A First Nations Data Governance Strategy

A Response to Direction Received from First Nations Leadership, Funded through Federal Budget 2018 in Support of the New Fiscal Relationship

Strengthening First Nations Institutions and Community Capacity

March 31, 2020 (revised 2020-06-10)

- include all voices
- with us, by us, for us
- for the children yet to come
- first nations must drive the standards
- nothing about us without us
- data sovereignty
- relationships, partnerships, resources
- training our people to work in our institutions
- it's complex but absolutely possible
- we need recognition as governments
- education, training, capacity building
- this work is being led by good values
- ensure everyone is counted
- we must shape the stories
- analyze information from our worldview
- repatriation of data
- who we are and where we're from sets true indicators
- self determination underpins it all
- protecting the narrative about us
- supporting communities with indicators that are true to them
- our work is driven by who we are and the land we are from
- data to support first nations communities
- train community to know and use data
- engagement process that listens first
- we need to ally and work together
- we're still early on this journey
- indicators are grounded in culture and language
- indigenous scientific methods
- if we want to matter, we have to count and how we count matters
- we have been successful and we can work in common
- recognize local capacity and knowledge
- how far away are we from the lives that the Creator intended us to live?
- we have always been researchers protecting our traditional knowledge

FNIGC ⟩ CGIPN

First Nations Information Governance Centre
Le Centre de gouvernance de l'information des Premières Nations

Vision

The First Nations Information Governance Centre envisions that every First Nation will achieve data sovereignty in alignment with its distinct worldview.

Mission

With First Nations, we assert data sovereignty and support the development of information governance and management at the community level through regional and national partnerships. We adhere to free, prior and informed consent, respect nation-to-nation relationships, and recognize the distinct customs of nations.

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"The ambition of our vision, our goals, and our hearts when it comes to self-determination and holding Canada to our treaty right, including the management and governance of our own data and information... we need to give voice to the people through ethical spaces and heal from historical harms created through unethical research practices created by colonization.... Colonization and assimilation only interrupted our history. It's time we rewrite our own history and assert our sovereignty."

Chief Stanley Grier
First Nations Data Governance Strategy Summit
February 26, 2019

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"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."

Gwen Phillips
Ktunaxa Nation
FNIGC Board member

PREAMBLE

This report, and the recommendations within it, have been prepared by the First Nations Information Governance Centre (FNIGC) under the leadership of its Board of Directors. The need for a First Nations data governance strategy has been discussed at the FNIGC's Board table for many years, and is supported through several resolutions by the Chiefs-in-Assembly who have set out the priorities for this important initiative.

This report would not have been possible without the invaluable contributions of delegates from across Canada who generously participated in a national Data Governance Strategy Summit in Calgary, Alberta, co-hosted by FNIGC and the Alberta First Nations Information Governance Centre (AFNIGC) on February 26 and 27, 2019. FNIGC acknowledges and is grateful to delegates for their tremendous dedication, and contribution to a better future for First Nations peoples.

The key messaging in this report reflects the aspirations, principles, and priorities for action as envisioned by First Nations, which have been articulated around a strategic framework that leverages best practices for effective data governance. This framework follows a careful examination of federal departmental data strategies, in particular, the Privy Council Office's Data Strategy Roadmap, the Statistics Canada's Data Strategy, and the Treasury Board Secretariat's policies. And while the framework created for this report is fairly consistent with those documents, it was adapted to reflect First Nations' unique priorities for data governance. FNIGC thanks public servants in those departments for their support and advice during the development of this report.

While the First Nations Data Governance Strategy (FNDGS, or the *Strategy*) proposed in this report is fairly comprehensive, it is "evergreen" as further work will be required to unpack,

validate and/or refine key elements, including endorsement by First Nations leadership.

Finally, the following details on key terms used in this report should be noted:

- The term **'rights holders'** primarily refers to First Nations governments, and by extension First Nations' citizens. First Nations citizens' inherent rights are protected by their respective governments and the other governments; First Nations citizens belong to Nations they live in communities, cities, and in rural and remote regions from coast-to-coast-to-coast.

- The term **'data'** is defined in its broadest sense (i.e., First Nations data refers to all data about First Nations people at the collective and/or individual level). It is First Nations' intellectual property, historic and contemporary data, survey data, administrative data, and data from alternative sources, including data generated through research activities. It includes but is not limited to data about lands, resources and the environment data "about us" such as demographic, socio-economic and health, housing, infrastructure, and other services, as well as data "from us" (see image on page 40 for more detail on First Nations data described as "from us") such as our languages, cultures, knowledge, and stories.

- The term **'data stewardship'** refers to core functions from data collection, access, holdings and management, to data linkages, analysis, visualization, protection, dissemination, and consumption.

- References to **"regional and national centres"** should be understood in their broadest sense. FNIGC and its regional partners have been using the term Regional Information Governance Centres (RIGCs) for several years, and certainly since Resolution 57/2016 and reference within Budget 2018, because of the importance of that central concept — information governance — to the realization of First Nations data sovereignty. FNIGC and its partners recognize that our approaches for these regional and national centres encompass the concepts articulated within the data strategies of various federal departments and agencies and the types of terminology used therein and elsewhere (i.e. statistical/data service centres, data hubs, shared services centres). For clarity, this report uses the terminology of regional centre(s) and the national centre throughout, except where we are referring explicitly to our past use of the acronym RIGC and where we are referring to others' terminology for such statistical/data centres/hubs.

1.0 EXECUTIVE SUMMARY

PURPOSE

Like any other government, First Nation governments require timely access to quality data to plan, manage, and account for investments and outcomes associated with their citizens' well-being — they need data to provide evidence and information for decision making. Despite this, there are significant data capacity gaps that prevent many First Nations governments from effectively exercising self-determination, from achieving improved outcomes, and from serving the needs of their citizens.

In 2016, First Nations leaders from across Canada endorsed a resolution by the Chiefs-in-Assembly that called for funding for regional data governance champions to lead a series of engagements on the development of a national data governance strategy and the establishment of ten fully functional regional First Nations Information Governance

> "There is an urgent call for decolonizing data, ensuring that First Nations are not left behind in the digital revolution — thus creating another gap."
>
> Bonnie Healy
> Health Director, Blackfoot Confederacy
> FNIGC Chairperson

Centres to support First Nation governments' data-related activities. In direct response to this resolution and as a first step towards its partial implementation, Budget 2018 provided $2.5 million over three years to support FNIGC's "design of a national data governance strategy and coordination of efforts to establish regional data governance centres." This funding was provided as part of the New Fiscal Relationship priority.

Given the importance of this priority and First Nations' collective state of readiness (First Nations leadership have pursued data sovereignty for years, leading up to Budget 2018), FNIGC re-profiled the funds to complete the work within two years instead of three, delivering a strategy document (i.e., this report) to the Government of Canada in the spring 2020 rather than 2021.

The ultimate goal with this report, and the proposals and recommendations within it, is to secure support and funding from the Government of Canada so that First Nations can begin progressive implementation of the proposed data governance strategy (the *Strategy*) as early as fiscal 2021-2022.

The path to data sovereignty laid out in this report is ground-breaking and a long-term undertaking — achieving the goals set out herein will require a phased-in approach, a close partnership among First Nations governments, and a collaborative working relationship with the Government of Canada along with the provincial and territorial governments.

INTENT AND APPROACH

While the proposed strategy is fairly comprehensive and reflects substantial engagement with First Nations, it should be taken as a blueprint that will need to be further unpacked, adjusted, and refined by rights holders (First Nations governments as defined by the Nations themselves), to whom FNIGC's regional partners are accountable.

FNIGC has designed this strategy based on a roadmap to implement recommendations from the Royal Commission on Aboriginal Peoples (RCAP), the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), the *Truth and Reconciliation Commission of Canada: Calls to Action* (TRC), and the Missing and Murdered Indigenous Women and Girls (MMIWG) Calls to Justice and builds on the clear direction from First Nation leadership, heard in engagements across the country.

The approach taken to develop the *Strategy* also reflects on-going dialogues with key federal partners including ISC and Statistics Canada (who have provided valuable insights) to ensure the *Strategy* aligns with Government of Canada priorities and policy frameworks while staying true to the spirit and intent of the roadmap that has been set.

SCOPE AND CONTENT

This report provides an overview of the key drivers for change and essential background information on FNIGC and its regional partners, and the engagement process that was undertaken to inform the *Strategy*. It articulates a **strategic framework**, **a vision**, **desired outcomes**, **guiding principles**, and **key pillars for action** for First Nations-led data governance and stewardship (*see Part 4*).

This report also presents a phased **implementation strategy** that is anchored on key success factors, as well as considerations for how success will be tracked and reported, based on a **mutual accountability framework** (*see Part 5*). Finally, the report contains **recommendations** with short-term, concrete deliverables to prepare for launching the first phase of the *Strategy* as early as fiscal 2021-2022, thereby securing the benefits of Budget 2018 investments (*see Part 6*). Like the *Data Strategy Roadmap of the Federal Public Service* and associated departmental data strategies, this strategy is a "comprehensive, First-Nations-driven approach" to data stewardship, covering all key functions from data collection and data holdings to data discovery, analysis, visualization, protection, dissemination, and consumption. It includes survey data and alternative data sources (e.g. administrative data) for statistical and research purposes to produce new insights and fill data gaps.

THE STRATEGIC FRAMEWORK

The *Strategy* presented in this report is articulated around the following strategic framework illustration.

First Nations Data Governance Strategic Framework

Our Vision: A First Nations-led, national network of modern information and statistical service centres at national and regional levels, to serve the data capacity needs of communities and Nations and to advance the realization of data sovereignty that is in alignment with First Nations' distinct worldviews.

Desired Outcomes for First Nations and Canada

As stewards of their data:

- Rights holders are empowered by evidence-based decision-making
- Nation-driven data gaps are closed more rapidly
- Services to First Nations are improved at a faster pace
- Transfer of government services back into the hands of rights holders is enabled
- Progress toward self-determination and self-governance is fast-tracked
- Progress for a New Fiscal Relationship is further enabled, through the power of data (incl. fiscal capacities)
- First Nations wellness and quality of life improvements are accelerated
- Relevant UNDRIP, RCAP, TRC Calls to Action, and MMIWG Calls for Justice commitments are fulfilled

Our Principles

- Community-driven and Nation-based
- OCAP®
- Effective Technology and Policy
- Relationships
- **GUIDING PRINCIPLES**
- Equity and Capacity
- Transparency and Accountability
- Nation (Re)Building
- Quality Community-driven Standards and Indicators

Pillars

1 First Nations Data Governance

2 First Nations Digital Infrastructure and Human Resources

3 Rights Holders Relationship Management

4 First Nations Data Access and Repatriation

5 First Nations Data Collection, Discovery, and Gap Bridging

6 First Nations Data Standards and Intergovernmental Interoperability

7 First Nations Data Management

8 First Nations Data Trust, Ethics, and OCAP® Implementation

9 Data Relationship Management with Other Levels of Governments and Partners

The First Nations Information Governance Centre

THE VISION FOR ACHIEVING BROAD OUTCOMES

The *Strategy* is anchored in a vision that every First Nation will achieve data sovereignty in alignment with their distinct worldview — as an inherent right and as a transformational requisite to further advance self-determination and self-governance, and to enable the transfer of community service delivery back to First Nations governments (as dictated by rights holders). These are fundamental prerequisites for improving services and rectifying socio-economic inequalities. To action these transformations, First Nations must first harness their information and leverage meaningful and reliable data, from all sources. To achieve the vision, the *Strategy* will hinge on the establishment of fully functional regional and national data and statistical service centres or information governance centres (the term 'regional and national centres' will be used interchangeably in this report for clarity). More details on the key drivers and vision for change can be found in Parts 2 and 4 of this report.

THE GUILDING PRINCIPLES

The *Strategy* is based on eight guiding principles that are fundamental to its success. Thirty-three (33) different principles fall under the following eight headings: Community-driven and Nation-based (the cornerstone of the *Strategy)*; OCAP®; Relationships; Transparency and Accountability; Quality Community-Driven Standards and Indicators; Nation Building; Equity and Capacity; and, Effective Technology and Policy. These principles have been developed through national engagement; recognizing,

understanding and applying them throughout the journey are essential. (They are presented in detail in Part 4.3 of this report.)

PILLARS FOR ACTION

To achieve the vision and intended outcomes, the *Strategy* is articulated around **nine pillars**; together, these pillars are at the heart of the proposed strategy. They are the building blocks for action and real change, and they represent priority areas of intervention (or action) where First Nations' capacities must be built. Each pillar defines which data function and capacity should be built and why, as well as the paths that need to be taken to deliver moving forward. As illustrated in the Framework, the first two **pillars** are **horizontal** (and cross-cutting) by nature as they enable the work of all other pillars in a consistent and integrated manner, at the regional and national levels. The other seven **vertical pillars** are specific functions (i.e. programs or services) of data stewardship for which unique competencies, expertise, and tools need to be built in order to realize direct impacts at the community or nation level.

Each pillar is detailed in Part 4.4 of this report. Including what it is about, what the expected outcomes are, why it is important, where we need to go, how to get there, and what is next. Below is a brief overview of what each pillar intends to achieve and the capacities that will be required.

ENABLING PILLARS (HORIZONTAL PILLARS)

Pillar 1, First Nations Data Governance

Governance is in place at the regional and national levels to: a) ensure that the *Strategy* is implemented in an effective and cohesive manner, as well as that regional centres are established, operational, performing and that they remain strategically aligned and properly integrated at the national level; b) safeguard recognition of Nations and the definition of protocols for working with them as well as the application of OCAP® principles; and, c) define the governance standards at the regional and national levels (i.e., roles, authorities, memberships, decision-making process, delegation, etc.) including codes of conduct, resource and asset management policies, transparency, accountability, protection of privacy, and relationships with partners.

Pillar 2, First Nations Digital Infrastructure and Human Resources

First Nations' knowledges and competencies and information management and information technology (IM/IT) infrastructure are in place at the national and regional levels to: a) support rights holders' data stewardship needs from data collection and acquisition, to access, storage, sharing, linkages, discovery and dissemination; and, b) ensure the data are understood, used, interpreted, managed and protected, including for privacy and confidentiality, through leading-edge centres equipped with the knowledge, skills and technology required — this includes customizable, scalable, and interoperable digital environments at the local, regional, and national levels.

DATA STEWARDSHIP PILLARS (FUNCTIONAL PILLARS)

Pillar 3, Rights Holders Relationship Management

Capacities exist at the regional and national levels to work with rights holders and First Nations organizations to: a) identify, prioritize and manage, on a periodic basis, their short-, medium- and longer- term priorities, including for data access, holdings, management, discovery, gap bridging, creation of evidence and research; and, b) ensure they have access to functional regional and national centres that will meet their needs in an effective and responsive manner. As such, this pillar drives priority setting in the other pillars.

Pilar 4, First Nations Data Access and Repatriation

Capacities exist at the regional and national levels to work with rights holders, First Nations organizations and other governments to: a) inventory and access key First Nations data holdings, assess data quality, develop catalogues, identify where gaps exist and prepare for filling those gaps; and, b) determine access and holding protocols or data repatriation agreements into First Nations' jurisdiction as chosen by rights holders — where Nations have established capacities, direct repatriation may occur; in most cases, data would be repatriated to a regional centre to steward as directed by a Nation.

Pillar 5, First Nations Data Collection, Discovery and Gap Bridging

Capacities exist at the regional and national levels so that rights holders can leverage the power of their data by:

a) creating new and enriched evidence-based information from multiple sources through data linkages (including administrative data and alternative sources), filling data gaps, and telling their own stories, reflective of their Traditional Knowledge, languages, and unique worldviews; and, b) having control over data collection within their jurisdiction and on research that impacts them.

Pillar 6, First Nations Data Standards and Intergovernmental Interoperability

Capacities exist at the regional and national levels to work with rights holders, First Nations organizations and provincial, territorial, and federal governments to develop First Nations-defined data standards and interconnectable datasets while preserving privacy, confidentiality, and trust — this includes standards for data structures, and metadata and data quality and access; it covers standards for administrative data collection and identity management across governments. In a rapidly growing digital environment, this pillar is essential as it fosters data discovery and gap bridging (*see Pillar 5*). It is also dependent on successful data access and repatriation (*see Pillar 4*).

Pillar 7, First Nations Data Management

Capacities exist at the regional and national levels: a) to support rights holders (as directed by them) in managing their data throughout its life cycle in a reliable and secure manner; and, b) provide rights holders with user friendly access to the data they need, and in the form they need, regardless of where they are located. This pillar depends on successful data access and repatriation (*see Pillar 4*).

Pilar 8, First Nations Data Trust, Ethics, and OCAP® implementation

Capacities exist at the regional and national levels: a) to establish and uphold the highest standards for protecting individual and collective confidentiality and privacy, including languages, cultures and intellectual properties; b) implement First Nations' ethics frameworks to guide the appropriate use of data for public policies; c) implement policies and processes to ensure regional and national centres are trusted independent, apolitical and authoritative sources of quality data; and d) implement OCAP® principles with the goal to remove barriers and foster collaborations with partners for research.

Pillar 9, Data Relationship Management with Other Levels of Governments and Partners

Capacities exist at the regional and national levels: a) to establish sustainable partnerships with First Nations and other levels of governments, First Nations organizations and other partners to advance the implementation of the *Strategy*; b) participate and contribute to multi-jurisdictional data governance, advisory and expert tables or forums; c) collaborate on shared goals and priority initiatives, such as the New Fiscal Relationship, the devolution of services (as chosen by rights holders), data sharing and linkage projects, gap bridging as well as determining which level of government should be reporting on which outcomes and identifying associated indicators. Altogether, this functional pillar would help coordinate and manage the interdependencies of external partners that would exist in each of the other pillars.

STRATEGY HIGHLIGHTS

As described in detail in Part 5 of this report, the proposed implementation approach would be based on key success factors (*see Part 5.1*), a preliminary assessment of current maturity capacities (*see Part 5.2*), a results-based phased-in approach (*see Part 5.3*) as well as lessons learned from the past, including the First Nations Statistical Institute (FNSI) and why FNIGC and its regional partners are best positioned to implement the *Strategy* (see *Part 5.4*), building on existing foundations that have demonstrated their performance.

A national network of regional First Nations-led information governance centres (data hubs)

Establishing First Nations-led data governance and stewardship capacities across Canada, covering 630+ communities and many distinct Nations from coast-to-coast-to-coast, cannot be accomplished with a centralized or top-down approach or through any one single national institution or organization. The *Strategy* is driven from the bottom-up. The only roadmap possible is a strategy capable of serving community and First Nations' data capacity needs by leveraging collaboration and partnerships at the regional and national levels, through shared service centres and data hubs, complementing efforts made to build data capacities at the local level.

Semi-autonomous and integrated regional centres

To be viable and successful over the long term, the *Strategy* must be based on semi-autonomous regional centres capable of meeting local needs and priorities of the communities and Nations they serve, while being coordinated and integrated at the national level in order to meet common needs such as data standardization and interoperability.

An independent, legitimate, and credible network of regional and national centres

Regardless of the forms, functions, and design, including the legal foundation that such a First Nations-led data and statistical organization network may take over time, it will be essential that it is independent (expert-based and apolitical), legitimate, and credible.

A logical next step

Building on 24 years of recognized and trusted foundations, FNIGC and its regional partners coalesce to bring about the level of trust, credibility, and legitimacy that is required to make a strategy of this kind succeed. In addition to having built recognized expertise in the design, implementation, and management of national surveys, they have established a well-functioning and powerful **bottom-up network**. With representation from each region, this network engages and supports communities, and is complemented by a robust governance structure at the national level to facilitate and ensure coordination and alignment. This decentralized and bimodal tiered governance structure has demonstrated success in delivering results year after year. Its success is due in part to the purposeful design that is anchored in community-driven and Nation-based collaborative approaches. FNIGC and its partners, through their well-interconnected network of regional and local entities, is well-positioned to move forward with the proposed data governance strategy.

Leveraging FNIGC's existing capacities

In addition to a network that is rooted in community-based engagement, FNIGC and its regional partners will leverage and build upon a well-established governance mechanism, a 24 year-old mandate for First Nations surveys and statistics, an experienced team with data and survey experts that are instrumental to ensuring synergies are leveraged, and an established relationship with First Nations entities and federal departments, including Statistics Canada.

THE SHORT-TERM PRIORITIES AND RECOMMENDATIONS

Details on the short-term recommendations are presented in Part 6 of this report. They cover two priorities — both of which are vital for the future of the proposed strategy.

Priority 1 — Establishing First Nations Data Champions at the Regional and National Levels

The priority for making real progress is to establish and fund, as early as 2021-22, a dedicated data governance champion team in each region and at the national level, equipped with the minimum capacities necessary to unlock key elements of the *Strategy* with a focus on the most pressing and practical needs at each level for the next three fiscal years. *A proposal with detailed costing and deliverables will follow over the spring and summer of 2020, provided bridge funding is released.*

Priority 2 — Securing Bridge Funding for Pre-implementation work in 2020-21

Securing funding through the federal expenditure management cycle with the goal to begin implementation in 2021-22 may take a year or more. During this time, pre-implementation work at the national and regional levels would be required to develop the necessary business cases and detailed costing. To avoid a full year of disruption and a high risk of disengagement, minimal bridge funding is required to cover theses pre-implementation activities.

HOW SUCCESS WILL BE MANAGED AND ACCOUNTED FOR

Detailed, multi-year action plans will be developed for the progressive implementation of the *Strategy* by FNIGC and its partners at the national and regional levels; all plans will be articulated around the strategic outcomes of each pillar of the FNDGS Framework. Community-driven and Nation-based plans will articulate regional priorities for the data and statistical services and capacities needed by First Nations governments, within a common set of standards to ensure coherence and consistency across plans. These plans will include priorities, deliverables, timelines, and performance indicators, along with anticipated spending, human resources, and capital expenditures with a rollup at the national level. Progress on implementation will be tracked and reported on periodically throughout the fiscal-year using secured, web-based tools such as electronic dashboards with "drill-down" capabilities for more detailed reporting. Annual

reports will be developed. First Nations-led internal reviews and, or evaluations will be conducted to support continuous improvements and adjustments to the plans as required. FNIGC's regional partners will continue to be accountable to First Nations governments as the *Strategy* unfolds — reporting responsibilities be shared with federal partners as determined by both parties based on the recognition and need for mutual accountabilities (*see Part 5.5, 5.6*).

"Beyond self-determination and self-governance, data decolonization is equally important for First Nations addressing the gap between the life we are living today and the life Creator intended us to live."

Mindy Denny
Union of Nova Scotia Mi'kmaq
FNIGC Board member

RECOMMENDATIONS

To build a foundation, keep the momentum, and advance the *Strategy*'s short-term priorities identified above, FNIGC and its regional partners are seeking, under the New Fiscal Relationship Priority and the Budget 2018 initiative, that ISC:

1. **Formally endorse the *Strategy* in principle, as presented in this report, including its vision, principles, and strategic framework.**

2. **Support a phased implementation with the necessary funding, subject to the development by FNIGC and its regional partners, of the appropriate business cases with detailed costing and funding requests, and their subsequent approval by the Government of Canada, as jointly determined by both parties.**

3. **Consistent with recommendation 2, support the preparation by FNIGC and its regional partners of a detailed business case, including costing, for the establishment (as early as fiscal 2021-2022) of data governance champion teams in each of the ten regions and at the national level, along with the minimum capacities they will need to be operational. Presuming support, a proposal with detailed costing and deliverables would follow over the spring and summer of 2020 for consideration by ISC.**

4. **Provide bridge funding to FNIGC totalling $930,000 to cover pre-implementation activities (including recommendation 3) over the 2020-2021 fiscal year *(see Appendix VI)*.**

2.0 THE CASE FOR CHANGE

DRIVERS FOR A FIRST NATIONS DATA GOVERNANCE STRATEGY

The need for First Nations to govern their own data is prioritized in numerous reports, commissions, resolutions, and calls to action dating as far back as the Penner Report (1983), followed by the Royal Commission on Aboriginal Peoples (1996) and several Auditor General Reports. This section highlights why data sovereignty is important, and how it is linked to the needs and aspirations of First Nations and aligned with the key priorities and commitments of the Government of Canada, through the following areas of work:

1. Honouring the UNDRIP

2. Advancing the New Fiscal Relationship (responding to recommendation of the advisory council)

3. Supporting the TRC's *Calls to Action* (including the National Council for Reconciliation)

4. Accelerating progress in supporting strong governance capacities (including community-led planning, Nation rebuilding plans and the ISC Indigenous Community Development National Strategy)

5. Enabling the gradual transfer of services under the control of rights holders

6. Giving meaning to the commitment of supporting Indigenous bodies as stipulated under the *Department of Indigenous Services Act*

7. Meeting Canada's commitment for comprehensive and balanced reporting on First Nations living conditions and socio-economic outcomes (responding to accepted recommendations from the Auditor General of Canada and Parliament's committee)

8. Ensuring First Nations are not left behind the digital revolution (responding to recommendation 8 to Clerk of the Privy Council — *A Data Strategy Roadmap for the Federal Public Service*)

9. First Nations leadership affirmation (honouring a renewed relationship)

> "We need to get to a place where Indigenous Peoples in Canada are in control of their own destiny, making their own decisions about their future."
>
> Prime Minister Justin Trudeau
> February 2018

As presented in detail in the following sub-sections, the FNDGS is anchored in well recognized international and national interrelated priorities. Endorsing and implementing the *Strategy* would be a major step and a legacy for Canada in restoring hope, further advancing reconciliation and providing First Nations with the tools and capacities they need to eliminate inequities that have been created by colonization and perpetuated by the current legislative framework.

HONOURING THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES (UNDRIP) – THE INHERENT RIGHTS OF SELF-DETERMINATION, SELF-GOVERNANCE AND DATA SOVEREIGNTY

The Government of Canada has committed to a renewed Nation-to-Nation relationship with Indigenous Peoples — a commitment that is rooted in the principles of UNDRIP. In May 2016, the Minister of INAC announced that Canada is a full supporter of UNDRIP, without qualification. Bill C-262, a law that would launch a process to harmonize Canadian laws with UNDRIP, is currently before the Canadian Senate. More recently, the *Department of Crown-Indigenous Relations and Northern Affairs Act*, assented on June 21, 2019, reaffirmed the commitment to promote respect for the rights of Indigenous Peoples affirmed by Section 35 of the *Constitution Act*, 1982 and, to implement UNDRIP.

> "Data Sovereignty is the right of Indigenous peoples to determine the means of collection, access, analysis, interpretation, management, dissemination and reuse of data pertaining to Indigenous people from whom it has been derived, or to whom it relates."
>
> Kukutai & Taylor
> *Indigenous Data Sovereignty: Towards an Agenda (2016)*

Advisory Committee on Fiscal Relations

Recommendations, Interim Report June 2019

9: The Committee recommends that immediate funding increases be provided to First Nations governments to support general government administration and governance costs (i.e. based on the best available information). [...]

10: Subject to extensive engagement with First Nations, the Committee recommends that Canada and First Nations undertake a comprehensive cost study to determine the funding needs of First Nations to cover general administrative and governance costs. [...]

13: That a strategy be developed with First Nations to expand and strengthen the institutions that provide capacity-building supports, [...] and outsourced service-delivery supports to First Nations governments. [...]

17: That a national First Nations statistical institution be mandated and funded to work with First Nations in defining, collecting, analyzing, and disseminating statistical data related to First Nations citizens, communities, and development. [...]

18: That sustained funding and attention be paid to supporting First Nations in their pursuit of data sovereignty and ensuring respect for the principles of OCAP®. [...]

UNDRIP Articles 3 and 4 describe the inherent rights of Indigenous Nations to self-determination, self-government and fiscal autonomy. However, it is acknowledged that in order to be effective and meaningful, self-determination and self-governance also require that First Nations achieve data sovereignty — as an inherent right AND a prerequisite to governance where decisions can be based on data, evidence and information in support of planning, programing, resourcing, service delivery improvements and more broadly pursuing economic, social and cultural development that will improve efforts to close socio-economic gaps. As such, data sovereignty is equally supported by inherent rights to self-determination as described in UNDRIP. It includes text around the idea that data must be used in ways that support and enhance Indigenous Peoples collective well-being.

THE ADOPTION OF A FIRST NATIONS DATA GOVERNANCE STRATEGY WOULD BE A CONCRETE STEP TOWARDS UNDRIP IMPLEMENTATION IN CANADA, RECOGNIZING THE TREATY AND INHERENT RIGHTS OF FIRST NATIONS TO OWN AND CONTROL THEIR DATA, INCLUDING AS A NECESSARY FOUNDATION TO SUPPORT SELF-DETERMINATION AND SELF-GOVERNANCE.

ADVANCING THE NEW FISCAL RELATIONSHIP

The Government of Canada has recognized that in order to advance reconciliation and facilitate greater self-determination —including self-government — a New Fiscal Relationship is needed. In 2016, a Memorandum of Understanding between Canada and the Assembly of First Nations (AFN) was signed committing the signatories to work together to co-develop proposals and recommendations for the design of a New Fiscal Relationship that moves toward sufficient, predictable and sustained funding, with the ultimate goal to eliminate disparities and inequities in the socio-economic conditions between First Nations and other Canadians.

In 2018, a First Nations-led Joint Advisory Committee on Fiscal Relations (the Committee) was established to examine options and provide recommendations to the Minister of ISC and the AFN National Chief.

As articulated by the Committee in their last interim report dated June 2019, the vision is of a fiscal relationship that provides First Nations with the means to finance their semi-autonomous functions and advance the well-being of their peoples. The report contained 24 recommendations to guide the design and implementation of New Fiscal Relationships. Of those recommendations, several of them called for establishing permanent First Nations data and statistical capacities. As highlighted by the Committee, all high-performing governments, organizations and professionals leverage institutional support. This includes support for data and statistics to ensure they have access to high-quality, trusted evidence to inform policies, programs and services. This is particular essential for those communities that cannot build capacities internally and do not hold or have access to their own data.

A central recommendation from the Committee (17) is the creation of a First Nations statistical institution that would be mandated to support capacity building on data and statistics, including for the collection, analysis and dissemination of more comprehensive and balanced statistical data related to First Nations citizens, communities, and development. The Committee also recommended (16) that First Nations and Canada establish national goals, targets, and timeframes for improving living conditions and closing socio-economic gaps, including, but not limited to health and wellness, education, protection of vulnerable citizens, sustainable economic growth, environment, public infrastructure, safety, language, and culture. This will require outcomes-based indicators to allow First Nations and Canada to measure and report on their shared goals. As highlighted by the Committee, this is important to demonstrate whether the New Fiscal Relationship is contributing to the closure of gaps between non-Indigenous Canadians and First Nations citizens — signaling when additional investments or modifications to the fiscal relationship are required (recommendation 20). In addition, the Committee asserted that First Nations and their institutions require data to support the effective and efficient delivery of public services, their accountability in reporting to their citizens, and for carrying out their own research and evaluation activities.

Equally vital for the future of the New Fiscal Relationship is that First Nations-led statistical and analytical capacities make substantive progress on key priorities including moving towards sufficiency and comparability of funding, the advancements of statutory transfers (11), support economic growth and infrastructure investments (4, 5) as well as support a possible First Nations fiscal policy institution (19). All these priorities (among others) would need to be carefully crafted leveraging statistics and data analysis and formula, integrating demographic and socio-economic measures, as well as cultural and linguistic factors and structural differences between regions and segments of populations.

THE PROPOSED FIRST NATIONS DATA GOVERNANCE STRATEGY WOULD DIRECTLY ADDRESS SEVERAL RECOMMENDATIONS FROM THE JOINT ADVISORY COMMITTEE ON THE NEW FISCAL RELATIONSHIP AND HELP ACHIEVE ITS FULL POTENTIAL. IMPLEMENTATION OF THE STRATEGY WOULD PROVIDE FIRST NATIONS COMMUNITIES WITH THE DATA AND STATISTICAL SERVICES AND DATA GOVERNANCE CAPACITIES THEY NEED AND THAT ARE DIFFICULT TO ESTABLISH INTERNALLY. IT WOULD PROVIDE FIRST NATIONS ORGANIZATIONS AND OTHER PARTNERS WITH GREATER ACCESS TO MORE COMPREHENSIVE FIRST NATIONS DATA SETS AND STATISTICAL INFORMATION ALONG WITH THE ANALYTICAL CAPACITIES REQUIRED TO MEET THEIR DATA PRIORITY NEEDS.

TRC's *Calls to Action* 55

We call upon all levels of government to provide annual reports or any current data requested by the National Council for Reconciliation so that it can report on the progress towards reconciliation.

SUPPORTING THE TRUTH & RECONCILIATION COMMISSION'S CALLS TO ACTION

On June 2015, the TRC released its Executive Summary, which included Calls to Action aimed at redressing the legacy of Residential Schools and advancing the process of reconciliation in Canada. Following the release of the entire final report in December 2015, the Prime Minister reiterated the Government of Canada's commitment to work in partnership with Indigenous communities, provinces, territories and other vital partners, to fully implement the TRC's *Calls to Action* with the ultimate goal to eliminate the socio-economic gaps and improve the well-being of Indigenous Peoples in Canada.

Several of the 94 *Calls to Action* reference the need for collecting or developing data, statistics, insights, or evidence to guide future interventions and monitor and report on progress on various priority areas, including child welfare (2), health (19) education (9) and justice (39). Of particular importance is TRC's *Call to Action* 53 which requires the establishment of an independent national

council for reconciliation (NCR) with oversight, reporting and educational functions.

In December 2017, the Government of Canada announced the creation of an interim board of Indigenous leaders to provide advice on options for the creation of the NCR and define the scope of the mandate of the council. In June 2018, the interim Board of Directors presented its final report, recommended that the NCR be financially independent, separate from government, and be a multi-generational institution that will monitor, evaluate and report on reconciliation to all governments, Canadian society, and act as a catalyst for innovative thought, dialogue and action. Budget 2019 provided $126.5 million in fiscal year 2020-21.

THE PROPOSED FIRST NATIONS DATA GOVERNANCE STRATEGY WOULD PLAY AN IMPORTANT COORDINATION AND ENABLING ROLE TO HELP THE NATIONAL COUNCIL FOR RECONCILIATION MEET ITS INFORMATION NEEDS, SPECIFICALLY, BY ADDRESSING INFORMATION GAPS, AND MEASURING PROGRESS ON RECONCILIATION AND WELL-BEING. THE NATIONAL COUNCIL ON RECONCILIATION WILL REQUIRE TIMELY ACCESS TO RELIABLE AND COMPREHENSIVE DATA AND STATISTICS, INCLUDING DATA ANALYTICS AND RESEARCH THAT IS REFLECTIVE OF THE FIRST NATIONS' WORLDVIEWS.

ACCELERATING PROGRESS IN SUPPORTING STRONG GOVERNANCE CAPACITIES FOR ALL COMMUNITIES AND NATIONS

Consistent with the seven-generation stewardship philosophy of the Haudenosaunee, First Nations' decision-making process are based on connections to community; it is believed that communities transcend time. As such, decisions are based on how they will impact community for the next seven generations. When communities can plan for the future, for the next seven generations, real change is possible. Funding and capacity deficiencies have been well documented — it is known that communities cannot plan for the future if opportunities to conduct basic functions of good governance and decision-making are undermined.

The Joint Advisory Committee on Fiscal Relations, in its report dated June 2019, highlighted that basic calculations using publicly available federal government statistics and financial data show that funding to First Nations governments for general governance and administrative expenses is six (6) times less per capita than the federal government's spending on these expenditures, three times less than provincial and local governments, and more than 20 times less than territorial governments.

In Budget 2018, the government committed to undertaking a comprehensive and collaborative review of programs and funding that support First Nations governance. That review is currently underway. The purpose is to ensure that these programs provide communities with sufficient resources to hire

> "We're connected to the first Indians who walked on this earth, the very first ones, however long ago that was. But we're also connected to those Indians who aren't even born yet, who are going to walk this earth. And our job in the middle is to bridge that gap. You take the inheritance from the past, you add to it, your ideas and your thinking, and you bundle it up and shoot it to the future. And there is a different kind of responsibility. That is not just about me, my pride and my ego, it's about all that other stuff. We inherit a duty, we inherit a responsibility. And that's pretty well drummed into our heads. Don't just come here expecting to benefit. You come here to work hard so that the future can enjoy that benefit."
>
> Rick Hill Sr. (Tuscarora)
> Chair, Haudenosaunee Standing Committee on
> Native American Graves Protection and Repatriation Act

A recent study by the World Bank that encompassed empirical evidence from 130 countries over a ten-year period concluded that there is a strong causal relationship between good governance and better development outcomes such as higher per capita incomes or lower infant mortality. Effective governance standards, such as those fostered by the First Nations Financial Management Board, includes core elements such as leadership selection, the roles of council, the relationship of council to members, the accountability provisions as well financial management, human resource management, IM/IT and, certainly the capacity to leverage the power of data for planning purposes, resource allocation, fiscal capacity development, program and service delivery improvement as well as economic and social development. Good governance is particularly important in First Nation communities because their governments are so large in relative terms — their responsibilities include not only those of municipalities, but also important elements of provincial, territorial, and federal governments.

staff to support good governance, plan for the future, and advance their vision of self-determination. In the meantime, to help with this critical need, Budget 2019 provided $48 million over two years to directly support communities in greatest need to obtain the expertise and tools required to govern their communities and deliver programs and services — consistent with ISC's Indigenous Community Development National Strategy.

> "Good governance is perhaps the single most important factor in eradicating poverty and promoting development."
>
> Kofi Annan
> former United Nations Secretary-General

Core Governance Support for First Nations — A longstanding priority

All governments — including First Nations governments — need access to timely data and information. With better information, governments are better able to make informed decisions, and deliver the high-quality services their citizens expect.

Budget 2019

THE PROPOSED FIRST NATIONS DATA GOVERNANCE STRATEGY WOULD BE INSTRUMENTAL IN SUPPORTING AND ENABLING AT THE LOCAL LEVEL THE DEVELOPMENT OF GOVERNANCE CAPACITIES OF COMMUNITIES AND NATIONS, PARTICULARLY THOSE IN THE GREATEST NEED. REGIONAL AND NATIONAL CENTRES WOULD PROVIDE DIRECT ACCESS TO SHARED SERVICES TO MEET THEIR DATA AND STATISTICAL NEEDS, THEREBY ENABLING PROGRESS ON THE INDIGENOUS COMMUNITY DEVELOPMENT NATIONAL STRATEGY LED BY ISC, INCLUDING COMMUNITY-LED PLANNING AND RISK MANAGEMENT.

ENABLING THE GRADUAL TRANSFER OF SERVICES UNDER THE CONTROL OF RIGHTS HOLDERS — IF THEY CHOOSE TO DO SO AS PART OF SELF-DETERMINATION

In August 2017, the Government of Canada took an important step to renew its relationship with Indigenous peoples by announcing the dissolution of INAC, and the creation of two new departments: Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) and Indigenous Services Canada (ISC) — bringing together, within ISC, First Nations and Inuit health services (formerly within Health Canada), and the other services and programs formerly delivered by INAC.

Department of Indigenous Service Act
Assented to June 21, 2019

Preamble – Whereas the Government is committed to [...] implement the gradual transfer of departmental responsibilities to Indigenous organizations.

Section 7 – [...] the Minister is to provide Indigenous organizations with an opportunity to collaborate in the development, provision and improvement of the services [...]

(b) [...] take the appropriate measures to give effect to the gradual transfer to Indigenous organizations of departmental responsibilities with respect to the provision of those services.

Section 13 – […] the Minister may support the Indigenous bodies that specialize in research and statistics, in relation to their activities involving the collection, analysis, interpretation, publication and distribution of documents, information or data relating to the provision of services to Indigenous individuals. That sustained funding and attention be paid to supporting First Nations in their pursuit of data sovereignty and ensuring respect for the principles of OCAP®. […]

The announcement marked a profound shift in the way the government delivers services and advances Indigenous peoples' self-determination.

On July 15, 2019, legislation dissolving INAC and formally establishing the mandates of two new departments came into effect. The end goal is not only that the design, delivery and control of services — in all areas — can be led by and for Indigenous peoples (as they choose to do so), but also that ISC's footprint should significantly diminish over time or possibly disappear if that turns out to be the aspiration of First Nations.

WHEN SELF-DETERMINATION IS A REALITY FOR ALL, THIS DEPARTMENT MAY NO LONGER NEED TO EXIST.

ISC is expected to reach its end goal by promoting consistency and quality, improving accountability to Indigenous peoples, taking a distinctions-based approach in the delivery of services, and by developing partnership models with Indigenous Peoples. Such models include data and statistical services, and acknowledging First Nations' rights to control their data and exercise data stewardship responsibilities in support of effective self-governance. To this end, the *Department of Indigenous Services Act* (the *Act*), which received Royal Assent on June 21, 2019, engaged the Government of Canada and the Minister of ISC in supporting the gradual transfer of ISC responsibilities to Indigenous Nations, their governments, and their organizations or institutions.

GOVERNMENT OF CANADA SUPPORT FOR THE PROPOSED FIRST NATIONS DATA GOVERNANCE STRATEGY WOULD BE A TANGIBLE STEP TOWARDS MEETING ITS COMMITMENTS AS DEFINED UNDER THE CONSTITUTIVE ACTS OF ISC AND CIRNAC. IT WOULD ALSO FOSTER AND FACILITATE THE GRADUAL TRANSFER OF OTHER PROGRAMS AND SERVICES (AS CHOSEN BY RIGHTS HOLDERS) AS THEY WOULD BENEFIT FROM THE DATA CAPACITIES AND INFORMATION NEEDED PRIOR TO TAKING CONTROL OVER SERVICE DELIVERY.

Auditor General of Canada – Spring 2018 Report, Report 5, Recommendation 5.37
[…] ISC should use relevant data to comprehensively measure and report on the overall socio-economic well-being of First Nations people on reserves […] [including] on those additional aspects of socio-economic well-being that First Nations have identified as unique priorities, such as language and culture, which might not be directly comparable with other Canadians.

Section 15 of the constitutive Act of ISC
The Minister must cause to be tabled […] a report on:

a) Socio-economic gaps between First Nations, Inuit and Métis individuals and other Canadians and the measures taken by the Department to reduce those gaps

b) Progress made towards the transfer of responsibilities

United Nations Sustainable Development Goals (UNSDGs)
The government is committed to implementing the 2030 agenda at home and internationally.

GIVING MEANING TO THE COMMITMENT OF SUPPORTING INDIGENOUS BODIES AS STIPULATED UNDER THE *DEPARTMENT OF INDIGENOUS SERVICES ACT*

Consistent with the commitment to enable the transfer of services to the control of Indigenous peoples, section 13 of the constitutive act of ISC explicitly recognizes the need to support Indigenous organizations that are specialized in research and statistics. While this recognition is subject to consideration by the Minister, it is considered instrumental to further advance self-determination and self-governance by enabling First Nations to unleash the power of their data.

Currently, First Nations data stewardship is complicated or prevented by provincial, territorial, and federal legislation, policies and other barriers that restrict access to and use of their own data, thereby considerably limiting First-Nations-led data analytics and research for the provision of services to First Nations.

BY SUPPORTING THE PROPOSED STRATEGY, THE GOVERNMENT OF CANADA WOULD GIVE MEANING TO SECTION 13 OF THE DEPARTMENT OF INDIGENOUS SERVICES ACT WHILE MAKING INCREASED DATA AND STATISTICAL SERVICES AVAILABLE TO FIRST NATIONS, INCLUDING ACCESS TO AND USE OF THEIR DATA, AND THE DEVELOPMENT OF DATA GOVERNANCE CAPACITIES IN COMMUNITIES.

MEETING CANADA'S COMMITMENTS FOR COMPREHENSIVE AND BALANCED REPORTING ON FIRST NATIONS LIVING CONDITIONS AND SOCIO-ECONOMIC OUTCOMES

As stated by the Auditor General of Canada in its Spring 2018 Report on the socio-economic gaps on First Nations on reserves, measuring and reporting on progress in closing socio-economic gaps would help everyone involved, including Parliament, First Nations, the federal government, other departments, and other partners, to understand whether their efforts to improve lives are working. If the gaps are not reduced in future years, it means that the federal approach needs to change.

However, as noted in this report, while some socio-economic measures of the well-being of First Nations are available (e.g. Community Well-being Index) gaps remain with no comprehensive dashboard that integrates all dimensions of well-being, including those that are important to First Nations and reflective of their unique worldviews. ISC agreed with all the recommendations of the Auditor General, including the co-development with First Nations of a broad dashboard of well-being outcomes that will reflect mutually agreed upon metrics in measuring and reporting on closing socio-economic gaps.

In parallel, the *Department of Indigenous Service Act*, assented to June 21, 2019, requires that the Minister of ISC table an annual report to Parliament on the progress made towards improving the well-being of First Nations.

Report to the Clerk of the Privy Council
A Data Strategy Roadmap for the Federal Public Service, 2018

Extract from the Report to the Clerk of the Privy Council
"As digital technologies proliferate and fundamentally transform economies and societies, the generation of data is increasing exponentially, helping drive innovation and shape decisions. These data must be used and managed as a strategic asset in an ethical and secured manner that respect privacy and generate trust"

Recommendation 8
Recognizing that Indigenous Peoples have an inherent right to self-determination, co-develop with Indigenous partners distinctions-based strategies to advance Indigenous data governance and institutional capacity. The Government of Canada should also work with Indigenous partners, who are custodians of their data, to co-develop indicators and data collection strategies.

Canada has also committed to report domestically and internationally on the 17 UNSDGs that encompass the social, economic, and environmental dimensions of sustainable development that were adopted by all other 192 UN member states in 2015.

THE PROPOSED FIRST NATIONS DATA GOVERNANCE STRATEGY WOULD BE INSTRUMENTAL IN PROVIDING FIRST NATIONS GOVERNMENTS WITH THE DATA GOVERNANCE CAPACITIES TO COLLABORATE WITH THE GOVERNMENT OF CANADA AND OTHER PARTNERS ADDRESSING DATA GAPS IN A MORE COMPREHENSIVE AND BALANCED MANNER AND REFLECTING FIRST NATIONS UNIQUE WORLDVIEWS. THIS INCLUDES CO-DEVELOPMENT WORK ON NATIONAL INITIATIVES SUCH AS MEASURING POVERTY AND CONTRIBUTIONS TO THE UNSDGS.

ENSURING FIRST NATIONS ARE NOT LEFT BEHIND THE DIGITAL REVOLUTION — THEREBY, NOT CREATING ANOTHER GAP

As mentioned in the report to the Clerk of the Privy Council entitled, *A Data Strategy Roadmap for the Federal Public Service*:

- "The volume of data that governments, businesses and Canadians produce is growing exponentially, animated by digital technologies. Organizations are changing their business models, building new expertise and devising new ways of managing and unlocking the value of their data. Governments need to evolve rapidly."

- "Data have the power to enable governments to make better decisions, design better programs and deliver more effective services. But for this to occur — and for

us to share data in a way that allows other governments, businesses and researchers and the non-for-profit sector to also extract the value from data — we need to refresh our approach."

As a follow-up to this report, which includes 21 recommendations, core federal departments were asked to develop their respective data strategies to support the transition to a digital government, including stronger governance, improved data literacy and skills, enabling infrastructure and legislation, and the treatment of data as a valuable asset.

While this digital revolution is taking place and constantly accelerating, First Nations governments have very limited data governance, people, and infrastructure capacities to participate, contribute and benefit in a meaningful and sustainable manner to the opportunities created by this revolution — and are at risk of being left behind, again.

This is particularly true as the First Nations data landscape is broken, with significant gaps (and rights) that have been disregarded for a long time. Since confederation, First Nations' data have been collected by numerous provincial, territorial, and federal departments working in silos making it impossible for First Nations to know what data exist, where the data are, and how to access it — notwithstanding the absence of capacities to use, analyze, and harness the power of their data. Recommendation 8 of the report has embraced a new approach for First Nations data governance.

THE PROPOSED FIRST NATIONS DATA GOVERNANCE STRATEGY WOULD ALLOW FIRST NATIONS TO PARTICIPATE, CONTRIBUTE AND BENEFIT FULLY FROM THE DIGITAL REVOLUTION, WHILE CORRECTING PAST EXCLUSIONS, ACCELERATING SELF-DETERMINATION, ENABLING EFFECTIVE SELF-GOVERNANCE AND ULTIMATELY IMPROVING OUTCOMES FOR THEIR MEMBERS. THIS STRATEGY IS FULLY CONSISTENT WITH RECOMMENDATION 8 OF THE REPORT TO CLERK OF THE PRIVY COUNCIL ON A DATA STRATEGY ROADMAP FOR THE FEDERAL PUBLIC SERVICE. IT WOULD ALSO BETTER SERVE CANADA.

FIRST NATIONS LEADERSHIP AFFIRMATION — AN OPPORTUNITY FOR CANADA TO HONOUR A RENEWED RELATIONSHIP

The key drivers for a First Nations data governance strategy summarized above are all interrelated and do reinforce each other. These calls for meaningful changes have also been repeatedly affirmed through several resolutions by the AFN:

Resolution no. 48/2009 called for promoting, protecting and advancing the First Nations Ownership, Control, Access and Possession (OCAP®) principles, the inherent right to self-determination and jurisdiction in research and information management.

Resolution no. 54/2016 directed the National Chief to prepare a letter to the federal Ministers of Health, INAC, ESDC, and research funding agencies to state the importance of all employees taking the Fundamentals of OCAP® on-line course to further their understanding of First Nations data sovereignty and information governance. The Resolution resolved to recognize Indigenous data sovereignty as a cornerstone of Nation rebuilding

Resolution no. 57/2016 acknowledged that Indigenous data sovereignty be recognized as "the cornerstone of nation-building" and sought federal government funding and support to develop fully functional regional First Nations Information Governance Centres across Canada, as well as coordination of a national First Nations data governance strategy.

Resolution no. 66/2017 directed Canada to create a Joint Advisory Committee on Fiscal Relations (JACFR) that would provide advice on a direction for the fiscal relationship between First Nations and Canada (which includes measures to advance First Nations capacity building for data and measurement).

Resolution no. 42/2018 called on the government to expedite the development of First Nations' controlled Regional Information Governance Centres as part of the National First Nations Data Governance Strategy, and assert that, in future, all provincial, territorial, and federal government investments in First Nations data governance and analysis, information management, statistics, and reporting must align with the

objective of each First Nation achieving full data governance, building and maintaining across their government, the capacity to collect, store, protect, analyze, and utilize data in their decision-making and reporting, measuring their own progress towards the outcomes defined in their community development and Nation rebuilding plans.

Resolution no. 24/2019 calls on the Joint Advisory Committee on Fiscal Relations (JACFR), the AFN, and Indigenous Services Canada to engage extensively with First Nations across the country on the report and its recommendations.

BY ENDORSING AND SUPPORTING THE STRATEGY PRESENTED IN THE FOLLOWING SECTIONS OF THIS REPORT, CANADA HAS AN EXTRAORDINARY OPPORTUNITY TO CONCRETELY HONOUR PROMISES FOR A RENEWED RELATIONSHIP WITH FIRST NATIONS PEOPLE, BY CREATING CONDITIONS FOR FIRST NATIONS TO SUCCEED IN AN ERA MARKED BY A PROFOUND DIGITAL REVOLUTION, ON A JOURNEY TO SELF-DETERMINATION AND SELF-GOVERNANCE AND A FUTURE WHERE ALL INDIGENOUS PEOPLES CAN ENJOY A QUALITY OF LIFE AND GROWTH OPPORTUNITIES THAT ARE CULTURALLY, SOCIALLY, AND ECONOMICALLY MEANINGFUL TO THEM.

3.0 RESPONDING TO BUDGET 2018

As mentioned in Part 1 of this report, FNIGC received funding through Budget 2018 to design a national data governance strategy and coordinate the establishment of RIGCs. Budget 2018 was well received by First Nations, FNIGC, and its regional partners, who together have been seeking support from the Government of Canada to advance the design of a First Nations data strategy for years.

While the details of the *Strategy* are described in Parts 3 and 4 of this report, it is important to first understand the broader context within which FNIGC and its regional partners operate. Part 2 of the report provides an overview of FNIGC's ongoing work and of the engagement of First Nations at the national and regional levels in the design of the proposed strategy — a strategy that builds upon the foundation that FNIGC and its network of regional partners have established over the last 24 years. Understanding this context is an integral part of the proposed strategy.

3.1 FNIGC AND ITS REGIONAL PARTNERS, AT A GLANCE

GENESIS, MANDATE, AND CORE STATISTICAL FUNCTIONS

FNIGC is a non-profit First Nations organization that has been federally incorporated under the *Canada Incorporations Act* since 2010. Its origins date back to 1996 when a national steering committee was established to design a new national First Nations health survey to address the significant data gaps with respect to First Nations people living on reserve and in northern communities. FNIGC is committed to providing data that contributes to improving the health and well-being of First Nations people living in the 634 communities across Canada.

In collaboration with its regional partners, FNIGC conducts unique data-gathering initiatives that enables its partners to support First Nations governments to build culturally relevant portraits of their communities. As such, FNIGC

supports First Nations communities by contributing directly to building data and statistical capacities at the national, regional, and community levels, including the provision of credible and relevant information on First Nations. In addition to conducting a number of surveys, FNIGC is responsible for a wide-range of other work. It oversees data collection on First Nations reserves and in Northern communities, research, knowledge dissemination, training, and the promotion and advancement of the First Nations principles of OCAP®. Through the implementation of its survey processes FNIGC and its regional partners follow established protocols, policies, and procedures that are guided by a holistic cultural framework.

FNIGC's vision, ratified in 2018, moved the organization more decisively into the data sovereignty space.

FNIGC Board of Directors has stated that: *FNIGC envisions that every First Nation will achieve data sovereignty in alignment with its distinct worldview.* FNIGC believes that sovereignty can be wielded by rights holders only (First Nations' governments), and while FNIGC and its regional partners take their direction from duly elected Chiefs-in-Assembly, FNIGC is not a rights-holding entity. Rather, as a First Nations controlled institution, FNIGC is a tool that rights holders can use at their discretion to assert sovereignty over their data and information.

Further, FNIGC Board of Directors has given FNIGC this mission: *With First Nations, FNIGC asserts data sovereignty and supports the development of information governance and management at the community level through regional and national partnerships. We adhere to free, prior and informed consent, respect Nation-to-Nation relationships, and recognize the distinct customs of Nations.*[1] FNIGC exists to serve First Nations governments, through a network of regional organizations. FNIGC plays a unifying role in that it facilitates First Nations governments' ability to speak with a unified voice. FNIGC Board of Directors fosters collaboration among communities nationally and aids global data-related discussions on issues that are of common concern like education, child development, health and well-being, infrastructure, and employment.

"The organization's mandate expanded from being an entity whose sole responsibility was to oversee the implementation of a national longitudinal survey on First Nations health, to being Canada's best and only by First Nations, for First Nations source of data and statistical information on First Nations people living on reserve and in northern communities."

FNIGC, 2018

1   FNIGC mission statement https://fnigc.ca/about-fnigc/mission.html

FNIGC CORE NATIONAL SURVEYS

Today, one of FNIGC's core programs is the development and administration of national First Nations survey initiatives, in collaboration with its regional partners.

- The **First Nations Regional Health Survey** (RHS for short) was established in 1997 and is the only First Nations-governed national health survey in Canada. It collects and protects valuable information about First Nations' health based on Western and traditional understandings of health and well-being.

- The **First Nations Regional Early Childhood, Education and Employment Survey** (or REEES for short) collected a wide-range of information about early childhood, education and employment in more than 250 First Nations communities. It provides a comprehensive and unprecedented understanding of the opportunities and challenges facing First Nations in Canada. FNIGC released the FNREEES national report in 2016.

- The **First Nations Oral Health Survey** (OHS for short) is the first and only survey of its kind, collecting national level data about the oral health conditions of children, youth, and adults living on reserve and in Northern communities across Canada. Founded in 2008, in partnership with the Office of the Chief Dental Officer (OCDO) at Health Canada, the survey was a response to the long-standing gap that had existed for robust, quality data on First Nations oral health.

- The **First Nations Community Survey** (or CS for short) is a unique initiative designed to provide a more holistic view of First Nations communities and allow First Nations the ability to explore the relationship between community level factors and individual well-being. Unlike the RHS or REEES, which interviews thousands of people living in hundreds of First Nations communities in an effort to produces national averages, the CS is a targeted online survey that asks select community members a series of questions about real-world factors, ranging from shelter, infrastructure, and housing to education, employment, and social services.

- The **First Nations Labour and Employment and Development** (FNLED) survey is a new national survey initiative that will assess labour market information about employment, labour, jobs, and skills in First Nations communities across Canada. The FNLED represents an important extension of work done by FNIGC and its regional partners and is designed to build on the foundational work of the RHS and more specifically, the REEES.

THE FIRST NATIONS PRINCIPLES OF OCAP®

FNIGC is the steward of the First Nations principles of OCAP® (*see Appendix I*), a set of principles that guide how research with First Nations people should be conducted and how that information should be stored. OCAP® stands for *ownership, control, access, and possession*. It means that rights-holding First Nations control the data collection processes in their communities and own, protect, and control

A First Nations Data Governance Strategy

how their information is used. Access to First Nations data is important, and under OCAP® First Nations determine how and when external researchers are allowed to access and use their information. OCAP® is an important expression of First Nations jurisdiction over its information. Where FNIGC is a steward of these principles, only rights holders can define and implement *ownership, control, access, and possession* in alignment with their distinct worldviews.

FNIGC'S FIRST NATIONS DATA CENTRE

Located at FNIGC's Ottawa office, the First Nations Data Centre (FNDC) provides data-access services in keeping with OCAP® to unpublished and record-level data from FNIGC's respected survey work, including the First Nations Regional Health Survey and the First Nations Regional Early Childhood, Education and Employment Survey. It is the first and only service of its kind, offering data access to individuals pursuing academic research, policy development, program planning, and evaluation on a pay-per-use basis. The data cannot be used for commercial purposes. The goal of the FNDC is to encourage the dissemination and knowledge transfer of FNIGC's First Nations data among researchers, academics, policy makers, other stakeholders and First Nations themselves.

FNIGC'S CURRENT GOVERNANCE

In keeping with FNIGC's By-laws, FNIGC is governed by a Board of Directors comprised of 11 appointees, including one Chairperson, and one Elder Advisor. By-law No. 1 allows for up to ten Directors appointed for each of the ten regions and up to two non-voting Directors appointed by the AFN.

The ten regions are: British Columbia; Alberta; Manitoba; Saskatchewan; Ontario; Quebec; New Brunswick; Nova Scotia; Northwest Territories; and Yukon.

There are two classes of members: (1) regional organizations; and, (2) AFN. Upon approval by the Board, any regional organization may apply for and be granted membership. Members from each region can appoint one regional delegate, in accordance with regional processes, to vote on behalf of the region at meetings of members. Each regional delegate is able to exercise one vote at meetings of members.

Directors are appointed for a 3-year term and are responsible for reporting back to communities on decisions and directions being taken. Accountability to rights holders is further achieved through reporting mechanisms to the Chiefs-in-Assembly (*see Appendix II for FNIGC's current Board Members*).

FNIGC'S REGIONAL PARTNERS' GOVERNANCES AND STRUCTURES

FNIGC's regional partners perform a variety of functions at their respective regional levels. Regional partners are "closer" to the ground and to First Nations communities and have well-established networks with communities and the Nations they represent. Regions coordinate data collection, recruit and train regional staff, and support community staffing processes. They ensure data quality and privacy protections and are solely responsible for data analysis and knowledge translation initiatives in their regions. FNIGC research plan (2016-19) describes the role of FNIGC regional partners

and communities as it relates to ownership, and control of data and the research process itself as vesting *"with First Nation regional partners and communities, whilst FNIGC provides stewardship and access to the national dataset on their behalf."*

While each regional partner's respective governance and structure varies significantly in form, function, and capacity, their linkages to community are consistent and solid. For example, the AFNIGC was established in 2010. Since its inception, through collaboration and partnerships, FNIGC has successfully leveraged these networks in order to conduct its series of national surveys, each requiring access to over 250 communities and tens of thousands of community members to complete survey questionnaires. The power of these regional partnerships has been instrumental in ensuring the well-recognized success of FNIGC and its partners, in designing and implementing national surveys year after year, for a quarter of a century (*see Appendix III for regional partners*).

FNIGC'S CURRENT FUNDING FRAMEWORK

FNIGC receives its funding through agreements with federal departments and agencies and administers funding to its regional partners via contribution agreements. Until last year, FNIGC and its regional partners have been funded for their survey work on a time-limited basis of five-year survey cycles. This has been a major barrier, preventing FNIGC and its partners from building sustainable capacities. In 2019, FNIGC entered a ten-year common funding agreement with ISC and in Budget 2019 the federal government provided permanent and on-going funding for FNIGC's national surveys, reducing

uncertainties and opening the door to the establishment of more predictable survey capacities.

FNIGC'S RELATIONSHIP WITH STATISTICS CANADA'S ABORIGINAL PEOPLES' SURVEY

The Aboriginal Peoples Survey (APS) is a national survey conducted by Statistics Canada on the social and economic conditions of First Nations people living off reserve, Métis, and Inuit. The objectives of the APS are to identify needs and to inform policy and programs targeting this sector of the population. Since the creation of the APS, FNIGC and Statistics Canada have worked closely, collaborating on designing national surveys with common themes that would better enable comparisons between First Nations peoples living on and off-reserve as well as comparisons with non-Indigenous Canadians.

FNIGC'S PERFORMANCE

FNIGC's capacity to coordinate and engage First Nations governments in data collection activities through their coast-to-coast-to-coast network has been demonstrated through successful planning, design, and delivery of national surveys for over 24 years.

FNIGC'S CAPACITY TO COORDINATE AND ENGAGE FIRST NATIONS FROM COAST-TO-COAST-TO-COAST IN DESIGNING AND IMPLEMENTING NATIONAL SURVEYS HAS BEEN DEMONSTRATED FOR OVER 24 YEARS, WITH PARTICIPATION RATES EXCEEDING 80%.

FNIGC's significant contribution to closing major data gaps in key domains such as health, education, social, housing, and employment is now well-recognized. Participation rates in FNIGC-administered national surveys have regularly exceeded 80%. Surveys and subsequent publication of results have been recognized as being of high-quality and timely. More importantly, as an independent institution with expertise in delivering of surveys on reserve and in northern communities, deploying local data collection teams, FNIGC has earned the trust of First Nations governments, as well as federal partners.

FNIGC HAS BEEN LEADING IMPORTANT WORK TO HELP CLOSE DATA GAPS IN KEY DOMAINS SUCH AS HEALTH, HOUSING, SOCIAL, EDUCATION, AND LABOUR FORCE.

First Nations governments, their regional and national partners, and other stakeholders see a future where the gaps in health and socio-economic outcomes between First Nations and the rest of Canada are closed. One of the first steps in improving the socio-economic conditions of First Nations, however, is closing the gaps in data and information. What is not measured cannot be managed.

"If we want to matter we have to count. But it's how we count that matters."

Bonnie Healy
Health Director, Blackfoot Confederacy
FNIGC Chairperson

It is essential for First Nation governments to be in a position of authority, and have control over their data and all research that pertains to their people as a distinct Indigenous society. First Nations governments can begin to use data to tell their own stories in their own ways. The proposed FNDGS will take First Nations governments one step closer to where we need to be.

After 24 years of existence, FNIGC is now Canada's most trusted source for information about First Nations people living on reserve and in northern communities. FNIGC-administered surveys provide credible, culturally-relevant portraits of the lives of First Nations people and the communities they live in. Through this survey work FNIGC has developed specialized expertise in data collection, analysis, and management, as well as solid relationships with regional partners and others. The next phase of development will require FNIGC and its regional partners to build new skills and secure the core resources needed to support an infrastructure of fully functioning regional data centres.

The FNIGC has also enjoyed long-standing, mutually beneficial relationships with a range of federal departments — several have used our national statistics to inform such integral documents as departmental performance reports, reports on plans and priorities, and federal evaluations specific to First Nations. These relationships will expand progressively as data assets are integrated and management is placed under the control of rights holders.

FNIGC has established longstanding mutually-beneficial relationships with First Nation governments, federal departments and a powerful network of regional First Nations partners.

FNIGC has become Canada's premier source of information about First Nations people living on reserve.

FNIGC's pioneering survey work has been reviewed by Harvard University (in 2006) and Johns Hopkins University (in 2012), which concluded that its methodology was "outstanding," "excellent" and "first-rate."

Through ground-breaking national surveys, FNIGC has produced important innovations in data sharing, research ethics, computer-assisted interviewing, sampling, filed methods, training, and culturally-appropriate questionnaire content.

In their evaluations of the Regional Health Survey and processes, both the Harvard Project on American Indian Economic Development and the Johns Hopkins University Bloomberg School of Public Health recognized the Regional Health Survey, an Indigenous led instrument to assess the health of Indigenous populations, as "a uniquely successful model worldwide."[2] It was determined that with increased, more sustainable funding arrangements, FNIGC could develop its infrastructure and expand the reach of its surveys (closing the gaps in data), which is a key driver of the data governance strategy.

Finally, through the Regional Health Survey, the Early Childhood, Education and Employment Survey, the Regional Labour and Employment Development Survey, and future social surveys funded under the Surveys on Indigenous Peoples (SOIP) program, FNIGC and its regional partners have and will continue to produce important innovations in data sharing, research ethics, computer-assisted interviewing, sampling, field methods, training, and culturally-appropriate questionnaire content (*see Appendix V*).

3.2 ENGAGEMENT APPROACH

The concept of a First Nations data governance strategy has been discussed at FNIGC's Board of Directors table for many years. These discussions predate the first resolution brought

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2   Kristin Mmari, Nan Astone, Robert Blum, Deana Around Him, "Review of RHS 2 (2008–2010), Bloomberg School of Public Health, Johns Hopkins University, 4; Harvard Project on American Indian Economic Development, "Review of the First Nations Regional Longitudinal Health Survey (RHS) 2002/2003," April 2006, iv.

forward by the Chiefs-in-Assembly in 2016, which set the priorities for this important initiative. Discussions occurred around FNIGC's Board of Directors table and at national and regional gatherings and FNIGC advanced the concept through presentations, and discussions, and academic publications building the case to partners and other experts in the field of data management, as well as to policy makers nationally and internationally. The response was overwhelmingly positive, and momentum has started to swell.

Since Budget 2018, the conversations have ramped up and expanded significantly. Following months of initial engagement activities and planning, FNIGC and AFNIGC jointly hosted a national summit on data governance in early 2019. FNIGC regional partners developed engagement plans to receive input from their respective leadership while FNIGC staff facilitated an ongoing dialogue with the Board of Directors. Each region has taken steps to engage First Nations leadership and rights holders, working to confirm regional data sovereignty visions and establishing mechanisms or structures to govern data and information. Some regions are progressing more quickly than others but, like FNIGC, each understands that this is a process that will take time, support, collaboration, and an appropriate level of financial and human capacity and infrastructure. The next section of this report provides an overview of the 2019 summit and its main outcomes.

FIRST NATIONS DATA GOVERNANCE STRATEGY SUMMIT

FNIGC and AFNIGC co-hosted a two-day First Nations Data Governance Strategy Summit in Calgary, Alberta, on February 26-27, 2019. The event marked the first national engagement with First Nations and brought delegates together from all ten regions to discuss the development of a data governance strategy and establishing RIGCs.

Over 80 delegates participated in the summit including First Nations leadership and decision makers, health and social policy and program experts, First Nations researchers and academics, and others. Delegates all recognized that a national strategy would be the clearest expression of First Nations vision for the future — that strategies are the best way to ensure that short term decisions are made in the context of a longer-term strategic thinking. This strategy is the next logical step in a steady progression FNIGC and its partners have been working towards achieving sovereignty over First Nations data and information. The summit report can be made available upon request.

The following is one of several graphics generated from the 2019 summit that captures what delegates discussed. It portrays that everything "is driven by who we are and the land we are from." We have been living in "information poverty." And, in our "strive for clean data" we are reminded "how far away we are from the lives that Creator intended us to live."

A First Nations Data Governance Strategy

FNDGS Flowchart

This flowchart was provided to help guide discussion at the summit. It illustrates, in sequence, elements delegates were encouraged to consider as part of the FNDGS development process. It was not intended to be exhaustive but rather a starting point to help guide thinking.

The hosts designed the summit so that delegates had multiple avenues to provide input into the process, including through facilitated group and plenary discussions, and in more anonymized ways (for example, people were invited to write or draw their comments on illustrations that were posted around the meeting spaces). All of this input has been captured and reflected in the content of this report.

Process is key. That is, how to go about crafting this strategy is as important as the *Strategy* itself. Maximizing opportunities for input is a principle that will be upheld and sustained throughout. The *Strategy* should reflect the goals and aspirations of First Nations people and governments, as we move forward collectively.

While the overall objective of the summit was to provide an opportunity for delegates to plot a path toward the vision of First Nations achieving data sovereignty in alignment with their distinct worldviews, it was also intended to advance several fundamental points of agreement for a national strategy. Delegates recognized that a strategy is the clearest expression of First Nations vision for the future. It will ensure that short term decisions are made in the context of a longer-term strategic thinking. With that spirit in mind,

delegates generously shared their ideas and perspectives on ways to come together at regional and national levels and how a New Fiscal Relationship with the federal government might facilitate the process.
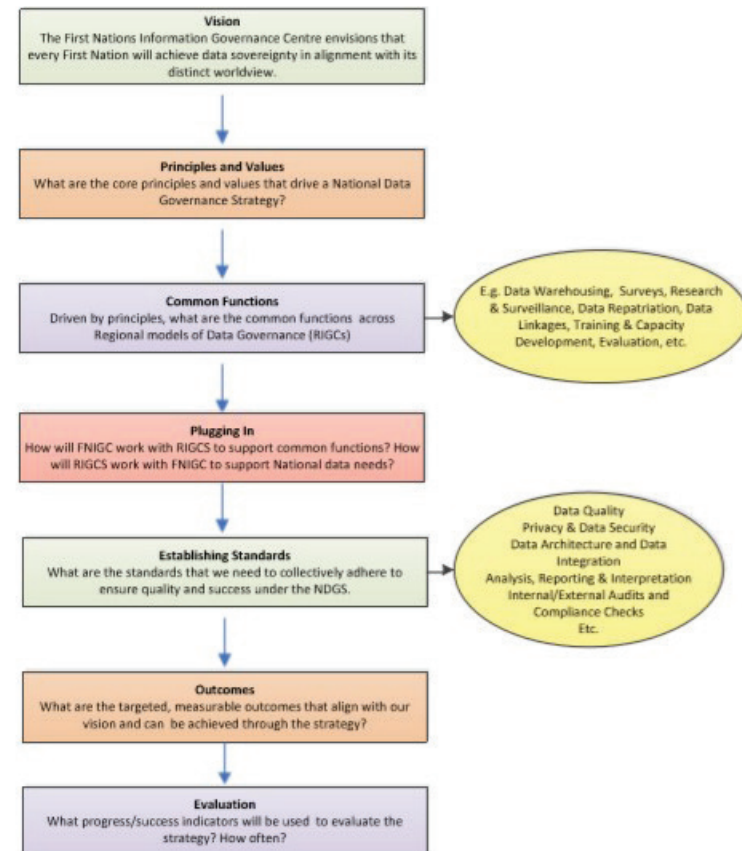
THE ENGAGEMENT'S KEY OUTCOMES

Region-specific engagements have also taken place. Discussion Papers and principles for guiding national data-related activities have been shared with the team drafting this report. Engagement has been successful with contributions from all regions converging towards the emergence of this *Strategy*. In particular, a series of key guiding principles (*see Part 4*) were adopted to guide the *Strategy* moving forward. These principles, complemented by insights and aspirations, along with concrete operational requirements, including for governance, have made it possible to sketch the foundation of this ambitious strategy.

In addition to these principles, the engagement process has enabled the development of a common vision and set of priority goals which frame the FNDGS, building on a foundation of key investment pillars (*see Part 4, 5.)*

Additional collective work will need to happen to refine, clarify, and validate further some elements and pathways through which the *Strategy* will be implemented.

As the vision statement for the *Strategy* Framework states, we are working to advance "data sovereignty that is in alignment with First Nations' distinct worldviews." The Blackfoot model illustrates just that.

"The Blackfoot model of wellness promotes a holistic approach to well-being whereby physical, spiritual, mental, and emotional health are interrelated and equally important. Blackfoot philosophy, for example, acknowledges that people, the environment, and events are all inextricably interconnected and that the forces that shape our well-being are always in flux. This deeply held cultural belief in the interconnectedness of lives and the ever-present fluidity of circumstances is a strength that Blackfoot people are able to draw on to cope with challenging events.

A shared understanding of interconnectedness means that our communities are guided by principles of collective well-being and mutual support to ensure the health of our community members as well as those across the country and internationally. Moreover, the Blackfoot recognition of the shifting nature of lives and events ("constant flux") prepares our communities well to anticipate the need for a flexible response to a rapidly changing world and environment.

Lastly, Blackfoot communities and people have historically experienced socioeconomic disadvantages, social injustices, and health inequities that have greatly impacted our well-being, yet our communities have continued to flourish and retain our unique cultural identity in the face of these challenges. We have been able to do this by drawing on the intrinsic strengths and resilience embedded in our cultural values and modeled by our Elders. This strength is characterized by both the inner resilience that individuals are encouraged to cultivate to cope with personal challenges as well as collective practices of generosity, support and empathy for those most vulnerable in our communities. This collective strength and cultural resiliency will continue to guide our people thru the generations."

Dr. Leroy Little Bear, JD, DAS (hon), LLD (hon)

4.0 THE FIRST NATIONS DATA GOVERNANCE STRATEGY ROADMAP

4.1 THE BIG PICTURE, THE SCOPE, AND THE STRATEGIC FRAMEWORK

Based on the engagement process described in the previous section, this part of the report presents a comprehensive strategic framework for First Nations data governance.

CIRCLING BACK TO THE BIG PICTURE

The FNDGS is consistent with the Report to the Clerk of the Privy Council on a *Data Strategy Roadmap of the Federal Public Service* (2018), recommendation 8. It is anchored in the data sovereignty vision as an inherent right and as a transformational requisite to advancing self-determination, to rectifying socio-economic inequalities, and to removing barriers that currently exist with taking control over the design and delivery of services. To action these transformations, First Nations must harness their information and leverage meaningful and reliable data. Data is the fuel to effective governance. Without data, governance is blind.

A Data Strategy Roadmap of the Federal Public Service

Recommendation 8: Supporting Indigenous Data Strategies

"Recognizing that Indigenous Peoples have an inherent right to self-determination, co-develop with Indigenous partners distinctions-based strategies to advance Indigenous data governance and institutional capacity. The Government of Canada should also work with Indigenous partners, who are custodians of their data, to co-develop indicators and data collection strategies."

Around the world, the digital revolution is profoundly transforming the data landscape, driving innovation, creating economic and social opportunities, as well as new challenges, particularly with respect to privacy and confidentiality. Governments, businesses, and citizens are experiencing a rapidly growing expansion of data and analytic solutions.

> "Information is power, and it is important to use it for the benefit of the population. We must be proud of our identity, proud of who we are as nations and ensure we transmit our knowledge."
>
> Marcel Godbout
> Wendake

To secure equal opportunities to participate, contribute and benefit from the global data revolution, First Nations governments must build their own data and statistical capacities so that they too can unleash the power of their data and protect themselves against harm. This strategy is anchored on this premise. It is evergreen by nature to adapt to an ever-evolving environment.

THE SCOPE

Like the *Data Strategy Roadmap of the Federal Public Service* and associated departmental data strategies, the proposed FNDGS is a "comprehensive, First-Nations-driven approach" to data stewardship — from data generation, collection, and access to data linkages, analysis, visualization, protection, dissemination, and consumption. This includes building data access, holding and storage solutions, as well as analytic capacities. The scope encompasses survey data,

◄ ◄ ◄ ◄ ◄ ◄ ◄ ◄ ◄ **First Nations' Data** ➤ ➤ ➤ ➤ ➤ ➤ ➤ ➤

Data on Resources and Environments	Data about First Nations	Data from First Nations
such as land, resource management, referrals, wildlife, history, geological information, titles, water information...	such as demographic or social data, including but not limited to health, education, employment, housing, infrastructure, use of services, and locally generated data...	such as language, traditional cultural data, songs, stories, images, archives, literature, ancestral knowledge, community stories...

The First Nations Information Governance Centre

administrative data, and data from other sources that can be used for statistical and analytical integration or linkages to create enriched information, insights, or evidence in support of knowledge-based decision-making for planning, programing, and resourcing, or more broadly to advance self-determination, self-governed service delivery, and a New Fiscal Relationship.

First Nations data refers to all data about First Nations people and, or data that impacts First Nations peoples' lives at the collective and, or individual level — it is First Nations' intellectual property including historic and contemporary data and it is administrative and survey data, including data generated through research activities.

> "Information is indeed power. Information assets consist of cultural and traditional information, administrative information, personal information, and information regarding the territory, resources, and environment. They include elements such as our history, legends, archives, knowledge, and memories. This information should be organized for the purposes of preservation and protection."
>
> Derek Montour
> Kahnawake

THE FRAMEWORK

The proposed framework as seen on the next page is articulated around high-level outcomes, it includes eight guiding principles and nine pillars (or strategic data capabilities). Note that two pillars (*see pillars 1 and 2*) — Data Governance, and Digital Infrastructure and Human Resources — are horizontal enablers and cut across the remaining seven vertical pillars and, together, all nine pillars uphold First Nations data sovereignty.

Seven pillars are foundational, to ensure First Nations focus on building core data stewardship capabilities. The following graphic provides an image of the framework, at a glance.

First Nations Data Governance Strategic Framework

Our Principles

GUIDING PRINCIPLES

- Community-driven and Nation-based
- OCAP®
- Relationships
- Transparency and Accountability
- Quality Community-driven Standards and Indicators
- Nation (Re)Building
- Equity and Capacity
- Effective Technology and Policy

Our Vision: A First Nations-led, national network of modern information and statistical service centres at national and regional levels, to serve the data capacity needs of communities and Nations and to advance the realization of data sovereignty that is in alignment with First Nations' distinct worldviews.

Desired Outcomes for First Nations and Canada

As stewards of their data:

- Rights holders are empowered by evidence-based decision-making
- Nation-driven data gaps are closed more rapidly
- Services to First Nations are improved at a faster pace
- Transfer of government services back into the hands of rights holders is enabled
- Progress toward self-determination and self-governance is fast-tracked
- Progress for a New Fiscal Relationship is further enabled, through the power of data (incl. fiscal capacities)
- First Nations wellness and quality of life improvements are accelerated
- Relevant UNDRIP, RCAP, TRC Calls to Action, and MMIWG Calls for Justice commitments are fulfilled

Pillars

① First Nations Data Governance

② First Nations Digital Infrastructure and Human Resources

③ Rights Holders Relationship Management

④ First Nations Data Access and Repatriation

⑤ First Nations Data Collection, Discovery, and Gap Bridging

⑥ First Nations Data Standards and Intergovernmental Interoperability

⑦ First Nations Data Management

⑧ First Nations Data Trust, Ethics, and OCAP® Implementation

⑨ Data Relationship Management with Other Levels of Governments and Partners

The First Nations Information Governance Centre

4.2 THE VISION FOR THE ROADMAP: A NATIONAL NETWORK OF FIRST NATIONS REGIONAL DATA CENTRES

COMMUNITY AND NATION REBUILDING

Establishing First Nations-led data stewardship capacities across Canada, covering 630+ communities and many distinct Nations from coast-to-coast-to-coast cannot be accomplished with a centralized or top-down approach. This is why Indigenous data sovereignty has long been recognized as a cornerstone to Nation rebuilding. It is a bottom-up approach and is at the service of communities and Nations. The only roadmap possible is, therefore, one that is capable of serving community-level and Nation data capacity rebuilding needs by leveraging collaboration and partnerships at the regional and national levels.

THE COMMISSION [RCAP] CONSIDERS THE RIGHT OF SELF-DETERMINATION TO BE VESTED IN ABORIGINAL NATIONS RATHER THAN SMALL LOCAL COMMUNITIES. BY ABORIGINAL NATION, WE MEAN A SIZEABLE BODY OF ABORIGINAL PEOPLE WITH A SHARED SENSE OF NATIONAL IDENTITY THAT CONSTITUTES THE PREDOMINANT POPULATION IN A CERTAIN TERRITORY OR GROUP OF TERRITORIES. THERE ARE 60 TO 80 HISTORICALLY BASED NATIONS IN CANADA AT PRESENT, COMPRISING A THOUSAND OR SO LOCAL ABORIGINAL COMMUNITIES.[3]

A NETWORK OF REGIONAL CENTRES AS KEY ENABLING TOOLS (SHARED DATA AND STATISTICAL SERVICE PROVIDERS)

Given that a majority of communities have less than 500 members, combining data capacities to better meet local needs through regional and national centres is instrumental to success. This is echoed in the Chiefs-in-Assembly resolution 57/2016 which directs the federal government to fund:

- the engagement of data governance between First Nations leadership and each region;

- the establishment of a First Nation data governance champion in each region, identified by First Nations themselves;

- the development of fully functional First Nations information governance centres; and

- the coordination of First Nations regions, data governance champions and national partners to establish a national First Nations data governance strategy.

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3   *Royal Commission on Aboriginal Peoples*, Volume 2, Part 3, Governance, page 158

SEMI-AUTONOMOUS AND INTEGRATED REGIONAL INFORMATION GOVERNANCE CENTRES (DATA HUBS)

The vision is unequivocal. To be viable and successful over the long term, the *Strategy* must be based on community-driven and Nation-based networks of semi-autonomous regional centres, while being coordinated and integrated at the national level in order to meet common needs such as standardization and interoperability in support of data sharing and analysis across regions as well as the development of comparable measures, including with provincial, territorial, and federal governments. The goal is to see a flexible network emerge that best serves the data capacity needs of communities and Nations who come together to do work that is best done collectively and collaboratively at the national level.

Through this vision, rights holders, via their governance structures, will communicate how they choose to come together collectively (as a Nation, tribal council, or other collective or aggregate) to meet their priority data-capacity needs. The governance over any such collective initiative at the regional level will require appropriate representation from communities and, or Nations within their respective jurisdiction. A national "institution" would take its direction from the leadership of those jurisdictions via the governance of the national institution, which has appropriate representation from each respective region.

A LOGICAL NEXT STEP FOR FNIGC AND ITS REGIONAL PARTNERS

As illustrated in the following diagram, the vision is also the next logical step in FNIGC's forward momentum which builds on the expertise, skills, capacity, and reputation the partners have built. The goal is to reach the next level of maturity for FNIGC and its regional partners by providing comprehensive data and statistical services to rights holders, helping communities and Nations build the data governance capacities they need (but cannot be built internally) to advance their self-determination objectives, including with respect to data sovereignty, in support of a better future for all First Peoples.

- Overseeing and governing the RHS and other national surveys to address signficant data gaps
- Promoting and protecting OCAP® principles
- Exercising First Nations jurisdiction over information

From Ground-breaking National Surveys Programs

Through a network of data and statistical service centres (centralized hubs) serving communities and Nations

- Providing access to First Nations data
- Leveraging First Nations data as an asset
- Meeting the data and statistical needs of communities and Nations
- Building data governance capacities at the local, regional, and national levels
- Empowering First Nations to grow their economy and fiscal capacities
- Enabling self-determination, self-governance, and data sovereignty

- Rights holders are empowered by evidence-based decision making
- Nation-driven data needs are met more rapidly
- Services to First Nations are improved at a faster pace
- Transfer of federal government services back into the hands of rights holders is enabled
- Progress towards self-determination and self-governance is fast-tracked
- Measuring the wellness and quality of life of First Nations is improved
- The New Fiscal Relationship is enabled, empowered by the power of data (including fiscal capacities)
- Relevant UNDRIP, TRC *Calls to Action*, and MMIWG Calls for Justice commitments are fulfilled

To achieving data sovereignty

4.3 THE OVERARCHING GUIDING PRINCIPLES

"It's been a long journey but now the work truly begins and we must continue to build upon these guiding principles so that our children may have the opportunity and empowerment to participate and advance their hard-fought sovereignty."

Chief Stanley Grier

Community-driven and Nation-based

The FNDGS is **community-driven and Nation-based** and adheres to free, prior and informed consent, respects nation-to-nation relationships, and recognizes the distinct customs of Nations.

The FNDGS and the structures that support it — now and in the future — will affirm First Nations' positions as **rights holders** and principle decision makers.

The FNDGS will be supported by a formalized network of **RIGCs** as central to good governance, emerging as directed by First Nations (rights holders).

The FNDGS will identify a role for an entity at the **national level**. This entity remains a tool that is wielded by rights holders through the governance of the national entity.

- A national "institution" would take its direction from regional leadership via the governance of the national institution, which has appropriate representation from each respective region.

OCAP®

OCAP® is the intellectual property of all First Nations collectively, held in trust by FNIGC, recognizing each Nations' data sovereignty assertion rights.

The OCAP® principles are developed and applied through mechanisms that are anchored in First Nation governance and decision-making processes.

First Nations are the rightful **owners** of their data regardless of where the data is housed/held.

First Nations **control** what data is collected in their communities, how it is collected and by whom, where it is held, and how it will be disposed of.

First Nations must have **access** to their data and information resources no matter where they are located (physically or jurisdictionally) and determine who else can access it and under what circumstances — now and in the future.

First Nations must be able to bring any data or information resources collected by them or about them into their jurisdiction, whether by **possession** within their territory or by exercising their jurisdiction through other means.

Relationships

Reciprocal, respectful **relationships** are key to achieving data sovereignty.

The FNDGS recognizes the need to measure the **performance of provincial, territorial, and federal governments** in meeting their commitments to First Nations.

The FNDGS recognizes First Nations' inherent and sacred role as stewards of the lands, water, and environment. Data generated on the determinants of health including the environment will reflect First Nations' unique understanding of their roles, responsibilities, and relationships.

Transparency and Accountability

Data and associated governance processes are transparent, well-documented, and easy to understand.

The FNDGS will ensure that all research and data gathering initiatives are accountable to community via the appropriate mechanisms within the appropriate institutions.

Everyone counts: the FNDGS will support the right of First Nations to count its members and citizens, regardless of where they choose to live or raise their families.

Quality Community-driven Standards and Indicators

The FNDGS will embrace the development and implementation of **standards**, thereby enabling consistency in data management practices and **quality, interoperability, and comparability** of data.

The FNDGS will help to **transform** the way that individual health and wellness is measured at a population level.

The FNDGS will support balanced reporting based on community-driven wellness indicators grounded in First Nation language and culture.

Solid, quality data is essential to making informed decisions.

The revitalization of First Nations languages will trigger a shift away from deficit-based language toward more strengths-based, culturally grounded descriptions of health and well-being.

Nation (Re)Building

Data sovereignty is one part of a larger initiative of **Nation rebuilding** after long standing socio-economic and cultural deprivation.

Power imbalances will be corrected with a New Fiscal Relationship, placing First Nations in a better position to assert sovereignty individually and collectively.

First Nations' have **Treaty and inherent rights and rights** that are protected in the Constitution. Revitalizing traditional governance structures, values, and protocols reflect the assertion of **rights** and are part of data sovereignty.

The FNDGS embraces Traditional Knowledge systems developed by First Nations for First Nations, including the concept of **ethical space** as one way of bridging the gap between cultures and activating reconciliation.

Equity and Capacity

The concept of **equity** underpins First Nations' collective data sovereignty goals and allows for the accommodation of diversity and the individual pace at which communities are progressing.

Fully realizing a unified data governance strategy, and ultimately data sovereignty, is contingent upon sustained human, infrastructure, and financial **resources at all levels**.

The FNDGS makes a case for **sustainable, sufficient, and predictable funding** to support all aspects of data governance and information management and technology to meet needs, as defined by each region.

The FNDGS focuses on the formal and informal **education, training, and capacity building** that is required to ensure individuals can uphold these principles, participate in good First Nations data governance practices, and/or wield the technical expertise required to make these institutions successful.

Community-driven approaches to **Knowledge Translation** are advanced by the FNDGS as one way to more effectively move knowledge to action.

Effective Technology and Policy

The assertion of data sovereignty and capacity development in information management and governance at the community level occurs through regional and national partnerships.

Individual and community confidentiality are upheld by honouring privacy and data security policies and procedures throughout the data life cycle.

The FNDGS will seek to leverage IT strategies and technologies that are customizable, interoperable, and scalable.

4.4 THE FIRST NATIONS DATA GOVERNANCE STRATEGIC PILLARS

Each pillar of the *Strategy* responds to the questions posed in the pillar headings including:

- What is this about?;
- What are the key impacts?;
- Why is this important?;
- Where do we want to go?;
- How do we get there?; and
- What is next?

The information contained under each element is not exhaustive or static. It is provided as a starting point to articulate a narrative on the intent, meaning, and strategic value of each pillar. The activities that would need to be actioned to achieve the strategic objective and outcomes of each pillar are evergreen at this early stage and conditional on the validation of priorities and plans to get there. As such, the comprehensiveness, the timing, and the sequencing of those activities are subject to adjustments. In particular, consistent with the principles set in Part 4.3 above, right holders in each region will establish their priorities and the core data and statistical functions they want to establish first in their region and respective data centre. As a result, priorities and plans for each pillar may differ from one region to the next while coherence at the horizontal level will be defined collectively by all partners.

①

**First Nations
Data Governance**

Why is this important?

WHAT IS THIS ABOUT?

Data governance structures and processes are in place at the regional and national levels to ensure that:

- The direction of the *Strategy* is set by rights holders.
- The *Strategy* is implemented in an effective, cohesive, flexible manner.
- Regional centres are operational, aligned, and performing well.
- Recognition of Nations is safeguarded and protocols for partnership/collaboration are adhered to, including as outlined in OCAP®.
- Sound governance policies, directives, standards, and tools are in place and adhered to.

WHAT ARE THE KEY IMPACTS?

1. Rights holders have a sound, reliable, trusted, and sustainable First Nations-led network of regional and national centres that are serving their data and statistical needs, informing their decisions, and ensuring they achieve better results and outcomes.

2. Accountabilities are exercised, results are achieved, and expenditures are reported on in a responsible and transparent manner.

Since its inception, FNIGC and its regional partners have earned the trust of rights holders through the effective governance of their national survey program.

With a new and expanded scope of responsibilities flowing from the implementation of the *Strategy*, there will be a need for effective coordination and integration of multiple conversations and decisions, including augmented accountability and transparency mechanisms.

Trust, transparency, and accountability are essential at all time and at all levels.

Where do we want to go?
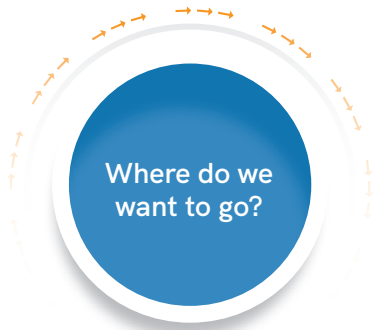
FNIGC and its regional partners are directly accountable to rights holders first and foremost, and report back to them on progress and results achieved, and on money spent against plans, through the appropriate mechanisms within the appropriate organizations and as directed.

Mutual (reciprocal) accountability exists between FNIGC, its regional partners, First Nations governments, and the Government of Canada to meet and demonstrate expected results in an open and transparent manner.

How do we get there?

Building on the strength of the survey programs' governance foundations, FNIGC and its regional partners will review and remodel as required existing governance structures and standards to ensure they are commensurate to a broadened scope of functions, roles, and responsibilities.

Governance (i.e., design, rules, standards, and mechanisms) will be community–driven and nation-based, and will be communicated or shared in a transparent manner including with respect to compliance and performance.

What is next?

To lay the foundation and build momentum, FNIGC and its regional partners will first need to have the core resources to:

- Complete a review of the existing systems of governance in place at the regional and national levels, engaging rights holders and First Nations organizations in the process.

- Remodel and renew governance structures as required at the regional and national levels, including membership codes, competencies, training, governing rules and standards, policies, codes of ethics, and other tools needed to make effective informed decisions.

- Define clear roles, responsibilities and accountabilities for data governance and stewardship within FNIGC and its regional partner organizations.

②

First Nations Digital Infrastructure and Human Resources

This pillar is horizontal as it enables all the other pillars.

Why is this important?

WHAT IS THIS ABOUT?

First Nations knowledge, competencies* and IM/IT infrastructures are in place at the national and regional levels to:

- Support rights holders' data stewardship needs from data collection and acquisition to data access, storage, sharing, linkages, discovery, and dissemination.

- Ensure data is understood, used, interpreted, managed, and protected, including both personal and collective privacy and confidentiality.

  * such as epidemiologists and data analysts with Indigenous worldviews

WHAT ARE THE KEY IMPACTS?

1. Rights holders have capacity to advance their data sovereignty objectives, and unleash the power of their data by leveraging leading-edge technologies in secured, customizable, scalable and interoperable environments at the regional and national levels.

2. High-value career development opportunities are created for First Nations in the digital economy — attracting, developing, training and retaining First Nations talents and knowledge — as well as promoting First Nations cultures and innovations.

3. Data collaboration opportunities with other levels of government, academia and researchers are fostered and made possible — restoring positive relationships and advancing mutually beneficial objectives.

The lack of human and modern IM/IT capacities is one of the biggest challenges (or gaps) faced by many communities, particularly those located in rural and remote locations who are increasingly being left behind an evolving digital world.

Many First Nations governments cannot afford to acquire the human and technological capacities to access, hold, use their data and harness its power.

Data literacy is lacking in many communities, most notably those facing crises and dependent upon their ability to compete for limited resources.

FNIGC and its regional partners conduct national surveys with very limited resources, and lack the human and IM/IT capacity to undertake additional data stewardship functions.

Where do we want to go?

FNIGC and its regional partners have the human capacities and modern IM/IT infrastructures to implement the *Strategy* and meet the capacity needs of rights holders in a cost-effective manner, including through shared IM/IT solutions as directed by rights holders (such as through data hubs).

Regional and national centres attract and develop First Nations talents through high-value job opportunities in an ever-evolving digital economy, promoting First Nations digital data innovation and knowledge.

How do we get there?

Building on foundations established through the survey programs, FNIGC and its regional partners will progressively build-up the IM/IT infrastructure and human capacities required to meet rights holders' additional data stewardship needs. These include:

- Addressing data literacy barriers.
- Developing multi-year plans based on rights holders' priorities.
- Assessing digital solutions (e.g. cloud-computing) and procurement options (e.g. borrow-buy, share).
- Balancing coherence and flexibility (interoperability).
- Developing business cases for funding approvals.
- Implementing approved plans.

What is next?

To lay the foundation and build momentum, FNIGC and its regional partners will first need to have the core resources to:

- Assess and articulate current human and IM/IT capacity levels (and gaps) at regional and national levels.
- Define future maturity levels regionally and nationally, based on rights holders' priorities.
- Develop business, data and IM/IT architectures at the regional and national level.
- Recommend affordable, customizable, scalable, and interoperable solutions to meet current needs while setting the stage for the future.

❸

Rights Holders Relationship Management

WHAT IS THIS ABOUT?

Capacities are in place at the regional and national levels to work with rights holders to:

- Identify, prioritize, and manage, on a periodic basis, rights holders' short, medium and longer–term priorities, including for data access, data holdings, management, discovery, gap bridging, and the creation of evidence and new research.
- Define and deliver the data services rights holders need in an effective and responsive manner.

This pillar drives priority setting in the other pillars.

WHAT ARE THE KEY IMPACTS?

1. Rights holders take control of their data needs and move away from data dependency to data empowerment and data decolonization (including the devolution of data functions performed by other levels of government as necessary).

2. Rights holders data priority needs are recognized and addressed through systematic engagement in an equitable, meaningful, and transparent manner.

3. Rights holders are empowered with the information and evidence they need to govern effectively and can build the data capacities they require.

4. Rights holders have seamless access to service points for their data inquiries or needs, wherever they are located.

◄ ◄ ◄ Enabling Pillars ► ► ►

❶ First Nations Data Governance

❷ First Nations Digital Infrastructure and Human Resources

Why is this important?

Most communities are not able to meet their data needs, particularly remote communities and those coping with day-to-day challenges and crises.

Limited and unpredictable funding impedes the building of sustainable internal capacities, particularly for smaller-sized communities, requiring them to rely on external expertise.

Data available from federal and provincial governments are scattered and often very difficult to access leaving many communities with unmet needs, impeding progress, and exacerbate data vacuums within existing governance systems and structures.

There is a lack of systematic engagement and follow up processes to identify and address rights holders' data needs.

Where do we want to go?

The *Strategy* is community-driven and Nation-based, affirming First Nations roles as rights holders and principle decision makers.

Rights holders and First Nations organizations have regional and national centres at their disposal with the human and financial capacity and system infrastructure required to help them plan and identify their data needs.
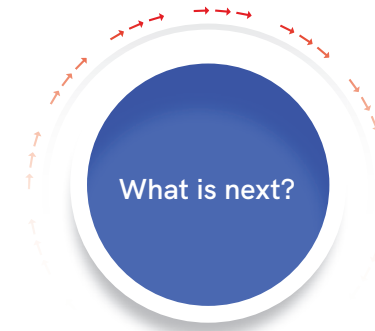
Rights holders and First Nations organizations are periodically and systematically engaged in planning and priority setting through their regional and national centres.

Rights holders and First Nations organizations have access to year-round single-window service point centres for inquiries, technical support, expert advice, and data services from wherever they are located.

How do we get there?

Building on well-established community networks developed through the survey programs, FNIGC and its regional partners will establish "client-centric" relationship management functions and capacities to:

- Engage rights holders and First Nations organizations in a structured, consistent, and periodic manner, including feedback mechanisms.
- Grow data literacy and technical knowledge and skills, helping build the capacities needed to manage.
- Develop bottom-up, multi-year data priority plans at the regional and national levels — ensuring coherence, equity, and transparency.

What is next?

To lay the foundation and build momentum, FNIGC and its regional partners will first need to acquire the core resources to:

- Establish the principles, criteria, protocols, and processes for data planning and priority setting in a transparent and equitable manner with rights holders and First Nations organizations.
- Identify and define the priority services (functions and forms) that they need from their regional and national centres with rights holders and First Nations organizations.
- Establish service access and delivery policies, processes, and standards, corresponding accountability mechanisms and access to "client-centric" centres, regardless of user locations, with rights holders and First Nations organizations.

④

First Nations Data Access and Repatriation

WHAT IS THIS ABOUT?

Capacities exist at the regional and national levels to work with rights holders, First Nations governments and organizations to:

- Inventory and access key First Nations data holdings.
- Assess the quality of the holdings and develop catalogues.
- Identify where gaps exist and prepare for filling those gaps.
- Determine access and holdings protocols and/or data repatriation agreements into First Nations' jurisdiction as chosen by rights holders*

> * where Nations have proven capacities, direct repatriation may occur; in most cases, data would be repatriated to a regional centre to steward as directed by Nations.

◄ ◄ ◄ Enabling Pillars ➤ ➤ ➤

❶ First Nations Data Governance

❷ First Nations Digital Infrastructure and Human Resources

WHAT ARE THE KEY IMPACTS?

1. Rights holders' data ownership is asserted, exercised, and protected in a manner that is consistent with OCAP® principles.

2. Rights holders have an authoritative and comprehensive view of their data holdings and can begin the discovery process and make optimal use of them.

3. The progressive devolution of government services back into the hands of rights holders is enabled given that the data needed for effective self-determination is fully accessible.

Why is this important?

To effectively leverage the power of data, rights holders must know what data is theirs and have access to it in an organized, seamless, and comprehensible fashion.

First Nations' data is currently collected in a piecemeal fashion and held in silos by different organizations, most notably by federal and provincial departments with no horizontal governance within and between them.

Legislative and cultural barriers exist at the federal and provincial levels limiting rights holders access to their data and their ability to prevent harm.

First Nations do not have access to the data they need, making it very difficult for them to govern effectively and take control over the delivery of their services.
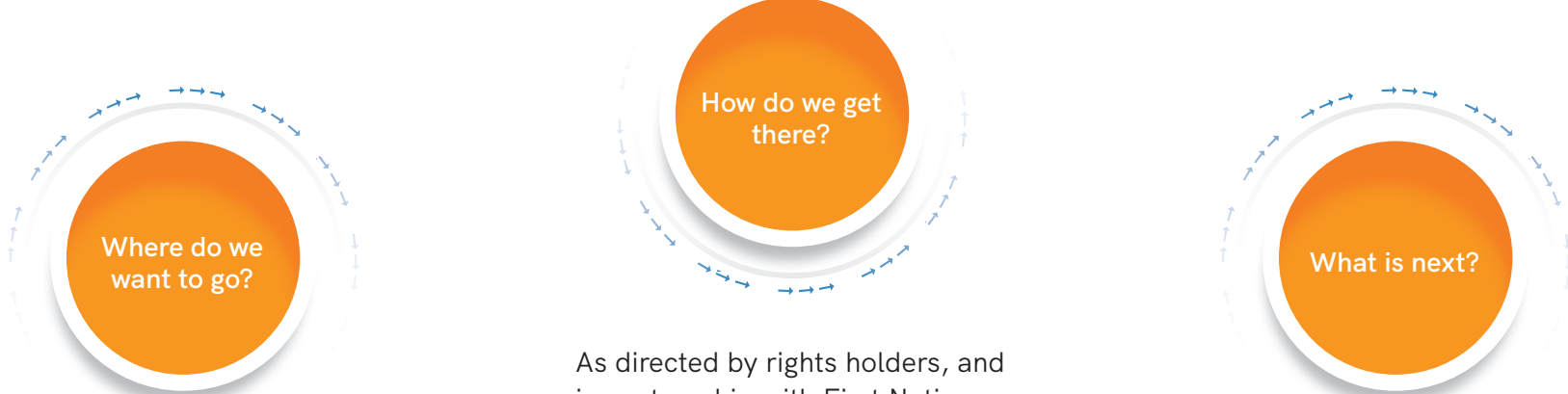
Where do we want to go?

Rights holders control, access, and possess their data, thereby exercising ownership (OCAP®) — moving away from data dependency towards data decolonization.

Work in partnership with provincial, territorial, and federal governments to ensure rights holders have comprehensive, integrated, and user-friendly access to their data holdings.

Data stewardship responsibilities are transferred, as chosen by rights holders, through physical possession or other means.

How do we get there?

As directed by rights holders, and in partnership with First Nations organizations and other governments, FNIGC and its regional partners will:

- Facilitate, coordinate, and manage the establishment of regional and national data repositories of key First Nations data holdings.

- Ensure rights holders have seamless and user-friendly access to their data through secured platforms (e.g. web-based applications). This includes ensuring that they can easily discover the data they have, access, use, and interpret it regardless of where they are located.

What is next?

To lay the foundation and build momentum, FNIGC and its regional partners will first need the core resources to:

- Work with rights holders and provincial, territorial, and federal governments to inventory First Nations' key data holdings. This includes survey data, administrative or program data, and data from alternative sources.

- Assess the content and quality of data, develop catalogues, handbooks, and metadata and reference data as needed for strategic data assets.

- Define and assess options for IM/IT requirements as well as protocols (including common templates) for on-going access, acquisition, and/or repatriation agreements as necessary.

5

### First Nations Data Collection, Discovery, and Gap Bridging

WHAT IS THIS ABOUT?

Capacities exist at the regional and national levels, leveraging the power of rights holders' data by:

- Creating new and enriched evidence–based information through census, surveys, and data linkages between multiple sources — such as administrative data and other alternative sources including qualitative data and information.
- Controlling and leading data collection initiatives within rights holders' jurisdictions and respective territories, including research that is about them or that may impact them in any way.

◄ ◄ ◄ Enabling Pillars ► ► ►

❶ First Nations Data Governance

❷ First Nations Digital Infrastructure and Human Resources

WHAT ARE THE KEY IMPACTS?

1. Rights holders have the insights, information, and evidence they need to effectively govern, make decisions, plan, budget, resource, develop fiscal policy, improve services, and measure returns on investments towards improved socio-economic, health, and other outcomes.

2. Data gaps are filled in a manner that allows rights holders to tell their own stories, reflective of their distinct worldviews, grounded in language, culture, kinships, and connections to land.

3. National goals and indicators are developed jointly with Canada to guide the closure of gaps between First Nations and non–Indigenous Canadians, and more importantly, between the life First Nations are living today and the life Creator intended them to live.

Why is this important?
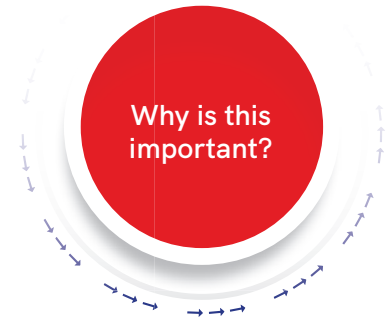
The volume of data produced in the digital economy is growing exponentially, driving innovation, shaping decisions, and creating new opportunities.

Many rights holders are disadvantaged without digital data analytic capacities that are needed to discover their data from multiple sources.

While surveys remain essential, they take time to produce results, lack granularity of data, impose a high response burden, and can incur high collection costs.

Rights holders' capacity to leverage administrative data and link data from multiple sources, including micro and survey data, has become critical to produce new information needed to fill numerous data gaps more rapidly and at a reduced cost.
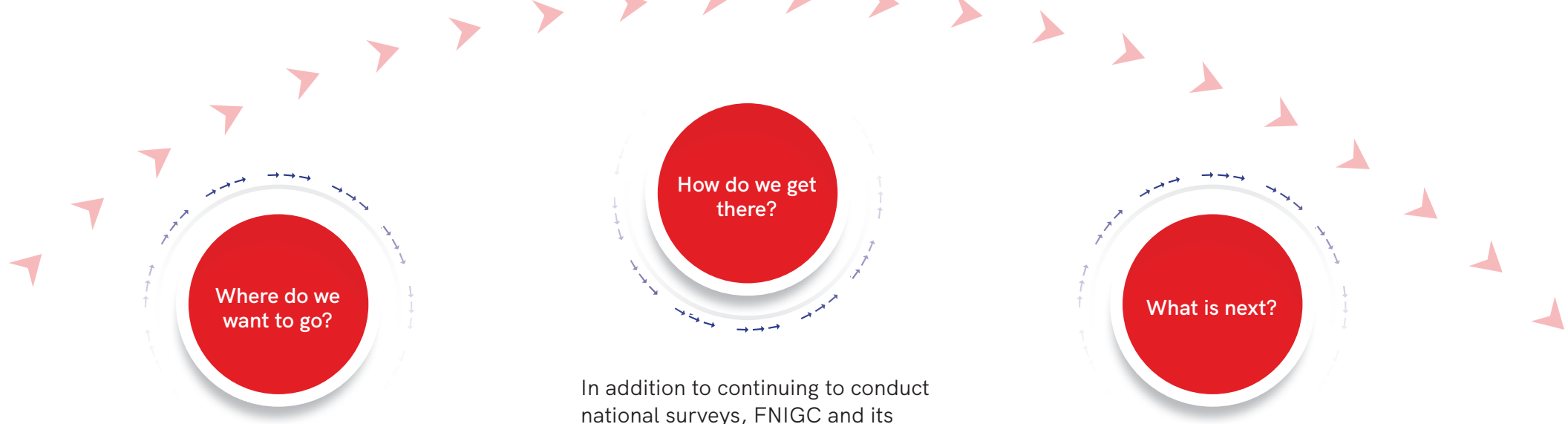
Where do we want to go?

Rights holders benefit equally from the opportunities created by modern digital technologies and innovative data strategies and methods.

Rights holders have access to the expertise and modern analytic capacities needed to mine, discover, and create new enriched information and evidence, leveraging the powerful synergies that exist between survey data, administrative data, and alternative data sources, while respecting personal and collective privacy and confidentiality.

First Nations control all research and data collection in their territories by ensuring that necessity (requirement for information) and proportionality (quality, sample size, content and risk mitigation) are well defined and that no other alternative data sources exist.

How do we get there?

In addition to continuing to conduct national surveys, FNIGC and its regional partners serve rights holders' access to cutting–edge methods, tools and services for:

- Data development, discovery, gap-bridging, and research, through data linkages between multiple sources.
- Advisory services and technical support including for the design and management of cost-effective and ethical data collection and creation strategies.
- Returning results to rights holders in easily accessible formats, including data visualization tools with ready-to-use, culturally relevant evidence and information.

What is next?

To lay the foundation and build momentum, FNIGC and its regional partners will first need the core resources to:

- Identify and assess the tools, methods, and essential analytic capacities required at the regional and national levels for effective data discovery through data linkages between multiple sources such as administrative datasets.
- With rights holders and First Nations organizations, identify key priority areas for data discovery (and gap bridging) at the regional and national levels.
- Partner with other governments on joint data discovery and gap-bridging projects, including those measuring and reporting on shared goals and indicators.

A First Nations Data Governance Strategy

6

First Nations Data Standards and Intergovernmental Interoperability

WHAT IS THIS ABOUT?

Capacities exist at the regional and national levels to:

- Work with rights holders and federal and provincial governments to develop First Nations–defined data standards (for data structures, metadata, and data quality and access) and interconnectable datasets while preserving personal and collective privacy, confidentiality, and trust.

In a rapidly-growing digital environment, this pillar is essential as it fosters data discovery and gap bridging (*see pillar 5*). It is also dependent on data access and repatriation (*see pillar 4*).

◄ ◄ ◄ Enabling Pillars ► ► ►

❶
First Nations
Data Governance

❷
First Nations
Digital
Infrastructure and
Human Resources

WHAT ARE THE KEY IMPACTS?

1. Rights holders can create new and enriched quality information and evidence through data sharing and linkages between multiple data sources, leveraging data standards.

2. First Nations affirm their identity and unique worldview through data structure and standards that reflect their languages, cultures, and relationships, including how health and wellness are measured at individual and collective levels.

3. Nation, regional, and national indicator frameworks are developed, filling data gaps and enabling greater comparability with non-Indigenous Canadians to report progress on the elimination of inequities.

Why is this important?

National and international organizations are increasingly focusing on adopting data standards to foster data interoperability between systems (i.e. the ability to combine, compare, and analyze data from multiple sources).

There are significant data standard gaps and a lack of connectivity between datasets across organizations, including government agencies.

Many data are collected and held in silos by other governments with a single purpose in mind, leading to disjointed and inconsistent definitions, poor quality, gaps in information, misinterpretation, and little or no interoperability and comparability.

As with any government, rights holders benefit from adopting data standards, including those that are reflective of their unique worldview.

Where do we want to go?

As owners and stewards of their data, rights holders define and adopt standards, including those that reflect their unique perspective, language, culture, relationships, and worldview.

As directed by rights holders, national and regional centres define and adhere to data standards among themselves at the Nation, regional, and national levels, and actively collaborate with other governments and organizations, (Statistics Canada in particular) to build expertise and foster systems interoperability and comparability as appropriate.

How do we get there?

FNIGC and its regional partners will coordinate and support the adoption of data standards and will facilitate partnerships with other governments and international organizations by:

- Identifying and scoping out priority areas that might benefit from standardization ensuring First Nations cultures, languages, kinships, and worldviews are reflected.
- Coordinating the delivery of roadmaps describing the current and desired landscapes for standardization, including gaps and new areas where standards could be adopted.
- Collaborating with Statistics Canada on standardized reference and master data to facilitate data sharing where appropriate.

What is next?

To lay the foundation and build momentum, FNIGC and its regional partners will first need the core resources to:

- Work with rights holders and other governments to clarify opportunities for standardizing data (including data structure and quality) and establishing protocols, agreements, and governance processes to develop and adopt them at the Nation, regional, and national levels.
- Identify priority areas for standardization as directed by rights holders.

This is a multi-year undertaking linked to progress on data access and repatriation (*see pillar 4*) and data discovery and gap bridging (*see pillar 5*). It also requires sustained partnerships and participation with key expert bodies such as the Canadian Data Governance Standardization Collaborative (*see Pillar 9*).

7

First Nations Data Management

WHAT IS THIS ABOUT?

Capacities exist at the regional and national levels to:

- Ensure rights holders have the tools and capacities they need to manage their data throughout its life cycle in a reliable and secure manner.
- Respond to rights holders needs for user-friendly access to their data, in the form and format they need it, regardless of where they are located.

WHAT ARE THE KEY IMPACTS?

1. Rights holders' data is managed effectively, efficiently and in a secure and safe manner through regional and national centres as chosen and directed by them.

2. Rights holders and authorized users have access to user-centric approaches to using modern tools that make data easy to understand and use in support of their decision making and information needs.

3. Data is made available and accessible to rights holders and authorized users in a consistent manner so that everyone views, analyses, and compares the data in the same way (including with other governments).

◄ ◄ ◄ Enabling Pillars ► ► ►

❶ First Nations Data Governance

❷ First Nations Digital Infrastructure and Human Resources

Why is this important?

Many governments, agencies, and organizations cope with an onerous amount of unorganized information that can overwhelm users. The growth of available data is exponential and new formats are emerging every day at an increasingly fast pace.

This challenge is exacerbated in remote, small, and under resourced First Nations communities who need "shelf-ready" insights and evidence to support good governance, timely decision-making, and reporting.

Many organizations around the world are renewing their enterprise-wide data management visions and practices and are focusing on providing users with the tools and abilities they need to independently search and discover quality data assets in a rapid, comprehensible, user-friendly, and ready-to-use manner.
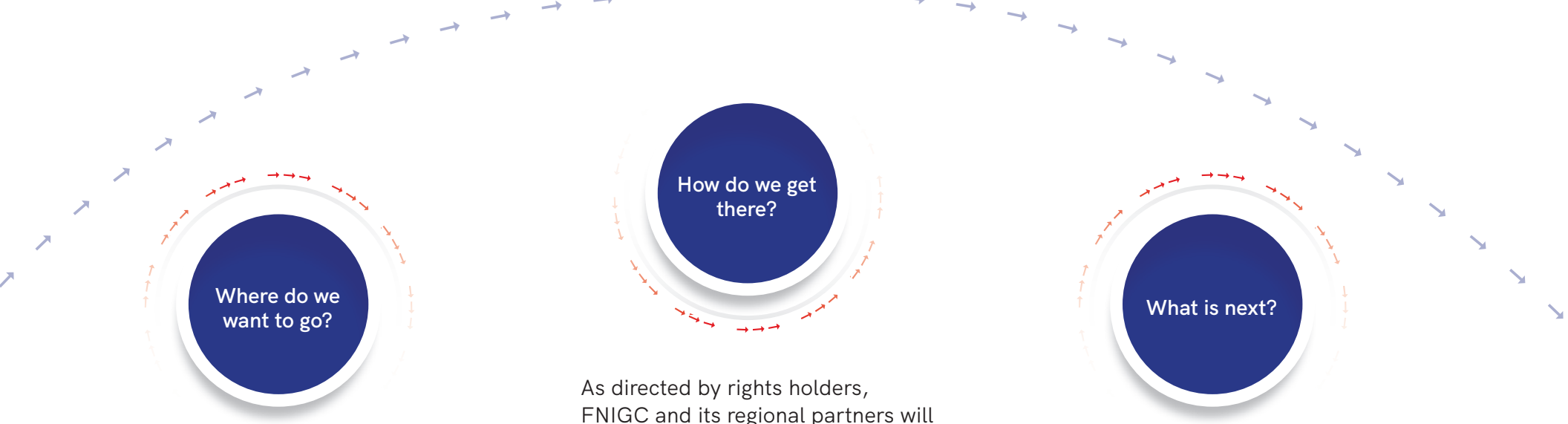
Where do we want to go?

Rights holders have access to expertise and IM/IT capacities they need to manage their data throughout its life cycle from wherever they are located.

Rights holders and authorized users have timely access to "shelf-ready" quality information and tools needed to understand and optimize data use in a meaningful, well-defined and consistent manner, from wherever they are located.

How do we get there?

As directed by rights holders, FNIGC and its regional partners will progressively provide capacities to manage their data throughout its life cycle, including services for:

- Storing, organizing, safeguarding, and providing user-centric access to "shelf-ready" data and information in a secured manner.
- Cleansing, transforming and shaping raw data for analytic purposes, optimizing data discovery.
- Assessing data quality, enriching it with metadata and making it interoperable as needed.
- Providing remote access to user-friendly platforms with modern tools and trusted, meaningful, quality data.

What is next?

To lay the foundation and build momentum, FNIGC and its regional partners will first need the core resources to:

- Work with rights holders to identify opportunities for providing data management services and to establish protocols, agreements, and governance processes required at the regional and national levels.
- Define the data management functions, frameworks, IM/IT, and tools that would be required (such as standardized references and master data lists).
- This is a multi-year undertaking that will evolve progressively based on priorities set by rights holders (*see pillar 3*), through the transfer of data assets to rights holders' control through FNIGC and its regional partners (*see Pillar 4*).

⑧

**First Nations
Data Trust, Ethics, and
OCAP® Implementation**

WHAT IS THIS ABOUT?

Capacities exist at the regional and national levels to:

- Establish and uphold the highest standards of protection for individual and collective confidentiality and privacy, including the protection of language, culture, and intellectual properties.

- Implement First Nations' ethics frameworks to guide the appropriate use of data for public policies.

- Implement policies and processes to ensure regional and national centres are trusted, independent, apolitical, and authoritative sources of quality data.

- Implement OCAP® principles with the goal to remove barriers and foster collaboration and partnerships in research.

◄ ◄ ◄ Enabling Pillars ➤ ➤ ➤

❶ First Nations Data Governance

❷ First Nations Digital Infrastructure and Human Resources

WHAT ARE THE KEY IMPACTS?

1. Rights holders, communities, and Nations (individual and collective) are confident that privacy and confidentiality are protected, including with respect to OCAP® principles.

2. The recognition of rights related to "free, prior and informed consent" is affirmed and obtained from rights holders for the collection and use of their data, thereby asserting data ownership and enabling OCAP®.

3. Rights holders are confident that their regional and national centres are trusted sources of quality First Nations data, evidence-based advice, information, and insight.

4. Trust relationships with other levels of governments, non-Indigenous researchers, and mainstream data collection agencies are established and maintained, fostering mutually beneficial data partnerships, including open data.

Why is this important?

The impacts of colonization are intergenerational and continue to affect communities, children, and families. These impacts underpin the high levels of mistrust First Nations have of government agendas.

Threats to privacy and confidentially protections continue to rise steeply in the digital economy. Information is produced at an ever-increasing rate with data that can be accessed, linked, and transmitted more easily than ever before.

There remain significant barriers to the implementation of OCAP® including legislative barriers, particularly with the *Access to Information Act* and the *Library and Archives of Canada Act*.

Non-Indigenous populations' knowledge barriers combined with First Nations' capacity limitations compromise abilities to protect against harm.

Where do we want to go?

Rights holders have access to the human resources and analytic capacities needed to re-build and maintain trust by ensuring that:

- Rights holders' privacy and confidentiality are protected and the right for "free, prior, and informed consent" is respected.
- OCAP® barriers are alleviated or eliminated.
- Rights holders and communities are protected against harm, including the preservation of language, culture, and knowledge.
- Data collected and research produced are returned to communities and benefit them.

How do we get there?

As founders and stewards of the OCAP® principles, FNIGC and its regional partners (as directed by rights holders) will coordinate, facilitate and oversee:

- The protection of data, privacy, and confidentiality, as well as respect for the rights of "free, prior, and informed consent."
- The implementation of OCAP® principles, including the alleviation of legal, knowledge, and capacity barriers.
- The development of First Nations ethics and trust frameworks, policies, and accountability mechanisms.
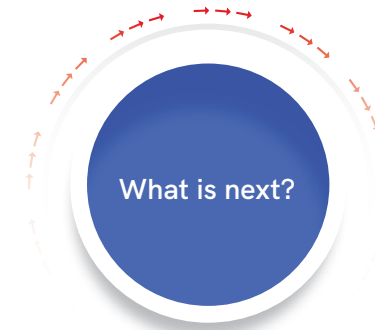
What is next?

To lay the foundation and build momentum, FNIGC and its regional partners will first need to acquire the core resources to:

- Work with rights holders and collaborate with the appropriate federal departments, including Statistics Canada and its Trust Centre, data security experts, and the Office of the Privacy Commissioner to identify opportunities and priorities for action.
- Build expertise including through training on emerging methods for privacy and confidentiality protection.
- Engage rights holders in establishing First Nations trust and ethics frameworks, policies, and processes as well as appropriate oversight and accountability mechanisms.

9

Data Relationship Management with Other Levels of Governments and Partners

WHAT IS THIS ABOUT?

Capacities exist at the regional and national levels to:

- Establish sustainable partnerships with other levels of governments, First Nations organizations, and other allies to advance implementation of the *Strategy*.
- Participate and contribute to multi-jurisdictional data governance, advisory, and expert tables or forums.
- Collaborate on shared goals and priority setting initiatives, such as with the New Fiscal Relationship, the devolution of services (as chosen by rights holders), with data sharing and linkages projects, gap bridging efforts, and determining which level of government should be reporting on which outcomes and identifying associated indicators.

◄ ◄ ◄ Enabling Pillars ► ► ►

❶ First Nations Data Governance

❷ First Nations Digital Infrastructure and Human Resources

WHAT ARE THE KEY IMPACTS?

1. First Nations' voices are heard, understood, and respected: their interests are protected at provincial, territorial, and federal government tables on matters related to data and statistics — correcting the power imbalances and affirming data sovereignty.

2. Permanent mechanisms are in place with provincial, territorial, and federal government tables that foster mutually beneficial collaboration, faster elevations, and alleviate issues with respect to First Nations data and data governance.

3. Data governance relationships between First Nations and other levels of governments are improved, advancing the achievement of shared goals including those related to reconciliation.

Why is this important?

Relationships with all levels of governments, researchers, and mainstream service providers need to improve and the power imbalances need to be corrected.

There is a lack of permanent multilateral or bilateral mechanisms to support on-going dialogue and co-development work with respect to data and governance on a Nation-to-Nation basis.

To advance our shared goals and build reciprocal trust relationships through knowledge transfers, there is a need to foster horizontal collaborations on data governance and data strategies at all levels.

FNIGC and its regional partners have very limited resources, preventing them from undertaking meaningful and sustainable collaborations with other governments and external partners.

Where do we want to go?
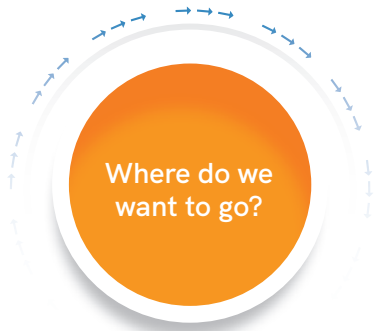
Advance the *Strategy* in a meaningful manner through effective and sustained partnerships with the federal government.

Rights holders have the space and mechanisms needed to have their voice heard at multi-jurisdictional governance, advisory, and expert tables on data and statistics (regionally, nationally, and internationally)

Rights holders' data sovereignty is recognized and they are engaged in mutually beneficial Nation-to-Nation data governance relationships with provincial, territorial, and federal governments.

Rights holders interests are represented and they lead all data initiatives about them or that could impact them and their communities.

How do we get there?

As directed by rights holders, and in partnership with First Nations organizations, FNIGC and its regional partners will establish the functions and capacity to effectively represent rights holders' interests at relevant provincial, territorial, federal and multi-jurisdictional governance, advisory and expert tables on data and statistics.

Collaboration with other levels of governments to establish governance mechanisms and working groups (as deemed appropriate) to implement the *Strategy* effectively and foster collaborations on shared priorities or joint initiatives such as data collection strategies, data sharing and linkage projects, open data, the New Fiscal Relationship, and service devolution (as chosen by rights holders).

What is next?

To lay the foundation and build momentum, FNIGC and its regional partners will first need the core resources to:

- Identify forums/tables on data and statistics where participation is warranted including those related to health determinants, the National Statistics Council, or the High-level Group for the Modernization of Official Statistics.

- Engage rights holders and First Nations organizations to determine the form and function of participation at these tables, including their role and on-going engagement.

- Establish secretariat functions to support effective and meaningful contributions at those tables, representing rights holders' voices, interests, and knowledge.

5.0 MOVING FORWARD — A PHASED IMPLEMENTATION APPROACH

The First Nations Data Strategy Framework articulated in Part 4 of this report described the key areas where First Nations data and statistical capacities and functions must be built. These functions and capacities are a necessary condition for fostering self-determination and self-governance objective achievements, including (as chosen by rights holders) enabling the transfer of service to the control of First Nations governments and, ultimately, accelerating improvements to the quality of life of all First Nations peoples.

Given the level of ambitions and complexities inherent to data governance and stewardship, moving forward with this strategy will be a multi-year undertaking, and it will be based on multiple stages of progressive development across regions based on their data priorities and level of capacities. In recognition of this, the First Nations Data Strategic Framework is generalized so that regions and communities can adopt it to different data maturity levels and priorities while securing alignment across regions on common data issues through a tiered governance structure.

To be successful, key factors will need to be maintained throughout the journey. The approach will be as important as the end goals, including well-planned but adaptable and agile phased-in approaches that are community-driven, and which will allow regions to advance their priorities at their own pace, and where each new step will be built on the success and lessons learned from the previous one.

The following sections articulate the critical factors for a successful implementation moving forward (*see 5.1*); a notional assessment of current maturity levels (*see 5.2*); the phased-in approach and at-a-glance activities (*see 5.3*); why FNIGC and its regional partners are best positioned to undertake this journey (*see 5.4*); and how progress and success will be measured (*see 5.5*).

5.1 CRITICAL FACTORS FOR SUCCESS

The key success factors identified in this section do not pretend to be exhaustive or static in nature. Some factors will be more prominent than others over the implementation journey, similarly, new success factors may emerge over time. All will need to be carefully monitored and managed through risk mitigation plans. Success factors articulated here include the following:

1. **Keeping the *Strategy* on peoples' radar**

2. **Building momentum and securing Budget 2018 investments**

3. **Phased approaches**

4. **Customized and flexible approaches**

5. **Horizonal coherence and close partnerships**

6. **Sustained nation-wide and regional leadership**

7. **Sufficient, predictable, flexible funding**

8. **Measurable results and accountability**

KEEPING THE STRATEGY ON PEOPLES' RADAR

It has been well established that FNIGC's regional partners' visions for their data centres are at different stages of development. It has also been made clear that First Nations' (rights holders) realities may impact their ability to recognize and prioritize their data sovereignty goals (i.e., many are managing day-to-day crises). This is one of the many reasons that continuing to circle back or "check-in" with community on progress, and keeping the *Strategy* on peoples' radar, as it rolls out is so important. While FNIGC is laser-focused on advancing our data governance mandate, it should be recognized that First Nations governments are often distracted by the real, sometimes life or death, on-the-ground situations. Without continued support from rights holders on the direction being taken by FNIGC and its regional partners, the *Strategy* will fail. This is based on real lessons learned.

FNIGC and its regional partners have yet to re-engage many attendees from the 2019 summit who so generously provided their best advice and guidance on what a national data governance strategy should look like. The *Strategy* will need to be vetted through existing governance structures such as FNIGC's Board of Directors and processes within each of FNIGC's regional partner organizations. It will need to be endorsed by First Nations leaders and technical experts, service providers, and, ultimately, the rights holders.

BUILDING MOMENTUM AND SECURING BUDGET 2018 INVESTMENTS

Most regional data strategies are high-level and at the very initial stages of exploration and planning. Following the $2.5M Budget 2018 investment, tremendous efforts have been made to engage regions and communities in building a vision, guiding principles and a data governance strategic framework, including regional centres (i.e., this report). Expectations are high and the work ahead is commensurable.

While Budget 2018 funding was provided over three years, FNIGC and its regional partners decided to complete the work within two years given the strategic importance of this priority, the advancement of the New Fiscal Relationship, and the progressive dissolution of the department of ISC. Presuming endorsement by Canada, securing funding through the expenditure management cycle will take a year or more. During this time, pre-implementation work at the national and regional levels will be needed to support the preparation of detailed costing and a business case for Phase 1 (which are outside of the mandate and scope of this report).

To avoid a full year of disruption, minimal bridge funding would be required to keep momentum and ensure a cost-effective transition up-to a targeted Phase 1 launch as early as 2021-2022. **As of April 1st, 2020, FNIGC and its regional partners will have no resources to support these pre-implementation activities.**

PHASED APPROACHES

Building data and statistical functions and capacities at the regional and national level to support 600+ communities is a complex undertaking — exacerbated by low capacities and data literacy, and the challenges inherent to a rapidly-evolving digital environment. To be successful, implementation will follow carefully planned phased approaches with manageable steps before moving to the next. A three-phase approach will create the space and time needed across regions for a better understanding of priorities, a clearer identification of key actions and solutions, opportunities to experiment, learn and adapt, and scale efforts appropriately.

CUSTOMIZED AND FLEXIBLE APPROACHES (NO ONE-SIZE FIT ALL)

The priorities and needs of First Nations governments, their communities, and the regions will invariably differ based on their respective environments, mandates, responsibilities, and perspectives. To address such a broad range of needs successfully, implementation will be based on customizable approaches to meet local and regional priorities — respecting the community-driven and Nation-based principle.

HORIZONTAL COHERENCE AND CLOSE PARTNERSHIPS

The success of the *Strategy* will be dependent upon ensuring that synergies and horizontal data are planned, coordinated, enabled and managed in a cohesive manner, particularly with respect to data standards, interoperability, and comparability. Regional and national governance institutions will be fully integrated through effective, transparency and accountability mechanisms. Sharing lessons learned and best practices quickly, openly, and often, will encourage partners to adapt workable approaches as needed, leveraging the knowledge and experience built by others. Engaging with expert tables will contribute to the transfer of knowledge and foster capacity building, in particular with departments implementing federal public service data strategies.

SUSTAINED NATION-WIDE AND REGIONAL LEADERSHIP

Sustained leadership at the national, regional, and local levels will be instrumental to address data literacy issues and to drive change. First Nations leadership at the individual and collective levels will play an important role articulating the vision, why it matters, and how we plan to get there, engaging

members and communities who need to understand the value and how it benefits them. Integrated approaches will require cohesive leadership for the collective best interest of First Nations, and to ensure no one is left behind — regions require dedicated human resource capacity to advance data governance interests.

SUFFICIENT, PREDICTABLE AND FLEXIBLE FUNDING
To build data and statistical functions and capacities requires appropriate funding for capital and on-going operations and maintenance costs at the regional and national levels. Since data capacities are built at different rates or speeds, achieving higher levels of maturity over time and across regions will require funding conditions and mechanisms for adjustments to be factored up-front to achieve the vision successfully over the longer term. Multi-year (predictable) and flexible funding instruments will be essential to support cost-effective planning, as well as to allocate and account for the funds based on priorities and needs. Predictability of funding will be key to attracting, developing, and retaining talents and skills.

MEASURABLE RESULTS AND ACCOUNTABILITY
In order to gain trust and build momentum, reporting on plans and accounting to members and funding partners on results-based measurable outcomes will be instrumental. Progress plans and early successes showing concrete improvements for communities and rights holders will need to be communicated regularly.

5.2 NOTIONAL ASSESSMENT OF MATURITY LEVELS
The following chart represents a visual notional maturity assessment of FNIGC and its regional partners' current capacities versus what would be needed for the future, with an expanded scope of responsibilities. It is based on Gartner's Data Maturity Model[4] (2017) a tool that was developed following a worldwide assessment of 196 businesses' level of maturity in data and analytics usage. There are five maturity levels, ranging from "basic" to "transformational" (*see Appendix IV*).

Both assessments are notional for order of magnitudes only as capacities vary significantly between regions for certain functions. The chart shows that while FNIGC and its regional partners have (at minimum) reached the maturity level "systematic" for the stewardship of the survey programs, the current capacity levels (when they exist) for the stewardship of other data sources are for the most part "basic" or "opportunistic."

4   https://www.gartner.com/en/newsroom/press-releases/2018-02-05-gartner-survey-shows-organizations-are-slow-to-advance-in-data-and-analytics

The vision of First Nations for data governance and stewardship is by contrast at the highest level of maturity with well-defined and vetted goals, which are now supported by a national data governance strategy and the establishment of regional centres moving forward. A key element of the *Strategy* is to leverage the existing capacities and regional networks that have been established for the survey programs to build the capacities needed for the stewardship of other data sources to "systematic" level, and then bring both of

them to the "transformational" level. Capacities achieved at the transformational level will then enable and accelerate self-determination and the transfer of community service delivery to First Nations. Interestingly, Gartner, Inc. showed that 91% of organizations surveyed have not yet reached a "transformational" level of maturity in data and analytics, despite this area being a number one investment priority for chief information officers in recent years.

Maturity Model

	Basic (when they exist)	Opportunistic	Systematic	Differentiating	Transformational
Vision			2		3
Survey programs — Capacities					
Governance					
Data stewardship	1				
Other data sources — Capacities					
Governance					
Data stewardship					
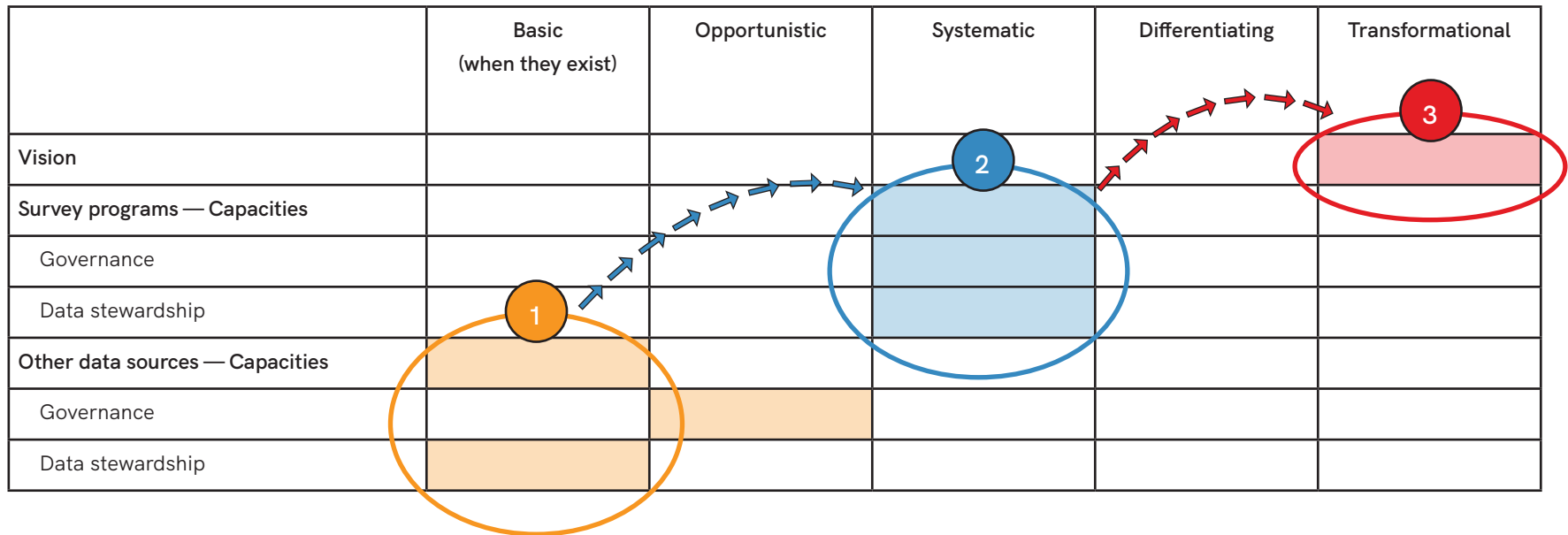
Implementation

5.3 PHASED APPROACH TO IMPLEMENTATION AND KEY STEPS, AT A GLANCE

Next are key activities and milestones that would be achieved in a three-phased approach as defined in the previous section. The lists are not comprehensive, rather, they are notional based on what could be envisioned at this early stage. Some activities could be postponed or advanced based on priorities or other circumstances, and activities may overlap over time. The periods covered by each phase are illustrative. All activities are conditional on approvals and funding.

PHASE 1
**Early and foundational
(0-3 years)**

2021-23: Foundations in motion

- Data champion teams are in place (2021)

- Roles and accountabilities for data champion team members are formerly defined, including deliverables and timelines (2021)

- Re-designed governance models are in place at the national and regional levels (2021)

- First Nations begin to participate at relevant provincial, territorial, and federal data tables (2021)

- The first planning cycle with rights holders for data priority setting is completed, including service identification and core standards. (2021-2024)

- Core functions and forms of regional centres are defined and costed (2021-2023)

- Progress is made in inventorying datasets, assessing quality, and identifying opportunities for data repatriation (2021-2024)

- Human and IM/IT capacities are assessed regions and at national level, including business, data, and IT architectures (2021-2023)

- Funding request for implementation of Phase 1 detail plans (including data centres 'needs) is completed/submitted to ISC (2023-2024)

- Rights holders benefit from early wins including on data access and discovery, gap bridging, OCAP® implementation and trust or ethic frameworks (2022-24),

- Progress on collaborative initiatives with provinces and territories and Canada is enabled — e.g. National Outcomes Based Framework (NOBF), UNSDGs, data sharing or linkage projects etc. (2021-2024)

- Initial accountability frameworks or metrics in place, including reporting on results achieved (2022-2024)

*Assuming minimum transition-funding is provided

PHASE 2

Leveraging and advancing
(3-5 years)

2023-2026: Data stewardship in motion

- Data centres are resourced and implementation of Phase 1 approved plans begins (2024-2025))

- Governance is integrated into business lines and increasingly formalized at all levels

- Stewardship on high-value data sets is taking place (inventory, access, quality, discovery, standards, interoperability, and data management)

- Policies and procedures are enforced for security, and ethics to protect privacy and user integrity

- Regional data centres (and rights holders or communities) are getting increased access and use of data to meet priority needs

- A secured intranet (including shared platforms and applications) is implemented (could be advanced under Phase 1)

- IM/IT infrastructure and skills are in place to support a more comprehensive set of services

- Rights holders benefit increasingly from tangible improvements

- Progress on collaborative initiatives with provincial, territorial, and federal partners is accelerated, including progressive transfer of data stewardship and statistical function (and other services as chosen by rights holders, enabled by data sovereignty)

- Accountability frameworks and metrics are more comprehensive and robust

PHASE 3

Mature and transformative
(≥ 6 years)

2026 and beyond: Data sovereignty in motion

- Governance is fully integrated and optimized

- Data centres are fully functional with comprehensive sets of services

- Processes and infrastructures are aligned and interoperable, and standards well-adopted

- Data stewardship is more comprehensive

- Data gaps are being closed on multiple fronts

- Right holders have access to the knowledge they need for resourcing and transformation including taking control over service delivery, advancing self-determination and improving the quality of life in communities

- Accountability frameworks and metrics are integrated and matured

5.4 WHY FNIGC AND ITS REGIONAL PARTNERS ARE BEST POSITIONED TO IMPLEMENT THE DATA GOVERNANCE STRATEGY

THE NEED FOR A FOCUSED FIRST NATIONS-LED STATISTICAL ENTITY

The need for the creation of First Nations-led statistical functions or entities has been advocated by many First Nations leaders, particularly as a key enabler for advancing the New Fiscal Relationship effectively. This need has been on the forefront for long time with multiple calls and recommendations dating back to RCAP in 1996 and as recently as recommendation 16 of the New Fiscal Relationship Joint Advisory Committee Report of May 2019. The issue has always been whether the need should be met by creating a new organization or leveraging an existing one, principally FNIGC and its regional partners. The creation of a First Nations statistics division within Statistics Canada has also been suggested but this has not been supported by First Nations leadership as a viable option for pragmatic and political reasons, primarily as it would defeat the purpose of decolonization and it is counter to First Nations' rights to self-govern and self-determine.

KEY LESSONS LEARNED FROM THE CREATION AND DISSOLUTION OF THE FIRST NATIONS STATISTICAL INSTITUTE (FNSI)

The FNSI was created in 2005 within the *First Nations Fiscal and Statistical Management Act* (FNFSMA). An Act to "provide for real property taxation powers of First Nations, [and] to create" four financial institutions: The First Nations Tax Commission (FNTC), the First Nations Financial Management

Board (FMB), the First Nations Finance Authority (FNFA), and FNSI.

FNSI's primary purpose was to support the work of its three sister institutions in First Nations economic development with, for instance, the production of statistics related to the First Nations local revenues and services, infrastructure related statistics for comparison to other governments and possibly First Nations public accounts for comparison with provincial, territorial, and federal public accounts. At time of conception, FNSI's mandate was expanded to also support the data and statistical needs of First Nations communities to ensure they could better meet their own policy and planning needs, including increasing knowledge of the importance of statistics in First Nations communities and increasing capacity to gather, analyze, and apply statistics in evidence-based decision-making processes. FNSI was eliminated in Budget 2012. In 2013, the FNFSMA was amended and renamed the *First Nations Fiscal Management Act* (FNFMA).

From the onset, support for the creation of FNSI through the *First Nations Fiscal and Statistical Management Act* (FNFSMA) was divided. Reasons for its failure were multiple and varied. The following are among the most important reasons it failed:

Self-determination, independence, and control
FNSI was established as a Crown corporation and the way its legislation was designed did not give greater right to First Nations to own, control, access, or possess their own information than those enjoyed by any other Canadian. The legislation that created FNSI did not address fundamental

issues in federal laws and governance systems. In particular, as a Crown corporation, FNSI was subject to the *Access to Information Act* and section13 of the *Statistics Act* which could impede the protection of First Nations against harms and conflict with the spirit and intent of OCAP® principles. There were no provisions in the legislation to alleviate this barrier (i.e., FNSI-generated information would belong to "everyone").

The FNSI governance structure was flawed as the Chief Statistician of Canada was a permanent member of the FNSI Board of Directors while there was no requirement for ensuring that the majority of other directors be First Nations. The lack of perceived credibility and legitimacy added to the discredit of FNSI, and the implementation challenges.

Mandate and implementation barriers
FNSI ultimately faced barriers and lacked the enabling factors necessary to create a solid foundation and execution. The institution suffered from a variety of implementation issues: Statistics Canada was not mandated to turn over First Nations data to FNSI or to work with and align to FNSI's mandate (preventing the organization from gaining the broad support of First Nations leaders); there was no pre-existing model of governance; there were delays in receiving funding, setting up a Board of Directors and hiring staff; and, there was a heavy reliance on INAC to undertake key operational functions including administrative tasks, expenditure decisions, and drafting of corporate plans. Also, FNSI came about during a challenging funding environment and was not aligned with federal government priorities. FNSI also had a very large

mandate with an unclear focus and no phased-in approach. It also had an unprepared implementation strategy while there were very high expectations and as a result, there were significant pressures — which ultimately led to low performance and further discredit. Finally, perceived overlaps with FNIGC's mandate exacerbated confusion about FNSI's purpose and legitimacy.

LEARNING AND MOVING FORWARD IN 2020-21 AND BEYOND
A national network of regional First Nations-led data and statistical entities
With over 20 years of proven performance in the design, implementation, and management of national surveys from coast-to-coast-to-coast, FNIGC and its regional partners have established an experienced and well-functioning bottom-up network of First Nations-led information governance centres. With representation from each region, the network engages and supports communities and is complemented by a robust governance structure at the national level to facilitate and ensure coordination and alignment. This decentralized and bimodal governance structure has demonstrated success in delivering results year after year. Its success is due in part to the purposeful design that is anchored in community-driven and Nation-based collaborative approaches. A national entity like FNIGC can only succeed in rebuilding if it is enabled on the ground. FNIGC and its partners, through their well-interconnected network of regional and local entities, are well-positioned to move forward with the proposed data governance strategy.

An independent, legitimate and credible First Nations-led network

Regardless of the form, function, and design, including the legal foundation, such a First Nations-led network may evolve over time, but the principles of independence and OCAP® must be adhered to in order to secure the success of a First Nations data governance strategy. Building on recognized and trusted foundations, FNIGC and its regional partners come together to bring about a level of trust, credibility, and legitimacy that is required make a strategy of this kind succeed.

Leveraging existing capacities

Building on the lessons learned from FNSI, FNIGC and its regional partners benefit from proven capacities and performance.

- *Pre-existing governance:* while the governance mechanisms in place will need to be reviewed, adapted, and augmented to enable implementation of the data governance strategy (*see pillar 1*), the existing governance capacities will foster immediate collaboration on, and coordination of, the activities to be launched at various levels (including planning, resource allocation and management, execution, oversight and accountabilities).

- *An existing mandate:* FNIGC has been mandated by the Chiefs-in-Assembly. FNIGC and its regional partners have solid proven experience in survey design as well as data collection, storage, processing, discovery, and dissemination. The addition of new statistical functions and capacities will be built on the existing infrastructure and body of knowledge, ensuring synergies are leveraged, and new functions are integrated and complementary. Core skills for the survey programs will also be foundational to the teams implementing new data and statistical functions.

- *Established relationships with First Nations and federal entities:* FNIGC and its regional partners have positive and trusted relationships with their First Nation and federal partners including ISC, CIRNAC, Statistics Canada, and central agencies (e.g. Open Government). These relationships will be instrumental to foster the partnerships and collaborative work moving forward.

- *A well-articulated vision, set of principles and data strategy framework articulated around nine pillars:* following Budget 2018 investments, the significant engagement of First Nations across the country has permitted the development of a thorough strategic framework to move forward with broad but clear purposes. This framework will be invaluable to guide the work ahead.

- *A phased implementation approach:* leveraging lessons learned from FNSI as well as from 24 years of experience in implementing national surveys, FNIGC's and its regional partners' approach will be based on manageable blocks of deliverables, securing success at each step prior to moving to the next, supplemented by the necessary oversight and accountability mechanisms at the national and regional levels.

A LOGICAL NEXT STEP FOR FNIGC AND ITS PARTNERS

The next logical step in this journey, with the expertise, skills, capacity, and reputation FNIGC and its partners have built, is to reach the next level of maturity for the provision of comprehensive data and statistical services to rights holders, helping First Nations governments build the data capacities they need to advance their self-determination objectives, including data sovereignty.

5.5 MUTUAL ACCOUNTABILITY — HOW SUCCESS WILL BE ACCOUNTED FOR

A FRAMEWORK OF SHARED RESPONSIBILITIES, MUTUAL ACCOUNTABILITY AND DIRECT ACCOUNTABILITIES

Consistent with the New Fiscal Relationship being co-developed by Canada and First Nations, the implementation of the FNDGS will be premised on shared responsibilities, mutual accountabilities, and direct accountability to citizens. In this Nation-to-Nation relationship, First Nations and Canada share responsibility for shifting data governance and stewardship authority to First Nations governments, closing data gaps, accounting for proper use of funds, and ensuring that data governance and stewardship capacities established are sustainable and commensurate with the goals to be achieved. Within those shared responsibilities, First Nations governments and Canada are mutually and reciprocally accountable to one another for delivering on their respective commitments in support of an effective and efficient implementation of the data governance strategies at the national and regional levels.

In keeping with First Nations data sovereignty, First Nations organizations that govern and steward data and statistics as directed by rights holders are directly accountable to the First Nations governments and the people that they serve — in the same way as the Government of Canada is accountable to Parliament and Canadians.

HOW SUCCESS WILL BE MANAGED, AND ACCOUNTED FOR

Multi-year detailed action plans will be developed for the progressive implementation of the data governance strategy by FNIGC and its partners at the national and regional levels. All plans will be articulated around the strategic outcomes of each pillar of the *Strategy* Framework.

Community-driven and Nation-based plans will articulate the regional priorities for the data and statistical services and capacities needed by First Nations governments, within a common set of standards to ensure coherence and consistency across plans, particularly with respect to data interoperability and comparability, as well as governance and data stewardship practices and core functions.

Plans will include priorities, deliverables, timelines, and performance indicators, along with planned spending, human resources, and capital expenditures with a rollup at the national level. Progress on implementation will be tracked and reported periodically throughout the fiscal-year using secured web-based tools such as electronic dashboards with "drill-down" capabilities for more detailed reporting. Annual reports will be developed to cover achievements and actual spending at the end of each fiscal-year. And First Nations-led

internal reviews and, or evaluations will be conducted in support of continuous improvements and adjustments to plans as required. FNIGC will continue to be accountable to First Nations governments as the *Strategy* unfolds — reporting responsibility will be shared with federal partners as determined by both parties.

5.6 PROPOSED ACCOUNTABILITY FRAMEWORK

The following draft framework summarizes the proposed mutual accountability relationships flowing from the shared responsibilities that exist between First Nations governments and Canada, along with their respective direct accountabilities to citizens for the implementation and on-going management of the *Strategy*.

Shared Responsibilities

- First Nations governments are accountable to their citizens
- First Nations data are governed and stewarded by First Nations
- First Nations data gaps are closed

- First Nations data governance and stewardship capacities are sustainable
- Proper use of public funds and results achieved are accounted for in a transparent manner

◄ ◄ ◄ ◄ ◄ ◄ ◄ ◄ ◄ ◄ Accountabilities ► ► ► ► ► ► ► ► ► ►

FNIGC & Regional Partners to First Nations Governments (Direct accountability)	FNIGC & Regional Partners to Government of Canada (Mutual accountability)	Government of Canada to First Nations Governments (Mutual accountability)	Government of Canada to Parliament & Canadians (Direct accountability)
• Rules of governance are transparent • Multi-year national and regional data strategy plans are developed, updated, and made accessible* • Progress against plans are reported and made accessible* • Annual reports on results achieved and actual spending are produced and accessible* • Evaluations and, or audits are conducted and accessible* *To rights holders	• Plans and reports are shared • Assurances for the proper use of funds are provided (as per agreed terms and conditions) • Common data issues are addressed through co-development and partnerships* *E.g. National Outcomes-based Framework, UNSDGs, collaborative initiatives on data collection, sharing, linkages and research, including joint-reporting on closure of outcomes gaps as agreed by all parties	• Sufficient, predictable, and flexible funding as determined by parties • Effective transfer of data, statistical functions and associated capacities under the governance and stewardship of First Nations as determined by parties • Upfront engagement of First Nations on data issues that impact them • Inclusion of First Nations on bilateral and, or multilateral governance	• Results are demonstrated including: » Support for Indigenous bodies (statistics) » Data gap closures » Measures taken to advance self-determination and transfer of services » Comprehensive reporting on closing outcome gaps » Other commitments such as New Fiscal Relationships and UNDRIP etc. » Proper use of public funds

6.0 RECOMMENDATIONS AND NEXT STEPS

In response to Budget 2018, FNIGC and its regional partners have designed a comprehensive data governance strategy that has been directed by First Nations nationally that is based on what was heard in engagements that occurred across the country. The approach taken to develop the *Strategy* also reflects on-going dialogues with key federal partners, including ISC and Statistics Canada, who have provided valuable insights, leaving FNIGC confident that Government of Canada priorities, policy frameworks, and data strategies can align with those of First Nations.

As mentioned in the introduction of this report, the *Strategy* is fairly comprehensive and purposefully ambitious. The goal was to reflect First Nations aspirations as accurately as possible, but also to create space around the ground-breaking opportunities and new possibilities for First Nations and for Canada. This "blank canvas" approach opens the doors to a meaningful shift away from a damaging and disjointed colonial system to a First Nations-led, innovative, modern, inclusive, and more responsible system for First Nations data governance. First Nations are anxious to embrace the challenges and opportunities of a 21st century marked by digital revolutions.

Of course, the scope and pace of the changes proposed in the *Strategy* will need to be further validated, refined, and adjusted, as the work, necessary analysis, and the continued engagement with all First Nations and partners progress at the local, regional and national levels. This strategy is meant to initiate real and meaningful changes, with the implementation of fundamental building blocks as early as fiscal 2021-22, including pre-implementation activities over the coming months in 2020-21.

SHORT-TERM PRIORITIES: LAYING THE FOUNDATION AND KEEPING THE MOMENTUM

Priority 1 — Establishing First Nations Data Champions at the Regional and National Levels
The priority for making real progress in a manner that is pragmatic, while being sufficient enough to break the inertia of the status quo, is to establish and fund (as early as 2021-22) a dedicated data governance champion team/function in each region and at the national level, equipped with the minimum capacities necessary to unwrap key elements of the *Strategy* with a focus on the most pressing and practical needs at each level for the next three fiscal years. This priority was already identified in **Resolution 57/2016**, which called the federal government to fund the establishment of a First Nation data governance champion in each region, identified by First Nations themselves, as well as the coordination of First Nations regions, data governance champions, and national partners to establish a national First Nations data governance strategy.

As articulated in Part 5.3 of this report, the role of the data champion at the regional and national levels would be to establish a solid governance structure for the *Strategy*, identify minimum implementation requirements, define and clarify the roles and responsibilities for data governance and the implementation of the *Strategy.* They would also coordinate the first planning cycle with rights holders in order to identify the early benefits and opportunities for meaningful change and early wins, set the short and medium priorities to meet the data and statistical needs over the planning period,

and develop detailed plans, accompanied by appropriate performance measures and the associated business case for resourcing.

At the national level, the data champion would also develop the necessary framework, policies, and tools necessary to ensure a cohesive approach across regions for effective integration and horizontal alignment, including the development of an integrated national plan for the planning horizon, and relationship management with federal partners for securing engagement and appropriate support throughout. Ultimately, these first-year plans would start to shape the form and function of each data and statistical service centre at the national and regional levels, including their governance and accountability processes.

To move towards the establishment and funding of these First Nations data champions, FNIGC and its regional partners will come back to ISC with a **class D** (conceptual design stage) funding request by **June 2020**, followed by refined and more detailed costing and requirements at the **end of September 2020** with a **class C** estimate (preliminary design stage) and, or **B** estimate (detailed design stage), as appropriate or possible.

Priority 2 — Securing Bridge Funding for Pre-implementation Work in 2020-21
Presuming endorsement by Canada, securing funding through the expenditure management cycle will take a year or more. During this time, pre-implementation work at the national and regional levels will take place to support the preparation of detailed costing and a business case and secure full readiness

to begin implementing fundamental pieces of the *Strategy* in 2021-2022. To avoid a full year of disruption and a high risk of disengagement, minimal bridge funding would be required to keep momentum and ensure a cost-effective transition and preparation for a targeted launch as early as 2021-2022.

As of April 1, 2020, FNIGC and its regional partners will NOT have the resources to support these pre-implementation activities and all resources used to support the engagement and development of the *Strategy* (this report) to-date will have resulted in a report with no immediate, implementable next steps.

FNIGC and its regional partners are only funded to support the national survey work and cannot cash-manage additional unfunded activities and responsibilities.

To establish a basic foundation and keep momentum between April 1, 2020, and March 2021, there is need to coordinate work across regions for the establishment of the data champions, define their roles, and responsibilities, as well as the coordination and governance mechanisms that will be required to ensure horizontal integration across regions, transparency, and accountability. Aligning ten regions on a common, coherent, and equitable ground and baseline for this undertaking will require close collaboration between FNIGC and each of its regional partners, including frequent exchange in support of the development of a detailed cost-benefit

analysis and the design of the appropriate performance monitoring and reporting frameworks.

There is also a need for on-going communications, presentations, and support to FNIGC's Board of Directors and within regions (where appropriate), as well as at other First Nations' governing tables. These activities are essential to ensure proper communications, alignment, and integration on key dimensions of the *Strategy*, tabled to the federal government. Some work is also required with federal partners to address questions and any additional information or analysis they may require.

Finally, bridge funding would also permit FNIGC and its regional partners to further advance collaboration with the federal government, such as co-development work on the New Fiscal Relationship with respect to data and statistics.

Overall, it is estimated that a bridge funding totaling $930,000 would permit FNIGC and its regional partners to support these pre-implementation activities for the fiscal-year 2020-21. Appendix VI provides a detailed breakdown of this bridge funding by type of spending and associated deliverables. Funding formulas will reflect the application of our guiding principles around equity and capacity; the principle will be applied in order to ensure regions receive appropriate supports based on need, capacity, maturity, population, and other factors.

RECOMMENDATIONS

Based on this report, proposal elements within, and the short-term priorities identified above, FNIGC and its regional partners are seeking, under the New Fiscal Relationship Priority and Budget 2018 initiative, that ISC:

1. Formally endorses the *Strategy*, as presented in this report, including its vision, principles, and strategic framework.

2. Supports a phased implementation with the necessary funding, subject to development, by FNIGC and its regional partners, of the appropriate business cases with detailed costing and funding requests, and their subsequent approval by the Government of Canada, as jointly determined by both parties.

3. Consistent with recommendation 2, support the preparation by FNIGC and its regional partners of a detailed business case, including costing, for the establishment as early as fiscal 2021-2022, of data governance champion teams in each of the ten regions and at the national level, along with the minimum capacities they will need to be operational. Presuming support, a proposal with detailed costing and deliverables would follow over the spring and summer of 2020 for consideration by ISC.

4. Provide bridge funding to FNIGC totaling $930,000 dollars to cover pre-implementation activities (including recommendation 3) over the 2020-2021 fiscal year as detailed in Appendix VI.

NEXT STEPS

FNIGC and its regional partners look forward receiving a response from ISC on the aforementioned recommendations as early as possible. In the meantime, we will be happy to address any questions or provide additional information as required.

7.0 GLOSSARY

Capacity development: Refers to the community's ability to identify, mobilize and address social and other issues. A community's capacity is directly linked to its ability to act effectively, influence change, and to engage its public sector and elected representatives. Community capacity allows for civil society to step in when governments do not have the capability, jurisdiction or interest in addressing community issues.[5]

Data: is a collection of information (e.g. facts, observations, measurements, stories, etc.) that are recorded and pulled together for analysis, reference, calculation, or processing (e.g. evidence, records, statistics), from which conclusions can be drawn or inferred. Data is information presented in numbers, letters, or other form.

Data governance: Data governance is the specification of decision rights and an accountability framework to ensure the appropriate behavior in the valuation, creation, consumption and control of data and analytics.[6]

Data governance champions: A data governance champion's role is as liaison between leadership and decision makers, IT/IM, data users, and third-party data providers.[7] Data champions lead and promote workforce data literacy as an enabler of digital business and treat information as a second language.[8]

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5   http://www.fngovernance.org/ncfng_research/richard_missens.pdf
6   https://www.gartner.com/en/information-technology/glossary/data-governance
7   https://www.computerweekly.com/tip/Data-champion-Decoding-role-and-responsibilities
8   http://www.datagovernance.com/the-dgi-framework/

Data sovereignty: is the concept by where a Nation or State has authority and responsibility to exercise jurisdiction in relation to information governance — to protect and govern all aspects of their citizens and Nation's information and data, by virtue of its rights and nationhood. It means "managing information in a way that is consistent with the laws, practices and customs of the Nation or State in which it is located".[9]

Government vs. governance: *Government* is a group of people who rule or run the administration of a country. In other words, it may be said that a government is the body of representatives that governs and controls the state at a given time. Government is the medium through which the power of the state is employed. *Governance* is the act of governing or ruling. It is the set of rules and laws framed by the government that are to be implemented through the representatives of the state. Simply put, governance is what governments do.

Indigenous data: is "information, in any format, that impacts Indigenous lives at the individual and collective levels." (e.g. tribal archives, oral histories, traditional and cultural knowledge and information)[10]

Indigenous and First Nations data sovereignty: is the concept of First Nations authority, right, power to govern as sovereign Nations and make decisions or laws on the ownership, control, collection, access, analysis, application, possession and use of their own data. Indigenous data sovereignty "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."[11] Data sovereignty is a crucial step towards realizing full self-governing First Nations. First Nations have an inherent and constitutionally protected right to exercise authority and jurisdiction over their community's data, in addition to a duty and responsibility to protect and safeguard their people's data.

Indigenous (Traditional) Knowledge: An ancient, communal, holistic and spiritual body of information and understanding that encompasses every aspect of human existence. Indigenous knowledge can be unique to a specific culture, collectivity, Nation or territory. Knowledge is passed on through Traditional Teachings, ceremonies, healing practices and everyday living.[12]

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9   Taylor J, Kukutai T. editors. *Indigenous Data Sovereignty: Toward an Agenda.* Centre for Aboriginal Economic Policy Research (CAEPR). Research Monograph No. 38. Australian National University Press. 2016. (features a chapter, *"What does data sovereignty imply: what does it look like?"*, authored by C Matthew Snipp).

10 Rainie SC, Rodriguez-Lonebear D. *Introduction to Indigenous Data Sovereignty and Governance.* Presented at the Research Data Alliance 11th Plenary. 21 March 2018. Berlin, Germany. 2018

11 Taylor J, Kukutai T. editors. *Indigenous Data Sovereignty: Toward an Agenda.* Centre for Aboriginal Economic Policy Research (CAEPR). Research Monograph No. 38. Australian National University Press. 2016. (features a chapter, *"Pathways to First Nations' data and information sovereignty,"* authored by FNIGC).

12 Definition adapted from: Brascoupé, S. and Mann, H. (2001). *A Community Guide to Protecting Indigenous Knowledge.* Ottawa: Indian and Northern Affairs Canada.

The First Nations Information Governance Centre

Indigenous rights: are "inherent, collective rights that flow from the original occupation of the land that is now Canada, and from social orders created before the arrival of Europeans to North America… the concept of Indigenous rights can be summed up as the right to independence through self-determination regarding governance, land, resources and culture".[13]

Information: data (facts about a situation, person, event, etc.) acquired through observation, experience or study that have been recorded, classified, and arranged or organized in a systematic way and interpreted in a way to provide and give meaning.

Information governance: is "the overarching and coordinating strategy and tactics for all organizational information. It establishes the authorities, supports, processes, capabilities, structures, and infrastructure to enable information to be a useful asset and reduced liability to an organization, based on that organization's specific business requirements and risk tolerance".[14] It is "the umbrella that covers all organizational information. It is the bridge between records management and data science, between process and policy, between collaboration and security. Information governance balances the value of information with the risk that information poses; it determines the people, the resources, the processes, the

functions, the organization, and the technology requirements of organizational information.[15]

Nations: *"…Aboriginal peoples are nations.* That is, they are political and cultural groups with values and lifeways distinct from those of other Canadians. They lived as nations — highly centralized, loosely federated, or small and clan-based — for thousands of years before the arrival of Europeans. As nations, they forged trade and military alliances among themselves and with the new arrivals…. Let us be clear, however. To say that Aboriginal peoples are nations is not to say that they are nation-states seeking independence from Canada. They are collectivities with a long-shared history, a right to govern themselves and, in general, a strong desire to do so in partnership with Canada."[16]

A Nation is "a sizeable body of Aboriginal people that possesses a shared sense of national identity and constitutes the predominant population in a certain territory or collection of territories. Thus, the Mi'kmaq, the Innu, the Anishnabe, the Blood, the Haida, the Inuvialuit, the western Métis Nation and other peoples whose bonds have stayed at least partly intact, despite government interference, are nations. There are about 1,000 reserve and settlement communities in Canada, but there are 60 to 80 Aboriginal nations."[17]

13 Henderson. W.B. and C. Bell. (February 7, 2006). *Rights of Indigenous Peoples in Canada.* [Internet]. Historica Canada. Available from: https://www.thecanadianencyclopedia.ca/en/article/aboriginal-rights
14 ARMA International. [Internet] Available from: https://www.arma.org/page/Information_Governance
15 Ibid.
16 Royal Commission on Aboriginal Peoples. (1996)
17 Ibid

Nation-to-Nation: Different views are held by First Nations on this. Historically, prior to European contact, Indigenous Nations had Nation-to-Nation relationships/among themselves "to establish peace, regulate trade, share use of lands and resources, and arrange mutual defence. Through pipe smoking and other ceremonies, they gave these agreements the stature of sacred oaths."[18] Post-contact, Nation-to-Nation relationships existed between Aboriginal and non-Aboriginal peoples in Canada, they viewed each other as "separate, distinct and independent. Each was in charge of its own affairs. Each could negotiate its own military alliances, its own trade agreements, its own best deals with the others".[19] Four themes that are central to the Nation-to-Nation relationship: 1) Nation building and Nation re-building; 2) jurisdiction; 3) new intergovernmental fiscal relationships; and 4) wealth creation.[20]

Rights holders: First Nations governments

Shelf-ready: Refers to products that are sent to retail stores in a format ready for immediate display. This means the products do not need to be taken out of the carton and arranged on store fixtures individually.

Sovereignty: Full right, power or authority of a government or nation to represent (or over) their citizens/ people, interests and territories, that is independent of the control of other governments or other external entities.

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18 Ibid.
19 Ibid.
20 Nickerson. M. (February 2017). *Characteristics of a Nations-to-Nation Relationship.* Discussion Paper. Institute on Governance.

8.0 APPENDICES

8.1 APPENDIX I — OCAP® PRINCIPLES

WHAT IS OCAP®?

The First Nations principles of OCAP® are a set of standards that establish how First Nations data should be collected, protected, used, or shared. They are the de facto standard for how to conduct research with First Nations.

Standing for ownership, control, access, and possession, OCAP® asserts that First Nations have control over data collection processes in their communities, and that they own and control how this information can be used.

WHAT DO THE OCAP® PRINCIPLES MEAN?

There are four components of OCAP®: ownership, control, access, and possession.

Ownership refers to the relationship of First Nations to their cultural knowledge, data, and information. This principle states that a community or group owns information collectively in the same way that an individual owns his or her personal information.

Control affirms that First Nations, their communities, and representative bodies are within their rights in seeking to control over all aspects of research and information management processes that impact them. First Nations control of research can include all stages of a particular research project — from start to finish. The principle extends to the control of resources and review processes, the planning process, management of the information and so on.

Access refers to the fact that First Nations must have access to information and data about themselves and their communities regardless of where it is held. The principle of access also refers to the right of First Nations communities and organizations to manage and make decisions regarding access to their collective information. This may be achieved, in practice, through standardized, formal protocols.

Possession — While ownership identifies the relationship between a people and their information in principle, possession or stewardship is more concrete. It refers to the physical control of data. Possession is the mechanism by which ownership can be asserted and protected.

WHEN WAS OCAP® FOUNDED?
OCAP® was established in 1998 during a meeting of the National Steering Committee (NSC) of the First Nations and Inuit Regional Longitudinal Health Survey, a precursor of the First Nations Regional Health Survey (FNRHS, or RHS). Originally, OCAP® began as "OCA" with the members of the NSC affixing a "P" soon after to acknowledge the importance of First Nations' people possessing their own data. Possession is key to OCAP®, as it is asserts and underlies ownership, control, and access.

WHO CREATED OCAP®?
The original "OCA" acronym has been attributed to NSC member Cathryn George, who was representing the Association of Iroquois and Allied Indians at the time. The committee members later collectively added a "P" to symbolize the importance of First Nations' people possessing their own data.

Over time the NSC evolved into the First Nations Information Governance Committee (which operated with the Assembly of First Nations), which in April 2010 became the First Nations Information Governance Centre (FNIGC) an incorporated non-profit, following a mandate from the AFN Chiefs-in-Assembly. During this transition the members of the First Nations Information Governance Committee became the inaugural Board of Directors for the new FNIGC.

WHY WAS OCAP® CREATED?
There is no law or concept in Western society that recognizes community rights and interests in their information, which is in large part why OCAP® was created. OCAP® ensures that First Nations own their information and respects the fact that they are stewards of their information, much in the same way that they are stewards over their own lands. It also reflects First Nation commitments to use and share information in a way that maximizes the benefit to a community, while minimizing harm.

As the *Report of the Royal Commission on Aboriginal Peoples* (1999) pointed out, First Nations people have historically had a problematic relationship with researchers, academics, and other data collectors:

"In the past, Aboriginal people have not been consulted about what information should be collected, who should gather that information, who should maintain it, and who should have access to it. The information gathered may or may not have been relevant to the questions, priorities and concerns of Aboriginal peoples. Because data gathering has frequently been imposed by outside authorities, it has met

with resistance in many quarters."

First Nations have often complained that they have been the focus of too much research (i.e. "researched to death"), that research projects are too often conducted by non-First Nations people, that research results are not returned to communities, and that the research does not benefit First Nations people or communities.

Prominent examples of this can be found in the Barrow Alcohol Study of alcoholism in Alaska in the 1970s, the Nuu-chah-nulth First Nation "Bad Blood" research of the 1980s, and the diabetes study of the Havasupai Tribe in Arizona during the 1990s. This is another motivation for the creation of the First Nations principles of OCAP®.

HOW DOES OCAP® APPLY TO FIRST NATIONS?
The ideas inherent in OCAP® are not new, in fact they represent themes and concepts that have been advocated for and promoted by First Nations people for years.

That's why over the past two decades the principles of OCAP® have been successfully applied in dozens of First Nations communities across Canada, as communities and individuals have increasingly asserted jurisdiction over their own data. First Nations communities have passed their own privacy laws, established research review committees, entered data-sharing agreements, and setting standards to ensure OCAP® compliance.

It's important to note that although there is a good degree of consensus surrounding OCAP®, each First Nations community or region may have a unique interpretation of the OCAP® principles. This is because OCAP® is not a doctrine or a prescription — it respects the right of First Nations communities in making its decisions regarding why, how, and by whom information is collected, used, or shared.

CAN OCAP® BE APPLIED TO OTHER INDIGENOUS COMMUNITIES?
OCAP® is an expression of First Nations jurisdiction over information about their communities and its community members. As such OCAP® operates as a set of specifically First Nations — not Indigenous — principles.

HOW DOES OCAP® APPLY TO RESEARCHERS?
OCAP® respects that rights of First Nations communities to own, control, access, and possess information about their peoples is fundamentally tied to self-determination and to the preservation and development of their culture.

This is why anyone interested in conducting research with a First Nation should acquaint themselves with OCAP® before they begin. A good place to start would be The Fundamentals of OCAP®, an online course developed by FNIGC in conjunction with Algonquin College that provides a comprehensive overview of the history of OCAP® and its applications in research and information governance today.

8.2 APPENDIX II — FNIGC BOARD OF DIRECTORS

All ten regions are represented in FNIGC's governance structure. Delegates who sit on the national Board of Directors are there at the direction of their respective regional governance structures. Any regional entity can apply for and be granted a seat at the national Board table but only one has voting privileges on behalf of any one region. Decision making is by consensus and where consensus is not possible a vote of 50% plus one constitutes a decision. Directors are appointed for a 3-year term and are responsible for reporting back to community on decisions and directions being taken by FNIGC as requested. Accountability to rights holders is further achieved through reporting mechanisms to the Chiefs-in-Assembly.

The current Board of Directors are:

1. Bonnie Healy, Chair (Alberta)

2. Mindy Denny, Treasurer (Nova Scotia)

3. Snookie Catholique, Secretary (Northwest Territories)

4. Leona Star (Manitoba)

5. Vice-Chief Heather Bear (Saskatchewan)

6. Peter Birney (New Brunswick)

7. Nancy Gros-Louis McHugh (Quebec)

8. Gwen Phillips (British Columbia)

9. Katherine Alexander (Yukon)

10.   Carmen Jones (Ontario)

11.   Addie Pryce (Assembly of First Nations)

8.3 APPENDIX III — FNIGC'S REGIONAL PARTNER GOVERNANCE STRUCTURES

Alberta was the first to establish a data centre, and aptly called it the **Alberta First Nations Information Governance Centre** (AFNIGC). The AFNIGC was created in response to a 2013 resolution by the Assembly of Treaty Chiefs to address data related issues in the province. It is the regional centre and primary research partner in Alberta established by Treaty 6, 7, and 8 First Nations to meet their information governance needs. All treaty First Nations are members of the AFNIGC and all have voting rights through their elected representative or appointed proxy. Accountability to rights holders is achieved through several mechanisms including the Chief's Senate, the AFNIGC Board of Directors, and through reporting at annual and quarterly members' meetings. The AFNIGC promotes, protects, and advances the First Nations Principles of OCAP®, the inherent right to self-determination, and jurisdiction in research and information management.

The Union of Nova Scotia Mi'kmaq (UNSM) is a tribal organization that provides political leadership and a unified voice for the Mi'kmaq Nation of Nova Scotia. The Mi'kmaq are centralized into 13 distinct communities that are governed through an *Indian Act* process, *Indian Act* elected leadership and Band offices. The Board of Directors for the UNSM is comprised of five of the 13 First Nation communities in Nova Scotia whose vision is to revive Mi'kmaq self governance and institutional development by establishing a **Mi'kmaq Statistical Institute**. The Institute will have a multi-tiered governance structure. It will build upon existing community capacities

and physical infrastructures and host a centralized hub in Membertou where community data will be collected and organized using standardized methods. Data analysts and information officers within the central hub will pull reports and key findings and make them available to leadership for advocacy and negotiation purposes.

Formerly the Indian Brotherhood of the Northwest Territories, the Dene Nation is also known as the Athapaskan peoples. It is a political organization in Denendeh, meaning "The Land of the People" with territory that stretches from present day Alaska to the southern-most tip of North America. Their mission is to support the Dene territories and Dene communities upholding the rights and interests of the Dene, including those arising from Dene use and occupation of lands and those arising from Treaties. The governance structure is made up of elected Chiefs from the five Denendeh regions (the Gwich'in, Sahtu, Deh Cho, Tlicho, and the Akaitcho), and Independent Members. In 2019 they passed a resolution to establish an **Archives and Information Governance Centre** and are working with FNIGC to secure the supports needed to make it a reality. Their primary goal is to preserve and protect Dene languages and cultures.

In the mid-1990's the Assembly of Manitoba Chiefs (AMC) mandated the **Manitoba First Nations Health Information Research Committee** (HIRGC) to oversee the Regional Health Survey and to act as the Manitoba Regional Ethics Board. The HIRGC reviews research proposals, and encourages First Nations leadership and partnership in research according to First Nations priorities and values. In 2007, the AMC provided

further guidance for respectful research relationships with and by First Nations and the HIRGC has since broadened its mandate to include holistic health research. The governance structure consists of First Nations citizens with a background in culture, education, housing, economic development/business or environment. It is currently housed within the First Nations Health and Social Secretariat of Manitoba (or Nanaandawegimig, which means "Healing Place"). The Secretariat is accountable to the 63 First Nations communities, seven tribal councils, and provincial and territorial organizations (PTOs) through its Board of Directors and through regular reporting to the Chiefs-in-Assembly at their annual general assembly.

The Federation of Sovereign Indigenous Nations (FSIN) is made up of 73 First Nations who have passed a series of resolutions dating back to 2010 supporting the establishment of a **Saskatchewan First Nations Information Governance Centre** (SFNIGC). They envision a centralized hub that will permanently house survey and other data, to be grounded in the principle of "data sovereignty as the cornerstone of nation rebuilding." The SFNIGC aligns with the FSIN and adheres to its vision of "honouring the spirit and intent of the Treaties, as well as the promotion, protection and implementation of the Treaty promises that were made more than a century ago."[21] The AFN Regional Chief will act as the Chair of the SFNIGC and play a key role in data custodianship. Data sharing agreements will be developed collaboratively in order to respond to the different interests and issues in each

jurisdiction. The FSIN is taking steps to prepare a business case and framework for the SFNIGC for consideration by the Saskatchewan Chiefs-in-Assembly and are calling on the federal government to support this effort.

The Union of New Brunswick Indians (UNBI) represents the Mi'kmaq and Maliseet peoples of New Brunswick and are governed by a Board of Directors made up of elected representatives from the First Nations communities of Buctouche, Eel Ground, Eel River Bar, Fort Folly, Indian Island, Kingsclear, Madawaska, Maliseet, Metepenagiag, Oromocto, Pabineau, Saint Mary's, and Woodstock. The mandate of the UNBI is to "foster and promote greater self-determination of the Indian people of New Brunswick in the presence of all of their aboriginal, treaty and residual rights." The UNBI's Commission on Health and Social Programs manages all community data collection initiatives and surveys with a mandate "to work with Aboriginal People and others to attain the well-being of Aboriginal People by promoting self-sufficiency and personal responsibility." Conversations are beginning to occur around their vision for an RIGC.

First Nations in Quebec are structured into 41 communities who are affiliated with ten Nations: the Abenaki, Algonquin, Atikamekw, Cree, Innu, Maliseet, Mi'gmaq, Mohawk, Naskapi and Wendat. The **First Nations of Quebec and Labrador Health and Social Services Commission** (FNQLHSSC) is one of six regional institutions under the AFN Quebec Labrador

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21 https://en.wikipedia.org/wiki/Federation_of_Sovereign_Indigenous_Nations

(AFNQL). In order to strengthen the information governance of the First Nations in Quebec, three objectives will be pursued: 1) raise awareness among First Nations and support them in the implementation of guidelines for the protection and use of their information assets; 2) support the development and strengthening of local capacities; and 3) strengthen expertise, at the community and regional levels, in terms of information governance and management (collection, analysis, hosting, sharing and use of information) as well as for knowledge transfer and support. The principles that will guide the implementation of the regional strategy are those set out in the Quebec First Nations Information Governance Framework (2019). These guiding principles are based on the premise that each First Nation, due to its autonomy, is in the best position to govern its information.

The BC First Nations Health Authority functions as the regional organization in FNIGC governance structure. The First Nations Health Authority administers health and wellness services formerly managed by the First Nations and Inuit Health Branch; BC First Nations assumed control of these resources in 2013. The FNHA is the service arm of the First Nations Health Governance structure in BC and the First Nations Health Council, a separate non-corporate entity, provides political advocacy on behalf of BC First Nation in the implementation of their health and wellness plans. The FNHA is responsible for administering the national surveys and acting as data stewards for BC First Nations' survey data. It is the First Nation Health Council that appoints the BC member and director to FNIGC. Through a partnership with British Columbia First Nations, the FNHA has collaborated on many

activities along with the **BC First Nations Data Governance Initiative** (BCFNDGI) Champion and participating Nations. The BCFNDGI is a collaboration of First Nations asserting their interests in data governance and information management. Having dedicated political leadership to advance First Nations' shared interests in data has been a key factor of the BCNFDGI success; their work has been acknowledged as leading edge in Canada. BC First Nations envision a transition back to a position of healthy, self-determining and vibrant BC First Nations children, families and communities and they are now preparing to assert data sovereignty; each Nation will take ownership over their intellectual property (e.g. language, stories, songs, technological knowledge, etc.) and the data that relates to them as a distinct Indigenous society.

The Chiefs of Ontario (COO) is a coordinating body for 133 First Nations communities. COO's Health Research and Data Management Sector's mission is to build a First Nations health research and data management system that will respect the principles of OCAP®, UNDRIP, and the Truth and Reconciliation Commission's Calls to Action. In 2014, the COO was mandated to explore options on the development of data governance models and have since created momentum through strategic partnerships, health surveillance, and implementing numerous research and data governance initiatives. Their priorities for advancing the concept of a Regional Information Governance Centre are: a) to address the issue of capacity; b) to complete province wide community consultations on a RIGC model that will work for First Nations people; and c) to prepare and submit the COO-RIGC model proposal. They have established that funding will be required

to procure a RIGC Director of Research and Development and to continue with their community engagement objectives.

The Council of Yukon First Nations (CYFN) is the central political organization of the First Nations of the Yukon. The Council of Yukon First Nations receives direction on an annual basis from the General Assembly. The General Assembly is the overall governing body of the organization, and is made up of delegations representing each of the 14 member First Nations. Eleven of the 14 First Nations in the CYFN have attained self government agreements giving each the power to make and enact laws in respect of their lands and citizens, to tax, to provide for municipal planning, and to manage or co-manage lands and resources. The CYFN has established a Secretariat dedicated to building First Nations capacity given that self-government is fundamentally different from that which is required to operate and maintain an *Indian Act* Band. Community engagements are underway to establish their vision for their RIGC, one of many aspects that will require concerted, collaborative efforts to realize.

8.4 APPENDIX IV — GARTNER'S DATA AND ANALYTICS MATURITY MODEL

LEVEL 1 — BASIC MATURITY
Companies in this level have basic reporting from source systems. They get their data from ad-hoc request to subject matter experts that can pull data into Excel and create pivot tables or simple graphs. Data is contained in silos and is combined in spreadsheets to try to get deeper insights.

LEVEL 2 — OPPORTUNISTIC
At this level companies may have a central reporting platform that enables custom reports. IT is supporting and implementing solutions that enable some insights into systems. Reports mash up data from different source systems to produce new insights. Data Quality issues start to emerge as data in different systems can be merged.

LEVEL 3 — SYSTEMATIC
A data and analytics strategy is defined to determine what is required to push the organization forward. Business executives become champions to change how data and analytics are used in the business. Data sources are integrated into a single version of the truth. External data sources are added to provide additional context to data driven decisions.

LEVEL 4 — DIFFERENTIATING

A chief data officer is hired to transform how the business uses data and analytics. Business operations are being driven by data and not reactive. Critical decisions are being made to improve on a department level. A Business Intelligence Competency Center is created to share information and content.

LEVEL 5 — TRANSFORMATIONAL

At this level, a business is running with a data first strategy. Strategy and operations are driven by data, analytics and machine learning. Employees from all levels are data aware and leverage data and analytics to make better decisions.

8.5 APPENDIX V — GROUND-BREAKING NATIONAL SURVEYS ON RESERVES

The First Nations Regional Health Survey (RHS) is the only national First Nations survey in Canada. Most significantly, the RHS process has invested in individual and organizational First Nations capacity at the community, regional, and national levels. The RHS is the first national survey implemented explicitly in keeping with the First Nations principles of Ownership, Control, Access, and Possession (OCAP®). As the only national health survey under complete First Nations control, the RHS has given new meaning to the concept of First Nations self-determination in research and has provided the research community with a demonstration on how the principles of OCAP® can be successfully executed. This longitudinal survey was piloted in 1997, Phase 1 was completed in 2002-03, Phase 2 in 2008-10, and Phase 3 in 2015-16. It provides comparable data concerning health determinants, health status, and access to care at the regional and national level for First Nations.[22]

FNIGC and its regional partners launched the First Nations Regional Early Childhood, Education and Employment Survey (FNREEES) in 2013 to address a long-standing data gap that existed around early childhood education and development, youth employment and education, adult employment and education, and labour-market conditions in First Nations communities. The most technically complex survey ever undertaken by FNIGC, the REEES was a unique initiative,

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22 FNIGC Phase 4 Funding Proposal, Part A. October 2017

marking the first time this breadth of information had ever been collected in First Nations on-reserve and Northern communities. The baseline data collected through the REEES offers valuable information on key indicators on a range of topics spanning the life cycle.[23]

The important work that began with the REEES continues with FNIGC's latest survey effort, the First Nations Regional Labour and Employment Development Survey (FNLED). The FNLED will emphasize the collection of labour market information (employment, labour, jobs and skills) and therefore will focus on First Nations youth and adults (not children). The data collection period for the survey started in fall 2018 and is anticipated to take 14 months, with nearly 19,000 First Nations people in 230 communities sampled. The FNLED national report is scheduled for release in 2021.

8.6 APPENDIX VI — DETAILED BUDGET

Pre-Implementation Phase — Bridge Funding (2020-21)		
Budget Type	Detail	Cost
Salary and benefits	Senior Advisor	$ 120,000
Professional Fees	Business planning	$ 65,000
	Enterprise architecture	$ 65,000
Regional Capacity	$62,000 per region	$ 620,000
Staff travel		$ 50,000
Communications		$ 10,000
Sub Total		$ 930,000
Administration (15%)		In kind
TOTAL		$ 930,000

Consistent with how the guiding principle on equity is articulated, an equitable funding formula will be developed by FNIGC Board of Directors and will be applied in order to ensure regions receive appropriate supports based on need, capacity, population, and other factors.

23 https://fnigc.ca/

FNIGC ⟩ CGIPN

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