

## **Mandate of the United Nations Special Rapporteur on the right to development**

### **Regional consultation on the practical implementation of the right to development: Identifying and Promoting good practices**

**Geneva, 11-12 June 2018**

**Palais Wilson, first floor conference room**

#### ***Introductory remarks- A Human Rights-Based Approach to Data to Help Leave No One Behind and Realize the Right to Development***

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My intervention will draw from the work and experience of OHCHR in developing/using indicators for human rights, including the right to development, and in supporting an implementation of the 2030 Agenda for Sustainable Development consistent with international human rights instruments.

At the outset, I would like to recall that the origins of the work of OHCHR on human rights indicators really resonate with the objectives of the present consultation, which is interested in:

- practical implementation of the right to development
- integrating human rights in development
- participatory and inclusive approaches – addressing prohibited grounds of discrimination
- methodology and tools to structural, process and outcome dimensions of policy/programmes relevant to the realisation of the right to development

The work of OHCHR on human rights indicators was initiated precisely to fill a gap in implementation of human rights standards, to build a bridge between the human rights and development communities. And also with the statistical community

First, indicators, in particular statistical indicators, are not foreign to human rights:

- mention explicitly in core international human rights treaties (e.g. drop out rate in education, still birth rate, article 31 in Convention on the Rights of Persons with Disabilities)
- explicit references to develop/use human rights indicators in recommendations from all international human rights mechanisms – treaty bodies, special procedures, universal periodic review.

Indicators: a tool for implementation, to move from standards to more tangible instruments for implementation and assessment of progress and impact at the end of the day.

The use of the categorisation of structural, process and outcome indicators is part of OHCHR work on human rights indicators. The simple idea behind it is to capture better the link between human rights commitments, their implementation on the ground by the main duty-bearers and their results on the different rights-holders.

The work of OHCHR adopts a common approach on indicators, for both economic, social and cultural rights and civil and political rights, which clearly echoes the right to development.

The human rights indicators framework puts as much importance to the process as it does to the outcome of development and policy.

This work has helped informed the formulation of the SDGs, developed and reviewed the SDG indicator framework.

Compared to the Millennium Development Goals, which had a relatively narrow set of socio-economic / outcome indicators, the Sustainable Development Goals (SDGs) indicators better capture issues of civil and political rights, and include not only outcome indicators (60%), but also some process (30%) and even structural indicators (10%) relevant to human rights, including the right to development.

The call for “leaving no one behind” is also quite central to the realisation of the right to development. It, however, poses a number of challenges to current practices, including statistical and other data collection practices.

This is why, OHCHR, in collaboration with human rights experts, statisticians and practitioners, has developed guidance on *Human Rights-Based Approach to Data* (HRBAD). The focus is on issues of data collection, disaggregation and dissemination to leave no-one behind in the implementation of the 2030 Agenda.

A starting point in the outline of the HRBAD has been a shared recognition of the non-neutrality of disaggregating (or not disaggregating) SDGs and other relevant indicators by grounds of discrimination prohibited by international human rights law. The call for data disaggregation in the SDGs provides indeed an unprecedented opportunity for human rights, but also brings risks to their protection, if it is not done properly, and in line with human rights norms and principles.

The international human rights normative framework, including the *Declaration on the right to development*, has indeed a lot to say about the development and production of indicators, data collection and disaggregation. It refers to:

- **Participation:** what is the practical meaning of active, meaningful and informed participation in indicators development, data collection and disaggregation?
- **Data disaggregation** by prohibited grounds of discrimination: sex, racialized groups, migrants, persons with disability, for instance.
- **Self-identification**
- **Privacy**
- **Transparency**
- **Accountability**

How to operationalize the HRBAD at country level?

- Strengthening cooperation between statistics organizations, human rights and equality institutions and civil society organizations.

- Following capacity building activities conducted by OHCHR, Memorandums of Understanding (MoUs) were signed to further collaboration between national statistical offices and National Human Rights Institutions (Kenya, Palestine).
- Help identify the groups left behind and improve data collection, disaggregation, dissemination and use.

Challenges and current obstacles include:

- Lack of awareness of the relevance of human rights for indicators/data collection work in the statistics and development community
- The inverse is also true, lack of awareness of the relevance of statistics or of their practical development in the human rights community.
- Lack of capacity, both at national and international level.

Thank you for your attention.