**Advisory Board on Ethics of the International Statistical Institute**
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# SUBMISSION TO OFFICE OF THE HIGH COMMISSION ON HUMAN RIGHTS BY THE ADVISORY BOARD ON ETHICS BY THE INTERNATIONAL STATISTICAL INSTITUTE

## INDIGENOUS DATA GOVERNANCE (IDG) AND INDIGENOUS DATA SOVREIGNTY (IDS) – INTERNATIONAL COMPARISONS

### Introduction

The Office of the High Commission for Human Rights (OHCHR) has made a call for inputs into a Study on "Indigenous Peoples' Right to Data, including data collection and disaggregation". Specifically, it calls for examples in different areas.

This submission by the Advisory Board on Ethics (ABE) of the International Statistical Institute (ISI) is in response to that request. The structure of the submission is (1) to provide some background information, (2) discuss definitions of Indigenous Data Sovereignty and Indigenous Data Governance, (3) provide an overview of the international state of play before (4) discussing the situation in some individual countries and regions, noting that Indigenous people within a country are not a homogenous group.. We then make some conclusions on a way forward focussing on the potential ISI role.

### Background

ABE was asked to review whether the IDS movement in some countries had implications for the International Statistical Institute's Declaration of Professional Statistical Ethics (DPE). To support this review, a study of the different approaches to IDG around the world was undertaken. This work was overseen by an Indigenous Working Group, a small sub-committee of ABE.

We have used the term 'Indigenous' as a generic term across countries but recognise that other descriptions are preferred within many countries (e.g. First Nations, American Indians).

The objective of the review was to better understand the nature of statistical governance arrangements between countries and their Indigenous peoples. It does not attempt to make the arguments for and against Indigenous Data Sovereignty. That is beyond our expertise. However, we do note below an OECD study supporting IDG.

The working definition of IDS that we have used is Indigenous people having some meaningful ownership and control over data about themselves. The working definition of IDG is arrangements that support the data interests, gaps and priorities of Indigenous people to facilitate their self-determination. It encompasses mechanisms that allow significant Indigenous influence on decision-making with respect to data control, collection, storage, analysis, access, and use. IDG does not go as far as complete control and ownership.

It should be noted that many regard IDG/IDS principles apply to statistical analysis and research about Indigenous people, not just official statistics (see Cunningham-Reimann et al, 2025).

The OECD has taken an interest in the well-being of Indigenous people. In a 2019 Report, they make four recommendations with the first being "Improving Indigenous statistics and data governance". Furthermore, they state:

The first of these points is basic in order to enable the successful development of the following ones, and it completely relies on IDS. The same report emphasizes that "the inclusion of Indigenous peoples in data governance will enable better data that incorporates their values and perspectives". The strategies suggested by this report include the inclusion of Indigenous representatives in national statistics agencies, adapting data collection to the needs of Indigenous Peoples, and providing tools for Indigenous communities to collect their own data. Nevertheless, these strategies will prove successful only to the extent that the necessary capabilities are developed among Indigenous actors, supported by appropriate technology and infrastructure availability.

Although it refers to IDS, it's conclusion is more consistent with the concepts of IDG.

**Indigenous Data Sovereignty**

We have concluded that IDS is not an issue in which the ISI should be involved except to maintain a 'watching brief'. There are too many political and potentially constitutional issues involved. However, the production of improved Indigenous statistics is of increasing interest. IDG should play an important role in that endevour.

We have not been able to identify any countries that have IDS on their policy agenda even where there is strong and well organised advocacy for IDS in some countries in close association with a demand for broad recognition of their historical and present rights. One of the reasons for the impasse is because, on the one hand, IDS advocates ask that Indigenous data not be part of the data commons for the whole country whereas, on the other hand, official statistics is mostly collected under legal and other arrangements (including Indigenous data) which usually require it to be part of the data commons. However, in some countries there are agreements to some aspects of IDG which are discussed below.

IDS advocacy is strongest in Australia, Canada, New Zealand and USA.

**Overview**

According to Dawson (2023), about 90 countries are recognised as having Indigenous people. About 50% of these 90 countries do not recognise Indigenous status of people in their official statistics. Of these 90 countries, Indigenous status is more likely to be recognised in the official statistics of Oceania (including Australia and New Zealand),

**BOX 1: COUNTRIES WITH INDIGENOUS POPULATIONS GREATER THAN 5 MILLION**

(Sources – World Bank and Indigenous World 2022)

China 125m, India 104m, Indonesia 60m, Mexico 17m, Ethiopia 17m, Vietnam 14m, Kenya 13m, Algeria 12m, Nepal 11m, Philippines 10m, Bolivia 7.0m, USA 6.6m, Guatemala 6.5m, Thailand 6.1m

(Canada 1.7m, Australia 0.9m, New Zealand 0.8m)

North America and South America (in that order). As can be seen in Boxes 1 and 2, these are not the countries with the largest Indigenous populations by size and/or, in most cases, the countries with the largest proportion of Indigenous people.

There are some countries (eg Myanamar, Pakistan) where reliable estimates are not available but may have Indigenous populations greater than 5 million.

This data is as reported by the World Bank and was checked against *Indigenous World 2022* (IWGIA, 2022). The definition of Indigenous people may not be consistent across countries. It is problematic in Africa, for example. The estimates in this paper are not always consistent with other sources. The use of different definitions may be a reason.

Ethnic data (which is broader than Indigenous data but includes them) can be politically sensitive for various reasons. This is one reason why data about Indigenous status is not collected or extensively disseminated in some countries. For example, it remains a

**BOX 2: TEN COUNTRIES WITH HIGHEST PROPORTION OF INDIGENOUS POPULATIONS**

Sources – World Bank and Indigenous World 2022

Samoa 96%, Greenland 89%, French Polynesia 80%, Bolivia 48%, Guatemala 44%, New Caledonia 41%, Bolivia 40%, Nepal 36%, Algeria 34%, Laos 33%

politically sensitive issue in much of Western Europe for various reasons including legacies from the past, to the desire of "do not harm", and political negation of the legitimacy of measuring differences between ethnic groups for fear of discrimination. By contrast, governments are being requested to use data collected from subgroups, including Indigenous people, to ensure they are meeting their international SDG and Human Rights obligations to monitor the outcomes of these groups.

**Indigenous Human Rights**

At the international level, there is no legally binding obligation to disaggregate statistical data by ethnicity or Indigenous status, but as for other precarious groups, it is strongly encouraged to develop such data to inform policy making with the support of quantitative knowledge. It is difficult (or impossible) for countries to fulfil their Human Rights obligations for Indigenous peoples without such data. Specifically, most relevant UN treaty bodies note that countries should disaggregate official statistics by ethnicity or Indigenous status. Quoting from Dawson (2023),

*Disaggregated statistical data is crucial in enabling Indigenous peoples to exercise their distinct collective rights under international and national law including rights to self-determination, equality and non-discrimination, lands, resources, cultures and languages. As distinct peoples with a collective right to self-determination, Indigenous peoples are entitled to adequate statistical data to inform their decision-making processes and development planning. Without such data, it is difficult for Indigenous peoples to measure the changes that are occurring within their communities for policy and planning purposes, to present their needs and priorities to government and assess the effectiveness of existing programmes.*

*Since its first session in 2002, the UN Permanent Forum on Indigenous Issues has called on states to ensure self-identification questions for Indigenous peoples are included in statistical collections and that* ***Indigenous peoples fully participate as equal partners in all stages of planning, collection, analysis and dissemination****. In response, all UN member states have committed to 'working with Indigenous peoples to disaggregate data' …. (emphasis added)*

There are strong arguments for more and better Indigenous data, and for meeting the UN Forum call to ensure that "Indigenous peoples fully participate as equal partners in all stages of planning, collection, analysis and dissemination" of data about them. This is what we interpret as a form of IDG.

For the UN's Sustainable Development Goals statistical indicators, where there is a commitment to disaggregation for significant disadvantaged groups including Indigenous peoples. This as an argument for improved and more visible Indigenous statistics including the involvement of Indigenous people (IDG?), but not necessarily IDS.

However, while official statistics and data collection must reflect -and respect - Indigenous people in order to meet their Human Rights obligations, some Indigenous groups and consortia of groups have asserted rights over their data that go beyond these obligations.

According to Dawson (2023), IDS has been driven by *'the research and advocacy efforts of the Global Indigenous Data Alliance (GIDA) and the national Indigenous data sovereignty networks in Australia, New Zealand, Canada and the United States. Researchers from the Nordic countries have also been involved in GIDA …'* (Dawson, 2023). At this time, GIDA does not seem to have a lot of engagement with the countries with the largest Indigenous populations as shown in Box 2.

As previously noted, for data collected by the central statistical agency, there is a conflict between some IDS principles and the legal and other obligations on the agency. For this reason, and given the background of the ISI membership, we have agreed that **the focus of ABE should be on the development of Indigenous statistics and aspects of IDG (eg capacity building, co-design) not IDS** whilst noting that IDS would be appropriate for data collected by the Indigenous peoples themselves. For meaningful discussions on IDS, it would be essential to engage with GIDA but that has not proven possible to date.

**New Zealand**

The Māori Data Sovereignty Network is active in New Zealand. Like other IDS advocates, the emphasis is on Māori self-determination and control over their data ie the type of data that should be collected (and by whom), who owns the data, how the data is stored, how the data is used and who has access to it. Promoting statistical learning and capability are other key activities.

There was a study of attitudes towards Māori Data Sovereignty within the New Zealand Government and the following quote summarises their findings.

"*Overall, the findings indicate a growing recognition and acceptance of Māori data sovereignty within New Zealand government agencies. However, there is still work to be done in embedding practices that are cognizant of Māori values, ensuring that Māori data is handled with respect, used for the benefit of Māori communities, and protected as a taonga*." (Lilley et al, 2023)

Statistics New Zealand (SNZ) is more advanced than other parts of the NZ Government in recognising IDG principles in practice. In part, this was because of significant data collection problems in the 2018 Population Census with the Māori component of the population (and some other minority groups) being particularly affected. SNZ needed to work closely with Māori representatives to work out how to use administrative data to adjust Census estimates for deficiencies in the coverage of the Māori population, especially at the regional level. A co-design approach was used to resolve this problem. The co-design approach was framed by a formal agreement to work together, on an equal standing, that SNZ signed with the Iwi Leaders group. The agreement embedded a whole routine of a joint work programme and processes to resolve issues of concern.

For a long time, SNZ has had a senior position responsible for Māori issues including engagement, consultation and education. Statistics New Zealand has clearly identified data related to Māori and their tribal groups (Iwi) and produced many statistical bulletins about the Māori population. In 2022, they changed their underlying legislation to recognise the constitutional responsibility to consider and provide for Māori interest in data and statistics, and to require SNZ to actively involve the Māori community in the process.

**Australia**

The Australian Government has prepared an Indigenous Data Governance (IDG) framework in partnership with Indigenous representatives (Framework for Governance of Indigenous Data (GID) | NIAA) and (www.niaa.gov.au/resource-centre/framework-governance-indigenous-data). Key elements include (1) building partnerships with the Indigenous people, (2) building the data-related capability building of Indigenous people, and (3) building knowledge of Indigenous data assets.

Indigenous status (i.e. Aboriginal and Torres Strait Islander (ATSI)) has long been recognised in official statistical collections, including the Census. Since the 1980s, it is recognised almost universally in administrative systems (e.g. hospital data) containing personal data including those used for compiling statistics. Indigenous status in all these collections is based on self-determination (since 1971 for the Population

Census). However, the undercount of Indigenous people in the Census is far higher than for the rest of the population.

Given the large number of data sources with Indigenous status as a variable, there is wide-ranging availability of Indigenous statistics. There is a Centre for ATSI statistics within the ABS whose responsibilities include (1) informing Indigenous peoples, organisations and communities on statistical issues, (2) assisting them in effective use in statistics, (3) supporting best practice and quality improvement in Indigenous statistics, and (4) ensuring broad consultation. The scope of this work goes beyond ABS statistics.

An Indigenous Roundtable of Indigenous representatives exists. It provides advisory services, including ways of increasing Indigenous participation in data collections. Its members have experience in research, policy, service provision and advocacy. Special arrangements are made for consultation on the Population Census. A group of Indigenous engagement officers have been recruited to work directly with Indigenous communities.

**Canada**

Indigenous statistics hold an important place in Canadian Statistics. Statistics Canada conducts the Indigenous Peoples Survey (Surveys and statistical programs - Indigenous Peoples Survey (IPS)), produces data on indigenous peoples as part of many of its surveys, and maintains a website page dedicated to Indigenous Statistics (Statistics on Indigenous peoples).

As part of its governance, Statistics Canada has a position of Director of the Centre for Indigenous Statistics and Partnerships (CISP). It has also adopted a directive on Indigenous Peoples.

The expected results of this Directive are as follows:

1. Establishment of a consistent agency-wide approach to the collection and dissemination of statistics about First Nations, Métis and Inuit as well as well as engagement with Indigenous partners.
2. Maintenance of positive and mutually beneficial relationships with Indigenous partners.
3. Alignment with Government of Canada initiatives with respect to statistics about Indigenous peoples.

All employees who engage with Indigenous partners must complete instructor-led training on Indigenous cultural awareness developed by CISP, or another organisation in consultation with CISP, before they can speak on behalf of or representing Statistics Canada.

Canada also has a First Nations Indigenous Governance Centre (FNIGC). It produced a First Nations Data Governance Strategy report to the Canadian Government and was released in 2020. It is available at www.fnigc.ca.

"This matters to Canada because — like all governments — First Nations governments cannot be successful if their rights to self-determination and self-governance are not empowered by the governance of their own data."

The report notes that there are significant data capacity gaps that hinder self-determination and the achievement of improved outcomes for Indigenous peoples. It also notes that the path to IDS is a long-term undertaking requiring a collaborative relationship with the Government of Canada. The strategy reflects ongoing dialogues with key federal partners such as Statistics Canada to ensure the strategy aligns with Canadian Government priorities and policy frameworks. It has identified Guiding Principles and the most important pillars on which the strategy should be built. The highest priority was the establishment of First Nations Data Champions at the regional and national levels. It also proposes fully functional regional and national data and statistical service centres.

OCAP (Ownership, Control, Access and Possession) remains a guiding principle although the Report itself is more pragmatic about what can be achieved than implied by the 4 words behind OCAP.

**USA**

There is an IDS movement in USA. Indigenous data stakeholders and their non-Indigenous allies have explored this question over recent years in a series of meetings through the Research Data Alliance (RDA). Drawing on RDA and other gatherings, and a systematic scan of literature and practice, Carroll et (2019) focussed on the data challenges facing Native nations and the intersection of data, tribal sovereignty, and power. Similar to other IDS advocates, they regard Indigenous data sovereignty as the right of each Native nation to govern the collection, ownership, and application of the tribe's data. Their position is that Native nations exercise Indigenous data sovereignty through the interrelated processes of Indigenous data governance and 'decolonizing' data. By decolonising, they mean the repositioning of authority over Indigenous data back to Indigenous peoples.

They do recognize that there are significant obstacles to rebuilding effective Indigenous data systems and the process will require resources, time, and partnerships among Native nations, other governments (including national and state governments), and data agents.

This should also be seen in the context of the US Census undercounting American Indians and Alaskan Natives. The undercount would also exist in the US Community Survey which is the other major collection that provides statistical data about Indigenous people. There is also some criticism of the questions used. They capture self-identification (of Indigenous status) but this is not the same as tribal citizenship. About 22% of those identifying as American Indians are not citizens of a tribe.

The US Census does have several special programs to better support the statistical needs of the Indigenous communities.

- There is a Tribal Resource web site (Intergovernmental Affairs: Tribal Affairs (census.gov))
- There is an Intergovernmental Affairs Office which works directly with tribal governments on communication on matters of interest.

- There exists a policy which outlines nine principles to be followed in Census Bureau interactions with federally recognised tribal governments.
- Statistics for individual tribes are produced.

**Norway, Sweden and Finland**

The main sources for this section are a 2020 article by Per Axelsson and Christina Storm Mienna on *The Challenge of Indigenous Data* and an article by Peter Dawson on *A human-rights based approach to Sami statistics in Norway*.

They argue that official Sami population data are non-existent in Nordic countries because ethnicity or Indigenous status based on self-identification is not collected. Most Sami data, and their health and social status, are produced by researchers. There are historical reasons for this resulting from Sami concerns about privacy, data protection and potential misuse of data. The unavailability of data by ethnicity may be a consequence of a lingering influence of the Nazi period. For example, in Sweden, the processing of data revealing ethnicity or race has been prohibited since 1973.

The Sami people themselves are somewhat compromised. On the one hand, they want better statistical data to manage their affairs, but Sami leaders remain concerned about potential misuse of data. For example, the Sami Parliament in Norway asked Statistics Norway for potential advice on solutions to improve Sami statistics, but the recommendations were not accepted because of the misuse concerns.

In recent decades, Statistics Norway has used the so-called geographic approach to compile Sami statistics. The statistics are based on all residents in selected municipalities in northern Norway with high Sami populations. There are concerns about representativeness because this 'sample' includes a substantial number of non-Sami residents and excludes all the larger towns and cities in Northern Norway (where a lot of Sami people live) as well as the rest of Norway. Analysis of the Sami Electoral Register (SER) suggests about half the registrants are excluded using the geographic approach.

In Sweden, there are no official statistics about the Sami population. Available data are produced by researchers.

There is demand for using the SER itself in Norway to compile Sami statistics through linking with other Registers. However, this has been rejected by the Sami Parliament because of significant opposition for the reasons outlined above.

There is little data that Sami can take 'ownership' of, although in Norway an Expert Analysis Advisory Group was established in 2007 which produces statistics about the Sami people. IDG itself is not on the political agenda even though there is considerable interest in the well-being of Sami people.

There is a development which may result in improved statistical data for Sami people. In 2021, the Sami Parliament in Sweden granted researchers from Umea University access to the Sami electoral roll to produce both survey and register based data on a range of topics. There was little criticism, and the response rate was high. This has attracted interest in the other Nordic countries that they might also be able to use a similar approach to develop Sami statistics.

**Europe more generally**

Influenced by the use of population register to identify Jewish people during World War II, there is a legacy resistance in many European countries to introduce ethnic variables into the Census and population registers, and to use corresponding classifications for statistical outputs. Therefore, these registers cannot be used to measures of ethno-racial diversity in Europe. Nevertheless, more than a third of European countries, mostly from Eastern Europe, collect ethnicity data in censuses for minorities present on their territory, often for centuries. There is also a trend in some countries for developing sample surveys to inform about inequalities linked to discriminations, including ethnic discrimination. Since this trend is still uneven regarding countries and topics covered, the European Commission is putting pressure on countries for improving coverage of ethnicity. Regarding Indigenous peoples, it should be noted that, apart from Denmark including Greenland (where the Inuit population is relatively large), Norway, Sweden, Finland and Russia, the number of Indigenous people living in European countries is very small.

**France**

France is a special case, too. It has almost no indigenous people on its territory since the 1950s and 1960s decolonisation, with the exception of the Pacific region. Since a political process that started in the late 1980s opened the possibility of independence of New Caledonia, Kanak ethnicity has been introduced on the local census form as a part of a political process, allowing disaggregated information according to Kanak ethnicity.

**Latin America**

All countries are now collecting Indigenous status in relevant statistical collections especially Population Censuses. The questions are of the self-identification type. Peru also asks about Indigenous languages. ECLAC undertakes training programs to improve country capability to collect Indigenous data. A major emphasis is around increasing Indigenous participation in Population Censuses.

ECLAC is also undertaking training of Indigenous statisticians with a view to increasing Indigenous participation in statistical activities.

**Oceania**

Ethnicity or race was part of the recommended Pacific core set of questions for the 2020 Population Census Round although there are some sensitivities around the question. This recommendation was adopted by most of the Southern Pacific countries. Indigenous people (eg Kanaks in New Caledonia) would have been identified through the ethnicity classification.

**Africa**

It is estimated that there are about 60 million Indigenous people in Africa, about 4% of the population. They are spread over more than 1000 communities with a range of different ethnicities and languages. The definition of Indigenous people in Africa is somewhat fraught because most are Indigenous to the continent. The definition used in the above estimate is “groups of people native to a specific region or who lived there

before colonists and other settlers arrived and began to occupy the land". The rights of Indigenous people is increasingly being recognised in some countries but this is still evolving. It is the subject of active political debate in several countries. There are several recognised African wide associations or committees for promoting the concerns of Indigenous people who seem to be active.

Indigenous status does not appear to be collected in African Population Censuses although it is likely to be a topic of conversation for the 2030 round. However, it is more likely that the focus will be on ethnicity which would enable improved data on Indigenous peoples. Estimates of Indigenous populations are done using a 'geography' method, similar to what is done in Norway. On the one hand, this excludes Indigenous persons living outside their community, but on the other hand, it includes non-Indigenous persons living within the Indigenous community.

**Asia**

Asian countries have some of the largest Indigenous populations, but recognition of Indigenous peoples is not high according to the Asian Indigenous People's Pact Foundation. The Foundation has developed a Framework on Indigenous Knowledge and Data Sovereignty, but its status is unclear (but probably has little influence). It is based on the 2007 UN Declaration on the Rights of Indigenous People. They argue that most Asian countries fail to identify or legally recognise Indigenous people.

The Nepal Census collects Indigenous status in its Census but may be the only Asian Country to do so. Many other Asian countries collect ethnicity in their Censuses so may be able to recognise Indigenous people in this way. Of the Asian countries mentioned in Box 2, China. Indonesia, Vietnam, Nepal and the Philippines collect ethnicity in their Censuses. India and Thailand do not.

**Other countries**

Very few collect ethnicity data let alone Indigenous status, including those in the Middle East region.

**Activities at the World Statistics Congress, October 2025**

Every 2 years, the ISI holds a large Congress that brings together statisticians from around the world. This year it will be held at The Hague in October 2025. There will be three sessions relating to Indigenous statistics.

1. Indigenous Data Sovereignty
2. Why Official Statistics should include Indigenous people?
3. A Worksop on the ISI role in the development of Indigenous statistics.

**Conclusions**

The IDS movement has shifted the conversation on Indigenous statistics beyond data disaggregation, identification and access to consider issues of governance, ownership and control.

As noted above, the OECD has also taken an active interest in the well-being of Indigenous people. In a 2019 Report, they make four recommendations with the first being "Improving Indigenous statistics and data governance".

A report on the SDGs argues that more data is needed to monitor progress on Indigenous people, but progress has been slow in most countries.

There is clearly a lot of interest in improved Indigenous data. According to several sources, about 90 countries are recognised as having Indigenous people. About 50% of these countries do not presently recognise Indigenous status in their official statistics. As can be seen in Boxes 2 and 3, this includes some of the countries with the largest Indigenous populations.

At this time, there are only a very small number of countries having serious discussions on IDS. We do not think this is an issue for ISI involvement at this time.

However, there is a lot of interest in the development and production of Indigenous statistics including definitions and standards, methods for collection and estimation to support Indigenous statistics, capacity building of Indigenous people, engagement with them on statistical work and IDG.

Useful discussions on these topics could occur but would clearly require the participation of Indigenous people. Although their attendance at WSC may be limited, useful discussions should still occur among those responsible for the development of Indigenous statistics as long as Indigenous views are incorporated into these discussions.

There does not appear to be any global leadership on the development of Indigenous statistics. Hence, we suggest this would be a useful subject for both ISI and IAOS involvement, possibly to stimulate greater involvement with international agencies. (Note: IAOS conducted a Conference on Measuring Indigenous Populations in Wellington, New Zealand in 2005). Also, there is an International Group on Indigenous Health Measurement which often meets at WSC and has a planned special issue of the Statistical Journal of the IAOS dedicated to its work. It is due for publication in early 2026.

As a NGO relying mostly on voluntary expertise, it is difficult for ISI to lead this work. The ISI should work in partnership with organisations like the OECD, the World Bank and UN Human Rights organisations who would have an interest in the topic.

Indigenous Statistics have never been discussed at the UN Statistical Commission. Perhaps this should be an objective to stimulate international interest. The ISI would be prepared to do what it can to support this initiative.

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