

Te Mana Raraunga - Māori Data Sovereignty Network Charter

*He whenua hou, Te Ao Raraunga
Te Ao Raraunga, He whenua hou¹*

Preamble

With respect to the inherent rights that we as Māori have by virtue of our inalienable relationships with the land, water and the natural world, we assert that:

- Data is a living tāonga and is of strategic value to Māori.
- Māori data refers to data produced by Māori or that is about Māori and the environments we have relationships with. Maori Data includes but is not limited to:
 - Data from organisations and businesses
 - Data about Māori that is used to describe or compare Māori collectives
 - Data about Te Ao Māori that emerges from research
- Māori data is subject to the rights articulated in the Treaty of Waitangi and the UN's Declaration on the rights of Indigenous Peoples², to which Aotearoa New Zealand is a signatory.
- Data Sovereignty typically refers to the understanding that data is subject to the laws of the nation within which it is stored.
- Indigenous Data Sovereignty perceives data as subject to the laws of the nation from which it is collected.
- Māori Data Sovereignty recognises that Māori data should be subject to Māori governance.
- Māori Data Sovereignty supports tribal sovereignty and the realisation of Maori and Iwi aspirations.

¹ Data is a new world, a world of opportunity

² Consistent with the rights articulated in the Mataatua Declaration, WAI 262, (Nga Puhi doc) and the Outcome Document of the UNDRIP.

Purpose

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.

Where necessary, Te Mana Raraunga will utilise the expertise of its members to provide Māori data governance functions over relevant datasets **in the absence of** mandated Māori governance entities. Te Mana Raraunga will support the establishment of appropriate protocols for iwi authority over data.

Te Mana Raraunga will advocate for resourcing to support the development of capacity and capability across the Māori data ecosystem including:

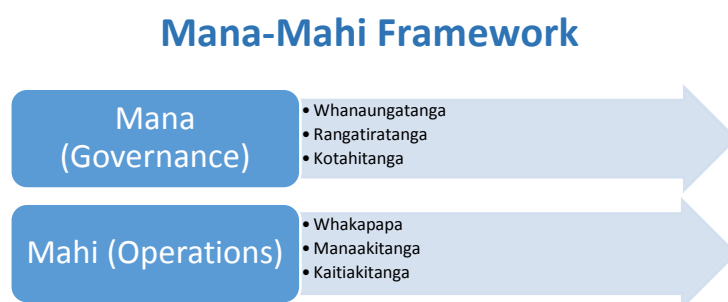
1. Data rights and interests. Establishing the nature of Māori rights and interests to government collected administrative data, survey, census and research data derived from indigenous tāonga are central to realising aspirations in the Mataatua Declaration, the WAI262 claim, and the UNDRIP. Articulating these rights and interests in an intellectual property framework is necessary to realise commercialisation opportunities and benefit sharing agreements for hapū, iwi and/or Māori entities³.
2. Data governance. There is a wealth of data pertaining to Māori individuals, whānau, households, hapū, iwi, entities and te Taiao that is collected by the state as part of the Official Statistics System (OSS), crown agencies and government organisations, through commercial transactions, social media, telecommunications (including satellites) and other means. Only a small proportion of these data sources are currently accessible to Māori for our own purposes and benefit. Māori involvement in data governance and data management is essential to ensure data is used for projects that support beneficial outcomes for Māori.
3. Data storage and security. As more businesses and entities have moved to cloud-based models of data storage, this has raised concerns around the security and privacy of data that are stored offshore, and the legal and privacy frameworks that the data are subject to, including the issue of data sovereignty. TMR supports the development of Māori data infrastructure and security systems to support the realisation of Māori data sovereignty.

³ As set out by World Intellectual Property Organisation (WIPO)

4. Data Collection, Access and Control: Māori should be involved in decisions about the collection of and access to Māori data, analysis and interpretation. Use of data for research should also be consistent with frameworks for Māori research ethics (i.e. Te Ara Tika). Using data requires that data is made available in a usable form and that we have the workforce who can be actively engaged in the design, collection, processing, analysis and dissemination of data to meet our own needs.

Guiding principles

Te Mana Raraunga recognises the need to advance discussions about Māori Data Sovereignty at both governance and operational levels. The work of Te Mana Raraunga will support the realisation of rangatiratanga, kotahitanga, manaakitanga and kaitiakitanga.



Whanaungatanga and Whakapapa: Whanaungatanga denotes the fact that in Māori thinking and philosophy relationships between man, Te Ao Turoa (the natural world) and spiritual powers inherent therein, and Taha Wairua (spirit) are everything. Whakapapa evidences those linkages and identifies the nature of the relationships.

Rangatiratanga: Rangatiratanga speaks to the hapū, iwi/Māori aspiration for self-determination, to be in control of our own affairs and to influence those taking place within our iwi boundaries. This is especially true for activities that have the potential to affect our people (ngā uri whakaheke) or our environment (whenua/moana). Rangatiratanga can be expressed through leadership and participation. Data supports the expression of Rangatiratanga and Rangatiratanga can be expressed through data in terms of the OCAP⁴ principles of ownership, access, control and possession.

Kotahitanga: Kotahitanga speaks to a collective vision and unity of purpose while recognising the mana of rangatira from individual hapū and iwi. The foundations of kotahitanga can be found in our whakapapa and reflected in our relationships with each

⁴ The OCAP principles are trademarked by the First Nations Information Governance Centre and means that First Nations control data collection processes in their communities and how the data are used. <http://fnigc.ca/ocap.html>

other. It is important that we make space to identify our collective aspirations for indigenous data sovereignty and advocate for activities that benefit all Māori.

Manaakitanga: Manaakitanga can be expressed through the responsibility to provide hospitality and protection to whānau, hapū, iwi, the community and the environment. The foundations of manaakitanga rely on the ability of Māori to live as Māori, to access quality education, to have good health, to have employment opportunities and to have liveable incomes. Ethical data-use has the potential to contribute greatly to Māori aspirations.

Kaitiakitanga: Kaitiakitanga speaks to the hapū, iwi responsibility to be an effective steward or guardian and relates to actions that ensure a sustainable future for all people. Underpinning our existence is the need to protect and enhance Māori knowledge and practices, to strengthen whānau, hapū and iwi and to create sustainable futures. Kaitiaki have a social contract and are responsible to the communities they serve. Identifying appropriate data guardians and the principles by which they will operate is a key consideration.

Membership and mandate

Te Mana Raraunga advocates for Māori Data Sovereignty at a national level. Te Mana Raraunga is open to participation from Māori and iwi data users, ICT providers, researchers, policymakers and planners, businesses, service providers and community advocates that share this charter.

A working group advances Te Mana Raraunga's work programme with support from a part-time administrator. The working group will meet with key Māori and iwi representatives and liaise with government agencies including the New Zealand Data Futures Forum to support the realisation of Māori Data Sovereignty.

An inaugural meeting on Māori Data Sovereignty was held at Hopuhopu on 19th October 2015 where the formation of Te Mana Raraunga as a Māori Data Sovereignty Network was accepted by the participants and the contents of the charter discussed.

The charter was approved in Te Rangimarie at Papakura Marae on 5 April 2016.

Appendix 1: Background to the Te Mana Raraunga Charter

In July 2015 a group of Māori researchers and practitioners participated in a workshop on Data Sovereignty for Indigenous Peoples hosted by the Academy of Social Sciences in Australia. The workshop considered the implications of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) for the collection, ownership and application of data pertaining to indigenous peoples and what these might mean for indigenous peoples' sovereignty over data that are about us, our territories and ways of life. It built on previous workshops organised by the United Nations Permanent Forum on Indigenous Issues (UNPFII) on 'data collection and disaggregation' (in 2004) on 'indicators of wellbeing' (in 2006) and on 'development with culture and identity' (in 2010). At these events indigenous representatives had raised concerns about the relevance of existing statistical frameworks for reflecting their worldviews and highlighted their lack of participation in data collection processes and governance.

The Canberra/Kamberra workshop was timely. Several data initiatives underway in Aotearoa NZ have significant implications for Māori data sovereignty. The Integrated Data Infrastructure (IDI) is likely to eventually replace the census. IDI is a longitudinal dataset that links anonymized individual-level data across various government administrative systems including tax, health, education, corrections, justice, migration, benefits and tenancy. Population census data will also eventually be added. IDI was created to support research, analysis, and policy evaluation on transitions and outcomes to inform more effective decision-making in government and business. It is not yet clear how the creation of IDI will benefit Māori, nor what mechanisms will be put in place to empower Māori governance over Māori data.

The second major initiative is New Zealand Data Futures. In August 2015 Government established a Data Futures Partnership which comprises a cross-sector group of influential people working together to drive high-trust and high-value data use. The overarching vision of NZ Data Futures is for NZ to be a world leader in the trusted use of shared data to deliver a prosperous, inclusive society. NZDF recognises the strategic importance of data as a national asset and is focused on deriving social and economic benefits from data while maintaining trust and privacy. The partnership is mandated by Government and a dedicated Working Group will drive the overall programme of work and core deliverables for the Partnership.