



Walking together/working together

Protocols for Aboriginal cultural tourism



Acknowledgement

We respectfully acknowledge and honour the Aboriginal people of the Northern Territory and recognise the continuation of culture, connection to lands, water and country. We pay our respects to Elders past, present and future.

About this guide

This guide is about understanding the importance of cultural protocols, protecting culture, right way tourism, acknowledgement and integrity. It is to support Aboriginal people on their tourism journey and to ensure governments, support organisations and the tourism industry walk together/work together appropriately.

More information

For more information and access to other Aboriginal Cultural Tourism Framework resources visit www.tourismandeventsnnt.com.au or contact Tourism and Events NT's Aboriginal tourism team today.

PH: 08 8999 7420 **E:** aboriginal.tourismeventsnt@nt.gov.au

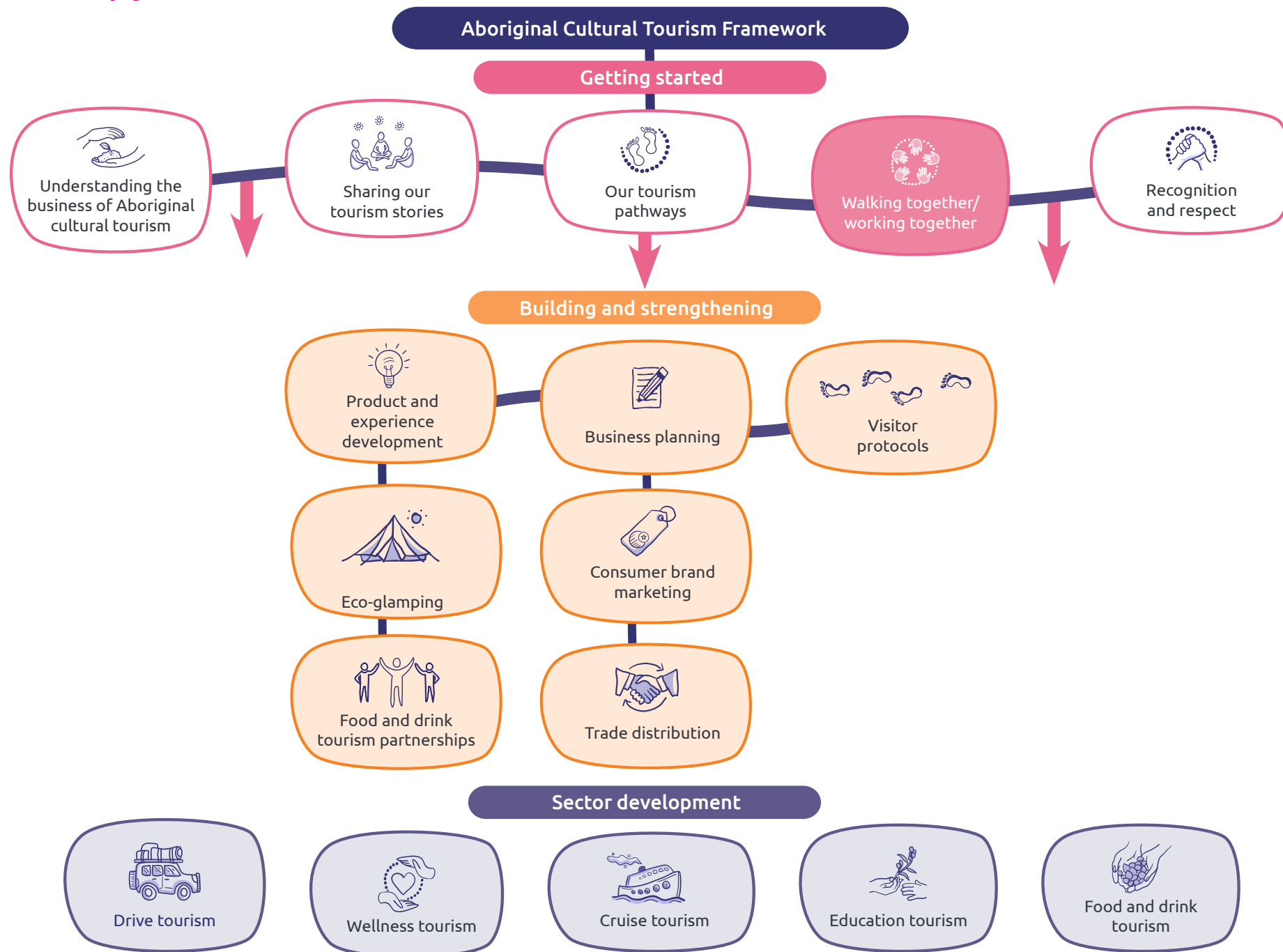
Image credits

Cover: Karrke Aboriginal Cultural Tour - Tourism and Events NT/Mark Fitzpatrick

Image credit:
Pudakul Aboriginal Cultural Tours - Tourism and Events NT/Helen Orr



Tools to help you



What are cultural protocols?

Protocols create a good way of us walking together and working together



Cultural protocols are appropriate ways of behaving, communicating and showing respect to a particular cultural group.

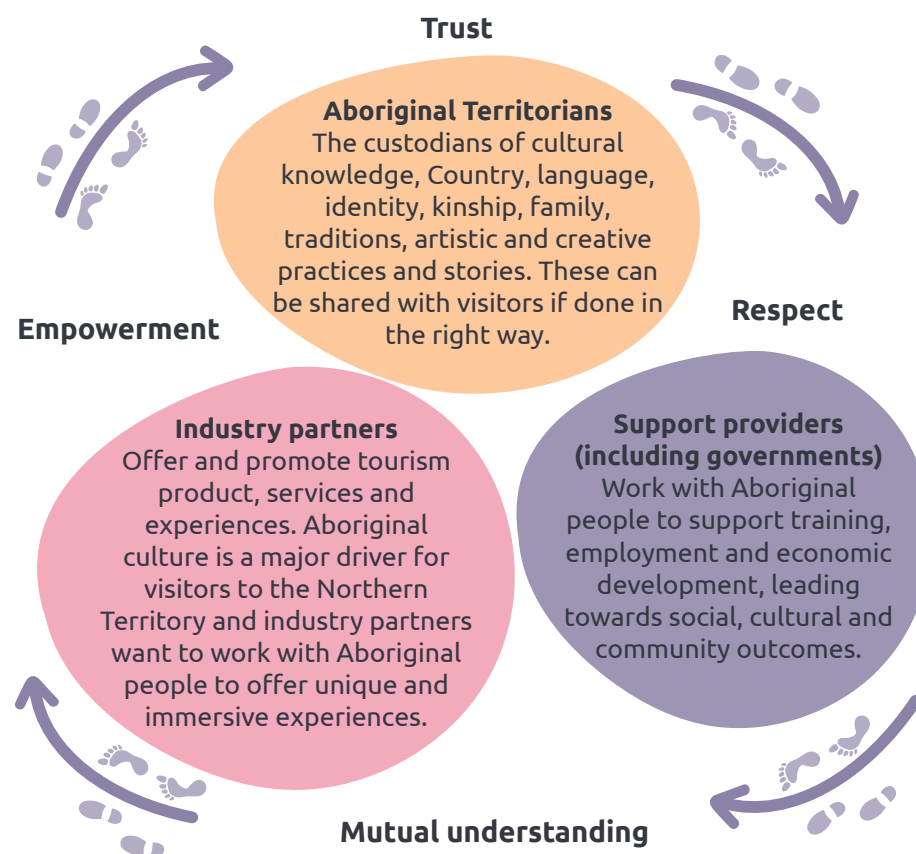


Protocols may be different for every region, community, family and individual. They consider the values, traditions, laws and lore of Aboriginal people to ensure that culture remains strong and protected.



Protocols provide a way for working with people from different cultures and when followed they show respect for our cultural values and beliefs.

Ways we can walk together/work together



Founded on the Larrakia Declaration on the development of Indigenous tourism.

+ Terri Janke. Writing Cultures: Protocols for Producing Indigenous Australian Writing. (2012)

Why do we need protocols?

Protocols can be developed for a range of reasons:

- ✓ Obtaining permission to visit Country and the places that are allowed to be visited (some places might only be appropriate to visit with an authorised Aboriginal person).
- ✓ Acknowledging and respecting people and places including gender, kinship, Elders, ancestors, Welcome to Country (including fee for service), acknowledgement of Country, ceremonies, cultural competency and cultural safety (including sensitive images, information and other materials).
- ✓ Respecting and not disturbing cultural and natural sites and not leaving rubbish behind.
- ✓ Cultural interpretation, knowledge and stories only to be shared by appropriate Traditional Owners or accredited tour guides.
- ✓ Understanding the meaning of Indigenous cultural intellectual property, copyright, moral rights, the United Nations Rights of Indigenous Peoples and other legal protection and requirements.
- ✓ Protocols for community engagement, consultation, communication and visiting communities.
- ✓ Ensuring safety of visitors at all times.
- ✓ Respecting cultural business which may result in temporary site, community and business closures.
- ✓ Undertaking activities that provide benefits for Aboriginal communities, Country and culture.



* Adapted from Categories of ICIP Diagram, © Terri Janke and Company. Produced under licence with Terri Janke and Company.

What is Indigenous Cultural and Intellectual Property (ICIP)?

ICIP refers to the rights that Aboriginal people have to protect their tangible (things that we can touch and move) and intangible (practices, beliefs, stories, performance) cultural heritage.



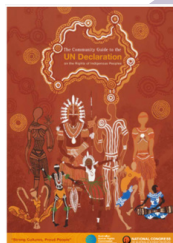
How can we protect what belongs to us?

ICIP rights include the right for Aboriginal people to own and control their cultural and intellectual property and authorise if and how it can be shared.

* Adapted from Categories of Indigenous Cultural and Intellectual Property produced by Terri Janke and Company, 2020

Where can I learn more about cultural protocols?

There are many resources, checklists and advice to help guide the development of cultural protocols.



[United Nations Declaration on the Rights of Indigenous People \(2007\)](#)

A universal framework of minimum standards for the survival, dignity and well-being of the Indigenous peoples of the world elaborating on existing human rights standards and fundamental freedoms as they apply to Indigenous peoples. The Australian Government also subscribes to this Declaration.



[The Larrakia Declaration on the Development of Indigenous Tourism \(2012\)](#)

Building on the United Nation's Declaration, the Larrakia Declaration has been adopted by the United Nations World Tourism Organisation (UNWTO) as the global best practice principles for working with Indigenous peoples in Indigenous tourism. The principles include - Respect, Consult, Empower, Partner, Benefit and Protect.



[Recommendations on the Sustainable Development of Indigenous Tourism, UNWTO \(2019\)](#)

These recommendations are for Indigenous peoples, tourism operators, travel agents, tour guides, government agencies, support services and other stakeholders, providing guidance on appropriate ways of working together in accordance with the Larrakia Declaration principles.

Examples of cultural protocols developed by Aboriginal Territorians:

[Cultural Protocols of the Larrakia People](#)

[Lhere Artepe Cultural Protocols](#)

Who can provide advice and support?

Cultural protocols will help you, your family and your community:

- Set the rules for what can and can't be shared
- Determine how visitors must behave when sharing culture and Country
- Control how you'd like to work together with the tourism industry, government and other partners.

Advice and support with ICIP and cultural protocols can be sought in consultation with:

- Elders, Traditional Owners and relevant custodians
- Representative land councils, native title bodies and prescribed body corporates
- The [Australian Institute of Aboriginal and Torres Strait Islander Studies \(AIATSIS\)](#)
- The [Indigenous Art Code](#) and representative regional Indigenous art organisations
- Legal advice from the [Arts Law Centre](#), the [Copyright Council of Australia](#), a legal practitioner, the [North Australian Aboriginal Justice Agency \(NAAJA\)](#) or the [Central Australian Aboriginal Legal Aid Services \(CAALAS\)](#), [Community Legal Centres Australia](#)
- [IP Australia](#) administer intellectual property rights for trademarks, patents, designs and plant breeder's rights.

An example of ICIP in practise



Left: Senior Anangu Traditional Owners worked together with Voyages Indigenous Tourism Australia to develop the Wintjiri Wiru drone and light show experience. An [Indigenous Cultural Intellectual Property Agreement](#) was established to ensure protection, respect, remuneration and recognition for Anangu in the long term.

Image credit: Wintjiri Wiru - Tourism and Events NT/Ray Reyes

Once you have decided on your own cultural protocols you can work towards receiving recognition of your Aboriginal cultural tourism product or experience. Learn about the different recognition and right way pathways to becoming a respected Aboriginal cultural tourism business in our next booklet 'Recognition and respect.'

www.tourismandeventsnnt.com.au

To discuss your tourism product or experience idea further, get in touch with Tourism and Events NT's Aboriginal tourism team:
Ph: 08 8999 7420 or Email: aboriginal.tourismeventsnnt@nt.gov.au

Image credit:
Aboriginal tour at Tiwi Islands - Tourism Australia/James Fisher



Ways of walking together/working together

This checklist has been developed to support you and your partners on your walking together/working together tourism journey.

Stage 1: Getting started			
Checklist	Yes/No/Unsure	Why?	Notes
Do I need permission/consent to undertake my Aboriginal cultural tourism idea?			
Have I sought professional and legal advice to help make the right decisions?			
Have all relevant people been consulted with about the idea and have approvals been received in accordance with the prescribed body corporate (Native Title holders) and land councils? Land councils can provide advice.			
Do I have cultural approvals from the relevant custodians, land owners and knowledge holders to undertake my tourism idea?			
Have the stories, traditions, cultural materials, activities or sites been checked for approval by the relevant custodians? Are there conditions in place for use?			
Do I need formal approvals, like a Section 19 Land Use Agreement as per the Land Rights Act? - This may be in the form of a lease or licence that ensures your rights as a Traditional Owner are properly recognised and supports responsible activities on the land. Does my business or do visitors need a permit to enter Aboriginal land?			
Is my idea a joint venture or partnership? What is the purpose of the partnership, are our values the same, is there trust between us? What's in it for both of us?			

For guidance, download [Indigenous Business Australia's Indigenous Joint Venture Information Guide](#).

Adapted from Protocols for using First Nations Cultural and Intellectual Property in the Arts, Australian Council for the Arts, Australian Government 2019

Stage 2: In business

Checklist	Yes/ No/ Unsure	Why?	Notes
Are Aboriginal people involved, have ownership of and benefit from my tourism idea?			
Have I talked with Owners and Custodians on the correct acknowledgement of people, culture and Country relevant to my Aboriginal cultural tourism experience?			
Have cultural protocols been developed for accessing or using Country and culture for tourism purposes?			
Is a written legal agreement required to share culture, access Country, work together with Aboriginal people or to provide financial benefits?			
If considering a partnership or joint venture, will there be a legally binding agreement in place? What will this agreement look like? What are the roles, responsibilities and percentage of ownership?			
Indigenous Cultural and Intellectual Property (ICIP) is valuable and integral to your product delivery. How are you managing the permissions, protection and management of ICIP including your's or the use of others' in association with your project? Consider seeking specialist advice to ensure ICIP is legally protected through copyright, branding and trademarking etc.			
Have cultural business policies and procedures been developed? What happens during times of cultural business, when an Aboriginal person passes away, when ceremony and obligations are required? What impact will this have and how should it be managed?			
Is success measured from an Aboriginal perspective, a business perspective, a visitor perspective? How is it measured and what are the priorities?			
Have I maintained relationships with Aboriginal contributors and communities involved in my tourism business? Do I have a communications plan to continue open, honest and transparent consultation and reporting into the future?			

If the answer is no or unsure in any instance, the Aboriginal cultural tourism proposal needs more planning work or should be reconsidered or not progressed further.



“As anybody starting their own business they have to look at where they actually are. There’s the important power within their own local area – that spirit of the land, that power there is just unique and the local person that’s in that area wanting to do their own business, they’ll know whether it’s right, they have the feeling because it’s their own land.”

Peter Abbott
Karrke Aboriginal Culture Tour

Image credit: Karrke Aboriginal Cultural Tour - Tourism and Events NT/Archie Sartracom

