

**FINAL RESEARCH AGREEMENT FOR A PROJECT
ON IIYIYIU ANTI-DIABETIC PLANT MEDECINES**

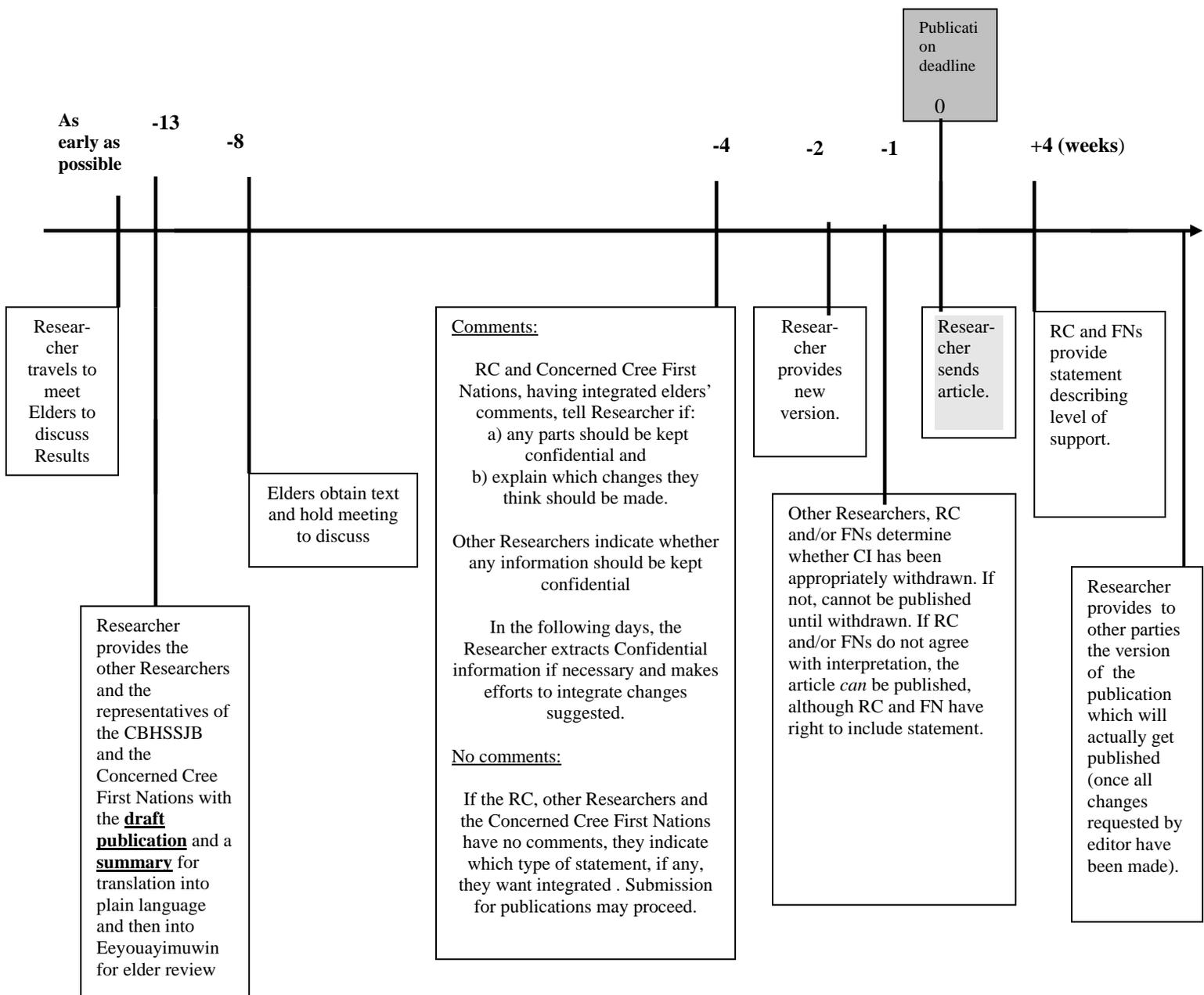
APPENDIX H

Working Procedure for Review of Publications and similar documents

(Pursuant to Section 5.4 of the Agreement)

(See text below for details)

As approved by the Steering Committee on May 1st 2009



1. PROCESS FOR REVIEW

1.1 Process for review of publications

- 1.1.1 Once the research has reached a stage where there are specific findings that could form the basis of a publication, the Researcher responsible for this specific research, or, if not possible, a representative of the Research Team, makes efforts to travel to meet the specific Elders and Healers who contributed the Iiyiyiu Traditional Knowledge or identified the plant examined in the research. This is particularly relevant if the findings are in an area that has never been discussed with the Elders before. Together they discuss the findings and seek a consensus for preparing a manuscript on this joint work. If they wish, the Elders and Healers may also take advantage of this meeting to provide comments concerning the areas they would like the Researchers to focus on, such as for example particular plants, symptoms or human organs or share concerns they may have for which research could be useful, for example regarding methods of extraction or conservation of plants.

This discussion can also occur through the periodic scientific meetings of the Team where Researchers present updates on specific findings to the other scientists and to certain Elders, Healers and representatives from the Participating Cree First Nations. The Elders and Healers and the community liaison who were at the meeting will then discuss this information with the other Elders and Healers in their community and obtain their comments on these findings and provide them to the Researchers. If a face to face meeting with Researchers is still deemed necessary, a representative of the Research Team will travel to the relevant community/communities as described above.

- 1.1.2 Before formally presenting a publication for review under Section 1.1.3 the Research Team may if they wish ask the Research Committee of the CBHSSJB and other interested parties if they would like to review draft research manuscripts and comment on any cultural interpretations of the Data that are presented.
- 1.1.3 Once a Researcher's draft publication approaches its final form, he or she shall prepare a short summary (1 to 3 pages) of the draft publication for translation into Cree for review and comment by the Elders and Healers having mentioned the plant(s) or the knowledge which is the subject-matter of the publication. This can take the form of the "Abstract" section commonly present in scientific publications. The Researcher shall provide the other Researchers, the CBHSSJB and the Concerned Participating Cree First Nations the draft publication for review and the summary for translation as early as possible, and in any event at least thirteen weeks prior to the scheduled submission date ("**Deadline**"). The CBHSSJB shall be responsible for having the summary put into plain language, translated and formatted within eight weeks of the Deadline and shall forward the

summary and the translation to the Participating Cree First Nation representatives for review by the Elders and Healers. “**Concerned Participating Cree First Nations**” are those who have Elders and Healers who mentioned the plant(s) or shared the knowledge which is the subject-matter of the publication to be reviewed.

- 1.1.4 **Four weeks** prior to the Deadline, the Research Committee and the Concerned Participating Cree First Nations may, jointly or independently, provide their (and their Elders’ and Healers’) comments on the final draft and indicate if any Confidential Information should be removed from the draft publication. Other members of the Research Team may also indicate if some of their Confidential Information should be extracted from the draft publication. The representatives providing comments should explain why concerns are raised or why information is being asked to be withheld and, if possible, they should suggest an acceptable alternative.
- 1.1.5 If the Research Committee and the Concerned Participating Cree First Nations do not have any comments and do not wish any Confidential Information to be withheld, the draft publication may be sent for publication and the Research Committee and the Participating Cree First Nations may decide to include one or more of the options set out below at section 1.1.8.
- 1.1.6 If the Research Committee and/or the Concerned Participating Cree First Nations provide comments, the Researcher must provide a new version of the publication at the latest within **two weeks** of the submission deadline. The Researcher(s) shall make serious efforts to integrate the comments into his or her research manuscript and discuss the issues raised by the Research Committee and the Concerned Participating Cree First Nations in order to achieve a manuscript reflecting their concerns. In this way, members of the Participating Cree First Nations and the Research Team will have the opportunity to collaborate in interpretation of the Results. The Researcher will also attempt to satisfactorily withdraw the Confidential Information as requested.
- 1.1.7 Within **one week** of the reception of this new version, the Party(ies) which had provided comments indicate whether they are satisfied with the new draft of the publication. Even if they do not agree, the article can still be published, subject to the section 1.1.8 below. The Researcher may not however publish until the Parties are satisfied that their Confidential Information has been appropriately withdrawn. If this is not the case, the Parties must negotiate further until agreement is reached.
- 1.1.8 Prior to **one month after** the submission of the draft for publication, the Research Committee and/or the Concerned Participating Cree First Nations, depending on their level of support for the draft submitted for publication, may decide jointly or independently to have a statement included in the publication indicating the degree of support or disagreement voiced by the Research Committee and the

Concerned Participating Cree First Nations with respect to the interpretation of the Data, such as for example:

- a) *The CBHSSJB and the Participating Cree First Nations fully support the research, its findings and this publication;*
- b) *The research was authorised by the CBHSSJB and the Participating Cree First Nations but the findings or interpretation presented in the publication are entirely those of the authors;*
- c) *While the research was authorised by the CBHSSJB and the Participating Cree First Nations, the CBHSSJB [and/or the Participating Cree First Nations] do not agree with the findings or interpretation presented in the publication for (...) reasons.*

1.1.9 If the Research Committee or the Concerned Participating Cree First Nation(s) exercises the option of having the Research Team include one of the above statements, they may, at the same time, draft a brief document to the editor of the publication with their comments about the publication. The Research Team agrees to transmit this document to the journal, at the same time as the research paper is submitted for publication.

1.1.10 In exceptional circumstances, and with the consent of the Research Committee and the Concerned Participating Cree First Nation(s), a draft publication may be sent to an editor before the review process set out above is completed if a guarantee of confidentiality is obtained from the editor.

1.1.11 Once an editor has accepted a publication and final changes have been made, the Researcher sends the final version to the other Researchers, the Research Committee and the Concerned Participating Cree First Nation(s).

1.2 Process for review of abstracts, proceedings, presentations and posters

1.2.1 Due to the tight deadlines involved when documents are submitted for conferences, such as abstracts, proceedings, presentations and posters, the Researcher(s) may follow a more condensed process. At least **ten days** prior to the submission deadline (“**Deadline**”), the Researcher shall send a copy of the document to the representative of each Concerned Participating Cree First Nation and to the representative of the Research Committee. A **flow-chart** is included below with the different steps of the procedure for the review of abstracts and other documents.

1.2.2 Results concerning Iiyiyiu Traditional Knowledge or Iiyiyiu Plants should always first be disclosed by way of publication and not by way of abstracts or presentations. If it is necessary to first disclose results about a plant by way of an abstract or presentation, a code name should be used. In this regard, when sending

a request for an approval, Researchers should always indicate whether the abstract:

- a) does not refer to Iiyiyiu Traditional Knowledge or Iiyiyiu Plants;
- b) refers to Iiyiyiu Traditional Knowledge or Iiyiyiu Plants, and should indicate the name of the publication to which it is linked and for which approval was already obtained; or
- c) refers to Iiyiyiu Traditional Knowledge or Iiyiyiu Plants and is not linked to any prior approved publication, in which case codes are used.

- 1.2.3 When approving the abstract or presentation, the representatives may decide to allow the Researcher to present the abstract or presentation an unlimited number of times for a period of one year, without having to resubmit the abstract for approval, if the content of the abstract is almost identical. The abstract or presentation should nonetheless always be sent to the representatives for information purposes.
- 1.2.4 Within **five days** of the Deadline, the representatives provide, either jointly or independently, their comments to the Researcher(s) and inform him or her as to whether any Confidential Information should be removed, explaining why concerns are raised or why information is being asked to be withheld and, if possible, suggesting an acceptable alternative. If possible, the representatives of the Concerned Participating Cree First Nations shall have consulted their Elders and Healers. Other members of the Research Team may also indicate if some of their Confidential Information should be extracted from the draft publication.
- 1.2.5 The Researcher shall remove any Confidential Information if such is requested and make efforts to integrate the comments and, within **three days** of the Deadline, provide a final draft of the document.
- 1.2.6 Within **one day** of the Deadline, the representatives inform the Researcher as to whether the Confidential Information has been appropriately removed and whether the comments have been appropriately integrated.
- 1.2.7 If the Confidential Information has not been removed, the document may not be submitted. However, if representatives do not agree with the interpretation contained in the document, the document may be submitted. The Researcher shall indicate in the most appropriate manner, taking into account the type of document, the reasons why the Research Committee or the Concerned Participating Cree First Nation(s) do not agree with their interpretation of the Results. If subsequent changes are made, a final copy of the document as made public is sent at a maximum **one week after** disclosure.

1.3 Process for review of graduate students' theses

Graduate students' theses must follow the process set out for publications above. For expediency purposes however, students may submit and defend their theses before the

process is finalized if it is done on a confidential basis and on the condition that to be made public at a later date, Confidential Information may need to be extracted from the thesis if the Concerned Participating Cree First Nations decide it is necessary.

1.4 Disclosure of patentable information

In the event that the proposed disclosure (by way of a publication or conference for example) contains patentable information, the Research Team and the Research Committee may delay the proposed disclosure, for not more than six (6) months, to allow a patent application to be filed. If a student thesis is kept confidential for this reason, such confidentiality may not extend beyond a twelve (12) month period.

1.5 Failure to respond within deadline

1.5.1 Communications sent by Researchers relating to the review processes above shall be sent by email or fax and shall clearly indicate the date for which a response must be given and request that an acknowledgement of receipt be provided.

1.5.2 If the Parties have not responded within the delays set out above, they will be deemed to have chosen not to reply.

1.5.3 Nonetheless, prior to making the Results public in any manner whatsoever, the Researcher must have received a written confirmation from each receiving entity indicating that the document was received. The Parties agree to put in place a mechanism to ensure that if no acknowledgement has been received within three days of the sending of a document, the recipient(s) will be contacted by phone to ascertain whether the person has received the publication and will be providing comments.

2. RECOGNITION OF CREE PARTICIPATION IN THE PROJECT

2.1 Publications

The contribution of Elders and Healers to the publication will be appropriately recognized depending on the circumstances and their wishes. For example, they may be named as authors in the publication if they have indicated this interest in writing and if they have named the plant in question during interviews and have participated in the review process of the publication. If the Elders' and Healers' contribution to the publication is not sufficient to be named as an author or if they do not wish to be named an author, they may be acknowledged in the publication. In this case, their name may be specifically included, if they have indicated this interest in writing, or the Elders and Healers may be acknowledged anonymously as a group.

The acknowledgement should refer to the Elders and Healers as contributors of knowledge. For example, the acknowledgement could include a statement of this sort:

“Very special thanks are due to [names of Cree elders and healers who wish to be named in publication] as well as to [number of elders and healers who do not want to be named] other Cree Elders of Mistissini and Whapmagoostui who kindly agreed to be interviewed. They made this article possible by allowing us to use, for the purposes of this research, their knowledge relating to medicinal plants, transmitted to them by their elders. Their trust has also enabled a useful exchange between Indigenous knowledge and Western science.”

2.2 Other documents

In the case of other types of documents, such as an abstract, presentation, poster, student thesis or proceedings, the Researcher shall recognize the contribution of the Elders and Healers of the Participating Cree First Nations in the manner most appropriate to the type of document.

Working Procedure for abstracts, proceedings, presentations and posters

