

GUIDELINES ON THE USE OF APPROPRIATE IMAGES TO REPRESENT INDIGENOUS PEOPLES

Last Update: August 1, 2022

These guidelines are intended to be followed by Concordia University faculty and staff who wish to record and produce any likenesses of Indigenous peoples, groups and communities, on and off campus.

What underlines these guidelines is the need to work respectfully and in mutually beneficial relationships with Indigenous peoples and communities, always, and to avoid the misappropriation of likenesses of Indigenous peoples and aspects of Indigenous cultural heritage, including material and non-material culture.

If there is one takeaway from this document, it is when in doubt, ask!

Seek permission and consent first and not after undertaking any project involving or about Indigenous peoples, and in this case prior to producing any imagery or representations of Indigenous peoples, unless you are a member of that specific Indigenous community. This also applies to writing captions and descriptions of photos and other representations of Indigenous peoples and cultural heritage. Again, when in doubt, ask.

It is important to also pay attention to the composition of photographs and representations of Indigenous peoples to avoid:

- constructing deficit narratives
- composing representations of Indigenous peoples as compliant or passive in their interactions with others
- converting photos into black and white or grey tones that could serve to reinforce false narratives of Indigenous peoples, cultures and communities as fixed in the past versus the reality of being vibrant, contemporary and thriving.

Definitions

For the purpose of this document, the term photographer refers to anyone who through manual or digital means seeks to record through photographs, audio, video or other devices Indigenous peoples or aspects of their cultural heritage.

GUIDELINES ON THE USE OF APPROPRIATE IMAGES TO REPRESENT INDIGENOUS PEOPLES

Last Update: August 1, 2022

Likenesses of Indigenous peoples refers to photos, drawings, recordings, videos, animations, 3D renderings, interactive media, virtual reality and any existing or new means of manually or digitally recording likenesses of Indigenous peoples, groups or communities.

Indigenous cultural heritage includes aspects of material culture and non-material culture.

- **Non-material culture:** Identity, histories, knowledges, languages, beliefs, traditions, stories, literature, art, design, techniques and other cultural expression.
- **Material culture:** The physical expression of non-material culture can include prayers, ceremonies, songs, artwork, traditional regalia, beadwork and more.

Misappropriation refers to the colonial mindset of initiating a one-way relationship of taking non-material or material culture which does not stand to benefit Indigenous peoples*, without having received expressed consent from the appropriate Indigenous person, group or community and without any fair mutually agreed-upon exchange.

Some of the most common forms of misappropriation include the use of graphic representations, symbols and names that evoke imagery of Indigenous peoples ranging from warrior peoples to traditional healers to market everything from sports teams to herbal remedies. Universities also have an entrenched history of misappropriating images, names and likenesses of Indigenous peoples, groups and communities.

*The definition of what benefits Indigenous peoples, groups or communities must be defined by Indigenous co-creators.

The role of intentionality

While intentionality matters to the non-Indigenous person as they endeavour to positively depict positively Indigeneity in their photos, good intentions do not guarantee that the outcome will be beneficial to Indigenous peoples, groups or communities. Therefore, consultation, consent and reciprocity are essential aspects of projects about Indigenous peoples or any aspect of Indigeneity.

GUIDELINES ON THE USE OF APPROPRIATE IMAGES TO REPRESENT INDIGENOUS PEOPLES

Last Update: August 1, 2022

Ensuring this spirit of open and honest collaboration and demonstrating respect will help build and maintain quality relationships with Indigenous peoples and communities.

It is also crucial to understand that Indigenous peoples, cultures, communities, languages, cultures and traditions are diverse and not interchangeable. When engaging with Indigenous peoples, groups or communities, it is important to understand that they are usually not speaking broadly for other Indigenous peoples, groups or communities.

It is also false to assume that all Indigenous peoples have immediate ties to traditional communities. They may instead identify as an urban Indigenous community members or both.

A new way forward

For Indigenous peoples in Canada, misappropriation is rooted in a legacy of inaccurate, disrespectful and harmful depictions of them that were originally crafted by colonial settlers to advance their own objectives to dispossess Indigenous peoples of their land and resources through genocide for power and profit.

These distorted depictions were/are reinforced a false and harmful narrative of Indigenous peoples as inferior to settlers to justify and carry out intentional harm without opposition in the court of public opinion.

These guidelines acknowledge that:

- Obtaining consent from Indigenous peoples when they or elements of their cultural heritage are being photographed is paramount
- When respectfully undertaken, photographs of Indigenous peoples and cultural heritage can help:
 - Celebrate the successes and achievements of Indigenous peoples, groups and communities.
 - Provide an accurate historic record of meaningful activities on, and off, campus.

GUIDELINES ON THE USE OF APPROPRIATE IMAGES TO REPRESENT INDIGENOUS PEOPLES

Last Update: August 1, 2022

- Raise awareness of the cultural significance of events and activities for Indigenous peoples, groups and communities and why these events or activities should be meaningful to non-Indigenous peoples.
- Indigenous peoples, groups and communities have the right to provide consent whether their photos or likenesses are recorded and in what contexts their likenesses may be used.
- Consent is only meaningful when Indigenous peoples are provided with a clear explanation of where and how their likenesses will be used.
- The colonial legacy of photographing Indigenous peoples, groups and communities without their consent is well-known to all Indigenous peoples. To work with respectfully with Indigenous peoples is to therefore understand this legacy, its significance and the importance of establishing trust and obtaining consent.
- The concept of reciprocity involves carefully considering how a project will benefit Indigenous peoples, groups and communities and ensuring that this is built into photo projects and other requests.

For examples, copies of photos could be offered to the event organizer, and through the event organizer, permission granted to select event attendees to use the photos provided that the correct university copyright accompanies all published photos.

Obtaining consent

1. While the university reserves the right to photograph the likeness of people at public university events, photographers must obtain consent from the event organizer to photograph events when the events in question are organized by Indigenous students, faculty, staff or Indigenous guests, or when the event is primarily organized for Indigenous peoples. Implicit in the meaning of consent is clearly outlining to the event organizer how the photos will be used.

When a request is received to photograph a specific group of people or individuals, the

GUIDELINES ON THE USE OF APPROPRIATE IMAGES TO REPRESENT INDIGENOUS PEOPLES

Last Update: August 1, 2022

photo subjects will be asked to complete a [group](#) or an [individual photo waiver](#). When photographing minors, written consent must be received from the parent or guardian.

2. The event organizer should, as soon as possible, communicate with and notify event attendees when photographers would like to photograph, or when they are invited to photograph events. This will provide attendees with sufficient time to any signal concerns, such as the photography of sacred elements of non-material or material culture.
3. Leading up to the event, the organizer and photographer should have a conversation on what aspects of the event or what people(s) can and cannot be photographed, recorded or likenesses reproduced.
4. While onsite, prior to the start of the event, the photographer and organizer should briefly touch base. This will help ensure that any revisions to plans are communicated.

If consent is not received

If consent to photograph people, activities or events is not obtained, it is the obligation of the photographer to respect these wishes.

If lack of consent applies to a specific person(s), the event organizer should assist the photographer to identify the person(s) to ensure that images or other recordings of that person(s) are not captured.

Photo storage

Concordia will store photographs and videos securely in the university's dedicated photobank that is maintained by University Communications Services. The photobank contains thousands of securely stored and curated images and is only accessible to Concordia faculty and staff.

Use of photos from the university photobank and stock images

GUIDELINES ON THE USE OF APPROPRIATE IMAGES TO REPRESENT INDIGENOUS PEOPLES

Last Update: August 1, 2022

Prior to using photos of Indigenous peoples, cultural heritage, activities or events found in the university photobank or stock images, it is important to understand that photos representing Indigeneity are specific to the peoples, traditions and cultures of that Indigenous community. Photos cannot be used interchangeably to represent Indigenous peoples from other communities or to broadly represent Indigeneity.

It is also important to avoid using photos of dreamcatchers, feathers and other stereotypical depictions of Indigeneity. The use of these cultural symbols is offensive and belittles their cultural importance.

University contacts

Office of Indigenous Directions
indigenous.directions@concordia.ca

Related documents and policies

- [Indigenous Elder and Community Protocols](#): The purpose of this document is to assist Concordia University faculty, staff, and students through the process of respectfully and ethically inviting, interacting, and/or collaborating with Indigenous peoples and communities. These guidelines and protocols may also aid in the development of policies and procedures concerning teaching, research, employment, and strategies for Indigenous community outreach and engagement.
- [Indigenous Directions Action Plan](#): The Indigenous Directions Action Plan is envisioned as a guide and tool to enable all Concordians to move the University towards a more equitable and inclusive future. It is created, in part, to respond to the Calls to Action of the Truth and Reconciliation Commission (TRC).
- [Official University Policies](#): These are official university policies. They are only available in this electronic format. Should there be a conflict with a policy posted elsewhere, the policies on these pages will be considered official and the most up to date.