Human Rights, the 2030 Agenda and the SDGs – HRBA to Data

Fiona Adolu
Human Rights Adviser
UN Resident Coordinator’s Office
What is the HRBA

GOAL
• All programmes and activities should further the realisation of HR in the UDHR and other international human rights instruments

PROCESS
• Process is guided by HR standards and principles throughout all the phases

OUTCOME
• Contribute to the development of the capacities of duty bearers to meet their obligations and/or the rights holders to claim their rights
HRBA to Data – Six Elements

Strengthening Data Collection in Zim National Census 2022
HRBA to Data

KEY PRINCIPLES:

- Consider a range of processes that facilitate and encourage participation e.g.
  - Online consultations
  - Public meetings/Community visits,
  - Public submissions processes
  - Including relevant CSOs in structures convened by the data collector
  - Formal MoUs to facilitate info sharing & collaborative work

- Clearly communicate how participatory processes are conducted and the outcomes of these exchanges

PARTICIPATION

Participation of relevant population groups in data collection exercises, including planning, data collection, dissemination and analysis of data
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KEY PRINCIPLES:

- Ensure that the views of vulnerable or marginalized groups, and groups who are at risk of discrimination, are represented
  - CSOs, NHRIs & other stakeholders can be used to provide info on behalf of some groups

PARTICIPATION

Participation of relevant population groups in data collection exercises, including planning, data collection, dissemination and analysis of data
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Kenya: LNOB in the National Census

- Ahead of the 2019 Census in Kenya
- Kenya National Commission on Human Rights Institution (KNCHR), the National Bureau of Statistics (KNBS) & OHCHR partnered to identify the communities or groups of people who have historically been left out during policy making.

- Qtns around 28 groups (incl. PWDs, PWAs, Intersex people, Indigenous grps, Stateless persons) considered to have been left behind with respect to data generation were included in the census

- This laid the foundation for ensuring these groups are progressively included in national statistical estimates with respect to different variables at macro levels.

Participation of relevant population groups in data collection exercises, including planning, data collection, dissemination and analysis of data
KEY PRINCIPLES:

- More detailed data than national averages is key in identifying and understanding inequalities.
- Data should be disaggregated by key characteristics identified in HR law:
  - sex, age, ethnicity, migration or displacement status, stateless, disability, religion, civil status, income, sexual orientation and gender identity.
- Collection of data to allow disaggregation may require alternate sampling and data collection approaches.
- Birth registration is foundational for robust data sets that allow accurate disaggregation.
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KEY PRINCIPLES:

- Data about personal characteristics should be provided by the individuals to whom the data refers (at the individual’s discretion)

- Data collection activities should be conducted in accordance with the human rights principle of ‘doing no harm’

- Any categories of identity should be developed through a participatory approach, to ensure respondents with these characteristics are optimally able to engage with the data collection

SELF-IDENTIFICATION

For the purposes of data collection, populations of interest should be self-defining. Individuals should have the option to disclose, or withhold, information about their personal characteristics.
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**KEY PRINCIPLES:**
- Official Statistics are part of the public’s right to information
- Information about how data is collected should be publicly available
- Data should be disseminated as quickly as possible after collection
- CSOs should also seek to comply with HR and statistical standards, including the UN Principles for Official Statistics

**TRANSPARENCY**

Data collectors should provide clear, openly accessible information about their operations, including research design and data collection methodology. Data collected by State agencies should be openly accessible to the public.
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KEY PRINCIPLES:

- Privacy and confidentiality must be considered alongside access to information.
- Information that identifies individuals or discloses an individual’s personal characteristics should not be made public as a result of data dissemination.
- Data collectors must have robust data protection mechanisms and procedures.
- When personal data is released, this should only be done with the permission of the individual concerned (or their appropriate representatives).

PRIVACY

Data disclosed to data collectors should be protected and kept private, and confidentiality of individuals’ responses and personal information should be maintained.
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Key Principles:

- Data can, and should, be used to hold human rights actors to account.
- National Statistical Offices are human rights duty-bearers and are accountable for respecting, protecting and fulfilling human rights.

ACCOUNTABILITY

Data collectors are accountable for upholding human rights in their operations, and data should be used to hold States and other actors to account on human rights issues.
Questions