

PHUNKTIONAL AUSTRALIAN INDIGENOUS CULTURAL & INTELLECTUAL PROPERTY (ICIP) GUIDING PRINCIPLES

To ensure First Nations peoples' rights to their ICIP are appropriately recognised and embedded in PHUNKTIONAL's working culture, the company's approach is led by the following guiding principles. The guiding principles are based on the True Tracks® ten principles developed by Terri Janke and Company.

NOTE: The guiding principles are not hierarchical or linear, and should not be interpreted in isolation but together, interrelated and overlapping, reflecting the nature of ICIP itself.

1. Recognition & Respect: PHUNKTIONAL recognises and respects the rights of First Nations peoples to protect, maintain, control and benefit from their ICIP.

2. Self-determination: PHUNKTIONAL recognises and respects the right of First Nations peoples to be involved in decision-making concerning their ICIP. The right of self-determination extends to maintenance of ongoing relationships concerning the access and use of ICIP including the context in which any ICIP is presented by PHUNKTIONAL.

3. Collaboration & Consultation: PHUNKTIONAL supports the enduring right of First Nations peoples to be consulted about their ICIP and any use of their ICIP. PHUNKTIONAL commits to ensuring such consultation is respectful, informed and ethical and that adequate time is provided to enable meaningful dialogue and consideration by the First Nations peoples.

4. Free, Prior Informed Consent: PHUNKTIONAL is committed to ensuring that the free, prior informed consent of First Nations peoples is obtained before using or authorising use of ICIP where possible to do so.

5. Interpretation & Cultural Integrity:

PHUNKTIONAL supports the right of First Nations peoples to be the primary guardians and interpreters of their ICIP. PHUNKTIONAL seeks to ensure that its interpretations of ICIP are respectful of the cultural integrity of that material.

6. Secret, Sacred & Private: PHUNKTIONAL acknowledges that some areas of First Nations culture are not appropriate to be shared publicly or may be subject to customary laws or other restrictions. PHUNKTIONAL will respect the custodial rights of First Nations peoples and ensure that their decisions in relation to secret, sacred and private business are upheld.

7. Attribution: First Nations peoples are custodians of their ICIP and have the right to be attributed in relation to their ICIP. PHUNKTIONAL commits to acknowledging First Nations peoples in relation to their ICIP and any use of their ICIP.

8. Benefit Sharing: PHUNKTIONAL acknowledges the right of First Nations peoples to benefit from the sharing of their ICIP and culture.

9. Maintaining First Nations Culture: PHUNKTIONAL acknowledges that First Nations cultures are not static and that measures need to be taken so that First Nations peoples can maintain, revitalise and advance their cultures.

10. Recognition of Ongoing Rights: PHUNKTIONAL acknowledges that First Nations peoples should be recognised as the guardians of their culture and recognises that the rights of First Nations peoples regarding their ICIP are ongoing.

Artwork by Matty Chilly