

Data Sovereignty in Practice

What Nations need to know before sharing project data

Every project generates data: energy production, environmental monitoring, water quality, financial records. This data has value for current and future planning, funding applications, and negotiations. Too often, it ends up owned and controlled by external partners. Data sovereignty means ensuring your Nation owns, controls, and can access its own project data.

WHY IT MATTERS

The real-world cost of losing control

You cannot plan with data you do not own

If your data is locked in a vendor's platform, every analysis and report depends on their cooperation.

Funding applications require data you control

If data lives on a third party's server without export rights, assembling applications depends on someone else's timeline.

Data about your territory is knowledge about your territory

Environmental assessments, resource mapping, and water quality data have value beyond any single project.

Past data shapes future negotiations

Without access to your own project history, you start every new conversation at a disadvantage.

RED FLAGS

- ⚠ A platform that does not allow raw data export
- ⚠ A consultant who retains ownership of reports produced for you
- ⚠ An agreement that does not mention data ownership
- ⚠ A system requiring a paid subscription to access your own historical data

THE OCAP® PRINCIPLES

A framework for data governance

Developed by the First Nations Information Governance Centre (FNIGC), OCAP® provides a foundation for thinking about project data.

Principle	What it means	In practice
Ownership	The Nation collectively owns its data	Data from projects on your territory belongs to the Nation
Control	The Nation controls how data is collected, used, and shared	You decide who can access data and for what purposes
Access	The Nation can access its data regardless of where it is held	Retrieve and use data at any time without third-party permission
Possession	The Nation has physical control of the data	Stored on your systems or platforms with full export and deletion rights

OCAP®

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PRACTICAL STEPS

Protecting your data in every project

1. Address data ownership in every contract

Explicitly state that the Nation owns all data generated by the project. Do not assume this is standard.

2. Require data portability

Guarantee export in standard, open formats (CSV, JSON, database exports) at any time. Ask: "If we end this contract tomorrow, how do we get our data?"

3. Know where your data is stored

Servers in Canada? Another country? Data stored outside Canada may be subject to other countries' laws.

4. Establish a data governance policy

Even a simple one-page policy gives a framework for consistent decisions about who can authorize data sharing and how data is stored.

5. Retain copies of everything

When a consultant delivers a report, keep the underlying data. When a monitoring system generates data, ensure regular backups on systems the Nation controls.

6. Include data provisions in procurement

Put data ownership and portability requirements in RFPs and terms from the start. Partners unwilling to agree are telling you something important.

CONTRACT LANGUAGE

What to look for in agreements

Clause	What to look for	What to push back on
Ownership	Explicit statement that the Nation owns all project data	Clauses assigning ownership to the vendor
Access	Unrestricted access in standard formats at any time	Access limited to the vendor's platform
Retention	Clear terms on what happens to data when the contract ends	Automatic deletion without providing copies
Use rights	Vendor can only use data for services under the contract	Broad rights to aggregate or share data
Location	Data stored in Canada on specified infrastructure	Data in unspecified locations
Termination	Full data export before contract ends	Fees charged for data export

Working with Unify Partners

Data sovereignty is a standard part of how we structure partnerships. If you need help reviewing data clauses or setting requirements for a new project, reach out at unifypartners.ca.