

# Principles of Protection for Indigenous Cultural and Intellectual Property

## Principles for the protection of ICIP in the Park:

1. Indigenous owners of ICIP have the right to the **definition, ownership and control** of any Indigenous Cultural and Intellectual Property.
2. **Prior informed consent** will be sought from Indigenous owners regarding proposed access, use, storage and application of ICIP. The principle of informed consent relies on full disclosure of relevant information including any legal factors, risks and benefits of consent, the possible future storage of ICIP as well as the provision for conditions, suspension or withdrawal of consent as instructed by Indigenous owners.
3. ICIP will only be used for the express purpose for which permission is provided, and **permission will be sought for each new or different proposed use**.
4. Indigenous owners will be provided with **adequate opportunities and timeframes** to consider and respond to requests/proposals regarding ICIP.
5. Care and judgement and, where appropriate, anthropological knowledge of **customary protocols** will be sought through the Central Land Council to determine who should be consulted and whose consent should be sought in relation to ICIP.
6. The collection, storage and protection of cultural knowledge and material and provision for access by Indigenous owners relies on effective **information management systems**, including the use of filing, consent and release forms to record relevant information.
7. ICIP may be secret, sacred or sensitive in nature. In the absence of informed consent regarding its use, and beyond the use of traditional ecological knowledge in the course of day to day joint management of the Park, **ICIP will be regarded as confidential information**.
8. Indigenous owners have the right to negotiate terms of use of the ICIP and **benefit sharing rights**.
9. ICIP is often **group or communal property**, as complex and dynamic as the group/s by whom it is collectively held, and should be recognised and treated accordingly, including in any recording, publications or other use.
10. Indigenous owners' participation in research and other Park activities will include opportunities for **intergenerational knowledge transfer**, and cultural maintenance.
11. The Director seeks to ensure that **Licence holders and other external parties** (including consultants, contractors, concessionaires and agents) are aware of and comply with these Principles through the permit and licensing application process, staff involvement in or facilitation of external projects, and in supporting agreements to secure compliance, where appropriate.
12. Indigenous owners have the right to **full and proper attribution** and due credit in relation to the use and application of ICIP.
13. Indigenous owners have the **right to protect sites** and areas, including sacred sites.
14. Indigenous owners will have the **opportunity to review** material with ICIP content, prior to publication or dissemination.

