Indigenous Navigator

Technical introduction to Indicators

The Indigenous Navigator tools attempt to be as simple and user friendly as possible. However,

all the tools constitute elements of a comprehensive and coherent framework, which has been designed in a very systematic and technically stringent way.

The entire framework is designed in strict accordance with the methodology suggested by the Office of the High Commissioner for Human Rights (OHCHR) concerning human rights indicators. The Indigenous Navigator framework has systematically adapted this methodology to indigenous peoples' rights.

> In 2012, the OHCHR published the: **Human Rights Indicators, A Guide to Measurement and Implementation**. The elaboration of the Indigenous Navigator framework has strictly followed the guidance and steps outlined in this manual. If you want to see more, you can find the Guide here: http://www.ohchr.org/Documents/Publications/Human_rights_indicators_en.pdf

This training module describes step by step how the Indigenous Navigator tools were conceptualised and elaborated. Thereby, it gives the user the opportunity to fully understand the design of the framework, including the choices, opportunities and limitations involved. Also, transparency with regards to the design and methodology is crucial for assessing the credibility and validity of the data generated.

The steps in the elaboration of the Indigenous Navigator, as described in this module, included:
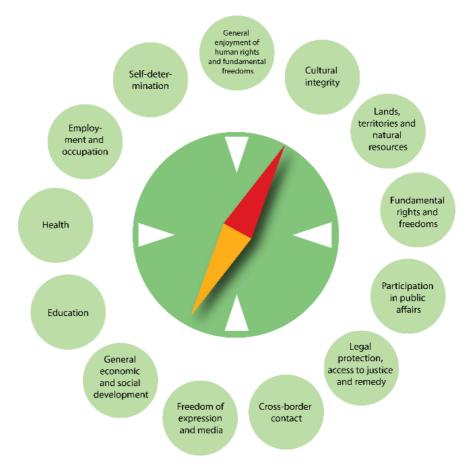
- Structuring the rights of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) in thematic domains;
- Classifying the individual articles of the UNDRIP in sub-categories;
- Defining key attributes of the rights enshrined in the UNDRIP; and
- Choosing the right indicators.

1. Structuring UNDRIP in thematic domains

As a crucial first step towards developing the Indigenous Navigator framework, it was necessary to structure the many provisions of the UNDRIP in a systematic, thematic categorization of rights.

While this can be done in different ways, the following thematic domains were decided after a series of consultations, corresponding with the priorities and concepts put forward by indigenous partners:

FIG.1: THEMATIC DOMAINS OF UNDRIP

2.1 Categorizing the individual articles of UNDRIP

Once the rights enshrined in the UNDRIP were structured into thematic domains, the next step was to identify the sub-themes - or building blocks - which make up these broader thematic domains. This more detailed categorisation of the rights enshrined in the UNDRIP was carried out as follows:

FIG. 2: OVERVIEW OF UNDRIP CATEGORIES/DOMAINS AND SUB-CATEGORIES

CATEGORY	SUB-CATEGORIES
General enjoyment of human rights and fundamental freedoms without discrimination	Non-discrimination; gender equality. These principles of non-discrimination are mainstreamed across the framework.
Self-determination	Self-government and autonomous institutions; identity and membership; customary law; consultation and free, prior and informed consent; cultural integrity; languages; cultural heritage, traditional knowledge and intellectual property.
Cultural Integrity	Languages; cultural heritage, traditional knowledge and intellectual property.
Lands, territories and resources	Recognition, protection and adjudication of inherent rights to lands, territories and natural resources; dispossession, removal and relocation; compensation, restitution and redress; environment, military activities.
Fundamental rights and freedoms	Rights to life, physical and mental integrity, liberty and security of person.
Participation in public life	Citizenship; participation in public affairs.
Legal protection, access to justice and remedy	Translation in legal proceedings; access to and equality before courts and tribunals; public hearing by competent and independent courts; access to remedy; consideration of customary law in legal proceedings.
Cross-border contacts	Possibility to maintain cross-border contacts and collaboration.
Freedom of expression and media	Freedom of expression and media; combating prejudice and discriminatory propaganda.
General economic and social development	The right to food; the right to development; social protection; housing water and sanitation.
Education	Access to all levels and forms of education of the State without discrimination; availability of and access to culturally and linguistically appropriate education.
Health	Maintenance of traditional medicines and health practices; access to health services; enjoyment of highest attainable standard of physical and mental health.
Employment and occupation	The right to work and equality in employment and occupations; child labour; vocational training.

Once the sub-categories were identified, the individual articles of the UNDRIP could be classified and linked to these sub-categories.

For example, articles 9, 33(1), 33(2) and 35 of the UNDRIP are all linked to the overall thematic domain of *self-determination*, and to the sub-category of *indigenous identity and membership of their group*.

FIG. 3: INDIVIDUAL ARTICLES RELATING TO THE RIGHT TO IDENTITY AND MEMBERSHIP

	UNDRIP
Identity and membership	Art. 9: Indigenous peoples and individuals have the right to belong to an indigenous community or nation, in accordance with the traditions and customs of the community or nation concerned. No discrimination of any kind may arise from the exercise of such a right.
	Art. 33(1): Indigenous peoples have the right to determine their own identity or membership in accordance with their customs and traditions.
	Art. 33(2): Indigenous peoples have the right (…) to select the membership of their institutions in accordance with their own procedures.
	Art. 35: Indigenous peoples have the right to determine the responsibilities of individuals to their communities.

This categorisation was done for all substantial articles of the UNDRIP, with those relating to overarching and cross-cutting principles taken into account in a cross-cutting manner. These over-arching and cross-cutting principles are:

- Human rights and fundamental freedoms;
- Cross-cutting principles of human rights and non-discrimination; and
- Requirement for measures/special measures.

FIG. 4: UNDRIP GENERAL PROVISIONS REGARDING HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

	UNDRIP
Human rights and fundamental freedoms	Art. 1: Indigenous peoples have the right to the full enjoyment, as a collective or as individuals, of all human rights and fundamental freedoms as recognized in the Charter of the United Nations, the Universal Declaration of Human Rights, and international human rights law.
	Art. 46(2): In the exercise of the rights enunciated in the present Declaration, human rights and fundamental freedoms of all shall be respected. The exercise of the rights set forth in this Declaration shall be subject only to such limitations as are determined by law and in accordance with international human rights obligations. Any such limitations shall be non-discriminatory and strictly necessary solely for the purpose of securing due recognition and respect for the rights and freedoms of others and for meeting the just and most compelling requirements of a democratic society.

Art. 46(3): The provisions set forth in this Declaration shall be interpreted in accordance with the principles of justice, democracy, respect for human rights, equality, non-discrimination, good governance and good faith.

2. Defining key attributes of the rights enshrined in UNDRIP

The next step towards defining the best indicators to measure the rights enshrined in the UNDRIP was to identify the **key attributes** of these rights.

The key attributes are the main **aspects** or **elements** of which a particular right is composed.

For example, the State duty to combat prejudice and discriminatory propaganda comprise two key attributes:

- Prevent and provide redress for propaganda inciting discrimination against indigenous peoples; and
- Establish effective measures to promote tolerance, understanding and good relations.

Likewise, indigenous peoples' right to vocational training comprise two key attributes:

- Access to general vocational training without discrimination; and
- Availability of, and access to, vocational training according to indigenous peoples' special needs.

The definition of key attributes specifies the various aspects of the rights concerned. It therefore helps to identify the best indicators to adequately measure these aspects and ensure that all aspects are covered by the indicators.

Attributes and indicators

Education

Key attributes

Access
Access to all levels and forms of education of the State without discrimination.

Availability
Availability of and access to culturally and linguistically appropriate education

Adequacy
Reflection of indigenous cultures, traditions, histories and aspirations in education and public information

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Adequacy
Reflection of indigenous cultures, traditions, histories and aspirations in education and public information

Indicators
Accessibility of school facilities for indigenous peoples

Primary and secondary education completion rates for boys and girls

3. Choosing the right indicators

The next step was to choose the best indicators to measure the key attributes pertaining to each right of the UNDRIP.

The Indigenous Navigator indicator framework comprises a complete set of indicators for all key aspects of the UNDRIP. Where relevant, indicators for monitoring the commitments made by States at the World Conference on Indigenous Peoples in 2014 have also been integrated into the framework. Those of the UNDRIP indicators that also serve to monitor specific WCIP commitments are marked with (WCIP) in the overview. In the same way, global SDG indicators have been integrated where relevant – these are marked (SDG) in the overview.

For easy reference, the full set of indicators to monitor the UNDRIP, as well as the WCIP indicators and SDG indicators integrated into the Indigenous Navigator framework, are presented in three separate tools:

- **Indicators for monitoring the UN Declaration on the Rights of Indigenous Peoples;**
- **Indicators for monitoring the outcome of the World Conference on Indigenous Peoples**; and
- **Leaving no-one Behind! Integration of global SDG indicators into the Indigenous Navigator monitoring framework**.

The selection of indicators has followed the approach suggested by the OHCHR (see section 1). The indicators monitor different aspects of States' duty to respect, protect and fulfil indigenous peoples' human rights, and comprise structural, process and outcome 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.
- **Outcome indicators** capture the actual enjoyment of human rights by indigenous peoples.

Some of the general considerations that guided the selection of indicators were:

- The indicators should be based on the UNDRIP, but also have **direct relevance for other human rights instruments**, thereby allowing the data to be directly relevant for existing human rights monitoring mechanisms.
- The intertwined elements of **self-determination** and **non-discrimination** should be monitored throughout the framework.
- To the extent possible, the indicators should be carefully conceptualized in order **to serve multiple purposes** – for example, guiding indigenous peoples' own strategies while also holding governments accountable for their human rights obligations.
- To the extent possible, the indicators should be **universal**, i.e. they should be relevant for indigenous peoples across the globe in order to allow for comparisons across communities, peoples, countries and regions.
- To the extent possible, the framework should **make use of existing indicators**, such as those adopted to monitor the SDGs, which may already be measured through recurrent general data collection. By doing this, even small-scale data collection by indigenous communities can be compared to data on the general population, and thereby measure discrimination.

- The framework should **include process indicators** to measure States' efforts to implement indigenous peoples' rights, as this information will be useful for both guiding the implementation process and holding States to account

The indicators for the Navigator framework were selected through a painstaking process, including a comprehensive review of existing and proposed indicators, several rounds of consultations among the partners and resource persons, field testing and final adjustment after field testing.

The final indicators were selected from:

- Indicators suggested by indigenous peoples in previous processes;
- The global indicators adopted for monitoring the SDGs;
- Indicators already used by international agencies; and
- New indicators developed by the Indigenous Navigator partners, tailored specifically to assess compliance with the UNDRIP and with WCIP commitments by States.

BUILDING ON PREVIOUS PROCESSES BY INDIGENOUS PEOPLES TO DEFINE INDICATORS

A key resource and inspiration for the definition of indicators were the comprehensive set of indicators developed by indigenous peoples themselves. Over the last decade, a series of local, national, regional and international processes have been carried out in order to define indicators for indigenous peoples' rights and well-being. Key initiatives in this regard have been undertaken by the United Nations Permanent Forum on Indigenous Issues (UNPFII), the Fondo Indígena, the Secretariat of the Convention on Biological Diversity (SCBD), the International Indigenous Forum on Biodiversity (IIFB) and others. See:
http://www.un.org/esa/socdev/unpfii/en/data.html
http://www.tebtebba.org/index.php?option=com_docman&task=cat_view&gid=53&Itemid=27
http://unstats.un.org/unsd/demographic/sources/census/docs/P&R_%20Rev2.pdf

Indigenous Navigator tools

Indicators for monitoring the UN Declaration on the Rights of Indigenous Peoples

Indicators for monitoring outcomes of the World Conference on Indigenous Peoples

Leaving no-one behind! Integration of global SDG indicators into the Indigenous Navigator monitoring framework

Other resources

OHCHR, 2012: Human Rights Indicators. A Guide to measurement and Implementation.
Available at: http://www.ohchr.org/Documents/Publications/Human_rights_indicators_en.pdf