

NGĀ TOKI WHAKARURURANGA

#1. DIGITAL COLONISATION AND FREE TRADE AGREEMENTS – PART ONE (July 2024)

Ngā Toki Whakarururanga's commitment to a Tiriti-based Kaupapa aims to ensure that international free trade agreements preserve the rangatiratanga of Māori within the digital world.

In October 2023 Siena Yates (Te Rarawa, Te Aupōuri, Ngāti Kuri, and Tainui) wrote about Digital Colonisation in [e-Tangata](#). She challenged us to imagine if,

when Pākehā first came to Aotearoa, Māori already had a heads-up about what was about to take place. ... What if they were able to take what they wanted from te ao Pākehā and merge it with te ao Māori? More importantly, what if, right now, there was a second wave of colonisation coming our way? What would we do differently?

As part of that story, Peter-Lucas Jones (Te Aupōuri, Ngāi Takoto, Ngāti Kahu) of Te Hiku Media, and a Kaihautū of Ngā Toki Whakarururanga, recalled

the taonga taken from Māori during the colonial era — from tools and art to heads and bones — and shipped off to museums and private collectors around the world. Many of those taonga are yet to be returned to Aotearoa,

and warned us

to ensure that this doesn't happen to the taonga we still have, the greatest of which, in a data sense, are our reo and our whakapapa.

Digital recolonisation

When it comes to the digital sphere, that is already happening. Digital colonisation is part of our daily lives. Do a “google” search on any Māori concept or term, then think about: How did it get there? Who fed in the information? Who asked for permission and whose informed consent was sought and granted? What scrutiny is there about its accuracy, what ethics apply to making it available, and who is accountable for how it is used (and abused) by anyone who can download it?

The answers to these questions are all too predictable:

- Foreign tech companies claim the right to use and exploit Māori data without consent, without respect for tikanga, and with no Māori oversight or accountability.
- Facial images that are captured on street, gas station or supermarket cameras are used to create algorithms that profile and target Māori, without anyone being able to assess and expose their biases.
- Offshore websites that steal and sell images of rangatira, moko or other taonga are effectively outside the reach of domestic law.

- The algorithms that tell bosses which workers to hire or fire and risk assessments say who should get a loan or insurance are often based on skewed samples, stereotypes, and profiling.
- Artificial intelligence like ChatGPT constructs te reo, waiata and whaikorero with no responsibility for the integrity and protection of those taonga.
- Ancestry.com stores DNA to use and sell without the consent of those whose whakapapa it is.

Decolonising the digital space

Māori tech wizards are developing great alternatives that don't rely on big tech platforms and maintain the authority of rangatiratanga and kaitiakitanga. For example,

- Te Hiku has a bilingual transcription tool [Papa Reo. Āhau](#) provides a safe tool for Māori to store information about their whakapapa.
- The Data Iwi Leaders Group and Te Kāhui Raraunga launched [Te Whata](#), a by iwi for iwi data platform to control their own data and shape the narratives.
- The [Digital Natives Academy](#) “encourages tamariki and rangatahi to think creatively, work collaboratively, and reason systematically in order to celebrate a digital future that respects and reflects Te Ao Māori”, based on a sovereignty Kaupapa.

But these innovators will always struggle against the size and power of Big Tech, especially when free trade rules guarantee Big Tech's ability to control data and dominate the digital space.

Free trade agreements are tools of digital colonisation

Te Tiriti o Waitangi affirmed that Māori would retain their rangatiratanga to perform their fundamental duties and responsibilities as kaitiaki over mātauranga, and would benefit from new technologies, in a manner consistent with tikanga. The Crown promised to respect and protect that authority. Instead the Crown is signing free trade agreements whose “digital trade” or “e-commerce” rules were made for and largely by Big Tech to expand their profits and power to the exclusion of Māori.

What can be done to challenge this?

The first of these agreements was the Trans-Pacific Partnership Agreement (TPPA). Nine claimant groups challenged the TPPA at the Waitangi Tribunal (Wai 2522). They argued that its “e-commerce” rules breached Te Tiriti o Waitangi by shutting the door on a future Tiriti-compliant system of Māori data sovereignty and digital governance. The [Tribunal found](#) in 2021 that these “e-commerce” rules threatened mātauranga, which it described as “the core of Māori identity”, and the TPPA's protections were not strong enough.

Are these agreements still a threat to Māori?

The Crown continues to negotiate FTAs that include similar digital trade rules, with varying degrees of Tiriti protection. It's *the* Crown that decides what, if any, these will protections be, not Māori. Part of Ngā Toki Whakarururanga's role is to ensure that the inherent responsibilities and rights of Māori are protected in the context of FTAs. To keep that pressure on we need to work together to ensure that Māori voices are heard. This task requires Māori to develop a better, broader understanding of how FTAs and e-commerce/digital trade rules advance digital decolonisation and threaten Māori data sovereignty and digital governance.

Check out ngatoki.nz/kaupapa/digital/to-join-in-this-resistance.