

Indigenous Data Sovereignty and Libraries

August 2023

PerIKohacon

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)
- Former board member National Digital Forum
- He Māwhitiwhiti ki te Kākahu o Hine-Raraunga at Te Kāhui Raraunga
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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



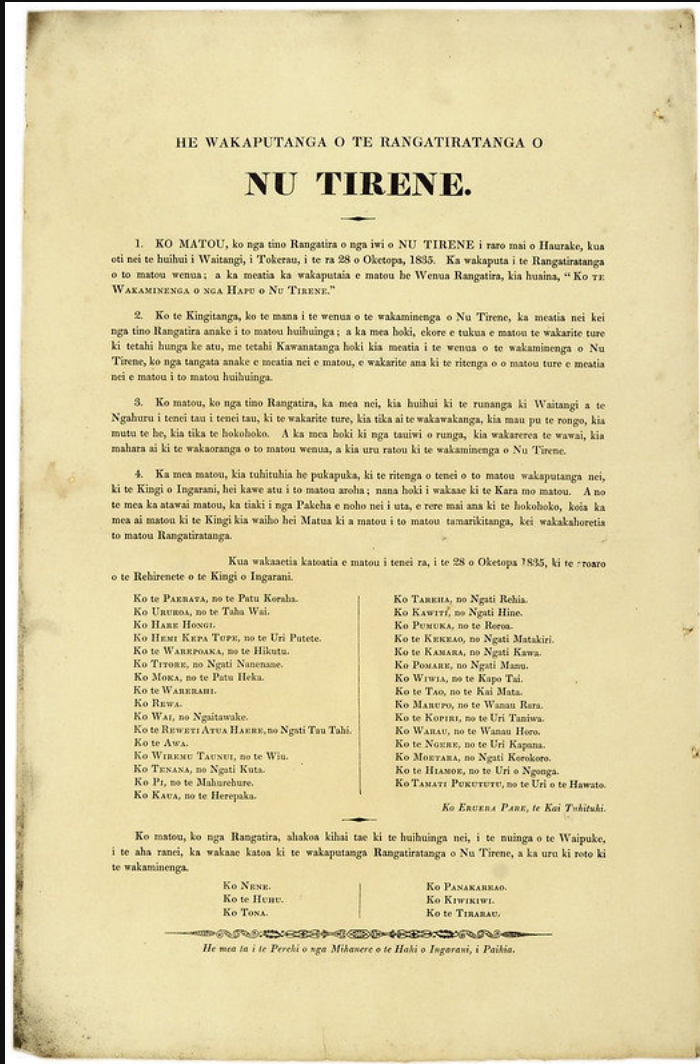
- A brief NZ history lesson
- Data Sovereignty
- Te Mana Raraunga
- CARE Principles
- Why it's important
- What can we do?

He Whakaputanga

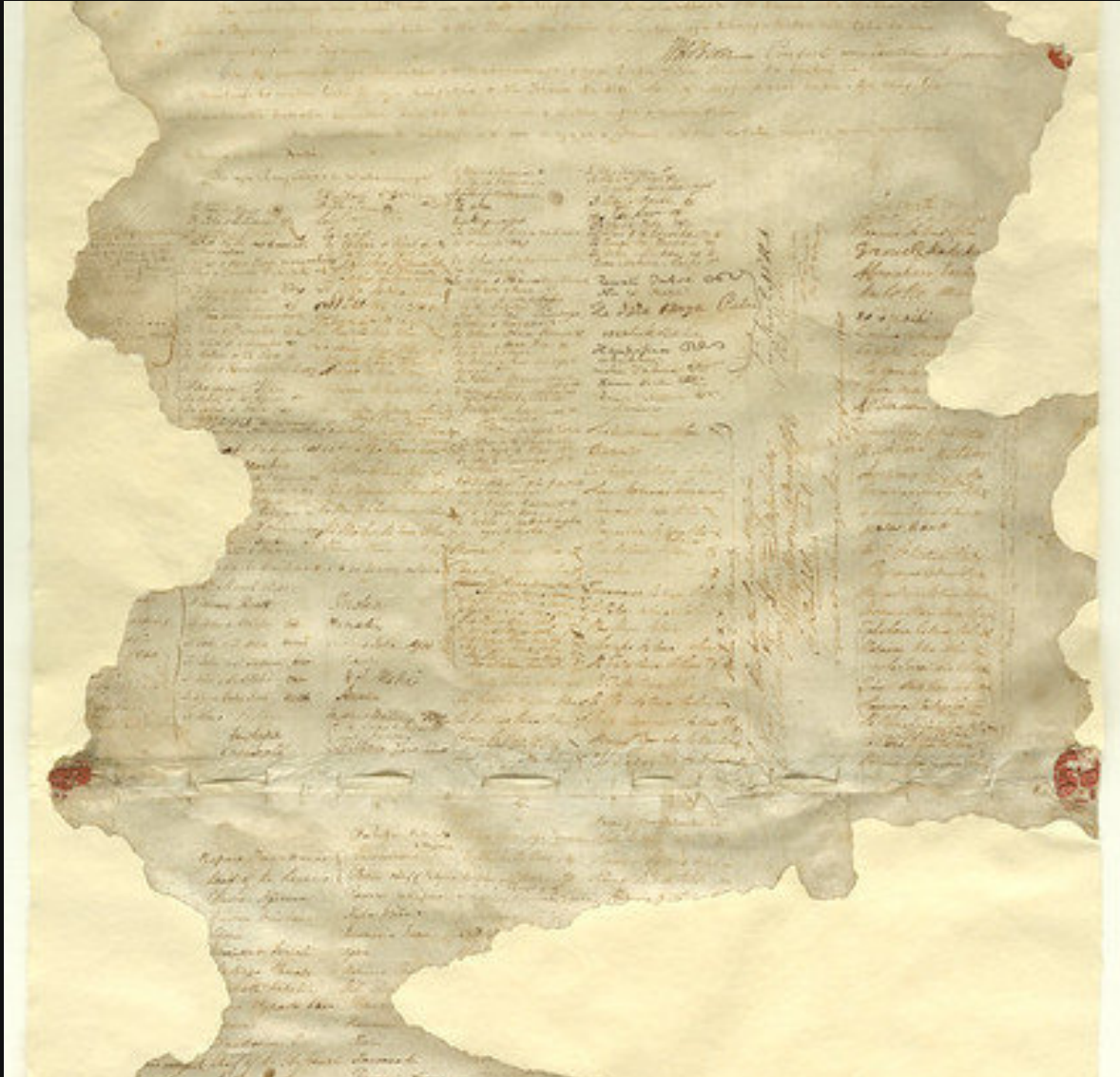
- Signed in 1835
- Declaration of Independence
- Set the scene for Te Tiriti o Waitangi

“ 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 Kukuraitai, 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 |

[Link to the full pdf](#)

Rangatiratanga

1.1 Control

1.2 Jurisdiction

1.3 Self-determination

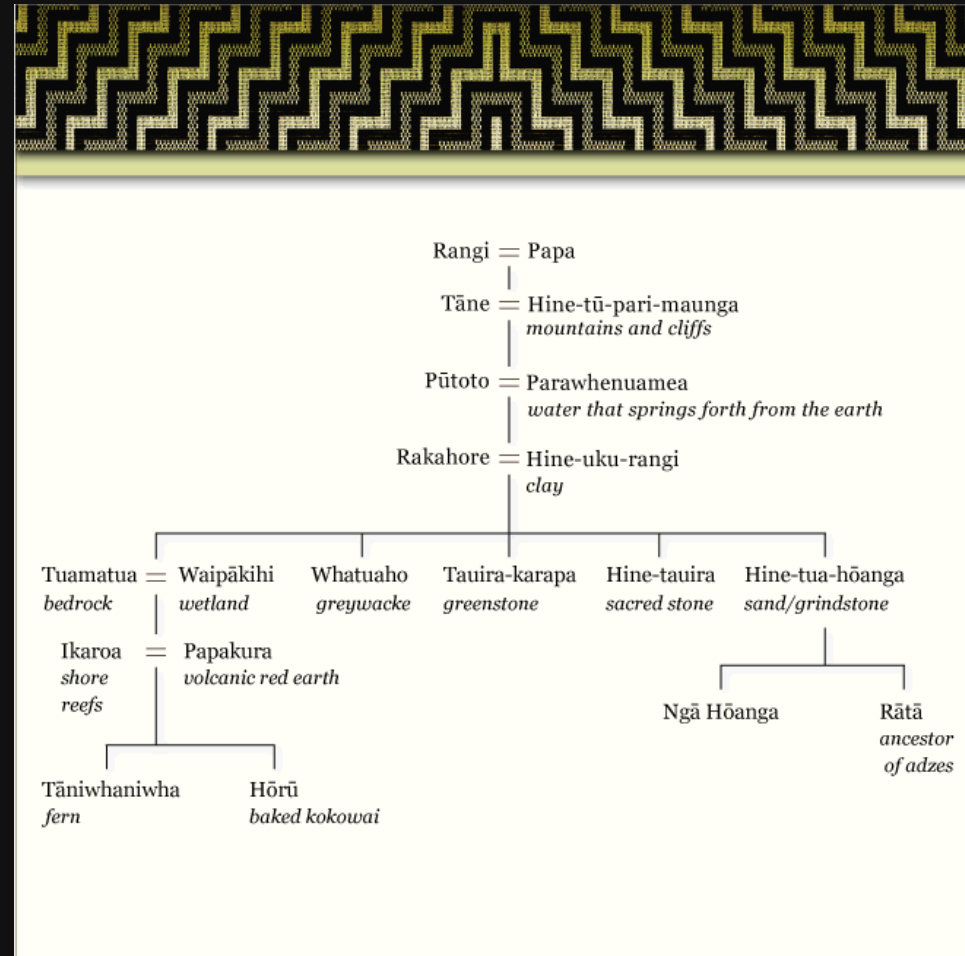


Whakapapa

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



Halswell School

Kotahitanga

4.1 Benefit

4.2 Build Capacity

4.3 Connect



Halswell School

Manaakitanga

5.1 Respect

5.2 Consent

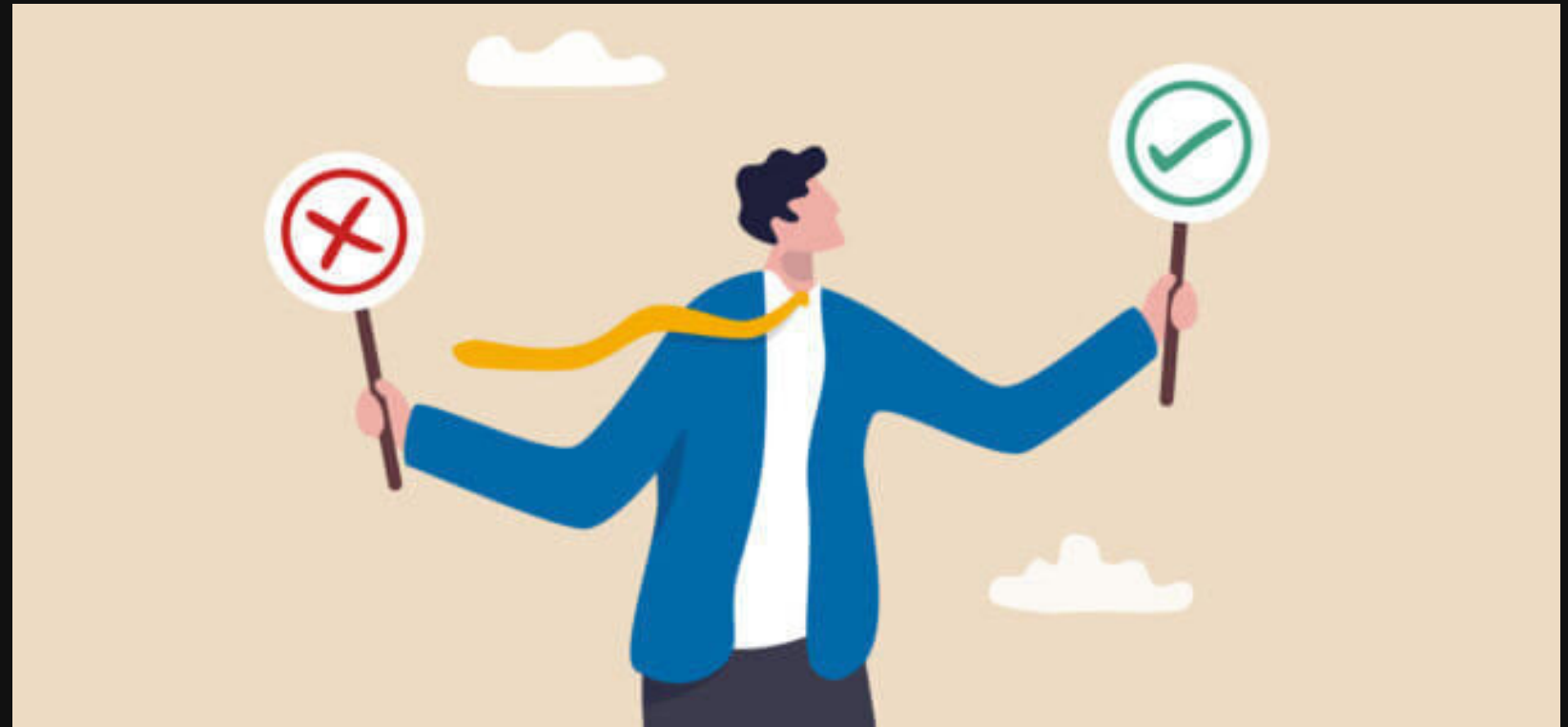
Manaakitanga is an old word, but it remains a beautiful way of approaching relationships, whether they be between friends, family, clients or business associates. Living by the principles of manaakitanga means stopping to ask “whose mana am I encouraging?” and “am I elevating others?” – whether that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

Kaitiakitanga

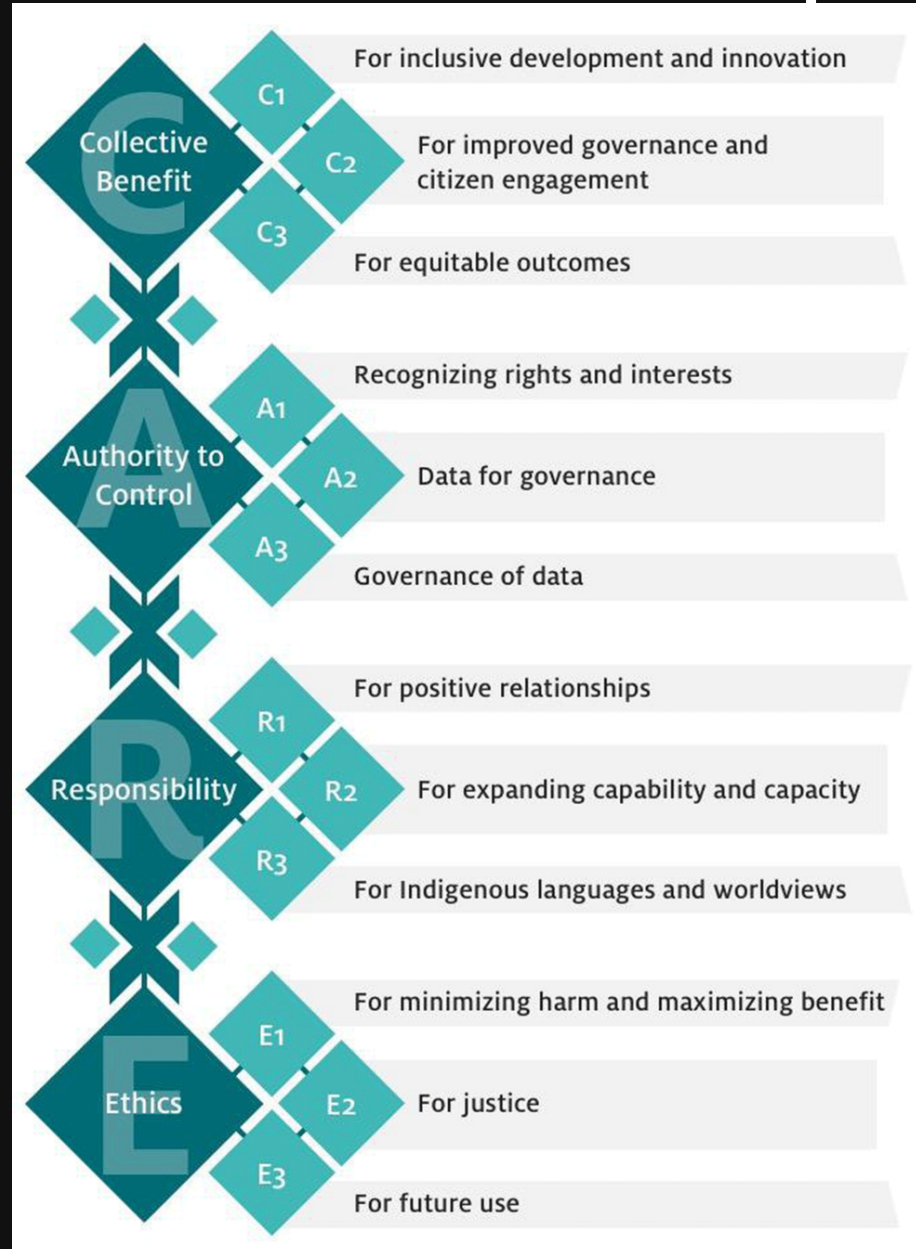
6.1 Guardianship

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)
- Maïam nayri Wingara

Questions?

