ONWA's Submission for the Call for Inputs: Study on "Indigenous Peoples right to data, including data collection and disaggregation".

JANUARY 2025

Ontario Native Women's Association

www.onwa.ca @ONWA7 @onwa_official @_ONWA_

Table of Contents

Introduction.....1

ONWA's Recommendations:.....1

Context: Canada's Current Data Landscape:.....1

Challenges to Data Collection Concerning Indigenous Women:.....2

Data and the Right to Self-Determination: 4

Indigenous Data Sovereignty and Governance:.....5

Conclusion: 5

Introduction

The Ontario Native Women's Association (ONWA) is the oldest and largest Indigenous women's organization in Canada, representing over 35 Indigenous women's organizations and groups. For over 50 years, ONWA has worked to end all forms of violence against Indigenous women, improve Indigenous women's safety and restore our leadership. ONWA recognizes that Indigenous women are the medicine needed to heal ourselves, families, and communities. ONWA shares our submission with the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) call for input to inform their study on "Indigenous Peoples right to data, including data collection and disaggregation."

ONWA's Recommendations:

Our submission outlines the significant gaps in Indigenous women's data in Canada, and the present lack of Indigenous women's engagement in Indigenous data sovereignty and governance. Indigenous women have a significant role in shaping governance frameworks that are people-centred and purpose-driven, and that align with community needs, priorities, and interests. ONWA offers the following recommendations for the EMRIP to include in their study as it relates to data sovereignty and governance:

1. Ensure Indigenous women's leadership at all levels of decision-making and invest in our organizations to address the data gaps on Indigenous women, particularly those in urban areas.

2. Safeguard data collection practices that uphold the principles and intent of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

3. Adopt inclusive and participatory policy approaches to Indigenous data sovereignty and governance to ensure that Indigenous women and their organizations are represented, recognized, and are leading the design and implementation.
    - Ensure that data is contextualized, transparent, and strength based.

4. Protect Indigenous women's rights to their data expand across the lifecycle, from its generation, interpretation, and dissemination.

Context: Canada's Current Data Landscape:

The data gaps are multiple and complex which hinders the recognition, representation, and visibility of urban Indigenous women, including misconceptions about where Indigenous women live due to Canada's three-stream (First Nations, Métis, and Inuit) exclusionary Nation-

to-Nation/Distinctions-Based approaches.[1] For example, the *Indian Act, 1985* continues to define identity through Indian status, a concept imposed by the federal government rather than determined by Indigenous nations and individuals themselves.[2] Furthermore, colonial and patriarchal structures have excluded Indigenous women from leadership roles within their families, communities, and nations. This exclusion has further shaped the current data landscape on Indigenous women, which lacks the quality, quantity, and cultural relevance necessary to adequately represent them, resulting in widespread inequities and violence faced by Indigenous women, girls, and 2SLGBTQQIA+ peoples. Adopting a Nation-to-Nation/Distinctions-Based PLUS approach that recognizes their unique rights, priorities, and circumstances are essential to bridging these gaps.

In 2023, an audit on Indigenous Services Canada's data governance revealed significant shortcomings in Canada's data practices, highlighting the urgent need for the federal government to become better stewards of Indigenous data.[3] The extensive data gaps on Indigenous women are largely due to the lack of engagement with Indigenous women's organizations on how to best approach data collection, analysis, dissemination, and its general governance. ONWA advocates for Indigenous data governance structures that account for where Indigenous women reside and how they decide to enact their inherent Indigenous rights. In 2021, 1,090,240 Indigenous people were residing in urban areas in Canada.[4] Specifically, 82% of Indigenous peoples in Canada live "off-reserve" in rural and urban centres and access services from Indigenous organizations that are outside Indigenous-governed territories (First Nation, Métis, and Inuit governance structures that represent Indigenous Peoples affiliated with specific lands and territory). Indigenous women's organizations have a crucial role in supporting Indigenous women to enact their inherent Indigenous rights—as is affirmed by the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) Article 18.[5]

Challenges to Data Collection Concerning Indigenous Women:

Data collected by ONWA informs our program and service planning, as well as our advocacy work. However, chronic and ongoing underfunding to Indigenous women's organizations have restricted capacity building required for robust data governance frameworks which negatively affects meeting the needs of urban Indigenous women, their families, and communities. Timely

[1] Native Women's Association of Canada. (n.d). *Distinctions-based approaches: Literature review.*
[2] The Canadian Encyclopedia. (2022). *Indian Act.* Retrieved from: https://www.thecanadianencyclopedia.ca/en/article/indian-act
[3] Audit and Assurance Services Branch, Government of Canada. (2023). *Audit of Data Governance.* Retrieved from: https://www.sac-isc.gc.ca/eng/1701981980328/1701982033184#a5
[4] Statistics Canada, Census of Population, 2021, and Guide to the Census of Population, 2021. Retrieved from: https://www150.statcan.gc.ca/n1/pub/11-627-m/11-627-m2022059-eng.htm
[5] United Nations. (2007). *United Nations Declaration on the Rights of Indigenous Peoples.* Article 18.

access to data collected by the provincial and federal governments to further inform ONWA's advocacy and program and service delivery is crucial. However, several challenges are frequented: 1. Lack of access to high-quality data, 2. Data sharing restrictions, and 3. Data that is biased and/or non-representative of urban Indigenous women, their families and communities in Canada.

Canadian governments across all jurisdictions (federal, provincial and territorial) collect significant amounts of Indigenous-specific identity-based data, but due to bureaucratic barriers and lack of coordination between governments and across their departments, access to data for Indigenous women's organizations is often minimal, piecemeal, or non-existent. For instance, under the provisions of the *Constitution Act, 1867* and the *Canada Health Act, 1984*, health care is a provincial responsibility in Canada. However, under the *Indian Health Policy, 1979* and the *Indian Act, 1985*, health care services for First Nations and Inuit are a federal responsibility.[6] The result has been legislative confusion, intergovernmental disputes, and little-to-no accountability on the part of provincial and federal levels of government to create accessible, integrated systems for accessing and utilizing Indigenous-specific identity-based data.[7]

Data about Indigenous peoples have long been collected, analyzed, or governed by colonial entities such as governments, academia, and private corporations.[8] This has led to unreliable[9], context-poor data that perpetuates harmful stereotypes and reinforces colonial narratives.[10] For instance, data about Indigenous peoples are dominated by the "5 D's": disparity, deprivation, disadvantage, dysfunction, and difference.[11] These deficit-based statistics, often recycled and circulated without proper context, reduce complex lived experiences to superficial metrics and harmfully shape public perceptions about Indigenous women and girls.[9] Currently, quantitative measures and indicators are prioritized within data generated about Indigenous women from these colonial datasets. While such statistics are important, they fail to capture the full complexity of Indigenous women's diverse realities. [9]

---

[6] Government of Canada. (2014). Indian Health Policy 1979. https://www.canada.ca/en/Indigenous-services-canada/corporate/first-nations-inuit-health-branch/indian-healthpolicy-1979.html.

[7] Rowe, R., Bull, J., & Walker, J. (2020). Indigenous self-determination and data governance in the Canadian policy context. In Walker et al. (Eds.), *Indigenous data sovereignty and policy.* (pp. 81-94).

[8] Carroll, S. R., Rodriguez-Lonebear, D., & Martinez, A. (2019). Indigenous Data Governance: Strategies from United States Native Nations. Data Science Journal, 18(1). doi:10.5334/dsj-2019-03.

[9] Pareek, V. (2020). Indigenous Women and Data. In Handbook of Gender and Open Data. Retrieved from https://cis.pubpub.org/pub/indigenous-women-data.

[10] Lucchesi, A. H. (2022). Mapping Violence against Indigenous Women and Girls: Beyond Colonizing Data and Mapping Practices. ACME: An International Journal for Critical Geographies, 21(4), 389–398.

[11] Walter, M. (2016). Data politics and Indigenous representation in Australian statistics. In T. Kukutai & J. Taylor (Eds.), *Indigenous data sovereignty: Toward an agenda* (pp. 79-87). Canberra, Australia: ANU Press. doi:10.22459/CAEPR38.11.2016

As well, Indigenous women are often inaccurately represented in these colonial datasets. In 2019, the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG) called for consistent reporting mechanisms through the implementation of a national database.[12] However, comprehensive, cross-jurisdictional Indigenous women's specific data is limited and frequently under-reported, critically undermining action and accountability from Canada. Data collection methods need to adopt meaningful participatory methods with Indigenous women in order to identify and address these existing knowledge gaps effectively and this work needs to be done in close collaboration with Indigenous communities and organizations, including urban Indigenous women's organizations. [9]

Data and the Right to Self-Determination:

Indigenous data governance and data sharing practices must include Indigenous women's leadership to reflect community priorities across a diverse socio-economic landscape. Additionally, ONWA advocates for data collection practices that allow for self-identification and that account for urban residency. The Committee on the Elimination of Discrimination against Women's (CEDAW Committee) Concluding Observations from their 10th Review of Canada identifies the critical importance of collecting comprehensive and intersectional Indigenous women's specific disaggregated data to ensure that the needs of Indigenous women are effectively addressed in programs and policies that advance gender equality and uphold rights.[13] Moreover, the CEDAW Committee directly calls for Canada to collaborate with Indigenous women's organizations by enhancing data collection/analysis for Indigenous women and ensuring they inform evidence-based policymaking.[14]

Moreover, ONWA advocates for data collection practices that uphold the principles and intent of UNDRIP, specifically, Indigenous women's rights to self-determination and decision-making. Indigenous women have the right to their own stories and to participate in decision-making about their data. This includes Indigenous women's rights to access, steward, and analyze data about themselves, their families, and communities. Without robust and inclusivedata, it becomes challenging to leverage information as a tool for self-determination such as informed decision-making, meaningful engagement processes, policy development, the development of

[12] *Reclaiming Power and Place: The Final Report for the National Inquiry into Missing and Murdered Indigenous Women and Girls.* (2019). Call for Justice 9.5 v.
[13] UN Committee on the Elimination of Discrimination Against Women (CEDAW), *Concluding Observations on the Tenth Periodic Report of Canada,* CEDAW/C/CAN/CO/10, 16 October 2024.
[14] Ibid. E. 10. (c).

comprehensive programs and services, and funding models on issues that impact Indigenous women's rights and their lives.

Indigenous Data Sovereignty and Governance:

Indigenous women play a critical and transformative role in advancing Indigenous data governance, which is foundational to our autonomy and self-determination given that there is a "reciprocal relationship between data for governance and governance of data".[7] Indigenous data governance frameworks that emphasize Indigenous women's rights to ownership of their stories and data, no matter where they reside, are essential to create systems that prioritize equity, cultural relevance, and empowerment. Furthermore, Indigenous women's rights to their data must expand across the data's lifecycle, from its generation, interpretation, and dissemination. Unfortunately, these necessities remain largely overlooked, leaving significant gaps in current data sovereignty and governance practices that fail to reflect the lived realities and priorities of Indigenous women, particularly those living in urban areas.

Misuse of Indigenous women's data can only be reconciled when we assert authority over our data, ensuring it is governed ethically and used purposefully. Additionally, advancing technologies and rapidly evolving data landscapes such as open-data initiatives by the federal government[15] and artificial intelligence will have considerable impacts on Indigenous women and girls. This highlights the importance of involving Indigenous women in any research endeavor that uses their data. Community-based research needs to be prioritized to ensure that the data derived about Indigenous women is people- and purpose-centered, emphasizing relationality, responsibility, and reciprocity.

Conclusion:

Canada's lack of high-quality and comprehensive data about Indigenous women continues to undermine Indigenous women rights and safety– as evidenced through the inaction on the crisis of MMIWG. ONWA advocates for meaningful data governance practices that recognize the leadership of Indigenous women and that are developed in coordination with their organizations. Developing long-term, meaningful relationships with Indigenous women and their organizations is essential to ensure effective data governance systems that are reflective of their interests and priorities, and to advance accountability, equity, and self-determination. This approach not only challenges colonial narratives but also transforms data into a powerful tool for empowerment, cultural preservation, and systemic change.

---

[15] Government of Canada. (2018). *Report to the Clerk of the Privy Council: A Data Strategy Roadmap for the Federal Public Service.* https://www.canada.ca/en/privy-council/corporate/clerk/publications/data-strategy.html.