



Shúx'waa k_u.oo at wuskoowú (Traditional Knowledge) Policy

Passed by Executive Council on: **December 19th, 2024**



Shúx'waa ƙu.oo at wuskoowú

(Traditional Knowledge)

Policy

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1. *Shúx'waa ku.oo at wuskoowú* (Traditional Knowledge) Statement

Haa Kusteeyí (Our Way of Life) includes but is not limited to *at wuskú* (knowledge) of our *áa at kudziitiyi yé* (habitat), *yées daséikw* (air), *aan* (land), *héen* (water), the *daḱka.ádi* (animals), *kayaani* (plants), *náakw* (medicine), *yáx kuhá* (seasons), and *héixwaa* (rites/ceremony). This way of life teaches *yáa at wooné* (respect) for all living things and creates a connection to each and everything around us. The *at wuskú* (knowledge) of *I ulitóogu yé* (sacred sites), historical sites, and trails is important to the Government of Carcross/Tagish First Nation (G/CTFN). *Shúx'waa ku.oo at wuskoowú* (Traditional Knowledge) has been passed down from generation to generation through our Elders and Knowledge Keepers by way of our stories, teachings, and our languages (Tagish and Lingít). The Elders speak about the importance of sharing, preserving, and respecting our traditional knowledge, and that it needs to be protected and what we share needs to be assessed.

2. Purpose

The policy is intended to *latseen* (strengthen) the protection, preservation, and promotion of Carcross/Tagish First Nation's Traditional Knowledge.

The purpose of this policy is to:

- 2.1. Ensure research involving *Shúx'waa ku.oo at wuskoowú* (Traditional Knowledge) is conducted in a culturally appropriate and ethical way.
- 2.2. Support Carcross/Tagish First Nation (C/TFN) researchers in accessing all forms (digital, analog, written, etc.) of documented *Shúx'waa ku.oo at wuskoowú* (Traditional Knowledge) for personal research.
- 2.3. Promote the appropriate integration of *Shúx'waa ku.oo at wuskoowú* (Traditional Knowledge) into GC/TFN programs and services.
- 2.4. Establish the roles and responsibilities of GC/TFN departments, employees, boards, councils, committees, contractors, Clans, and researchers when accessing, documenting, and using C/TFN *Shúx'waa ku.oo at wuskoowú* (Traditional Knowledge).



3. Scope

This policy applies to GC/TFN, its employees, contractors, boards, councils, or committee members, and third parties proposing to conduct research involving Traditional Knowledge.

Scope Limitations:

- 3.1. This policy is not intended to control the customary or ongoing uses of *Shúx'waa ku.oo at wuskoowú* (Traditional Knowledge) by C/TFN Citizens. GC/TFN recognizes that citizens may share *Shúx'waa ku.oo at wuskoowú* (Traditional Knowledge) with third parties through participation in meetings, interviews, public consultations, and personal relationships.

4. Guiding Principles

This policy is guided by *yáa at wooné* (respect) for C/TFN cultural and clan protocols, and the principles of OCAP (see Definitions).

5. Definitions

The following definitions apply to this policy:

“Boards/ Committees” means a group of people appointed by C/TFN Council or GC/TFN for advising or conducting a *daa yan tuwditáni át* (decision) making activities in accordance with protocol as established by the Constitution of the Carcross/Tagish First Nation.

“Citizens” means an individual who has met the requirements for citizenship as set out in the Carcross/Tagish First Nation Constitution and is registered in the Carcross/Tagish First Nation Registry.

“Consent” is approval or permission to use *Shúx'waa ku.oo at wuskoowú* (Traditional Knowledge) for a defined purpose after full disclosure regarding the reasons for the activity, the specific procedures that activity would entail, the potential risks involved, and implications that can realistically be foreseen. Consent may be verbal or written and documented accordingly in all access application forms.

“C/TFN” means Carcross/Tagish First Nation, its Government, Citizens, and Territory.

“Documented Traditional Knowledge” means records, regardless of form, which include traditional knowledge. May include correspondence, memoranda, books, plans, maps, drawings, diagrams, pictorials, graphics, audio or visual recordings, photography, films, geographic information, electronic documents, or any other type of record.

“GC/TFN” means all branches of the Carcross/Tagish First Nation Government as established by C/TFN's Constitution.

“Knowledge Holder” means an individual or clan who holds *Shúx'waa ku.oo at wuskoowú* (Traditional Knowledge) and may or may not choose to share the knowledge.



“Lands Claims Agreement” means C/TFN comprehensive land claim agreement, as documented within the Umbrella Final Agreement and the Carcross/Tagish First Nation Self-Government Agreement.

“OCAP” an acronym that represents a set of First Nation information governance principles. Definitions include:

Ownership: refers to First Nations’ collective ownership of their cultural knowledge, data, and information.

Control: refers to First Nations’ right to govern their data and information held by C/TFN or third parties, including the conditions of access, use, and destruction.

Access: refers to First Nations’ right to access their information regardless of where it is held and to determine the access conditions for that information held by the Nation or third parties.

Possession: refers to First Nations’ right to possess its tangible (physical records) and intangible (electronic) data and information.

“Researcher” means individual who requests access to documented *Shúx’waa ku.oo at wuskoowú* (Traditional Knowledge) held by the C/TFN Government.

“*Shúx’waa ku.oo at wuskoowú* (Traditional Knowledge)” means a way of life and understanding passed down from generation to generation through Elders by way of stories, training, and language. These ancestral teachings include both land-based at *wuskú* (knowledge) of the *áa at kudzitiyi yé* (habitat), *yées daséikw* (air), *aan* (land), *héen* (water) and *daḱka.ádi* (animals) and at *wuskú* (knowledge) of cultural expressions like story, song, art, and *héixwaa* (rites/ceremony).

“Third party researcher” means individuals, organizations, corporations, institutions, and Governments external to C/TFN.

6. Roles and Responsibilities

6.1. The Government of Carcross/Tagish First Nation:

6.1.1. Is the body responsible for development, implementation, and approval of and compliance with this policy.

6.1.2. Will use this policy to support its broader political, legal, and regulatory strategy to protect, preserve, and manage the use of Traditional Knowledge.

6.2. Elder’s Council:

6.2.1. Provides advice and direction regarding the access, use, and sensitivity criteria of Traditional Knowledge.

6.3. Heritage Department:

6.3.1. Is the primary point of contact for third party and staff researchers regarding *Shúx’waa ku.oo at wuskoowú* (Traditional Knowledge) research projects.



- 6.3.2. Will initiate and coordinate a Language and Cultural Oversight Committee to provide advice and direction regarding access and use of Traditional Knowledge.
- 6.3.3. Will coordinate with Elder's Council to provide advice and direction regarding access and use of Traditional Knowledge.
- 6.3.4. Will develop *Shúx'waa ku.oo at wuskoowú* (Traditional Knowledge) sensitivity criteria in consultation with the Elders Council.
- 6.3.5. Develop materials to explain this policy and support its effective implementation; and
- 6.3.6. Facilitate connecting researchers to Citizens as needed.

6.4. C/TFN Archivist:

- 6.4.1. Responsible for day-to-day management and *kaa jeeyís yéi jiné* (care) of records in the Archives that contain *Shúx'waa ku.oo at wuskoowú* (Traditional Knowledge).
- 6.4.2. Function as primary point of contact for requests from C/TFN staff and Citizens to access documented *Shúx'waa ku.oo at wuskoowú* (Traditional Knowledge) held in C/TFN Archives.
- 6.4.3. Facilitate access to documented *Shúx'waa ku.oo at wuskoowú* (Traditional Knowledge) in C/TFN Archives.
- 6.4.4. Conduct research on records containing *Shúx'waa ku.oo at wuskoowú* (Traditional Knowledge) in C/TFN Archives to document, to the extent possible, the context of the creation of records, including consent, research methods, confidentiality, and sensitivity of the knowledge.
- 6.4.5. Collaborate with the Heritage Department and/or Lands and Natural Resources Department to develop procedures regarding access and use of records that contain *Shúx'waa ku.oo at wuskoowú* (Traditional Knowledge) held in the C/TFN Archives.
- 6.4.6. Protect all *Shúx'waa ku.oo at wuskoowú* (Traditional Knowledge) in its holdings against unauthorized access, collection, copying, use, retention, and disposal; and
- 6.4.7. Review and classify records containing documented *Shúx'waa ku.oo at wuskoowú* (Traditional Knowledge) for sensitive content.

6.5. GC/TFN Employees and Contractors:

- 6.5.1. Responsible for adhering to this policy; and
- 6.5.2. Responsible for protecting *Shúx'waa ku.oo at wuskoowú* (Traditional Knowledge) in their possession.

6.6. Third Party Researchers:

- 6.6.1. Responsible for adhering to this policy and associated Research Agreement.

7. Research Guidelines

- 7.1. Personal research conducted by C/TFN researchers regarding genealogy, culture, history, and language is encouraged and permitted.



- 7.2. All third-party researchers conducting research involving C/TFN *Shúx'waa ku.oo at wuskoowú* (Traditional Knowledge) will be required to enter into a Research Agreement with GC/TFN.
- 7.3. All research involving C/TFN *Shúx'waa ku.oo at wuskoowú* (Traditional Knowledge) conducted by outside researchers or formal research projects conducted by C/TFN staff or contractors that produced products that will be shared with *ku.oo* (community) and/or public will be approved, co-ordinated and vetted by the Government of Carcross/Tagish First Nation.
- 7.4. GC/TFN will not grant, waive, or alienate any rights to *Shúx'waa ku.oo at wuskoowú* (Traditional Knowledge) to a third party.

8. Access Provisions

Appropriate access will be provided on a case-by-case basis for:

- 8.1. All C/TFN staff and/or internal contractors needing to access records that contain *Shúx'waa ku.oo at wuskoowú* (Traditional Knowledge) to fulfil the duties outlined in their job descriptions or contracts and also C/TFN Citizens conducting personal research.
- 8.2. Third party researchers wanting to access Traditional Knowledge, whether previously recorded or by acquiring new information through interviews or other methods, are required to submit the "Application to Conduct *Shúx'waa ku.oo at wuskoowú* (Traditional Knowledge) Research" to the Heritage Department.
 - 8.2.1. Applications will be reviewed by the Heritage Department in consultation with Elders Council; and
 - 8.2.2. If approved, access to records containing *Shúx'waa ku.oo at wuskoowú* (Traditional Knowledge) will be facilitated by the C/TFN Archivist according to the signed Research Agreement between GC/TFN and the researchers.

9. Limitations On Access

Access to and disclosure of records that contain *Shúx'waa ku.oo at wuskoowú* (Traditional Knowledge) may be limited for any user depending on:

- 9.1. Access limitations outlined in a Donation Agreement.
- 9.2. Sensitivity classification of the records in question.
- 9.3. Lack of documentation of consent; and
- 9.4. The GC/TFN Archives will put all grants of access in writing, which will include terms and conditions regarding use.

10. Consent

- 10.1. Researchers must obtain consent from Knowledge Holders prior to conducting research.
- 10.2. GC/TFN and Citizens must have the opportunity to decide whether to give consent to the use of *Shúx'waa ku.oo at wuskoowú* (Traditional Knowledge) and to make this *daa yan tuwditáni át* (decision) after being informed as to the nature and purpose of the use of this knowledge.
- 10.3. GC/TFN will determine culturally appropriate means of obtaining consent as needed.



11. Compliance

- 11.1. Failure for GC/TFN branches, departments, boards, teams, committees, agencies, employees to comply with this policy will be addressed in accordance with any applicable GC/TFN personnel policies and procedures.
- 11.2. Failure for third-parties or GC/TFN contractors to comply with the policy may result in legal action.

12. Implementation

- 12.1. This policy will be shared with GC/TFN employees and incorporated into new employee orientation and other staff training (i.e.: policies and procedures manual)

13. Review Date

- 13.1. TRANSPERY/REVIEW DATE Annually or as required.