Indigenous Data Governance Brief
US Indigenous Data Sovereignty & Governance Summit

April 2024 | Chuk:son (Tucson, AZ)

This Brief is addressed to all individuals and entities involved in the creation, collection, assessment, analysis, interpretation, management, dissemination, and reuse of data in what is currently called the United States and its territories.

This Brief reports on the "Tribal Leaders and Indigenous Scholars Workshop" and the "Action Planning and Forward Thinking Session" held at the Indigenous Data Sovereignty and Governance Summit convened by the US Indigenous Data Sovereignty Network (USIDSN) on the lands of the Pascua Yaqui Tribe and the homelands of the Tohono O'odham Nation in April 2024. It emerges from the Indigenous contexts, relational practices, and lived experiences of over 60 Indigenous delegates representing dozens of Indigenous Peoples, Tribal Nations, and Iwi, including Indigenous people from Aotearoa (New Zealand), Australia, Canada, Mexico, all regions in the continental United States, Alaska, Hawai'i, Guam, and Puerto Rico.1 The Workshop and Summit resulted in five key strategies to advance IDSov:

1 | Establish Indigenous Core Values for Data Futures that can be adapted to guide community-specific data governance principles and strategies;

2 | Establish an "Authority to Activation Framework";

3 | Establish a US Indigenous Data Governance Strategy;

4 | Establish an Indigenous Peoples Data Standard in the US; and

5 | Reaffirm Established Indigenous Data Sovereignty and Indigenous Data Governance approaches.

Grounded in Indigenous Peoples' inherent rights to self-determination, Indigenous Data Sovereignty (IDSov) asserts Indigenous Peoples' rights to govern the collection, ownership, and application of both their own data and data that are collected by external entities about them. (Carroll, Rodriguez-Lonebear, and Martinez 2019; NCAI 2018). International and settler-state legal frameworks such as the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the Mana Ōrite Agreement (Aotearoa New Zealand) reaffirm Indigenous Peoples' rights to control and access their data (UNDRIP 2007; Stats NZ 2021). Indigenous Peoples activate IDSov through Indigenous Data Governance (IDGov) mechanisms, such as Tribal research review processes, co-governance agreements, ethical principles and protocols, inclusion of metadata, data infrastructure on Tribal Lands, and other means of stewarding Indigenous knowledges across data ecosystems (Kukutai & Taylor, 2016). IDGov combines two interrelated practices: (1) Governance of Data and (2) Data for Governance (Smith, 2016; Rainie, Rodriguez-Lonebear, and Martinez 2017). IDSov applies to all modes of Indigenous data, including digital data systems and technologies. It affirms that, as Indigenous Peoples, data live, breathe, and are our relatives. As relations, data connect us to the past, present, and future. In relationship, data connect us to each other, the non-human, and to the more than human worlds.

A Call To Action from Honorable Brian Vallo

Honorable Brian Vallo (Former Governor of Pueblo of Acoma) delivered an urgent Call to Action for Tribal leaders, researchers, institutions, funders, and governments to work together to develop policies, procedures, and laws that uphold Indigenous Peoples' rights, responsibilities, and expectations as part of a collaborative response to extractive research and the misuse of Indigenous data and knowledge. He proposed a two-part call to action: (1) Laying the foundation for work that lies ahead; and (2) Influencing decision makers and educating the public about the importance of IDSov. Former Governor

1 | See "Indigenous Peoples in the United States" on page 3. We also use "Tribal Nation" to refer to federally and state recognized Tribes in the continental US and Alaska.

Vallo posed several questions for Indigenous Peoples to consider to protect their knowledges, cultures, and languages. These questions considered current IDSov work in Indigenous communities, what more needs to be done, and how to engage Indigenous governments and communities in this work in order to realize our future(s).

Establish Indigenous Core Values for Data Futures

Rez Café (i.e., World Café) facilitation was used during the Workshop to articulate a US Indigenous Data Governance Strategy. Participants reflected on IDGov principles, action, and strategies for Indigenous Peoples in the US.

Participants identified core values in guiding Indigenous data futures. With sovereignty and self-determination at the foundation, values such as love, acceptance, reciprocity, and accountability emerged (among others) to guide ethical frameworks for the governance of Indigenous data. Although common core values were discussed, there must be recognition that Indigenous Peoples' distinct values and ethical frameworks guide community-specific data governance principles and strategies. Data actors must adhere to these specific principles and strategies.

Develop an Authority to Activation Framework

Since time immemorial, Indigenous Peoples have stewarded and used data to determine their own futures irrespective of colonial intervention. The USIDSN operates with a historical mandate to build the IDSov movement across Indigenous Peoples' ecological ecosystems and homelands through an intertribal and interdisciplinary community of practice that was formally recognized by national Tribal leadership in 2018 (NCAI, 2018). Since the founding

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Tribes often have the burden to justify and divulge protected sacred knowledge and we need to explore better ways to share this sensitive information."

– HON. BRIAN VALLO
Former Governor, Pueblo of Acoma

of USIDSN in 2016 and the passage of its national mandate in 2018, the community of practice has grown to more than 300 members with scholars and practitioners continually joining the movement. The international IDSov movement and the USIDSN have been intentional about growing emerging scholars and practitioners, scaffolding them into leadership positions across not only academia, but also the public, private, and Tribal sectors.

The Workshop gathered Indigenous leaders and scholars who identified the critical need to establish a structure within the movement that connects the inherent authority of Indigenous leaders with the activation of scholars and practitioners to carry out the work. Establishing an Authority to Activation framework within and across Indigenous data ecosystems requires collective commitment to embed IDSov and IDGov across networks of Indigenous Peoples, institutions, and data actors.

Commitment to US Indigenous Data Governance Strategy

Data are crucial to Indigenous Peoples' capacity to govern their people and resources, and to sustain their knowledge systems for future generations. While data about Indigenous Peoples, lands, and resources proliferate, Indigenous Peoples are often excluded from opportunities to meaningfully shape which data are collected, and the ways those data are collected, stored, interpreted, and presented. This exclusion often leads to data that are harmful, irrelevant, and unavailable. Ironically, the same data often innovatively and disruptively benefit the world with little to no provenance, attribution, acknowledgement, nor investment for local improvements in the quality of life of Indigenous Peoples and their data stewards. IDSov and IDGov are vital to Indigenous Peoples' movements to reclaim data ecosystems in ways that uphold their rights and align with their worldviews, needs, values, and interests.

Harnessing the leadership and deep knowledge of Indigenous Peoples about how to care for their information, data, and specimens and accessing the processes and experiences of our Indigenous relatives in Aotearoa New Zealand (Te Kāhui Raraunga, 2023), Australia (Australian Government, 2024), and Canada (First Nations Information Governance Centre, 2020), the USIDSN commits to establishing an Indigenous Data Governance Strategy for the US.

Commitment to US Indigenous Peoples' Data Standard

A data standard establishes rules for how data are defined, collected, managed, stored, used, commercialized, represented, formatted, and transmitted across all stages of the data lifecycle. We affirm that Indigenous Peoples' data standards must originate from and be governed by Indigenous Peoples.

> ## "Data is central to unlocking who we are as [Indigenous] people. It is central to our healing. We must take a stand for our freedom and our sovereignty. If we say those things then we must live up to it. Breathe it, be it, do it all the time."
>
> — DR. SAMMY MATSAW JR. Treasurer, Fort Hall Business Council, Shoshone-Bannock Tribes

Indigenous Peoples' data standards exist in other nation state contexts, including Aotearoa New Zealand's Iwi (Māori Tribe) Data Standard (Stats NZ, 2018) and Australia's Indigenous Status Standard (Australian Bureau of Statistics, 2014). At an international level, the Institute of Electrical and Electronics Engineers (IEEE) is developing the Recommended Practice for the Provenance of Indigenous Peoples' Data (Global Indigenous Data Alliance, 2023).

While Indigenous data standards do not yet exist in the United States, rules for the governance of Indigenous data and strategies to enforce those rules were discussed among Indigenous participants in the "Action Planning and Forward Thinking" workshop held at the close of the Summit. Indigenous participants identified rules for Indigenous Data Governance, including: recognizing and upholding IDSov; prioritizing Tribal laws, regulations, policies, and preferences; how to collect, manage, access, and use Indigenous data; building relationships that center community needs and values; embedding restorative justice, iterative and dynamic consent, stewardship, and reclamation/rematriation/repatriation; and maximizing benefits and minimizing harms. We acknowledge that establishing an Indigenous Peoples' data standard is not enough. We affirm the need for mechanisms of enforcement such as rights-based approaches; ceremony; justice; education; Indigenous presence and leadership; and Indigenous leadership and design of IDGov policies, laws, agreements, and data systems.

Reaffirm Established IDSov/IDGov Approaches

We reaffirm that our policies and practices of IDSov and IDGov in what is currently called the United States aligns with Indigenous Peoples' assertions, definitions, and practices of IDSov and IDGov internationally, which include:

'Indigenous Peoples in the United States' refers to federally, state, un-recognized Tribes, and peoples of Hawai'i, Guam, Puerto Rico, Northern Mariana Islands, American Samoa, and the US Virgin Islands in affirmation of their political rights and rights-bases statuses. By extension, we acknowledge that Indigenous Peoples north of the US-Canadian settler-colonial border, south of the US-Mexican settler-colonial border, and within settler-colonial jurisdictional

divisions across the Pacific and Caribbean share ancestral wisdoms, material cultures, and medicinal practices, and are often used as data proxies or circumventions around US Indigenous data sovereignties. We also include the large number of Indigenous individuals from peoples and cultures worldwide who live in diaspora in the United States as they likewise share experiences and can be used as data proxies or circumventions around US Indigenous data sovereignties.

'Indigenous Data' refers to information, specimens, and knowledges, in any format and in possession by either Indigenous Peoples or non-Indigenous entities, that are related to, about, and/or that may affect Indigenous Peoples both collectively and individually.

'Indigenous Data Sovereignty' refers to the rights of Indigenous Peoples to exercise self-determination and governance over Indigenous data.

'Indigenous Data Governance' refers to mechanisms through which Indigenous Data Sovereignty is upheld. It involves applying Indigenous Peoples' cultures, values, principles, and processes to the management and control of Indigenous data—both Indigenous governance of Indigenous data and non-Indigenous stewardship of Indigenous data.

'Data Actors' are people, places, and/or things that interact with data including individuals, institutions, collections, machines, artificial intelligence, and scrapers.

US IDSov Principles were drafted by Indigenous and allied scholars associated with the United States Indigenous Data Sovereignty Network (USIDSN) from 2017 to 2020 (United States Indigenous Data Sovereignty Network, 2020). The principles include: Inherent sovereignty, Indigenous knowledge, Ethics,

> ## "
> **Indigenous Data Sovereignty involves so much more than the term implies! ...The balanced partnership and collaboration of Indigenous Peoples and their knowledge holders, Indigenous Academics, and non-Indigenous Academics who possess the willingness and commitment to assist, will allow us to: polish some skills; create other effective tools; learn from others who have achieved good results; and provide capacity building on data collection, monitoring, and analysis."**
>
> **—TEKINA TAI PELLI, TAÍNO- ARAWAK PEOPLES**

Intergenerational collective well-being, and Relationships.

The CARE Principles for Indigenous Data Governance were drafted by Indigenous and allied scholars at the Research Data Alliance meeting in 2018 in association with the Global Indigenous Data Alliance (GIDA) (Carroll et al., 2020). CARE is an acronym for Collective benefit, Authority to control, Responsibility, and Ethics.

Institute of Electrical and Electronics Engineers (IEEE) Recommended Practice for the Provenance of Indigenous Peoples' Data establishes a common set of parameters for the provenance of Indigenous Peoples' data (GIDA, 2023).

Special Issue of the American Indian Culture and Research Journal on Indigenous Data Sovereignty Summit

A forthcoming special issue of the American Indian Culture and Research Journal (AICRJ) will focus on powerful scholarship from presentations and keynotes at the Summit. We anticipate publication in early 2026. The special issue (and all issues of the AICRJ) are open access and available to download online.

Citation

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DOI: 10.6084/m9.figshare.2653081.

References

Australian Bureau of Statistics. (2014). *Indigenous Status Standard*. ABS. https://www.abs.gov.au/statistics/standards/indigenous-status-standard/latest-release

Australian Government. (2024). *Framework for Governance of Indigenous Data: Practical guidance for the Australian Public Service*. https://www.niaa.gov.au/resource-centre/framework-governance-indigenous-data

Carroll, S. R., Rodriguez-Lonebear, D., Martinez, A. (2019). Indigenous Data Governance: Strategies from United States Native Nations. Data Science Journal, 18(1), 31. https://doi.org/10.5334/dsj-2019-031

Carroll, S.R., Garba, I., Figueroa-Rodríguez, O.L., Holbrook, J., Lovett, R., Materechera, S., Parsons, M., Raseroka, K., Rodriguez-Lonebear, D., Rowe, R., Sara, R., Walker, J.D., Anderson, J. and Hudson, M. (2020). *The CARE Principles for Indigenous Data Governance.* Data Science Journal, 19(1), p. 43. Available at: https://doi.org/10.5334/dsj-2020-043

First Nations Information Governance Centre. (2020). First Nations Data Governance Strategy. https://fnigc.ca/what-we-do/first-nations-data-governance-strategy/

Global Indigenous Data Alliance. (2023). *IEEE Provenance*. https://www.gida-global.org/ieee-provenance

Indigenous Data Governance Communique. (2023). Maiam nayri Wingara, Australian Indigenous Governance Institute, Lowitja Institute. https://static1.squarespace.com/static/5b3043afb40b9d20411f3512/t/64f7b64b19d9dd4616bf2c75/1693955660219/Indigenous+Data+Governance+Communique+2023.pdf

Kukutai, T., Campbell-Kamariera, K., Mead, A., Mikaere, K., Moses, C., Whitehead, J. & Cormack, D. (2023). Māori data governance model. Te Kāhui Raraunga. https://www.waikato.ac.nz/assets/Uploads/Research/Research-institutes-centres-and-groups/Institutes/Te-Ngira-Institute-for-Population-Research/Maori_Data_Governance_Model.pdf

National Congress of American Indians. (2018). *Resolution KAN-18–011: Support of US Indigenous Data Sovereignty and Inclusion of Tribes in the Development of Tribal Data Governance Principles.* https://archive.ncai.org/resources/resolutions/support-of-us-indigenous-data-sovereignty-and-inclusion-of-tribes-in-the-development-of-tribal-data

Rainie, S., Rodriguez-Lonebear, D., & Martinez, A. (2017). *Policy Brief: Indigenous Data Sovereignty in the United States*. Tucson: Native Nations Institute, University of Arizona. https://nni.arizona.edu/publications/policy-brief-indigenous-data-sovereignty-united-states

Smith, D. 2016. Governing data and data for governance: the everyday practice of Indigenous sovereignty. In: Kukutai, T and Taylor, J (eds.), *Indigenous data sovereignty: Toward an agenda*. Canberra, Australia: Australian National University Press. pp. 117–135. DOI: https://doi.org/10.22459/CAEPR38.11.2016.07

Stats NZ. (2018). *Purpose of the Iwi Statistical Standard and Classification*. https://www.stats.govt.nz/methods/purpose-of-the-iwi-statistical-standard-and-classification

Stats NZ. (2021). *Mana Ōrite Relationship Agreement*. https://stats.govt.nz/about-us/what-we-do/mana-orite-relationship-agreement/

United Nations. (2007). United Nations Declaration on the Rights of Indigenous Peoples. https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf

United States Indigenous Data Sovereignty Network. (2020). Principles of Indigenous Data Governance. https://nnigovernance.arizona.edu/sites/nnigovernance.arizona.edu/files/resources/

Acknowledgements

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Notarobot Design