



# **POLICY BRIEF: Ethics and Indigenous Data Governance**

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## **Summary and recommendations**

For equitable and ethical engagement on indigenous data governance, the following standards must be considered:

- Nothing About us Without us
- Recognize Indigenous Knowledge in its Own Right
- Practice Good Indigenous Data Governance
- Communicate with Intent to Promote Diversity , Equity and Inclusion
- Exercise Accountability and Build Trust
- Build meaningful partnerships with Indigenous Communities
- Recognise and Respect Ownership and Permissions for Information and Data Sharing
- Practice Equitable funding, Representation, and Knowledge generation
- Recognise that Indigenous Information is not “a one-way street”. Participatory Indigenous Data Governance Processes are more beneficial to Indigenous Communities
- Support of the visibility of data-related problems of indigenous and other minority populations.

## **1. Introduction**

In the era of open data and open science, it is important that data on indigenous knowledge is shared in an ethical manner. Decisions on what data is to be shared should lie with Indigenous populations themselves, ensuring their autonomy and self-determination. This policy brief focuses on data principles such as *CARE* and *JUST* policies and practice. We argue that existing data sharing principles such as *FAIR* and *CARE* are not fully ethical and adequate to deal with indigenous knowledge and data governance. We describe the challenges facing indigenous data governance at the global level and highlight its importance to Indigenous Knowledge Systems. Our perspective is that indigenous data governance must first and foremost meet the needs of Indigenous peoples around the world and that the definition and control/curation must reside with indigenous populations as the point of departure for the reversal of existing power structures. We recommend that indigenous data sovereignty and data ethics require institution building for data trustees (and similar intermediaries) that would enable ethical and *selective digital disclosure*.

## **2. Gaps in the UNESCO Recommendation**

The following issues and processes need to be addressed in the UNESCO recommendation

- autonomy (individual) and informational self-determination
- conflict resolution (especially of interests)
- recognition of basic and/or civil rights for minorities
- anchorage of informational self-determination

- digital and data sovereignty as principles of governance (see above) **data trustee(s) for the (law) enforcement**
- **data institution building:** Given that responses to organizational necessities to AGAP mediate neutrally between social groups with more or less the same cultural and ethnic identity
- **Mediation:** Between indigenous people and the state or supranational organizations such as the UN
- **Progressive and gradual openness:** Data sovereignty as right for participation regarding the use of research data and promote "Selective digital closure" as a strategy for gradual openness of indigenous data
- **The principles of socio-technical governance:** Data ethics addresses normative challenges which are by nature social phenomena - therefore we need more than principles for technology and data or digital governance
- **Clarification of the the terms "indigenous people" and "ethnic group":**
  - The practice of Ownership, Control, Access and Possession ( OCAP) principles
  - Address technical capacity, research/scientific integrity for effective Data stewardship
  - The nature, copyright and appropriate licensing of the data software used
  - Meaningful participation in defining the research agenda/purpose
  - The nature of the information to be used must include Respect ( sharing) and Cultural competency principles
  - Political economy of indigenous data governance including human and data security
  - Privacy and protection
  - The *who* and *how* of **Beneficence** of indigenous data must be addressed

### 3. Key recommendations

- **Indigenous data trustees:** Incorporate data trustees for digital and data sovereignty into the context of social groups/minorities and indigenous people
- **Indigenous data ethics:** This is a special case which needs special care and moral (or normative) sensitivity. There must be deliberate efforts to distinguish indigenous populations from "minority" populations as well as "underprivileged" and "disadvantaged" social groups in various global contexts
- **Indigenous data governance:** This is not primarily a technical and/or digital issue; it must include for example informational self-determination, data ethics, sovereignty and stewardshp.
- **Inclusion of indigenous communities:** If this can be achieved without loss of control and to the advantage of the communities concerned, then a case can be made for pursuing it. However. if inclusion means a loss of control by indigenous communities, then inclusion is not a good idea.
- **Indigenous knowledge systems (IKS):** Indigenous knowledge is increasingly recognized as a parallel and equal knowledge system to that of western scientific knowledge. it has much to contribute in its own right especially on environmental topics, and is much more than an affirmation of western knowledge. Although co-creation of knowledge is a step in the right direction, however it often does not go far enough. There must be elements of learning from the rich processes by which indigenous people relate to their environment.
- **Indigenous Digital data sovereignty :** If indigenous data are to be ethically and effectively governed, then their digital sovereignty must first be developed. This should include training and resource support while giving priority to the expressed needs of indigenous communities.



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