Quality assurance that is fit for purpose in CGD

UN EGM on harnessing data by citizens for public policy and SDG monitoring

Saionara Reis
Danish Institute for Human Rights
“A simple definition of quality is “fit for use” or “fit for purpose”. It is the users’ needs that define the quality. Different users may have different needs that must be balanced against each other to provide the quality concept with concrete content.”
National Human Rights Institutions

SDG INDICATOR 16.a.1 Existence of independent national human rights institutions in compliance with the Paris Principles (29%)

120 countries: 88 “A” status NHRIs and 32 “B” status NHRIs

- Receive complaints (data) from citizens
- Collect data actively (surveys, focal groups, interviews...)
- Expertise on the Human Rights-Based Approach (including to data)
- Access to groups in vulnerable situation
- Independent state institution
- Partnerships with NSOs
SDGs and Human Rights
State and non-state actors

Data from integrated tools

THE RIGHT TO DEFEND RIGHTS
The Rights to Defend Rights

**SDG 16.10**: ensure public access to information and **protect fundamental freedoms**, in accordance with national legislation and international agreements

**16.10.1**: Number of verified cases of killing, kidnapping, enforced disappearance, arbitrary detention and torture of journalists, associated media personnel, trade unionists and human rights advocates in the previous 12 months (0%)

**16.10.2**: Number of countries that adopt and implement constitutional, statutory and/or policy guarantees for public access to information (69%)

Limitations from a human rights perspective: the indicators do not allow for a more granular measurement of measures in place to **prevent** and **remedy** the gross violations of the right to defend rights.
The Rights to Defend Rights in the SDGs

**Fundamental freedoms**
SDG 16.10 on the enjoyment of the fundamental freedoms and access to information

- Non-discrimination
  - SDG 5.1 on ending discrimination against women and girls
  - SDG 10.3 on equal opportunities and ending discrimination
  - SDG 16.b on promoting non-discriminatory laws and policies

- Participation
  - SDG 5.5 on ensuring participation in leadership and decision-making
  - SDG 10.2 on promoting social, economic and political inclusion
  - SDG 16.7 on responsive, inclusive and representative decision-making

**Strong Institutions, Transparency and Accountability**
SDG 16.6 on developing effective, accountable and transparent institutions
SDG 16.10 on strengthening national institutions

**Human Rights Education**
SDG 4.7 on education for Sustainable Development and global citizenship

**Rule of law and access to justice**
SDG 16.3 on promoting rule of law and access to justice

Examples
Full analysis: https://cutt.ly/5MqMlXb
The Right to Defend Rights
Monitoring Tool

Monitored themes (UNDHRD):

1. General protection, promotion and enjoyment of human rights and fundamental freedoms
2. Freedom of Expression and Opinion
3. Freedom of Association and Assembly
4. Participation in Public Affairs
5. Liberty and Security of Person
## Category 4. Right to Participation in Public Affairs

### Attribute 4.1: Participation in the conduct of public affairs / equal and universal suffrage / access to public

<table>
<thead>
<tr>
<th>Structural Indicators</th>
<th>Process Indicators</th>
<th>Outcome Indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existence of provisions in the constitution and in national implementing legislation</td>
<td>Existence of accessible and institutionalised mechanisms for public input into the</td>
<td>Proportion of positions in national and local institutions, including (a) the legislatures; (b) the public service; and (c) the judiciary,</td>
</tr>
<tr>
<td>which protect the right to participate in public affairs</td>
<td>development of laws, policies and regulations including those affecting human rights</td>
<td>compared to national distributions, by sex, age, persons with disabilities and population groups (SDG 16.7.1)</td>
</tr>
<tr>
<td></td>
<td>defenders</td>
<td></td>
</tr>
<tr>
<td>Existence of provisions in national legislation and regulations requiring meaningful</td>
<td>Proportion of reported cases of acts aimed at restricting the right of human rights</td>
<td>Proportion of human rights defenders and their associations who report that current mechanisms for their participation in public decision-making are</td>
</tr>
<tr>
<td>consultation with groups and communities whose rights are affected by legislative or</td>
<td>defenders to participate in public affairs which were effectively remedied (over the last three years)</td>
<td>inclusive and responsive</td>
</tr>
<tr>
<td>administrative measures</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Existence of mandatory human rights due diligence legislation requiring meaningful</td>
<td></td>
<td>Reported cases of acts aimed at restricting the right of human rights defenders to participate in public affairs (over the last three years)</td>
</tr>
<tr>
<td>consultation on human rights impact and risks with stakeholders, including human</td>
<td></td>
<td></td>
</tr>
<tr>
<td>rights defenders, from communities affected by business operations</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
4.1 Participation in the conduction of public affairs/equal and universal suffrage/access to public service

4.1.1. Is the right to participate in public affairs recognised in the constitution or other forms of superior law?

- Yes
- No
- Skip this question

Additional comments

Data sources

Save

Guidance

This question assesses whether national law includes protection of the right to participate in public affairs.

To answer this, review the Constitution and provisions in national legislation against the questions asked and guidance provided.

International human rights law protects the right of every citizen to take part in the conduct of public affairs, the right to vote and to be elected and the right to have access to public service. States are obliged to adopt legislative and other measures to ensure that citizens have an effective opportunity to enjoy the rights it protects. This may include temporary special measures to improve opportunities for members of groups that have traditionally faced discrimination.

In the Data Source box, include links and/or specific references to legislation as documentation for your response.

In the Additional Comments Box, please provide any further information or reflections to qualify your response.

Data sources:

- National Constitution and national legislation, such as Human Rights, Electoral and Citizenship Acts.
- See also:
  - https://www.ohchr.org/resources/civic-freedom-monitor
  - https://freedomhouse.org/countries/freedom-world/scores

Potential data providers:

NHRI, human rights defender and civil society networks, academia

4.1.2. Are there provisions in national implementing legislation which protect the right to participate in public affairs in the following ways? (Please choose all that apply):

- Guarantees periodic elections by secret ballot
- Guarantees equal and universal suffrage
- Includes temporary special measures for improving equal participation of marginalized and discriminated individuals and groups
- Provides that restrictions on the right to vote or to stand for elections are justified on objective and reasonable criteria

- Yes
- No
- Skip this question
<table>
<thead>
<tr>
<th>Data disaggregation:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gender</td>
</tr>
<tr>
<td>Age</td>
</tr>
<tr>
<td>Other characteristics (self-identification)</td>
</tr>
<tr>
<td>Profession</td>
</tr>
<tr>
<td>Alleged perpetrator</td>
</tr>
<tr>
<td>Issue being worked on</td>
</tr>
</tbody>
</table>

4.1.7 In the last three years, have there been any cases of acts aimed at restricting the right of human rights defenders to participate in public affairs?

- Yes
- No
- No data

4.1.8 If so, how many cases have there been?

4.1.9.6 Issue being worked on

- Environment, Land, and human rights
- Business and human rights
- Civic and political rights (in general)
- Economic, social and cultural rights (in general)
- Labour rights
- Women's rights
- Children's Rights
- LGBTQI rights
- Indigenous peoples rights
- IDP rights
- Refugee rights
- Migrant rights
- Other

4.1.9 Based on case data for all documented cases, include the total number of cases for each year with regard to the following:

4.1.9.1 Gender of HRD

<table>
<thead>
<tr>
<th>Year</th>
<th>No. of male</th>
<th>No. of female</th>
<th>No. of other</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

4.1.9.5 Alleged Perpetrator of act

- No. allegedly perpetrated by state actor
- No. allegedly perpetrated by businesses
- No. allegedly perpetrated by other non-state actors
- No. unknown

4.1.9.2 Age of HRD

<table>
<thead>
<tr>
<th>No. of 18 and over</th>
<th>No. of under 18</th>
<th>No. of unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>

4.1.9.3 Other provisions

<table>
<thead>
<tr>
<th>Migrant rights</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

4.1.9.4 Profession of HRD

<table>
<thead>
<tr>
<th>no. of trade unionists</th>
<th>no. from indigenous group</th>
<th>no. of person living with disabilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>no. of journalists</td>
<td>no. from ethnic minority</td>
<td>no. of LGBTI</td>
</tr>
<tr>
<td>no. of other</td>
<td>no. from religious minority</td>
<td></td>
</tr>
</tbody>
</table>
Indigenous Navigator

DOMAINS REFLECTED IN UNDRIP

Self-determination

General enjoyment of human rights and fundamental freedoms

Cultural integrity

Lands, territories and natural resources

Fundamental rights and freedoms

Participation in public affairs

Legal protection, access to justice and remedy

Cross-border contact

Freedom of expression and media

General economic and social development

Education

Employment and occupation

Health
| Art. 25: Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard. | Possibility to maintain, strengthen and transmit to future generations indigenous peoples’ distinct spiritual relationship with lands, territories and resources; State legal recognition and protection of indigenous peoples’ lands, territories and resources based on traditional ownership, occupation and use or acquisition. | Recognition of indigenous peoples’ rights to lands, territories and resources in national legislation. |
| Art. 26(1): Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired. | Effective control over lands, territories and resources. | Sanctioning of violators of indigenous peoples’ rights to lands and territories. Incidents of settlements, land grabbing, land use or resource extraction without indigenous peoples’ free, prior and informed consent. |
| Art 26(2): Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired. | State implementation of a fair, independent, impartial, open and transparent process, | Clear procedures adopted by the State for identification, demarcation, mapping and registration of indigenous peoples’ lands or territories lands in consultation with and in accordance with indigenous norms, values and customs. |
| Proportion of [indigenous] people with ownership or secure rights over land (out of total community population), disaggregated by sex. In order to capture relevant information related to this broad indicator, the following sub-indicators are guiding the questions: Characteristics of indigenous peoples’ traditional land tenure systems; Extension of indigenous peoples’ traditional territories (CA); Extension of lands covered by collective title deeds or other binding agreements; Percentage of men and women with title deeds or other binding agreements in recognition of their individual rights to lands. | | |
Data Collection

• Easy interface
• Respond in the order you wish, when you wish
• Follow progress easily
• Print answers
Final report

- Demographics and maps
- Comparison btw national and community
- Focus on implementation gaps and focus on critical issues
- Easily accessible text, graphs and images
- Option to include more narratives – not all information fit into the questions.
- Printable pr. domain.
<table>
<thead>
<tr>
<th>Active filters</th>
<th>Submissions</th>
<th>Download</th>
<th>Print to PDF</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Easy to get data - from others as well</td>
<td>- Download data as CSV for further exploration</td>
<td>- Print to PDF</td>
<td></td>
</tr>
</tbody>
</table>

Data Explorer

- Easy to get data - from others as well
- Download data as CSV for further exploration
- Print to PDF
Index Explorer

- Central data is easy to get and visualize.
- Easy filtering
- Complex comparisons: Download (CSV) available for further calculations.
Quality assurance that is fit for purpose:

- Developed with and for affected stakeholder groups
- Piloted for reality check
- With guides (all) and training modules (IN)
- Accessible Metadata
- Concepts are based on international standards
- Additional information and comments box
- Data source box
- Review process – confidentiality, validation