

Human Rights-Based Approach to Data



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Why do we need a HRBAD?



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Context

Converging demands from human rights and development agendas:

- Human rights:
 - International human rights instruments, including ratified treaties, compelling to data disaggregation to monitor inequalities and discrimination (e.g. ICPRD, Art 31)
 - Recurrent recommendations from IHRM on statistics, indicators and disaggregation



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Context

Converging demands from human rights and development agendas:

- 2030 Agenda:

- unanimous calls to *'leave no one behind'*, *'reach the furthest behind first'*, *'eliminate discrimination'* and *'reduce inequality'*
- commitment to data disaggregation by *income, gender, age, race, ethnicity, migratory status, disability, geographic location and other relevant characteristics* (SDG target 17.18)
- Agenda to be implemented in a manner consistent with the rights and obligations of States under international law (A/RES/70/1, Para 18)



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Why and how to ensure participation in data work?



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Participation

- “Nothing about us without us”
- Do no harm
- Retain trust in official statistics
- Free, active and meaningful participation
- Relates to indicators definition, data collection, dissemination and analysis
- Human rights / statistics focal points

HRBAD: Data Disaggregation

SDG Target 17.18

- Income
- Gender
- Age
- Race
- Ethnicity
- Migrant status
- Disability
- Geographic location
- And other relevant characteristics...

- Indigenous peoples
- Homeless persons
- People living in slums
- Nomadic populations
- Religion
- Casts
- Minorities
- Youth/older persons
- Undocumented migrants
- Refugees, IDPs
- LGBTI
- Persons living with HIV/AIDS
- Street children
- Prisoners
- (...)

Can we produce disaggregated data for all these grounds?

Data Disaggregation

- By grounds of discrimination prohibited by international human rights law
- *Average, deprivation and inequality perspectives*
- Hard-to-count populations
- Multiple disparities or discrimination
- Participation in identification of grounds and data collection (e.g. SDG indicator 16.b.1)

Self-identification

- Freedom to self-identify, in particular when touching personal identity (religious beliefs, sexual orientation, gender identity and ethnicity)
- Do no harm
- Gender and cultural sensitive data collection approaches
- Subjective/objective criteria (language, geographic location)

Transparency

- People's right to (statistical) information (freedom of expression, International Covenant on Civil and Political Rights, Art. 19 ; Principle 1 of Fundamental Principles for Official Statistics)
- Transparency in legal, institutional and methodological framework within which NSOs operate



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Privacy

- Data protection and confidentiality (ICCPR, Art. 17)
- Data collected to produce statistical information must be strictly confidential and use exclusively for statistical purposes (Principle 6 of FPOS)
- Watch data disaggregation and privacy issues

Accountability

- Data collection for accountability
- Accountability in data collection
- As other state institutions, NSOs have obligations to respect, protect and fulfill human rights as it pertains to their area of work
- Relevance of statistics legislation and implementation

HRBAD operationalisation: MoU between NHRI and NSO



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See OHCHR standard model of Memorandum of Understanding



A HUMAN RIGHTS-BASED APPROACH TO DATA

LEAVING NO ONE BEHIND IN THE 2030 AGENDA FOR SUSTAINABLE DEVELOPMENT



For further queries

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