

# SALA First Nations Rights Policy

This Policy sets out SALA's policy in relation to First Nations cultural rights. All SALA Artists and Venues must comply with this Policy as a condition of their association with the SALA Festival. Any SALA Event, or content or material which offends this Policy may be terminated without notice and without compensation.

The aim of this Policy is to recognise that First Nations stakeholders have rights in their cultural heritage known as Indigenous Cultural and Intellectual Property Rights (**Indigenous Rights**) which may not be protected by existing copyright legislation. These rights extend to art, language, dance, song, story, documentation of First Nations peoples' heritage (film, photographs, video and audio recordings and archival collections), sacred sites and objects (**cultural material**) which are often maintained by customary rules and codes, often managed communally by First Nations groups rather than individuals.

This Policy sets out how SALA and its Artists, Venues and other participants should engage with First Nations stakeholders about these rights in any SALA Events or exhibitions.

Article 31 of the *United Nations Declaration on the Rights of Indigenous Peoples*, to which Australia is a signatory, affirms that:

*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...literature, designs...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.*

SALA has developed principles to promote and protect Indigenous Rights as follows:

1. Recognition of Indigenous Rights – SALA recognises and respects the Indigenous Rights.
2. Involving Indigenous Stakeholders – in recognising Indigenous Rights, SALA seeks that Indigenous stakeholders are involved in the use of their cultural heritage in any SALA Events or exhibitions.
3. Consultation – Indigenous peoples have the right to be consulted about the use of Indigenous cultural material and that such consultation should be respectful, informed, ethical and meaningful.
4. Consent – Free, prior and informed consent should be sought for the use of any Indigenous cultural material.
5. Compliance – SALA Events and exhibitions should comply with Indigenous peoples' customary law and other requirements.
6. Benefit-sharing – Where possible, equitable benefit sharing arrangements should be developed in relation to the use of Indigenous cultural material.
7. Acknowledgement – Where possible Indigenous Rights should be appropriately and formally acknowledged, including, for example, co-authorship.
8. Evidence - SALA reserves the right to seek evidence of compliance with this Policy at any time when it becomes aware of any possible offending material. Any failure to satisfy SALA that an Event or content or material complies with this Policy may lead to its immediate termination without compensation.

If you have concerns about any breach of this Policy please contact the SALA office on 7077 0011.