

Technical Guidance Note on **SDG Indicator 16.1.2** Number of conflict-related deaths per 100,000 population, by sex, age and cause

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Introduction

On 6 July 2017 the General Assembly adopted the Global Indicator Framework¹ to guide the implementation of the 2030 Agenda for Sustainable Development. It includes, with OHCHR as custodian agency, SDG indicator 16.1.2:

“Number of conflict-related deaths per 100,000 population, by sex, age and cause”²

SDG indicator 16.1.2 is one of two indicators that would directly measure target 16.1 to significantly reduce all forms of violence and related death rates everywhere. This indicator measures the impact of conflicts in terms of loss of life. Together with the indicator 16.1.1 on intentional homicide, they measure violent deaths that occur in all countries of the world (intentional homicide) and in situations of armed conflict (conflict-related deaths).

The 2030 Agenda for Sustainable Development *seeks to strengthen universal peace and commits to redouble efforts to resolve or prevent conflict*. It recognizes that *there can be no sustainable development without peace and no peace without sustainable development*.³ Counting deaths occurring in situations of armed conflict is therefore essential to the measurement of the Agenda, including and beyond its Goal 16. Monitoring conflict-related deaths is also necessary to help protect civilians and other potential victims, ensure respect of humanitarian and human rights standards, and understand the patterns and consequences of armed conflicts in order to prevent future armed conflicts.

As custodian agency OHCHR is responsible for coordinating with other stakeholders who are interested in contributing to the development of indicator 16.1.2 as well as for:

- *Collecting and reviewing available data from relevant global, regional and national mechanisms and sources;*
- *Providing a storyline for the annual global SDG progress report;*
- *Providing and regularly updating metadata;*
- *Working on the methodological development and further refinement of the indicator;*
and
- *Contributing to capacity building in data collection, processing and exchange.*

OHCHR has been leading the development of appropriate methodological and data collection approaches for indicator 16.1.2. This document encapsulates these efforts and provides methodological guidance for data compilation. This document complements the metadata prepared following the IAEG-SDG template.

Definitions

The definitions and categories for disaggregation, specifically developed for the purpose of indicator 16.1.2 are based on international legal standards, existing statistical classifications and United Nations (UN) methodological standards on casualty recording.

- International human rights law and international humanitarian law are two bodies of law that are complementary sources of standards in situations of armed conflict. These laws find their source in a series of international treaties, reinforced and complemented by customary international law.
- The International Classification of Crimes Statistics (ICCS) includes and distinguishes intentional homicides, killings directly related to armed conflicts, killings that amount to war crimes and other violations of the laws and customs applicable in international or non-international armed conflict. The ICCS is disseminated by the UN Office of Drugs and Crime (UNODC) and endorsed by both the UN Statistical Commission⁴ and the UN Criminal Justice and Crime Prevention Commission in 2015.⁵
- The World Health Organization (WHO) International Classification of Diseases (ICD-11), which includes a classification on war operations involving different weapons.
- International Committee of the Red Cross (ICRC) guidance on armed conflict and overview of weapons regulated by international human rights law.
- OHCHR Guidance on Casualty Recording, which provides methodological and operational guidance based on international law and drawing on OHCHR practice.⁶

The development of the approach has involved a series of consultation and coordination between institutions working on conflict-related issues to harmonize and build upon existing standards and methodologies, and to integrate their data into one collection that serves the purposes of this indicator. This involved consultations with a range of stakeholders, including national statistical offices, as part of the work of the Praia City Group on Governance Statistics created by the UN Statistical Commission, and the Global Alliance of National Human Rights Institutions (GANHRI). On 5-6 September 2017, a multi-stakeholders consultation brought together national statistical offices, national human rights institutions, civil society organisations (Peace Research Institute Oslo (PRIO), Small Arms Survey, and Human Rights Data Analysis Group (HRDAG)) and international and regional organizations and mechanisms (UNODC, United Nations Development Programme (UNDP), WHO, and the ICRC). The consultation validated a preliminary outline of the main features of the methodology put forward by OHCHR.

Conflict

The term 'conflict' used in the formulation recommended by the IAEG-SDG is understood as 'armed conflict' in reference to a terminology enshrined in International Humanitarian Law (IHL), the branch of international law which specifically focuses on armed conflicts. For the purpose of this indicator, identification of situations of armed conflict will be based on publically available assessments made by United Nations and other internationally mandated bodies and organizations (see section below on identifying armed conflict).

According to IHL, two types of armed conflicts exist: international armed conflicts and non-international armed conflicts. Given the evolving character of armed conflicts and related prevailing situations, the ICRC has provided further guidance based on subsequent legal opinions and research.

- **International armed conflicts (IAC)** exist whenever there is resort to armed force between two or more States. Examples may include hostile resort to armed force involving two or more States;⁷ occupation or when a territory is placed under the authority of an hostile army;⁸ armed conflicts in which peoples are fighting against colonial domination, alien occupation or racist regimes in the exercise of their right to self-determination (wars of national liberation);⁹ intervention in a previously existing internal conflict without the consent of the territorial State (for example to fight a non-state armed group, or to support it against the territorial State).¹⁰ An IAC does not exist in cases in which use of force is the result of an error (e.g. involuntary incursion into foreign territory, wrongly identifying the target); and when the territorial State has given its consent to an intervention.¹¹
- **Non-international armed conflicts (NIAC)** are protracted armed confrontations occurring between governmental armed forces and the forces of one or more armed groups, or between such groups arising on the territory of a State. The armed confrontation must reach a *minimum level of intensity* and the parties involved in the conflict must show a *minimum of organisation*.¹² Examples may include protracted armed confrontations occurring between governmental armed forces and one or more armed groups; and several factions confronting each other without the involvement of the government's armed forces.¹³ A NIAC does not exist in cases of internal disturbances and tensions, such as riots, isolated and sporadic acts of violence and other acts of a similar nature.¹⁴

Identifying armed conflict

The situations of armed conflict to be included in the indicator annually will be identified based on the assessments, as contained in publicly available reports and other relevant documents, issued by the UN and other internationally mandated entities. These would include the following: reports issued by the Secretary General; resolutions adopted by the UN Security Council; resolutions adopted by the General Assembly; reports of UN-mandated International Commissions on Inquiry and Fact-Finding Missions; reports by the Office of the High Commissioner for Human Rights (OHCHR); resolutions adopted by the Human Rights Council; reports by the Special Procedures of the Human Rights Council; reports issued by the ICRC; and reports and other documents by international and other relevant criminal courts.

Using these sources, an annual list of situations of armed conflict to be considered for the indicator will be generated by OHCHR. This list will be produced only for the compilation of the indicator and will not imply any further legal determinations for other purposes, including in relation to the question of applicability of international humanitarian law.

Conflict-related deaths

- **Direct deaths** are deaths where there are reasonable grounds to believe that they resulted directly from war operations and that the acts, decisions and/or purposes that caused these deaths were in furtherance of or under the guise of armed conflict. These deaths may have been caused by (i) the use of weapons or (ii) other means and methods. Deaths caused by the use of weapons, include but are not limited to those inflicted by firearms, missiles, mines, and bladed weapons. They may also include deaths resulting from aerial attacks and bombardments (e.g. of military bases, cities and villages), cross-fire, explosive remnants of war, targeted killings or assassinations, force protection incidents. Deaths caused by other means and methods may include deaths from torture or sexual and gender-based violence, intentional killing using starvation, depriving prisoners of access to health care or denying access to essential goods and services (e.g. an ambulance stopped at a check point).
- **Indirect deaths** are deaths resulting from a loss of access to essential goods and services (e.g. economic slowdown, shortages of medicines or reduced farming capacity that result in lack of access to adequate food, water, sanitation, health care and safe conditions of work) that are caused or aggravated by the situation of armed conflict.

If a nexus between direct deaths with the conflict can be established, or reasonably assumed, then they should be counted in indicator 16.1.2.¹⁵ By definition, these deaths should be separated from other violent deaths, which are in principle not connected to the situation of armed conflict, (e.g. intentional and non-intentional homicides, self-defence, self-inflicted), but are still relevant to the implementation and measurement of SDG target 16.1. The ICCS provides definitional elements and classification of violent deaths both related and not related to armed conflict. The ICCS provides indications on how to distinguish between intentional homicides, killings directly related to war/armed conflict and killings that amount to war crimes.¹⁶

Operational challenges to implement these definitions when recording and counting conflict-related deaths are addressed below through the methodological guidance for documented direct deaths. OHCHR will continue its engagement with UNODC and WHO to ensure consistent measurement of conflict-related deaths (16.1.2) and intentional homicides (16.1.1).

Methodological Guidance

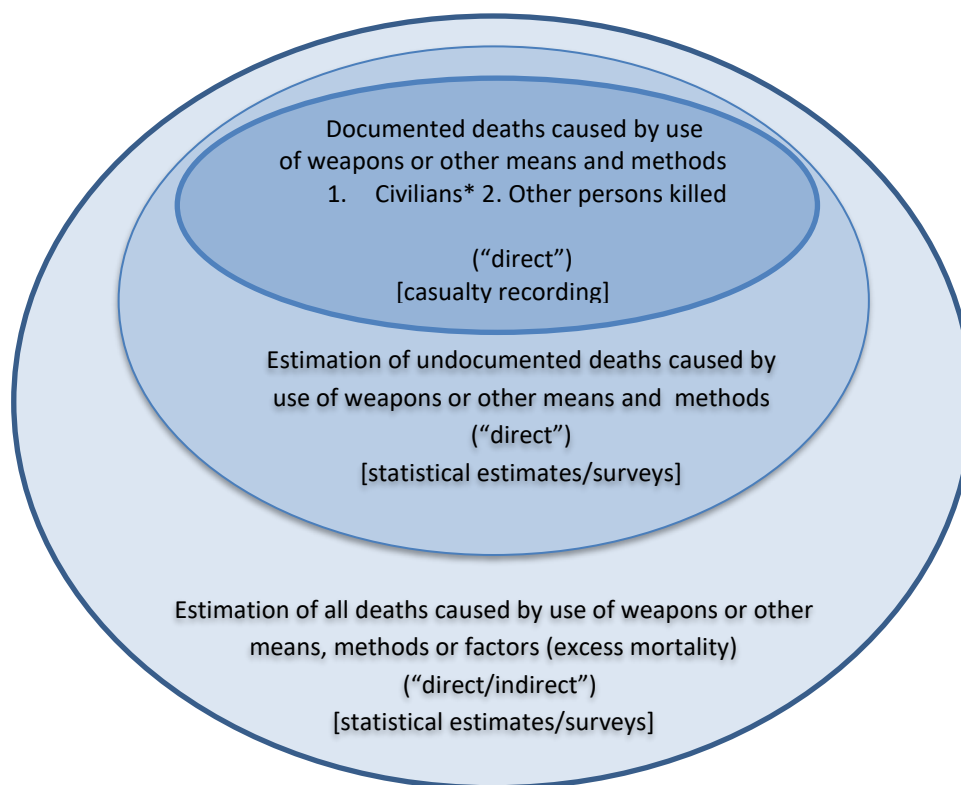
Concentric approach

Taking into account the challenges in collecting and verifying information to document individual deaths in an armed conflict context and the consequent need to supplement documented individual cases with statistical estimates, a concentric approach will be followed to facilitate the methodology development, data collection and compilation of the indicator.

- **Counting documented direct deaths** - deaths that are fully documented by existing casualty recording organizations¹⁷ and other relevant entities on the ground. These include United Nations missions and other international organisations active in conflict-settings that collect data on conflict-related deaths in pursuance of their mandate. Documented cases provide verified information on each death, drawing potentially on a range of sources including government agencies, national statistical offices, national human rights institutions, non-governmental organizations, media (including social media) and other civil society sources. Given the mandate of UN entities and corresponding casualty recording practices, data on deaths of civilians are generally more systematically collected. OHCHR, in cooperation with all relevant stakeholders, will continue to explore the possibility for the indicator to cover other categories.
- **Estimating undocumented direct deaths** - depending on the availability and quality of data over the course of the armed conflict, statistical surveys and techniques may be used to estimate the magnitude of direct conflict-related deaths, adding statistical estimates of undocumented cases to the documented cases.¹⁸ National datasets with sufficiently well documented direct deaths constitute an essential source for further statistical analysis and estimations of undocumented direct deaths.
- **Estimating indirect deaths** - Indirect deaths would typically fall outside the scope of common casualty recording practices (that rather focus on direct deaths). They may be captured using additional administrative records and/or statistical surveys allowing the measurement of *excess mortality*, namely all the deaths (direct and indirect) that would not have occurred in time of peace, as defined and measured by epidemiologists.¹⁹

Existing data must be updated regularly and retrospectively reflecting the emergence of new data over time.

Figure 1: Concentric approach



*A number of existing sources on conflict-related deaths are currently only reporting on civilian casualties in order to advocate for and support protection and accountability efforts, such as UNAMA.²⁰

Documented direct deaths

Case-specific data

For counting documented direct deaths, information collected on an individual death directly related to the armed conflict will be used. This approach serves as a check against double counting, and ensures consistency and comparability across the range of contributing data providers.

A data provider is responsible for recording a case of a death directly related to the armed conflict. For this purpose, the following analytical syntax would be useful:

“Who did what to whom, when, where and why?”

This translates into a basic list of verifiable data that altogether define the case (see, Table 1).

Table 1 – Case-specific data covered by the indicator

Element	Field	Category
Who did	<ul style="list-style-type: none"> Alleged perpetrator(s) 	<ul style="list-style-type: none"> Entity Individual(s) Unknown
What	<ul style="list-style-type: none"> Cause of death 	<ul style="list-style-type: none"> Heavy weapons and explosive munitions²¹ Planted explosives and unexploded ordnance (UXO)²² Small arms and light weapons²³ Incendiary Chemical, biological, radiological, nuclear (CBRN)²⁴ Electromagnetic weapons Less lethal weapons²⁵ Denial of access to/destruction of objects indispensable to survival²⁶ Accidents related to conflict Use of objects and other means²⁷ Unknown
To whom	<ul style="list-style-type: none"> Name of person killed 	Free text
	<ul style="list-style-type: none"> Status of person killed 	<ul style="list-style-type: none"> Civilian²⁸ Other protected person²⁹ Member of armed forces³⁰ Person directly participating in hostilities³¹ Unknown
	<ul style="list-style-type: none"> Sex of person killed 	<ul style="list-style-type: none"> Man Woman Unknown
	<ul style="list-style-type: none"> Age group of person killed 	<ul style="list-style-type: none"> Adult (18 and above) Child (below 18) Unknown
When	<ul style="list-style-type: none"> Date of incident 	DD-Month-YYYY
Where	<ul style="list-style-type: none"> Town/city/province or other sub-national entity where the incident happened 	Free text Geo-coded if available
	<ul style="list-style-type: none"> Country of incident 	Coded (M49)
	<ul style="list-style-type: none"> Region of incident 	Coded (M49)
Why	<ul style="list-style-type: none"> Nexus to the conflict 	Reasonable basis to conclude that the death resulted directly from war operations and that the acts, decisions and/or purposes that caused these deaths were in furtherance of or under the guise of armed conflict. These deaths may have been caused by (i) the use of weapons or (ii) other means and methods.

Except for those that allow for free text, all the different categories are to be coded. Data providers should record the deaths of individuals, to the level of detailed verifiable data possible, in the given context of an armed conflict.

For the disaggregation of the 'cause of death', the categories build on the WHO International Classification of Diseases (ICD-11), the ICCS, the ICRC overview of weapons regulated by IHL, UN practice and OHCHR casualty recording. Each category includes common examples that are not exhaustive and can be further expanded or contextualized in the future. To the extent possible, data providers must specify the circumstances surrounding the cause of death (e.g. during military or security operations, in custody, accident, other, unknown). Additional detailed guidance on coding the cause of death has been developed and will be shared with data providers.

Verified case

Each case will have to be verified by the data provider. In all situations, and regardless of the methods used for information-gathering, information must draw on multiple independent sources of information. In line with OHCHR human rights monitoring guidance³², there must be reasonable grounds to believe that the incident or act(s) happened to the person killed. This standard of proof is met by considering the totality of verified information. A piece of information is generally considered verified if it is corroborated by other reliable sources.

Data collection process

In the selection of data providers for the indicator, OHCHR will systematically assess relevant UN entities, National Human Rights Institutions (NHRIs), National Statistical Offices (NSOs) and civil society organizations, for their application of the methodology for the indicator, including their ability to provide credible and reliable data and apply the verification standard. This will be done through metadata exchange, capacity building and continued exchange with possible data providers.

A **data provider** refers to an organization that records cases of conflict-related deaths and shares with OHCHR its disaggregated data and metadata for the compilation of the indicator. The **data source** refers to the source of information used by the data providers to record and verify information on the persons killed and related incidents. Examples of sources include: eyewitnesses or those directly affected; hospital records; community elders, religious and civil leaders; security forces and conflict parties; local authorities; prosecution offices, police and other law enforcement agencies, health authorities; government departments and officials; UN and other international organizations; media reports; members of the international community; and civil society organizations. In addition, relevant information may be obtained from digital sources (e.g. videos, photos), documentary sources (e.g. medical, police and judicial records), and open sources (e.g. online information).

In the selection of potential data providers for the indicator, the mechanisms, bodies, and institutions that have the mandate, capacity and independence to document and investigate

alleged killings related to conflict, will be prioritized. From this perspective, United Nations entities working on casualty recording in the framework of their operations (e.g. peacekeeping operations, commissions of inquiry, humanitarian operations and human rights offices), NHRIs, and NSOs will be prioritized.

In situations of armed conflict, a large share of deaths may remain unreported. Often, the presence of conflict heavily affects normal registration systems. Additionally, actors on both sides of a conflict may have incentives for misreporting, deflating or inflating casualties. In most instances, the number of cases reported will depend on access to conflict zones, access to information, motivation and perseverance of the possible data providers.

OHCHR will conduct capacity building activities and collaborate, including in validating data, with relevant stakeholders at national, regional and international levels.

Counting rules

The basic counting unit for this indicator is the person killed, which means that one case should yield one person killed. A single incident that claimed two persons killed will have to be recorded as two cases corresponding to each person killed.

Reference period

Cases are reported to or taken cognizance of by data providers on a continuing basis but for purposes of SDG annual reporting, the reference period shall be from 1 January to 31 December of the preceding year.

Geographical coverage

The indicator covers all situations in armed conflict that have been identified using the approach described above, grouped according to geographical regions, as reflected in the M49 standard prepared by the UN Statistics Division and used for SDG reporting.

¹ The framework is laid out in a GA resolution entitled “Work of the Statistical Commission pertaining to the 2030 Agenda for Sustainable Development” which was previously endorsed by the Economic and Social Commission and the UN Statistical Commission on the basis of technical work by the Inter-agency and Expert Group on SDG Indicators.

² E/CN.3/2017/2

³ A/RES/70/1

⁴ E/2015/24-E/CN.3/2015/40

⁵ E/CN.15/2015/19

⁶ Forthcoming publication

⁷ ICRC, *How is the Term ‘Armed Conflict’ Defined in International Humanitarian Law?*, p. 1. The 1958 Commentary on the Fourth Geneva Convention also played an important role in clarifying the notion of ‘armed conflict’: see Pictet (ed.), *Commentary on the Fourth Geneva Convention*, Geneva, 1958, pp. 20–21; see also, ICTY, *Tadić Decision on the Defence Motion for Interlocutory Appeal on Jurisdiction*, 1995, para. 70.

⁸ Article 42 of the 1907 Hague Regulations.

⁹ Art. 1 (4), Additional Protocol I to the Geneva Conventions

¹⁰ For instance, where a foreign power send troops into a territory to support a movement opposing the local government. Intervention may also take place through proxy by supporting and guiding an uprising from a

distance, see Sylvain Vite, Typology of armed conflicts in international humanitarian law: legal concepts and actual situations, p. 71.

¹¹ Fleck, Dieter, 'The Law of Non-international Armed Conflict', in Dieter Fleck (ed.), The Handbook of International Humanitarian Law, 3rd edition, Oxford University Press, 2013, p. 608

¹² ICRC, How is the Term 'Armed Conflict' Defined in International Humanitarian Law?, p. 5. The leading case for this understanding is ICTY, Tadić Decision on the Defence Motion for Interlocutory Appeal on Jurisdiction, 1995, para. 70, and Trial Judgment, 1997, para. 562; See e.g. SCSL, Sesay Trial Judgment, 2009, para. 95, and ICC, Bemba Decision on the Confirmation of Charges, 2009, para. 231, and Trial Judgment, 2016, para. 128. For further examples of State practice confirming the definition, see e.g. Canada, Use of Force for CF Operations, 2008, para. 104.6; Colombia, Operational Law Manual, 2009, Chapter II; Netherlands, Military Manual, 2005, para. 1006; Peru, IHL Manual, 2004, Chapter 9, Glossary of Terms; and United Kingdom, Manual of the Law of Armed Conflict, 2004, p. 29. See also Colombia, Constitutional Court, Constitutional Case No. C-291/07, Judgment, 2007, pp. 49–52; and Germany, Federal Prosecutor General at the Federal Court of Justice, Fuel Tankers case, Decision to Terminate Proceedings, 2010, p. 34.

¹³ Y. Sandoz/c. Swinarski/B.Zimmermann, Commentary on the Additional Protocols of 8 June 1977 to the Geneva Conventions of 12 August 1949, ICRC, Geneva, 1987, para. 4461

¹⁴ Article 1, Additional Protocol II; see also, Bothe, Michael, Partsch, Karl Josef and Solf, Waldemar A., New Rules for Victims of Armed Conflicts: Commentary on the Two 1977 Protocols Additional to the Geneva Conventions of 1949, Martinus Nijhoff Publishers, The Hague, 1982, p. 719

¹⁵ To distinguish common homicides from killings directly related to the armed conflict, there is a need in practice to be able to establish a nexus to the armed conflict, demonstrating that the armed conflict plays "a substantial part in the individual's ability to commit the crime, the decision to commit it, the manner in which it was committed or the purpose for which it was committed. Hence if it can be established, ... that the perpetrator acted in furtherance of or under the guise of armed conflict, it would be sufficient to conclude that his acts were closely related to the armed conflict." (IT-94-1), Appeals Chamber, 2 October 1995, x70.20 Judgement, Kunarac (IT-96-23 & IT-96-23/1-A), Appeal Chamber, 12 June 2002, paras. 58. See also Rome Statute, Elements of Crimes, article 8.

¹⁶ See UNODC, ICCS Briefing Note: Unlawful killings in conflict situations, available at https://www.unodc.org/documents/data-and-analysis/statistics/crime/ICCS/Unlawful_killings_conflict_situations_ICCS.pdf

¹⁷ The casualty recording organisations referred to here are organizations whose methodology has been reviewed by OHCHR.

¹⁸ For instance, statisticians of the Human Rights Data Analysis Group have been conducting statistical analysis based on available data of documented deaths and generating estimates of all fatalities (both documented and undocumented) in several (essentially post-conflict) countries.

¹⁹ While necessary for a true account of all the conflict-related deaths, this is a particularly data intensive exercise and difficult to carry out during protracted armed conflicts. For more information on excess mortality, see <http://www.genevadeclaration.org/fileadmin/docs/GBAV/GBAV08-CH2.pdf>.

²⁰ For more information, see UNAMA and OHCHR, "Afghanistan: Protection of Civilians in Armed Conflict, Annual Report 2016"

²¹ Sub-categories are: Battle tanks; Armoured combat vehicles; Large calibre artillery systems; Combat aircraft; Attack helicopters; Warships; Missiles; Unknown

²² Sub-categories are: IED – other; IED – VOIED; ERW – excluding cluster munitions; ERW – cluster munitions; Mine; Unknown

²³ Sub-categories are: Small arms; Light weapons; Unknown

²⁴ Sub-categories are: Chemical; Biological; Radiological; Nuclear; Unknown

²⁵ Sub-categories are: Riot control agents; Kinetic projectiles; Handheld melee weapons; Unknown

²⁶ Sub-categories are: Food; Water; Medicine/medical care; Shelter; Unknown

²⁷ Sub-categories are: Use of objects; Bodily force; Sexual violence; Unknown

²⁸ These are all persons killed who are not included in the category of other protected person, the category of member of armed forces and the category of person directly participating in hostilities.

²⁹ This category includes amongst others medical and religious personnel serving in State armed forces and exclusively assigned to medical and religious duties respectively, and persons hors de combat. For further information, see, <https://ihl-databases.icrc.org/customary-ihl/eng/docs/>, chapters 7 & 15

³⁰ All members of the armed forces of a party to the conflict are combatants, except medical and religious personnel. For additional information see, https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule3

³¹ With the exclusion of those who are members of armed forces, who are included in the previous category.

³² For additional guidance on corroboration and assessment of reliability of sources, please refer to the Human Rights Monitoring Manual, available from <https://www.ohchr.org/Documents/Publications/OHCHRIntro-12pp.pdf>, and Commissions of Inquiry and Fact-finding Missions on International Human Rights and Humanitarian Law: Guidance and Practice, available from https://www.ohchr.org/Documents/Publications/Col_Guidance_and_Practice.pdf