# Indigenous Data Sovereignty and Libraries

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PerlKohacon

#### Ko wai ahau?

- Kāi Tahu, Kāti Māmoe
- Nō Moeraki ahau
- One of the original Koha developers
- Kaihuawaere Matihiko at Catalyst IT
- Board member at Tohatoha (previously Creative Commons Aotearoa)
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#### Disclaimer

Te Mana Raraunga is a network of people advocating for Māori rights and interests in data. I don't represent them but we are people who share a kaupapa.

I am not speaking on behalf of my employers either.



#### Agenda



- A brief NZ history lesson
- Data Sovereignty
- Te Mana Raraunga
- CARE Principles
- Why it's important
- What can we do?

### He Whakaputanga

HE WAKAPUTANGA O TE RANGATIRATANGA O

#### NU TIRENE.

- 1. KO MATOU, ko nga tino Rangatira o nga iwi o NU TIRENE i raro mai o Haurake, kua oti nei te huihui i Waitangi, i Tokerau, i te ra 28 o Oketopa, 1835. Ka wakaputa i te Rangatiratanga o to matou wenua; a ka meatia ka wakaputaia e matou he Wenua Rangatira, kia huaina, "Ko TE
- 2. Ko te Kingitanga, ko te mana i te wenua o te wakaminenga o Nu Tirene, ka meatia nei kei nga tino Rangatira anake i to matou huihuinga; a ka mea hoki, ekore e tukua e matou te wakarite ture ki tetahi hunga ke atu, me tetahi Kawanatanga hoki kia meatia i te wenua o te wakaminenga o Nu Tirene, ko nga tangata anake e meatia nei e matou, e wakarite ana ki te ritenga o o matou ture e meatia
- 3. Ko matou, ko nga tino Rangatira, ka mea nei, kia huihui ki te runanga ki Waitangi a te Ngahuru i tenei tau i tenei tau, ki te wakarite ture, kia tika ai te wakawakanga, kia mau pu te rongo, kia mutu te he, kia tika te hokohoko. A ka mea hoki ki nga tauiwi o runga, kia wakarerea te wawai, kia mahara ai ki te wakaoranga o to matou wenua, a kia uru ratou ki te wakaminenga o Nu Tirene.
- 4. Ka mea matou, kia tuhituhia he pukapuka, ki te ritenga o tenei o to matou wakaputanga nei ki te Kingi o Ingarani, hei kawe atu i to matou aroha; nana hoki i wakaze ki te Kara mo matou. A no te mea ka atawai matou, ka tiaki i nga Pakeha e noho nei i uta, e rere mai ana ki te hokohoko, koia ka mea ai matou ki te Kingi kia waiho hei Matua ki a matou i to matou tamarikitanga, kei wakakahoretia

Kua wakaactia katoatia e matou i tenei ra, i te 28 o Oketopa 7835, ki te :roare o te Rehirenete o te Kingi o Ingarani.

Ko te Parraya, no te Patu Koraha.

Ko Unuroa, no te Taha Wai. Ko HARE HONG

Ko HEMI KEPA TOPE, no to Uri Potete

Ko te Warepoaka, no te Hikutu.

Ko Moka, no te Patu Heka.

Ko te WARERAHL

Ko te REWETI ATUA HAERE, no Ngati Tau Tahi Ko te Awa.

Ko Pt. no te Mahurehure Ko Kaua, no te Herepaka Ko Tarretta, no Nesti Rebia.

Ko Kawitt, no Ngati Hine.

Ko te KEKEAO, no Neati Matakiri

Ko te Kamara, no Ngati Kawa. Ко Романи, по Ngati Manu.

Ko te Tao, no te Kai Mata, Ko Manupo, no te Wanau Rara

Ko te Kopiri, no te Uri Taniwa. Ko Warlau, no te Wanau Horo.

Ko te NGERE, no te Uri Kapana

Ko Mortara, no Nesti Korokoro.

Ko te Нтамов, no te Uri o Ngonga.

Ko Tamati Pukututu, no te Uri o te Hawato

Ko ERUERA PARE, te Kai Tuhituhi

Ko matou, ko nga Rangatira, ahakoa kihai tae ki te huihuinga nei, i te nuinga o te Waipuke, i te aha ranci, ka wakaac katoa ki te wakaputanga Rangatiratanga o Nu Tirene, a ka uru ki roto ki te wakaminenga.

Ko te Hunt

Ko PANAKARRAO. Ko Kiwikiwi.

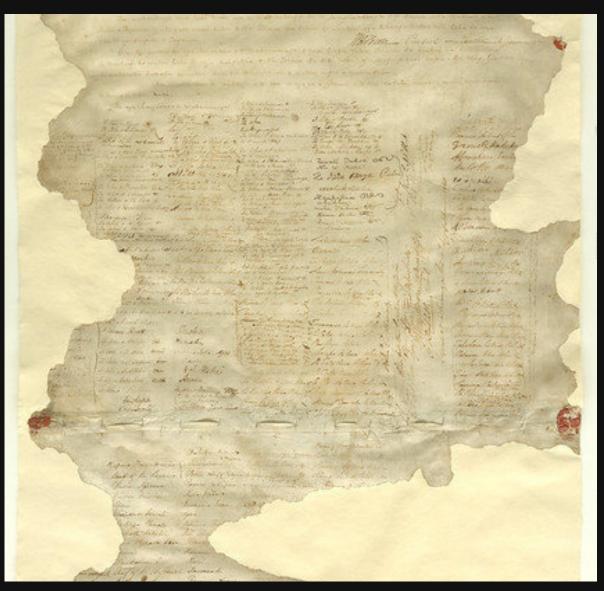
He mea ta i te Pereki o nga Mikanere o te Haki o Ingarani, i Paikia.

- Signed in 1835
- Declaration of Independence
- Set the scene for Te Tiriti o Waitangi

44 He whakaputanga was - and remains - proof the rangatiratanga and mana of Māori had been clearly articulated. New Zealand had been a sovereign land under the authority of the united tribes before 1840

Dr Vincent O'Malley

### Te Tiriti o Waitangi



- First signed Feb 6 1840
- Given that almost all Māori signatories signed the Māori text, considerable weight should be given to that version.
- The *contra proferentem* rule that in the event of ambiguity such a provision should be construed against the party which drafted or proposed that provision (in this case the Crown) applies.
- Thus kawanatanga not rangatiratanga

#### UNDRIP

Finland voted for UNDRIP in 2007 and continues to voice support for it.

"Finland supports the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), under which states are committed to consultation and cooperation with indigenous peoples. We promote the consideration of the rights of indigenous peoples in the UN General Assembly, the UN Human Rights Council and its Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) as well as in the UN Permanent Forum on Indigenous Issues. The rights of indigenous peoples must be taken into account as part of the implementation of EU human rights policy.

Government of Finland Report on Human Rights Policy 2022

#### **UNDRIP**

As per inherent sovereignty rights underscored by UNDRIP, and recognition by nation- states, particularly Aotearoa/New Zealand, Canada, and the US, Indigenous peoples have the right to control the data about them.

### Data Sovereignty

#### Narrow definition

Data sovereignty comes into play when an organisation's data is stored outside of their country and is subject to the laws of the country in which the data resides.

#### My context

The ability to exert control over where the data is stored, how it is used, and who it is used by.

### Māori Data Sovereignty

"Māori Data Sovereignty supports a collective sovereign refusal that is both a shutting down of data colonialism, and a simultaneous opening up of an alternative relational approach to data and digital technologies that is grounded in tikanga.

Tahu Kukutai, Donna Cormack, Chris Cormack, 'Not one byte more' Ch 4, Shouting Zeros and Ones, 2020

### Indigenous Data Sovereignty

Indigenous Data Sovereignty is concerned with the rights of Indigenous peoples to control data derived from and pertaining to them, and their knowledge systems, customs or territories.

Maggie Walter and Michele Suina, 'Indigenous Data, Indigenous Methodologies and Indigenous Data Sovereignty', International Journal of Social Research Methodology, 22

#### What is Māori data?

Māori data refers to digital or digitisable information or knowledge that is about or from Māori people, our language, culture, resources or environments.

#### What is Indigenous Data?

Indigenous Data is data from and about Indigenous communities and lands.

Indigenous data refers to digital or digitisable information or knowledge that is about or from Indigenous people, their languages, cultures, resources or environments.

#### Te Mana Raraunga

The purpose of Te Mana Raraunga is to enable Māori Data Sovereignty and to advance Māori aspirations for collective and individual wellbeing by:

- 1. Asserting Māori rights and interests in relation to data
- 2. Ensuring data for and about Māori can be safeguarded and protected
- 3. Requiring the quality and integrity of Maori data and its collection
- 4. Advocating for Māori involvement in the governance of data repositories
- 5. Supporting the development of Māori data infrastructure and security systems
- 6. Supporting the development of sustainable Māori digital businesses and innovations

### Principles of Māori Data Sovereignty

1. Rangatiratanga Authority

2. Whakapapa Relationships

3. Whanaungatanga Obligations

4. Kotahitanga Collective benefit

5. Manaakitangi Reciprocity

6. Kaitiakitanga Guardianship

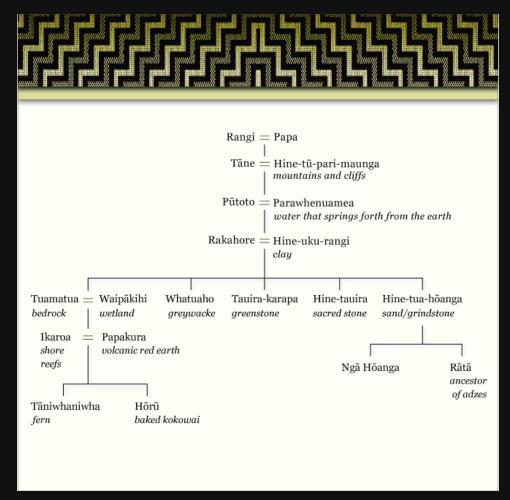
### Rangatiratanga

- 1.1 Control
- 1.2 Jurisdiction
- 1.3 Self-determination



### Whakapapa

- 2.1 Context
- 2.2 Data Disaggregation
- 2.3 Future use



Te ao turoa: education kit. Auckland: Auckland War Memorial Museum Tamaki Paenga Hira, 2001, p. 15.

### Whanaungatanga

- 3.1 Balancing rights
- 3.2 Accountabilities



### Kotahitanga

- 4.1 Benefit
- 4.2 Build Capacity
- 4.3 Connect



Halswell School

#### Manaakitanga

5.1 Respect

5.2 Consent

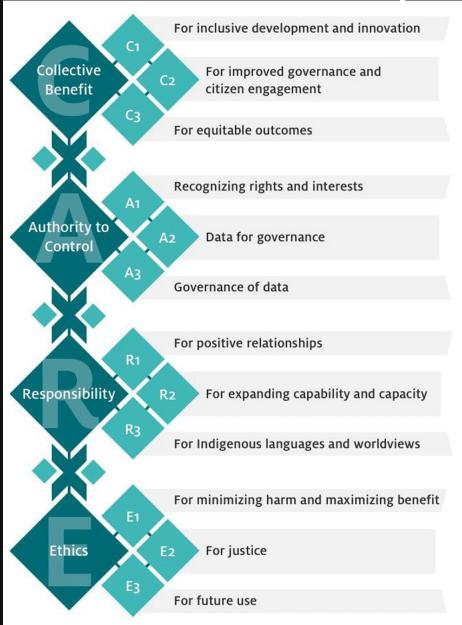
Manaakitanga is an old word, but it remains a beautiful way of approaching relationships, whether they be between friends, family, clients or business associates. Living by the principles of manaakitanga means stopping to ask "whose mana am I encouraging?" and "am I elevating others?" – whether that be through words or actions. In uplifting others and giving them respect and aroha, we also hold our own mana in balance.

### Kaitiakitanga

- 6.1 Guardianship
- 6.2 Ethics
- 6.3 Restrictions



### The CARE Principles



#### He raru ki tai

"These life-course risk models will be built on the Integrated Data Infrastructure at Statistics NZ. This powerful database hosts a very wide range of anonymised information about all New Zealanders, including records about tax, earnings and employment records, health, education, and welfare receipt. We will use factors such as age, and early CYF involvement, to predict future offending and victimisation for the resident population of New Zealand.

The Investment Approach to Justice: Taking Integrated Offender Management to Police, Justice and the wider social sector - **Tim Hughes** *Principal Adviser, Ministry of Justice* 

#### Tētahi atu raru ki tai

Individuals in general experience the dispossession of their data, but marginalized persons and groups experience additional ways in which their data is "colonized" and used to further discriminate against them.

(Big) Data and the North-in-South: Australia's Informational Imperialism and Digital Colonialism

- Monique Mann and Angela Daly

#### Questions for libraries to consider

- Do we know where data is being stored?
- Can we get all of it out at any time?
- Can we identify Indigenous data?
- What access do we provide for Indigenous people to get their data?
- Should we even be holding it?

### Kaupapa Māori is always mindful of context

So it encourages us to do this with data

So we must put stuff in context, not see things as isolated data points

We must understand the whakapapa of the data

And we must be attentive to history

This will make all data science better

#### The Good Data Manifesto

#### We are used to asking:

- What do we do with all these data?
- How do we catalogue them?
- How should we use them?

#### Less often we consider the questions:

- Should we collect, aggregate, catalogue and exploit these data?
- If so, how?
- What would be ethical means for doing so?

Good Data -Edited by Angela Daly, S. Kate Devitt and Monique Mann.

http://networkcultures.org/blog/publication/tod-29-good-data/

## Organisations working on Indigenous data sovereignty

- Te Mana Raraunga
- Te Kāhui Raraunga
- US Indigenous Data Sovereignty Network (USIDSN)
- OCAP® (Ownership, Control, Access, Possession)
- Maiam nayri Wingara

### Questions?

