



Timeline: half a century of cultural rights advocacy

1973

The first **national summit of Aboriginal and Torres Strait Islander artists** is held and recommends establishment of the Australia Council's Aboriginal Arts Board

1975

Wandjuk Marika, founding member of the Board, **calls for greater protection of ICIP** after seeing his sacred works reproduced on a tea towel

1976

The Aboriginal Artists Agency is established to protect First Nations culture and designs and promote First Nations artists nationally and internationally, supported with Board funding until 1986

1981

The Australian Government releases a ***Report of the Working Party into the Protection of Aboriginal Folklore***

1984

Gary Foley becomes **the first Aboriginal Director of the Aboriginal Arts Board**, and with Chair Chicka Dixon, makes reforms to increase self-determination of First Nations arts

1990

The **Aboriginal Artists Management Association** is established

1993

The Aboriginal Artists Management Association becomes the **National Indigenous Arts Advocacy Association (NIAAA)**, aiming to be a national service that advocates for Indigenous artists' rights

1994

The landmark '**Carpets Case**' ruling sees the first legal win for Aboriginal artists in copyright, coordinated by the NIAAA

1994

The Australian Government releases *Stopping the Rip-Offs*, an issues paper asking about reforms needed to protect First Nations cultural expressions

1996

ATSIC establishes an **Indigenous Reference Group** on ICIP issues

1997

Terri Janke, Michael Frankel and Company, publishes the *Our Culture: Our Future* discussion paper commissioned by ATSIC and AIATSIS

1998

Terri Janke's *Our Culture: Our Future* report is published and recommends a **National Indigenous Cultural Authority (NICA)**

1999

The NIAAA launches an (ultimately unsuccessful) **Label of Authenticity trade mark** for First Nations arts, craft, souvenirs and other products

2000

WIPO establishes an Intergovernmental Committee to work on international instruments to protect Traditional Cultural Expressions, Traditional Knowledge and Genetic Resources (ongoing)

2002

The **NIAAA is defunded**, leaving a gap in First Nations arts infrastructure at a national level. A review recommends the Australia Council tender IP activities in separate components and a national coordinating organisation

2002

The Australia Council publishes **protocols for working with First Nations artists**

2003

The Australian Government drafts copyright amendments to recognise **Indigenous communal moral rights** (not progressed)

2004

Arts Law begins operating the **Artists in the Black service** for Aboriginal and Torres Strait Islander artists and communities

2006

The Australia Council consults with First Nations artists about ICIP issues under a three-year ICIP strategy: **The Other Side of the Coin**

2007

The Senate inquiry report ***Indigenous Art: Securing the Future*** recommends a commercial code of conduct for the Indigenous visual arts industry and legislation to protect communal moral rights and ICIP

2007

The **National Indigenous Arts Reference Group** is established as an advisory group for the Aboriginal and Torres Strait Islander Arts Board at the Australia Council

2008-
2012

The Cultural Ministers Council supports development of the **Solid Arts: Indigenous Intellectual Property Toolkit** by Robynne Quiggin and Arts Law

2008

The Prime Minister the Hon Kevin Rudd delivers the **National Apology to Australia's Indigenous Peoples**

2008

The **Australia 2020 Summit recommends** a NICA, a National Indigenous Knowledge Centre, and a national Indigenous representative body

2008

Terri Janke delivers the Wentworth Lecture at AIATSIS: ***Guarding Ground: A vision for a National Indigenous Cultural Authority***

2008

Sector participants propose a national peak body for First Nations arts through the Australia Council's ***Making Solid Ground review of First Nations arts infrastructure***

2008

The National Indigenous Arts Reference Group recommends progressing establishment of a **National Indigenous Arts and Cultural Authority (NIACA)** that combines Terri Janke's NICA with a peak body for First Nations arts

2008-
2010

The Australia Council's **National Indigenous Arts Reference Group** undertakes research, discussion and scoping of a **NIACA model**

2009

The **National Indigenous Arts Infrastructure Program** commences, and creates a national forum of leading organisations to build sector capacity

2009

The Australian Government adopts the **United Nations Declaration on the Rights of Indigenous peoples**

2009

Terri Janke publishes ***Beyond Guarding Ground: A vision for a National Indigenous Cultural Authority***

2009

The Australian Government announces the establishment of the **National Congress of Australia's First Peoples**

2010

The **Indigenous Art Code** opens for membership

2010

The **NIACA proposal is endorsed** at a meeting of the National Indigenous Arts Reference Group, National Indigenous Arts Infrastructure Program partner organisations and the Aboriginal and Torres Strait Islander Arts Board. Further consultation is paused later in 2010 due to overlapping Australian Government policy development to protect Indigenous Knowledge and Traditional Cultural Expressions

2010

The Australian Government conducts a feasibility study into a **National Indigenous Knowledge Centre** (results of this study are not made public)

2010

The **National Congress of Australia's First Peoples** is incorporated

2010

The **Resale Royalty Scheme** for artists commences

2011

The **National Congress recommends a NICA** as part of consultation on a proposed national cultural policy

2013

The national cultural policy ***Creative Australia*** commits to developing a policy framework to respect and protect Traditional Cultural Expressions

2014

The Australia Council establishes the **Aboriginal and Torres Strait Islander Arts Strategy Panel** as a subcommittee of the Australia Council Board

2016

IP Australia's *Finding the Way* consultation seeks views about Indigenous knowledge and the IP system

2016

The *Fake Art Harms Culture* campaign is launched by the Indigenous Art Code, Arts Law and Copyright Agency|Viscopy

2017

Mr Bob Katter MP proposes **amendments to consumer law** to help prevent the exploitation of Indigenous culture through sale of fake products. His bill was re-introduced in 2019 and 2020 but did not proceed

2017

A **Parliamentary Inquiry** into inauthentic Aboriginal and Torres Strait Islander 'style' art and craft is announced

2018-2019

The Australia Council conducts a **national consultation on a NIACA**, acting as interim secretariat

2018

IP Australia publishes *Indigenous Knowledges: Issues for protection and management*, a discussion paper by Terri Janke and Company that proposes a NICA

2018-

The **Parliamentary Inquiry report on inauthentic First Nations arts and craft** is published. It supports establishment of a NIACA and Australian Government consultation on legislation to protect ICIP

2018-2019

IP Australia undertakes a **Protection of Indigenous Knowledge in the Intellectual Property System Consultation**

2019

Desart begins trialling **QR code digital product labelling** that gives consumers access to information about artists and artworks

2019

National Congress of Australia's First Peoples is dismantled due to limited funding

2019

The **Coalition of Peaks** is formed as an act of self-determination to be formal partners with Australian governments on Closing the Gap

2019

Senator Sarah Hanson Young **proposes amendments to consumer law** to prevent exploitation of First Nations cultural expressions. The Bill is referred to a committee, which recommends further consultation

2019

The Federal Court orders **Birubi Art to pay a penalty of \$2.3 million** for breaching consumer law in selling fake Aboriginal products painted in Indonesia

2020

A new **National Agreement on Closing the Gap** recognises strong cultures and languages as a priority outcome and target, and commits to developing and strengthening structures so First Nations people can share in decision-making

2020

The Australia Council holds weekly **First Nations roundtables** online in the wake of COVID-19

2020

A **Parliamentary Inquiry** into Australia's creative and cultural industries and institutions is announced

2020

The Australian Government announces it will develop an **Indigenous Visual Arts Action Plan** to support First Nations artists and their cultural and economic interests

2021

IP Australia conducts further **Indigenous Knowledge Consultations** including on an Indigenous Advisory Panel to IP Australia, trade marks and authenticity labels

2021

The Australia Council **postpones a national summit**, planned as a culmination of the NIACA consultation, to allow for further engagement with communities on the proposed approach

2021-

The **National Indigenous Visual Arts Action Plan 2021–25** commits to expanded digital labelling; and considering standalone legislation to protect ICIP and a national authenticity label and/or trade mark scheme

2021-

The **Productivity Commission** begins a study on First Nations arts and craft markets and seeks feedback on policy options including legal protection and consumer awareness strategies

2021

The report on the Inquiry into Australia's creative and cultural industries and institutions is published: ***Sculpting a National Cultural Plan***

2021-

The Australian Government releases the **National Aboriginal and Torres Strait Islander Health Plan 2021–2031** which highlights the critical role of cultural determinants of First Nations health and wellbeing

2022

The Australian Government commits to **developing a new national cultural policy** with First Nations arts and culture at the centre

2022

The **Productivity Commission publishes a draft report** that recommends new legislation to protect ICIP, mandatory labelling of inauthentic First Nations arts and crafts, referral pathways for artists and a formal decision-making partnership between First Nations people and government to inform First Nations arts funding

2022

The Australia Council publishes the findings from the NIACA consultation and a summary of work on a NIACA to date to **continue the conversation and journey**

2022

The Australia Council plans to hold Purrumpa, a **national gathering to celebrate 50 years of First Nations arts investment**, which will also provide a forum to further the discussion of a national body for First Nations arts and culture

For more information and findings from the national consultation on a NIACA see *Bringing it Forward: The journey towards a national body for First Nations arts and culture*