

Principles of Māori Data Sovereignty

Brief #1 | October 2018



TE MANA
RARAUNGA
Māori Data Sovereignty Network

This Te Mana Raraunga (TMR) Brief provides a general overview of key Māori Data Sovereignty terms and principles.

TMR advocates for the realisation of Māori rights and interests in data¹, and for the ethical use of data to enhance the wellbeing of our people, language and culture.

“He rei ngā niho, he paraoa ngā kauae”

“One must have the right principles for important endeavours.”

Definition of terms

- **Māori data** refers to digital or digitisable information or knowledge that is about or from Māori people, our language, culture, resources or environments.
- **Māori Data Sovereignty** refers to the inherent rights and interests that Māori have in relation to the collection, ownership, and application of Māori data.
- **Māori Data Governance** refers to the principles, structures, accountability mechanisms, legal instruments and policies through which Māori exercise control over Māori data.

¹ Māori rights and interests in data derive from our inherent rights as Indigenous peoples, and unique relationships with land, water and the natural world. These rights are recognised in Te Tiriti o Waitangi and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

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01 Rangatiratanga | Authority

1.1 Control. Māori have an inherent right to exercise control over Māori data and Māori data ecosystems. This right includes, but is not limited to, the creation, collection, access, analysis, interpretation, management, security, dissemination, use and reuse of Māori data.

1.2 Jurisdiction. Decisions about the physical and virtual storage of Māori data shall enhance control for current and future generations. Whenever possible, Māori data shall be stored in Aotearoa New Zealand.

1.3 Self-determination. Māori have the right to data that is relevant and empowers sustainable self-determination and effective self-governance.

02 Whakapapa | Relationships

2.1 Context. All data has a whakapapa (genealogy). Accurate metadata should, at minimum, provide information about the provenance of the data, the purpose(s) for its collection, the context of its collection, and the parties involved.

2.2 Data disaggregation. The ability to disaggregate Māori data increases its relevance for Māori communities and iwi. Māori data shall be collected and coded using categories that prioritise Māori needs and aspirations.

2.3 Future use. Current decision-making over data can have long-term consequences, good and bad, for future generations of Māori. A key goal of Māori data governance should be to protect against future harm.

03 Whanaungatanga | Obligations

3.1 Balancing rights. Individuals' rights (including privacy rights), risks and benefits in relation to data need to be balanced with those of the groups of which they are a part. In some contexts, collective Māori rights will prevail over those of individuals.

3.2 Accountabilities. Individuals and organisations responsible for the creation, collection, analysis, management, access, security or dissemination of Māori data are accountable to the communities, groups and individuals from whom the data derive.

04 Kotahitanga | Collective benefit

4.1 Benefit. Data ecosystems shall be designed and function in ways that enable Māori to derive individual and collective benefit.

4.2 Build capacity. Māori Data Sovereignty requires the development of a Māori workforce to enable the creation, collection, management, security, governance and application of data.

4.3 Connect. Connections between Māori and other Indigenous peoples shall be supported to enable the sharing of strategies, resources and ideas in relation to data, and the attainment of common goals.

05 Manaakitanga | Reciprocity

5.1 Respect. The collection, use and interpretation of data shall uphold the dignity of Māori communities, groups and individuals. Data analysis that stigmatises or blames Māori can result in collective and individual harm and should be actively avoided.

5.2 Consent. Free, prior and informed consent (FPIC)² shall underpin the collection and use of all data from or about Māori. Less defined types of consent shall be balanced by stronger governance arrangements.

06 Kaitiakitanga | Guardianship

6.1 Guardianship. Māori data shall be stored and transferred in such a way that it enables and reinforces the capacity of Māori to exercise kaitiakitanga over Māori data.

6.2 Ethics. Tikanga, kawa (protocols) and mātauranga (knowledge) shall underpin the protection, access and use of Māori data.

6.3 Restrictions. Māori shall decide which Māori data shall be controlled (tapu) or open (noa) access.

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<https://www.un.org/development/desa/indigenouspeoples/publications/2016/10/free-prior-and-informed-consent-an-indigenous-peoples-right-and-a-good-practice-for-local-communities-fao/>