



Māori data sovereignty: Opportunities for policy agencies  
26 July 2017

# Indigenous and Māori Data Sovereignty: Overview

Professor Tahu Kukutai, AProf Maui Hudson

Dr Donna Cormack

The University of Waikato

University of Otago



# WHAT IS ID-SOV?

**Data Sovereignty = jurisdiction.**

Data is subject to the laws of the nation **within which it is stored**



**ID-Sov is about the rights of a nation to govern the collection, ownership, and application of its own data (USIDSN).**



**Indigenous Data Sovereignty –**

data is subject to the laws of the nation **from which it is collected** (including Tribal nations)



# GROWING GLOBAL RECOGNITION

**ID-Sov is  
supported by  
international  
policy**

**2007 UN Declaration on the Rights of  
Indigenous Peoples**

**2008 WHO Commission on the Social  
Determinants of Health**

a 'Minimum Health Equity Surveillance  
System'. As part of the system, 'good-  
quality data on the health of Indigenous  
Peoples should be available, where  
applicable'.

Indigenous recognition in the **International  
Open Data Charter** – under development

# THERE'S A BOOK

## INDIGENOUS DATA SOVEREIGNTY

TOWARD AN AGENDA

Edited by TAHU KUKUTAI  
and JOHN TAYLOR



'A debate-shaping book . . . it speaks to a fast-emerging field; it has a lot of important things to say; and the timing is right.'

— Stephen Cornell, Professor of Sociology  
and Faculty Chair of the Native Nations Institute,  
University of Arizona



PRESS

ISBN 9781760460303 (Print) ISBN 9781760460310 (Online) CAEPR RESEARCH MONOGRAPH NO. 38

This book is available to download for free or hard copies are available to purchase from:  
[press.anu.edu.au/publications/series/centre-aboriginal-economic-policy-research-caepr/indigenous-data-sovereignty](https://press.anu.edu.au/publications/series/centre-aboriginal-economic-policy-research-caepr/indigenous-data-sovereignty)

Free download:

<https://press.anu.edu.au>

**'Whalerider', Preston Singletary & Lewis  
Tamihana Gardiner**



# SELECT FINDINGS

**UNDRIP requires a relocation of authority over data from nation-states back to indigenous peoples**

Official statistical systems ill-equipped to support the governance aspirations of indigenous polities

**Some NSOs recognise need for change but still focused on the needs of national governments rather than indigenous peoples**

## GAPS:

- **Models for data governance**
- Indigenous epistemologies for data gathering and analysis
- Metrics of indigenous development and wellbeing
- Legal mechanisms for ID-Sov

# ID-SOV IS A SIGNIFICANT ISSUE IN AOTEAROA

**Iwi wanting access  
to and possession  
of data for their  
own development**

**Regional health  
data sharing  
agreement includes  
Māori D-Sov**

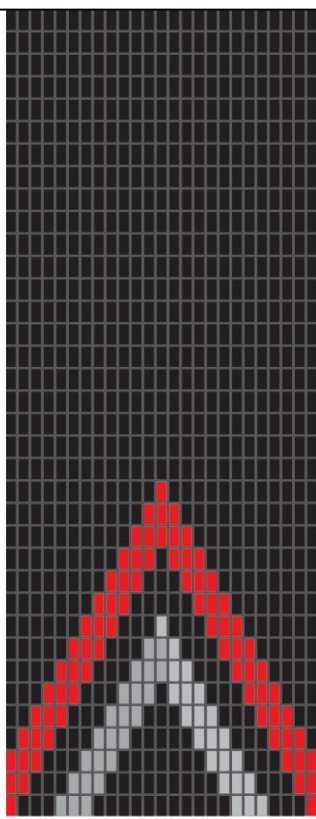


**Te Mana  
Raraunga**

**Iwi Chairs  
Forum  
Data Iwi  
Leadership  
Group**

**Independent  
Maori  
Statutory  
Board :  
Data  
Strategy  
Expert Panel**

## ADVOCACY FOR MĀORI



# TE MANA RARAUNGA

Māori Data Sovereignty Network

- Data rights and interests
- Data governance
- Data storage and security
- Data access and control

<https://www.temanararaunga.maori.nz/>

# WHAT ARE MĀORI DATA?

## **Data from Māori (self-generated)**

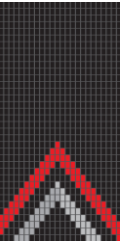
From iwi, Māori organisations and businesses

## **Data about Māori (generated by others)**

Used to describe or compare Māori collectives

## **Data about Māori resources**

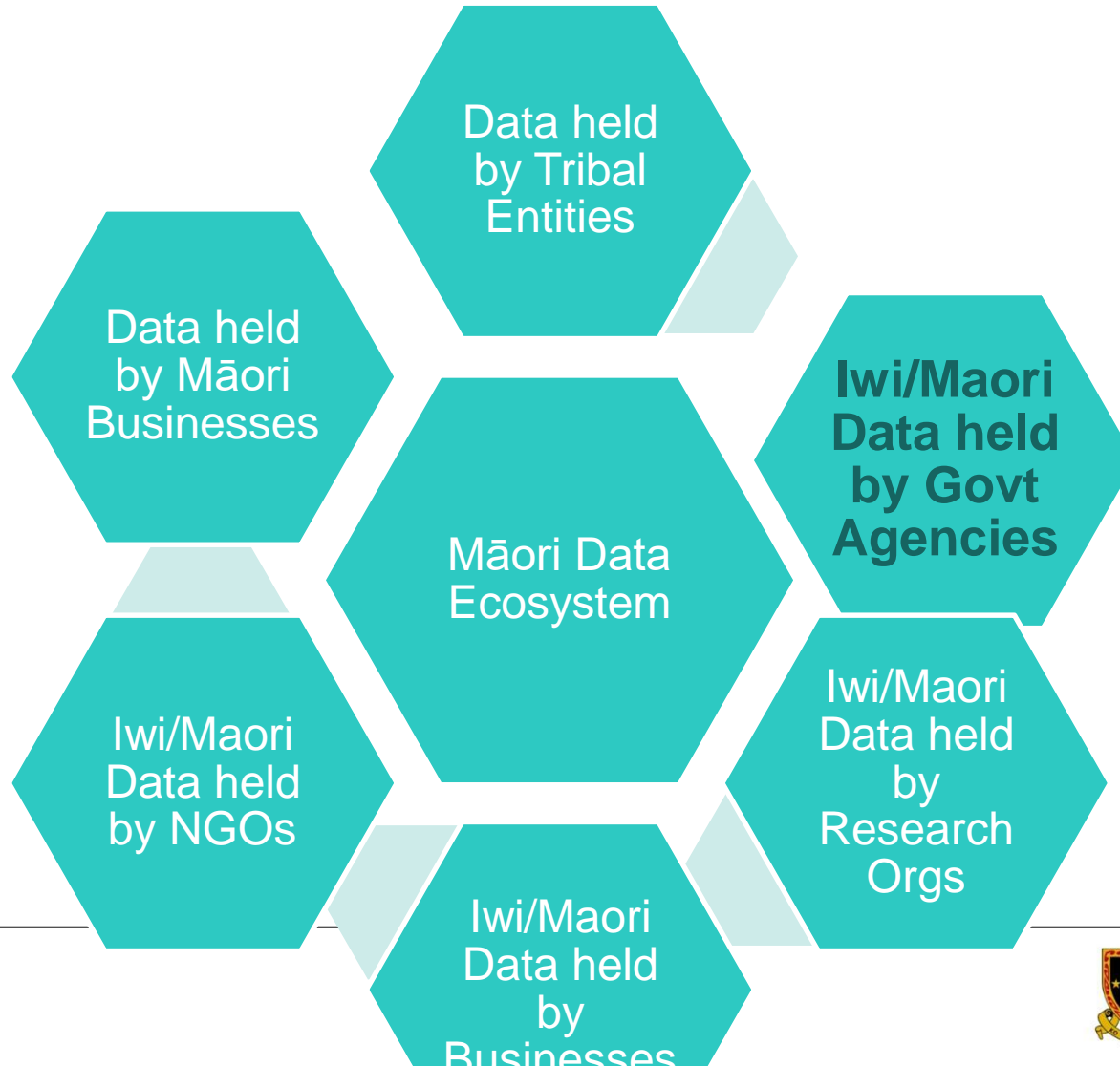
Generated by self and/or others





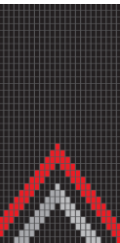


# MĀORI DATA ECOSYSTEM



# DATA AND THE TREATY

- **‘Maori Data Sovereignty’** recognizes that Māori data should, at the very least, be subject to Māori governance (**Article 1**)
- The **‘Cultural License’** focuses on the social contract between Crown and Iwi through their Treaty relationship (**Article 2**).
- The **‘Social License’** relates to a social contract or expectation that the government will act in the interest of its citizens. (**Article 3**)



# ID-SOV RESEARCH

Māori Data  
Audit Tool  
(accountability)

Tikanga & Big  
Data  
(governance)

How are data a  
taonga  
(our concept of  
value)

Enduring aspirations in digital  
age  
(Ngā Pae – Māori CoRE)

University of  
Waikato  
research  
platform

ID-Sov  
Research Programme



# CONTROL AS EXERCISING ID-SOV

## DATA GOVERNANCE OPPORTUNITIES



State agencies, NGOs

TRIBAL  
REGISTERS



LOW  
CONTROL

HIGH  
CONTROL



# DATA RISKS (THE 5 C's)

Cultural  
context

Control

Content

Consent

Capability

Source: Kukutai and Walter (2016). Making data work for Indigenous peoples  
International Open Data Conference, October 7, Madrid.

©NIDEA





# DATA OPPORTUNITIES (5 P's)

Power of  
the data

Prosper

Peoples

Protect

Partner

Source: Kukutai and Walter (2016). Making data work for Indigenous peoples  
International Open Data Conference, October 7, Madrid.\*



# Māori data and health: some issues and risks

---

- Health is patterned by ethnicity in Aotearoa-NZ
- Ethnicity data are critical to monitoring the differential and racialised distribution of risks and benefits in society

**BUT, we continue to see:**

- Uncritical and under-theorised use of the concept of ethnicity in health research and policy
- Perpetuation of ideas of ethnicity/‘race’ as biologically or genetically real in research on Māori health
- A focus on the variable of Māori ethnicity as the “risk”

# Māori data and health: some issues and risks

---

## Decontextualisation

- Seeing people outside of their contexts and realities (as the sum of administrative – and sometimes survey – data)
- Fixing characteristics of individuals as static
- Decontextualising the data collections: What were they designed for? How were the variables chosen? Who were they designed to serve?
  - Data collected in racialised and colonial spaces will embody this context
  - Algorithms will also embody the biases in the data
- Decontextualising indigenous experiences of surveillance



# Māori data and health: some issues and risks

---

## Risks of risk prediction

- Conceptualising variables as “risk factors” inherent to, or a characteristic of, the individual
- Conceptualising statistical risk (e.g. an association) interpreted as causal
- Reliance on variables that ‘mark’ individuals, but no variables that measure the processes and systems that impact individuals
  - What unmeasured variables or processes is ethnicity a proxy for?
  - What are the risks of making decisions based on unmeasured variables?

# Māori data and health: some issues and risks

---

## Quality

- Unresolved data quality issues in the health sector e.g. issues with ethnicity data on NHI and other administrative health datasets
- Potential for low-quality analysis where approaches are data-driven, without:
  - A research question or hypothesis
  - An understanding of the current evidence/literature in the field
  - A nuanced understanding of the limitations and quality of the data variables in datasets

# REFLECTIONS

- What are the ID-Sov data risks (the 5 Cs) in your organisation/sector? What steps can be taken to address those risks?
  
  
  
  
  
  
  
  
  
  
- What are the ID-Sov opportunities in your organisation/sector? How can those opportunities be realised?