# MAORI DATA SOVEREIGNTY IN THE CONTEXT OF CULTURAL INSTITUTIONS

Ko Aotearoa Tenei: MA19 Conference
Workshop: WAI262 & Natural Sciences Collections
Maui Hudson, 22 May 2019

OUR RECENT EXPERIENCE...
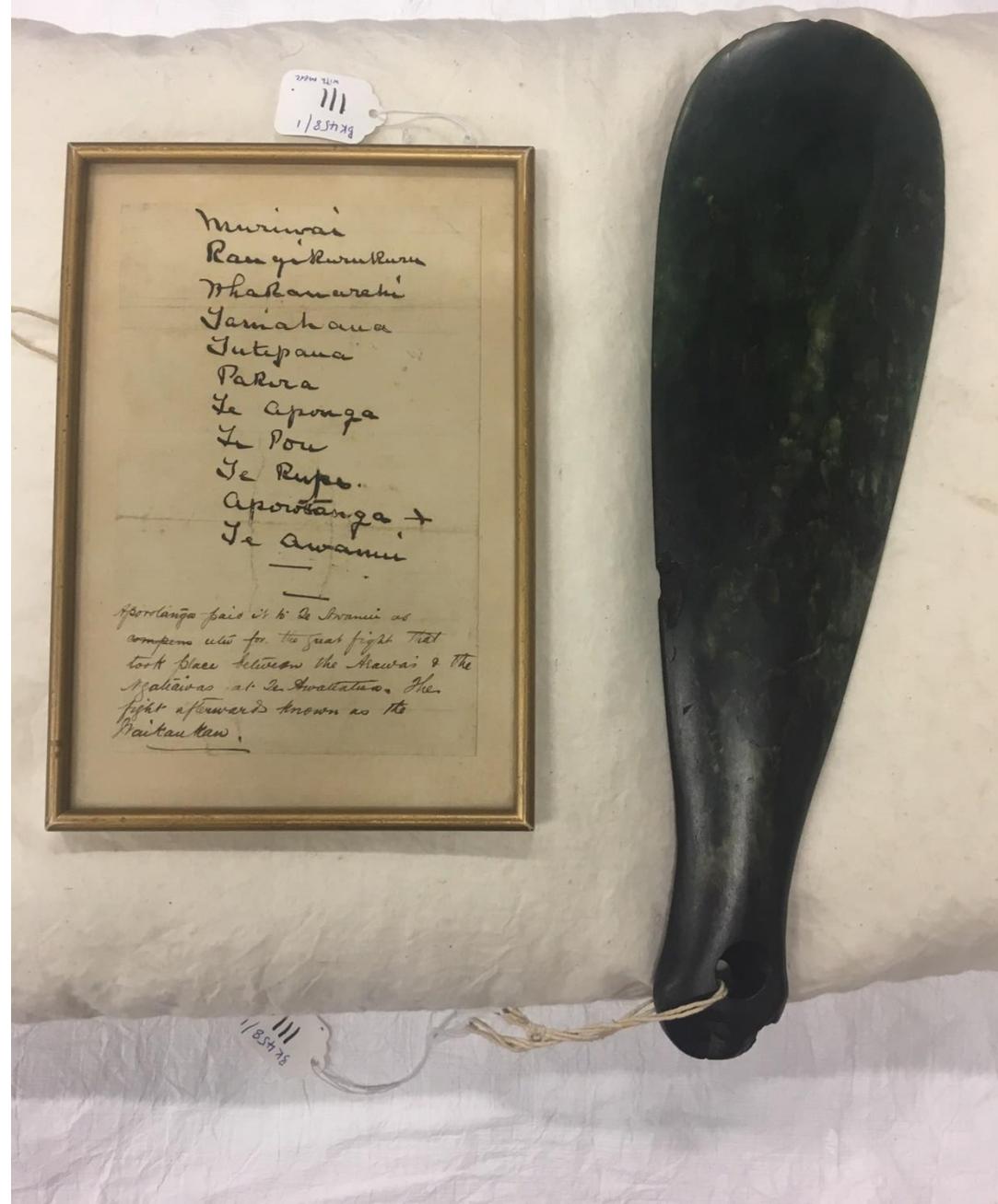
DECOLONISING MUSEUMS

Guest Lecture on Indigenous Data Sovereingty to Decolonising Museums class in Museum Studies at New York University

Wk13: An Infrastructure Strategy: Murkutu, Local Contexts, & TK Labels

Wk14: Decolonial Digital Futures for Action

Guide to Indigenous Land and Territorial Acknowledgements for Cultural Institutions
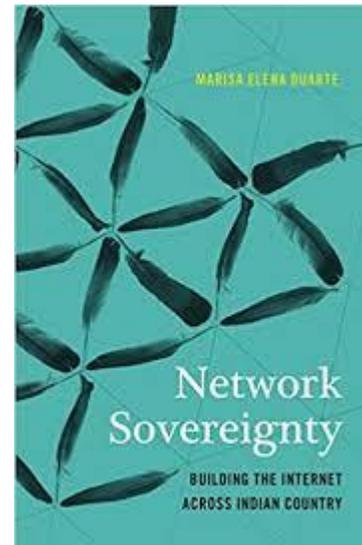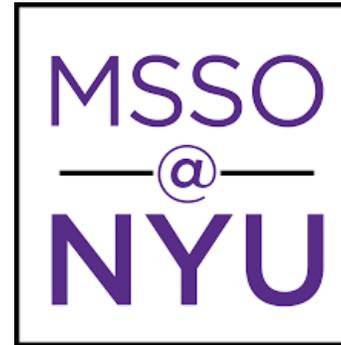
Indigenous Curation: How Community Voices, Tribal History and Native Art Can Inform Information Science – Webinar 20/5/19

As mainstream museums work towards including Native voice (McMaster 2012), and as Native artists continue to assert their **visual sovereignty** (Rickard 1995, 2017) the role of the curator has been questioned, reformulated and challenged.

As Native scholars continue to gain access to museum spaces, the opportunity to **include various types of specific indigenous knowledges** become apparent, in both research and practice (Igloliorte 2017, Jahnke 2006).

This presentation examines the **process of research and community engagement** required to create "Preston Singletary: Raven and The Box of Daylight" an exhibition organized by the Museum of Glass in Tacoma.

The exhibit presents an iconic Tlingit story shared by all Tlingit people. The shared nature of the story added an **additional layer of work and accountability** to the process, as both the artist and the curator are Tlingit.

Dr. Miranda Belarde-Lewis

CONTEXT FOR THE TALK

WAI262

Ownership and use of Maori knowledge, cultural expressions, indigenous species of flora and fauna (*taonga*), *and*

Inventions and products derived from indigenous flora and fauna and/or utilising Maori knowledge.

Trade marks Maori Advisory Committee

Patents Maori Advisory Committee

Plant Variety Rights Act under review

Nagoya Protocol

The Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits

- Access obligations
- Benefit sharing obligations
- Compliance obligations

Concerned with genetic resources and traditional knowledge

INDIGENOUS DATA SOVEREIGNTY

Data Sovereignty states that data is subject to the laws of the nation **within which it is stored**

Indigenous Data Sovereignty states that data is subject to the laws of the nation **from which it is collected** (including Tribal nations)
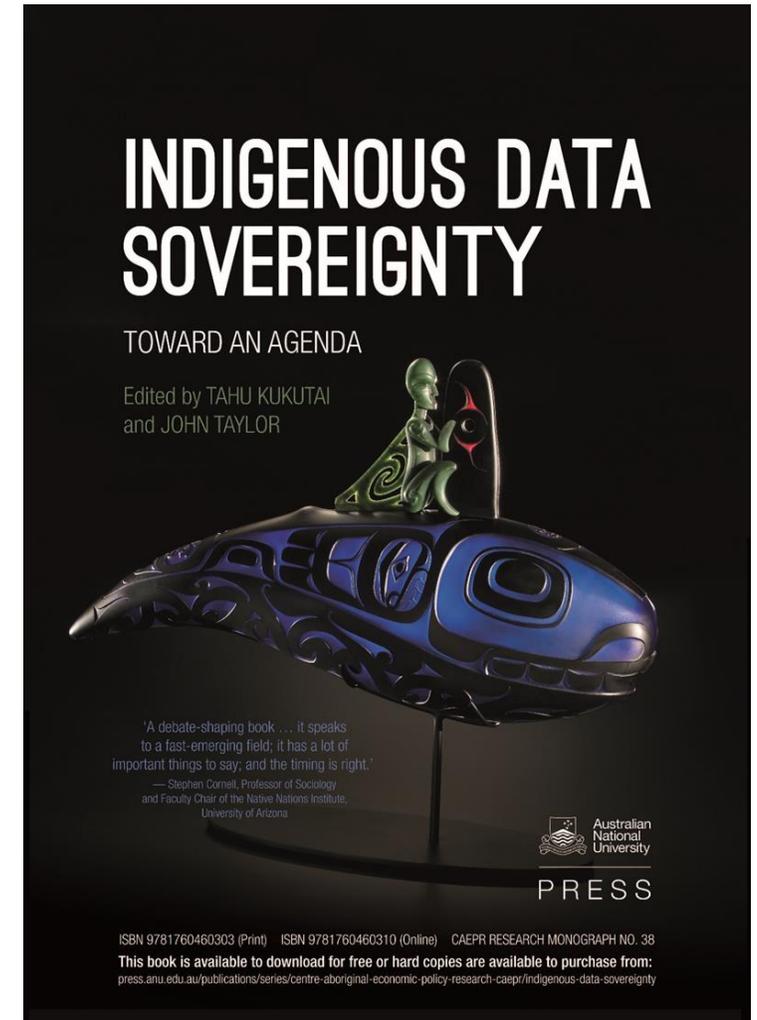

Free to download

From ANU press

INDIGENOUS DATA SOVEREIGNTY

Data Sovereignty implies that data is subject to the **protocols** of the **institution within which it is stored**

Indigenous Data Sovereignty expects that data is subject to the **protocols** of the nation **from which it is collected** (including Tribal nations)
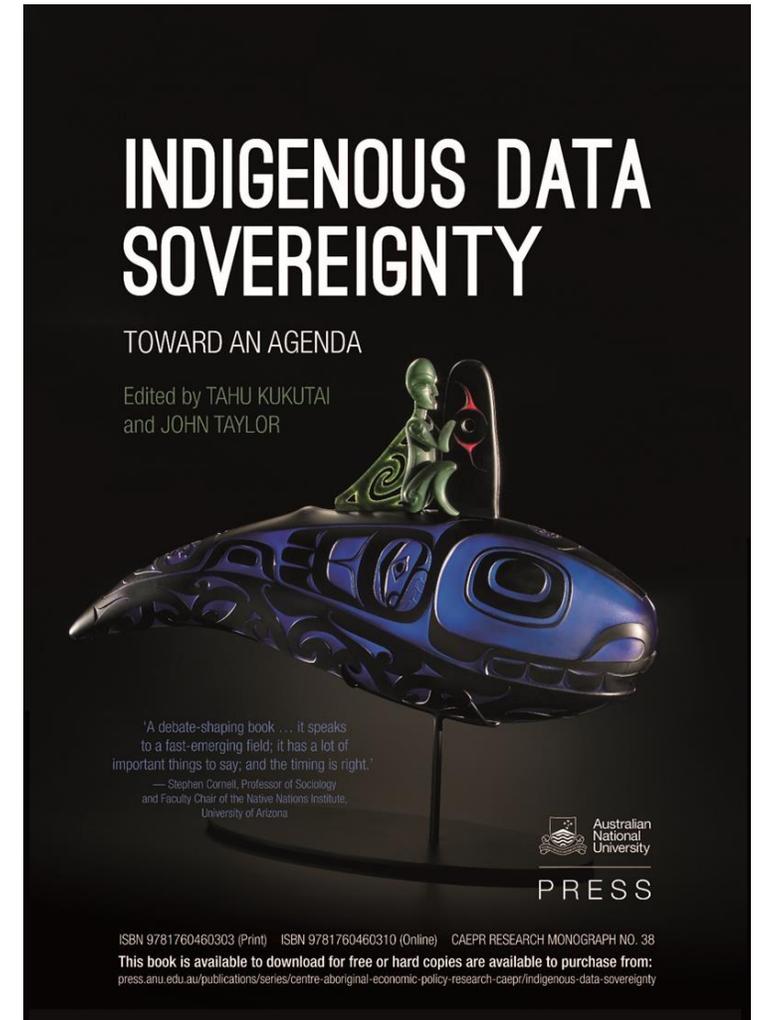
Free to download From ANU press
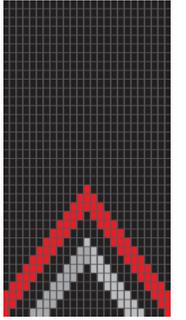
MĀORI DATA SOVEREIGNTY

Is the right of Māori to access, to use, to have governance and control over Māori Data.

1. Data for Governance

<u>Access</u> and <u>Use</u> to transform the lives of our people.

2. Governance of Data

<u>Governance</u> and <u>Control</u> to ensure that data use is relevant and responsive.

OUR PEOPLES HAVE ALWAYS BEEN DATA EXPERTS
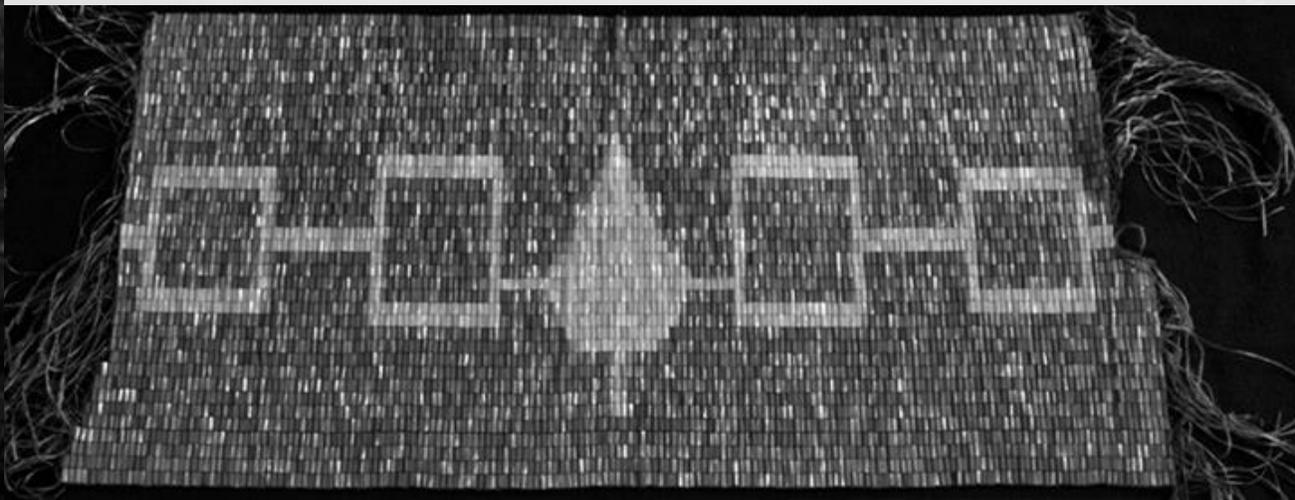
IMPLICATIONS FOR CULTURAL INSTITUTIONS

1. Rights and interests of 'traditional owners'
   Implications for 'Data for Governance'

2. Digitising collections increases public accessibility
   Implications for 'Governance of Data'

3. Data is embedded in artefacts
   Implications for traditional knowledge

4. Artefacts can be the source of new data
   Implications for genetic resources (paleogenomics)

5. Guardianship responsibilities for indigenous data
   Accountability, authenticity, engagement, & benefit-sharing

THE CHALLENGES

Every Indigenous community has enormous collections of tangible and intangible cultural material collected over the long periods of colonialism held in archives, museums, libraries and online databases.

Significant information about these collections, including individual and community names, is missing.

Indigenous peoples and communities are largely not the legal rights holders.

Vast amounts of copyright material as well as public domain material is being digitized and circulated. Copyright (specific uses and permissions) and Public Domain (any uses and no permissions) materials create problems for Indigenous communities.

Issues of ownership, as well as the incomplete and significant mistakes in the metadata, continue throughout the digital lives of this material.
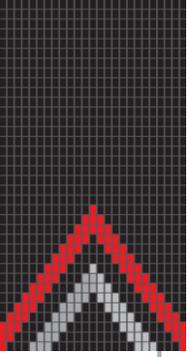
CONTROL SERVES RIGHTS: MAORI DATA SOVEREIGNTY AND INTELLECTUAL PROPERTY RIGHTS

Maori Data Access	Indigenous Labels	Maori Data Governance	Trade Secret	Intellectual Property Rights

Public Data	Restricted Data	Protected Data

Maori Data Sovereignty

Aspiration: Māori control of Māori data

WWW.LOCALCONTEXTS.ORG

Local Contexts is an initiative to support Native, First Nations, Aboriginal, Inuit, Metis and Indigenous communities in the **management of their intellectual property and cultural heritage specifically within the digital environment.**

Local Contexts provides **legal, extra-legal, and educational strategies** for navigating copyright law and the public domain status of this valuable cultural heritage.

By providing strategic resources and practical solutions, *Local Contexts* and our partners are working towards a new paradigm of rights and responsibilities that **recognizes the inherent sovereignty that Indigenous communities have over their cultural heritage.**

WHAT DO THE TK LABELS DO?

- TK Labels:

- Puts data in context
- Makes visible provenance and the ethics of collection
- Foregrounds relationships that make research possible
- Connects data to people, to environments and to relationships <u>over time</u>
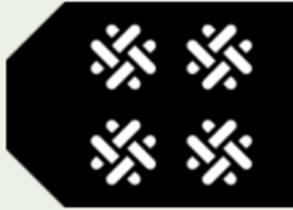
TK Multiple Communities (TK MC)

TK Non-Verified (TK NV)

TK Family (TK F)

TK Seasonal (TK S)

TK Outreach (TK O)

TK Verified (TK V)

TK Attribution (TK A)

TK Community Use Only (TK CO)

TK Secret / Sacred (TK SS)

TK Women General (TK WG)

TK Women Restricted (TK WR)

TK Men General (TK MG)
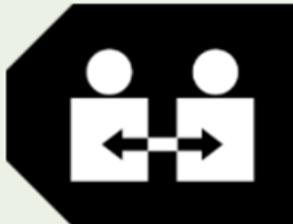
TK Men Restricted (TK MR)

TK Non-Commercial (TK NC)

TK Commercial (TK C)

TK Community Voice (TK CV)

CULTURAL INSTITUTION LABELS

The CI (Cultural Institution) Labels are specifically for archives, museums, libraries and universities who are engaging in processes of collaboration and trust building with Indigenous and other marginalized communities who have been excluded and written out of the record through colonial processes of documentation and record keeping.

Open to Collaborate

Why Use this CI Label?

The Open to Collaborate Label indicates that an institution is committed to developing new modes of collaboration, engagement, and partnership over collections that have colonial and/or problematic histories or unclear provenance. This label indicates an institutional commitment to change and to develop new processes for the care and stewardship of tangible and intangible cultural heritage.

CI Label Text

Screenshot

Attribution Incomplete

Why Use this CI Label?

The Attribution Incomplete Label is attached to collections or items that have incomplete, inaccurate, or missing attribution. This Label is a signal to viewers alerting them that the record and/or metadata is incomplete. Visibly identifying collections is the first step towards correcting existing attribution to include: contributors, collaborators, other authors and/or communities of origin.

CI Label Text
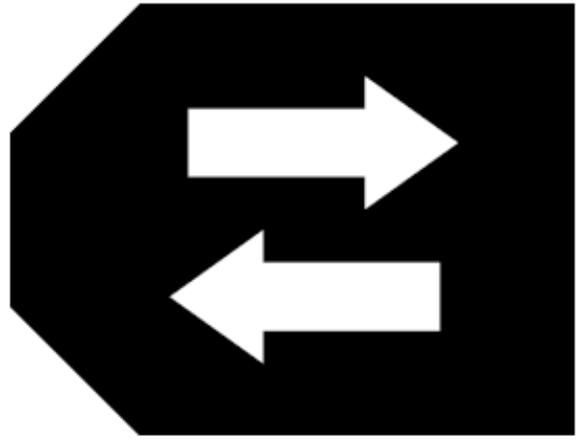
TK Attribution (TK A)

Why Use This TK Label? This label should be used when you would like anyone who uses this material to know who the correct sources, custodians, owners are. This is especially useful if this material has been wrongly attributed or important names of the people involved in making this material or safeguarding this material, are missing. This label allows you to correct historical mistakes in terms of naming and acknowledging the legitimate authorities for this material. This label asks for future users to also apply the correct names and attribution.

Each label is meant to be customized by a community. Click below for a label template text.

TK Label Template Text	⊕

Español / Spanish	⊕

Français / French	⊕

Listen ⊕

Example ⊕

TK Culturally Sensitive (TK CS)

Why Use This TK Label? This Label should be used when you would like external users to know that this material has special sensitivities around it and should be treated with great care. These sensitivities could include: that it has only recently been reconnected with the community from which it originates, that the community is currently vetting and spending time with the material, and/or that the material is culturally valued and needs to be kept safe. This Label could also be used to indicate that there are cultural sensitivities around this material arising from legacies of colonialism, for instance, the use of derogatory language or descriptive errors within the content and/or content descriptions.

Each label is meant to be customized by a community. Click below for a label template text.

Listen

Example

TK Label Template Text	

Español / Spanish	

Français / French	

Kwéleches, hello and welcome! 🔊

We are the Sq'éwlets People. We are Sqwōwich, People of the Sturgeon. This website shares our journey from ancient times to the present. Join us as we tell of our origins and personal histories, what we call our sx̱wōx̱wiyám and sqwélqwel. We live where the Harrison and Fraser Rivers of British Columbia meet.

Traditional Knowledge Label:
Attribution

SKWIX QAS TE TÉMÉXW (literally name and place)

This website represents the true knowledge and history of Sq'éwlets people. The attribution label literally means 'name' and 'place' in our language, skwix qas te Téméxw. We ask everyone that visits this website to attribute our knowledge and histories to us, the Sq'éwlets people, a tribe of Stó:lō. Our history has not always been respected or told correctly. Here we tell our own story in our own words. We are both holders and caretakers of our own lands, resources, and histories. It is the responsibility of our families and communities as Stó:lō people to take care of these things in a respectful way. Please feel free to contact us with further questions about attribution.

More about Traditional Knowledge labels

We are the
shares our jo
personal

Harrison and Fraser Rivers of British Columbia meet.

LIBRARY OF CONGRESS
O N L I N E   C A T A L O G

LC Online Catalog Quick Search | 🔍

Full Record   MARC Tags

Main title
Passamaquoddy War song ; Trading song [sound recording] / sung by Peter Selmore.

Published/Created
1890-03.

[Request this Item]   [↓ Where to Request]

🔊 MUSIC RECORDING

🖨 PRINT RECORD

LCCN Permalink	https://lccn.loc.gov/2015655578
Description	1 sound cylinder (2:45 min.) ; 3.75 in.
Rights advisory	Rights are held by the Peabody Museum of Archaeology and Ethnology, Harvard University.
Access advisory	Access to recordings may be restricted. To request materials, please contact the Folklife Reading Room at http://hdl.loc.gov/loc.afc/folklife.contact
Local shelving no.	Cylinder 4260 AFS 14739: A1 RKF 0006 AFC 1972/003: SR29

⬇ SAVE RECORD

✉ EMAIL RECORD

❝ CITE RECORD

MARCXML Record
MODS Record

Report Record Errors

↑ To

🔲 Subscribe ♻ Share/Save

AUDIO RECORDING

Passamaquoddy War song ; Trading song

Mihqelsuwakonutomon (Song of Remembrance in the Passamaquoddy War Song Series) ; Esunomawotultine (Trading dance/song) / Jesse Walter Fewkes collection of Passamaquoddy cylinder recordings SR29

Passamaquoddy War song ; Trading song / sung by Peter Selmore (Digital restoration from digital preservation master file) 1890-03-16.

| ▶ | ↺ | 00:03 ━━●───────────────── 02:27 | 🔊 ━━━ |

Audio Controls   Share

Download: | MP3 ⌄ | **Go**

More Resources

Passamaquoddy War song ; Trading song / sung by Peter Selmore (Digital preservation master file from original cylinder) 1890-03-16.	Passamaquoddy War song ; Trading song / sung by Peter Selmore (Track from digital preservation copy of AFC preservation tape LWO 6528 R3A) 1890-03-16.
▶ ↺ 00:00 ●──────────────── 02:44 🔊 ━━━	▶ ↺ 00:00 ●──────────────── 04:19 🔊 ━━━
Audio Controls Share	Audio Controls Share
Download: MP3 ⌄ **Go**	Download: MP3 ⌄ **Go**

About this Item

Title
Passamaquoddy War song ; Trading song

Other Title
Mihqelsuwakonutomon (Song of Remembrance in the Passamaquoddy War Song Series) ; Esunomawotultine (Trading dance/song)

Jesse Walter Fewkes collection of Passamaquoddy cylinder recordings SR29

Summary
The first song, Mihqelsuwakonutomon, means 'He/She tells memories of it'. This is a lament or mourning song. It is a fragment of one song in a series of songs and dances. Esunomawotultine, the trading dance, is the second song on Fewkes' wax cylinder 17 (Cylinder 4260; AFC 1972/003: SR29) recorded by Jesse Walter Fewkes in Calais, Maine, March 16, 1890.

Contributor Names

Traditional Knowledge Labels

⇄ Attribution - Elihtasik (How it is done).

✋ Outreach - Ekehkimkewey (Educational).

🚫$ Non-Commercial - Ma yut monuwasiw (This is not sold).

Learn more about the traditional knowledge labels

Library of Congress Control Number
2015655578

Rights Advisory
Traditional Knowledge Label: Attribution - Elihtasik (How it is done). When using anything that has this Label, please use the correct attribution. This may include individual Passamaquoddy names, it may include Passamaquoddy as the correct cultural affiliation or it may include Passamaquoddy Tribe as the tribal designation.
http://localcontexts.org/tk/a/1.0 ↗

Traditional Knowledge Label: Outreach - Ekehkimkewey (Educational). Certain material has been identified by Passamaquoddy tribal members and can be used and shared for educational purposes. Ekehkimkewey means 'educational'. The Passamaquoddy Tribe is a present day community who retains cultural authority over its heritage. This Label is being used to teach and share cultural knowledge and histories in schools.
http://localcontexts.org/tk/o/1.0 ↗

Traditional Knowledge Label: Non-Commercial - Ma yut monuwasiw (This is not sold). This material should not be used in any commercial ways, including ways that derive profit from sale or production for non-Passamaquoddy people. The name of this Label, Ma yut monuwasiw, means 'this is not to be purchased'.
http://localcontexts.org/tk/nc/1.0 ↗

Rights are held by the Peabody Museum of Archaeology and Ethnology, Harvard University.

Access Advisory
Access to recordings may be restricted. To request materials, please contact the Folklife Reading Room at
http://hdl.loc.gov/loc.afc/folklife.contact

Online Format
audio

Description

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Sharing TK Labels

1.
Create a community page
Create a community profile with a name, description, and thumbnail image. You can also add and manage members in your community account.

2.
Select and adapt TK Labels
Choose from 18 TK Labels, and adapt them with your own cultural names, descriptions, and language.

3.
Engage with cultural institutions
Establish new relationships of responsibility and form partnerships with libraries, archives, museums and universities.
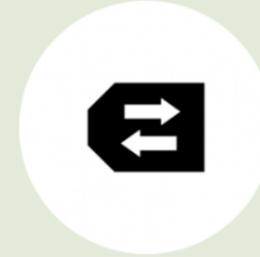
4.
Share and implement TK Labels
Share your unique community adapted TK Labels with cultural institutions for implementation in their digital systems.

ABOUT TK LABEL HUB ›

To learn more about TK Labels visit localcontexts.org

NEXT STEPS...
INDIGENOUS ORIGIN LABELS

Context: Proliferation of genome sequencing in New Zealand and Internationally

Challenge: maintain rights of Indigenous communities to their genetic resources in an open data environment

Concept: develop indigenous origin labels to support appropriate use of genetic resources and facilitate pathways for benefit-sharing

1. National Seed Storage Laboratory, Colorado, USA
2. N I Vavilov Research Institute of Plant Industry, St Petersburg, the Russian Federation
3. Institute of Crop Germplasm Resources, Beijing, China
4. National Bureau of Plant Genetic Resources, New Delhi, India
5. Genetic Resources Division, Agricultural Biotechnology Institute, Suweon, Republic of Korea
6. Institute of Plant Genetics and Crop Plant Research, Gatersleben, Germany

7. Department of Genetic Resources, National Institute of Agrobiological Resources, Japan
8. National Research Centre of Genetic Resources and Biotechnology, Brasilia, Brazil

9. Institute of Crop Sciences, Braunschweig, Germany
10. Plant Genetic Resources Centre, Addis Ababa, Ethiopia
11. Germplasm Institute, Bari, Italy
12. Genetic Resources Department, Research Institute for Cereals and Industrial Crops, Fundulea, Romania
13. New Zealand Germplasm Centre, Palmerston, New Zealand
14. National Institute for Agricultural Research, Chapingo, Mexico
15. Institute of Plant Science Research, Norwich, UK
16. Plant Breeding and Acclimatization Institute, Radzikow, Poland

17. Australian Winter Cereals Collection, Tamworth, Australia
18. The Asian Vegetable Research and Development Centre, Taiwan, Province of China

19. Institute of Introduction and Plant Genetic Resources, Sadovo, Bulgaria
20. Research Centre for Agrobotany, Tapioszele, Hungary

The world's major national plant gene banks

"Being an Indian is not about being part something; it is about being part **of** something."

Angela Gonzales (Hopi), 2007

Smithsonian National Museum of the American Indian

INDIGENOUS INITIATIVES IN GENOME RESEARCH

Moderators
Brooke La Flamme
Keolu Fox

# 1. INCREASE AWARENESS OF INDIGENOUS ISSUES
2. PROMOTE BETTER PUBLICATION PRACTICES

Policies

a. Disclosure of origin statements

b. Disclosure of community support statements (collective consent)

c. Data Availability statements

d. Partnering around development and implementation of Indigenous Origin Labels

Principles

(i) Indigenous communities decide whether their genomics data and associated metadata are publically available or accessible on request;

(ii) the provenance of Indigenous samples and genomics data must be transparent, disclosed in publications, and maintained with the data; and

(iii) credit should be given to Indigenous communities to support future use and benefit sharing agreements as appropriate.
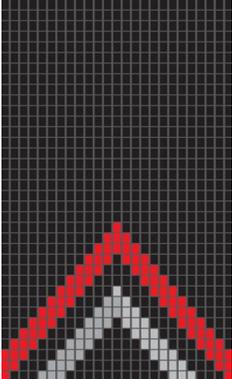
FOMA Innovation & Genomics Aotearoa
Workshop: Protecting Māori Data & the Biosphere

10.00	**Mihi - Introductions**
10.15	**Overview of the CBD and Nagoya Protocol** **Naming the Challenges: Te Mana Raraunga, FOMA Innovation, Central Government, Iwi**
11.15	**Protecting Cultural Heritage: Traditional Knowledge Labels, Dr Jane Anderson, NYU**
12.00	*Kai*
01.00	**Protecting interests in the Biosphere:** **Indigenous Origin Labels and Indigenous Provenance Fields**
02.00	**Discussions & feedback**
03.00	**Whakawātea**

Wednesday 5th June 2019,

Naumai Room, Te Puni Kokiri, Wellington

*please RSVP for catering purposes to taongaspecies.project@gmail.com