigenous collections, data, and rights. The Traditional Knowledge (TK) and Biocultural (BC) Notices can function as placeholders until TK or BC Labels are added by a community/communities.

## Collections Care

The Collections Care Notices are visible identifiers developed specifically for institutions and repositories to support proper cultural care and stewardship of collections, led and guided by Indigenous protocols and authority. These Notices were specifically designed for belongings, relatives, and ancestors that cannot yet be returned but need special cultural care in situ. This reflects Indigenous sensibilities and worldviews where these collections are not objects but need to be cared for as relatives and relations. After consultation with Indigenous community authorities, institutions and repositories can implement the Collections Care Notices internally and directly on collections as well as within policy, workflows, and practices surrounding the care and stewardship of these important collections. The Collections Care Notices were developed with the Smithsonian National Museum for the American Indian and have been implemented by the NMAI across the 50,000 belongings and relatives that cannot yet be returned home.

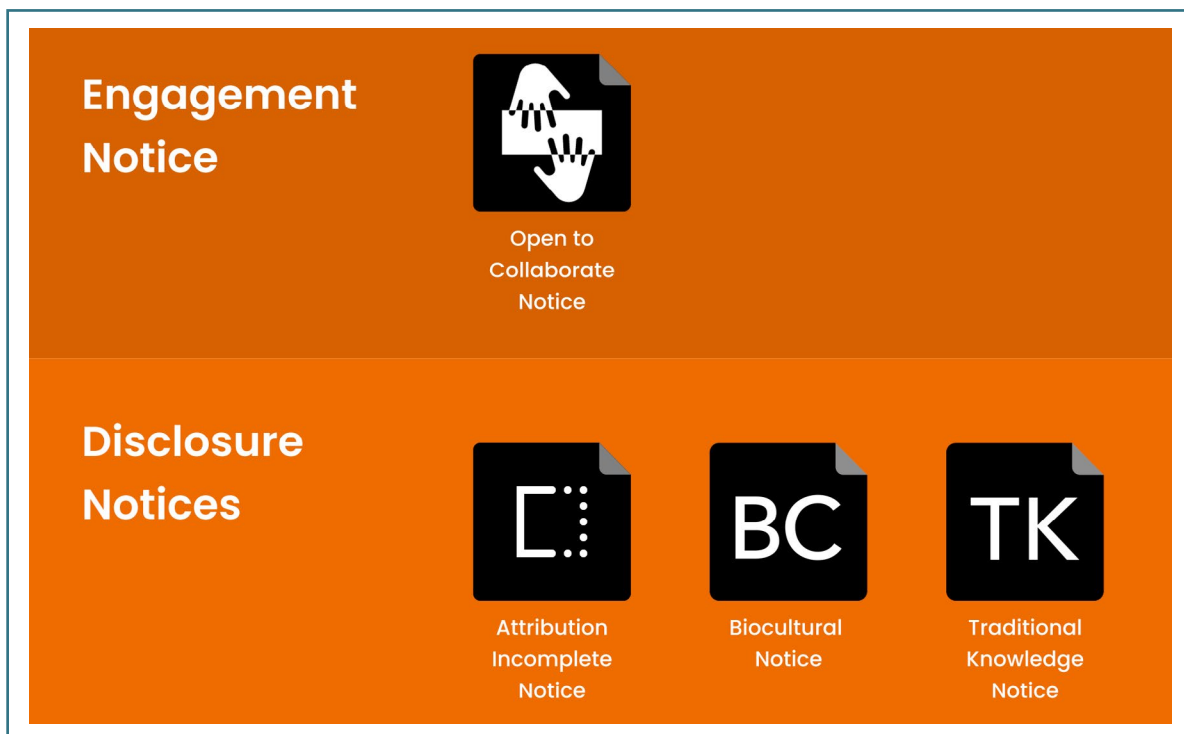


Figure 7 - The Engagement and Disclosure Notices

|                                                                                                                                                                                                                                                                                                                                                    |                                     |              |         |        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|--------------|---------|--------|
| <div>  <div> <a href="#">INQUIRY</a> <a href="#">REGISTRY</a> <a href="#">PROJECTS</a> <a href="#">PROFILE</a> <a href="#">SIGN OUT</a> </div> </div>                                                                                                             |                                     |              |         |        |
| <div> <h3>Local Contexts Projects Board</h3> <p>This Project Board shows all public Projects created on the Local Contexts Hub. View a Project to see additional details.</p> <div> <input type="text" value="Search"/> <span>Browse: <a href="#">All (190)</a>   <a href="#">Labels (53)</a>   <a href="#">Notices (114)</a></span> </div> </div> |                                     |              |         |        |
| Title                                                                                                                                                                                                                                                                                                                                              | Added by                            | Last updated | Notices | Labels |
| Sample Project with all Notice Translations                                                                                                                                                                                                                                                                                                        | Sample Institution                  | 31 Jul 2025  |         |        |
| Detection of species and hybrids in Ngā roimata ō Tōhe, Pimelea eremitica                                                                                                                                                                                                                                                                          | Te Roroa                            | 23 Jul 2025  |         |        |
| MOZEROA 2030: Innovative Mosquito Control on Huahine Island                                                                                                                                                                                                                                                                                        | Gump South Pacific Research Station | 18 Jul 2025  |         |        |
| Test Apply Labels                                                                                                                                                                                                                                                                                                                                  | Sample Institution                  | 14 Jul 2025  |         |        |
| Diet and Chemical Defenses of the Sonoran Desert Toads                                                                                                                                                                                                                                                                                             | Marina Luccioni                     | 08 Jul 2025  |         |        |

Figure 8 - The Local Contexts Hub Projects Board

## Technical Delivery - Local Contexts Hub

The [Local Contexts Hub](#) is a custom-made web-based system that offers: i) streamlined customization of the Labels and generation of Notices; ii) capacity for direct internal communication between communities, institutions, and researchers and; iii) through the use of permanent identifiers and an open API, tracking and tracing of Label and Notice implementation across infrastructures, institutions and data repositories.

Communities engage with the Hub by establishing a community account and using the Hub to customize their TK and BC Labels, communicate with institutions, and deliver their Labels when appropriate. Institutions interact with the Hub by creating an institution account, and using the Hub to generate Notices and communicate with communities.

# **THE EXPERIENCE: PART II**

## **The Passamaquoddy Tribe and the Library of Congress**

In 2015, the AFC at the Library of Congress started working with the Passamaquoddy Tribe through Passamaquoddy Tribal Historian Donald Soctomah. The AFC also reached out to Local Contexts to see if there would be a way to work together to fix some of the provenance, copyright, and larger Indigenous intellectual and cultural property issues that they could foresee arising with this project. From the Passamaquoddy perspective, there was willingness to work with the AFC to update the record on these recordings if this could be done in a way that recognized the original Passamaquoddy rights to the songs, to include the proper provenance in the records themselves, as well as to ensure Passamaquoddy control over any new information that was going to be shared.

Local Contexts, the Passamaquoddy Tribe, and the AFC all agreed to work together to create a new kind of intervention in the catalog record for the recordings that incorporated Passamaquoddy knowledge and information about the recordings and updated the record in a way that centered Passamaquoddy experience and perspective. The songs, after all, were Passamaquoddy narratives, sung in Passamaquoddy and recorded on Passamaquoddy Homelands. But nowhere in the original record was this information made evident. To the contrary, the record cited Harvard University as the rights holder and the recordings were classified as part of the 'Fewkes Recordings'.

Like many older recordings, documentation, and photographs, copyright had expired and these works are now in the public domain. For works in the public domain, this means, in theory, that works can be circulated and used without any permissions. But for Indigenous cultural material in this category, there can still be a range of cultural sensitivities and permissions that are required. Without direct engagement with these communities, there is a danger that an institution will act in a way that can harm a community, and set back future working relationships.

But how do institutions know what to do? How can they create frameworks around Indigenous materials? What are the different policies and practices that are required to engage and establish partnerships based on trust and care?

The AFC committed to working with Local Contexts and the Passamaquoddy Tribe in a way that had not previously been done at the Library of Congress. The AFC took the first step of providing a digital return of the recordings with no expectation of returning information. The shared expectation was that through Passamaquoddy decision-making and governance, the Passamaquoddy Tribe would make decisions about if and what would be shared and when. AFC took seriously the reality that for the Passamaquoddy community, reconnecting to the songs was also a process of reconnecting to ancestors as the songs had been away from the community for over 120 years.

In this work, Local Contexts had two roles. One was working with Passamaquoddy Tribal Elders who listened to the songs and identified content and names. Additionally, a key part of this work was discussions about how Passamaquoddy wanted to share these with the Library of Congress into the future. The use of the Local Contexts tools—specifically the Traditional Knowledge Labels — was a key agreement for the Tribe. For over 70% of the recordings, Passamaquoddy language speakers and Elders were willing to share the songs and their meanings for public educational reasons—as long as Passamaquoddy names were clearly included in the record, and that they would not be used for any commercial purpose. Passamaquoddy were clear that the AFC needed to point back to Passamaquoddy as the primary authority over these recordings into the future.

Local Contexts worked with AFC to develop new workflows around these Indigenous materials. This included two strategies—notifying communities about collections when there was a clear community contact that was already in relationship to the AFC. The second was to mark these collections clearly and make visible the different ways in which these collections needed to be cared for. The next key workflow that the AFC addressed was a technological one. This involved updating the

online system and associated metadata fields to include Passamaquoddy information that was going to be shared and the display of Passamaquoddy TK Labels. This included creating a place for the TK Labels in the Library MARC metadata record and a new JSON field for Indigenous cultural authority.

The technology updates were the fastest to be implemented. The workflow for community building and relationships grew at a responsible and respectful pace over a few years. Through this work on 31 Passamaquoddy wax cylinders, the Library of Congress has established the technological capacity to include Indigenous cultural authority for any of its collections moving forward.

#### **Rights Advisory**

Traditional Knowledge Label: Attribution - Elihtasik (How it is done). When using anything that has this Label, please use the correct attribution. This may include individual Passamaquoddy names, it may include Passamaquoddy as the correct cultural affiliation or it may include Passamaquoddy Tribe as the tribal designation.

<https://www.passamaquoddypeople.com/passamaquoddy-traditional-knowledge-labels>

Traditional Knowledge Label: Outreach - Ekehkimkewey (Educational). Certain material has been identified by Passamaquoddy tribal members and can be used and shared for educational purposes. Ekehkimkewey means 'educational'. The Passamaquoddy Tribe is a present day community who retains cultural authority over its heritage. This Label is being used to teach and share cultural knowledge and histories in schools, and to raise greater awareness and respect for Passamaquoddy culture and worldviews.

<https://www.passamaquoddypeople.com/passamaquoddy-traditional-knowledge-labels>

Traditional Knowledge Label: Non-Commercial - Ma yut monuwasiw (This is not sold). This material should not be used in any commercial ways, including ways that derive profit from sale or production for non-Passamaquoddy people. The name of this Label, Ma yut monuwasiw, means 'this is not to be purchased'.

<https://www.passamaquoddypeople.com/passamaquoddy-traditional-knowledge-labels>

Figure 9 - The Library of Congress inclusion of Passamaquoddy Labels in the Rights metadata field

# THE EXPERIENCE: PART III

## The Passamaquoddy Tribe and the Library of Congress

The TK and BC Labels and Notices work to redefine the purpose of institutions and the processes of research. Such redefinition changes the stories that are told about Indigenous experience of colonialism and cultural taking, alongside cultural survivance, resilience, and innovation.

For example, the inclusion of the TK Labels in the Library of Congress for the 1890 Passamaquoddy sound recordings do more than ‘correct’ an impoverished record. Proper recognition of Passamaquoddy cultural rights creates a new visibility that directly impacts community health and well-being. In addition, new relationships of trust between the institution and the Passamaquoddy Tribe led to the incorporation of tribal knowledge about the meaning and significance of the recordings into the publicly available description. It also created new practices for how the collections are to be cared for into the future. These grounding relationships established opportunities for cultural regeneration activities among the Passamaquoddy themselves, and initiated new institutional dialogues with neighboring communities.

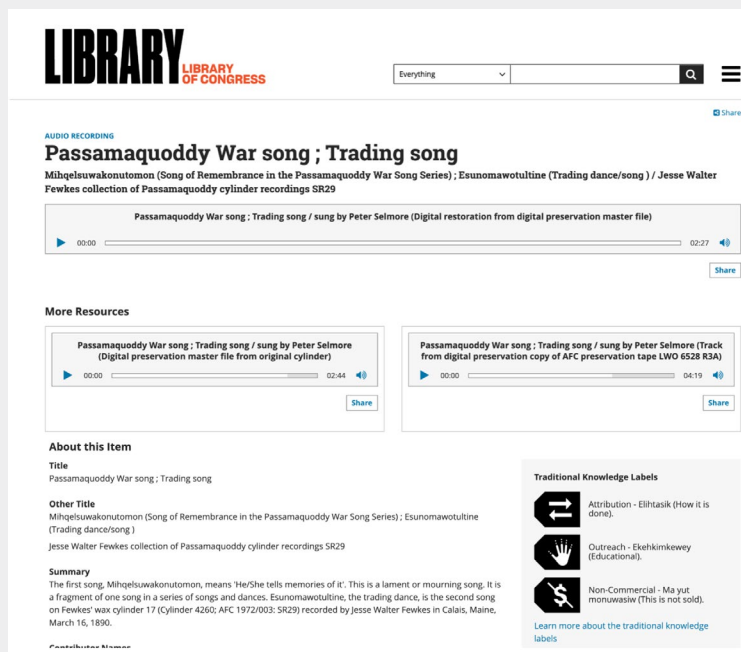


Figure 10 - Inclusion of Passamaquoddy TK Labels on Library of Congress catalog entry.

## EXAMPLE

### University of Technology Sydney Press and Publishing

[\*Marana Dyargali\*](#) (marana - first; dyargali - mark/etch/scratch) is a unique collection of zines on Indigenous research ethics and the intersection of protocols and practice.

A beautifully designed book, it shares insights into Indigenous research and ethical practice from University of Technology Sydney (UTS) researchers and senior research ethics staff.

As noted in the publication's abstract:

It seeks to explore the issues and dynamics that arise at the interface of Indigenous ways of knowing, protocols and the ethics processes of the academy. Each account draws on the practical experience of University of Technology Sydney researchers and senior research ethics staff from across the institution; providing rich examples of the multiple ethical decisions made by researchers over the lifetime of a study.

The book was created as a space of sacredness, a moment of stopping and honouring people engaging with Indigenous research ethics through their practice. While written with Higher Degree Research candidates in mind, the insights will be relevant to all researchers. The digital version of this publication was designed for non-linear exploration and does not seek to impose a particular reading order. We encourage readers to create their own pathway through the content and to pause, read and reflect at their own pace.

The book was published using a TK Notice alongside the use of the [CC BY-NC-ND 4.0](#) license which is a visible notification that there are accompanying cultural rights and responsibilities that need further attention for any future sharing and use of this material. The TK Notice may indicate that TK Labels are in development and their implementation is being negotiated.

# Marana Dyargali



## Project Details

**Date added** 19 Jul 2024

**Project type** Publication

**Project visibility** Public

**Status** Active

**Added by** utsepress | UTS ePress, University of Technology Sydney

**Contact** Duncan Loxton

### Contributors



Institution

[UTS ePress, University of Technology Sydney](#)

### Description

Marana Dyargali is a beautifully designed book sharing insights into Indigenous research and ethical practice from University of Technology Sydney (UTS) researchers and senior research ethics staff.

### Links

- <https://doi.org/10.5130/aam>

### Identifiers



#### Local Contexts Project ID

9f08abc0-7a56-4b6a-a293-8ad61686bd2e



#### Project URL

<https://localcontextshub.org/projects/9f08abc0-7a56-4b6a-a293-8ad61686bd2e>

Figure 11 - Project details for *Marana Dyargali*.

# CONCLUSION

For institutions caring for a wide diversity of heritage materials, it is important not to lose sight of the viewpoints and rights of source communities. This Guidance has been developed to provide specific practical advice that can ensure that these viewpoints are voiced, heard, and integrated as part of decision-making processes. It is a starting point, inviting people to engage in open and transparent conversations and consultations in meaningful, collaborative, and respectful ways. Specifically it points to how Creative Commons licenses and Local Contexts Labels and Notices can work alongside each other with the goal of elevating Indigenous rights frameworks to enable equitable access to heritage.

There are times when an institution might not be aware of the harm it is perpetuating. Going slow, creating space, and assessing policy and procedures for gaps in intent and exclusion are important first steps. Importantly, open access to cultural heritage does not aim to force access to heritage that was never meant by its community holders or customary custodians to be shared, let alone openly shared. While this might not be clear in current records or catalog information, our joint position is that cultural heritage should be as open as possible and as closed as necessary, and Local Contexts helps provide the much needed nuance between these positions.

From the perspective of Creative Commons, openness is a means to advance cultural policy goals aiming to remove unfair socio-economic barriers to access to heritage in the digital environment and as a way to democratize access. From the perspective of Local Contexts, openness should be agreed alongside communities, given how these collections were accumulated, where they are currently housed, and who continues to control them. Our combined work finds alignment in contemplating these terms through a shared lens of historical treatment, relationship building, and reconnection.

Fundamentally, the open ethos neither condones unfettered and unconditional access, nor does it support unjustified and undue closedness. There are multiple forms, contexts, and stages of openness and the journey from closed to open is one of relationship building and partnership.

## WORK CITED AND ADDITIONAL RESOURCES

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- Anderson, Jane. "Anxieties of Authorship in the Colonial Archive." In *Media Authorship*, ed. by Cynthia Chris and David A. Gerstner. New York: Routledge: 2013.
- Anderson, Jane and Kimberly Christen. "Decolonizing Attribution: Traditions of Exclusion." *Journal of Radical Librarianship*. 2019 (5). <https://journal.radicallibrarianship.org/index.php/journal/article/view/38>.
- Australian Library and Information Association. Aboriginal and Torres Strait Islander Protocols for Libraries, Archives and Information Services. 1995. <https://atsilrn.aiatsis.gov.au/protocols.php>.
- Burgess, Andreas and Jane Anderson. *Awasəwehławəłətina wikəwamok | They Returned Home*. 2023. 19:41. <https://localcontexts.org/films/they-returned-home/>.
- Carroll, Stephanie Russo, Ibrahim Garba, Oscar L. Figueroa-Rodríguez, Jarita Holbrook, Raymond Lovett, Simeon Materechera, Mark Parsons, Kay Raseroka, Desi Rodriguez-Lonebear, Robyn Rowe, Rodrigo Sara, Jennifer D. Walker, Jane Anderson, and Maui Hudson. "The CARE Principles for Indigenous Data Governance." *Data Science Journal* (2020), 19: 1-12. <https://doi.org/10.5334/dsj-2020-043>.
- Christen, Kimberly and Jane Anderson. "Toward slow archives." *Archival Science* (2019) 19, 87–116. <https://doi.org/10.1007/s10502-019-09307-x>.
- Christen, Kim, Josiah Blackeagle Pinkham, Cordelia Hooee, and Amelia Wilson. "Always Coming Home: Territories of Relation and Reparative Archives." *Archivaria* 94 (December 2, 2022): 24-62. <https://archivaria.ca/index.php/archivaria/article/view/13863>.
- First Archivists Circle. *Protocols for Native American Archival Materials*. 2007. <https://www2.nau.edu/libnap-p/protocols.html>.
- Fox, Keolu. "The Illusion of Inclusion: The 'All of Us' Research Program and Indigenous Peoples' DNA." *New England Journal of Medicine* (July 30, 2020) 383(5):411-413. <https://doi.org/10.1056/nejmp1915987>.
- Garrison, Nanibaa' A. "Genomic Justice for Native Americans: Impact of the Havasupai Case on Genetic Research." *Sci Technol Human Values* (December 21, 2012) 38: 201–223. <https://doi.org/10.1177/0162243912470009>.

- Hudson, Maui, Stephanie Russo Carroll, Jane Anderson, Darrah Blackwater, Felina M. Cordova-Marks, Jewel Cummins, Dominique David-Chavez, Adam Fernandez, Ibrahim Garba, Danielle Hiraldo, Mary Beth Jäger, Lydia L. Jennings, Andrew Martinez, Rogena Sterling, Jennifer D. Walker, and Robyn K. Rowe RK. 2023. "Indigenous Peoples' Rights in Data: a contribution toward Indigenous Research Sovereignty." *Frontiers in Research Metrics and Analytics* 8:1173805. <https://doi.org/10.3389/frma.2023.1173805>.
- Indian Arts Research Center. Guidelines for Collaboration. Facilitated by Landis Smith, Cynthia Chavez Lamar, and Brian Vallo. Santa Fe, NM: School for Advanced Research, 2019. <https://guidelinesforcollaboration.info/>.
- Janke, Terri, Shevaun Wright, and Matilda Langford. "CultureStrong Platforms: Setting the Standard at Wikimedia." Terri Janke and Company (July 16, 2026). [https://wikimedia.org.au/w/images/0/00/CultureStrong\\_Platforms\\_White\\_Paper.pdf](https://wikimedia.org.au/w/images/0/00/CultureStrong_Platforms_White_Paper.pdf).
- Kukutai, Tahu and John Taylor, eds. *Indigenous Data Sovereignty: Toward an Agenda*. Canberra: Australian National University Press, 2017.
- Library of Congress. n.d. "Ancestral Voices: About this Collection." <https://www.loc.gov/collections/ancestral-voices/about-this-collection/>.
- Marsh, Diana E., Robert Leopold, Katherine Crowe, and Katherine S. Madison. "Access Policies for Native American Archival Materials in the National Anthropological Archives, Smithsonian Institution." Case Studies on Access Policies for Native American Archival Materials (October 2020). [https://www2.archivists.org/sites/all/files/Case\\_3\\_Access\\_Policies\\_for\\_Native\\_American\\_Archival\\_Materials.pdf](https://www2.archivists.org/sites/all/files/Case_3_Access_Policies_for_Native_American_Archival_Materials.pdf).
- National Museum of the American Indian (NMAI). n.d. "History of the Collections." <https://americanindian.si.edu/explore/collections/history>.
- O'Brien, Margaret, Ruth Duerr, Riley Taitingfong, Andrew Martinez, Vera Lourdes, Lydia J. Jennings, Robert Downs, Erin Antognoli, Talya ten Brink, Nicole Halmai, Stephanie Russo Carroll, Dominique David-Chavez, Maui Hudson, and Pier Luigi Buttigieg. "Earth Science Data Repositories: Implementing the CARE Principles." *Data Science Journal* (July 3, 2024) 23: 37. <https://doi.org/10.5334/dsj-2024-037>.
- O'Neal, Jennifer R. "'The Right to Know': Decolonizing Native American Archives." *Journal of Western Archives* (2015) 6:1. <https://doi.org/10.26077/fc99-b022>.

Shankar, Guha, Betsy Peterson, Kim Christen, Jane Anderson, Donald Soctomah, Dwayne Tomah, Nicole Saylor. "Ancestral Voices Roundtable." Panel held in Washington, D.C., United States, on June 4, 2018. <https://youtu.be/YIVHegzjJPo?si=8B-8yX4SamCrJ06H>.

Schweitzer, Ivy and Gordon Henry, eds. *Afterlives of Indigenous Archives*. Hanover: Dartmouth College Press, 2019.

Taitingfong, Riley, Andrew Martinez, Stephanie Russo Carroll, Maui Hudson, and Jane Anderson. *Indigenous Metadata Bundle Communiqué*. Collaboratory for Indigenous Data Governance, ENRICH: Equity for Indigenous Research and Innovation Coordinating Hub, and Tikanga in Technology. 2023. <https://doi.org/10.6084/m9.figshare.24353743>.

The Indigenous Archives Collective. *The Indigenous Right of Reply to Archives: Working towards Indigenous Sovereignty, Healing, and Justice in Archival Practice*. New York: Routledge, 2025.

Thorpe, Kirsten. "Protocols for libraries and archives in Australia: Incorporating Indigenous perspectives in the information field." *World Library and Information Congress Papers and Presentations*. 2013.

Thorpe, Kirsten, Shannon Faulkhead, Lauren Booker, Nathan muddyi Sentance, and Rose Barrowcliffe. 2026. "Decolonising Citation: Indigenous Knowledge Attribution Toolkit and Australian Library Citational Practices". *KULA: Knowledge Creation, Dissemination, and Preservation Studies* 9 (1):1-15. <https://doi.org/10.18357/kula.315>.

Tsosie, Krystal S., Keolu Fox, and Joseph M. Yracheta. "Genomics data: the broken promise is to Indigenous people." *Nature* (March 19, 2021). <https://doi.org/10.1038/d41586-021-00758-w>.

U.S. Department of the Interior. n.d. "Office of Trust Records." <https://www.doi.gov/ost/office-trust-records>.

Walter, Maggie, Tahu Kukutai, Stephanie Russo Carroll, and Desi Rodriguez-Lonebear, eds. *Indigenous Data Sovereignty and Policy*. New York: Routledge, 2021.

Walter, Maggie, Raymond Lovett, Bobby Maher, Bhiemie Williamson, Jacob Prehn, Gawaian Bodkin-Andrews, and Vanessa Lee. "Indigenous Data Sovereignty in the Era of Big Data and Open Data." *Australian Journal of Social Issues* (October 28, 2020) 56: 143-156. <https://doi.org/10.1002/ajs4.141>.

Wilkinson, Mark, Michel Dumontier, IJsbrand Jan Aalbersberg, Gabrielle Appleton, Myles Axton, Arie Baak, Niklas Blomberg, Jan-Willem Boiten, Luiz Bonino da Silva Santos, Philip E. Bourne, Jildau Bouwman, Anthony J. Brookes, Tim Clark, Mercè Crosas, Ingrid Dillo, Olivier Dumon, Scott Edmunds, Chris T. Evelo, Richard Finkers, Alejandra Gonzalez-Beltran, Alasdair J.G. Gray, Paul Groth, Carole Goble, Jeffrey S. Grethe, Jaap Heringa, Peter A.C 't Hoen, Rob Hooft, Tobias Kuhn, Ruben Kok, Joost Kok, Scott J. Lusher, Maryann E. Martone, Albert Mons, Abel L. Packer, Bengt Persson, Philippe Rocca-Serra, Marco Roos, Rene van Schaik, Susanna-Assunta Sansone, Erik Schultes, Thierry Sengstag, Ted Slater, George Strawn, Morris A. Swertz, Mark Thompson, Johan van der Lei, Erik van Mulligen, Jan Velterop, Andra Waagmeester, Peter Wittenburg, Katherine Wolstencroft, Jun Zhao, and Barend Mons. "The FAIR Guiding Principles for scientific data management and stewardship." *Scientific Data* (March 15, 2016) 3, 160018. <https://doi.org/10.1038/sdata.2016.18>.

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