Who governs our stories? The collected material of the Norwegian truth and reconciliation commission

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Published online: 13 Nov 2024.

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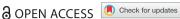
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ABSTRACT

We focus on the governance of the stories collected by the Norwegian Truth and Reconciliation Commission (TRC), which are transferred to the National Archives. As stated by the National Parliament of Norway, the archived interviews constitute a resource for future research, and the TRC was mandated to make guidelines concerning the reuse for the material. While being a significant asset, the reuse of the interviews in research is accompanied by challenges of ethics and governance of the material. By studying TRC documents on data management, including the guidelines on accessibility to the data, we discuss the quality and ethics in the reuse of, as well as ownership and access to, the interview data. The discussion draws on the CARE Principles of the Indigenous Data Governance framework due to attention to ethics concerning the interviewees' right to be informed about the reuse and reinterpretation of the interview data in future research, Sámi participation in the design and management of guidelines on accessibility, and ownership and governance of these data. The studied documents do not contain any information about whether those who have withdrawn their stories from publicity have been informed that data can be passed on to researchers. Nor can we identify any information about the interviewees' right to be informed about how their stories can be used in research. Our review leads us argue for a revision of the current guidelines on accessibility to secure central elements of research ethics and Indigenous involvement in data governance.

Gii goziha min muitalusaid ja vásáhusaid? Norgga duohtavuođa – ja soabahankommišuvnna čohkkejuvvon materiála

ABSTRÁKTA

Mii bidjat fuomášumi movt čohkkejuvvon muitalusat ja vásáhusat stivrejuvvojit Norgga duohtavuohta – ja soabahankommišuvnna (Truth and Reconciliation Commission, TRC) bealis. Dat leat sirdojuvvon Nationála arkiivvaide. Nu movt Norgga Stuoradiggi lea cealkán, de galget jearahallamat boahtteáiggis geavahuvvot dutkamušaide. Duohtavuohta – ja soabahankommišuvnna mandáhta bokte galggai kommišuvdna ráhkadit rávvagiid movt ođđasit geavahit materiála. Seammás go materiála geavaheapmi lea dehálaš, de láktasit ođđa geavaheapmái hástalusat, sihke ehtalaččat ja stivrema ektui. Dutkkadettiin dokumeanttaid gullevaččat Duohtavuohta – ja soabahankommišuvnna materiálameannudeapmái, masa maid gullet rávvagat movt dáhtaid olahit, mii digaštallat kvaliteahta ja etihka beliid das go jearahallamat ođđasit geavahuvvojit, ja maiddái daid oamasteami ja olaheami. Digaštallama rámma leat CARE prinsihpat gullevaččat álgoálbmogiid dáhtaid stivremii ja fuomášumi etihkalaš beliide mat gusket jearahallojuvvon olbmuid vuoigatvuođaide oažžut diehtit movt jearahallanmateriála geavahuvvo ja dulkojuvvo ođđasit boahttevaš dutkamušain, ja sámiid oassálastin hábmemii ja meannudeapmái go rávvagiid galgá čuovvulit dáhtáid olaheami, oamasteami ja stivrema ektui. Dokumeanttat eai sisttisdoala dieđuid dan birra ahte muitalusat ja vásáhusat leat ain olámuttus dutkiide vaikko muitaleaddjit geasset iežaset muitalusaid ja vásáhusaid eret almmolašvuođas. Mii eat ge gávdnan dieđuid das makkár vuoigatvuohta muitaleddjiin lea diehtit movt sin muitalusat ja vásáhusat bohtet geavahuvvot dutkamušain. Min guorahallan čájeha ahte lea dárbu dárkkistit dálá rávvagiid olaheami ektui nannen dihte guovddášelemeanttaid dutkanetihkas ja álgoálbmogiid oassálastima dáhtaid stivremis.

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Introduction

On 1 June 2023, the Norwegian Truth and Reconciliation Commission (TRC 2023a) submitted their report. Since 2019, the commission had as part of their work, gathered stories from individuals and groups on the Norwegianization or assimilation policy towards the Indigenous Sámi, and the Kven/Norwegian Finn and Forest Finn minorities. The governance of the stories collected by the TRC has been transferred to the National Archives of Norway. The Norwegian Parliament stated that the collected material can be of great value for researchers at a later stage and should be made available for future research (TRC 2023a, 110). The TRC was mandated to make guidelines concerning the archive, including the reuse of these stories, stating that access to the archive is only to be given to researchers working according to established ethical guidelines and who respect the protection of privacy in a satisfactory manner. The archived material will likely constitute a resource for future research, thus becoming a significant asset, but it is also accompanied by challenges linked to ethics, governance and management of the material.

The authors' concern here is therefore the governance of the gathered stories of the TRC after the commission's finalization of its work. Governance in this setting refers to questions of roles, processes and responsibility (Bruhn 2014, 1) in data gathering, usage and storage. In this case, the stories in question are gathered for a special purpose and in a specific context. In addition to peoples' experiences with assimilation and Norwegianization, the stories likely contain traditional and cultural information and knowledge, and information about families and communities, including highly sensitive information about, for example, mental health and abuse, and much more. A paramount ethical principle is the principle of *informed consent*. Thus, the question of governance of the material for research purposes stands out as a core concern, which includes questions of quality and ethics in the reuse of the data. Adding to this, questions of ownership and access become topical because among other things, Sámi informants have provided material on and about Sámi culture. History, culture, and tradition are defined as critical dimensions of Indigenous community wellness (Guiliano and Heitman 2019, 8–9). This makes the framework for Indigenous Data Governance (IDG) and the CARE Principles (Collective Benefit, Authority to Control, Responsibility, and Ethics),[1] both applicable and relevant. The principles will be accounted for in the third section, where they will serve as a point of departure for our discussion of quality and ethics in the reuse of, as well as ownership and access to, the data.

A facet necessary to be attentive to in the concrete Norwegian TRC case is the distinction between the Sámi as an Indigenous people and the National Minorities – the Kven/Norwegian Finns and the Forest Finns. The work of the TRC covers all groups. The governance of the gathered interview material includes all involved groups and their concerns of having a say in how the data is governed and used. What we emphasize is that it is within an Indigenous rights framework that the scholarly debate through a variety of initiatives like the Global Indigenous Data Alliance (GIDA) and IDG, has developed (Carroll et al. 2020, 2021; Mc Cartney et al. 2021, 4). Thus, we problematize IDG in relation to the Sámi part of the TRC material. That said, and as pointed out by Carroll et al. (2020, 8), the discussions about governing, management and stewardship of data in an IDG framework can "have broader implications for other marginalized populations, highlighting the importance of local and group control for the quality and reproducibility of research and data (Rainie et al. 2019)". The implication, in our context, is that the Kven and Forest Finns as National Minorities can possibly draw on the lessons learned during the decades-long Sámi institutionalization processes.

While there has been an increased interest in the role of Sámi data and statistics, less has been said about data ownership, control, and management of Sámi data (Axelsson and Mienna 2021, 100). In the research project *Expectations, Truth and Reconciliation in a Democratic Welfare State* (TRUCOM),[2] we assess how the Norwegian TRC has substantiated their work for truth and reconciliation between the different groups. The discussion on the governance of more than 700 gathered stories from the involved groups is equally relevant for processes of reconciliation and trust building. The significance of building trust among the involved participants who have shared their stories, related to how the collected data is governed, is unquestionable.

With this as a point of departure, we will discuss the relevance of the IDG framework within a Sámi-Norwegian context by applying the TRC documents on data management – the TRC plan for obtaining sources (TRC 2020a), the interview guide (TRC 2020b) and guidelines on accessibility to the TRC's archive (TRC 2023b), to highlight how the IDG is relevant for the governance of the TRC material.[3] The core document among these three is the guidelines on accessibility, presented in the next section. Axelsson and Mienna

(2021, 107) state that the IDG framework fits well with the current discussion on research ethics in Sápmi. By examining a concrete case we can review the governing of the Norwegian TRC interview material on sensitive Indigenous data in light of the IDG framework in terms of securing research ethics and cultural and intellectual property rights. In addition to privacy and confidentiality, which is already secured in research through Norwegian legislation independent of ethnicity, the IDG framework illuminates Indigenous agency and self-determination, and the multi-layered societal complexity that must be considered. What we aim to highlight is that involvement and stewardship of those the data belongs to, can strengthen ethical concerns in the governance of data. By ethical concerns we refer to informed consent, ethics in the reuse of data, rights to privacy and potential and unintended impacts on Indigenous communities.

Our work is based on the study of the TRC process, information from their website, their final report (TRC 2023a) and the TRC annual report (2023b). There has been a scarcity of information about the content itself and management of the TRC material both during the work of the TRC and after finalization. The TRC guidelines on accessibility were not publicly accessible until after the TRC report was published on 1 June 2023. The fact that the guidelines were developed in 2023, after the gathering of the interviews, indicates that they were not a guiding instrument in the preparations prior to the execution of the interviews. Furthermore, the TRC guidelines were not developed within a public scholarly and Indigenous/National Minority conversation on research ethics, quality in reuse, and ownership and control of data. A broader participation involving the Sámi political and research environment could have brought attention to principles of Indigenous and Sámi research ethics and governance, especially since the interviews were not primarily collected for the purpose of research. A reading of the TRC documents does not inform about any contact with the *National Committee for Research Ethics in the Social Sciences and the Humanities* during the draft guidelines' work process, nor does it make reference to the national "Guidelines for Research Ethics in the Social Sciences and the Humanities".[4] Instead, the National Archive and Norwegian Parliament lawyers were consulted (TRC 2023b, 9).

In the next section, we will sketch out core elements of the TRC's collection of the stories and the TRC's guidelines on accessibility to the gathered data. In the following section, we introduce core concepts of the IDG and CARE Principles as a conceptual framework applicable to the discussion of reuse of and access to the Norwegian TRC interview material on sensitive Indigenous data. This application is discussed in the subsequent sections, where we address critical questions related to quality in reuse of data, ethics, access to, management, and steps ahead in the governance of the archived interview material, before we conclude.

About the TRC's collection of data, and the guidelines on reuse of interview data

The TRC's collection of data

In this section we will account for the TRC process of collecting data. The TRC's foundation of obtaining sources is anchored in a special law on the TRC's access to information (Act on Access to Information 2020). Furthermore, the TRC members have a duty of confidentiality for one hundred years (§ 4), meaning the archive will be withheld from the public for one hundred years. Our focus is the archived interview material, which is withheld out of concern for the individual and claused for the same period unless the interviewees actively have consented for their stories to be published. The TRC received 522 written and oral personal stories, of which a small majority of interviewees wanted their story to be public (TRC 2023a, 320–321). The histories were collected by the TRC in public meetings, private interviews, or delivered in writing (TRC 2023a, 320). The purpose of the documentation for personal stories was for the TRC to document the effects of Norwegianization, and interviews were performed to make it easier for individuals to tell their stories. In addition to the mentioned mandated clause on the interview archive, "rules of access must be developed to secure that granted access is given only to researchers who work according to established ethical guidelines and who will satisfactorily safeguard individuals' right to privacy"[5] (TRC 2023a, 110) (our translation, from Norwegian). These guidelines will be addressed further down in this section.

During the collection of data, people were invited to share their personal stories through a specific menu called "Share Your Story", on the TRC website. Here, people were informed about the possibility to share their personal experiences and narratives, how to do it, and information on the TRC's collection of stories (TRC 2020a, 2020b). The web information mainly focused on the TRC's use of the collected material and interview data, and not on what was to happen with the interview data after the end of TRC work. The document "Truth

and Reconciliation's Plan for Collection of Sources" (TRC 2020a) informed about collecting material from private persons, organizations, and institutions; it was stated that this material can be used in the following ways:

- In the TRC's mapping and investigation work
- In the TRC's dissemination and reporting
- As a basis for interviews
- In future research

The text did not explicitly distinguish between the TRC's work (the first three bullet points) and the last bullet point concerning future research on the material after it is stored at the National Archives. The plan further informed about different interview methods and the collection of personal histories. Regarding the collection of personal histories, the document directed the reader to the TRC website and a separate declaration of consent for information on how the stories will be used and archived.

The TRC interview guide (TRC 2020b) was an eight-page document. On the last page there was a metadata scheme, where the interviewer recorded background information on the interviewee such as gender, age, ethnicity and education. In addition, the interviewer was to describe, in key words or short sentences, central themes that were talked about in the interview. Like the interviews, the metadata scheme is exempt from public disclosure. According to the interview guide, the interviewer should create security and trust in the interview situation, in addition to being aware of power relations: "Interview in Indigenous and minority communities also requires a particular awareness of power relations and how they have worked and can have an effect, also on conditions in the interview situation itself"[6] (TRC 2020b, 4) (our translation). The guide contained a separate subchapter on interviews in practice, both on the interviewees' preparations and on conducting an interview. The preparation descriptions, however, did not include ethical considerations applicable to conducting research. There were, for example, no reflections around informants' experiences with research interviews, and how this may influence the informants' assessment of consequences when participating. Neither were there any reflections on the interviewer's duty to secure *informed* consent.

At the start of conducting an interview, a declaration of consent was to be reviewed and signed before audio recording or note-taking was initiated (TRC 2020b, 5). In the declaration of consent, people stated that "I am aware that the information I provide will be used in the work of the Truth and Reconciliation Commission". They then had to actively choose to declare whether the interview should be public or not. The form then repeated the above-mentioned four bullet points on the use of collected interview material. The declaration of consent is a legal requirement (cf. Act Related to the Processing of Personal Data 2018; Act on Access to Information 2020).

The declaration of consent stated that after the TRC had finished their work, the stories would be stored in the TRC archive and transferred to the National Archives where they would be made available for research. According to the TRC's written information to the interviewees, guidelines for use of this material would be drawn up to protect the contributors' privacy. It was also mentioned that stories and materials forwarded could be withdrawn by contacting the commission, but it was not indicated whether this would be an option after the end of the TRC work.

The guidelines on accessibility

We now turn to the Guidelines on Accessibility to the TRC archive (TRC 2023b), prepared by the TRC. They state that the archive will be withdrawn from the public for one hundred years. The commission has defined case documents, minutes, meeting agendas, notes on subjects, discussion notes and report drafts as sensitive data, because as they explain: "All these documents can contain sensitive information the commission has gained access to through archival investigation, interviews and inspection inquiries to other archives" (TRC 2023b, 10) (our translation). The exception to the hundred-year rule for clauses is personal stories where the informant has given consent to publication and the exception to confidentiality for researchers (TRC 2023b, 9). Researchers who are granted access must sign a declaration of silence that applies to the personal stories. This declaration is an official document on the duty of the researcher, cf. the Public Administration Act, § 13 (TRC 2023b, 9). To gain access to the material, the researchers must account for the content and goal of their research, its scope and durability, research methods and sources, publishing, and research

competence. According to the guidelines, students can gain access, as it is stated that students' academic supervisors must confirm their inquiry (TRC 2023b, 10). Privacy protection shall be safeguarded through the Freedom of Information Act and the Public Administration Act (TRC 2023b).

Still, what is missing are considerations in written form on research ethics regarding the archived material. A statement in the guidelines about researchers' access to the material indicates that the researcher can identify persons. It is stated: "Furthermore, researchers can gain insight on the condition that they do not approach those concerned, also in those cases persons, when submitting their personal stories, have indicated that they do not want publicity" (TRC 2023b, 11) (our translation). The information sheet given to the interviewees does not contain any explicit information about whether those who have shared their stories have been informed that information that can identify them can be passed on to researchers and students. Neither have we identified any information about the interviewees' right to be informed about the use of one's history in the aftermath of the TRC work, or the right to withdraw one's story from the National Archive.

Based on this overview of the empirical case – the TRC gathering of interview data and the guidelines on the reuse of this data – we now continue with a sketch of the IDG framework to be applied in further elaboration of research ethics and governance of the TRC material.

The applicability of indigenous data governance

The protection of Indigenous data rights is anchored in several international law instruments. The 2007 United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) honours the principle of Indigenous control over Indigenous data and reflects the discourse around Indigenous Cultural and Intellectual Property Rights and research ethics (Carroll et al. 2020, 2). According to Carroll et al. (2020, 3):

> Indigenous Peoples' data comprise (1) information and knowledge about the environment, lands, skies, resources, and non-humans with which they have relations; (2) information about Indigenous persons such as administrative, census, health, social, commercial, and corporate and, (3) information and knowledge about Indigenous Peoples as collectives, including traditional and cultural information, oral histories, ancestral and clan knowledge, cultural sites, and stories, belongings.

Compared to information, data involve "a more immediate relationship to what is described. Notably, a subjective intention lies behind their creation and use – most importantly, behind the decision on which data to create and use, not to mention *which* categories those data describe" (Bruhn 2014, 2), which makes the data directly connected to those who have shared the data. As pointed out by Bruhn (2014, 3), data sharing gives rise to the question of ownership and control over data. In these conversations, Indigenous peoples' rights and interests "relating to the collection, ownership and application of data about their people, lifeways and territories", must be secured (Kukutai and Taylor 2016, 1–2). While national law protects individual privacy, communal or collective privacy is not secured. This is also the case in a Sámi context where small communities are easily identifiable.

Thus, we find the concept of IDG useful, as it is discussed within an Indigenous Data Sovereignty framework developed in the CANZUS states of Canada, Australia, Aotearoa/New Zealand, and the United States (Carroll et al. 2020, 2021). While drawing on the IDG framework, we are attentive to the contextual differences among others related to historical, political, and socio-cultural differences between these countries and the Nordic and Norwegian context. Still, we find the CARE Principles, a core element of IDG, suitable in a Sámi context, as they can serve as guidance throughout the entire process from data planning and collecting, to analyzing, storing, and reuse.

The CARE Principles have become globally relevant, and define rights, interests, and concepts to be employed in facilitating Indigenous control in data governance and reuse of the data (Carroll et al. 2020, 5). The principles were developed by a global Indigenous-led data sovereignty network (Carroll et al. 2020; Kukutai, Carroll and Walter 2020; Maiam nayri Wingara 2024). The Yoorrook justice commission's use of the CARE Principles illustrates how the principles can be contextualized in a TRC framework. It is stated that those conducting inquiry are directed to

> (f) provide a safe, supportive and culturally appropriate forum including by … (iv) upholding the sovereignty of First Peoples over their knowledge and stories by consulting with them on how the information they provide should be treated and ensuring adequate information and data protection. (Yoorrook Justice Commission 2022, 2)

Indigenous peoples have the right to decide and control the collection, governance, ownership, and application of data about their peoples (Lovett et al. 2019, 26). Right holders and the principles complement the FAIR Principles (Findable, Accessible, Interoperable, Reusable)[7] (Carroll et al. 2020, 5; Kukutai, Carroll, and Walter 2020, 656). The FAIR Principles aim at making research accessible, an aim that is motivating the principle of open access, data sharing and reuse of data. Publicly funded research requires data sharing, and as a principle, all data must be made openly available. But other considerations can require restrictions of access, such as security considerations, personal sensitivity and commercial or legal matters (UiT – The Arctic University of Norway 2021). Open data access does leave us with questions on protected data and ethical limits for accessibility, related to Indigenous rights and interests. For example, how does one obtain informed consent by research participants when future use of data is not known? The global CARE Principles were developed to address challenges like these and should ensure data sharing on Indigenous terms (Carroll et al. 2020, 3).

The first principle – Collective Benefit – states that "Data ecosystems shall be designed and function in ways that enable Indigenous Peoples to derive benefit from the data" (Kukutai, Carroll, and Walter 2020, 656). This is to be achieved by governments and institutions "facilitating the establishment of the foundations for Indigenous innovation, value generation, and the promotion of local self-determined development processes" (Global Indigenous Data Alliance). This means that data must be accessible to improve Indigenous governance and societal engagement. This principle is relevant in a TRC – Sámi context. As pointed out by Jennings et al. (2023, 2), most data lack appropriate identification of Indigenous relevance as metadata, which makes these data unsearchable as Indigenous data. The TRC has registered metadata among others on topics such as area use, discrimination, education, identity, language loss and use, and Norwegianization (TRC 2023a, 325). Access to metadata from the TRC interview material and from additional material gathered by the TRC, could be a collective benefit for the Sámi communities and institutions these data relate to.

The second principle – Authority to Control – recognizes Indigenous peoples' rights and interests in the governance of Indigenous data, and Indigenous peoples' "authority to control such data must be empowered" (Kukutai, Carroll, and Walter 2020, 656). As the main political institution for the Sámi, the role of the Sámi Parliament is a core focal point. But the principle is also relevant and applicable in the discussion of the institutionalized Sámi knowledge network, which includes, among other things, the Sámi museums. A concrete example of Sámi governance is Sámi human remains, stored at the University of Oslo. A separate agreement between the University of Oslo and the Sámi Parliament regulates the management of these remains. A distinct section of the agreement addresses research on the material, ethical considerations, assessment of applications to research, and the Sámi Parliament's right to approve research on the remains (University of Oslo 2020). Thus, examples already exist on how to secure Indigenous control and influence over important Sámi data material, which are also relevant for the governing of TRC material.

The third principle – Responsibility – addresses those working with Indigenous data to show how data are used to benefit Indigenous people and support self-determination. Data governance institutions should contribute to community capacity building and enable initiatives that secure community involvement in data collection, management, storage, security, governance, collective privacy, and application of data (cf. Jennings et al. 2023). Drawing on this principle in a Sámi context enables us to address how different institutions of data governance, like universities and the National Archive, should build partnerships with Sámi rights-holders and communities to secure community needs and capacity sharing.

Finally, the fourth principle – Ethics – highlights the responsibility of researchers working with Indigenous peoples (Jennings et al. 2023, 1548). Imbalances of power and potential future use and harm to Indigenous people must be assessed. As already shown, the relevance of an ethics discussion is highly topical in the storage and reuse of the shared TRC stories in the aftermath of the commission's work. A main research ethical principle is informed consent. In a research context, those who gather the data must inform about the goal of the research, how the information will be used and by whom, how will the information be stored, what are the conditions for confidentiality and anonymity, reuse of data, and potential and unintended impacts. An informed consent must be documented.

In the Nordic countries an incipient interest in IDG is coming to the fore and is still developing in a Sámi context, illustrated by the International Conference on Sámi Research Data Governance arranged in Tromsø, Norway in January 2023. These are also issues raised by Axelsson and Mienna (2021), the Centre for Sámi

Health Research (2015, 2016) and the Sámi Parliament (2019). Also, UiT – the Arctic University of Norway (2021), in their principles and guidelines for management of research data, refers to the CARE Principles for Indigenous data governance when research data on people and society must be handled. And as pointed out by the Norwegian National Human Rights Institution (NIM) (NIM 2020, 15):

> The potential for misuse of Indigenous peoples' data can also be reduced by respecting the principle of Indigenous data sovereignty. This includes ensuring that Indigenous peoples participate in the collection, analysis and dissemination of data about their communities, and that data governance structures are accountable to Indigenous representative institutions.

We find the last point mentioned by NIM, namely that the data governance should be accountable to Indigenous institutions, to be particularly important as it coincides with the principle of Sámi self-determination. While we adhere to the FAIR Principles for research, we also believe that it is necessary to complement these with concerns raised through the CARE Principles in consultation with Indigenous Peoples (Carroll et al. 2020, 4–5). The applicability of the CARE Principles in a Sámi-Norwegian context will be discussed in the next section.

Quality and ethics in the reuse, access to, and control of, the TRC data

Drawing on the empirical case in focus and the above-mentioned CARE Principles of the IDG framework, here we discuss questions of quality and ethics in the reuse of the TRC qualitative interviews, as well as access to and control of this information. We have previously accounted for central aspects of the TRC collection of interview data and the guidelines on accessibility to this data. As far as we can see, sufficient ethical considerations have not been considered in this process, which poses challenges in the reuse of potentially highly sensitive interview data for research purposes. This concerns us, and in this section, we ask how to make sure that the quality of the data is maintained in the reuse, and ethical concerns and access and control are secured in research processes.

Given that this will be about reuse of data, the data will likely be interpreted for research purposes that differ from the original purpose of the commission's work, which was to gain insight into the assimilation policy and its consequences. Thus, this is a matter of quality in the reuse of data and resonates with the CARE principle of responsibility. In the interpretation of the same data for different research purposes, researchers should be required to acquire cultural and contextual knowledge before access to data is granted to avoid misunderstandings when the material is interpreted in a context different from the one in which it was shared. In the reuse of data, the contextual and cultural knowledge held by the scholars becomes a matter of concern. Here we refer to the Sámi Parliament's ethical guidelines for Sámi health research where the researcher must document expertise in the field of Sámi culture, health and living conditions (Sámi Parliament 2019, 42). Data of health research is classified as black data, which means that the information in question is strictly confidential and special circumstances make it necessary to protect the information even more.[8] We assume much of the TRC data can be regarded as confidential and even strictly confidential because the interviewees have shared life histories that can contain personal information about themselves, their families, and other community members. The more sensitive the data, the stricter regulations are required.

In addition to the question of quality in the reuse of data, ethical concerns in the reuse obviously connect to the CARE principles of responsibility and ethics. As already mentioned, the interview data was not conducted as research by the TRC, and we do not know whether the research regulations of data collection applied to the interview processes, including the question of informed consent concerning reuse of the individual interviews and the stewardship of the data. We do not know whether the interviewees are knowledgeable about who has access to their material and how the material is going to be used. We do not know if the interviewees can withdraw their stories now after the commission has finished its work. How these uncertainties affect the ethical considerations of reuse in research projects must be discussed. Guiliano and Heitman (2019) have contested reuse of earlier collected material due to the concrete contexts of culture and perceptions in the specific situation between researcher and research participant, because open access rhetoric also dissociates Indigenous communities from the process of consultation and debate.

> The question of providing humanities research data is not just the deployment of an ecosystem for development, description, access, and reuse but a recognition that there are potentially multiple ecosystems of research and teaching related to data that must exist simultaneously and be treated as part of a nonhomogeneous whole. (Guiliano and Heitman 2019, 14)

With the open data movement, research funding policies and societal benefits are seen as a requirement in accordance with the FAIR Principles. Belonging to this discussion of research ethics is that people trust that their contributions to research will be handled with integrity and responsibility. Both institutions and researchers are responsible for engaging respectfully with the Sámi and minority communities to ensure that "the use of data support capacity development, increasing community data capabilities and the strengthening of Indigenous languages and cultures" (Carroll et al. 2021, 2). This point takes us to the questions that connect to the CARE principles of collective benefit and authority to control.

Based on the TRC mandate and the regulations adopted, the research community will have access to the collected interview data, but will it be accessible for the Sámi and minority communities? These questions of access and ownership of the interview material are topical in the IDG framework. The Indigenous Sámi research community has not been invited to reflect on who should have the right of disposition over these interview data. The collective benefit principle could sustain community engagement through, for instance, Sámi museum-led initiatives in research proposal developments. New research intended to draw on the TRC material from a specific region could then be beneficial for the Sámi communities in question. Not only scholars and research institutions, but communities where the knowledge originated would benefit from the research. Such an engagement could be accomplished, for instance, by providing access to metadata from the TRC material that applies to the different communities without reducing the statutory protection of privacy of sensitive data. Taking the CARE principles of collective benefit and authority to control into consideration would allow for transparency, integrity, and equity. Involvement of Sámi institutions and communities could, for instance, imply co-determination of data governance protocols and involvement in stewardship decisions for Sámi data held by other entities (cf. Carroll et al. 2020, 6).

Steps ahead

As pointed out in the mandate of the TRC, the gathered material is a significant asset for research. We certainly agree. But we argue for the need to further develop research ethical guidelines for the governance of the commission's interview material. We substantiate our argument by referring to the Sámi Parliament's plenary examination of the TRC report, where they stated that the governance of the archive material should be well within international law. It should be "ensured that the material that touches on traditional knowledge and Sámi society is interpreted correctly, understood, used and shared in a respectful way, while at the same time respecting the right of individuals to their own personal stories" (Sámi Parliament 2024, 30) (our translation).

Improved research ethical guidelines must address questions about anonymity and the right to withdraw interviews. In addition to the Sámi Parliament's guidelines on health research (Sami Parliament 2019), we recommend a focus on the experiences from the management of research on the Sámi human remains at the University of Oslo. Thus, models exist that can guide the work of securing the TRC material as subject to ethical standards of data governance. Drawing on the models mentioned here, a separate governance system for the TRC material could prove useful both in terms of securing the quality of data, research ethics, ownership and access that encompasses the concerns raised by the CARE principles. The first argument in favour of this is the significance of the TRC material for the Indigenous Sámi and the national minorities. Secondly, a well-established institutionalized landscape already exists with the Sámi Parliament, the Sámi Archive and, among others, the Sámi and Kven museums that could play a central role in the processes to come. This would also require community expertise on local Sámi and Kven conditions in those cases research proposals deal with the issues of those communities. This involvement seems particularly important given the fact that the interviews were not originally conducted for research purposes, and we do not know whether the research regulations of data collection applied for the interviews.

In general, most scholars assume that permission and support by a single individual or a body is representative of all stakeholders (Guiliano and Heitman 2019, 15), but in Sámi as in other Indigenous contexts there are many layered and interwoven interests, which makes it necessary to involve different actors and parties. The interviews were conducted with a formal consent, including consent to future research. However, there is little to no written information about whether the interviewees have given their *informed* consent as to how the interviews will be used after the finalization of the TRC work. This is especially

imperative as the interview material was not gathered as research data and thus not assessed according to the Norwegian formal standards for privacy in research.[9] Neither does the information sheet to the interviewees contain any information about whether those who have withdrawn their stories from publicity have been informed that data can be passed on to researchers and students. And as mentioned, nor can we identify any information about the interviewees' right to be informed about how their stories can be used in research. Adding to our concern is that some of the interviewees may not be used to participating in research or accustomed to assessing possible unintended consequences of their participation. These described circumstances call for a revision of the current ethical guidelines. We argue that these aspects should be incorporated into regulations of the reuse of the TRC material.

The CARE principles aim to empower Indigenous peoples by promoting Indigenous participation in governing Indigenous data, securing Indigenous responsibility and purpose to the governance of collected data. Regarding the guidelines of accessibility for research use, we cannot find a sufficient and thorough inclusion of ethical research standards applicable to the research use of the collected interviews. Based on our review, we therefore argue for the need for a second round of guideline work to secure paramount concerns of informed consent and anonymity. We also argue for the need to discuss Indigenous ownership, access, and involvement of the TRC interview material. We claim that securing ethics in the reuse of the data and in Indigenous governance involvement are two sides of the same coin. Securing Sámi agency in the process of reuse of the material would contribute to preventing the data from being divorced from the context of interpretation in which the data was first collected.

Conclusion

In this article, we have discussed governance of the collected stories of the TRC after the commission's finalization of its work. This has included questions of quality in the reuse of data, ethical concerns and access and control over this material. The CARE principles, which we find both applicable and relevant, framed this discussion. They were originally made for complex systems of co-dependent networks of data collection. However, we find them relevant also in the discussion of the reuse and management of the TRC interviews because of attention to ethics concerning the interviewees' right to be informed on the reuse and reinterpretation of the interview data in future research, Sámi participation in the design and management of guidelines and finally ownership and governance of these data.

In general, Sámi and Sámi-related research is no longer an occupation for the very few; at least within the social sciences, the number of research projects has continuously increased. We would like to underline that we do not regard the CARE principles as any form of measures for gatekeeping. On the contrary, we regard active use of these principles an important contribution to increasing research knowledge quality on Sámi issues in general. Drawing on these principles, we need to discuss research ethical challenges in cases like the one we have presented here, where data was collected not primarily for the purpose of research, but within a specific framework of purpose. Nevertheless, as pointed out in the introduction, there was an explicit expectation that the collected material should be made available for future research. Therefore, guidelines that include core research ethical concerns become paramount for the governance of the interview data.

The CARE principles address dimensions of power and trust building in research processes. In the aftermath of the TRC report, the quality and ethical concerns regarding reuse of the interview data, and control and access to the data, are core elements in governance of the TRC interviews. A review of decisive documents with the CARE principles as a point of departure leads us argue for a revision of the current guidelines on accessibility to secure central elements of research ethics and Indigenous involvement in data governance. How we deal with the stories shared by people who have experienced the effects of the Norwegianization policy will be one significant element to put in place to strengthen Sámi self-determination and trust building.

Notes

1. For more detailed presentation of the CARE principles, see https://static1.squarespace.com/static/5d3799de845604000199cd24/t/6397b363b502ff481fce6baf/1670886246948/CARE%2BPrinciples_One%2BPagers%2BFINAL_Oct_17_2019.pdf

2. This article is written as part of the TRUCOM (Expectations, Truth and Reconciliation in a Democratic Welfare State) research project, financed by the Research Council of Norway.
3. Except from the interview guide and the plan for obtaining sources, which are appendices to the TRC report, the other documents are not accessible as the TRC website became unavailable a month after the report was submitted.
4. https://www.forskningsetikk.no/en/about-us/our-committees-and-commission/nesh/
5. "Arkivet etter kommisjonen må derfor klausuleres, og regler for tilgang til det utarbeides, slik at en sikrer at det kun gis tilgang for forskere som arbeider i tråd med etablerte etiske retningslinjer og vil ivareta enkeltpersoners krav på vern av sitt privatliv på en tilfredsstillende måte."
6. "Intervju i urfolks- og minoritetssamfunn krever dessuten en særlig bevissthet om maktforhold og hvordan de har virket, og kan virke inn, også på forhold i selve intervjusituasjonen."
7. For more information about the FAIR principles, see https://howtofair.dk/ and FAIR Principles – GO FAIR (go-fair.org)
8. See University of Oslo: How to classify data and information https://www.uio.no/english/services/it/security/lsis/data-classes.html
9. https://sikt.no/en/data-protection-services

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