THE GOVERNANCE OF INDIGENOUS DATA:
GENERATING A FRAMEWORK AND PRINCIPLES

Hosted by the US Indigenous Data Sovereignty Network
Joe Garcia (Ohkay Owingeh), Advisory Council Co-Chair
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“Sovereignty as tribal nations was given to us by the Creator. It is sacred. Data to exercise our sovereignty is also sacred.”

-Tribal Leader at 2015 NCAI Mid-Year Conference

Introductory Info

• **Definition of data for Students**
  
  1: facts about something that can be used in calculating, reasoning, or planning

  2: information expressed as numbers for use especially in a computer
  *Hint: Data can be used as a singular or a plural in writing and speaking. This *data* is useful.*

• These *data* have been questioned.
Examples of data

• Candidates and their platforms for elections
• Tribal membership
• Tribal Roads
• Tribal programs
• Tribal members served
• Family needs
• Tribal needs
• Tribal funding
• Demographics
• Economic Development
• Sacred objects, sites, history and related
Examples of data

• Tribal Resolutions, see NCAI Resolutions tables, etc
• Census information
• College graduates
• Tribal Students in college/Student needs
• Colleges for Engineering
• Sacred objects, sites, history and related
• Flights available for travel to Kansas City
• Number of tribes represented Haskell Indian Nations University
• Health, Ailments, diagnosis, risks, number of cases
• Surveys of all kinds
• Federal Indian Legislation
• Health Information Technology for Economic and Clinical Health
• IRS
• AND THE LIST GOES ON
CONTROL SERVES RIGHTS

Indigenous DATA GOVERNANCE

- Cultural Sovereignty
- Indigenous
- Open Data
- Big Data
- Geospatial
- Water Quality
- Environment
- Natural Resource
- Protection
- Economy

Foundation of Knowledge (Building) for Tribes!

Data quality government partnerships for equitability, RELEVANT Data Definitions and culturally.

Census Data Accuracy

Data to end fragmentation and restore connections

Community revitalization

Individual Privacy

Relevant Data

Practices at all levels:

Collaborative decision-making

Participatory processes from planning thru

Capacity Building Organization

Continuing Ed/Capacity Building

Funding for ever:

Other supports: converged

Public interest initiatives policies

Multiple Indigenous communities

Data, Data, Data: Reduce, Reuse, Recycle

Representative in causing large reservoirs, blogging, etc.

Ancestral connections

Self-identification on Census

Practical Data Method Collection Guide
Maintenance of Tribal Data

• Who took care of data for tribes in the past?
  – Leaders or designated individuals or clans
  – Tribal Governments
  – BIA
  – Educational Institutions
  – States
  – Federal Government & Others

• With/or without our knowledge, approval, or permission
• We had not challenged the collection of data on ourselves until most recently.
• Data has been there since time in memorial, just haven’t defined it in a meaningful way.
• Who owned the data?
• Who controlled the data?
Data Sovereignty

• Data sovereignty is the concept that information which has been converted and stored in binary digital (any form) form is subject to the laws of the nation in which it is located.

• Many of the current concerns that surround data sovereignty relate to enforcing privacy regulations and preventing data that is stored in a foreign country from being subpoenaed by the host country’s government.
Data Policy Example

• **Protecting Your Data**

• Australian Privacy Principles (APPs) have created rules for handling data sovereignty. Section 8 of the APP (APP 8) discusses the disclosure of personal data across borders. It strives to ensure that overseas organisations will handle personal data according to their guidelines. It also makes the entities responsible for mishandling personal information.

• When an APP entity (i.e. a cloud services provider) discloses personal information to an overseas recipient, the entity must take “reasonable steps” to make sure the rules of the APP are not broken.

• APP clearly defines when it is appropriate for an APP entity to transmit data and also what data is allowed to be transmitted.

• Some examples of when an APP entity will disclose when they send information to an overseas recipient include:
On with the Show

Series 1
Series 2
Introduction to Indigenous Data Sovereignty and Governance

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WHAT ARE INDIGENOUS DATA?

Data, information and knowledge, in any format, that impacts Indigenous lives at the collective and individual levels:

**DATA ABOUT OUR RESOURCES AND ENVIRONMENTS**

Land, water, geology, titles, air, soil, sacred sites, territories, plants, animals, etc.

**DATA ABOUT US AS INDIVIDUALS**

Administrative, legal, health, social, commercial, corporate, services, etc.

**DATA ABOUT US AS NATIONS**

Traditional and cultural information, archives, oral histories, literature, ancestral and clan knowledge, stories, belongings, etc.

Informed by British Columbia First Nations Data Governance Institute - BCFNDGI.COM

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INDIGENOUS DATA SOVEREIGNTY

The right of Indigenous peoples and nations to govern the collection, ownership, and application of their own data.

1. Derives from inherent rights to govern their peoples, lands, and resources.

2. Genesis in traditions, roles, and responsibilities for the use of community held information.

3. Positioned within a human rights framework and court cases, treaties, and/or recognition.

4. Knowledge belongs to the collective and is fundamental to who we are as peoples.

INDIGENOUS DATA: RIGHTSHOLDERS AND STAKEHOLDERS

RIGHTS FOR INDIGENOUS PEOPLES AS COLLECTIVES

- Urban communities and urban entities
- NGOs and advocacy organizations
- Indigenous NGOs, corporations
- Intertribal entities
- Indigenous communities and entities
- Other governments

FEDERALLY RECOGNIZED
LOCALLY RECOGNIZED
NON-RECOGNIZED

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THE INTERDEPENDENCE OF NATION REBUILDING AND DATA REBUILDING

Governance of Data

NATION REBUILDING

INDIGENOUS NATION SOVEREIGNTY

Data for Governance

DATA REBUILDING

THE DATA PARADIGM:
THE HIERARCHY OF INDIGENOUS DATA

BY US FOR THEM

BY US FOR US: IDSosv

BY THEM WITH US: Rhetoric?

BY THEM FOR US: Patronizing?

BY THEM FOR THEM: Data about us

DATA DESERT: Data Indigenous Peoples Need

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Adapted from Kukatai and Walter presentation 2016.
Indigenous Data Sovereignty: Decolonizing Data

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US Indigenous Data Sovereignty Network:
Linking Data Champions

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“When tribal nations collect data we are telling our story in our own way. As promoters of data, we are information gatherers and information keepers. Just as our ancestors we look at essential information to tell the stories. These new stories are being told to sustain our people and forge our future.”

- Patricía Riggs
The United States Indigenous Data Sovereignty Network (USIDSN) helps ensure that data for and about Indigenous nations and peoples in the US (American Indians, Alaska Natives, and Native Hawaiians) are utilized to advance Indigenous aspirations for collective and individual wellbeing.
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A COMMITMENT TO INDIGENOUS DATA SOVEREIGNTY (IDS) SPANS THE GLOBE

NATION-STATE BASED, INDIGENOUS LED COMMUNITIES OF PRACTICE

• TE MANA RARAUNGA MAORI DATA SOVEREIGNTY NETWORK in Aotearoa/New Zealand

• UNITED STATES INDIGENOUS DATA SOVEREIGNTY NETWORK

• MAIAM NAYRI WINGARA ABORIGINAL AND TORRES STRAIT ISLANDER DATA SOVEREIGNTY COLLECTIVE in Australia

• NASCENT: FIRST NATIONS, INUIT AND MÉTIS in Canada, SAMI/SÁPMI in Sweden, Mexico

RDA INTERNATIONAL INDIGENOUS DATA SOVEREIGNTY INTEREST GROUP
THE MANA-MAHI FRAMEWORK: Maori Data Sovereignty in Aotearoa

**Governance**
1. Developing Maori tribal data governance protocols and procedures
2. Setting a mandate for operationalizing

**Operationalizing**
1. Influencing the wider data ecosystem
2. Building Maori tribal capacity and control
3. Engaging with opportunities in data and technology

http://www.temanararaunga.maori.nz/ | @MaoriDSov
Indigenous Data Governance: Grounding Principles

Michele L. Suina (Cochiti Pueblo), PhD
Program Director, Albuquerque Area Southwest Tribal Epidemiology Center
Member, US Indigenous Data Sovereignty Network
Big Need for Tribal leaders group to be formed to work with Fed. Agencies.

Tribal-led

Coherence
Relevance/meaningful meaningful self-definition

Clarity & balance in ownership & rights
Tribal ownership
Tribal member rights clarified & defended

Indigenous Data Governance

CONTROL SERVES RIGHT

Cultural Resources
Indigenous Data Source
Open Data
Big Data
Geospatial
Water
Natural Resources Protection
Economy

Foundation of Knowledge

Practical Data

Other supports required.

Funding is supported by...
1. **Inherent sovereignty:** Indigenous peoples have the right to self-determination; with respect to data, this has implications for ownership, control, and access.

2. **Indigenous knowledge:** Indigenous data governance serves to honor Indigenous knowledge, asserting that such knowledge is of the peoples and includes relationships to the non-human world.

3. **Protection:** ethics; equal explanatory power; equitable outcomes.

4. **Intergenerational collective wellbeing:** Date need to align with Indigenous values for collective well-being across generations, and be past, present, and future oriented.

5. **Relationships:** The governance of Indigenous data requires respect, responsibility, reciprocity, and accountability between Indigenous nations and their peoples and other stakeholders.