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HUMAN RIGHTS**

**HUMAN RIGHTS IN
FOLLOW-UP AND REVIEW OF
THE 2030 AGENDA FOR
SUSTAINABLE DEVELOPMENT**

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LIST OF ABBREVIATIONS

AAAA	Addis Ababa Action Agenda
ACHPR	African Commission on Human and Peoples Rights
AFSD	African Forum on Sustainable Development
ASEAN	Association of South-East Asian Nations
AU	African Union
CAP	Common African Position
CAT	Committee against Torture
CEACR	Committee of Experts on the Application of Conventions and Recommendations
CED	Committee on Enforced Disappearances
CEDAW	Committee on the Elimination of Discrimination Against Women
CERD	Committee on the Elimination of Racial Discrimination
CESCR	Committee of Economic, Social and Cultural Rights
CMW	Committee on Migrant Workers
CRC	Committee on the Rights of the Child
CRPD	Committee on the Rights of Persons with Disabilities
CSOs	Civil Society Organisations
DIHR	Danish Institute for Human Rights
ECA	Economic Commission for Africa (ECA)
ECLAC	Economic Commission for Latin America and the Caribbean
ECOSOC	Economic and Social Council
EU	European Union
FUR	Follow-Up and Review
GRI	Global Reporting Initiative
HLPF	High-Level Political Forum
HRBA	Human Rights-Based Approach
HRBAD	Human Rights-Based Approach to Data
IAEG-SDGs	Inter-Agency Expert Group on SDG Indicators
ICPD	International Conference on Population and Development
IIRC	International Integrated Reporting Council
ILO	International Labour Organization
KNCHR	Kenyan National Commission on Human Rights
MDGs	Millennium Development Goals
NGOs	Non-governmental Organisations
NHRIs	National Human Rights Institutions
NSOs	National Statistical Offices
OHCHR	Office of the High Commission for Human Rights
OPEN	Overview of Public Expenditure on NEEDS
OSSAP-MDGs	Office of the Senior Special Assistant to the President on MDGs
PoA	Programme of Action
RFSD	Regional Forums on Sustainable Development
SASB	Sustainability Accounting Standards Board
SDG	Sustainable Development Goal
SISSPI	Sistema de Indicadores Sociodemográficos de Poblaciones y Pueblos Indígenas

SPT	Subcommittee on Prevention of Torture and other Cruel, Inhuman and Degrading Treatment or Punishment
SR	Sustainability Reporting
UNEP	UN Environment Programme
UNFCCC	UN Framework Convention on Climate Change
UNGA	UN General Assembly
UNGP	UN Guiding Principles on Business and Human Rights
UPR	Universal Periodic Review

INTRODUCTION

In September 2015, the UN General Assembly unanimously adopted the 2030 Agenda for Sustainable Development. The celebratory summit marked the end of several years of debate in a process that was unprecedented in length, complexity, and not least inclusiveness in terms of multilateral diplomacy and multi-stakeholder participation.

While the goals and target are now agreed, the implementation will be a complex, multi-faceted and long-term process that will require constant reflection and re-evaluation of results and strategies.

Therefore, the Follow-Up and Review (FUR) processes and mechanisms become crucial.

In these months, the discussion about efficient mechanisms of the 2030 Agenda for Sustainable Development is ongoing. However, open questions remain with regard to devising the best structures, mechanisms and modalities for FUR at national, regional and international levels.

The intention of this paper is to encourage and inspire a broad range of stakeholders to engage in this discussion, and contribute to the best possible design of efficient FUR mechanisms that build on a human rights-based approach to sustainable development.

The specific aim of the paper is twofold:

- To describe the emerging features of the proposed FUR mechanisms of the 2030 Agenda for Sustainable Development,
- To provide an initial analysis of the human rights implications, opportunities and challenges related to the FUR mechanisms.

The paper is structured in five thematic sections that can be read independently, according to interests:

1. Overall considerations for a human rights-based approach to follow-up and review mechanism of the 2030 Agenda
2. The three-levelled architecture of the follow-up and review mechanisms at the national, regional and global levels
3. The contribution and role of human rights monitoring mechanisms in the follow-up and review
4. The opportunities and limitations related to indicators and the collection of disaggregated data
5. The potential private sector contribution to follow-up and review

While it is still premature to present models or experience-based recommendations for FUR, the paper draws on the agreements and materials that have emerged since the adoption of the 2030 Agenda in September 2015. Likewise, it draws on the extensive experience and lessons learned that can be drawn from human rights monitoring and from previous development frameworks, such as the Millennium Development Goals.

However, in order to capture emerging experiences and decisions, the paper will remain a working draft until **10 April 2016**. Comments, input and ideas are highly appreciated and can be sent to Birgitte Feiring at the following email: bife@humanrights.dk

EXECUTIVE SUMMARY

A human rights-based approach to Follow-Up and Review

The 2030 Agenda is explicitly grounded in international human rights treaties. The commitment to human rights is further reflected in the general principle of non-discrimination and the aim to “leave no one behind”. Human rights are further reflected throughout the Sustainable Development Goals (SDGs) and targets. Concretely, 156 of the 169 targets are inextricably linked to core human rights and labour standards, and are thereby **tied together in a mutually reinforcing way**. Human rights offer guidance for the implementation of the 2030 Agenda, while the SDGs can contribute substantially to the realization of human rights.

The 2030 Agenda specifies that the purpose of Follow-up and Review (FUR) is to **ensure accountability** and that FUR mechanisms should be should inclusive, participatory, transparent, people-centred, gender-sensitive, respect human rights and have a particular focus on the poorest, most vulnerable and those furthest behind. These principles reflect the principles of the **human rights-based approach** to development, which should guide both the design and the operationalization of FUR mechanisms. The agreed mechanisms, including reporting, are voluntary and country-led and do not contemplate mechanisms for independent review or provisions of direct recommendations to States. In this perspective, highlighting how the SDGs are underpinned by international legally-binding human rights instruments with institutionalised monitoring bodies adds a dimension of accountability that is otherwise absent.

The follow-up and review architecture

The 2030 Agenda outlines a **three-levelled FUR architecture** at national, regional and international levels.

The **national level** constitutes the backbone of the FUR architecture. The Agenda calls for regular and inclusive reviews of progress that draw on contributions from stakeholder groups. It is also at national level that the connection between rights-holders and duty-bearers is most direct, and where States are directly accountable to their citizens. National FUR processes can be expected to be **iterative cycles** of review, planning, implementation, reporting, review etc. The periodicity and timing of these processes will vary from country to country and, in some cases, also from sector to sector.

The breadth of the 2030 Agenda will require **government coordination** across a wide range of line ministries and institutions to ensure coherence and systematic action. The process should depart from a thorough **revision of existing policy frameworks**, including sector policies and programmes, review and dialogue mechanisms, local development plans etc. **Broad participation** must be ensured through the involvement of the nine major groups recognised in the 2030 Agenda, particular groups of rights-holders, local communities and other stakeholders. Further, public authorities should regularly make data and reports for tracking progress available, and maintain and broaden dialogue forums, be they thematic or established at local, sub-national and national levels.

At the regional level, States are encouraged to undertake voluntary reviews with a focus on peer learning and exchange of best practices. While it will be up to each region to find a suitable arrangement, UN Regional Economic Commissions as well as regional political and technical bodies will be involved. **Regional Forums on Sustainable Development (RFSD)** have been established in many regions and will serve as a hub

for FUR activities. Regional actors can promote a contextualisation of SDG targets and measurements and can draw on regional human rights bodies and systems.

At the global level, the institutional framework for FUR revolves around the **High-Level Political Forum (HLPF)**, which will meet annually to keep track of global progress on implementation, provide political leadership and guidance, and address new and emerging issues. The HLPF will comprise both **thematic debates** and **voluntary state review**.

Under the **thematic debates**, no single institution or forum can claim exclusive ownership or responsibility for the review. Rather, the HLPF is supposed to be the hub for the range of existing national, regional, international and thematic processes, mechanisms and institutions that have the potential to contribute to FUR. From within the UN-system, this implies mobilising and integrating the work of a myriad of separate bodies and forums, including those operating under the Human Rights Council.

The importance of **inclusiveness and participation** in the HLPF is repeatedly underlined. Key principles are that major groups and other stakeholders, including business, should be able to participate and that governments and UN commissions and forum should ensure inclusiveness and participation and highlight progress in that regard in their reporting to the HLPF. To facilitate participation, awareness and capacity, the HLPF should champion innovative practices to engage non-State actors.

For the **voluntary state review**, States can report on progress in domestic implementation as a basis for exchanging best practices and building partnerships. The main Outcome of the HLPF will be a **Ministerial Declaration**, which is supposed to capture the essence of the vision, policy recommendations and lessons learned through the multiple platforms, reports and discussions, and translate these into high-level political guidance on further action. The Declaration may be complemented with a summary of conclusions and possible recommendations. As participation is voluntary, there are no requirements regarding the frequency or periodicity of voluntary national reviews at the HLPF. The Secretary General modestly suggests that each country could consider carrying out up to two voluntary national reviews at the HLPF before 2030. This underlines that more rigorous country-specific monitoring and accountability must hinge on other mechanisms.

Building Follow-up and Review on Human Rights Mechanisms

The high degree of convergence between human rights and the SDGs implies that national, regional and international human rights mechanisms can directly assess and guide SDG implementation. Moreover, drawing on existing human rights mechanisms will ease the reporting burden of States. Human rights mechanisms can offer:

- Systematised qualitative analysis and data through institutionalised reporting and monitoring mechanisms
- Identification of specific and systemic implementation challenges, as well as recommendations and guidance to overcome these
- Methodologies for innovative and participatory data collection, including exposure of inequalities through disaggregation of data and qualitative analysis
- Expertise on developing national monitoring systems that are aligned with global standards, and best practice on peer review mechanisms, expert and thematic reviews

- Best practice on systematic engagement of stakeholders in monitoring, reporting and follow up, guided by HRAB principles of accountability, transparency and access to information.

As independent State bodies, **National Human Rights Institutions** (NHRIs) monitor and analyse the national human rights situation against international human rights standards. NHRIs often prepare annual status reports on the general human rights situation as well as analysis and research on specific human rights topics. Many NHRIs have a strong focus on discrimination and inequalities, and monitor the situation of vulnerable and marginalised groups and particular rights-holders. Internationally, NHRIs prepare shadow reports to the Universal Periodic Review and treaty bodies. NHRIs can therefore play a significant role in both international and national SDG FUR processes. The importance of NHRIs for the 2030 Agenda is further underlined as the existence of an independent NHRI is proposed as the indicator for target 16.a.

The **Universal Periodic Review** (UPR) is a peer mechanism under the Human Rights Council, reviewing the human rights performance of all UN member states at regular intervals and providing recommendations to States to overcome human rights challenges. The UPR builds on inclusive multi-stakeholder reporting and preparation processes that can directly contribute to FUR but also inspire the design and working modalities of other FUR processes.

The **human rights treaty bodies**, the **special procedures** under the Human Rights Council and the **supervisory bodies** of the International Labour Organization (ILO) are institutionalized and regular mechanisms that monitor specific aspects of the 2030 Agenda and can immediately contribute to both country-specific and thematic FUR processes.

Opportunities and limitations related to indicators and the collection of disaggregated data

A core element of the FUR is the establishment of a comprehensive global indicator framework that is supposed to generate quality, accessible, timely and reliable disaggregated data. Global indicators pose a challenge for various reasons:

- Indicators will have differentiated relevance in different regions and countries;
- Some national statistical offices (NSOs) have limited capacity and the requirement for statistical data in non-traditional areas such as corruption, access to justice and trafficking will further challenge this capacity.
- Indicators and statistical data can have a reductionist effect on the overall vision and the human rights content embedded in the Agenda.
- Some of the proposed indicators measure long-term outcomes rather than processes and thereby do not provide a direct measurement of States' efforts to reach the goals and targets

On the positive side, approximately 47% of the indicators are expected to yield **data that is directly relevant for monitoring of specific human rights instruments**, while another 13% will have more **indirect human rights relevance**. 38 % of the indicators do not have specific human rights reference but may still provide data that may be relevant for a broad contextual analysis of factors that enable or limit the realization of human rights.

The 2030 Agenda specifies that **data should be disaggregated** by sex, age, race, ethnicity, migration status, disability and geographic location and other characteristics relevant in national contexts. This largely

coincides with the prohibited grounds of discrimination under international human rights instruments. The need to build capacity of NSOs for disaggregation is explicitly addressed in Target 17.18, but not all indicators can be disaggregated. About 85 of the global indicators (37.6 %) **technically allow for disaggregation**, with the potential for disaggregation being strongest in the areas of poverty, health, education, gender and governance. Surprisingly, only one-third of the proposed indicators under Goal 10 (reduction of inequalities) allow for disaggregation.

While global indicators and statistics may imply a major contribution to human rights monitoring, there is a clear need to supplement these with **national indicators** that can ensure relevance and provide concrete measurement of States commitment and efforts. Further, statistical data should be supplemented with qualitative information and context-specific analysis from human rights monitoring mechanisms, which can also produce **information about sensitive issues** that are hard to capture through statistics, for example discrimination based on religious beliefs, ethnic identity or sexual orientation.

Data collection and disaggregation also imply certain human rights risks. To address these, the Office of the High Commissioner for Human Rights (OHCHR) has identified a series of considerations for a **Human Rights-Based Approach to Data** (HRBAD) regarding participation; data disaggregation and collection by population groups; self-identification; transparency, and; accountability.

The potential private sector contribution to follow-up and review

Business constitutes one of the nine major groups recognised as key actors with regards to sustainable development. The need to involve the private sector is specifically mentioned in the Agenda, particularly with a view to mobilise all available resources. In this context, it must be kept in mind that businesses should act in accordance with the **UN Guiding Principles on Business and Human Rights**, which establish the corporate responsibility to respect human rights.

The 2030 Agenda acknowledges that national FUR should draw on the contributions from private sector and specifically, in target 12.6, encourages companies to undertake **Sustainability Reporting**. Such reporting has gained traction in terms of scale as well as sophistication in recent years, and a range of guiding policy and operational frameworks exist. These frameworks cover both environmental and social factors and, crucially, include **dedicated sections on labour and human rights** as well as crosscutting issues such as inequality. Corporate commitment to SR is generally voluntary and there is significant variation in terms of stringency of reporting formats. Meanwhile, binding obligations accompany reporting frameworks in an increasing number of countries.

1 A HUMAN RIGHTS-BASED APPROACH TO THE 2030 AGENDA

1.1. BUILDING ON THE CONVERGENCE OF HUMAN RIGHTS AND SUSTAINABLE DEVELOPMENT

The 2030 Agenda provides a comprehensive and universal framework, uniting environmental, social and economic dimensions of sustainable development. The Agenda comprises three main elements:

- The 17 Sustainable Development Goals (SDGs) and 169 targets to be achieved by all countries by 2030.
- The Means of Implementation (MOI), which specify the resources and partnerships that are necessary to reach the agreed goals and targets.
- The Follow-Up and Review (FUR) processes and mechanisms that will monitor and guide the implementation

The 2030 Agenda is explicitly grounded in the Universal Declaration of Human Rights and other international human rights treaties. Likewise, the commitment to non-discrimination and to “leaving no one behind” is a reflection of this foundation in human rights.¹ Moreover, the commitment to human rights is reflected throughout the goals and targets. The Danish Institute for Human Rights has developed a Guide, which identifies the interlinkages between the SDGs and universal human rights.²

THE HUMAN RIGHTS GUIDE TO THE SDGS

The Guide reaffirms the human rights anchorage of the 17 goals and provides concrete links between the 169 targets and core human rights instruments and labour standards. Constructed as a database in 5 languages with multiple search functions, it can, inter alia:

- Identify the human rights implications of a given goal and target;
- Show how specific human rights and labour standards link to the goals and targets and;
- Identify the implications for specific rights-holders such as women, children, persons with disabilities, indigenous peoples, and migrant workers.

Thereby, it allows the user to work proactively with the convergence of human rights and the SDGs in planning, programming, monitoring, evaluation and reporting. Visit the Guide at:

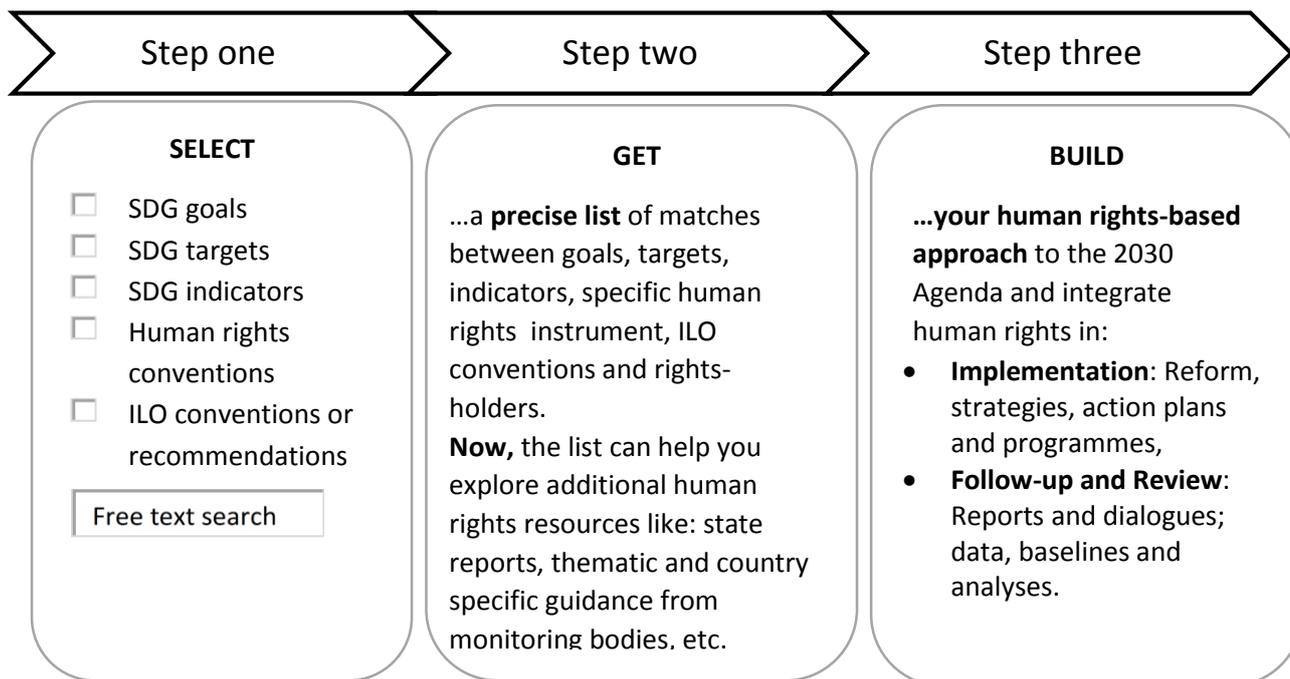
www.humanrights.dk/sdg-guide

The Guide shows that 156 of the 169 targets (more than 92%) are inextricably linked to international human rights instruments and labour standards. This illustrates that human rights instruments and the 2030 Agenda are tied together in a mutually reinforcing way: human rights offer guidance for the implementation of the 2030 Agenda, while the SDGs in turn contribute substantially to the realization of human rights. The Guide is an essential tool for a human rights-based approach to sustainable development programming, implementation and FUR.

¹ UN General Assembly, *Transforming our world: the 2030 Agenda for Sustainable Development*, A/RES/70/1, par. 4; 10.

² See: <http://www.humanrights.dk/our-work/sustainable-development/human-rights-sdgs>

How to use the database and what to use it for:



THE HUMAN RIGHTS-BASED APPROACH

In 2003, the UN Development Group adopted a Common Understanding on a **Human Rights-Based Approach** (HRBA) to development and programming. Since then, a range of bilateral development agencies and NGOs has adopted the HRBA. In essence, the HRBA stipulates that:

- Development should further the realisation of human rights.
- Human rights standards should guide all development cooperation and programming in all sectors and in all phases of the programming process.
- Development cooperation contributes to the development of the capacities of ‘duty-bearers’ to meet their obligations and/or of ‘rights-holders’ to claim their rights.

The entitlements and obligations under international human rights instruments defines the roles of **rights-holders** (individuals and groups with valid human rights claims) and **duty-bearers** (State and non-state actors with correlative obligations to respect, protect or fulfil human rights). International human rights instruments are used to set the goals and targets, and comments and recommendations from human rights monitoring bodies are used to guide programming. The principles of **accountability**, **participation** and **non-discrimination** are at the core of the HRBA.

1.2. PURPOSE AND GUIDING PRINCIPLES OF THE FOLLOW-UP AND REVIEW

As described in the Outcome Document³, the overall purpose of FUR mechanisms is to maximize and track progress in implementing the 2030 Agenda and ensure that no one is left behind. More specifically, the Document specifies that FUR should:

- Promote accountability to citizens;

³ See UN General Assembly, *Transforming our world: the 2030 Agenda for Sustainable Development*, A/RES/70/1, paragraphs 72-91

- Support effective international cooperation;
- Foster exchange of best practices.

Overall, the 2030 Agenda stipulates that respect for human rights and a particular focus on the poorest, most vulnerable, and those furthest behind should guide FUR at all levels. Additional principles reflected in the Document underline the purpose of FUR to strengthen **accountability of States** through:

- National ownership as the foundation for regional and global reviews;
- Tracking progress in a multifaceted and comprehensive manner;
- Engagement in long-term processes that contribute to informed policy choices;
- Mobilization of resources and partnerships, and;
- Capacity-building, including for data collection and evaluation⁴.

When analysing the guiding principles for the FUR processes, it becomes clear that these largely reflect the principles of a human rights-based approach (HRBA)⁵ to development:

FUR PROCESS PRINCIPLES: ⁶	PRINCIPLES OF A HUMAN RIGHTS-BASED APPROACH TO DEVELOPMENT ⁷
Operating at the national, regional and global levels, FUR will promote accountability to our citizens.	Accountability: States and other duty-bearers are answerable for the observance of human rights. They have to comply with the legal norms and standards enshrined in human rights instruments. Where they fail to do so, aggrieved rights-holders must be able to seek appropriate redress. Accountability is closely linked to the right to access information and the capacities needed for rights holders to claim their rights effectively.
FUR processes will be open, inclusive, participatory and transparent for all people and will support reporting by all relevant stakeholders. Member States are encourage to conduct regular and inclusive reviews of progress at the national and subnational levels, which should draw on contributions from indigenous peoples, civil society, the private sector and other stakeholders.	Participation: Every person and all peoples are entitled to active, free and meaningful participation in, contribution to, and enjoyment of civil, economic, social, cultural and political development in which human rights and fundamental freedoms can be realized. People are recognized as key actors in their own development, and their ability to hold duty bearers accountable should be strengthened through empowering development processes. Participation is both a means and a goal, and monitoring and evaluation should address both development processes and outcomes.
FUR processes will be people-centred, gender-sensitive, respect human rights and have a particular focus on the poorest, most vulnerable and those furthest behind . They will be informed and based data, which is high-quality, accessible, timely, reliable and disaggregated by	Equality and non-discrimination: All individuals are equal as human beings and are entitled to their human rights without discrimination of any kind, such as race, colour, sex, ethnicity, age, language, religion, political or other opinion, national or social origin, disability, property, birth or other status. This requires that analysis includes all stakeholders, and that priority is given to those who are marginalised and excluded and most strongly

⁴ Ibid, para. 74; a, b, c, h

⁵ See more at: <http://hrbaportal.org/>

⁶ As enshrined in the UN General Assembly, *Transforming our world: the 2030 Agenda for Sustainable Development*, A/RES/70/1, par. 72-91.

⁷ Selection of HRBA principles informed by the 2003 UN Common Understanding on Human Rights-Based Approaches to Development Cooperation and Programming, see: <http://hrbaportal.org/the-human-rights-based-approach-to-development-cooperation-towards-a-common-understanding-among-un-agencies>, and DIHR 2014, *AAAQ and the Right to Water: Contextualising indicators for availability, accessibility, acceptability and quality*, pp. 21-23. See: <http://www.humanrights.dk/what-we-do/sustainability/implementing-economic-social-cultural-rights/aaaq>

income, sex, age, race, ethnicity, migration status, disability and geographic location and other characteristics relevant in national contexts.

affected by economic, social and political inequality. Assessment of whether discrimination is prevalent requires a targeted focus as well as disaggregation of data by prohibited grounds of discrimination.

While the 2030 Agenda outlines the principles that should guide FUR, it also underlines the voluntary character of FUR, including the voluntary nature of the reporting from the national to the regional and global levels. Hence, the agreed FUR mechanisms are not prescriptive and are relatively “soft” as they do not contemplate mechanisms for independent review or provisions of direct recommendations to States. In this perspective, highlighting how the SDGs are underpinned by international legally-binding human rights instruments with institutionalised monitoring bodies adds a dimension of accountability that is otherwise absent from the suggested FUR mechanisms (see section 3).

HUMAN RIGHTS PRINCIPLES IN ENVIRONMENTAL AGREEMENTS

Public participation, access to information and accountability are also key principles of the global **environmental and climate-related agreements** that provide one dimension of the overarching framework for sustainable development.

For example, **Principle 10** of the **1992 Rio Declaration on Environment and Development** reaffirms that: Environmental issues are best handled with participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided.

Likewise, under the **UN Framework Convention on Climate Change (UFCCC)**, the parties commit, in Article 4 (i) to: Promote and cooperate in education, training and public awareness related to climate change and encourage the widest participation in this process, including that of non-governmental organizations.

The Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (the “**Aarhus Convention**”) is an example of a regional instrument that links human rights and environmental rights. It focuses on public participation and government accountability, transparency and responsiveness. As of April 2014, it has 46 states parties plus the European Union.

The convergence between human rights and sustainable development has a series of implications, which should be taken into account when designing FUR processes and mechanisms:

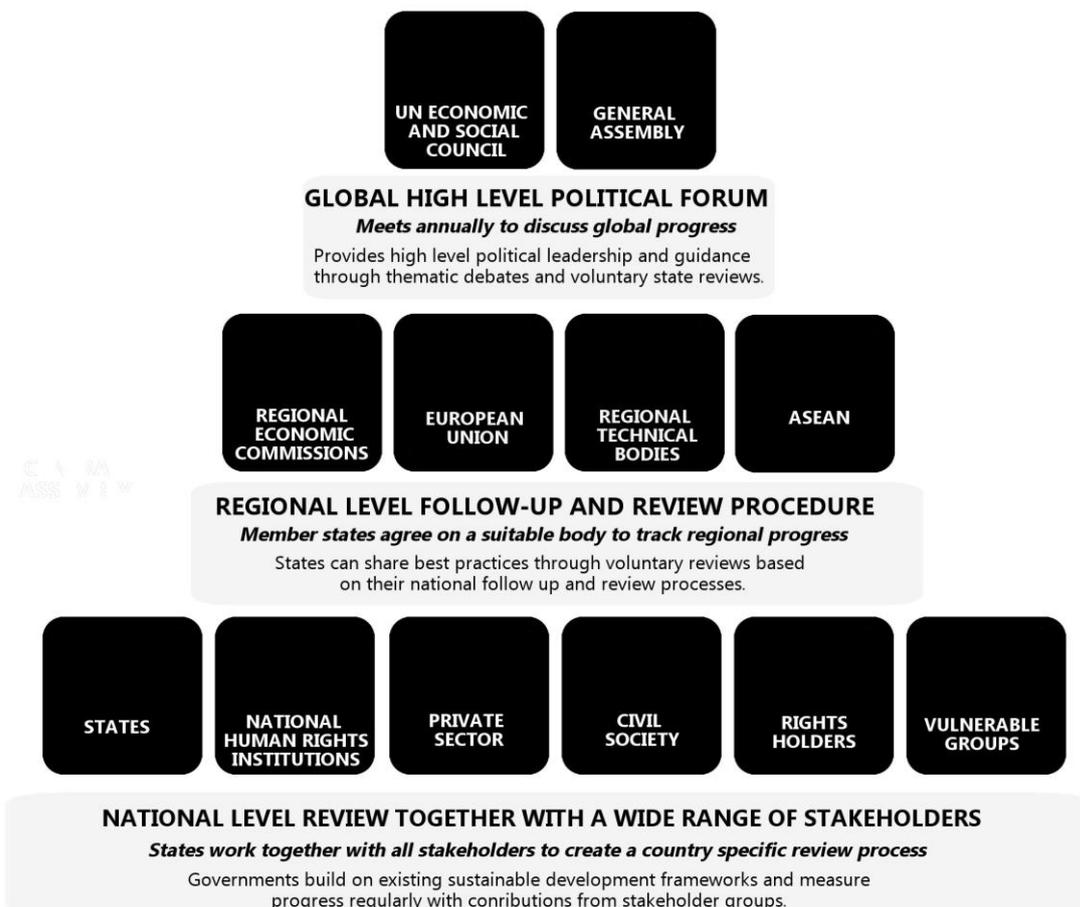
- ✓ FUR mechanisms at all levels should be designed in a way that is suited to uphold and assess the rights-relevant aspects of the agenda, e.g. by selecting the right indicators and by collecting data that reveals patterns of discrimination and inequalities
- ✓ Human rights monitoring mechanisms and institutions can contribute to the FUR, e.g. by making use of existing reporting cycles; facilitating participatory gathering of data; providing contextualized and qualitative analysis; guiding development efforts; providing access to redress, and; facilitating dialogue among multiple stakeholders.
- ✓ FUR mechanisms must be in conformity with basic principles of a human rights-based approach, such as transparency, participation and non-discrimination.

2. THE ARCHITECTURE OF THE FOLLOW-UP AND REVIEW

The 2030 Agenda outlines a three-levelled FUR architecture at national, regional and international levels.

At the national level, States are encouraged to develop “ambitious national responses” to the implementation of the Agenda, building on existing sustainable development frameworks, where appropriate. The Agenda calls for regular and inclusive reviews of progress at national and sub-national levels that draw on contributions from stakeholder groups.

At the regional level, States are encouraged to undertake voluntary reviews based on national FUR processes and identify the most suitable forum for such peer learning and exchange of best practices. While it will be up to each region to find a suitable arrangement, UN Regional Economic Commissions as well as regional political and technical bodies will be involved. Regional Forums on Sustainable Development (RFSD) have been established in many regions and will serve as a hub for regional FUR activities.



At the global level, the institutional framework for FUR revolves around the High-Level Political Forum (HLPF), which will meet annually. The purpose of the global-level FUR is to keep track of global progress on implementation, provide political leadership and guidance, and address new and emerging issues. The HLPF

will comprise both **thematic debates** and **voluntary state review**. For the voluntary state review, States can report on progress in domestic implementation as a basis for exchanging best practices and building partnerships.

FUR is supposed to build upon the multitude of existing institutions, reporting and monitoring mechanisms, and ensure appropriate linkages between the three levels. The primary focus on national implementation implies that FUR processes at the regional and global levels must build upon and be designed to contribute to the review at the national level.

2.1. NATIONAL FOLLOW-UP AND REVIEW

Inclusive and accountable FUR processes at the national level constitute the backbone of the FUR architecture. From a human rights-perspective, it is also at national level that the connection between rights-holders and duty-bearers is most direct, and where States are directly accountable to their citizens.

The 2030 Agenda specifies that national FUR processes should be country-led and tailored to the national context. Also, they should depart from what is already there, in terms of policies, dialogue processes, data, monitoring mechanisms, reporting cycles etc. Therefore, it must be expected that these national processes will present a diverse range of models and modalities as well as different degrees of efficiency and inclusiveness.

Taking into account the 15-year perspective of the 2030 Agenda, most national FUR processes will probably be iterative processes of review, planning, implementation, reporting, review etc. The periodicity and timing of these processes will vary from country to country and, in some cases, also from sector to sector.



2.1.1. The national processes

The initial dialogue to develop a comprehensive strategy for sustainable development could comprise some of the following generic elements:

- Mapping existing recommendations, reporting mechanisms and data sources, including from national and international human rights monitoring bodies.
- Identifying problems and challenges in key areas that need to be addressed
- Defining action plan with concrete steps, building on a review and revision of existing structures for sustainable development (where applicable)
- Developing national indicators to complement global indicators, taking into account existing national data and the situation of specific rights-holders. These should include benchmarks, milestones, and process indicators.
- Identifying strategies for data collection that ensure full disaggregation of data related to prohibited grounds of discrimination, including through participatory data collection.
- Defining reporting and review schedules with a focus on ensuring domestic accountability that build on existing reporting mechanisms and requirements, including those required under international human rights instruments.

As the process moves from planning and programming to implementation, the principles of inclusiveness, participation, transparency and accountability need to be upheld. This implies that stakeholders and local communities have to be included in planning and decision-making at all levels; that data for tracking progress should regularly be made publicly available; that dialogue forums, be they thematic or established at local, sub-national and national levels, should be maintained and broadened as necessary, and; that public authorities regularly publish reports that help track and analyse progress and obstacles in the implementation. It is of particular importance that disaggregated data are made available, supplemented with case studies, research and participatory data collection, to ensure that the most marginalised groups and rights holders are reached and have their voice heard (see section 4).

Besides ongoing continuous monitoring, a comprehensive review of the national sustainable development strategy, complemented by local level and thematic reviews, would help create ownership, dynamic exchange of experiences and diversify learning. While the 2030 Agenda does not stipulate a frequency for such national or subnational reviews it is assumed that “more frequent reviews, grounded in a national context, will support stronger national engagement”⁸.

The national process is also supposed to generate periodic reports that will inform regional and global reviews. Likewise, thematic debate and exchange of experiences at regional and global levels is supposed to yield best practices and valuable lessons learned, which should retro-feed national processes. Hence, processing of this feedback must be built into the design of national processes.

Given the significant convergence between human rights instruments and the 2030 Agenda, thematic debates and state review taking place through human rights fora, including recommendations issued by National Human Rights Institutions, Treaty Bodies, the Universal Periodic Review (UPR) and Special procedures of the UN Human Rights Council, will provide valuable qualitative analysis and input (see section 3).

⁸ A/70/684, para. 75 available at: http://www.un.org/ga/search/view_doc.asp?symbol=A/70/684&Lang=E

In terms of methodology and process, the UPR provides particularly relevant lessons learned and good practices that could inspire national FUR processes (see section 3)

2.1.2. Institutional anchorage and participation

The breadth of the 2030 Agenda will require government authorities to coordinate across a wide range of line ministries and institutions to ensure coordinated and systematic action. In most countries, this will require direct involvement from national authorities at the highest level, in order to ensure coherence, explore inter-linkages and pursue synergies across different sectors.

As the SDGs touch upon themes and processes that all countries are - at least partly - addressing already, the process should depart from a thorough revision of existing policy frameworks, sector policies and programmes, review and dialogue mechanisms, local development plans etc. As emphasised by the UN Regional Commissions:

“The SDGs will have to be analyzed in light of the existing national long-term development plans, goals and targets to identify complementarities, inconsistencies and gaps in capacities with a view to integrate the multi-disciplinary nature of the 2030 Agenda for Sustainable Development, including the SDGs, into such plans. This analysis will be country specific and hence unique actions for the follow up will derive from it”⁹

NATIONAL STRATEGIES AND IMPLEMENTATION

Since 2002, **Germany** has had a **National Sustainable Development Strategy**, which is now being aligned with the SDGs. This is done in an open consultation process that involves civil society and the private sector. The **German** Strategy is being implemented through a high-level inter-ministerial Committee on Sustainable Development, composed of the State Secretaries of all ministries, with its secretariat in the Chancellery. Further, there is a **Sustainable Development Council**, which comprise representatives of the scientific community, private sector and civil society. Finally, there is a **Parliamentary Advisory Council on Sustainable Development** within the German Parliament, which monitors the implementation of the Strategy and evaluates the sustainability impact of laws and policies before these are considered by the cabinet (Beyond 2015UK: Bringing the Goals Home, p.6).

The broad involvement of diverse actors in the German process reflects the principles of inclusiveness and participation that are written into the 2030 Agenda but also reflects fundamental human rights principles of participation and accountability.

Strong buy-in from all sectors of society will be necessary to create a durable foundation and ensure the that is required for the implementation of the Agenda. The 2030 Agenda specifically stipulates that reviews “should draw on contributions from indigenous peoples, civil society, the private sector and other stakeholders, in line with national circumstances, policies and priorities. National parliaments as well as other institutions can also support these processes”¹⁰. Parliaments play an essential role through their

⁹ Regional Views on 2030 Agenda Follow up and review Framework, Regional Commissions New York Office, 2015, para. 8(e). Available at: <https://sustainabledevelopment.un.org/content/documents/8993RCNYO.pdf>

¹⁰ UN General Assembly, *Transforming our world: the 2030 Agenda for Sustainable Development*, A/RES/70/1, para. 79.

enactment of legislation and adoption of budgets and their role in ensuring accountability of the effective implementation of commitments¹¹. Another key actor are local authorities.

LOCAL AUTHORITIES & AGENDA 21

The success of the 2030 Agenda will ultimately depend on its ability to serve as a relevant framework, also at local level. Emerging from the 1992 Rio Conference, **Local Agenda 21** has been a successful model to translate global commitments to the local level by engaging local authorities. The community of Cajamarca in Peru used Agenda 21 as a vehicle to conduct institutional reforms towards decentralization and create a provincial sustainable development plan. The process took three-years and involved a wide range of public and private stakeholders. Six thematic working groups prepared action proposals in areas such as Education and Women's issues, before the plan was finally adopted in a public referendum. See:

<http://www.idrc.ca/EN/Resources/Publications/openebooks/448-2/index.html>

To be consistent with the Agenda for Sustainable Development, national processes should involve the nine so-called “**major groups**” that are identified as having a particular role to play in the context of sustainable development. These are: women; children and youth; indigenous peoples; non-governmental organizations (NGOs); local authorities; workers and trade unions; business and industry; scientific and technological community, and; farmers. Beyond that, a HRBA would also require the participation of specific rights-holders and marginalised groups that are directly implicated in the Agenda. This would include persons with disabilities, migrant workers and other groups that face discrimination based on grounds prohibited under international law such as dalits, religious minorities and ethnic groups.

Establishing such inclusive processes will require the establishment of coordination mechanisms as well as awareness-raising and information-sharing with relevant stakeholders, highlighting opportunities for their contribution and participation. To be truly participatory and inclusive, dialogues should take place at sub-national and local levels, as well as on a variety of thematic issues such as those represented by the individual SDGs and on cross-cutting issues, including challenges faced by marginalised groups or particular groups of rights-holders.

Some countries can directly build on the experiences gained from the Millennium Development Goals (MDGs) for SDG implementation and FUR.

NIGERIA

Nigeria presents a mixed bag of MDGs results¹². Late commencement of implementation (2005) was identified as a main problem, while debt relief used to help finance the MDGs was a key success factor. The Office of the Senior Special Assistant to the President on MDGs (OSSAP-MDGs) was instrumental in establishing the necessary accountability structure to ensure that public resources were used well and monitored, and it reported directly to the President. The debt relief gains were channelled through the public system in tandem with public sector and public expenditure reforms. Independent monitoring and evaluation of the debt relief gains at both headquarters and in the field, was established through the

¹¹ UN General Assembly, *Transforming our world: the 2030 Agenda for Sustainable Development*, A/RES/70/1, para. 45

¹² See the 2015 MDG End-point Report 2015T at:

http://www.ng.undp.org/content/dam/nigeria/docs/MDGs/Nigeria_MDG_Report%202015%20Full%20Report.pdf

Overview of Public Expenditure on NEEDS¹³ (OPEN) initiative. OPEN established an independent monitoring and evaluation framework (MSD), which operated with a multi-disciplinary team of experts and civil society organisations, including private sector participation. *“Private sector and civil society should see whether the state had delivered in terms of value for money and whether activities of programmes actually delivered the services. It was an eye-opener; when people knew someone would come and look over their shoulder they then practised and delivered on the contracts. What we did was to instil accountability (...) there were checks and balances, we were coming. This is really, what we take to the Post 2015-Agenda”*, Amina J. Mohammed¹⁴, Senior Special Assistant to the President on MDGs. In order to ensure a smooth commencement and implementation of the SDGs, Nigeria has planned to: 1) institutionalise a culture of participation that promotes ownership, accountability and sustainability in the implementation of 2030 agenda, with the active involvement of beneficiary communities and CSOs and 2) Sustain the OPEN Monitoring and Evaluation framework¹⁵.

2.2. REGIONAL FOLLOW-UP AND REVIEW

Regional reviews should identify regional trends, address challenges particular to the region, and track progress across the region. The focus is on peer learning and exchange of best practices and the process should contribute to “building trust among countries by encouraging countries to share information, knowledge and experiences, strengthen their respective capabilities and define coherent regional policies and approaches”¹⁶. The peer review could be tied to a “remedy” function, where additional processes are brought into play that engage stakeholders in defining appropriate responses once the review indicates a gap in progress¹⁷. It is not yet clear how such remedy functions would be devised or anchored.

States are yet to come to conclusions about the most suitable regional forums for FUR¹⁸, but the UN Regional Economic Commissions along with regional organizations such as the European Union (EU), the African Union (AU), the Association of South-East Asian Nations (ASEAN) and the Arab League will play the key roles. There is already some progress in establishing Regional Fora for Sustainable Development (RFSD) in several regions¹⁹. Also, some regions have made progress in terms of “regionalisation of the Agenda.

THE AFRICAN REGION

In the **African region**, the UN Economic Commission for Africa (ECA) and the AU approved the convening of the African Forum on Sustainable Development (AFSD). The Forum will build on the experiences from existing institutional mechanisms used for the MDGs; input from the range of technical committees under the ECA and the AU, as well as; data generated on the basis of African regional indicators developed by ECA in collaboration with the UN Statistics Commission.

¹³ Nigeria’s National Economic Empowerment and Development Strategy

¹⁴ The quote is from a lecture Amina J. Mohammed gave at the The Hertie School of Governance, <https://www.hertie-school.org/mediaandevents/events/events-pages/20032014-amina-j-mohammed/>

¹⁵ Ibid: p.132-133.

¹⁶ UN Regional Commissions, New York Office, *Regional Views on 2030 Agenda Follow up and Review Framework*, para 11. See: <https://sustainabledevelopment.un.org/content/documents/8993RCNYO.pdf>

¹⁷ UN Regional Commissions, New York Office, *Regional Views on 2030 Agenda Follow up and Review Framework*, p.3. See: <https://sustainabledevelopment.un.org/content/documents/8993RCNYO.pdf>

¹⁸ UN General Assembly, *Transforming our world: the 2030 Agenda for Sustainable Development*, A/RES/70/1, par. 81.

¹⁹ See more at: <https://sustainabledevelopment.un.org/hlpf/2016>

Regional actors can promote a contextualisation of SDG targets and measurements. In 2014, the African Union adopted the Common African Position (CAP) on the 2030 Agenda²⁰ “to reach consensus on common challenges, priorities and aspirations”. The absence of goals related to institutions and governance was identified as a major shortfall of the MDGs. In contrast, SDG 16 offers significant transformative potential to improve human rights through justice and security reform. In the African region, the CAP provides some indication that the AU’s implementation focus will likely be directed towards cross-border and regional security arrangements and the prevention of armed conflict. For non-conflict related human rights, justice and security concerns, countries can draw on the work of the African Commission on Human and Peoples’ Rights (ACHPR), which includes, for example Special Rapporteurs on freedom of expression and access to information; human rights defenders, and; prisons, conditions of detention and policing.

2.3. GLOBAL FOLLOW-UP AND REVIEW

2.3.1. The basic functions of the High-Level Political Forum

The High-Level Political Forum (HLPF) is the key hub for the global review of the 2030 Agenda. While the deliberations on its detailed structure and functions are still ongoing, the report of the UN Secretary General on “Critical Milestones towards coherent, efficient and inclusive follow-up and review at the global level”²¹ gives a number of pointers as to the emerging consensus about the work of this body.

The HLPF will meet two weeks every year in New York. For three consecutive years, it will meet under the auspices of the UN Economic and Social Council (ECOSOC) and, every fourth year, under the auspices of the UN General Assembly (UNGA). Practically, the HLPF will review a cluster of thematic goals each year, while the review of Goal 17 (Means of Implementation) will be annual, given its crosscutting character. Thereby, all 17 SDGs will be reviewed within a four-year cycle. In addition, the HLPF will have an annual theme. In 2016, the theme is “ensuring that no one is left behind”.

HIGH-LEVEL POLITICAL FORUM

When the HLPF meets under the auspices of the UNGA, it will bring together Heads of State and Government to provide political guidance at the highest level, and create a political impetus to accelerate implementation, including on mobilization of necessary resources and finance. Its overarching mandate allows the UNGA to have an integrated view of the messages and contributions from the entire UN-system, including the HLPF, ECOSOC, the Peacebuilding Commission, the Security Council and the Human Rights Council.

The HLPF sessions will comprise four main components:

- Review of overall progress building on regional and, in particular, national progress reports emanating from the **voluntary state review**
- A **thematic review** and in-depth review of sub-set of SDGs
- A **review of the Means of Implementation**, including those reflected in the Addis Ababa Agenda for Action, building on input from the Financing for Development Forum²², the Science, Technology and Innovation Forum²³ and the Development Cooperation Forum²⁴

²⁰ See: <http://www.nepad.org/sites/default/files/Common%20African%20Position-%20ENG%20final.pdf>

²¹ A/70/684, available at: http://www.un.org/ga/search/view_doc.asp?symbol=A/70/684&Lang=E

²² See: <http://www.un.org/esa/ffd/ffd-follow-up/ecosoc-ffd-forum.html>

²³ See: <https://sustainabledevelopment.un.org/?page=view&nr=1047&type=230&menu=2059>

²⁴ See: <https://www.un.org/ecosoc/en/development-cooperation-forum>

- **New and emerging issues.**

The UN-System will provide two global reports to inform the HLPF sessions:

- The **Secretary-General's compilation report of global SDG data**. Based on the global indicator framework, this report is supposed to depict and analyse trends drawing on in-depth technical analysis and data sets, and highlighting aspects that deserve the attention of the HLPF.
- The **Global Sustainable Development Report (GSDR)**, which is supposed to strengthen the "science-policy interface" through review of dispersed information and assessments. The GSDR will adopt an "assessment-of-assessments approach", documenting and describing the landscape of information on specific issues that are policy-relevant in field of sustainable development²⁵. The theme of the 2016 edition of the GSDR coincides with the HLPF theme (ensuring that no one is left behind)²⁶

FORUM ON FINANCING FOR DEVELOPMENT

The ECOSOC Forum on Financing for Development will be held annually to review progress in the implementation of the 2016 Addis Ababa Action Agenda (AAAA), as well as the delivery of the Means of Implementation of the 2030 Agenda. The Forum is prepared by an inter-agency task force providing advice and recommendations to overcome implementation gaps. The Forum convenes for the first time in April 2016 and the outcome will subsequently inform the HLPF session in July.



²⁵ See: <https://sustainabledevelopment.un.org/globalsdreport>

²⁶ See more and contribute at: <https://sustainabledevelopment.un.org/globalsdreport/2016>

The main Outcome of the HLPF will be a **Ministerial Declaration**, which is supposed to “capture the essence of the vision and policy recommendations of the multiple platforms, parts, and discussions, as well as lessons learned, and translate them into political guidance on further action”²⁷. This Declaration, which can be expected to be very general, may be complemented with a summary of conclusions and “possible recommendations”²⁸. This underlines the purpose of the HLPF to facilitate high-level sharing of experiences and provide political leadership, while more rigorous country-specific monitoring and accountability must hinge on other mechanisms.

2.3.2. Voluntary national review at the High-Level Political Forum

The **national review** will build on reports and presentations provided by the States that volunteer to participate. Ideally, these reports and presentations are based on an inclusive national consultation, and the consultation process is reflected in the State report.

As of February 2016, 19 States from across all regions have committed to volunteer for the first round of national reviews at the HLPF. Ahead of the HLPF session in July, these States will supply documentation on national strategies and policies for sustainable development, national indicator frameworks, and previous reports to the Commission on Sustainable Development and other intergovernmental bodies. This documentation is made available through a UN online platform, which also gives an overview of voluntary commitments and partnerships for which countries have signed up.²⁹

As participation is voluntary, there are no requirements regarding the frequency or periodicity of national reviews. The Secretary General’s report modestly suggests that each country could “consider carrying out up to two voluntary national reviews at the high-level political forum between now and 2030”³⁰. Also the suggested format for presentations is quite light, suggesting that these should have a time limit; highlight two or three good practices; two or three major challenges and lessons learned in trying to address them; two or three areas in which it needs to hear about other countries’ good practices; and two or three areas in which it needs support from other countries and actors in terms of finance, capacity-building, technology, or partnerships. Further, “each minister could outline the main messages and recommendations that his or her country took from the discussions and the next steps it intends to take”³¹.

2.3.3. The High-Level Political Forum as a global hub for reporting and review

Beyond the national reviews, the HLPF is supposed to review implementation of the Agenda in a holistic and integrated manner that promotes a cross-cutting understanding of the economic, social and environmental dimensions of the Agenda. This also implies that no single institution or forum can claim exclusive ownership or responsibility for the review of any single goal and target. Rather, the HLPF is supposed to be the converging point for the range of existing national, regional, international and thematic processes, mechanisms and institutions that have the potential to contribute to the FUR. From within the UN-system, this implies to mobilise and integrate the work of separate bodies and forums, as essential building blocks of a cohesive review system³². Likewise, it implies that the myriad of functional commissions

²⁷ A/70/684, para. 34

²⁸ Ibid: para 35.

²⁹ <https://sustainabledevelopment.un.org/hlpf/2016>

³⁰ A/70/684, para. 85

³¹ Ibid: 83

³² A/70/684, para. 11

and other subsidiary bodies of ECOSOC, as well as UN agencies, programmes, funds and forums harmonise and align their work programmes and agendas with the SDGs and the global FUR mechanisms.

All relevant bodies and forum will be invited to voluntarily contribute to the HLPF, with the decision on whether and how to contribute left to those forums. The inputs are supposed to follow a simple template covering: (a) assessment of progress and setback at the global level; (b) identification of areas requiring urgent attention; (c) valuable lessons learned; (d) emerging issues; (e) areas where political guidance by the HLPF is required; and (f) policy recommendations and tools to accelerate progress³³.

The link between the **International Conference on Population and Development (ICPD)** and the 2030 Agenda clearly shows how existing follow-up mechanism will contribute to the HLPF. The ICPD cemented that universal access to sexual and reproductive health and rights are a necessary precondition for sustainable development³⁴. Target 5.6 of the SDGs makes direct reference to the ICPD and the related Program of Action (PoA). Thereby, the follow-up of the ICPD is intrinsically aligned with the follow-up of the 2030 Agenda.

2.3.4. Ensuring inclusiveness and participation in the High-Level Political Forum:

The 2030 Agenda itself and the Secretary General's report on the global FUR repeatedly underline the importance of inclusiveness and participation, including in the HLPF. Key principles are that:

- Major groups of civil society and other stakeholders, including business, must participate in all parts of the follow-up and review architecture³⁵.
- Governments should ensure inclusiveness and participation and could highlight progress in that regards in national reviews at the HLPF
- UN commissions and forums should reflect on their ability to convene and engage the critical actors relevant to their contributions to the 2030 Agenda, including scientists, local governments, business, and representatives of the most vulnerable persons³⁶
- To ensure that the HLPF gives adequate consideration to vulnerable peoples, the Commission for Social Development, the Human Rights Council and other forums, for example, those on specific population groups, such as migrants or indigenous people, could also contribute to forum discussions through dedicated inputs³⁷.

A MYRIAD OF UN BODIES

The UN bodies and forums that review progress in specific areas addressed by the SDGs include, among others: the World Education Forum, the World Health Assembly, the International Labour Conference, the Committee on World Food Security and the Human Rights Council (see A/70/684: 46). All of these bodies and forums address issues of crucial importance for the realisation of human rights.

TARGET 5.6

Ensure universal access to sexual and reproductive health and reproductive rights as agreed in accordance with the Programme of Action of the International Conference on Population and Development and the Beijing Platform for Action and the outcome documents of their review conferences.

³³ Ibid, para. 54

³⁴ ICPD Beyond 2014

³⁵ A/70/684, para.15

³⁶ Ibid: 48

³⁷ Ibid: 33

- The HLPF should champion innovative practices to engage non-State actors. People should know about its work and understand and relate to its conclusions³⁸.

The more concrete innovative practices suggested by the Secretary General to engage major groups and other stakeholders comprise:

- An online engagement platform for accessing documentation and providing comments and inputs
- Actively soliciting their input through calls for evidence and invitations to be presented at the HLPF.
- Multi-stakeholder dialogues, such as those held during the negotiations on the 2030 Agenda, within the scope of the HLPF and other regular official meetings³⁹.
- Ample space for non-State actors to organize events before and during the HLPFs, with links to official meetings⁴⁰.
- Compilation of a database for NGOs, business and other major groups and stakeholders to announce their commitments for achieving the SDGs, with measurable milestones and deliverables
- Establishment of an online platform to make the webcast, documents and content of the voluntary national reviews available, along with countries' reports to other reporting mechanisms. There could be a related dedicated space for major groups and other stakeholders to submit comments through a moderator from the Secretariat and/or major groups⁴¹.

³⁸ Ibid

³⁹ Ibid: 67

⁴⁰ Ibid: 67

⁴¹ Ibid: 86

3. BUILDING FOLLOW-UP AND REVIEW ON HUMAN RIGHTS MONITORING MECHANISMS

3.1. HUMAN RIGHTS MECHANISMS ADD VALUE AND INCREASE EFFICIENCY

The high degree of convergence between human rights and the SDGs points to the potential of using national, regional and international human rights mechanisms to assess and guide SDG implementation.

Human rights monitoring and reporting mechanisms can contribute to SDG FUR by providing:

- Systematised qualitative analysis and data through institutionalised reporting mechanisms by States, United Nations bodies, National Human Rights Institutions (NHRIs) and civil society
- Identification of specific and systemic implementation challenges, as well as recommendations and guidance to overcome these
- Methodologies for innovative and participatory data collection, including exposure of inequalities through disaggregation of data and qualitative analysis
- Expertise on developing national monitoring systems that are aligned with global standards, and best practice on peer review mechanisms, expert and thematic reviews
- Best practice on systematic engagement of stakeholders in monitoring, reporting and follow up, guided by HRAB principle regarding accountability, transparency and access to information

FUR is supposed to “draw as far as possible on the existing network of follow-up and review institutions and mechanisms”⁴², including with a view to ease their reporting obligations.

The cautioning against overburdening countries with national reviews, especially those countries with limited capacities and resources is reiterated in the Secretary General’s report on FUR⁴³, noting that Member States are already subject to reporting obligations in many areas related to the SDGs, including the Human Rights Council, treaty monitoring bodies and specialized agencies. Hence, States can directly build on existing human rights reporting procedures, when preparing reports on sustainable development.

HUMAN RIGHTS PROGRAMMING

Making active use of recommendations of international human rights bodies and mechanisms for programming is one of the fundamental principles of a human rights-based approach to development.

The Secretary General specifically notes that relevant national reports include those submitted to the Universal Periodic Review (UPR) under the Human Rights Council; the Human Rights Committee; the Committee on Economic, Social and Cultural Rights; the Committee on the Elimination of All Forms of Discrimination against Women; the Committee on the Rights of Persons with Disabilities; and the International Labour Organization’s supervisory mechanisms on the application of International Labour Standards. The report concludes that FUR “should build on such existing reporting mechanisms as recommended by the 2030 Agenda. Fostering coordination at the domestic, regional and global level is therefore crucial”⁴⁴.

⁴² A/RES/70/1, para. 77

⁴³ A/70/684, para. 85

⁴⁴ Ibid

At regional level, relevant reporting and monitoring mechanisms comprise, for example, the African Commission on Human and Peoples Rights (ACHPR), the European Court of Human Rights and the Inter-American human rights-system. At national level, NHRIs play a key role in monitoring States' adherence to human rights.

TOWARD A NATIONAL ACTION PLAN IN KENYA ON HUMAN RIGHTS & BUSINESS

Kenya presents a recent example of how human rights mechanisms interact and contribute to positive change at the national level. In 2014, the Human Rights Council, of which Kenya is a member, called upon all Member States to develop National Action Plans on Business and Human Rights. This call was reinforced by a recommendation of the Universal periodic Review in 2015, for Kenya to develop such a national Action Plan. The government accepted the recommendation, which is seen as crucial for balancing increase in foreign investment and domestic growth with protection of community rights, labour standards etc. The government has now engaged in a process with the Kenya Human Rights Commission (KHRC), with support of DIHR, to develop a National Baseline Assessment, identifying all agencies, laws and initiatives that seek to protect individuals from business-related human rights abuses.

3.2. THE ROLE OF NATIONAL HUMAN RIGHTS INSTITUTIONS

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

ROLE OF NHRIs IN THE UN

In December 2015, UN Member States unanimously agreed that NHRIs should be part of the FUR, including at the High-Level Political Forum (GA Resolution 70/163). **NHRIs** can contribute to the global level review both with regard to thematic debates on human rights-related issues, and by complementing state-led national review presentations.

NHRIs as an indicator for target 16.a

The importance of NHRIs for the 2030 Agenda is further reaffirmed with the selection of the "existence of independent National Human Rights Institutions in compliance with the Paris Principles" as the proposed indicator for Target 16.a. Target 16.a. aims to: Strengthen relevant national institutions, including through international cooperation, for building capacity at all levels, in particular in developing countries, to prevent violence and combat terrorism and crime. As highlighted by the International Coordinating Committee of NHRIs: "Measuring the strength of NHRIs is a multipurpose indicator that provides an effective metric for assessing the strength of national institutions and will have a catalytic impact on the implementation and monitoring of the entire 2030 Agenda for Sustainable Development" (see more at: http://www.humanrights.dk/sites/humanrights.dk/files/media/dokumenter/human_rights_and_development/human_rights_guide_to_sdgs/icc_note_nhri_indicator_for_sustainable_development.pdf)

A key role of NHRIs is to monitor and analyse the national human rights situation against international human rights standards. NHRIs often prepare annual status reports on the general human rights situation

as well as analysis and research on specific human rights topics. Many NHRIs have a strong focus on discrimination and inequalities, and monitor the situation of vulnerable and marginalised groups and particular rights-holders. Internationally, NHRIs prepare shadow reports to the UPR and treaty bodies. NHRIs can therefore play a significant role in both international and national SDG follow-up and review processes by using their existing mandate. Concretely, NHRIs are in a position to:

- Provide advice to national and local governments, rights-holders and others, to promote a HRBA to implementation and measurement of the 2030 Agenda, including by assessing the impact of laws, policies, programmes, national development plans, administrative practices and budgets.
- Promote transparent and inclusive processes for participation and consultation in the development of national and sub-national strategies to achieve the SDGs, including by reaching out to those who are furthest behind.
- Assist in the shaping of national indicators and sound data collection systems, including by building on existing international and regional human rights reporting and monitoring mechanisms.
- Monitor progress at the local, national, regional and international levels and disclose patterns of inequality and discrimination, including through innovative and participatory approaches to data-collection.
- Engage with, and hold governments to account for poor or uneven progress in the implementation, including by reporting on uneven implementation progress and obstacles to parliaments, the general public and national, regional and international mechanisms.
- Respond to, conduct inquiries into, and investigate allegations of rights violations in the context of SDG implementation.
- Facilitate access to justice, redress and remedy for those who experience abuse and violation of their rights in the process of development, including by receiving and processing complaints, where NHRIs have such functions⁴⁵.

The annual status report of the Danish Institute for Human Rights (DIHR) reviews the status of human rights in Denmark – and provides recommendations to further strengthening the implementation of these. DIHR has linked its 2014-15 recommendations to specific SDG targets, as illustrated in the table below:

SDG TARGET	DIHR RECOMMENDS DENMARK TO:
Target 3.8.: Achieve universal health coverage, including financial risk protection, access to quality essential health- care services and access to safe, effective, quality and affordable essential medicines and vaccines for all	Overcome discrimination based on ethnic origin: Ensure that qualified interpretation services are available when a patient in need of interpretation is in contact with the Danish health system
Target 16.6.: Develop effective, accountable and transparent institutions at all levels	Overcome the digital barrier for the elderly: Attach considerable weight to citizens' own assessment of their IT skills and access to the necessary IT equipment when assessing whether to

⁴⁵ The 2015 Mérida Declaration adopted by the International Coordinating Committee of NHRIs provides more details about the role of NHRIs in implementing the 2030 Agenda for Sustainable Development See: <http://nhri.ohchr.org/EN/ICC/InternationalConference/12IC/Background%20Information/Merida%20Declaration%20FINAL.pdf>

	grant an exemption from the obligatory digital communication with public authorities ⁴⁶
Target 16.a.: Strengthen relevant national institutions, including through international cooperation, for building capacity at all levels, in particular in developing countries, to prevent violence and combat terrorism and crime	Strengthen the implementation of human rights: In cooperation with the self-governance of Faroe Islands establish a national human rights institution for the Faroe Islands

The recommendations thereby serve to identify priority areas for Denmark to consider in its national SDG implementation. Beyond Denmark, the mapping provides an example of:

- The relevance of the SDG targets in a national human rights context
- The interlinkages between human rights monitoring and SDG implementation and, in particular, the value of qualitative context-specific analysis.

3.3. THE UNIVERSAL PERIODIC REVIEW

The **Universal Periodic Review (UPR)** is a peer mechanism under the Human Rights Council, reviewing the human rights performance of all UN member states at regular intervals⁴⁷. The UPR assesses States' human rights records and aims to address human rights violations wherever they occur, including by providing technical assistance to States; enhancing their capacity to deal effectively with human rights challenges, and; share best practices. The review is based on three main sources of information:

- Information provided by the State, in the form of a "national report";
- Information contained in the reports of independent human rights experts and groups, such as the UN Special Procedures, the human rights treaty bodies, and other UN entities. This information is compiled by the Office of the High Commissioner for Human Rights (OHCHR).
- Information from other stakeholders including NHRIs, specific rights-holders and NGOs.

This tripartite modality for reporting has obvious advantages in terms of ensuring comprehensiveness, participation and accountability.

UPR PREPARATION PROCESS

The **national preparation process for the UPR** can serve as a source of good practice for FUR. In **Kenya**, the Kenyan National Commission on Human Rights (KNCHR) took up a key role in the process by offering a platform for stakeholders to exchange experiences and coordinate their positions on a weekly basis. At the same time, KNCHR maintained continuous engagement with relevant government institutions, which ensured that commitment to the UPR process on their part extended beyond the actual review at the Human Rights Council. KNCHR's strategies for the post-review phase included the development of milestones for recommendations, and awareness raising and advocacy on their implementation through a translation into accessible and easily understandable formats that could be broadly disseminated (Danish Institute for Human Rights 2011, *Universal Periodic Review: First Cycle*, p. 81-90).

⁴⁶ This recommendation relates to the barriers faced by many elderly citizens in communicating with public institutions after digital communication has been made obligatory. For a 2-minutes video illustrating this problem, see: <https://www.youtube.com/watch?v=r1URjvuApOc>

⁴⁷ See. <http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRMain.aspx>

The reviews are conducted by the UPR Working Group, consisting of the 47 members of the Human Rights Council. However, any UN Member State can take part in the dialogue, which take 3½ hours. Each review is facilitated by three States, known as the “troika”, who serve as rapporteurs.

After the review, the troika prepares an “outcome report” that provides a summary of the actual discussion, including the recommendations made and the responses by the reviewed State. During the adoption of the report, the reviewed State has the opportunity to make preliminary comments on the recommendations choosing to either accept or note them.

The State has the primary responsibility to implement the recommendations contained in the final outcome. During the subsequent review, the State is expected to report on implementation of the recommendations received during the first review. If necessary, the Council will address cases where States are not co-operating. Thereby, the UPR ensures that all countries are accountable for progress or failure in implementing these recommendations.

The UPR is a unique peer review mechanisms within the international system, which builds on multi-stakeholder participation and engagement. It can therefore serve as an example of good practice for both national FUR processes as well as reporting towards regional and global FUR platforms. Moreover, UPR reports and recommendations can directly serve as input to inform FUR processes and to identify priority areas for national sustainable development strategies.

3.4. TREATY MONITORING BODIES AND SPECIAL PROCEDURES

The **human rights treaty bodies** are committees composed of independent experts that monitor the implementation of the core human rights treaties, which are intrinsically linked to the SDGs (see section 1).

There are 10 such treaty monitoring bodies:

- The Human Rights Committee
- The Committee of Economic, Social and Cultural Rights (CESCR)
- The Committee on the Elimination of Racial Discrimination (CERD)
- The Committee on the Elimination of Discrimination Against Women (CEDAW)
- The Committee against Torture (CAT)
- The Committee on the Rights of the Child (CRC)
- The Committee on Migrant Workers (CMW)
- The Committee on the Rights of Persons with Disabilities
- The Committee on Enforced Disappearances (CED)
- The Subcommittee on prevention of Torture and other Cruel, Inhuman and Degrading Treatment or Punishment (SPT).

States that have ratified the core human rights treaties have a legal obligation to ensure implementation and must submit **periodic reports** to the relevant treaty bodies. Also NHRIs, NGOs, UN entities and others can submit information to the treaty bodies. Based on the information received, the treaty bodies issues **concluding observations** to the States concerned, including recommendations to strengthen implementation. Further, six of the Committees (CCPR, CERD, CAT, CEDAW, CRPD, and CED,) can, under certain conditions, receive complaints from individuals. The Committees also publish **general comments** on their interpretation of the thematic contents of specific human rights provisions, which can, for example, guide national policies or programming in specific sectors.

The Treaty Bodies

Database⁴⁸, maintained by the OHCHR, makes information available by treaty, by State and by type of report, hence comprising a wealth of information to inform the implementation and FUR in specific countries and by theme.

GENERAL COMMENT ON NON-DISCRIMINATION

General Comment no. 20 on **Non-discrimination in economic, social and cultural rights** (E/C.12/G) of the CESCR illustrates the value of such comments for the implementation of the 2030 Agenda. The Comment provides details about prohibited grounds of discrimination and explains the scope of State obligations to eliminate both formal and substantial as well as direct and indirect discrimination. It also explains States' obligation to adopt special measures to overcome discrimination in certain circumstances. Finally, it provides guidance on measures to enhance national implementation in areas such as legislation; national policies, plans and strategies; elimination of systemic discrimination; remedies and accountability, and; monitoring, indicators and benchmarks.

The special procedures of the Human Rights Council are independent human rights experts with mandates to report and advise on human rights from a thematic or country-specific perspective. Some mandates addresses particular group of rights-holders, such as indigenous peoples and persons with disabilities. Other address issues such as human rights and business, the environment, food, safe drinking water and sanitation, violence against women, trafficking etc. Currently, there are 41 thematic and 14 country mandates⁴⁹, all of which are related to certain aspects of the 2030 Agenda. Consequently, the Special Procedures have a huge potential for contributing to both country-specific and thematic FUR processes.

The special procedures undertake a range of activities that can directly contribute to FUR, including country visits; acting on individual cases as well as concerns of a broader, structural nature; conducting thematic studies and convening consultations; engaging in advocacy; raising public awareness, and; providing advice for technical cooperation.

3.5. ILO SUPERVISORY BODIES

Once ratified by Member States, ILO Conventions are legally-binding instruments with institutionalised monitoring mechanisms. Core ILO Conventions address themes such as discrimination in employment and occupations, child labour and forced labour that are firmly embedded in the 2030 Agenda. Further, a range of ILO technical conventions address more specific issues such as occupational safety and health, social security and migrant workers. As evidenced in the "Human Rights Guide to the SDGs"⁵⁰ a substantial number of SDG targets relate to ILO Convention, as exemplified below:

SDG target	ILO Conventions
Target 8.7.: Take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour,	Minimum Age Convention, 1973 (No. 138). This fundamental ILO Convention sets the general minimum age for admission to employment or work. Worst Forms of Child Labour Convention, 1999 (No. 182). This fundamental ILO Convention requires states to eliminate the worst forms of child labour;

⁴⁸ http://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en

⁴⁹ See the full list of special procedures at: <http://www.ohchr.org/EN/HRBodies/SP/Pages/Welcomepage.aspx>

⁵⁰ www.humanrights.dk/sdg-guide

<p>eradicate forced labour and, by 2025, end child labour in all its forms, including the recruitment and use of child soldiers</p>	<p>to provide direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration.</p> <p>Forced Labour Convention, 1930 (No. 29). This fundamental ILO Convention requires ratifying states to suppress the use of forced or compulsory labour in all its forms within the shortest possible period.</p> <p>Abolition of Forced Labour Convention, 1957 (No. 105). This fundamental ILO Convention requires ratifying states to take effective measures to secure the immediate and complete abolition of forced or compulsory labour.</p>
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The above-mentioned Conventions on child labour and forced labour are ratified by the vast majority of States. Moreover, they are so-called “fundamental” ILO Conventions, meaning that ratifying states are requested to report on their implementation every 2 years. Subsequently, the ILO **Committee of Experts on the Application of Conventions and Recommendations** (CEACR) analyses these reports and presents comments and recommendations to the states, in order to further strengthen implementation.

All comments and recommendations of the CEACR, under all ILO Conventions are made public and can be found in NORMLEX⁵¹, the ILO’s Information System on International Labour Standards. Evidently, this constitutes an enormous resource for qualitative and context-specific measurement of implementation and progress towards the targets.

CEACR COMMENTS TO DENMARK

CEACR notes in its 2012 comments to Denmark, under Convention No. 182, that Denmark, inter alia, has established a Centre Against Trafficking for improved and coordinated treatment of victims of trafficking and that the National Police is implementing a strategy to identify and prosecute the organizers of prostitution, that facilitates the identification of the trafficking in under age victims of prostitution. The CEACR *“requests the Danish Government to provide information on the impact of the measures taken, to combat the trafficking of persons under the age of 18, and on the results achieved”*. In this way, the CEACR ensures continuous monitoring of progress under the Convention.

3.6. HUMAN RIGHTS IN THE HIGH-LEVEL POLITICAL FORUM

The human rights system can add value to the national state review under the HLPF. Following the model of the UPR, the OHCHR could to compile country-specific reports on SDG implementation from a human rights perspective, including treaty body and UPR recommendations.⁵² NHRIs can also provide information on unequal progress and the situation of those furthest behind, and furthermore provide information on procedural aspects of national consultation, such as transparency and possibilities of stakeholder participation.

Beyond the voluntary national review, the HLPF can also draw on human rights monitoring for its thematic reviews. For example, the Treaty Bodies and thematic Special Procedures under the Human Rights Council, can add valuable input. In turn, the HLPF can support the realization of human rights through the Agenda by addressing human rights-relevant transversal themes in its debate. The 2016 HLPF session will be held under the overarching topic of “Leaving No One Behind”. It has the potential to set an example for continuously addressing unequal progress. The role of institutions is another human rights-relevant theme

⁵¹ See: <http://www.ilo.org/dyn/normlex/en/f?p=1000:20010:0::NO::>

⁵² <http://www.ohchr.org/Documents/Issues/MDGs/Post2015/AccountabilityAndThePost2015Agenda.pdf>

that links with Goal 16, but at the same time offers a cross-cutting perspective on the implementation of the Agenda. A human rights perspective can furthermore contribute to the review of the Means of Implementation by addressing safeguards for development finance, private sector accountability, and related issues.

4. INDICATORS AND DATA

4.1. OPPORTUNITIES AND LIMITATIONS OF A GLOBAL INDICATOR FRAMEWORK

A core element of the FUR is the establishment of a comprehensive indicator framework that is supposed to generate “quality, accessible, timely and reliable disaggregated data to help with the measurement of progress and to ensure that no one is left behind”⁵³.

The Inter-Agency Expert Group on SDG Indicators⁵⁴ (IAEG-SDGs) has had the challenging task of formulating global indicators that can generate comparable and relevant statistics, across all countries in the world. With 1-5 indicators assigned per target, the indicators are supposed to measure all dimensions of the complex and comprehensive agenda. These include areas that are not traditionally addressed in statistical data; transfer of marine technology, governance, corruption, access to justice, trafficking to mention just a few examples. An added concern is the weak statistical capacity in many countries, underlining the need to keep the number of global indicators at a minimum.

The IAEG-SDGs has had a mandate to address the task in a strictly technical manner. However, It is obvious that the Group has had to make numerous choices that inevitably will influence how different aspects of the Agenda are weighed and how relevant indicators re in different contexts. For example, in a Danish context, the proposed indicator 3.3.3. that measures “malaria incident cases per 1’000 persons” will obviously be less relevant than in other countries.

LESSONS LEARNED FROM MONITORING THE MDGs

A 2013 UN Report on “Lessons Learned from MDG Monitoring” concludes that the concrete and time-bound targets that could be monitored with statistically sound robust indicators constituted a clear strength of the framework. This design also fostered the strengthening of statistical systems, including increased coordination and partnerships within countries and between national and international statistical systems. Some of the weaknesses of the MDG framework were:

- Inconsistencies between goals, targets and indicators. For example, the elimination of gender disparity in school enrolment was the sole target under MDG 3 to promote gender equality and empower women. Further, one of the three indicators under this Goal was not related to the target (Share of women in wage employment in the non-agricultural sector).
- The framework did not adequately address inequality issues, e.g. between men and women, rural and urban areas, rich and poor, and among specific population groups.

See more at:

[http://unstats.un.org/unsd/broaderprogress/pdf/Lesson%20Learned%20from%20MDG%20Monitoring_2013-03-22%20\(IAEG\).pdf](http://unstats.un.org/unsd/broaderprogress/pdf/Lesson%20Learned%20from%20MDG%20Monitoring_2013-03-22%20(IAEG).pdf)

⁵³ A/70/L.1: para 48.

⁵⁴ See: <http://unstats.un.org/sdgs/iaeg-sdgs>

An additional challenge is that many targets are composite and multidimensional, reflecting a variety of intentions and ambitions. In contrast, indicators need to be specific and measurable. There is therefore a risk that indicators and statistical data, if not supplemented with other kinds of data and analysis, can have a reductionist effect on the vision embedded in the 2030 Agenda. This risk is evident when comparing the innovative, broad and human rights-related target 10.2. with the traditional economic measurement reflected in the proposed indicator:

10.2 By 2030, empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status	10.2.1 Proportion of people living below 50 per cent of median income, disaggregated by age group, sex and persons with disabilities
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Many of the proposed indicators focus on outcome, which is often the result of complex long-term processes, influenced by multiple factors. Therefore, outcome indicators do not provide a direct measurement of states' efforts to reach the goals and targets. For example, targets 10.3 and 16. B call for the elimination of discriminatory laws and policies, and the promotion and enforcement of non-discriminatory laws and policies. The proposed indicator under these targets measures people's experience of discrimination, which is a valid as well as innovative and progressive innovation in international statistics. However, the indicator will not provide data to concretely measure states efforts to eliminate discriminatory laws and policies, as experiences of discrimination may reflect deeply ingrained social, cultural, economic patterns that only change over long periods.

10.3 Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard	Proposed indicator: Percentage of the population reporting having personally felt discriminated against or harassed within the last 12 months on the basis of a ground of discrimination prohibited under international human rights law
16.b Promote and enforce non-discriminatory laws and policies for sustainable development	

It would therefore be relevant to supplement such "outcome indicators" with additional "structural and process indicators" with a shorter "response time" that directly measure states' commitments and efforts.

One such indicator would be: "Number of countries that have ratified and implemented international Conventions of particular relevance for equality and non-discrimination".

Such Conventions can easily be identified⁵⁵, and they come with institutionalised monitoring mechanisms that could immediately constitute an element of the FUR mechanism for these targets.

⁵⁵ Key non-discrimination and equality Conventions include the Convention on the Elimination of All Forms of Discrimination Against Women; the Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Rights of Persons with Disabilities; ILO Convention No. 111 on Discrimination in Employment and Occupation, and; ILO Convention No. 169 on indigenous peoples.

In general, it is necessary to have a realistic assessment of what can - and what cannot - be expected of the “data revolution”⁵⁶ that the SDG monitoring is supposed to trigger. If purely based on global indicators, monitoring will inevitably have a preference of quantitative data over qualitative; of global comparability over local relevance, and; be data-driven rather than needs-driven.

Associate Professor Morten Jerven⁵⁷ raises four key precautions about the importance of indicators and statistical data that are important to keep in mind from a human rights perspective:

- Not everything that counts can be counted
- Data is not the same as statistics
- There are more methods to knowing than through counting
- More data does not mean better decisions

While global indicators and global statistics may imply a major contribution to human rights monitoring (see section 4.2) there is a clear need to supplement statistical data with the qualitative information and context-specific analysis originating from human rights monitoring mechanisms. Such qualitative and contextualized research and advice will also help produce information about sensitive issues that are hard to capture through common statistical data, for example regarding the situation of non-recognised ethnic minorities or lesbian, gay, bisexual and transgender (LGBT) people. Moreover, supplementary national indicators can help overcome some of the weaknesses inherent to the global indicators framework in terms of relevance and concrete measurement of States commitment and efforts.

By building on these synergies between the national and the global and the quantitative and qualitative, SDG monitoring can contribute to the ideal to “measure what we treasure”. Further, in order to respond to challenges in data collection, follow technological innovation, and ensure relevance in the future, including from a human rights perspective, the monitoring framework should be subject to continuous re-evaluation and “fine-tuning” at all levels. The World Forum on Sustainable Development Data (World Data Forum) has been suggested as a recurring global venue for this task, the results of which should feed back into the HLPF. However, recurrent assessment and refining also need to be built in to regional and national processes.

HUMAN RIGHTS INDICATORS

The Office of the High Commissioner for Human Rights (OHCHR) has developed comprehensive guidance for the design of human rights indicators in three complementary categories:

Structural indicators to measure States’ commitment to human rights as reflected in e.g. ratification of international treaties or adoption of national laws and policies;

Process indicators that measure States’ efforts to transform human rights commitment into results, e.g. through budget allocations, establishment of institutions, coverage of social services etc.;

Outcome indicators that measure the actual results of States’ commitments and efforts in terms of the population’s enjoyment of human rights, e.g. educational attainments or access to safe drinking water by population group. See OHCHR, 2012: Human Rights Indicators – A Guide to Measurement and Implementation.

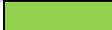
⁵⁶ See the UN Secretary-General’s Independent Expert Advisory Group on a Data Revolution for Sustainable Development

⁵⁷ <http://mortenjerven.com/writing-about-a-data-revolution-a-critique-in-four-venn-diagrams/>

4.2. THE HUMAN RIGHTS RELEVANCE OF THE PROPOSED GLOBAL INDICATORS

The indicator framework currently consists of 229 global indicators, and is scheduled to be adopted by the UN Statistical Commission in March 2016. DIHR has conducted an initial analysis of the current list of proposed indicators⁵⁸ to determine how relevant data generated by these indicators will be for the monitoring of human rights. Overall, the analysis shows that:

- Approximately 47% of the indicators are expected to yield data that is directly relevant for monitoring of specific human rights instruments (marked with green in the table).
- Another 13% of the data will have more indirect human rights relevance, but can still be linked to the monitoring of specific human rights instruments (marked with yellow in the table).
- Approximately, 38 % of the indicators do not have specific human rights reference. However these indicators may still provide data that may be relevant for a broad contextual analysis of factors that enable or limit the realization of human rights (marked with blue in the table).
- Approximately 2% of the indicators require additional specification before an assessment of their human rights relevance can be made.

Goal	Green	Yellow	Blue	White	Total indicators	% Green	% Yellow	% Green & Yellow	% Blue
1	8	1	0	0	9	88,9%	11,1%	100,0%	0,0%
2	4	0	11	0	15	26,7%	0,0%	26,7%	73,3%
3	22	2	0	1	25	88,0%	8,0%	96,0%	0,0%
4	11	0	0	0	11	100,0%	0,0%	100,0%	0,0%
5	12	2	0	0	14	85,7%	14,3%	100,0%	0,0%
6	3	3	4	0	10	30,0%	30,0%	60,0%	40,0%
7	1	0	5	0	6	16,7%	0,0%	16,7%	83,3%
8	8	1	6	0	15	53,3%	6,7%	60,0%	40,0%
9	1	1	10	0	12	8,3%	8,3%	16,7%	83,3%
10	5	3	3	1	12	41,7%	25,0%	66,7%	25,0%
11	7	1	5	0	13	53,8%	7,7%	61,5%	38,5%
12	2	3	5	2	12	16,7%	25,0%	41,7%	41,7%
13	3	1	1	0	5	60,0%	20,0%	80,0%	20,0%
14	1	1	7	1	10	10,0%	10,0%	20,0%	70,0%
15	0	2	13	0	15	0,0%	13,3%	13,3%	86,7%
16	15	2	4	0	21	71,4%	9,5%	81,0%	19,0%
17	4	7	12	1	24	16,7%	29,2%	45,8%	50,0%
Total	107	30	86	6	229	46,7%	13,1%	59,8%	37,6%
Key:		Data directly HR relevant				Contextual information, no direct human rights reference			
		Data indirectly HR relevant				To be determined based on additional metadata			

The distribution of human rights-referenced indicators vary across the 17 goals:

- Indicators under the goals that directly address economic and social rights, such as Goal 1 (Poverty), Goal 3 (Health) and Goal 4 (Education) have the strongest potential to provide human rights relevant data. Under Goal 4, for example, 100 % of the indicators have the potential to generate directly human rights-relevant data. The figures for Goal 1 and Goal 3 are 88.9% and 88%, respectively.

⁵⁸ E/CN.3/2016/2, available at: <http://unstats.un.org/unsd/statcom/47th-session/documents/2016-2-IAEG-SDGs-E.pdf>

- There is also significant potential in Goals 5 (Gender Equality), Goals 10 (Inequality), Goal 16 (Institutions), and even Goal 13 (Climate Action) with at least two thirds of the indicators expected to generate directly human rights-relevant data.

Although the analysis gives an indication of the potential of the data generated, the direct and indirect human rights relevance will also depend on the national context, and the degree of disaggregation of data. Further, the final list of indicators will only be known following the approval by the UN Statistical Commission in March 2015. Nevertheless, this preliminary analysis underlines that there is significant potential for synergies between SDG and human rights monitoring to be explored when building Follow-up and Review processes at all levels.

4.3. DISAGGREGATION OF DATA

The human rights relevance and contents of a number of the targets are reflected in the focus on inclusiveness, equality and/or by specifying the ambition of the target in relation to particular population groups or rights-holders under international law (e.g. children, women, men, persons with disabilities, indigenous peoples, migrants). The Office of the High Commissioner for Human Rights (OHCHR) underlines that data disaggregation and collection of data, which allow for comparison of different population groups to reveal and assess the extent of possible inequality and discrimination forms part of States' human rights obligations⁵⁹.

In order to uphold the human rights-relevance and contents, the 2030 Agenda for Sustainable Development specifies that the FUR mechanisms will be informed by “data which is high-quality, accessible, timely, reliable and disaggregated by sex, age, race, ethnicity, migration status, disability and geographic location and other characteristics relevant in national contexts”⁶⁰.

These categories for disaggregation reflect some of the “prohibited grounds of discrimination” under international law, namely sex, age, migration status and disability. However, according to guidance of the OHCHR, full consistency with international law would also include a focus on displacement status, religion, civil status, income, sexual orientation and gender identity⁶¹.

As many national statistical offices (NSOs) have only weak capacity, the ambition of data disaggregation as well as the need for capacity-building is explicitly addressed in Target 17.18:

<p>Target 17.18: By 2020, enhance capacity-building support to developing countries, including for least developed countries and small island developing States, to increase significantly the availability of high-quality, timely and reliable data disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographic</p>	<p>Proposed indicators: 17.18.1 Proportion of sustainable development indicators produced at the national level with full disaggregation when relevant to the target, in accordance with the Fundamental Principles of Official Statistics</p>
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⁵⁹ OHCHR: A Human Rights-Based Approach to Data, December 2015, para. 10, available at: <http://www.ohchr.org/Documents/Issues/HRIndicators/GuidanceNoteonApproachtoData.pdf>

⁶⁰ Transforming our world: the 2030 Agenda for Sustainable Development, para. 74 (g)

⁶¹ OHCHR: A Human Rights-Based Approach to Data, December 2015, para. 12, available at: <http://www.ohchr.org/Documents/Issues/HRIndicators/GuidanceNoteonApproachtoData.pdf>

location and other characteristics relevant in national contexts	17.18.2* Number of countries that have national statistical legislation that complies with the Fundamental Principles of Official Statistics
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The adequate implementation of **target 17.18** is key to enabling a systematic monitoring of the equality and non-discrimination dimensions of the entire 2030 Agenda, and to realising the commitment to “leave no one behind”.

One of the challenges in this regard is that some indicator do not easily lend themselves to disaggregation of data. For example, Target 2.4. addresses particular occupational groups as well as women and indigenous peoples who hold specific rights under international law, including with regards to land rights. In contrast, the proposed indicators with a focus on “agricultural households” do not easily allow for disaggregation along these lines.

<p>Target 2.4.: By 2030, double the agricultural productivity and incomes of small-scale food producers, in particular women, indigenous peoples, family farmers, pastoralists and fishers, including through secure and equal access to land, other productive resources and inputs, knowledge, financial services, markets and opportunities for value addition and non-farm employment.</p>	<p>Proposed indicators:</p> <p>2.4.1* Percentage of agricultural area under sustainable agricultural practices</p> <p>2.4.2* Percentage of agricultural households using irrigation systems compared to all agricultural households</p> <p>2.4.3* Percentage of agricultural households using eco-friendly fertilizers compared to all agricultural households using fertilizers</p>
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Overall, DIHR assess that 85 of the indicators (37.6 %) technically allow for the collection of disaggregated data. However, the potential for disaggregation is unevenly distributed across the 17 goals and partly reflects the patterns of the indicators’ capacity to generate human rights-relevant data (see section 4.2.). The potential for disaggregation is strongest under Goals 1, 3, 4, 5 and 16 addressing poverty, health, education, gender and governance. Surprisingly, only one-third of the proposed indicators under Goal 10 (reduction of inequalities) allow for disaggregation of data.

Goal	Can data be disaggregated for indicators?		Total indicators	% Yes
	Yes	No		
1	6	3	9	66,7%
2	3	12	15	20,0%
3	18	7	25	72,0%
4	9	2	11	81,8%
5	10	4	14	71,4%
6	2	8	10	20,0%
7	2	4	6	33,3%
8	7	8	15	46,7%
9	2	10	12	16,7%
10	4	8	12	33,3%
11	5	8	13	38,5%
12	0	12	12	0,0%
13	1	4	5	20,0%
14	0	10	10	0,0%
15	0	15	15	0,0%
16	15	6	21	71,4%
17	2	22	24	8,3%
Total	86	143	229	37,6%

Where the indicators do lend themselves to disaggregation, an additional challenge is that the requirement for disaggregation is mentioned in an uneven manner – or not at all - across the proposed indicators. For example, the proposed indicators under Targets 1.1., 1.2. and 1.3. suggest three different approaches to disaggregation, while the proposed indicator under Target 1.4. does not mention disaggregation at all.

- 1.1.1 Proportion of the population below the international poverty line, disaggregated by sex, age group, employment status and geographical location (urban/rural)
- 1.2.1 Proportion of the population living below the national poverty line, disaggregated by sex and age group
- 1.2.2 Proportion of men, women and children of all ages living in poverty in all its dimensions according to national definitions
- 1.3.1 Percentage of the population covered by social protection floors/systems, disaggregated by sex, and distinguishing children, the unemployed, old-age persons, persons with disabilities, pregnant women/ newborns, work injury victims, the poor and the vulnerable
- 1.4.1* Proportion of the population living in households with access to basic services

In order to promote a systematic approach to disaggregation, the IAEG-SDGs has included a chapeau in the proposed indicators framework, stating that:

“Sustainable Development Goal indicators should be disaggregated, where relevant, by income, sex, age, race, ethnicity, migratory status, disability and geographic location, **or** other characteristics”⁶² [emphasis added).

While it is yet to be seen how this will be interpreted and implemented by the NSOs, there is a risk that the little word “or”, which replaces the word “and” in the wording of Target 17.18. could be interpreted as making disaggregation based on income, sex, age, race, ethnicity, migratory status, disability and geographic location optional.

In any case, the collection of disaggregated data depends on the inclusion of relevant “identifiers”, when collecting data through census and household surveys as well as administrative registers. While most NSOs regularly disaggregate data based on gender, age and, to some extent, the rural/urban divide, the commitment and statistical capacity to disaggregation on other grounds varies greatly across countries and regions. Proposed indicator 17.18.1 will ensure the data to adequately monitoring progress in this regard.

UN REGIONAL COMMISSIONS

The **UN Regional Commissions** play crucial roles with regards to data collection and systematisation. The **Economic Commission for Latin America and the Caribbean (ECLAC)** along with NSOs in the region have made major advances in making disaggregated data available not only based on age and sex, but also on ethnic identity. For example, the Sistema de Indicadores Sociodemográficos de Poblaciones y Pueblos Indígenas (SISPPPI) provide disaggregated data on indigenous peoples and afro-descendants communities from 15 countries in the region, who have included an “indigenous identifier” in the censuses. This information is crucial for disclosing and addressing the severe socio-economic gaps that exist between these and other population groups (see: <http://celade.cepal.org/redatam/PRYESP/SISPPPI/>).

⁶² E/CN.3/2016/2, p. 15

Beyond the commitment and capacity of NSOs, a series of other concerns need to be taken into account when considering disaggregation of data. The OHCHR has identified a series of human rights risks as well as a set of principles for a Human Rights-Based Approach to Data (HRBAD)⁶³. The table below outlines some of the main principle:

PRINCIPLES FOR A HUMAN RIGHTS-BASED APPROACH TO DATA	
Participation	Participation is a central human right and instrumental in ensuring a HRBAD as well as building trust; it should be considered in the entire data collection process; methodologies should be diverse, and comprise capacity-building and empowerment. NHRIs, civil society organisations (CSOs) and others should contribute. Gender perspectives should be mainstreamed.
Data disaggregation and collection by population groups	A HRBAD requires moving away from national averages, and refocusing on inequalities and the most disadvantaged and marginalised. States should engage in partnerships to meet their obligation to collect and publish disaggregated data, including by working with communities and CSOs. The participatory approach will enhance outreach and minimise risks. A range of methodologies should be used for data collection, including surveys and targeted sampling.
Self-identification	All identity categories must be developed through a participatory approach. The most personal identities (e.g. religious beliefs, sexual orientation gender identity and ethnicity) should be assigned through self-identification. The overriding human rights principle to “do no harm” must always be respected; data collection should not create or reinforce discrimination, bias or stereotypes.
Transparency	Statistics play a fundamental role in democratic society and is a fundamental attribute of the freedom of expression. Access to data on inequalities is essential to the right to information. The regulatory frameworks governing statistical data and meta and para data (data about the data and data collection) should be publicly available. Data should be disseminated quickly and in an accessible language and format.
Privacy	Access to information must be balanced with the right to privacy. Data collected for statistical purposes must be strictly confidential. Personal data should be handled only with the express consent of the individual concerned. Data protection should be supervised by an independent body. Harm mitigation strategies with access to remedy and compensation should be in place.
Accountability	This concerns both accountability in data collection as well as data collection for accountability. NSOs must produce independent statistics, free from political interference; make anonymised data available to develop accountability systems, and; strengthen the capacity of disadvantaged groups to use data, including through data visualisation and communication tools.

⁶³ See OHCHR: A Human Rights-Based Approach to Data, December 2015, para. 12, available at: <http://www.ohchr.org/Documents/Issues/HRIndicators/GuidanceNoteonApproachtoData.pdf>

As mentioned above, participatory data collection can help ensure collection of data among otherwise excluded groups, contribute to relevance and disaggregation of data, empowerment of rights-holder groups, resolve privacy concerns. This also offers opportunities to capitalize on technological advance, e.g. by employing mobile phones for data collection. Beyond the directly concerned rights-holders and population groups, NHRIs and CSOs can be important partners by assisting in the data collection process and vetting potentially sensitive data.

THE INDIGENOUS NAVIGATOR

The Indigenous Navigator provides an example of participatory data collection by a particular group of rights-holders. It provides a framework and a set of tools for indigenous peoples to systematically monitor the level of recognition and implementation of their rights. It is designed to monitor:

- The implementation of the UN Declaration on the Rights of Indigenous Peoples
- The outcomes of the World Conference on Indigenous Peoples
- Essential aspects of the Sustainable Development Goals.

Through complementary indicators and questionnaires, data on the States' commitment to and recognition of indigenous peoples' rights as well as the actual situation on the ground is collected and made available on-line. See <http://www.indigenousnavigator.org>

5. PRIVATE SECTOR CONTRIBUTION TO FOLLOW-UP AND REVIEW

The 2030 Agenda specifically mentions the need to involve the private sector, “ranging from micro-enterprises to cooperatives to multinationals”, including with a view to “mobilise all available resources”⁶⁴. Similarly, the **Addis Ababa Action Agenda on financing for development (AAAA)** urges businesses to embrace a business model that takes account of the environmental, social and governance impacts of their activities, and encourages impact investing, which combines a return on investment with non-financial impacts.

In terms of human rights, the AAAA underlines that a dynamic and well-functioning business sector must act in accordance with the **UN Guiding Principles on Business and Human Rights (UNGPs)** and other relevant international standards and agreements⁶⁵. The UNGPs establish the corporate responsibility to respect human rights. This implies that companies must avoid infringing on the rights of others and address adverse impacts with which they are involved.

Operationally, businesses must act with due diligence to identify, prevent, mitigate and account for how they address their impacts on human rights, including by communicating about such impacts.

UN WORKING GROUP ON HUMAN RIGHTS AND BUSINESS

This group is one of the UN Special Procedures that has considered the human rights risks and opportunities embedded in the 2030 Agenda. In July 2015, the Working Group noted that the draft outcome document and the SDGs “recognize the positive role of businesses to support and drive development. At the same time, in our view, they do not sufficiently reflect the fact that governance gaps in many situations enable business activities across a range of sectors and countries to undermine respect for human rights. Accordingly, it is critical to ensure that recognition of the increased role of business in development is coupled with adequate accountability”. See: http://www.ohchr.org/Documents/Issues/Business/20150710_WG_SDGletter.pdf

THE SDG COMPASS

The Global Reporting Initiative, the UN Global Compact and the World Business Council for Sustainable Development have developed the SDG Compass to support companies in aligning their strategies with the SDGs and in measuring and managing their contribution. See: <http://sdgcompass.org/>

The 2030 Agenda acknowledges that national FUR should draw on the contributions from private sector⁶⁶ and specifically, in target 12.6. encourages companies to undertake **Sustainability Reporting**:

Goal 12: Ensure sustainable consumption and production patterns

Target 12.6: Encourage companies, especially large and transnational companies, to adopt sustainable practices and to integrate sustainability information into their reporting cycle

⁶⁴ UN General Assembly, *Transforming our world: the 2030 Agenda for Sustainable Development*, A/RES/70/1, para. 41.

⁶⁵ Addis Ababa Action Agenda of the Third International Conference on Financing for Development, A/RES/69/313, para. 37.

⁶⁶ UN General Assembly, *Transforming our world: the 2030 Agenda for Sustainable Development*, A/RES/70/1, para. 79

The importance of private sector reporting and involvement in FUR is further reaffirmed in the Secretary General's report, noting that it "is particularly important for the voluntary reporting and accountability by non-governmental actors who manage significant resources or assets, and therefore play an important role in the achievement of individual Sustainable Development Goals and targets on the ground. These could include, for example, business, non-governmental organizations, specific partnerships and alliances, large cities, and others⁶⁷. The Secretary General further notes that individual reports "could be supplemented by a more general report on the major group or other stakeholder's aggregated contribution in a specific focus area. Such a report could, for example, be prepared by the Global Compact in the case of business"⁶⁸.

Sustainability Reporting (SR) has gained traction over past decades, in terms of scale as well as sophistication, and a range of guiding policy and operational frameworks exists at regional and global levels. These frameworks cover both environmental and social factors and, crucially, include dedicated sections on labour and human rights issues as well as crosscutting issues such as inequality.

Corporate commitment to SR is generally voluntary and there is significant variation in terms of stringency of reporting formats. Meanwhile, binding obligations accompany SR frameworks in an increasing number of countries. For instance, in 2007 Sweden established a legal requirement on state-owned companies to present sustainability reports based on the guidelines of the Global Reporting Initiative (GRI). In 2008, Denmark adopted a law requiring larger companies to include Corporate Social Responsibility factors in their annual reports.

Robust SR frameworks also support monitoring of practice, and address the development of management structures for due diligence. For example, the UNGPs stress the importance of ongoing tracking of and reporting on the performance of these structures. Most of the reporting initiatives referred to in the box below have reached a scale of uptake that allows them to constitute reliable data sources, covering more than 150 countries⁶⁹.

KEY FRAMEWORKS AND INITIATIVES FOR SUSTAINABILITY REPORTING

The **UN Global Compact** provides ten principles that participating companies should adhere to with regards to human rights, labour, the environment and anti-corruption. Further, companies are required to submit an annual Communication on Progress (COP) on progress made in implementing the ten principles. The 10 principles of the UN Global Compact are aligned with the Sustainability Reporting Guidelines of the Global Reporting Initiative (GRI). See: <https://www.globalreporting.org/Pages/default.aspx>

Paragraph 47 of the 2012 Outcome Document of the UN Conference on Sustainable Development (Rio+20) acknowledges the importance of corporate sustainability reporting, and encourages companies, especially publicly listed and large companies, to integrate sustainability information into their reporting cycle. Since then, a number of governments have formed the Group of Friends of paragraph 47, to advance the promotion of corporate sustainability reporting. The Group is supported by the UN Environment Programme (UNEP) and the GRI. See:

⁶⁷ A/70/684, para. 105

⁶⁸ Ibid: para. 108

⁶⁹ See: IAEG-SDGs, summary of comments received during the open consultation on SDG indicators, 15 September, available at: <http://unstats.un.org/sdgs/iaeg-sdgs/open-consultation>

<http://www.unep.org/resourceefficiency/Business/SustainableandResponsibleBusiness/Reporting/FriendsofParagraph47/tabid/105011/Default.aspx>

The **OECD Guidelines for Multinational Enterprises** provide recommendations for responsible business conduct, stipulating, inter alia, that enterprises should 1) contribute to economic, environmental and social progress with a view to achieving sustainable development, and 2) respect the internationally recognised human rights of those affected by their activities. Enterprises must ensure disclosure of timely and accurate information. The 44 countries adhering to the Guidelines have made a binding commitment to implement them. See:

<http://www.oecd.org/daf/inv/mne/oecdguidelinesformultinationalenterprises.htm> .

The **UN Guiding Principles Reporting Framework** provides comprehensive guidance for companies to report on human rights issues in line with their responsibility to respect human rights, as specified in the UNGPs. The Framework provides a set of questions that companies should strive to answer in order to know and show that they meet their responsibility to respect human rights in practice. See more at:

<http://www.ungpreporting.org/>

The **EU Directive on disclosure of non-financial and diversity information** is an example of a strong regional framework. In accordance with this Directive, businesses should disclose relevant and useful information on their policies, main risks and outcomes relating to at least environmental matters; social and employee aspects; respect for human rights; anticorruption and bribery issues, and; diversity in their board of directors.

Other instruments and institutions of importance are **the International Organisation for Standardisation's ISO 26000**, the **ILO Tripartite Declaration of principles concerning multinational enterprises and social policy**, the **International Integrated Reporting Council (IIRC)** and the **Sustainability Accounting Standards Board (SASB)**.

The rapid development of SR reflects the recognition in the business community that the long-term strength of companies must be assessed and addressed with reference to the Triple Bottom Line of People, Planet and Profit. This aligns with the coverage of the SDGs of social, environmental and economic factors and target 12.6 will serve as a bridge in this regard.