### Expert Seminar in Support of the Work of the UN Expert Mechanism on the Rights of Indigenous Peoples

**Establishing effective monitoring mechanisms at the national and regional levels for the implementation of the UN Declaration on the Rights of Indigenous Peoples**

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<th>Panelist</th>
<th>Mr. David Berger</th>
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<td>Panel</td>
<td>Panel 5: Role of NGOs</td>
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<tr>
<td>Time</td>
<td>10.45 – 12.15</td>
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<td>Date</td>
<td>Friday 24 February 2023</td>
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<tr>
<td>Location</td>
<td><em>(Remote via Zoom)</em></td>
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<td>Robert H. Lee Alumni Centre</td>
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<td>University of British Columbia</td>
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<td>6163 University Blvd</td>
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<td>Vancouver, BC</td>
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Expert Seminar in Support of the Work of the UN Expert Mechanism on the Rights of Indigenous Peoples

*Establishing effective monitoring mechanisms at the national and regional levels for the implementation of the UN Declaration on the Rights of Indigenous Peoples*

Panel 5: Role of NGOs

David Nathaniel Berger, Advisor
The Indigenous Navigator:
Data by, and for, Indigenous Peoples
BACKGROUND
For years, indigenous organizations and experts have called upon states to disaggregate human rights and development data in order to uncover injustices and social exclusion.

The UN Permanent Forum on Indigenous Issues has repeatedly called for enhanced monitoring of the UNDRIP, including through disaggregated data, and development of specific indicators for assessing its implementation in a systematic way.

The Indigenous Navigator has emerged in response to these discussions, and is a collaborative initiative of:

- Asia Indigenous Peoples Pact (AIPP)
- Forest Peoples Programme (FPP)
- International Labour Organization (ILO)
- International Work Group for Indigenous Affairs (IWGIA)
- Tebtebba Foundation
- The Danish Institute for Human Rights

Five organisations make up the Steering Committee of the Indigenous Navigator

Over 30 partners organisations across 28 countries are implementing the Indigenous Navigator

The data is used at all levels – from community advocacy to national and international advocacy – including in the SDGs and the United Nations

Visit: www.indigenousnavigator.org
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Our vision
To provide accessible data, by and with Indigenous Peoples, that will support self-determined development and grounded advocacy towards the full and effective implementation of Indigenous Peoples' rights and self-determined development.

Our mission
We support and empower Indigenous organisations in generating and using data in their efforts to hold duty bearers accountable for their human rights violations, obligations and sustainable development commitments. Furthermore, we support the formation of alliances with key stakeholders, and the provision of quality data to relevant actors, including the United Nations, governments, national statistics agencies, media, and civil society.
What is it?
The Indigenous Navigator is a set of tools for and by indigenous peoples to systematically gather their own data and use it for multiple purposes. It is a community-based framework for monitoring and guiding indigenous peoples’ rights and development.

How does it work?
The Indigenous Navigator generates data and documentation that empower indigenous peoples to demand respect and implementation of their rights.

What does it monitor?
The implementation of the UN Declaration on the Rights of Indigenous Peoples, the outcomes of the World Conference on Indigenous Peoples and essential aspects of the Sustainable Development Goals.
The Indigenous Navigator tools were tested in collaboration with partners in Cameroon, Kenya, Suriname, Peru, Nepal and Thailand in 2014-15.

2017-2021 geographic expansion: Bolivia, Colombia, Peru, Suriname, Bangladesh, Cambodia, Nepal, the Philippines, Cameroon, Kenya, and Tanzania on applying the tools.

2021-2023: Implementing the Navigator in Sápmi: Norway, Sweden, Finland

2022-2025: Geographic and thematic expansion: +14 countries, indicators on Climate, Biodiversity and HREDD

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A geographic expansion: 14 new national surveys over 3 years
- working to ensure a baseline exists for communities to compare against
The Indigenous Navigator can serve a number of purposes - for example:

- **Raise awareness** of indigenous communities about their rights and contribute to their empowerment and ability to claim their rights;
- **Guide and orient** indigenous peoples’ self-determined governance and development strategies;
- **Hold States accountable** by evidencing their compliance with – or failure to meet – human rights obligations with regards to indigenous peoples; and in regard to the implementation of the UNDRIP;
- **Deliver data** on indigenous peoples’ human rights and development situation to UN agencies and UN mechanisms addressing indigenous peoples’ rights (UN Special Rapporteur, EMRIP, UNPFII);
- **Evidence** whether States are complying with the commitments they made at the World Conference on Indigenous Peoples (WCIP);
- **Guide and orient development policies and development programs**, including those designed to reach the Sustainable Development Goals (SDGs).
How is it structured?

National level data serve as a foundation they collect data based on two types of indicators:

• **Structural indicators** reflect the legal and policy framework of a given country.
• **Process indicators** measure the States’ ongoing efforts to implement human rights commitments through programs, budget allocations, etc.

This creates a baseline:

• To compare the situations and realities of Indigenous Communities to the commitments and obligations of the state.
• To highlight where action must be taken to promote, protect and defend these rights.

Community level data serve as a bellwether for the realities on the ground in regard to rights implementation, these surveys focus on:

• **Outcome indicators**, which capture the actual enjoyment of human rights by indigenous peoples in their everyday lives.
Easy data-collection

- User-friendly and intuitive interface
  - Detailed guidance and links

- Two surveys
  - National
  - Community

- Exhaustive surveys
  - 110 questions – 12 domains

- Flexible and adaptable
  - Fill in only the sections relevant to you.
Final reports

• All information is summarized in a printable report for sharing, communication and advocacy

• Easily identify critical areas for action

• Easily identify gaps between legislation and the realities in the communities.
Explore the published data and indexes

- Index calculated in 12 domains
- Interactive intuitive visualizations
- Allow comparison between National and Community results
- Filter and export data

THE INDIGENOUS NAVIGATOR
Data by indigenous peoples

Explore index
Explore data

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Easy data-collection

• Full Guidance and Framework
  • Easy to explore related instruments

All questions and guidance available without opening a new survey

A flexible, open source framework and comparative matrix

### Domain

<table>
<thead>
<tr>
<th>Self-determination</th>
<th>Cross-border contacts</th>
<th>Cultural integrity</th>
<th>Education</th>
<th>Employment and occupation</th>
<th>Freedom of expression and media</th>
<th>Fundamental rights and freedoms</th>
</tr>
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<tbody>
<tr>
<td>General economic and social development</td>
<td>General enjoyment of human rights and fundamental freedoms without discrimination</td>
<td>Health</td>
<td>Lands, territories and resources</td>
<td></td>
<td></td>
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<tr>
<td>Legal protection, access to justice and remedy</td>
<td>Participation in public life</td>
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**THE INDIGEnous NAVIGATOR**

Data by indigenous peoples

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Visit: www.indigenousnavigator.org

<table>
<thead>
<tr>
<th>Categories</th>
<th>Attributes</th>
<th>UNDRIP articles</th>
<th>Instruments</th>
<th>Indicator</th>
<th>Questions</th>
<th>Guidance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Self-determination</td>
<td>Respect for indigenous peoples’ right to self-determination</td>
<td>Art. 3</td>
<td>Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.</td>
<td>ICCPR Art. 1.1</td>
<td>Recognition of indigenous peoples’ distinct identity in the constitution or national legislation based on self-identification (32)</td>
<td>Does the state recognise the peoples covered in this survey as distinct peoples with collective rights? (X)</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>ICCPR Art. 1.3</td>
<td>The collective rights of indigenous peoples to self-determination, i.e. to freely determine their political status and freely pursue their economic, social and cultural development is recognized in the</td>
<td>Does the Constitution or national legislation recognize indigenous peoples’ right to self-determination, i.e. to freely determine their political status and freely pursue their economic, social and cultural development? (X)</td>
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**INDIGENOUS NAVIGATOR**

A flexible, open source framework and comparative matrix
So, it is not just collecting data!

- When published with FPIC and community consent, the collected data is presented in comprehensive national and community reports and can be visualized, explored and compared in our online portal.
- By documenting and reporting Indigenous Peoples’ own situations, we can enhance our Access to Justice and Development and help document the situation of Indigenous Peoples globally.
- Indigenous communities can use the data to advocate for their rights at the local, national and international level.
- It can also help to hold states accountable by Monitoring their compliance with or failure to meet human rights obligations with regards to Indigenous Peoples. Many indigenous communities have already benefited from the Indigenous Navigator tools.
Taking Stock:

Knowledge gaps persist in understanding the social and economic situation of Indigenous Peoples. Census data is non-existent or insufficient, which often leaves indigenous populations statistically invisible in public planning.

Many Indigenous Peoples lack a comprehensive analysis of their situation, and duty bearers lack both awareness and adequate data on Indigenous Peoples' needs and concerns on multiple levels, from grassroots community-based consensus building to regional and national government.

- Disaggregated data remains a key challenge
- Indigenous Peoples' rights continue to be violated
- Indigenous Peoples remain invisible, particularly in development linked to SDGs
- UNDRIP implementation remains lacking
What has the National level data shown?

Domains per submission

1. Self-determination
2. Cultural integrity
3. Lands and resources
4. Fundamental rights and freedoms
5. Participation in public life
6. Justice
7. Cross-border contacts
8. Free expression and media
9. Economic and Social
10. Education
11. Health
12. Employment and occupation

- 244 Bolivia – National, 2018 (National)
- 264 Peru – National, 2018 (National)
- 292 Tanzania – National, 2018 (National)
- 295 Cameroon – National, 2018 (National)
- 302 Nepal – National, 2018 (National)
- 333 Philippines – National, 2018 (National)
- 387 Kenya – National, 2018 (National)
- 385 Bangladesh – National, 2018 (National)
- 400 Colombia – National, 2018 (National)
- 450 Suriname – National, 2021 (National)
- 470 Sápmi – Finland, 2021 (National)
- 470 Sapmi – Norway, 2021 (National)

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What has the National level data shown?

Domains per submission (weighted)

- 244 Bolivia - National, 2018 (National)
- 264 Peru - National, 2018 (National)
- 292 Tanzania - National, 2018 (National)
- 295 Cameroon - National, 2018 (National)
- 102 Nepal - National, 2018 (National)
- 244 Philippines - National, 2018 (National)
- 155 Bangladesh - National, 2018 (National)
- 267 Kenya - National, 2018 (National)
- 450 Colombia - National, 2018 (National)
- 470 Suriname - National, 2021 (National)
- Sámi - Finland, 2021 (National)
- Sámi - Norway, 2021 (National)

1. Self-determination
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Additional sources of data:

The Indigenous World’s articles

Published since 1986, with a section on International processes.
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