



THE DANISH
INSTITUTE FOR
HUMAN RIGHTS

SDG DATA,
INDICATORS &
MECHANISMS

A HUMAN RIGHTS
REFERENCE PAPER

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INTRODUCTION

BUILDING MONITORING ON HUMAN RIGHTS

The Danish Institute for Human Rights (DIHR) has developed a Human Rights Guide to the Sustainable Development Goals (SDGs). The Guide uncovers the human rights anchorage of all 17 goals and 169 targets, and assesses the human rights adequacy of the proposed indicators. The Guide reveals a high degree of convergence between the SDGs and international human rights and labour standards, including cross-cutting principles such as participation, accountability and non-discrimination. Based on the Human Rights Guide to the SDGs, DIHR has reviewed the proposed indicators to:

- Identify cross-linkages where targets across the agenda relate to the same human rights standards;
- Identify gaps where proposed indicators do not capture relevant human rights references of the targets;
- Identify indicators that do not suggest or allow disaggregation of data in line with the focus of the target;
- Provide recommendations to align the proposed indicators with international human rights standards and identify priorities for additional indicators to ensure a human rights-based approach to monitoring of the SDGs.

The goals and targets reflect a range of economic, social, cultural, civil and political rights. The pledge to leave no one behind, and to reach those who are furthest behind first, represents a commitment to the human rights principles of equality and non-discrimination, which are also reflected in explicit references to indigenous peoples, persons with disabilities, children, migrants and other rights-holders.

If adequately implemented, the Agenda will have a significant impact on the enjoyment of human rights by everyone, everywhere.

The full mapping of targets and human rights references as well as the review of indicators is available at: www.humanrights.dk/sdg-guide

The 2030 Agenda for sustainable development is firmly grounded in international human rights treaties and instruments, with the explicit recognition that implementation must remain consistent with relevant international rules and commitments and that the monitoring framework should build on existing processes and provide disaggregated data. In order to uphold the human rights commitments reflected in the goals and targets, the monitoring framework must build on three fundamental elements:

- The adoption of human rights relevant indicators.
- Collection of disaggregated data, including through participatory data collection.
- Building on existing human rights monitoring mechanisms at national, regional and international levels.

PART 1

HUMAN RIGHTS INDICATORS & CROSS-LINKAGES

This section is based on DIHRs human rights-based analysis of targets and indicators, and presents concrete recommendations for strengthening the human rights adequacy of the proposed indicators, as well as suggestions for replacement indicators where the proposed priority indicators do not uphold the human rights contents of the target. Likewise, the analysis has facilitated the identification of important cross-linkages, where targets across the Agenda relate to the same human rights standards.

Overall, the analysis shows that the SDG targets have a high degree of relevance and convergence with the provisions of core human rights and labour standards, and thus provide an unprecedented opportunity to contribute to the realisation of human rights at a global scale. However, while the assessment of the human rights reference and relevance of targets and proposed indicators is generally positive, the review also identified a number of weaknesses and areas that could be strengthened:

- The human rights principles of participation and accountability are only weakly reflected across the indicators.
- There are relatively few “structural” and “process” indicators under certain goals, which will make it difficult to measure the efforts undertaken by states, and to link these efforts to the outcomes. This is particularly problematic where outcome indicators are proposed to measure the goal- specific means of implementation, for example under goal 16.
- The requirement for comprehensive disaggregation of data related to prohibited grounds of discrimination is only addressed in a few indicators.
- In a number of cases, the proposed priority indicators have weak or no correspondence with the human rights contents of the targets, or only address the targets in a very partial manner.

The human rights-based analysis can help simplify the indicators framework.

For examples, **targets 5.c, 10.2, 10.3, 10.4, 16.b** and **17.14** regarding discriminatory legal frameworks and policies, inclusion and policy coherence can all be measured by the same indicator, making explicit the relationship to legally-binding international human rights instruments with institutionalised monitoring mechanisms, by measuring: Number of countries that have ratified and implemented international Conventions of particular relevance for equality and non-discrimination.

In order to address these concerns, and in line with comments provided by UN agencies, states and rights-holders, DIHR recommends a number of changes to strengthen the proposed indicators. A full overview of these recommendations is provided in the “Table of key human

rights concerns and recommendations for SDG indicators” which accompanies this Reference Paper¹.

In particular, DIHR highlights the importance of the following changes to the proposed indicators:

NON-DISCRIMINATION

Targets 5.c, 10.3 and 16.b call for the elimination of discriminatory laws and policies and the promotion and enforcement of non-discriminatory laws and policies. **Target 10.2.** aims at social, economic and political inclusion of all, and target **10.4.** aims to adopt policies to progressively achieve greater equality. However, the proposed indicators do not directly address the revision of laws and policies, but have a focus on results rather than means, making it difficult to measure the concrete efforts employed by States. An indicator that measures States’ realisation of legally-binding equality and non-discrimination conventions, would be relevant for all of these targets as well as for **target 17.14**, which aims to enhance policy coherence for sustainable development². Further, such Conventions are monitored by existing international bodies, which regularly provide recommendations and guidance to States for adequate implementation. The implementation of such recommendations provide a clear measurement to assess States’ application of the Conventions.

Suggested additional indicator for targets 5.c, 10.2, 10.3, 10.4, 16.b and 17.14:

- Number of countries that have ratified and implemented international Conventions of particular relevance for equality and non-discrimination³.

Such Conventions include: the Convention on the Elimination of All Forms of Discrimination Against Women; the Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Rights of Persons with Disabilities; ILO Convention No. 111 on Discrimination in Employment and Occupation, and; ILO Convention No. 169 on indigenous peoples.

HUMAN RIGHTS EDUCATION

Target 4.7 aims to ensure that all learners acquire the knowledge and skills needed for sustainable development, including human rights, gender equality, promotion of a culture of peace and non-violence, as well as the appreciation of cultural diversity and of culture’s contribution to sustainable development. All of the before-mentioned topics relate to human rights, and the provision of human rights education is a commitment under a range of

¹ See www.humanrights.dk/sdg-guide

² The suggested indicator for target 17.14 is the number of countries that, inter alia, have ratified relevant human rights instruments. Suggestions by UN agencies to replace this with a narrow indicator to measure ratification of instruments under the International Maritime Organization would seriously disconnect the indicator from the target.

³ This indicator is similar to the one proposed by Canada under Goal 16.b. An similar and equally human rights-relevant indicator, which may, however, require additional monitoring efforts, is proposed by UNECE: Proportion of countries with legislation in place to progressively reduce inequalities over time in the fields of age, sex, disability, race, ethnicity, origin, religion or economic or other status.

international human rights instruments. However, the proposed indicator only suggests to measure a fixed level of knowledge of students across a selection of topics in environmental science and geoscience. Given the universality of human rights, it would be feasible to measure a fixed level of knowledge about human rights against a standard curriculum that would be relevant across the globe.

Suggested amendment for indicator for target 4.7:

- Percentage of 15-year old students enrolled in secondary school demonstrating at least a fixed level of knowledge across a selection of topics in environmental science, geoscience **and human rights**⁴.

FORCED LABOUR AND TRAFFICKING

Target 8.7 calls for immediate and effective measures to eradicate forced labour, including child labour. Trafficking of women and girls, which is also considered a form of forced labour under international law, is addressed in **target 5.2**. None of the proposed indicators under these targets address the issue of forced labour or trafficking⁵. **Target 10.7** aims to facilitate orderly, safe, regular and responsible migration and mobility of people. The proposed indicator for this target measures the number of detected and non-detected victims of human trafficking per 100,000; by sex, age and form of exploitation, and would be equally relevant under **targets 8.7** and **5.2**.

Suggested additional indicator for targets 5.2, 8.7 and 10.7:

- Number of countries that have taken immediate and effective measures to implement recommendations regarding forced labour of treaty monitoring bodies, ILO supervisory bodies, UN Special Rapporteur on contemporary forms of slavery and the Universal Periodic Review⁶.

MENTAL HEALTH

The right of everyone to the enjoyment of the highest attainable standard of physical and mental health is a fundamental human right⁷. **Target 3.4** explicitly aims at promoting mental health and well-being. However, the issue of mental health is not addressed by the proposed indicator, and is not addressed either elsewhere in the Agenda.

Suggested additional process indicator for target 3.4:

- Proportion of the overall allocation for public health care that is allocated to mental health care.

⁴ This proposal is supported by the European Commission. Likewise, Denmark supports stronger coherence between target and indicator.

⁵ This concern is also raised by Canada, USA, IOM and the UN-system.

⁶ This indicator could be monitored by ILO and OHCHR.

⁷ Recognized under the International Covenant on Economic, Social and Cultural Rights and a range of other human rights instruments.

GOVERNANCE & HUMAN RIGHTS

A series of targets under Goal 16 address the inter-related issues of governance and human rights. **Target 16.6** aims to develop effective, accountable and transparent institutions; **16.a** aims to strengthen relevant national institutions to prevent violence and combat terrorism and crime; and **16.b** aims to promote and enforce non-discriminatory laws and policies for sustainable development.

National Human Rights Institutions (NHRIs)⁸ promote accountability, prevent violence and promote and enforce non-discriminatory laws and can thus contribute to the realisation of the three inter-related targets under goals 16 but also to the elimination of discriminatory legislation under **targets 5.c, 10.3, 16.b**, the protection of fundamental freedoms under **target 16.10**, the collection of disaggregated data **under target 17.18** etc. Thereby, NHRIs can have a broader catalytic impact on the realisation of the entire agenda, given their unique bridging role, which can serve to promote transparent, participatory and inclusive national processes of implementation and monitoring, in accordance with international human rights standards.

Suggested additional indicator for targets 10.3, 16.6, 16.10, 16.a and 16.b:

- Existence of an independent National Human Rights Institution in compliance with the Paris Principles⁹.

RULE OF LAW AND ACCESS TO JUSTICE

Target 16.3 aims at promoting the rule of law and ensuring access to justice of all. The proposed indicators address the level of reporting by victims of violence, and the proportion of un-sentenced detainees. However, the indicators will not capture the equality aspect of justice for all more broadly, and also disregard the importance of customary law and traditional dispute mechanisms¹⁰.

Suggested indicator for target 16.3:

- Proportion of those who have experienced a dispute in the past 12 months and who have accessed a fair formal, informal, alternative or traditional dispute mechanism, in accordance with international human rights standards¹¹.

LAND RIGHTS

Secure tenure and access to land, territories and resources are crucial rights of, among others, small-scale producers, women, indigenous peoples and local communities across the globe. **Target 1.4** addresses equal rights to ownership and control over land for women and men, the poor and the vulnerable, but the proposed indicator only addresses the gender aspect of the target. **Target 2.3** aims to ensure secure and equal access to land for women, indigenous peoples, family farmers, pastoralists etc. However, the proposed indicator measures value of

⁸ See section 3 of this Reference Paper.

⁹ Proposed, inter alia, by OHCHR, UNDP, UNSSO, UNFPA.

¹⁰ As inter alia provided for in the UN Declaration on the Rights of Indigenous Peoples.

¹¹ Proposed by UNDP and the World Bank in a slightly amended form (without specific reference to international human rights standards). This indicator is interlinked with target 16.6 and 16.a.

production per labour unit and may in the worst scenario even create an adverse incentive to increase productivity (e.g. through the increase of “blue” water or fossil energy resources) at the expense of sustainable practices of the rights-holders addressed in the target.

Suggested indicators under targets 1.4. and 2.3:

- Percentage of women, men, indigenous peoples and local communities with secure tenure rights to individually or communally held land, property and natural resources¹².
- Number of countries with a legal framework that includes special measures to guarantee indigenous peoples’ rights to land and natural resources¹³.

TRADITIONAL OCCUPATIONS AND SUSTAINABLE PRACTICE

The practice of traditional occupations, such as small-scale farming, pastoralism and shifting cultivation, is a fundamental right under international law. Traditional occupations constitute a key element of the livelihood and food production systems of millions of people across the globe. **Target 2.3** specifically addresses small-scale producers, including indigenous peoples, pastoralists and fishers; **target 2.4.** addresses issues relating to sustainable food production systems and resilient agricultural practices; **target 14.b** addresses issues pertaining to small-scale artisanal fishers. None of the proposed indicators measure issues pertaining to traditional occupations.

Suggested additional indicator for targets 2.3, 2.4 and 14.b:

- Status and trends in traditional occupations¹⁴.

PARTICIPATION

Target 6.b aims to support and strengthen the participation of local communities in improving water and sanitation management. However, there is no suggested indicator for this target, which is one of the few that specifies the need for broad community participation in development. **Target 11.3** aims to ensure inclusive and sustainable urbanization and capacity for participatory, integrated and sustainable human settlement planning and management. However, the proposed indicator does not cover the requirement for participation, as reflected in the target. **Target 16.7.** aims more generally to ensure participatory decision-making at all levels, and is thus a key target for ensuring adequate participation of rights-holders and civil society in general, which is important for the adequate implementation of the entire Agenda.

¹² Supported by a broad coalition of global and national organisations, including IPMG, UNEP, the Women’s Major Group, and the Sustainable Development Solutions Network. UK supports a similar indicator.

¹³ This indicator is similar to the one proposed under target 5.a, and data can be compiled by FAO.

¹⁴ “Traditional occupations” is a concept in international law, e.g. under ILO Convention No. 111. The indicator can capture a range of parameters, including the value of produced output, inter-generational transmission of knowledge and continuity of sustainable practices, access to land and resources, non-farm employment etc. The indicator is already adopted as one of the official indicators for monitoring the implementation of the Convention on Biological Diversity, with ILO as the lead agency. Sample data related to this indicator can be collected in collaboration with indigenous peoples’ organisations.

Suggested indicator for target 6.b:

- National water resource management and sanitation policies that contain provisions and procedures for participation of local communities¹⁵.

Suggested indicator for target 11.3:

- Percentage of cities with more than 100,000 inhabitants that implement participatory urban and regional development plans integrating population projections and resource needs¹⁶.

Suggested indicator for target 16.7:

- Number of countries with institutionalised spaces for multi-stakeholder dialogues on national and local decision-making and existence of independent monitoring and feedback mechanisms¹⁷.

ACCESS TO INFORMATION AND FUNDAMENTAL FREEDOMS

Target 16.10 is very broad, addressing both public access to information as well as the protection of fundamental freedoms (such as freedom of speech, opinion etc.). The proposed indicator rightly measures gross violations of journalists, human rights activists etc., but do not cover the multiple aspects of the target, including the public access to information. An indicator on public access to information would also be highly relevant for **target 16.6** regarding effective and transparent institutions and would, in general, have a bearing on the adequate implementation of the entire Agenda..

Suggested additional indicators for target 16.10 (fundamental freedoms)

- Number of countries that have received and implemented recommendations regarding fundamental freedoms of treaty monitoring bodies, ILO supervisory bodies, the Universal Periodic Review and UN Special Rapporteurs¹⁸.

Suggested additional indicator for targets 16.6 and 16.10 (access to information):

- Number of countries that have adopted and implemented constitutional, statutory and/or policy guarantees for public access to information¹⁹.

REFLECTING PARTICULAR RIGHTS-HOLDERS

The human rights relevance and contents of a number of the targets are reflected in the focus on inclusiveness, equality and/or by specifying the ambition of the target in relation to particular rights-holders under international law (e.g. persons with disabilities, women,

¹⁵ This bears resemblance to proposals submitted by African IAEG-SDGs members, UN Water, WHO, UNICEF and UNECE.

¹⁶ Proposed by UNFPA.

¹⁷ Proposed by the European Commission.

¹⁸ This indicator is in line with proposals by Canada and the US, but should provide for easier data collection.

¹⁹ Proposed by UNESCO and UNSSO.

migrant workers and indigenous peoples). However, in a number of cases, the proposed indicators do not uphold or fully respond to the human rights contents of the targets. Some of the general problems detected are:

- Indicator does not capture dimensions relating to particular rights-holders (women, persons with disabilities, indigenous peoples): **1.b; 2.1; 3.4; 3.8; 4.5; 4.a; 9.1; 11.2; 11.7**
- Indicator focuses on a too narrow or inadequate age group: **3.7; 5.2; 5.3; 5.6**
- Indicator not adequate or sufficiently detailed to guide implementation efforts: **3.1; 5.a; 8.5**

See the “Table of Key Human Rights Concerns and Recommendations for SDG Indicators” for more details²⁰.

Some indicators do not uphold the human rights focus of the targets.

Target 11.2 aims at providing access to safe, affordable, accessible and sustainable transport systems for all, with special attention to the needs of those in vulnerable situations, including persons with disabilities. The proposed indicator (Proportion of the population that has a public transit stop within 0.5 km) does not measure affordability nor accessibility for persons with disabilities.

DIHR “Gold Indicators” measure implementation of the Convention on the Rights of Persons with Disabilities and provide suitable alternative indicators, such as:

Percentage of persons with and without disabilities who, during the last week, have experienced problems of accessibility to public transportation such as local buses, train, motorised vehicles, taxi, etc. See more at:

<http://www.humanrights.dk/activities/our-work-denmark/disability/gold-indicators-crpd>

²⁰ www.humanrights.dk/sdg-guide

PART 2

DISAGGREGATION OF DATA & PARTICIPATORY DATA COLLECTION

The 2030 Agenda for Sustainable Development specifies that the follow-up and review mechanisms will be “rigorous and based on evidence, informed by country-led evaluations and data which is high-quality, accessible, timely, reliable and disaggregated by sex, age, race, ethnicity, migration status, disability and geographic location and other characteristics relevant in national contexts”²¹.

This is reaffirmed in **target 17.18**, which explicitly aims, by 2020, to significantly increase the availability of such disaggregated data. These categories for disaggregation are largely consistent with the “prohibited grounds of discrimination” under international law, and reflect the cross-cutting human rights principles of non-discrimination and equality.

The adequate implementation of **target 17.18** is key to enabling a systematic monitoring of the equality and non-discrimination dimensions of the entire 2030 Agenda, and to realising the commitment to “leave no one behind”. However, the requirement for disaggregation is mentioned in an uneven manner – or not at all - across the proposed indicators. It is of utmost importance for the human rights relevance of the indicators that:

- A systematic approach to disaggregation of data based on prohibited grounds of discrimination is mainstreamed across the indicators framework.
- Full disaggregation is recommended for a number of strategically selected indicators (selected, for example, on the basis of criteria such as their human rights reference and importance for reducing inequalities)

Hence, as suggested by the OHCHR²², a general note or chapeau should be included with the SDG indicators to stipulate that:

All relevant SDG indicators should be disaggregated by income, gender, age, race, ethnicity, migratory status, disability and geographic location, and other characteristics relevant in national contexts, in line with all grounds of discrimination prohibited by international human rights law.

Further, in order to counter arguments about the lack of data availability, it will be crucial that the IAEG-SDGs stress the importance of a solid set of global indicators and the principle of

²¹ Transforming our world: the 2030 Agenda for Sustainable Development, para. 74 (g)

²² <http://www.ohchr.org/Documents/Issues/MDGs/Post2015/DataDisaggregation.pdf>

capacity-building support for progressive realisation of comprehensive collection of disaggregated data as provided for in Target 17.18. In this regards, IAEG-SDGs should provide:

- Guidance on participatory innovative approaches to data collection in collaboration with concerned rights-holder groups, where data is not readily available or cannot be gathered through existing data collection methods.
- Recommendations to the President of ECOSOC, to highlight the importance of participatory approaches to data collection, including across countries, in the context of the Global SDG Process Report.
- Recommendations regarding participatory data collection to be included in the voluntary common reporting guidelines for the state-led reviews at the High-Level Political Forum, which will be elaborated by the UN Secretary General.

National Human Rights Institutions, along with the Office of the High Commissioner for Human Rights (OHCHR) and others can contribute with expertise and collaboration in this regard.

PART 3

THE ROLE OF HUMAN RIGHTS MECHANISMS IN SDG MONITORING

The high degree of convergence between international human rights and labour standards and the sustainable development goals and targets, points to the potential of using national, regional and international human rights mechanisms to assess and guide SDG implementation.

At international level, such mechanisms include the Human Rights Council, Special Procedures, the Universal Periodic Review, treaty bodies, as well as the International Labour Organization's supervisory bodies. Regionally, it comprises, for example, the African Commission on Human and Peoples Rights and the Inter-American human rights-system.

INTERNATIONAL FOLLOW-UP AND HUMAN RIGHTS MONITORING

The regional and international human rights monitoring and reporting system can contribute to SDG follow-up and review by providing:

- Systematised qualitative and quantitative data through state, UN, civil society and NHRI reports
- Recommendations for states, pointing to specific and systemic implementation challenges and guidance to overcome these
- Methodologies for innovative and participatory data collection, including exposure of inequalities through disaggregation of data and qualitative analysis
- Expertise on developing national monitoring systems that are aligned with global standards, and best practice on peer review mechanisms, expert and thematic reviews
- Best practice on systematic engagement of stakeholders in monitoring, reporting and follow up, including transparency and access to information

THE ROLE OF NATIONAL HUMAN RIGHTS INSTITUTIONS IN SDG MONITORING

At national level, National Human Rights Institutions (NHRIs) are established as independent State bodies with a constitutional and/or legislative mandate to protect and promote human rights. The NHRI mandate typically includes research and advice; education and promotion; monitoring and reporting; investigation; conciliation and remedies; cooperation with national and international organisations; and interaction with the judiciary.

A key role of NHRIs is to monitor and analyse the human rights situation at national level against international human rights standards. At the national level, NHRIs often prepare annual status reports on the human rights situation as well as analysis and research on specific human rights topics, and the situation vulnerable and marginalised groups and particular rights-holders. Internationally, NHRIs prepare shadow reports to the UPR and treaty bodies. NHRIs are thus in a position to:

- Tailor global aspirational standards and goals to the national context

- Design methodologies for exposing inequalities through disaggregation of statistical data and/or primary data collection
- Uncover uneven progress in the SDGs and systemic and structural discrimination
- Identify crosscutting achievements or challenges across civil, political, economic, social and cultural rights
- Convert relevant human rights monitoring data into SDG-relevant data and vice versa
- Coordinate and provide advice to development of national implementation plans
- Complement statistical reporting with contextual analysis from state and non-state sources
- Convene stakeholders at national level, including marginalised and vulnerable groups

NHRIs can therefore play a significant role in both international and national SDG follow-up and review processes by using their existing mandate.

The 2015 Mérida Declaration provides more details about the role of NHRIs in implementing the 2030 Agenda for Sustainable Development²³.

²³<http://nhri.ohchr.org/EN/ICC/InternationalConference/12IC/Background%20Information/Merida%20Declaration%20FINAL.pdf>

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