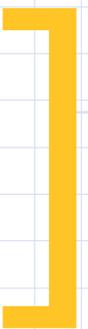


Indicators for Human Rights Based Approaches to  
Development in UNDP Programming: A Users' Guide

March 2006



## Acronyms

|               |   |
|---------------|---|
| <b>ACHPR</b>  | African Charter of Human and Peoples' Rights                                      |
| <b>ACHR</b>   | American Convention on Human Rights   |
| <b>CAT</b>    | Convention Against Torture  |
| <b>CEDAW</b>  | Convention on the Elimination of All Forms of Discrimination against Women        |
| <b>CERD</b>   | International Convention on the Elimination of all Forms of Racial Discrimination |
| <b>CO</b>     | Country Office  |
| <b>COE</b>    | Council of Europe   |
| <b>CRC</b>    | Convention on the Rights of the Child   |
| <b>ECHR</b>   | European Convention on Human Rights   |
| <b>FAO</b>    | Food and Agriculture Organization   |
| <b>FIDH</b>   | International Federation of Human Rights Leagues                                  |
| <b>GDP</b>    | Gross Domestic Product  |
| <b>HDI</b>    | Human Development Index   |
| <b>HRBA</b>   | Human Rights Based Approach   |
| <b>HRBP</b>   | Human Rights Based Programming  |
| <b>ICCPR</b>  | International Covenant on Civil and Political Rights                              |
| <b>ICESCR</b> | International Covenant on Economic, Social, and Cultural Rights                   |
| <b>INGOS</b>  | International Non-Governmental Organizations                                      |
| <b>NGOS</b>   | Non-Governmental Organizations  |
| <b>NHRI</b>   | National Human Rights Institutions  |
| <b>OHCHR</b>  | Office of the High Commissioner for Human Rights                                  |
| <b>OMCT</b>   | World Organization Against Torture  |
| <b>PQLI</b>   | Physical Quality of Life Index  |

# Indicators for Human Rights Based Approaches to Development in UNDP Programming: *A Users' Guide*

March 2006



This is a practically oriented Guide on indicators for human rights based approaches to development programmes for UNDP COs. The Guide contains separate sections on different aspects relating to the development and use of indicators across the key elements of human rights programming. The Guide summarizes the normative evolution in human rights and explains how human rights have been mainstreamed into the activities of all UN agencies. It also reviews the main existing indicators for human rights and discusses their limitations for human rights based programming. Two hypothetical programme examples on access to clean water and the prevention of torture are used to show how indicators can be used for human rights programming. Finally the Guide offers advice on how COs can use indicators for all phases of programme design, implementation, monitoring, and evaluation.



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This Guide has been developed in response to UNDP Country Office (CO) demand for practical guidance on selecting and developing indicators for assessing human rights based development programmes. The Guide outlines existing human rights indicators, shows how they may be incorporated into human rights based programmes (HRBP), and develops a framework for assisting COs in using indicators for assessing human rights standards and principles in project programming.

To help COs in their in-country HRBP, the guide specifies several critical areas for using indicators.

- (i) Understanding the human rights situation at the country level through the identification and use of indicators that can be used to provide an assessment of the baseline human rights situation.
- (ii) Understanding the capacities of individuals and groups as 'rights holders' to claim their rights as well as the capacities of state institutions as 'duty bearers' to promote and protect human rights on the ground<sup>1</sup>.
- (iii) Identifying and using indicators for ensuring the incorporation of human rights principles in the design, implementation and monitoring of UNDP programmes
- (iv) Identifying and using indicators to determine the likely impact of programmes on furthering human rights in the country

These areas are based on the UNDP Guide on Applying a *Human Rights Based Approach to Development Cooperation and Programming* and the UNDP Practice Note *Human Rights in UNDP*,<sup>2</sup> both of which identify the priority areas for focusing UNDP's support.

The guide is divided into five parts.

Part 1 reviews briefly the historical evolution of human rights principles and standards (including their different categories and dimensions) and the development of human rights based approaches to development (HRBA).

Part 2 reviews the main existing human rights indicators that have been developed and provides guidance on different information sources, including event-based data, data based on expert judgements, and survey-based data. It then shows how these sources can be used for in-country HRBP.

Part 3 shows how human rights indicators can be developed and/or applied in human rights based programming.

Part 4 provides guidance on using indicators in UNDP HRBP.

Part 5 contains a list of resources on human rights measurement and the use of indicators.

The appendix includes a glossary of key terms on indicators and human rights.



Over the last decade, and certainly since the 2000 UNDP *Human Development Report: Human Rights and Human Development*,<sup>3</sup> there has been an increasing convergence within the development and human rights agencies of the United Nations system in realizing the need for a variety of different indicators that reflect human rights concerns. From the side of international development, the demand for indicators comes from the need to mainstream human rights into development projects and to monitor and implement a human rights-based approach (HRBA) to development more generally. From the side of human rights, the demand has come from recognition among the human rights treaty monitoring bodies, the Office of the High Commissioner for Human Rights, and a variety of Special Rapporteurs on the need to develop indicators to monitor state compliance with human rights treaty obligations.

(2)

Human rights scholars and practitioners working in the academic and non-governmental sector have been developing a wide range of indicators since the early 1970s, such that there is now a range of indicators across different categories and dimensions of human rights that may be useful for HRBP. The categories of human rights include civil, political, economic, social and cultural rights, all of which have found formal legal expression in international human rights instruments. In addition to the normative development of human rights and the proliferation of legal instruments for their protection, the demand for mainstreaming human rights into all aspects of the UN's work, including UNDP, has led to the *UN Common Understanding on the Human Rights Based Approach to Development*.<sup>4</sup> This Common Understanding commits all UN agencies to:

- » The realization of human rights,
- » The use of human rights standards and human rights principles in guiding development cooperation and programming, and
- » Capacity building for both 'duty bearers' to meet their legal obligations and 'rights holders' to claim their rights.<sup>5</sup>

The human rights principles to guide development programming identified in this agreement are:<sup>6</sup>

1. Universality and inalienability
2. Indivisibility
3. Interdependence and interrelatedness
4. Equality and non-discrimination
5. Participation and inclusion
6. Accountability and the rule of law

These six principles draw on the normative evolution of human rights and are crucial for how human rights can be promoted, protected and realized through development cooperation activities.

**TABLE 1. MAIN INTERNATIONAL HUMAN RIGHTS TREATIES**

| NAME  | DATE WHEN OPEN FOR SIGNATURE |
|---|------------------------------|
| International Covenant on Civil and Political Rights (ICCPR)                                    | 1966                         |
| International Covenant on Economic, Social, and Cultural Rights (ICESCR)                        | 1966                         |
| Optional Protocol to the International Covenant on Civil and Political Rights                   | 1976                         |
| Second Optional Protocol to the International Covenant on Civil and Political Rights            | 1989                         |
| International Convention on the Elimination of all Forms of Racial Discrimination (CERD)        | 1966                         |
| Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)              | 1979                         |
| Convention against Torture and other Cruel, Inhuman, or Degrading Treatment or Punishment (CAT) | 1984                         |
| Convention on the Rights of the Child (CRC)   | 1989                         |
| Convention on the Protection of All Migrant Workers and Members of their Families               | 1990                         |

Source: <http://www.ohchr.org>

**TABLE 2. LIST OF HUMAN RIGHTS PROTECTED UNDER INTERNATIONAL LAW**

|    |  |    |  |    |  |
|----|--|----|--|----|--|
| 1  | Non-discrimination                                       | 21 | Freedom of opinion and expression        | 41 | Compulsory primary education                                   |
| 2  | Life   | 22 | Freedom of the press                     | 42 | Humane treatment when deprived of liberty                      |
| 3  | Liberty and security of the person                       | 23 | Freedom of assembly                      | 43 | Protection against imprisonment for debt                       |
| 4  | Protection against slavery and servitude                 | 24 | Freedom of association                   | 44 | Expulsion of aliens only by law                                |
| 5  | Protection against torture                               | 25 | Participation in government              | 45 | Prohibition of war propaganda and incitement to discrimination |
| 6  | Legal personality  | 26 | Social security                          | 46 | Minority culture   |
| 7  | Equal protection of the law                              | 27 | Work                                     | 47 | No imprisonment for breach of civil obligations                |
| 8  | Legal remedy   | 28 | No compulsory or forced labour           | 48 | Protection of children   |
| 9  | Protection against arbitrary arrest, detention, or exile | 29 | Just and favourable conditions of work   | 49 | Access to public service                                       |
| 10 | Access to independent and impartial tribunal             | 30 | Trade unions                             | 50 | Democracy  |
| 11 | Presumption of innocence                                 | 31 | Rest, leisure and paid holidays          | 51 | Participation in cultural and scientific life                  |
| 12 | Protection against <i>ex post facto</i> laws             | 32 | Adequate standard of living              | 52 | Protection of intellectual property rights                     |
| 13 | Privacy, family, home and correspondence                 | 33 | Education                                | 53 | International and social order for realizing rights            |
| 14 | Freedom of movement and residence                        | 34 | Participation in cultural life           | 54 | Political self-determination                                   |
| 15 | Nationality  | 35 | Self-determination                       | 55 | Economic self-determination                                    |
| 16 | Marry and found a family                                 | 36 | Protection of and assistance to children | 56 | Women's rights   |
| 17 | Protection and assistance of families                    | 37 | Freedom from hunger                      | 57 | Prohibition of the death penalty                               |
| 18 | Marriage only with free consent of spouses               | 38 | Health                                   | 58 | Prohibition of apartheid                                       |
| 19 | Equal rights of men and women in marriage                | 39 | Asylum                                   |    |  |
| 20 | Freedom of thought, conscience and religion              | 40 | Property                                 |    |  |

# Categories and Dimensions of Human Rights and the Implications for Developing Human Rights Indicators

Rights have a long tradition in theory and history, but *human rights* are a modern set of individual and collective rights that have been formally promoted and protected through international and domestic law since the Universal Declaration of Human Rights in 1948. This Declaration contains thirty articles delineating all human rights that ought to be protected. Since the Declaration was not legally binding, the international community has established a series of international treaties that are legally binding for state parties and that have expanded both the scope and depth of those rights that ought to be protected (see Table 1). The 1966 International Covenant on Civil and Political Rights (ICCPR), the 1966 International Covenant on Economic, Social, and Cultural Rights (ICECSR), the First and Second Optional Protocols to the ICCPR, and the Universal Declaration itself form what is known as the International Bill of Human Rights.

There are additional human rights treaties at the regional level, most notably the 1950 European Convention on Human Rights (ECHR), the 1969 American Convention on Human Rights (ACHR), and the 1981 African Charter on Human and Peoples' Rights (ACHPR)<sup>7</sup>, which have mechanisms for rights protection for state parties in these different parts of the world. To date, no such mechanism has been established for any part of the Asian region.

(4)

Taken together, these international and regional instruments for the promotion and protection of human rights have increasingly represented a global consensus on a set of rights that ought to be protected. However, a precise enumeration of human rights may vary depending on the type of reading given to the various human rights instruments. Table 2 lists a total of 58 human rights found in the international law of human rights.

## 3.1. Categories of Human Rights

The normative evolution of rights has given rise to two broad categories of human rights:

- (i) *Civil and political rights* uphold the sanctity of the individual before the law and guarantee his or her ability to participate freely in civil, economic, and political society. *Civil rights* include such rights as the right to life, liberty, and personal security; the right to equality before the law; the right to protection from arbitrary arrest; the right to the due process of law; the right to a fair trial; and the right to religious freedom and worship. *Political rights* guarantee involvement in public affairs, and include such rights as the right to speech and expression; the right to assembly and association; and the right to vote and political participation.
- (ii) *Economic, social, and cultural rights* promote individual flourishing, social and economic development, self-esteem, and identity. *Economic and social rights* include such rights as the right to a family; the right to education; the right to health and well-being; the right to work and fair remuneration; the right to form trade unions and free associations; the right to leisure time; and the right to social security. *Cultural rights* maintain and promote sub-national cultural affiliations and collective identities, and protect minority communities against the incursions of national assimilationist and nation-building projects. They include such rights as the right to the benefits of culture; the right to indigenous land, rituals, and shared cultural practices; and the right to speak one's own language and to 'mother tongue' education.

## 3.2 Dimensions of human rights

In addition to these two broad categories, there are also different dimensions to human rights. While traditionally, civil and political rights have been seen as the 'negative' rights of liberty, and social and economic rights have been seen as the positive rights of social welfarism, it is important to understand that both sets of rights have positive and negative dimensions, and that the language that has evolved to describe these different dimensions now includes state obligations to *respect*, *protect*, and *fulfil*.<sup>8</sup>

The obligation to *respect* requires the State and all its organs and agents to abstain from carrying out, sponsoring or tolerating any practice, policy or legal measure violating the integrity of individuals or impinging on their freedom to access resources to satisfy their needs. It also requires that legislative and administrative codes take account of guaranteed rights.

The obligation to *protect* obliges the State and its agents to prevent the violation of rights by other individuals or non-state actors. Where violations do occur, the State must guarantee access to legal remedies.

The obligation to *fulfil* involves issues of advocacy, public expenditure, governmental regulation of the economy, the provision of basic services and related infrastructure, and redistributive measures. The duty of fulfilment comprises those active measures necessary for guaranteeing opportunities to access entitlements.

**TABLE 3. CATEGORIES AND DIMENSIONS OF HUMAN RIGHTS**

| HUMAN RIGHTS DIMENSIONS                      |   |  |  |
|--|---|--|--|
|  | I RESPECT ( <i>no interference in the exercise of the right</i> )   | II PROTECT ( <i>prevent violations from third parties</i> )  | III FULFIL ( <i>provision of resources and the outcomes of policies</i> )                                    |
| <b>Civil and political rights</b>            | Torture, extra-judicial killings, disappearance, arbitrary detention, unfair trials, electoral intimidation, disenfranchisement | Measures to prevent non-state actors from committing violations, such as torture, extra-judicial killings, disappearance, abduction, and electoral intimidation. | Investment in judiciaries, prisons, police forces, and elections, and resource allocations to ability        |
| <b>Economic, social, and cultural rights</b> | Ethnic, racial, gender or linguistic discrimination in health, education, and welfare and resource allocations below ability.   | Measures to prevent non-state actors from engaging in discriminatory behaviour that limits access to health, education, and other welfare.                       | Progressive realization<br>Investment in health, education, and welfare, and resource allocations to ability |

Combining the different categories and dimensions of human rights means that there are six main ways in which human rights indicators can be developed. Table 3 depicts a matrix for the different categories and dimensions of human rights, and includes examples of how their different understandings have implications for the development of indicators.

**Indicators for Column I** in the table measure the degree to which states are responsible for violating human rights (e.g. measures of incidences of torture, or acts of discrimination in public health authorities).

**Indicators for Column II** measure the degree to which states are able to prevent non-state actors and other third parties from violating human rights (e.g. incidences of third party deprivation of liberty or denial of access to private sector health provision).

**Indicators for Column III** measure the degree to which states provide the necessary resources and policies for realizing and promoting the protection of human rights (e.g. investment in police training on issues of torture and inhuman treatment or investment in the infrastructure for health, education and welfare).

As this table shows, different types of indicators are needed to measure the same sets of human rights, since each category of human rights has three different dimensions. However, the development of indicators for human rights is incomplete, especially in regard to indicators on state obligations to fulfil civil and political rights and on state obligations to respect and protect economic and social rights (the shaded boxes above).

## Important Information and Data Sources for Measuring Human Rights: *Standards, Principles and Official Statistics*

This section of the Guide provides guidance on the types of indicators that have been developed for measuring human rights (see Box 1 for a general overview) and lists the main data sources available. Existing approaches have measured human rights in three ways:

- (i) As they are laid out in national and international legal documents (*human rights in principle*)
- (ii) As they are enjoyed by individuals and groups in nation states (*human rights in practice*)
- (iii) Through the generation of official statistics that may not have been devised originally to measure rights, but that nevertheless may serve as important proxy<sup>9</sup> measures related to human rights protection (*official statistics*).

1. The sources for covering these three areas are hugely important for informing an assessment of the *baseline human rights situation*, including the human rights experience of particular target populations, understanding the history of rights protection, and enabling annual monitoring at a macro level within individual countries providing answers to important questions such as:

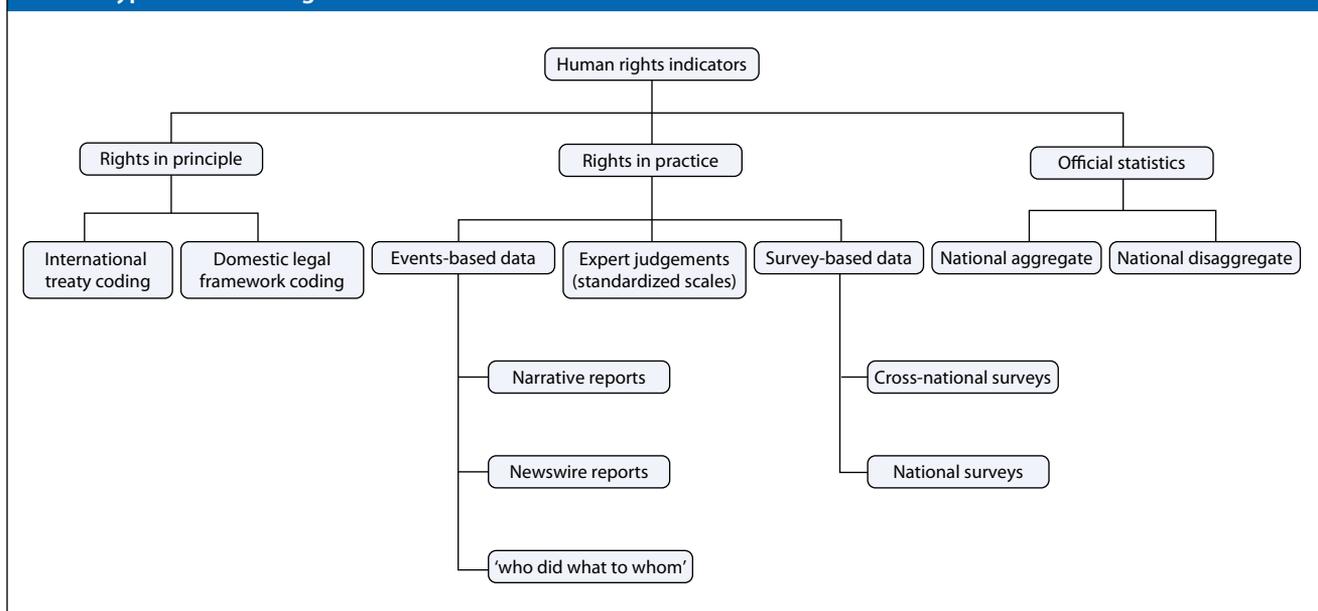
(6)

- » Which human rights are not yet realized fully?
- » Are there significant gaps in the protection of any civil rights?

- » Political rights? Economic rights? Social rights? Cultural rights?
- » Do some sectors of the society enjoy a greater protection of these rights than others?
- » Is there *de facto* discrimination in the access to and provision of services in the areas of housing, education, and welfare?
- » Who are the main duty bearers and are they aware of their responsibilities to protect, respect and fulfil human rights according to the legal obligations established through their country's international and domestic commitments?
- » Who are the main rights holders and are they aware of their ability to claim redress?
- » What appear to be the main structural causes of human rights violations?
- » Are their cultural reasons for the persistence of violations?
- » What institutional failings and/or obstacles stand in the way of protecting human rights?

National sources of information are particularly important, although in many cases national institutions lack the capacities and resources to collect such data, in

**Box 1. Types of human rights indicators**



which case COs will need to draw on international and regional sources. COs should use the variety of information sources presented here and never rely on just one source to establish an overall picture of the human rights situation.

#### 4.1 Human rights in principle

In many ways, indicators for human rights are in principle the simplest forms of measurement, since the source data are well known, publicly available, relatively easy to code, and are arguably the most objective. Indicators that measure human rights in principle are suitable for providing some background information on the formal commitments that countries have made to protecting human rights. COs interested in using such indicators would need to consult the sources on treaty ratification at the international and regional level (see Table 4) and national constitutional documents at the country level.

Human rights enshrined in international and domestic law can be coded using protocols that reward a country for having certain rights provisions in place at the domestic level and for having made such rights commitments at the international level through the ratification of international human rights treaties. Such a coding represents a state commitment and willingness to protect human rights, and says nothing about its capacity to implement the protection of human rights. It is therefore a formal commitment in principle (or lack thereof) that can be counted.

This type of coding allows for cross-national comparison of state commitments to the protection of human rights, but, more importantly, it allows for an assessment of a single country's commitment to different sets of human rights. Not all states have ratified all human rights treaties and comparison across rights found in these treaties provides a useful baseline assessment of a particular state's commitment to different rights. In addition, many states have filed significant reservations to these treaties upon ratification that may undermine their full object and purpose. In similar fashion, many states have exception clauses in their national constitutions that allow them to derogate from their obligations to protect certain rights.<sup>10</sup>

The coding of reservations is not so objective since the substantive legal meaning of the reservation is open to interpretation. In addition, coding national legal documents is much more labour-intensive, involving significant differences in languages, legal systems, and access to official documentation.

#### 4.2 Human rights in practice

Rights in practice are those rights actually enjoyed and exercised by groups and individuals regardless of the formal commitment made by a government. The increase in the salience of human rights as an issue, combined

**TABLE 4. DATA SOURCES FOR TREATY RATIFICATION**

| LEVEL           | INFORMATION SOURCE  |
|-----------------|---|
| International   | Office of the High Commissioner for Human Rights <a href="http://www.ohchr.org/english/law/">http://www.ohchr.org/english/law/</a>                        |
|                 | Bayefsky Treaty Database <a href="http://www.bayefsky.com">http://www.bayefsky.com</a>  |
| <b>REGIONAL</b> |   |
| Europe          | Council of Europe <a href="http://conventions.coe.int/Treaty/EN/CadreListeTraites.htm">http://conventions.coe.int/Treaty/EN/CadreListeTraites.htm</a>     |
| Latin America   | Organization of American States <a href="http://www.oas.org/juridico/english/treaties.html">http://www.oas.org/juridico/english/treaties.html</a>         |
| Africa          | African Union <a href="http://www.achpr.org/english/_info/index_ratifications_en.html">http://www.achpr.org/english/_info/index_ratifications_en.html</a> |

with organizations dedicated to documenting human rights violations, means that there is greater availability of comprehensive information on actual practices of states and the conditions under which individuals live. But this information is limited and incomplete, since reporting of human rights violations is fraught with difficulties, including fear amongst victims, power of the offenders, comprehensiveness of evidence, and quality of communications technology, among others. Efforts at measuring rights have sought to overcome many of these methodological problems through a variety of data collection strategies.

There are three main types of data available for measuring human rights in practice: event-based data, data based on experts' judgement, and survey-based data.

(7)

##### 4.2.1 Events-based data

Events-based data chart the reported acts of violation committed against groups and individuals by state and non-state actors, and therefore address the dimensions of respect and protect. Events-based data answer the important questions of what happened, when it happened, and who was involved, and then report descriptive and numerical summaries of the events. Counting such events and violations involves identifying the various acts of commission and omission that constitute or lead to human rights violations, such as arbitrary arrest and detention; torture, inhuman and degrading treatment; and extra-judicial killings and assassination. Event-based data on human rights have included only the violations of civil and political rights by state and non-state actors, although the method can be applied to violations of social, economic, and cultural rights.

There are three main sources for obtaining events-based data:

- (i) Narrative and qualitative reports
- (ii) Newswire generated data
- (iii) 'Who did what to whom' data

*Narrative and qualitative reports* are produced by foreign and domestic governmental organizations and foreign and domestic non-governmental organizations. The US State Department and the UK Foreign Office human rights reports are examples of foreign governmental organizations collecting descriptive information on human rights practices. The European Commission also publishes progress reports on those states seeking to accede to the European Union. Under their international treaty obligations, states themselves are required to file reports to the treaty monitoring bodies, while National Human Rights Institutions (NHRI) monitor and document human rights practices at the country level on an annual basis. There are approximately one hundred countries with national human rights institutions, but just over fifty of them have full accreditation for meeting the Paris Principles.<sup>11</sup>

International non-governmental organizations (INGOs) such as Amnesty International and Human Rights Watch produce annual reports on human rights practices around the world, where their coverage tends to be of those countries where there are significant problems. In addition, the Observatory for Human Rights Defenders, jointly run by the International Federation for Human Rights Leagues (FIDH) and the World Organization Against Torture (OMCT) publishes an annual report on abuses committed against human rights defenders using a large network of over one hundred domestic NGOs.

- (8) A second type of events-based human rights indicator has been developed using computer programs and software that code multiple *newswire generated data* to capture and count events and acts carried out by state and non-state actors that may have a bearing on human rights. Such efforts specify coding terms in their software to break down the grammar of narrative reports and provide event counts.

A third type of events-based human rights indicator has been developed in truth commissions that have taken place in El Salvador, Haiti, South Africa, Guatemala, Peru, Sierra Leone, and East Timor, where increasingly complex forms of the model have been used to capture large-scale human rights violations in these countries. The model that emerged, called the *'who did what to whom'*, disaggregates human rights events to the level of the individual violation. The associated software for this model could be used for monitoring human rights practices on a regular basis (see [www.benetech.org](http://www.benetech.org)). The model is not restricted to civil and political rights, although it is restricted to a 'violations' approach to human rights monitoring (i.e. the respect and protect dimensions of human rights).

#### 4.2.2 Data based on experts' judgement

Data generated from experts' judgement establish how often and to what degree violations occur, and then translate such judgements into quantitative scales that are designed to achieve commensurability across the world. Such measures are thus one level removed from

event counting and violation reporting, and merely apply some sort of scale to qualitative information.

Such scales provide much more aggregated forms of information that have been collected and coded across a large number of countries for periods of time stretching back to the 1970s. These efforts code human rights information on standardized ordinal scales using checklists and threshold conditions to make judgements on the appropriate score for a country in a particular year. They are thus comparable indicators and have been used to rank-order countries according to their ability to protect human rights, but they only focus on state action practices and do not include information on the activities of non-state actors. They therefore only cover the *respect* dimension of human rights. Frequently cited examples of existing standards-based scales of human rights include the Freedom House scales of civil and political liberties (since 1972), the 'political terror scale' (since 1976), a scale of torture (1985-1999), a series of seventeen different rights measures collected by Cingranelli and Richards (1980-2004), and a scale for worker rights. These scales have been used in a variety of settings, including the World Bank's 'governance matters' project, the Millennium Challenge Corporation, and secondary academic analysis of human rights protection. They are also fully documented in the UNDP Users' Guide to Governance Indicators.<sup>12</sup>

#### 4.2.3 Survey-based data

Survey-based data use samples of country populations to ask a series of standard questions on the perception of rights protection. Such measures track individual level perceptions of rights violations and may even capture direct or indirect individual experiences of rights violations. Dominant cross-national examples of such survey data projects include The World Values Survey, the various 'barometer' surveys, and the World Governance Assessment project. There are national level survey projects on general perceptions of human rights, the human rights policies and performance of government, and retrospective evaluations of human rights violations, as well as surveys of 'at risk' populations in conflict and post-conflict societies.

Table 5 summarizes available sources of data at the international and regional level, and provides a generic list of possible national level sources for the various types of data. National level sources can be used to complement information provided by international and regional organizations, and in many ways may capture the particularities of countries not represented in other sources. COs will need to establish the availability of data from national sources as part of an initial human rights assessment.

### 4.3 Official statistics

Official statistics are statistics that official agencies collect at national and sub-national level based on standardized (international or national) definitions and methodologies.

**TABLE 5. DATA SOURCES FOR RIGHTS IN PRACTICE MEASURES**

| TYPE OF INDICATOR                       | DATA SOURCE  |
|---|--|
| <b>EVENTS-BASED</b>                     |  |
| <b>NARRATIVE REPORTS</b>                | <p>State party reports to UN Treaty Bodies <a href="http://www.ohchr.org/english/bodies/index.htm">http://www.ohchr.org/english/bodies/index.htm</a><br/>           US State Department <a href="http://www.state.gov/g/drl/hr/">http://www.state.gov/g/drl/hr/</a><br/>           UK Foreign Office <a href="http://www.fco.gov.uk/humanrights">http://www.fco.gov.uk/humanrights</a><br/>           Amnesty International <a href="http://www.amnesty.org">http://www.amnesty.org</a><br/>           Human Rights Watch <a href="http://www.hrw.org">http://www.hrw.org</a><br/>           FIDH-OMCT Observatory for Human Rights Defenders <a href="http://www.fidh.org">http://www.fidh.org</a> <a href="http://www.omct.org">http://www.omct.org</a><br/>           Minority Rights Group International <a href="http://www.minorityrights.org/">http://www.minorityrights.org/</a><br/>           National Human Rights Institutions (NHRI) <a href="http://www.nhri.net/nationaldatalist.asp">http://www.nhri.net/nationaldatalist.asp</a><br/>           Ministries of Interior, Justice, Health and Welfare<br/>           Parliamentary bodies on human rights<br/>           National Statistical Offices<br/>           Domestic human rights NGOs<br/>           Academic human rights centres and institutes<br/>           Policy think tanks</p> |
| <b>NEWSWIRE DATA</b>                    | <p>Ronald Francisco <a href="http://lark.cc.ku.edu/~ronfran/data/index.html">http://lark.cc.ku.edu/~ronfran/data/index.html</a><br/>           Virtual Research Associates (VRA) <a href="http://vranet.com/index.html">http://vranet.com/index.html</a><br/>           Gary King <a href="http://gking.harvard.edu/events/">http://gking.harvard.edu/events/</a><br/>           National newspapers</p>   |
| <b>WHO DID WHAT TO WHOM</b>             | <p>American Association for the Advancement of Science <a href="http://shr.aaas.org/">http://shr.aaas.org/</a><br/>           Benetech Initiative <a href="http://www.benetech.org/human_rights/">http://www.benetech.org/human_rights/</a></p>  |
| <b>DATA BASED ON EXPERTS' JUDGEMENT</b> | <p>Annual Survey of Freedom <a href="http://www.freedomhouse.org/">http://www.freedomhouse.org/</a><br/>           Press Freedom Survey <a href="http://www.freedomhouse.org/">http://www.freedomhouse.org/</a><br/>           Cingranelli and Richards (CIRI) Database <a href="http://www.humanrightsdata.com">http://www.humanrightsdata.com</a><br/>           Political Terror Scale <a href="http://www.unca.edu/politicalscience/images/Colloquium/faculty-staff/gibney.html">http://www.unca.edu/politicalscience/images/Colloquium/faculty-staff/gibney.html</a></p> <p><b>Worker Rights</b><br/>           Bohning, R. (2005) <i>Labour Rights in Crisis: Measuring the Achievement of Human Rights in the World of Work</i>, London: Palgrave MacMillan.<br/>           World Bank Governance Indicators <a href="http://www.worldbank.org/wbi/governance/pubs/govmatters4.html">http://www.worldbank.org/wbi/governance/pubs/govmatters4.html</a></p> <p><b>Scale of Torture</b><br/>           Hathaway, O. (2002) 'Do Treaties Make a Difference? Human Rights Treaties and the Problem of Compliance', <i>Yale Law Journal</i>, 111: 1932-2042.</p>   |
| <b>SURVEY-BASED</b>                     | <p>World Values Survey <a href="http://www.worldvaluessurvey.org/">http://www.worldvaluessurvey.org/</a><br/>           Eurobarometer <a href="http://www.gesis.org/en/data_service/eurobarometer/">http://www.gesis.org/en/data_service/eurobarometer/</a><br/>           Afro-Barometer <a href="http://www.afrobarometer.org/">http://www.afrobarometer.org/</a><br/>           Latino-Barometer <a href="http://www.latinobarometro.org/">http://www.latinobarometro.org/</a><br/>           Asia Barometer <a href="http://avatoli.ioc.u-tokyo.ac.jp/~asiabarometer/">http://avatoli.ioc.u-tokyo.ac.jp/~asiabarometer/</a><br/>           World Governance Assessment <a href="http://www.odi.org.uk/wga_governance/Publications.html">http://www.odi.org.uk/wga_governance/Publications.html</a><br/>           Physicians for Human Rights <a href="http://www.phrusa.org/">http://www.phrusa.org/</a><br/>           Ministries of Interior, Justice, Health and Welfare<br/>           Parliamentary bodies on human rights<br/>           National Statistical Offices<br/>           Domestic human rights NGOs<br/>           Academic human rights centres and institutes<br/>           Policy think tanks<br/>           Domestic public opinion organizations</p>  |

In some cases governments collect information following standardized methodologies that is directly relevant for human rights assessment. In fact there is a growing recognition that such information, if appropriately configured and considered in a suitable dimension can indeed measure relevant human rights attributes directly.

A useful example of an important initiative which is being piloted as part of a wider project of improving the capacities of official statistics agencies to collect governance and human rights data directly is the OECD/Metagora project (Measuring Human Rights, Democracy and Governance).<sup>13</sup> One pilot activity in this project is being co-ordinated by the Palestinian Central Bureau of Statistics (PCBS) in collaboration with research institutions and NGOs, to **reinforce capacity for large scale monitoring of participatory democracy and human rights** in Palestine, with particular emphasis on the right to education.<sup>14</sup> Today in Palestine official and non-official surveys on the living conditions of the population produce important information that can and should be analyzed for purposes of monitoring rights and democratic processes. Moreover, various academic institutions, official bodies and NGOs collect various kinds of data that may be relevant in terms of information on current trends of human rights implementation. The pilot activity has identified the most accurate available sources of information (including surveys and non-official information such as that recorded by NGOs on a case-by-case basis) and has developed a tool for integrating into a coherent and structured stock of information the sets of data provided by those sources. The final product of this work is a dynamic **database for systematic recording and matching of data over time**. This database should provide a common basis for gathering, coding and analyzing sets of information of different sources that otherwise may remain fragmentary, anecdotal and irrelevant for large scale analysis. Such a database shall not only provide up-to-date data on democracy and human rights, but also enable the derivation of time series and indicators that can be sustainable over time.

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The use of official statistics has not been adequately explored in monitoring both civil and political rights and economic and social rights. It is therefore important that wherever possible official statistics be used, among other data sources, in undertaking human rights assessments. UNDP with other development partners has a potentially important role to play in strengthening the capacities of national statistics agencies in collecting governance and human rights related data. This is a priority issue for the OECD/Paris 21, among others, who are providing support through the promotion of a National Strategy for the Development of Statistics in developing countries and other initiatives.<sup>15</sup>

#### 4.3.1 Official Statistics as approximate measures of human rights

Government statistical agencies and intergovernmental organizations also produce a variety of socio-economic

statistics that can be used to approximate measures of human rights. For example, academic and policy research have used aggregate measures of development as proxy measures for the progressive realization of social and economic rights. Such aggregate measures include the Physical Quality of Life Index (PQLI) and the Human Development Index (HDI).<sup>16</sup> The PQLI is a 0 to 100 scale derived from combining equally weighted measures of the literacy rate, infant mortality, and life expectancy. In similar fashion, the HDI is a 0 to 1 scale that combines differently weighted measures of life expectancy, literacy rate, gross enrolment ratio, and per capita GDP. In both cases, the indices have been used to track the level of development and the change in development, which are then linked to the notion of fulfilling social and economic rights.<sup>17</sup> They are imperfect measures since they provide little information on the degree to which different groups in society enjoy the benefits of development. However it is possible to set targets for countries to achieve certain levels of performance across a range of socio-economic indicators that if not met would constitute a violation of the state obligation to respect, protect, and fulfil.

The two main international sources for socio-economic data include the World Bank's World Development Indicators and the Penn World Tables.<sup>18</sup> The World Bank data base (for which a small fee is required for access) has over 500 indicators across all the countries of the world from 1960, while the Penn World Tables (for which access is free) have a more limited selection of indicators for the whole world from 1950. In addition, the UN Food and Agriculture Organization (FAO) has data for the prevalence of hunger and the level of under-nourishment.<sup>19</sup> In many ways, the use of such statistics depends very much on the issue area that the CO is addressing, and it may be that some of these indicators are particularly useful for an initial assessment of the country situation.

#### 4.4 Limitations of commonly used human rights data sources

In addition to the fact that indicators have not been developed for all categories and dimensions of human rights, there are remaining problems that may limit their application for human rights based development programming, including those involving information source biases; validity, reliability, and transparency; and variance truncation (see 4.4.3) and aggregation. COs should be aware of these limitations when using various indicators for human rights programming. It is advisable to use multiple sources and to think carefully about proxy measures that can be used as indicators. A useful source of practical guidance on the limitations of commonly used governance and human rights indexes is the UNDP produced *Governance Indicators: A Users' Guide*.<sup>20</sup>

##### 4.4.1. Information source bias

There are problems with information source bias, which concern both the availability of information and the possible biases stemming from the type of organizations

that produce the information. First, at an ideal level, there would be complete knowledge of all violations of state obligations to respect, protect, and fulfil across all countries. In reality, organizations only have access to those violations that are reported. And it may be that many violations that are reported locally do not make it to the national level or to the international level. There are thus limits to the degree to which information on human rights is actually being reported.

Second, there are problems associated with the type of organizations that are producing the information and indicators. Foreign government reports such as those produced by the US State Department and the UK Foreign and Commonwealth Office will necessarily have certain biases and differ from information provided by international governmental and non-governmental organizations. There are differences in reporting and interpretation among different human rights NGOs, such as Amnesty International, Human Rights Watch and Freedom House.

At the domestic level, there are differences in reporting between government agencies and CSOs, which is evident from the state reports and the 'shadow' reports produced by non-state actors.

In relation to narrative and qualitative reports, there will be varying degrees of bias and uncertainty associated with differences in source material, ideological influences, and the fact that there are many incentives not to report human practices and problems accurately or at all. These reports also vary in the number of countries for which they report human rights information, with the US State Department and Amnesty International providing the greatest coverage.

#### 4.4.2 Validity, reliability, and transparency

*Validity* concerns the degree to which an indicator actually measures what it purports to measure. There may be some 'distance' between the category and/or dimension of a particular human right and the indicator that

is being used to measure it. Certainly the use of proxy measures runs up against this problem. *Reliability* concerns the degree to which the indicator can be produced consistently across different contexts by different groups at different times. Can the indicator be produced by different people using the same coding rules and source material? *Transparency* concerns the degree to which the coding rules and procedures for producing an indicator are publicly available. For example, the Cingranelli and Richards human rights data website is explicit about its coding rules and sources for coding its different indicators. In contrast, Freedom House is less transparent about the sources that are used for each country and how its checklists are used to produce their different scales.

#### 4.4.3. Variance truncation and aggregation

*Variance truncation* concerns the degree to which information on human rights at the national level is forced into limited categories, such as those found in the standardized scales derived from expert judgements. These standardized scales can rarely be used to make judgements about differences within the group of liberal democratic states in the world, nor within the group of authoritarian states. The standardized scales are more useful for those countries in which there has been great variation in human rights protection over time. Similarly, the world governance indicators from the World Bank Institute (*Governance Matters I-IV*) have such wide degrees of uncertainty associated with them that it is difficult to use them for cross-national comparisons or, more importantly for this guide, over-time comparisons within single countries. *Aggregation* concerns the ways in which indicators are combined as well as the degree to which they provide information on different groups of people in a country. For example, both PQLI and the HDI have different aggregation and weighting rules for the various components that comprise them, while many of the indicators discussed above are produced for national level analyses and rarely provide information that helps identify the rights conditions for significant sub-populations within countries.

## Developing Indicators for Human Rights Based Programming

There is an important conceptual and methodological difference between human rights indicators on the one hand and indicators for measuring the application of a human rights based approach. There is a need to bolster the existing collection of indicators on human rights with those that are more attuned to use in human rights based programming and more in line with human rights principles as laid out in the Common Understanding.

UNDP has been pursuing human rights based programming in a variety of contexts around the world. For example, in the Asia-Pacific region there have been human rights based programmes on land rights in Bangladesh, conflict prevention and resolution in Cambodia, capacity building for rights claimants in Pacific island countries, access to food, primary education, and information in India, sustainable livelihoods and access to justice in Indonesia, access to sustainable water in Laos, among others.<sup>21</sup> In Africa, there have been rights based programmes in Namibia, Sudan, Mozambique, and Kenya across programmes on poverty reduction, mine clearance, women's rights, and the right to development.<sup>22</sup>

- (12) Across these examples, adopting a HRBA makes it clear that human rights must be mainstreamed through all such programmes. Human rights concerns are included as the *result* of a programme as much as the *process* that was used to obtain the result.<sup>23</sup>

A HRBA to programming requires:

- » Planning and implementing a development programme in which human rights are a key feature in the initial assessment of the legal framework for protecting human rights and the human rights situation in a country;
- » The identification of duty bearers and rights holders across different policy areas;
- » The ongoing monitoring and evaluation of the programme for its adherence to human rights principles;
- » The assessment of the developmental and human rights impact of the programme.<sup>24</sup>

It is thus equally clear that carrying out human rights based programming requires the development and use of indicators.

In using information from the baseline assessment, COs are making initial judgements as to the likely areas that need to be addressed, the ways in which human rights

standards can be improved, how human rights principles can be strengthened, and how human rights standards and principles will guide specific programmes from start to finish. Key questions that need to be asked include:

- » Do programmes incorporate human rights standards and take into account the UN treaty body recommendations?
- » Do both duty bearers and rights holders participate in all aspects of programmes?
- » Do the programmes build capacity for realizing human rights in the country?
- » Do they address the causes (rational, structural, and cultural) for the non-realization of human rights?
- » Are some human rights better realized than others?
- » And finally, how are the programmes monitored and evaluated?

Each stage in the planning process can be informed through the use of indicators on human rights and human rights based approach principles, as well as programme-specific indicators.

Matrices of possible indicators are constructed using two example UNDP programmes: access to clean water (*see Box 3*) and the prevention of torture (*see Box 4*). The clean water programme represents a hypothetical programme that is not traditionally associated with human rights and the prevention of torture programme represents an area that is.

### 5.1.1 Indicators for understanding the human rights situation at the country level

Using the two hypothetical examples, access to clean water and the prevention of torture, what types of indicators would be useful for an assessment of the human rights situation in a country? Table 6 is a matrix of the types of indicators and questions for a baseline assessment that would need to be carried out in these two policy areas. The assessment will help identify those areas that need to be addressed from a HRBA and will help in the design and implementation of the two hypothetical programmes.<sup>25</sup>

To understand the human rights situation in a country requires consideration of all the important data sources outlined in section 4; it may also be important for UNDP to support the commissioning of a population or house-

## BOX 2 Increasing Access to Clean Water

The main aim of the water programme is to increase the proportion of the population in the country that has access to clean water in the next five years. It is believed that such an increase will improve the overall health of the population by reducing exposure to water-borne diseases. The programme is based on a wide consultation with the main stakeholders in local communities where lack of access to clean water is particularly acute.

The assessment revealed that it is primarily women who collect water at least three times a day from local water sources that contain a high number of natural and man-made toxins. The construction of pipelines and the necessary supporting infrastructure for the provision of clean water have been held up through problems with contractors, delays in inspections, and some communities being favoured for political reasons. Moreover, maintenance of existing pipelines has been slack owing to local level corruption in which fraudulent claims have been made about work that has been carried out.

The Accessing Clean H2O programme has several interlinked components:

- » Awareness-raising campaign on the human right to food and water. In consultation with local government officials, NGOs and other CSOs, simple leaflets with cartoon illustrations will be designed to communicate the basic ideas of the right to food and water, and will explain who the duty bearers and the rights holders are. Paraphrased language from the relevant international standards will be used to outline these ideas.
- » Installation of cost-effective hand pumps developed by the World Bank for supplying clean water to rural communities. The baseline assessment revealed that the daily ritual of collecting water performed by women also serves an important social function. This is the one time the women of the local community get to meet without the presence of men from the community. The programme therefore wishes to site the hand pumps in areas of the local community that continue to guarantee a level of privacy for the women and to uphold the social function of the water collection routine.
- » Capacity building of the main duty bearers and rights holders in order to maintain a sustainable programme that delivers clean water to the whole population. Duty bearers must learn to anticipate and respond to the needs of rights holders, while rights holders need to be aware of their rights and make claims for redress for violations.

hold survey to be done by a national partner to better understand the perceptions and experiences of different stakeholder groups where these do not already exist. Questionnaire surveys, interviews and focus groups are a useful means of soliciting views from different stakeholder groups on particular issues, and provide important information regarding the issue at hand, e.g. access to 'safe water'. However, sometimes due to the sensitivity of the particular issue, it may not be possible for UNDP to directly support the collection of such information, in which case existing data sources will need to be consulted.

## BOX 3 Preventing Torture

The main aim of the programme for preventing torture is to eradicate all forms of torture within the country. The assessment identified that despite having ratified all the relevant international and regional standards on torture, the country in question has problems with systematic torture taking place throughout its detention facilities. It identified that this persistence of torture comes primarily from a lack of awareness about what actually constitutes torture and a perception among the police and prison service that public pressure for the need for confessions and quick convictions justifies the use of torture in interrogation. The problem is further compounded by the fact that certain key actors in the judiciary have turned a blind eye to allegations of torture, while many human rights NGOs suspect that hush money is being paid at high levels within the ministry of justice.

The Stop Torture Now programme has several interlinked components.

- » Education and training on what constitutes torture. Drawing on relevant international standards, this component uses a series of workshops to train prosecutors, judges, police commissioners, and prison officers on what constitutes torture and what forms of questioning are permissible to extract information from suspects.
- » Workshops with the ministry of justice on what constitutes minimum standards of detention, including the physical conditions of places of detention, ratio of prisoners per cell, the provision of adequate food, heat, access to medical care, and exercise, as well as standards for the detention of women, juveniles, and those who are mentally ill.
- » In consultation with the ministry of justice and the relevant NGOs, developing a monitoring system for all places of detention, including random spot checks, regular visits, and the establishment of procedures and mechanisms for redress.

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### 5.1.2 Indicators for assessing the capacities of rights holders and duty bearers

This concerns using indicators to assess the capacity state institutions have for fulfilling their human rights obligations on the ground as well as the capacities of individuals and groups to claim their rights. UNDP COs must then assess the degree to which gaps in capacity can be addressed through programme strategies and monitor the progress of developing these capacities over time. This process of programme development and monitoring can be assisted through indicators that capture any changes that may have taken place from the initial assessment through the ongoing implementation phase of the two programmes.

As human rights determine the relationship between rights holders and duty bearers, it is important to note that institutional capacity also relates to the level of engagement between these two groups. This is a cross-cutting and crucial element in any HRBP. It is both an end in itself and the means or process to achieving expected results. Indicators will therefore need to measure the impact of programmes on the relationship between

**TABLE 6. INDICATORS FOR UNDERSTANDING THE HUMAN RIGHTS SITUATION AT THE COUNTRY LEVEL**

| INDICATORS   | ACCESS TO CLEAN WATER PROGRAMME  | PREVENTION OF TORTURE PROGRAMME   |
|--|--|---|
| Human rights in principle  | <ul style="list-style-type: none"> <li>» Country ratification of ICESCR, and/or appropriate regional human rights instruments</li> <li>» Significant reservations to ICESCR</li> <li>» Country ratification of relevant environmental Conventions, e.g. Aarhus Convention</li> <li>» Is the right to water enshrined in the Constitution or other national laws?</li> <li>» Constitutional articles on substantive human rights related to water, such as the right to life, the right to health</li> <li>» Constitutional articles on procedural rights for citizens and NGOs to obtain information, to participate in decision making and have access to courts</li> <li>» Formal and informal laws that indirectly affect people's access to water, e.g. property rights, legal status of women, customary land laws</li> </ul> | <ul style="list-style-type: none"> <li>» Country ratification of ICCPR, First and Second Protocol to the ICCPR, CAT, and/or appropriate regional human rights instruments</li> <li>» Constitutional articles on the right not to be tortured</li> <li>» Significant statutes on the prevention of torture</li> </ul>  |
| Human rights in practice<br><i>(narrative and qualitative reports, newswire generated data; and 'who did what to whom' data)</i> | <ul style="list-style-type: none"> <li>» Assessment and recommendations of Special Rapporteurs, e.g. the SR on the Right to Food and the SR on the Right to Health</li> <li>» State party reports to the Committee on Economic, Social and Cultural Rights, and the Committee's Concluding Observations</li> <li>» NGO/IGO and other narrative reports on access to clean water and the main obstacles to providing clean water to all</li> <li>» The latter should be compared to official statistics, NSO, municipality data (in most cases the 'duty bearer' of providing water).</li> </ul>  | <ul style="list-style-type: none"> <li>» Assessment and recommendations of the Special Rapporteur on Torture</li> <li>» State party reports to the Human Rights Committee and the CAT Committee and concluding observations</li> <li>» IGO/INGO/NHRI/NGO and other narrative reports on torture and the main obstacles to preventing torture</li> <li>» Experts' judgements data for time-series tracking of civil and political rights protection, violations of personal integrity rights, and/or the degree to which torture is systematically practiced</li> <li>» Survey-based measures on public perceptions of torture, the use of torture to obtain confessions, and practices that actually constitute torture.</li> </ul> |
| Official statistics  | <ul style="list-style-type: none"> <li>» % of GDP invested in infrastructure dedicated to water and sanitation</li> <li>» Proximity of source of clean water</li> <li>» Households with access to water within 200 metres</li> <li>» Quality of the water</li> <li>» Infant mortality rates</li> <li>» Prevalence of water-borne diseases in men, women, and children</li> </ul>   | <ul style="list-style-type: none"> <li>» Time it takes to process cases</li> <li>» Amount of time a suspect remains on remand</li> <li>» Number of cases processed</li> <li>» Number of prisoners per cell</li> </ul>   |

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institutions and the groups of people they are there to serve and protect.

### 5.1.3 Incorporating human rights principles in the design, implementation and monitoring of UNDP programmes

Incorporating human rights principles in the design, implementation and monitoring of UNDP programmes involves using indicators to assess the degree to which the programme itself reflects an overall commitment to human rights standards and principles. Decisions that have been taken in the design and implementation of the programme, as well as the institutionalization of decision making procedures ought to reflect a direct commitment to human rights standards and principles. Across both the access to water programme and the prevention of torture programme, has significant attention been given throughout all phases of programming to incorporate the relevant human rights standards and principles?

These two hypothetical examples show how human rights programming can benefit from the use of indicators that measure human rights in principle, human rights in practice, policy activities, as well as indicators on

human rights principles themselves. COs will find that for certain aspects of the project and programme cycle, key indicators will need to be collected and analysed from scratch, while for other aspects of the cycle, indicators will already be available.

The availability of these indicators is clearly a function of the specific policy areas that are being addressed through HRBP as well as the institutional and fiscal capacity of the context in which a programme is being designed and implemented.

### 5.1.4 Impact assessment

Impact assessment involves the use of indicators in determining whether a programme has achieved its main aims and objectives. Impact assessment is an imprecise science that is replete with uncertainty and has all the classic social scientific problems associated with establishing causality. Impact assessment ideally needs a baseline assessment of the human rights situation before the implementation of a particular programme or project and some way of collecting indicators to monitor the degree to which the main aims and objectives of the programme will be met and are being met as the

**TABLE 7. INDICATORS FOR ASSESSING THE CAPACITIES OF RIGHTS HOLDERS AND DUTY BEARERS**

| INDICATORS                   | ACCESS TO CLEAN WATER PROGRAMME  | PREVENTION OF TORTURE PROGRAMME   |
|------------------------------|--|---|
| Capacities of rights holders | <ul style="list-style-type: none"> <li>» Evidence that a thorough analysis has been made to identify the groups that are the most disadvantaged and vulnerable in relation to access to clean water, (disaggregating data by sex, age, ethnicity, geographical origin an urban /rural location is therefore vital)</li> <li>» Evidence on whether right holders are aware of their rights and laws and standards enshrined in international and national legislation</li> <li>» Evidence that public authorities are providing right holders with access to information and access to decision making on water related policies and services, and effective access to justice and remedy</li> <li>» Evidence of capacity of rights holders to advocate and/or mobilize for their rights</li> <li>» Evidence of ongoing monitoring of reports from domestic CSOs on access to clean water and the institutional aspects responsible for continued problems with access to water.</li> </ul> | <ul style="list-style-type: none"> <li>» Evidence on whether individuals are aware of international and national norms on the prevention of torture and their rights to complain to and have his/her case promptly and impartially examined by competent authorities, as well as the right to obtain redress</li> <li>» Evidence of engaging CSOs that represent right holders when decisions over programme resources are made</li> <li>» Evidence of ongoing monitoring of reports from domestic CSOs on situation of torture in the country</li> <li>» Evidence that public authorities are providing right-holders with access to information, access to decision making affecting justice decisions and effective remedies</li> <li>» Evidence of capacity of rights holders to advocate and/or mobilize for their rights</li> </ul>   |
| Capacities of duty bearers   | <ul style="list-style-type: none"> <li>» Evidence that a thorough analysis has been made to identify the key duty bearers i.e. state actors or institutions responsible for making and enforcing the rules for using natural resources and for providing water services</li> <li>» Data on the number of duty bearers that are aware of the national and international obligations related to the environment that they are supposed to meet; in particular the provision of procedural rights to citizens, such as the right to information, participation and access to remedy and redress</li> <li>» Data on the general level of human rights awareness among state officials</li> <li>» Data on whether key institutions have the capacity to perform their duties (including authority, data and resources)</li> </ul>   | <ul style="list-style-type: none"> <li>» Evidence that a thorough analysis has been made to identify the key duty bearers i.e. state actors or institutions responsible for detention policy and detention centres (especially the police and prisons)</li> <li>» Existence of an institutionalized system for documenting reports of torture in all places of detention</li> <li>» Existence of institutionalized system for monitoring torture in all places of detention</li> <li>» Evidence of a government commitment to put in place mechanisms to combat corruption at all levels in the judicial sector</li> <li>» Evidence that education and information regarding the prohibition against torture are fully included in the training of law enforcement personnel, civil or military, medical personnel, public official or other persons who may be involved in the custody, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment</li> </ul> |

project unfolds. Impact assessments thus anticipate the likely effects of a set of activities. Such assessments are future-oriented and build monitoring and the collection of indicators into all stages of the project cycle. But every planner knows that actually determining the likely success of a programme is very difficult.

COs need to recognize the complexity of impact assessment in carrying out human rights-based programming. They need to plan for the likely impact that a programme may have but also realize that numerous other factors may have additional (positive or negative) effects on the target area of the programme. Indicators are an essential feature of assessing the impact of a policy or programme, but there is no such thing as an impact indicator *per se*.

Rather, impact assessment uses indicators to demonstrate the relative effectiveness of a policy or programme in bringing about progress in the target area and of contributing to changes in the wider policy context of the country. The UNDP *Handbook on Monitoring and Evaluating for Results* provides useful guidance on measuring the impact of UNDP programmes.<sup>26</sup>

Some of the indicators for impact assessment will be the same as those used for measuring human rights in practice and institutional capacity, but attention shifts to before and after comparisons to judge the relative impact of the programmes in these areas. To this end, Table 8 is a matrix of indicators that could be used for carrying out the impact assessment.

**TABLE 8. INDICATORS FOR ASSESSING THE IMPACT OF HUMAN RIGHTS BASED PROGRAMMES**

| COUNTRY LEVEL<br>IMPACT INDICATORS | ACCESS TO CLEAN WATER PROGRAMME  | PREVENTION OF TORTURE PROGRAMME  |
|------------------------------------|--|--|
| Human Rights in Principle          | <ul style="list-style-type: none"> <li>» Total change in quantity and quality of legal instruments with a direct bearing on rights to food and water</li> <li>» Total change in quantity and quality of legal instruments with an indirect bearing on right to access water, e.g. Legal provisions for the right to information</li> </ul>   | <ul style="list-style-type: none"> <li>» Total change in quantity and quality of legal instruments with a direct bearing on the prevention of torture</li> </ul>   |
| Human Rights in Practice           | <ul style="list-style-type: none"> <li>» Summary of reports from domestic NGOs and NHRIs on access to clean water and the institutional aspects largely responsible for continued problems with access to water.</li> <li>» Judgement on whether general situation on access to water has improved</li> <li>» Total change in % of GDP invested in institutions dedicated to water and sanitation issues</li> <li>» Evidence of institutionalized consultations between ministry responsible for delivery of clean water and CBOs/NGOs</li> <li>» Evidence of institutionalized consultations between local authorities with responsibilities for access to clean water and CBOs/NGOs</li> <li>» Evidence of rights awareness and rights claims exercised by right holders; demonstration that claimants have sufficient and accessible information; have a clear understanding of the issues that are being addressed; and have experience in participatory process.</li> </ul>   | <ul style="list-style-type: none"> <li>» Summary of reports from domestic NGOs and NHRIs on the practice of torture and the institutional aspects largely responsible for continued problems with torture.</li> <li>» Judgement on whether the general situation of torture has improved</li> <li>» Change in % of GDP invested in police force for human rights training</li> <li>» Change in % of GDP invested in the prison service for human rights training</li> <li>» Indication that resource investment will be maintained</li> <li>» Evidence of institutionalized independent inspections of prisons and other detention facilities</li> <li>» Evidence of institutionalized treatment of backlog of cases</li> <li>» Evidence of institutionalized complaints procedure for those in custody</li> <li>» Change in the number of cases processed</li> <li>» Change in number of prisoners per cell</li> <li>» Change in conditions of detention</li> <li>» Evidence of institutionalized commitment to maintaining adequate standards of detention</li> <li>» Evidence that judges, prosecutors, police, and officers from detention centres committed to preventing torture</li> <li>» Evidence that torture is not permitted even for reasons of class, race, ethnicity or other significant differences</li> <li>» Evidence that interrogations and interviewing follow a code of practice that is monitored</li> <li>» Evidence that mechanisms are in place to combat corruption</li> <li>» Evidence of the results of any investigations into acts of torture that have been committed and the resulting punishment for such acts</li> </ul> |
| Programme level indicators         | <ul style="list-style-type: none"> <li>» Feedback from users on effectiveness of awareness campaign and leaflet design and distribution</li> <li>» Feedback from users on effectiveness of training programmes</li> <li>» Total change in the number of households with access to water within targeted programme areas</li> <li>» Total change in the quality of the water and evidence of institutionalized commitment to water quality in programme areas</li> <li>» Total change in infant mortality rates and measure of how close to zero the rate actually is</li> <li>» Total change in prevalence of water-borne diseases in men, women, and children and measures of how low the prevalence is</li> <li>» Evidence that local communities are satisfied with access to water</li> <li>» Evidence that duty bearers can continue to guarantee access to clean water</li> <li>» Evidence through consultation with main users that water needs have been met</li> <li>» Number of consultations facilitated between citizens and CSOs and the ministry responsible for delivery of clean water</li> <li>» Feedback from national and local level authorities on effectiveness of the programme activities</li> <li>» Evidence of capacity of right holders to advocate and/or mobilize for their rights</li> <li>» % of women trained to deliver and manage water resources</li> <li>» % of marginalized groups trained to deliver and manage water resources</li> <li>» Feedback from women and marginalized groups on effectiveness of programme activities</li> </ul> | <ul style="list-style-type: none"> <li>» Feedback from citizens on the effectiveness of awareness campaign and leaflet design and distribution</li> <li>» Feedback from users on effectiveness of training programmes</li> <li>» Evidence through consultation with CSOs and state actors in the justice sector that the human rights of those in detention centres are not being violated</li> <li>» Number of consultations facilitated between citizens and CSOs and justice agencies responsible for detention centres</li> <li>» Feedback from national and local level authorities on effectiveness of the programme activities</li> <li>» Evidence of capacity of right holders to advocate and/or mobilize for their rights</li> <li>» Evidence of an institutionalized commitment to human rights in all places of detention</li> <li>» Evidence that citizens are satisfied with the human rights situation in places of detention</li> <li>» Evidence that duty bearers can continue to guarantee that the human rights of those in places of detention are protected</li> </ul>  |

**TABLE 8. INDICATORS FOR INCORPORATING HUMAN RIGHTS PRINCIPLES IN THE DESIGN AND IMPLEMENTATION OF UNDP PROGRAMMES**

| HUMAN RIGHTS PRINCIPLES INDICATORS   | ACCESS TO CLEAN WATER PROGRAMME   | PREVENTION OF TORTURE PROGRAMME  |
|--|---|--|
| Participation<br>Non-discrimination and Gender Equality<br>Accountability<br>Rule of law<br>Indivisibility of rights | <ul style="list-style-type: none"> <li>» Evidence of involving key stakeholders in defining the programme goals (including CSOs that represent those most affected by problems of water access – poorer households, households in remote areas and women)</li> <li>» Evidence of involving stakeholders in designing appropriate indicators to measure programme progress</li> <li>» Evidence of involving vulnerable and marginalized groups in all phases of programming cycle</li> <li>» Evidence of fair and equal representation for all stakeholders across all affected sub-groups (e.g. women and other vulnerable groups)</li> <li>» Evidence that technical support has been provided to women and other vulnerable groups in building their capacity to participate in programming and decision-making</li> <li>» % of resources spent on making information accessible to vulnerable and marginalized groups, e.g. money spent on producing training material in accessible format for illiterate groups, translation of information on programme in minority language</li> <li>» Evidence that adequate access has been provided to all the planning documents related to the clean water programme including access for CSOs</li> <li>» Evidence of reference to international and national legal frameworks by the CO in designing, implementing and monitoring programme, as well as attention to the reports, survey data and other sources on the right to water</li> <li>» Evidence that effort by the CO has been made to link programme up with other practice areas, such as poverty, good governance etc.</li> </ul> | <ul style="list-style-type: none"> <li>» Evidence of involving key stakeholders in defining the programme goals (including representatives from CSOs that monitor or represent victims of torture as well as key duty bearers e.g. prosecutors, judges, police commissioners, and prison officers)</li> <li>» Evidence of fair and equal representation for all stakeholders across all affected sub-groups (e.g. minority and other vulnerable groups) in programme consultations.</li> <li>» Evidence that adequate access has been provided to all the planning documents related to the programme including access for CSOs</li> <li>» Evidence of analysis undertaken by the CO on the human rights that are being supported directly and indirectly by the programme i.e. programme planning documents and consultations for the design of the programme reflect attention to the domestic and international human rights standards on human rights to torture as well as attention to the reports, survey data and other sources on prevalence of torture in places of detention</li> </ul> |

## Recommendations for Using Indicators in Human Rights Based Programming

Indicators provide useful information on the degree to which rights have been realized in a given society, the level of violations that occur and whether they occur systematically, the possible causes for the persistence of violations and/or the failure to realize human rights progressively. Indicators provide important information on both the stock of the human rights situation and the flow of socio-economic and political processes that are related to the achievement or failure in rights protection. They thus seek to cover the degree to which states are meeting their legal obligations to respect, protect, and fulfil the different types of human rights.

COs engaging in the design and implementation of HRBPs will benefit from the use of indicators on human rights standards and human rights principles.

This guide has shown that there are many indicators on human rights standards and human rights principles, but they are at present limited in important ways that present significant challenges for human rights based programming. Despite the incomplete nature of indicators on human rights standards and human rights principles, there are a number of 'rules of thumb' that will assist country officers in carrying out human rights based programming.

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### 6.1 Programme results matter as much as programme processes

The purpose of human rights based approaches to development is to mainstream human rights principles into all aspects of development programming. Programme aims and objectives are informed by a concern for human rights. Some programmes may be specifically related to human rights, while others may only be indirectly related, but all programmes must seek to include attention to their human rights impact and attention to human rights principles throughout the process of programme implementation. Indicators play an important part in both judging the human rights impact of a programme as well as the degree to which its processes of implementation were attentive to human rights principles.

### 6.2 Robust initial assessment of human rights situation

All good human rights programming begins with the most robust initial assessment of the human rights situation possible. Such an assessment collates all the available indicators for the country under consideration

to determine the policy areas that are most in need of attention, while remaining cognizant that policy areas in the field of human rights are often interrelated. A robust initial assessment will assist in the identification of priority areas for human rights based programming. Existing indicators provide an excellent starting point for carrying out the initial assessment. International and national sources of information can be combined to provide a comprehensive review of what is known, what is not known, and what can be addressed through human rights programming.

### 6.3 Aims and objectives need to be well defined

Specific human rights programmes, policies, and projects need to make explicit their main aims and objectives. Aims and objectives that are too broad may be difficult to implement through a programme, while those that are specific can build in expectations about those indicators that would be helpful in monitoring and evaluating a programme. Specific aims and objectives can have related human rights areas of interest and influence, while human rights standards and principles should inform the full design and implementation of the programme.

### 6.4 Monitoring and evaluation procedures should be specified in the design phase

Country officers need to specify how they will monitor and evaluate the programme from its inception to its completion. The programme design should build in statements about what types of outcome, impact and processes will be related to human rights standards and principles, and how indicators will be used at every stage of programme implementation to monitor the degree to which the aims and objectives are being achieved. *Ex ante* impact assessment frameworks can be devised to compare indicators from the initial assessment to those collected during and after the programme.

### 6.5 Use multiple indicators and multiple sources

COs can maximize the implementation of a programme by using multiple sources of information and combining measures of rights in principle, practice, and policy alongside those collected for human rights principles. Multiple sources of information reduce possible biases and provide a more comprehensive portrait of the human rights situation as well as the particular areas that are being addressed by the programme.

### 7.1 Conceptual and methodological sources on indicators

Ball, P.B. with Cifuentes, R., Dueck, J., Gregory, R., Salcedo, D., and Saldarriaga, C. (1994) *A Definition of Database Design Standards for Human Rights Agencies*, Washington, DC: American Association for the Advancement of Science, <http://shr.aas.org/DBStandards/cover.html>

Filmer-Wilson, Emilie. *An Introduction to the Use of Human Rights Indicators for Development Programming*. Netherlands Human Rights Quarterly, March 2006, <http://www.uu.nl/uupublish/homerechtsgeleer/onderzoek/onderzoekscholen/sim/english/publications/nqhr/articles/20480main.html>

Green, M. (2001) 'What We Talk about When We Talk about Indicators: Current Approaches to Human Rights Measurement', *Human Rights Quarterly*, 23: 1062-1097.

International Association of Impact Assessment, IAIA (2003) 'Social Impact Assessment: International Principles', *IAIA Special Publications Series No. 2*, Fargo, ND: International Association of Impact Assessment <http://www.iaia.org>

Landman, T. (2004) 'Measuring Human Rights: Principle, Practice, and Policy', *Human Rights Quarterly*, 26 (November): 906-931.

Landman, T and Häusermann, J. (2003) *Map-Making and Analysis of the Main International Initiatives on Developing Indicators on Democracy and Good Governance*, Report to the European Commission. <http://www.oecd.org/dataoecd/0/28/20755719.pdf>

Nahem Joachim & Sudders, Matthew. *Governance Indicators: A Users Guide*. <http://www.undp.org/oslocentre/docs04/UserGuide.pdf>

Norwegian Agency for Development Cooperation (2001) *Handbook in Human Rights Assessment: State Obligations Awareness and Empowerment*, Oslo: NORAD; <http://www.norad.no/files/Handbook.pdf>

UNDP Practice Note: Human Rights in UNDP, April 2005: 7. <http://www.undp.org/governance/practice-notes.htm>

Sano, H-O. and Lindholt, L. (2000) *Human Rights Indicators Country Data and Methodology 2000*, Copenhagen: Danish Institute for Human Rights; <http://www.humanrights.dk/departments/international/PA/Concept/Indicato/Ind2000/>

The Human Rights Based Approach to Development Cooperation: Towards a Common Understanding Among UN Agencies, Inter-Agency Workshop on a Human Rights Based Approach in the context of UN Reform, Stamford, May 5 – 7, 2003. [www.unescobkk.org/fileadmin/user\\_upload/appeal/human\\_rights/UN\\_Common\\_understanding\\_RBA.pdf](http://www.unescobkk.org/fileadmin/user_upload/appeal/human_rights/UN_Common_understanding_RBA.pdf)

UNDP-OCHCR (2005) *Lessons Learned from Rights Based Approaches in the Asia-Pacific Region*, edited by Upala Devi Banerjee.

[http://europeandcis.undp.org/WaterWiki/index.php/Lessons\\_Learned\\_From\\_Rights-Based\\_Approaches\\_in\\_the\\_Asia-Pacific\\_Region](http://europeandcis.undp.org/WaterWiki/index.php/Lessons_Learned_From_Rights-Based_Approaches_in_the_Asia-Pacific_Region)

UNDP Human Rights Activities Worldwide <http://www.undp.org/oslocentre/hrmap/>

United Nations Office of the High Commissioner for Human Rights (2002) *Draft Guidelines: Human Rights Approach to Poverty Reduction Strategies*, Geneva: United Nations Office of the High Commissioner for Human Rights. <http://www.ohchr.org/english/issues/poverty/guidelines.htm>

Würth, A. and Seidensticker, F. L. (2005) *Indices, Benchmarks, and Indicators: Planning and Evaluating Human Rights Dialogues*, Berlin: German Institute for Human Rights. [http://www.institut-fuer-menschenrechte.de/webcom/show\\_shop.php/\\_c-488/\\_lkm-616/\\_cat-4/\\_nr-44/i.html](http://www.institut-fuer-menschenrechte.de/webcom/show_shop.php/_c-488/_lkm-616/_cat-4/_nr-44/i.html)

### 7.2 Data sources for national level indicators

Afro-Barometer <http://www.afrobarometer.org/>

American Association for the Advancement of Science <http://shr.aas.org/>

Amnesty International <http://www.amnesty.org>

Annual Survey of Freedom <http://www.freedomhouse.org/>

Asia Barometer <http://avatoli.ioc.u-tokyo.ac.jp/~asiabarometer/>

Benetech Initiative [http://www.benetech.org/human\\_rights/](http://www.benetech.org/human_rights/)

Cingranelli and Richards (CIRI) Database  
<http://www.humanrightsdata.com>

Eurobarometer  
[http://www.esis.org/en/data\\_service/eurobarometer/](http://www.esis.org/en/data_service/eurobarometer/)

Food and Agriculture Organization (FAO)  
[http://www.fao.org/es/english/index\\_en.htm](http://www.fao.org/es/english/index_en.htm)

FIDH-OMCT Observatory for Human Rights Defenders  
<http://www.fidh.org>  
<http://www.omct.org>

Francisco, Ronald  
<http://lark.cc.ku.edu/~ronfran/data/index.html>

Human Rights Watch  
<http://www.hrw.org>

King, Gary  
<http://gking.harvard.edu/events/>

Latino-Barometer  
<http://www.latinobarometro.org/>

Minority Rights Group International  
<http://www.minorityrights.org/>

National Human Rights Institutions (NHRI)  
<http://www.nhri.net/nationaldatalist.asp>

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Physicians for human rights  
<http://www.phrusa.org/>

Penn World Tables  
<http://pwt.econ.upenn.edu/>

Political Terror Scale  
<http://www.unca.edu/politicalscience/images/Colloquium/faculty-staff/gibney.html>

Press Freedom Survey  
<http://www.freedomhouse.org/>

### Scale of Torture

Hathaway, O. (2002) 'Do Treaties Make a Difference? Human Rights Treaties and the Problem of Compliance', *Yale Law Journal*, 111: 1932-2042.

State party reports to UN Treaty Bodies  
<http://www.ohchr.org/english/bodies/index.htm>

US State Department  
<http://www.state.gov/g/drl/hr/>

UK Foreign Office  
<http://www.fco.gov.uk/humanrights>

UNDP Human Development Index  
<http://hdr.undp.org/statistics/>

United Nations Statistics Division  
<http://unstats.un.org/unsd/>

Virtual Research Associates (VRA)  
<http://vranet.com/index.html>

### Worker Rights

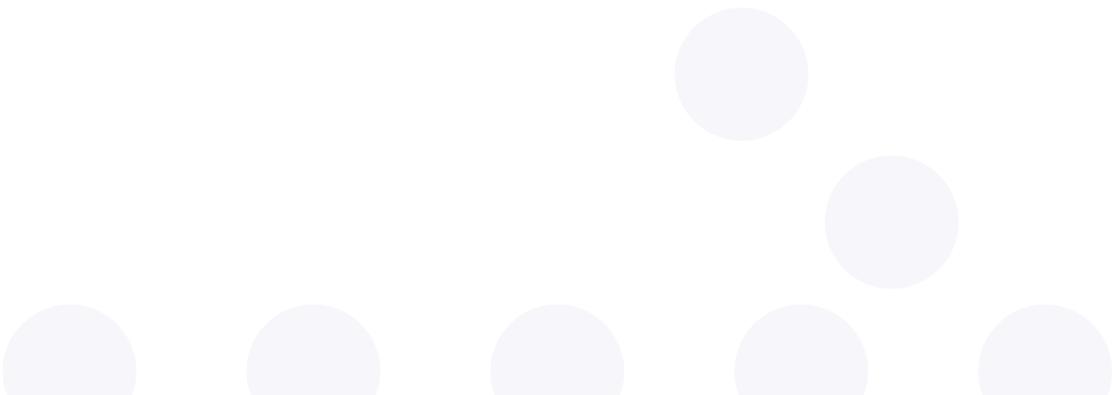
Bohning, R. (2005) *Labour Rights in Crisis: Measuring the Achievement of Human Rights in the World of Work*, London: Palgrave MacMillan.

World Bank World Development Indicators  
<http://www.worldbank.org>

World Bank Governance Indicators  
<http://www.worldbank.org/wbi/governance/pubs/gov-matters4.html>

World Governance Assessment  
[http://www.odi.org.uk/wga\\_governance/Publications.html](http://www.odi.org.uk/wga_governance/Publications.html)

World Values Survey  
<http://www.worldvaluessurvey.org/>



# A

## ppendix: Glossary of key terms

**Capacity building:** Enhancing the knowledge and skills of a particular group to enable them to fulfil their obligations and/or assert their rights.

**Concluding observations:** Recommendations offered by the UN treaty bodies (see separate entry below) on how states can meet their international human rights legal obligations for the next round of state reporting under the various UN human rights treaties.

**Duty bearers:** Those institutions in a country that ought to protect, respect and fulfil their human rights legal obligations.

**Equality:** Principle that no substantive or legally unfounded distinctions should come between individuals and groups with respect to access to services and public goods.

**Events-based:** Type of human rights indicators that counts violations and other acts committed by state and non-state actors.

**Experts Based Judgements :** Indicators that apply an abstract scale to qualitative information on human rights practices (e.g. Freedom House or the Political Terror Scale). Such scales rely on experts' judgement.

**Fulfil:** Obligation of duty bearers to take appropriate steps, through legislation, policies, budgetary allocations and other measures, to promote the realization of the rights (within available resource constraints and ability). See also positive dimensions and progressive realization.

**Human rights in practice:** Those rights actually enjoyed and exercised by groups and individuals regardless of the formal commitment made by a government. Also referred to as the **de facto** realization of rights.

**Human rights in principle:** Formal state commitment to protecting rights as evidenced by ratification of international treaties or as found in national constitutions or other legal documents.

**Human rights categories:** The main categories of human rights that follow from the treaties designed to protect them (see separate entries for civil rights, political rights, economic rights, social rights, cultural rights, and solidarity rights).

**Human rights principles:** A set of principles that when upheld will promote the full realization of human rights. See separate entries for universality, inalienability, indivisibility, interdependence, interrelatedness, equality,

non-discrimination, participation, inclusion, accountability, and rule of law.

**Human rights standards:** The international legal codes that express legally binding interpretations of human rights articles and to which all ratifying states have agreed to adhere.

**Human rights violations:** Acts of commission and omission that lead to the non-protection of certain human rights, see also negative dimension of human rights, and/or the obligation to respect human rights.

**Impact assessment:** Research techniques used to gauge and measure the relative impact of a specific policy, programme, or project.

**Inalienability:** That which cannot be given or taken away, but that naturally inheres within an individual.

**Inclusion:** Principle that all individuals have a right to participate in the public affairs of the state regardless of race, ethnicity, gender, religious affiliation, or other forms of individual identification. See also participation.

**Indicator:** A device for providing specific information on the state or condition of something.

**Indivisibility:** Human rights principle that says all human rights form a whole that the state cannot divide into subsets or choose to give greater status of some rights over others.

**Input indicators:** Indicators that measure the investment of resources into a given programme, policy, or project.

**Institutional capacity:** The knowledge, skills, and abilities of those within a given institution to address institutional objectives including bringing about change.

**Interdependence:** Used to describe the degree to which the realization and protection of separate human rights depend on one another. See also interrelatedness.

**Interrelatedness:** Used to describe how all human rights have relationships with one another. It is not yet clear whether these relationships all go in the same direction or if there are 'trade-offs' between certain rights. See also interdependence.

**Negative dimensions:** Obligations of duty bearers to refrain from acts that violate a human right. All human rights have negative dimensions (see also the obligation

to respect and protect human rights, as well as positive dimensions).

**Nominal measure:** An indicator that classifies a phenomenon into exclusive categories (e.g. gender or religion).

**Non-discrimination:** Principle of human rights that stipulates that no one can be denied their exercise of human rights on the basis of specific characteristics, such as race, religion, gender, nationality, birth, or other form of status.

**Official statistics:** Indicators produced by national statistical offices or recognized international governmental organizations.

**Ordinal measure:** An indicator that measures a phenomenon on a scale that has an ordered meaning (e.g. class position, educational attainment, political terror scale).

**Outcome indicators:** Indicators that capture the degree to which targeted populations have benefited from a particular policy intervention.

**Output indicators:** Indicators that capture the achievement of particular policy aims or the attainment of goals as a result of a specific set of activities.

**Participation:** Principle that all individuals have a right to take part in the public affairs of state and to be consulted in all public decision making. Typically, there are only age restrictions placed on participation. See also inclusion.

**Performance indicators:** Indicators that capture the efficiency with which particular policies are pursued and the relative time it takes to achieve particular goals.

**Positive dimensions:** Those proactive activities in which governments can engage to bring about the progressive realization of all categories of human rights; see also the obligation to fulfil human rights.

**Process indicators:** Indicators that capture the institutional and policy context in which desired achievements are pursued. Such indicators necessarily relate to the degree to which decision making is participatory, accountable, and transparent, and whether the stated goals of any policy area reflect the needs and desires of the target population.

**Progressive realization:** The degree to which states can develop the protection of human rights over time through use of their available resources. See also positive dimensions, and the obligation to fulfil human rights.

**Protect:** Obligation of a duty bearer to ensure that non-state actors and other third parties are respecting the rights of others (through measures to prevent others from committing violations).

**Proxy measure:** A measure that is indirectly related to the phenomenon that is to be measured (e.g. human development index and/or the physical quality of life as a measure for the protection of economic and social rights).

**Reservation:** A formal declaration that states make upon ratifying a treaty where they seek exceptions to specific legal obligations contained in the treaty. Reservations typically vary in the degree to which they undermine the true object and purpose of a treaty.

**Rights holders:** All individuals and groups within a particular jurisdiction that are eligible to make a rights claim.

**Respect:** Obligation of the duty bearer to refrain from interfering with the exercise of the right (or refrain from committing violations). See also negative dimensions.

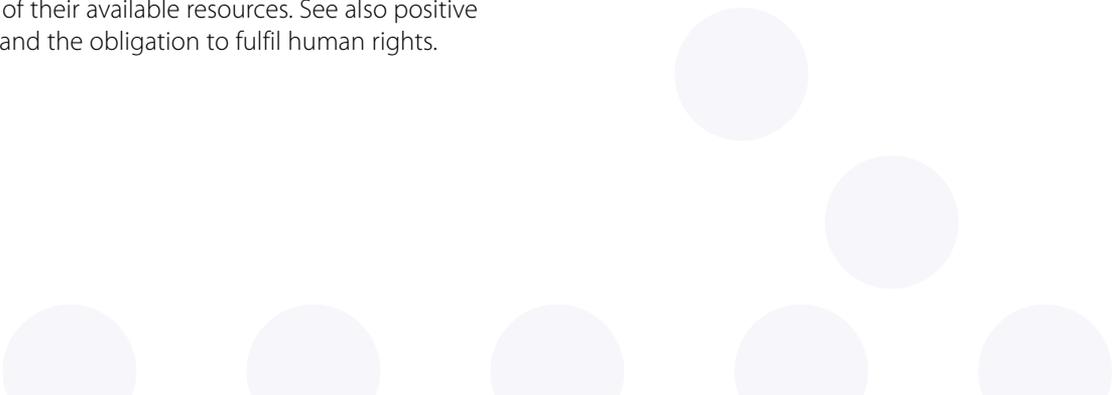
**Rule of law:** The human rights principle that the law is absolute and must be obeyed by all members of a particular community.

**Structural indicators:** Particular set of indicators developed by the Office of the High Commissioner for Human Rights on the legal framework in place within a country to protect human rights. Synonymous with rights in principle or formal commitment of states.

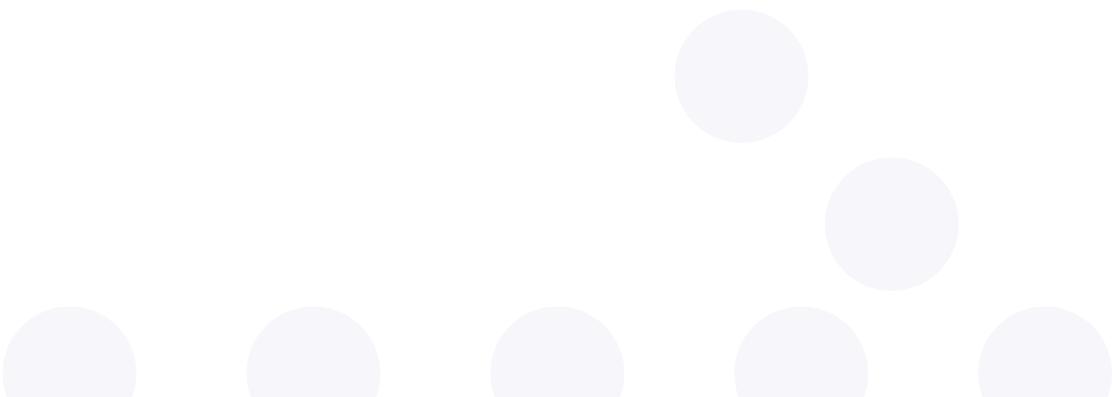
**Survey-based:** Indicators on human rights derived from questions posed to random or non-random samples of a national population.

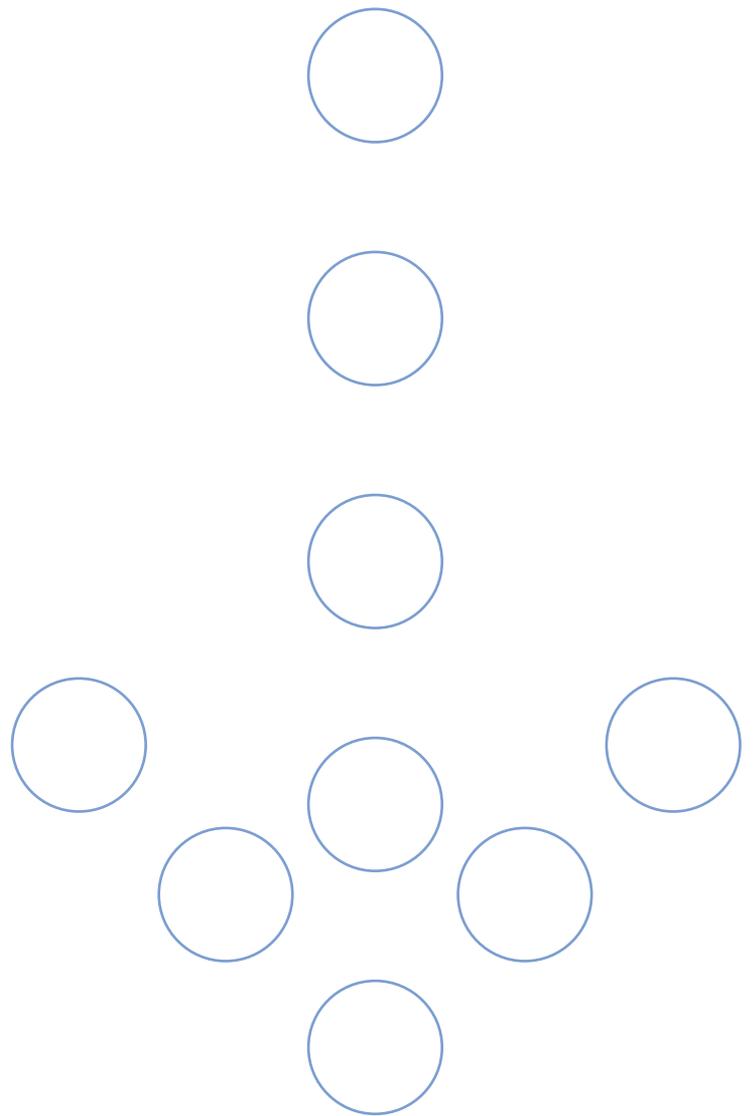
**Treaty body:** Seven international human rights treaties have an associated treaty body that receives state reports and offers concluding observations on ways to address the human rights situation. The mandate, structure, and composition of these bodies are currently under review as part of larger UN reforms.

**Universality:** Principle that human rights apply equally to all human beings by virtue of them being human.



- <sup>1</sup> Rights holders are those individuals and groups with valid claims; duty bearers are state and non-state actors with correlative obligations.
- <sup>2</sup> The UNDP Guide to Human Rights Based Programming will be finalized in the first half of 2006 and can be found at this link – <http://www.undp.org/governance/sl-justice.htm> The UNDP Practice Note on Human Rights can be accessed at - [http://www.undp.org/governance/docs/HRPN\\_English.pdf](http://www.undp.org/governance/docs/HRPN_English.pdf)
- <sup>3</sup> <http://hdr.undp.org/reports/global/2000/en/>
- <sup>4</sup> The Human Rights Based Approach to Development Cooperation: Towards a Common Understanding Among UN Agencies, Inter-Agency Workshop on a Human Rights Based Approach in the Context of UN Reform, Stamford, May 5 – 7, 2003. [http://www.unescobkk.org/fileadmin/user\\_upload/appeal/human\\_rights/UN\\_Common\\_understanding\\_RBA.pdf](http://www.unescobkk.org/fileadmin/user_upload/appeal/human_rights/UN_Common_understanding_RBA.pdf)
- <sup>5</sup> These principles are illustrated further in the Guide in Table 8
- <sup>6</sup> The European Convention on Human Rights - <http://www.hri.org/docs/ECHR50.html>; American Convention on Human Rights - <http://www.oas.org/juridico/english/Treaties/b-32.htm>; African Charter on Human and Peoples' Rights - <http://www.diplomacy.edu/africancharter/>
- <sup>7</sup> See 'A Human Rights Based Approach to Development Programming in UNDP – Adding the Missing Link'; [http://www.undp.org/governance/docs/HR\\_Pub\\_Missinglink.pdf](http://www.undp.org/governance/docs/HR_Pub_Missinglink.pdf)
- <sup>8</sup> A proxy measure or indicator is a variable used to stand in for one that is difficult to measure directly.
- <sup>9</sup> There are, however, some non-derogable rights, such as torture, that are protected through jus cogens. For example, states may not declare reservations to several articles found in the ICCPR and ICESCR.
- <sup>10</sup> See <http://www.nhri.net/nationaldatalist.asp>
- <sup>11</sup> See UNDP's Governance Indicators Project <http://www.undp.org/oslocentre/cross.htm>
- <sup>12</sup> <http://www.metagora.org/html/index.html>
- <sup>13</sup> [http://www.metagora.org/html/activities/act\\_pcbs.html](http://www.metagora.org/html/activities/act_pcbs.html)
- <sup>14</sup> <http://www.paris21.org/pages/designing-nsds/presentation-events/>
- <sup>15</sup> There is no single source for the PQLI as it is derived from other measures available from various international sources. In contrast, the UNDP provides annual HDI figures; see <http://hdr.undp.org/statistics/>. See also the statistical databases available from the United Nations <http://unstats.un.org/unsd/>
- <sup>16</sup> Other measures, such as the percentage of women or other minority groups in society that achieve levels of literacy and/or education; and the breakdown of households with access to available housing, health, and other social welfare services can serve as indicators for the presence of possible discrimination against certain groups in the exercise of their social and economic rights.
- <sup>17</sup> See <http://www.worldbank.org> and <http://pwt.econ.upenn.edu/> for access to these sources of data.
- <sup>18</sup> See [http://www.fao.org/es/english/index\\_en.htm](http://www.fao.org/es/english/index_en.htm)
- <sup>19</sup> <http://www.undp.org/oslocentre/docs04/UserGuide.pdf>
- <sup>20</sup> UNDP-OCHCR (2005) Lessons Learned from Rights Based Approaches in the Asia-Pacific Region, edited by Upala Devi Banerjee.
- <sup>21</sup> UNDP Human Rights Activities Worldwide, <http://www.undp.org/oslocentre/hrmap/>
- <sup>22</sup> Practice Note: Human Rights in UNDP, April 2005. See also Würth, A. and Seidensticker (2005) Indices, Benchmarks, and Indicators: Planning and Evaluating Human Rights Dialogues, Berlin: German Institute for Human Rights; and Kapoor, I. (1996) Indicators for Programming in Human Rights and Democratic Development: A Preliminary Study, Gatineau, Quebec: Canadian International Development Agency.
- <sup>23</sup> Practice Note: Human Rights in UNDP, April 2005: Appendix 1, p. 29.
- <sup>24</sup> The prevention of torture example draws on Foley (2003) Combating Torture: A Manual for Judges and Prosecutors, Colchester: Human Rights Centre, University of Essex, and Giffard, C. (2002), Torture Reporting Handbook, Colchester, UK: Human Rights Centre, University of Essex.
- <sup>25</sup> See the UNDP Evaluation Office Handbook on Monitoring and Evaluating for Results which should be consulted for generic technical guidance on developing indicators for baseline setting and monitoring and evaluating. [http://stone.undp.org/undpweb/eo/evalnet/docstore3/yellowbook/documents/full\\_draft.pdf](http://stone.undp.org/undpweb/eo/evalnet/docstore3/yellowbook/documents/full_draft.pdf).





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304 East 45th Street, New York  
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