TE MANA
RARAUNGA
Māori Data Sovereignty Network

Summary Report of the Indigenous Data Sovereignty Summit
14 November 2016

He whenua hou, Te Ao Raraunga
Te Ao Raraunga, He whenua hou
Data is a new world, a world of opportunity

The Indigenous Data Sovereignty Summit was hosted by Te Mana Raraunga, the Māori Data Sovereignty Network, with sponsorship provided by Ngā Pae o te Māramatanga, the Wallenberg Academy of Fellows and The Swedish Research Council. The summit was held on 14 November 2016 in the Fale Pasifika building at The University of Auckland. The purpose was to bring together diverse stakeholders from Aotearoa/NZ and overseas to stimulate discussion on the topic of Indigenous Data Sovereignty (ID-Sov), and share insights on the application of ID-Sov in a range of national and local settings. The summit included presentations from two keynote speakers, Dr Rawiri Jansen (National Hauora Coalition; Te ORA) and Ceal Tournier (First Nations Information Governance Centre, Canada), as well as two panel sessions and a facilitated group discussion exercise. The keynotes and panel presentations are available on the Te Mana Raraunga website (www.tmr.maori.nz).

Paora Sharples, the Kaihautu Tikanga at Ngā Pae o Te Māramatanga, opened the summit with a mihi whakatau. Dr Will Edwards, Chair of the Data Iwi Leadership Group, replied on behalf of the manuhiri. Professor Tahu Kukutai from the National Institute of Demographic and Economic Analysis gave introductory remarks and provided some background to the summit, including connections to other ID-Sov initiatives and networks in the US, Canada and Australia,[1] and the launch of the co-edited volume *Indigenous Data Sovereignty: Toward an Agenda*.[2]

Keynotes

In his opening keynote Dr Rawiri Jansen highlighted the differences between individual citizens' rights to data, and collective Indigenous rights to data, linking the latter to ID-Sov and the Treaty of Waitangi. Rawiri reflected on the opportunities and challenges of realising ID-Sov within the health sector given complex issues of structural inequities, patient privacy, disclosure and commercial proprietary interests. He talked about the recent adoption of ID-Sov principles by the National Hauora Coalition, and the development of a Māori data governance framework in the Metro Auckland Data Sharing Agreement. He also reflected on the potential for the framework to be used as an exemplar across the sector, and on the importance of demonstrating practical ways that ID-Sov could contribute to improved Māori wellbeing.

The international keynote Ceal Tournier provided an inspirational talk on the extraordinary work that the First Nations Information Governance Centre (FNIGC) has been doing to realise ID-Sov for First Nations communities. Ceal traced the history of how First Nation principles of Ownership, Control, Access and Possession of data became trademarked as OCAP® - a set of standards that establish how First Nations data should be collected, protected, used, or shared. Since 2010 FNIGC has operated on behalf of First Nations to ensure that OCAP® is applied through a certification process for research projects, surveys and information management systems. More information on OCAP® can be located on the FNIGC website (http://fnigc.ca/ocap.html).

Themes from discussion groups

A key purpose of the summit was to enable focused discussion of ID-Sov issues between stakeholders with varied perspectives, experiences and interests. The 100+ participants from Aotearoa/NZ and overseas (mainly Australia, Canada, US, Sweden) included academics, practitioners, activists and policymakers working across a diverse range of contexts - universities, Crown Research Institutes, NGOs, iwi, communities, government agencies and business (see Appendix I). Small groups were given specific questions to workshop and key kōrero were presented in a feedback session facilitated by Emeritus Professor John Taylor (Australian National University). Main themes from the discussion groups are summarised in bullet points below.

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[1] The Summit followed on from the workshop 'Data sovereignty for Indigenous peoples: Current practices and future needs' held in Canberra, July 2015 (report here: http://www.assa.edu.au/events/workshop/127); and the Indigenous Open Data Summit in Madrid, October 2016 (http://usindigenousdata.arizona.edu/spotlight/indigenous-open-data-summit-2016).

[2] The entire volume can be downloaded free at: https://press.anu.edu.au/publications/series/centre-aboriginal-economic-policy-research-caepr/indigenous-data-sovereignty.

Q1. What are indigenous data?
- Data are digital and are about people and resources. Indigenous data is information that impacts indigenous lives at both collective and individual levels. In Aotearoa, indigenous data are concerned with Māori as collectives – whether Māori, iwi, hapū, whānau – as well as Māori as individuals.
- Indigenous data is information derived from the past, present and future. All information has a history or whakapapa. It is imperative that the history of indigenous information and the data tied to it is understood from an indigenous perspective within an indigenous framework.
- For some, data can only be descried as indigenous if collected, collated, analysed, accessed and managed and shared by indigenous people through an indigenous lens. This indigenous lens implies a cultural filter that is based on traditional values and knowledge systems.
- Alternatively, indigenous data might be thought of in terms of three categories: 1) data from us; 2) data about us; and 3) data about our resources/environment. These categories essentially cover all data related to Māori. There may be other data that are not related to Māori but which are still relevant – see Q3.
- 'Data from us' may include, but are not limited to: traditional cultural information such as that contained in oral literature; ancestral knowledge such as whakapapa; Māori epistemology; language; pūrākau and tribal stories; data from iwi entities. 'Data about us' might include information gathered by Government agencies and Non-Governmental Organisations (NGOs) such as commercial data, demographics, legal, health and social data. 'Data about our resources and environment' may include land information such as history; geological information; titles; water information such as water quality; and geothermal information.
- Indigenous data may also be also expressed as mātauranga. There is a need to define indigenous data explicitly given that much of the data belonging to Māori isn't seen or acknowledged as such. Māori have a responsibility toward data that is about us, or that affect us. Entities that hold data, as well as those wishing to acquire data that falls into these categories, have a responsibility to build, develop and maintain relationships and partnerships with Māori. The responsibility of all relevant parties pertains to the culturally appropriate and ethical collection, management and use of Māori data and information derived from it.

Q2. What is indigenous data sovereignty?
- ID-Sov is concerned with the rights and responsibilities to determine the means of collection, access, analysis, management and dissemination of data pertaining to the indigenous peoples from whom information has been derived. This includes historical, currently existing and impending data sets. ID-Sov demands that the process of producing

information from and/or about indigenous peoples be informed by the epistemologies, cultural values and traditional knowledge systems that indigenous peoples maintain.

- ID-Sov requires that indigenous peoples know about what data exists, where it resides, who has access to it, how is it being managed, what purposes was it collected for, how was it used and how it will be used in the future.

- ID-Sov demands the acknowledgement of the source of the knowledge from which the data derive. Those from whom the data derive should retain a reasonable degree of ownership over their mātauranga. This will require legal recognition of Māori as kaitiaki of the interests that the data represent. For many Māori, ID-Sov means authority and ownership of data about Māori, Māori taonga and Māori interests. This means Māori data should be curated and cared for by Māori as indigenous peoples of Aotearoa.

Q3. What types of data sets should be subject to stricter control?

- Data includes information from various sources and repositories of knowledge. The information that indigenous data represent carries various levels of sensitivity. Data may be subject to different levels of access and control depending on the level of sensitivity. Examples of sensitive data may include, but are not limited to: legal data; health data; Waitangi Tribunal data pertaining to history, land and culture; personal data.

- There is a spectrum for data use that involves a distinction between intent and impact. In the context of research this refers to the intent of the researcher in undertaking the collation of particular data, and the eventual impact that the use of that information has on the people from whom it was obtained. Concerns were expressed about safeguarding the process and establishing culturally appropriate guidelines around intent and impact. There is a need to ensure that the rights and responsibilities of the researcher are developed to be of benefit to indigenous peoples. Historically, data have been used to convey deficit views or theories about indigenous peoples and communities; rarely have those views reflected indigenous values and belief systems.

Q4. How can iwi/indigenous peoples be supported to engage with and realise ID-Sov?

- A significant issue is creating a greater awareness of ID-Sov among iwi/tribes. There are many possible ways to do this but key values are reciprocity and kanohi ki te kanohi, which may be interpreted in this context as honest and transparent communication.

- To be received positively, the topic needs to be communicated in a way that illustrates the relevance to iwi. This requires a substantial effort as there are more than 80 iwi. Iwi information sessions would enable tribal members to hear suggestions and have their say. Information can also be made available on a dedicated website and the content developed as the ID-Sov movement progresses.

- There is a need to understand that iwi are at different stages with ID-Sov; it is imperative to realise their diverse needs and to cater to them accordingly.

- Before iwi engage in ID-Sov, they should be aware of what data exists and where it is being held; what data may be impending or currently being acquired; and what data may be being generated automatically without their knowledge or control.

- Advice has been given to encourage deeper discussion at the inception stage of research involving Māori. There is a need for Māori to understand the 'kao' (no) conversation. The 'kao' conversation essentially denies researchers, agencies and/or organisations the information they want to acquire from indigenous peoples, including Māori, as a means of retaining possession and control. This relates back to Q1 and the intent of the data collection and analyses, and identifying the possible impacts of the research including how it will benefit Māori.

- Embarking on the digital journey of ID-Sov is very much a process of decolonisation, raising awareness, prompting critical discussion, holding government and non-government entities to account while seeking to exercise tino rangatiratanga over information that rightfully belongs to iwi but may be being withheld.
- One option is to develop national guidelines that inform the collation, analyses and use of Māori data. This involves developing indigenous views and definitions to describe the 'lens' through which Māori view this topic and how it should be handled. If issues are not presented clearly and in a relevant way, our people may disengage.

Q5. What are effective ways to build capability and infrastructure for ID-Sov?
- One way to build capability and infrastructure is to establish a tribal epicentre in order to centralise and grow indigenous data capacity. In addition, a national 'taumata' body or entity could be composed to oversee the implementation of indigenous frameworks and guidelines. Individuals should ideally be trusted data translators, curators and managers who demonstrate kaitiakitanga. There is also a need to build community capacity and capability to ensure that the information is being communicated appropriately.
- There is a need for indigenous people to get more involved in the design elements of data, including determining how to practically co-create research and policy questions. This ultimately leads to more substantive power over what data are collected and produced and why. Consideration should be given to cross-national variation in context, e.g. Saami, Inuit and Māori.
- There may be an advantage in rethinking methods that are inherently grounded in colonial logics. To illustrate, infrastructure is a Western term that connotes a certain set of meanings whereas the Māori term pātaka is grounded in a Māori understanding that relates to the traditional storing and preservation of food. In terms of infrastructure, the storage of data relates to sustainable maintenance, access and control. It's about establishing a suitable space where particular data can be stored.
- In Aotearoa there is an imperative to understand the Treaty of Waitangi in this conversation and how the relationship between Māori in the Crown may be manifested in relation to data.
- We should understand that our children inhabit a digital world (they are digital 'natives') and encourage rangatahi to move into these areas. It may be worthwhile to consider how the curriculum could communicate the relevance of the digital world in a way that aligns with the passions and interests of tamariki/children.
- ID-Sov is about building and investing in capabilities for the future: our data, our mātauranga, our whakatipuranga, our puawaitanga.
- Key questions that arise when deliberating this topic include: what is the 'right data to collect? Who is collecting it? Do I have the right to collect it? How should it be curated? How should it be disseminated?
- There is a need to change the mainstream view about data and indigenous data. Building peoples' technical knowledge to drive change at a legal level will require experienced lawyers, health economists and social scientists as well as developing a sound legal framework.
- To be economically viable and sustainable there is a need to identify the experts in securing funding and doing due diligence regarding the cost of engagement for data services. We need to see the big picture of the data ecosystem and its related economies.

Q6. What are the challenges to realising ID-Sov?

- There are multiple challenges to realising ID-Sov – a key one is securing a broad consensus that ID-Sov rights and interests exist. This requires dissecting and understanding legislative frameworks as well as establishing appropriate relationships among iwi, as well as between iwi and the Crown. In addition to establishing key relationships, it involves the identification of indigenous data within existing systems. It will be challenging to gain access to data held by Government and NGOs that might rightfully belong to iwi, or be of significant value to groups who do not have access.
- A conceptually tricky issue is how to deal with 'live' and automatically generated data. What happens when data dies? Data doesn't last forever, data evolves. What sustainable and dynamic measure should be considered to cater for this evolution of data and digital databases?
- A contentious issue, and perhaps the most significant question around ID-Sov, is determining levels of permission relating to restricted access; essentially who gets access to what, why and how?

Q7. What are the most important issues in realising ID-Sov?

- A key issue identified is the need to clearly define Indigenous rights and responsibilities to information and data sets. There is also a need to prioritise rangatahi learning around ID-Sov. Key questions that emerged included defining what the end game is for Māori in relation to our collective and individual mana motuhake and rangatiratanga; figuring out how to move from a dis-empowered state by understanding the power structures in place and challenging the status quo; being aware of the 'kao' conversation with those who seek to benefit from our data; and questioning the purpose and potential benefits of the research.
- For Māori, the priorities are tied to understanding the topic and how it fits in with Te Tiriti o Waitangi, and understanding the legal framework around data and its many divisions.
- A common theme shared by participants is that it is important to develop the definition of what constitutes indigenous data. This may entail developing a framework or spectrum that may inform guidelines around data collection, management and use. It involves getting an idea of what types of data Māori determine as sensitive and therefore may require stricter controls or access.
- Overcoming conceptual barriers is key. The concept of data sovereignty is essentially a product of modern Western technology and the evolution of information. ID-Sov is concerned with traditional, current and impending information relevant to indigenous heritage, culture, resources, enterprise, health and well-being. ID-Sov attempts to define data from an indigenous (Māori) perspective. For this topic to resonate with Māori it needs to be understood from the world view of the collective, taking account of iwi perspectives, as well as those of Māori as individuals, so that ID-sov can enable the full expression of mana and rangatiratanga.

He mihi

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Te Mana Raraunga
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Appendix I: List of participants' institutions
Te Mana Raraunga
Ngā Pae o Te Māramatanga
The University of Auckland
AUT
The University of Waikato
Te Whare Wānanga o Awanuiārangi
Massey University
Victoria University of Wellington
Lincoln University
University of Otago
Australian National University
Deakin University
University of Queensland
University of Tasmania
Univesity of Melbourne
British Columbia Institute of Technology
Umeå University
UiT-Arctic University of Norway
University of Toronto
University of Hawaii
Office of Hawaiian Affairs
First Nations Information Governance Centre, Canada
Te Korowai o Ngāruahine Trust
Te Rūnanga o Ngāi Tahu
Ngāti Whātua Ōrākei
Tūhono Trust
Māori ICT Fund
Rātana ICT Hub
TangataWhenua.com
Whakauae Research
FigureNZ
Brown Pages
Generosity New Zealand
Experience
Waiora Pacific
Te Whāriki Takapou
Psychologists for Social Responsibility
Social Policy Evaluation and Research Unit
Education Review Office
Statistics New Zealand
New Zealand Data Futures
Auckland Council
Waitemata District Health Board
Auckland District Health Board
Pharmac
A Better Start National Science Challenge
Bio-Protection Research Centre
NIWA
Scion