

Preface

The twin problems of lack of reliable data and information on indigenous peoples and the biopiracy and misuse of their traditional knowledge and cultural heritage are issues that have been grappled with in the process of drafting and negotiating the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). It is ironic that even with the emergence of the global 'data revolution' these problems persist in many countries where indigenous peoples live.

The United Nations Permanent Forum on Indigenous Issues in its first and second sessions (2002, 2003) already recognised that a key challenge faced by national and international bodies is the lack of disaggregated data on indigenous peoples. The absence or lack of data that reflect where and how many indigenous peoples there are, and how they are faring in relation to the realisation of their individual and collective rights is directly related to the weakness of governments and intergovernmental bodies in formulating and implementing indigenous-sensitive decisions and programs.

Several expert meetings and forum sessions have come up with recommendations on how data collection and data disaggregation on indigenous peoples can be done and how and what indicators should be used to measure implementation of the Millennium Development Goals, and now the newly adopted Sustainable Development Goals, in relation to realising indigenous peoples' rights. Data should be generated to measure how the rights of indigenous peoples to access and ownership of lands, territories and resources are being met; how their participation in decision-making and control over their own development processes are progressing; what control over data and knowledge they are achieving; and what discrimination and exclusion they experience in regard to their social, economic and cultural rights.

In terms of approaches and methodologies, it was stressed in these UN forums that indigenous peoples should control these data and that their effective participation in data gathering and research should be ensured. Furthermore, resulting data should be available for use by them in policy articulation, in planning and in monitoring and evaluation efforts.

Unfortunately, there is still a long way to go before such data collection and disaggregation are done in most countries outside Canada, Australia, New Zealand, the United States and a few Latin American countries. A common problem raised by governments is the lack of financial and technical resources to carry this out. Another unfounded fear, which is repeatedly expressed by some governments, is that generating disaggregated data can exacerbate discrimination and data differentiation can lead to conflicts.

Such concerns and fears should not be used to deny indigenous peoples their right to self-determination (Article 3, UNDRIP), which is their right to determine their political status and to pursue freely their economic, social and cultural development. This right necessarily includes their right to have data and information collected, by them or jointly with them, that reflect their past and present realities and provide the basis for their pursuit of self-determined economic, social and cultural development.

The concept of data sovereignty, which is elaborated in this book, is linked with indigenous peoples' right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as their right to maintain, control, protect and develop their intellectual property over these.

The emergence of the global data revolution and associated new technologies can be a double-edged sword for indigenous peoples. If indigenous peoples have control over what and how data and knowledge will be generated, analysed and documented, and over the dissemination and use of these, positive results can come about. The collection and disaggregation of data on indigenous peoples and the documentation and transmission of their knowledge to younger generations can be facilitated. They can be the primary beneficiaries of the use of data, their knowledge and their cultural heritage.

If, however, indigenous peoples lose control because there are no existing laws and policies that recognise their rights and regulate the behaviour of institutions and individuals involved in gathering and disseminating data and knowledge, marginalisation, inequality and discrimination will persist. The respect of their right to have their free, prior and informed consent obtained before data are gathered and disseminated is crucial to prevent this from happening.

The efforts of the various authors in this book to theorise about and conceptualise data sovereignty, and provide case study examples of its links to the realisation of the rights of indigenous peoples, are pioneering and laudable. I hope this book will initiate further debates about how the data revolution can be harnessed to facilitate the collection and disaggregation of data on indigenous peoples. I also hope that this book will inspire more indigenous peoples to assert and actualise their rights to control, own and further develop their knowledge and cultural heritage and to effectively transmit these to the younger generations.

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