THE DANISH INSTITUTE FOR HUMAN RIGHTS

PHASE 2: DATA COLLECTION AND BASELINE DEVELOPMENT

HUMAN RIGHTS IMPACT ASSESSMENT GUIDANCE AND TOOLBOX

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PHASE 2: DATA COLLECTION AND BASELINE DEVELOPMENT

In this document you will find the Guidance text for Phase 2: Data Collection and Baseline Development.

You can find the full version of the Human Rights Impact Assessment Guidance and Toolbox here: https://www.humanrights.dk/hria-toolbox/

What Happens in Phase 2?

During Phase 2, data collection and baseline development, the HRIA team goes into the field to conduct research on the human rights enjoyment of workers, community members and other relevant rights-holders. While the scoping phase primarily relies on desktop research and analysis, the data collection phase emphasises fieldwork, interviews and other types of stakeholder engagement.

Through gathering primary data and additional secondary data, the assessment team can develop a HRIA baseline which documents the current state of human rights enjoyment. The HRIA baseline helps the HRIA team identify actual impacts and predict future impacts.

The selection of human rights indicators to inform the data collection, as well as subsequent impact mitigation and management, should also take place in this phase. The HRIA team should determine both qualitative and quantitative indicators at the structural, process and outcome levels.

Sufficient resources need to be allocated to the data collection phase to ensure quality of findings and allow rights-holders to participate at their own pace and on their own terms. It is important that enough time is allocated for this phase to allow for meaningful engagement.

Key Questions Addressed in This Section

- **What is a baseline in the context of HRIA?**
- **What is a human rights-based approach to data collection?**
- **How can human rights standards and principles inform data collection and baseline development?**
- **What are human rights indicators and how can they be used in HRIA?**

2.1 DEVELOPING A HRIA BASELINE

Collecting baseline data is critical to enable the analysis of actual and potential human rights impacts from business projects and activities. Some HRIA literature and methods also refer to this phase as the 'data collection' or 'evidence gathering' phase. Developing a baseline consists of the targeted gathering of environmental, socio-economic, political and other such data to understand the current state of human rights enjoyment. This can then be analysed to determine what human rights impacts have occurred as a result of the business project or activities (in the case of ex-post assessments), as well as to predict future impacts (in the case of ex-ante assessments).

Based on the initial identification of human rights issues in the scoping phase, data needs to be collected in the baseline phase to inform the subsequent assessment of impacts. During the scoping phase, the sphere of impact of the business project or activities will have been identified, which will set the parameters for the data to be collected in Phase 2. The baseline builds on the scoping phase by elaborating the analysis through further research, in particular through fieldwork and stakeholder engagement. While it might be desirable to already undertake some fieldwork in the scoping phase, in the baseline phase this becomes the primary activity. In particular, gathering primary data through engagement with rights-holders, duty-bearers and other relevant parties through interviews, focus groups and so forth will take place.

While the baseline should focus on the key human rights issues that have been identified through the scoping process, it should always allow additional issues that emerge to be integrated, reflecting the iterative nature of a HRIA process.

The selection of targeted human rights indicators can help to inform baseline data collection, as well as subsequent impact mitigation and management for tracking changes over time.

Box 2.1, below, explains the role of a baseline, benchmark and indicators in HRIA in more detail.

Box 2.1: Baseline, benchmark and indicators in HRIA

A **baseline** in HRIA is an evidence-based description of human rights enjoyment in practice at a specific point in time, as compared with rights in international human rights instruments and domestic law. It consists of the information about environmental, socio-economic, political and other data based on which actual and potential impacts of the business project or activities can be assessed. This includes a detailed description of the

Box 2.1: Baseline, benchmark and indicators in HRIA

stakeholders involved, in particular the communities and workers who are or may be impacted (in SIA, this is what is sometimes referred to as a 'community profile'). The baseline is developed through fieldwork and stakeholder engagement. It is important to note that in HRIA, a baseline is not considered a 'neutral' point of comparison which uncritically accepts the business project or activities as long as they do not worsen the current human rights situation. Instead, the HRIA baseline should both characterise the current level of human rights enjoyment and serve as a tool to address potential future impacts.

In short, the baseline is used to analyse existing impacts (in the case of ex-post assessments) and to predict future impacts (in the case of ex-ante assessments). In either case, the baseline should refer to international human rights standards as the benchmark for comparison.

A **benchmark** is a target and point of comparison. In the case of HRIA, the benchmark used needs to be based on international human rights standards, as enshrined in international instruments and elaborated in jurisprudence, reports from special rapporteurs, regional human rights frameworks and international bodies such as the UN.

Indicators are specific information (quantitative and/or qualitative) on the state or condition of an object, event, activity or outcome that can be related to internationally recognised human rights norms and standards. Indicators can be used to measure human rights impacts, as well as describe and compare situations. Consequently, they can help with early impact identification and measuring change over time, if they are used in combination with benchmarks and data is produced on a periodic basis.

Sources: Eric André Andersen and Hans-Otto Sano (2006), *Human Rights Indicators at Programme and Project Level: Guidelines for Defining Indicators, Monitoring and Evaluation,* Copenhagen: DIHR; Frank Vanclay, Ana Maria Esteves, Ilse Aucamp and Daniel M. Franks (2015), *Social Impact Assessment: Guidance for Assessing and Managing the Social Impacts of Projects*, Fargo ND: International Association for Impact Assessment, p.44; Simon Walker (2009), *The Future of Human Rights Impact Assessments of Trade Agreements,* Antwerp: Intersentia, p.46; Gabrielle Watson, Irit Tamir and Brianna Kemp (2013), 'Human rights impact assessment in practice: Oxfam's application of a community-based approach', *Impact Assessment and Project Appraisal,* 31:2, pp.118-127.

Developing and using a baseline will be slightly different depending on whether the assessment is ex-ante or ex-post. Table 2.A, below, provides a description and examples of the difference.

Table 2.A: The role of a baseline in ex-ante and ex-post HRIA		
Assessment	**Ex-ante**	**Ex-post**
Description of role of baseline	In the case of an **ex-ante** assessment (i.e., an assessment that occurs before the business project or activities commence), the baseline data collected will be used to predict any potential human rights impacts. The HRIA team considers the data and forecasts change, with reference to the benchmark of international human rights standards. Based on the prediction of impacts, the baseline data should also inform the selection of human rights indicators, against which predicted change and any measures to address the predicted impacts can then be measured and tracked over time.	In the case of an **ex-post** assessment (i.e., an assessment that occurs once the business project or activities are already well underway), the baseline data collected can be used to assess and address both actual impacts (i.e., impacts that have already occurred) as well as potential impacts (i.e., impacts that may occur in the future). Based on the issues identified, suitable human rights indicators are selected and measured in order to track changes over time and discern which impacts relate to the business project or activities.
Example	The proposed business project is predicted to involve the resettlement of two communities, which has the potential to have an impact on right to housing. From international human rights standards, it is known that housing should be: available, accessible, acceptable and of good quality (AAAQ). In combination with contextually relevant information (e.g., what is 'accessible' or 'acceptable' in the given	The business project involved a resettlement of two communities last year. From international human rights standards, it is known that housing should be: available, accessible, acceptable and of good quality (AAAQ). In combination with contextually relevant information (e.g., what is 'accessible' or 'acceptable' in the given context), these criteria can be used to develop indicators for measuring level of enjoyment of the right to

Table 2.A: The role of a baseline in ex-ante and ex-post HRIA		
Assessment	**Ex-ante**	**Ex-post**
	context), these criteria can inform the design of measures to avoid and mitigate the potential impact. These criteria can also be used to select indicators for tracking change over time and verifying effectiveness. For example, the first order response might be to avoid the resettlement. If this is not possible and the communities are relocated to alternative housing, such housing should be designed to meet the AAAQ criteria and should subsequently be evaluated against identified indicators.	housing. The HRIA team can then determine how the resettlement has affected the enjoyment of the right to housing, evaluate the severity of any adverse impacts and determine what type of measures might be proposed to remediate them.

2.2 STAKEHOLDER ENGAGEMENT AND A HUMAN RIGHTS-BASED APPROACH TO DATA COLLECTION

A human rights-based approach (HRBA) incorporates human rights standards into the data collection process itself. The OHCHR has formulated six aspects of a HRBA to data collection: participation, data disaggregation, self-identification, transparency, privacy and accountability.[1] Applying this thinking to HRIA, the following points may guide HRIA teams.

- **Participation:** All relevant stakeholders and rights-holders should be included in the data collection process. In practice, this means that HRIA teams should take a gender-responsive approach and place special emphasis on individuals and groups who may be vulnerable or marginalised, such as women, children, indigenous people, persons with disabilities, LGBT+ people, migrants, refugees and homeless persons.
- **Data disaggregation:** Disaggregation of data allows researchers to compare inequalities impacts between different population groups. Simple averages of data can mask underlying disparities; disaggregated data, by contrast, can show differential human rights impacts between groups. For example,

national averages may show that the workforce as a whole makes adequate wages to meet living costs; disaggregated data, by contrast, may show that women earn significantly less than their male peers, impacting their ability to afford food, housing and other necessities.

- **Self-identification:** In line with the overarching principle of 'do no harm', data collection should not have a negative impact on participants. Participants must have the option to freely define their identities, as well as the ability to choose whether to withhold or disclose information about their characteristics.
- **Transparency:** HRIA teams should be clear about the assessment process, including the methodology used and the purpose of the HRIA.
- **Privacy:** Data collection must be confidential, and researchers must ensure that individual participants cannot be identified from any data the researchers publish or otherwise use. This is especially important in the case of HRIA, where issues may be sensitive, and participants might face risk of retaliation. Accordingly, researchers must take strong measures for data protection.
- **Accountability:** The information collected during the data collection process should be used to hold duty-bearers (in the case of HRIA, most prominently state and business actors) accountable for their human rights impacts. Researchers collecting data should also be held accountable for the quality and reliability of data.

Stakeholder engagement is a key aspect of a HRBA to data collection as part of a HRIA. The UN Guiding Principles emphasise the importance of consulting with individuals and communities affected by a company's operations and business activities, especially as part of the human rights due diligence process. By identifying risks and workers', communities' and consumers' concerns, effective stakeholder engagement can help businesses prevent or mitigate their negative human rights impacts.[2]

While stakeholder engagement is critical for all stages of HRIA, it is especially relevant during the data collection phase, as it is in this phase when most interviews and meetings with rights-holders and other stakeholders take place. During Phase 1, the HRIA team will have identified key stakeholders to consult with as part of the HRIA. In this phase the HRIA team will also assess who are and/or are not representative for the identified stakeholder groups in order to ensure appropriate engagement. In certain instances during this phase, a number of remote interviews with stakeholders can already take place. During Phase 2, the HRIA team engages with these stakeholders, as well as any new relevant groups or individuals identified throughout the data collection process.

When engaging with stakeholders, HRIA teams should place an emphasis on representation, especially of vulnerable and marginalised individuals and groups. Lack of adequate representation is often the root cause of human rights issues, as well as conflicts between the company and communities. HRIA teams should take care to engage with legitimate representatives of the stakeholders and rights-holders concerned, to ensure that they adequately reflect the perspectives of these groups. See section B.2 of the Stakeholder Engagement section for more information on identifying relevant stakeholders to engage with.

Box 2.2: Using participatory data collection methods

Some practitioners have expressed the usefulness of social impact assessment (SIA) methods and other research strategies in data collection for HRIA. SIA and social research methods can help uncover useful data on the human rights situation in local communities, especially in cases where human rights-based language is politically charged or poorly understood.

HRIA teams may draw from a number of different approaches, including Participatory Rural Appraisal (PRA) and the Social Framework for Projects. PRA, also known as Participatory Learning and Action, provides a means for community members and other stakeholder to actively participate in development projects and other initiatives. PRA features easy-to-use methods such as flow diagrams, body mapping, and dialogue to gather participant data in a simple, engaging way. The Social Framework consults with stakeholders on eight key social and environmental categories, including: people's capacities, abilities and freedoms to achieve their goals; community/social supports and political context; livelihood assets and activities; culture and religion; infrastructure and services; housing and business structures; land and natural resources; and the living environment. It can be applied in engaging people to understand their current situation, future aspirations and concerns.

A common method used for participatory data collection for HRIA is a community focus group. Focus groups are helpful to understand a community's opinions and needs. Focus group responses are usually open-ended, broad, and qualitative and therefore give different data than, for example, a questionnaire. Group dynamics between participants and nonverbal communication are other aspects of focus groups that can reveal relevant data. It is important that such a focus group is guided by one or more assessors who are trained in leading focus group discussions. Not too many people should be part of a focus group (ideally 6-12 persons), and everybody present should get a chance to be heard. It should also be carefully considered whether separate focus groups should be held with different groups of rights-

Box 2.2: Using participatory data collection methods

holders, to facilitate the participation of various groups within communities. For example, focus groups dedicated to young people, indigenous peoples, women, migrants or other groups of rights-holders may be necessary and appropriate depending on the circumstances.

Assessors can also use techniques such as community mapping to identify important places, routes and resources in the area, as well as actual and potential dangers impacting these locations. During these exercises, women's groups often reveal different information than men's groups, including data on water sources, areas of heightened violence and places where women and children regularly spend time.

HRIA teams should use data collection methods appropriate for the group being consulted. Child rights impact assessments, for example, may use drawings, photography, diaries and story boards to provide children with several ways to express their experiences and feelings.

Other potential exercises for data collection include, but are not limited to, Chapati diagrams of power relations, problem ranking, and walks through the community. Chapati diagrams encourage participants to chart the relationships and power dynamics present within a community; problem ranking engages communities about the issues they care most about; and walks through the community provide an informal way for individuals and groups to provide information on local livelihoods, places of interest, changes they have experienced or fear, and other data.

When using SIA and social research methods, it is important to follow the principles of HRIA, especially a human rights-based approach. See section A.5 of the Introduction for more details on key criteria for HRIA.

Sources: David Archer and Sara Cottingham (2012), *Reflect Mother Manual*, London: ActionAid; Community Toolbox, section 6. Conducting focus groups [online] https://ctb.ku.edu/en/table-of-contents/assessment/assessing-community-needs-and-resources/conduct-focus-groups/main; Anne Graham, Mary Ann Powell, Nicola Taylor, Donnah Anderson and Robyn Fitzgerald (2013), *Ethical Research Involving Children*, Florence: UNICEF Office of Research; N. Narayanasamy (2009), *Participatory Rural Appraisal: Principles, Methods and Application*, New Delhi: SAGE; Eddie Smyth and Frank Vanclay (2017), 'The Social Framework for Projects: a conceptual but practical model to assist in assessing, planning and managing the social impacts of projects', *Impact Assessment and Project Appraisal*, 35:1, pp. 65-80; Jennifer Rietbergen-McCracken and Deepa Narayan (Eds) (1998), *Participation and Social Assessment: Tools and Techniques*, Washington: The World Bank.

A number of different guidances and tools have emerged in recent years focusing on particular stakeholder groups to engage with during HRIA. For instance,

UNICEF and the Danish Institute for Human Rights have released guidance on Children's Rights in Impact Assessments,[3] and UNICEF has also published a tool on Engaging Stakeholders on Children's Rights.[4] Women are especially crucial to engage with, as they are often disproportionately and differently affected by adverse business-related human rights impacts. The UN Working Group on Business and Human Rights has emphasised that business activities disproportionately affect women and girls; as a result, businesses should meaningfully integrate a gender framework into their due diligence processes.[5] The Danish Institute for Human Rights' report on Women in Business and Human Rights has flagged several issues of particular concern, including employment and labour rights; land and natural resources; and access to effective remedy.[6]

Indigenous peoples also warrant specific attention, not least due to historical and continued human rights abuses, especially with regard to land rights. The UN Declaration on the Rights of Indigenous Peoples notes areas of importance, including vulnerability of indigenous livelihoods.[7] DIHR's Respecting the Rights of Indigenous Peoples: A Due Diligence Checklist for Companies emphasises the importance of meaningful consultation with indigenous communities who might be affected by business projects or activities, especially regarding actual and potential impacts on land and water resources. The checklist identifies red flags relating to the screening process, impact assessment, consultation, implementation and monitoring.[8]

The Stakeholder Engagement section of the HRIA Guidance and Toolbox, especially sections B.1 and B.3, are of particular relevance to this phase. The Stakeholder Engagement Practitioner Supplement features critical information on what to do before, during and after interviews and meetings, as well as information on reporting back to HRIA participants about key findings after the assessment. The Stakeholder Engagement Interview Guide provides in-depth information and sample questions for interviewing community members, workers, company management, government representatives, and other relevant parties.

Box 2.3: Data collection in conflict-affected settings

As explained in Phase 1: Planning and Scoping, conflict-affected settings present unique challenges for businesses and HRIA practitioners. In the data collection phase, assessors may encounter a number of practical difficulties, including restricted access, threats to safety of assessors and participants, and presence of security personnel.

Stakeholder engagement is both particularly challenging and particularly critical in conflict-affected settings. In these contexts, it is especially important

Box 2.3: Data collection in conflict-affected settings

to protect participant identities; this includes careful consideration of who is informed about the time and place of meetings with informants. Assessors must also take care to collect data in a conflict-sensitive way that does not inadvertently create or exacerbate tensions within communities or between the company and communities. For example, HRIA teams should avoid the appearance of only gathering information from one ethnic or religious group, one side of the conflict, or groups who stand to benefit from the company's presence.

In addition to information on human rights, HRIA teams in these settings should collect information on the conflict, including drivers and grievances, in order to ensure business activities are not advertently or inadvertently contributing to the conflict. For example, a business may believe its hiring practices are non-discriminatory, since the company only hires the most qualified individuals from the community. However, if certain ethnic groups are excluded from education and training opportunities, the company may inadvertently be perpetuating inequalities that drive conflict between ethnic groups.

Collecting data on supply chains and user chains can also prove especially relevant in conflict-affected settings. Risks related to contractor performance on environmental, labour, social, and human rights issues may drive or exacerbate conflict. Due to lack of oversight or engagement, companies may not be aware of conflict risks associated with their contractors or business partners; it is critical that HRIA teams collect data on these issues. Additionally, conflict parties may use business assets and infrastructure (e.g., airstrips, access roads, vehicles) to wage war or attack targets. Business revenues and financial flows may fund armed groups, either directly or through racketeering, corruption, or seizure committed by the armed group. Since conflict inherently has severe human rights impacts, HRIA practitioners should collect data on how the business relates to conflicts in the operating environment. Accordingly, HRIA teams should collect data from affected stakeholders and carefully analyse the financial and resource flows.

International Alert's guidance on Human Rights Due Diligence in Conflict-Affected Settings provides a thorough list of additional considerations and principles HRIA teams should consider when collecting data in such contexts. Assessors may also find the International Alert briefing on Conflict Sensitivity and Supply Chain Due Diligence helpful.

Sources: Yadaira Orsini and Roper Cleland (2018), *Human Rights Due Diligence in Conflict-Affected Settings: Guidance for Extractives Industries,* London: International Alert; International Alert (2018) *Conflict Sensitivity and Supply Chain Due Diligence,* London:

Box 2.3: Data collection in conflict-affected settings
International Alert; Ashley Nancy Reynolds, 'Human Rights Impact Assessment in Conflict-Affected Societies: From Avoiding Harm to Doing Good' (master's thesis, Global Campus of Human Rights, 2019).

2.3 SOURCES FOR DATA COLLECTION

When collecting data for HRIA, it is important to draw on a variety of sources. While some data can come from pre-existing sources such as statistics, reports and previous impact assessments, it is important to note that there are limitations to such data sources. Often, impact assessments can uncover gaps in statistical data. Such limitations illustrate the importance of primary data collection through fieldwork and stakeholder engagement.

Table 2.B, below, provides an overview of some common sources of data which can be used for baseline data collection and selection of indicators.

In collecting the necessary data for a HRIA, the assessment team should take steps to apply human rights principles in the data collection process. In section 1.1 of the Data Collection and Baseline Development Practitioner Supplement, you can find a suggested checklist for data collection.

Table 2.B: Examples of types of data for HRIA	
Type of data	**Description**
Data provided by rights-holders	Data provided by rights-holders offers direct access to information on actual levels of rights enjoyment, including whether they have been affected by the business project or activities, and if so, how. More specifically, rights-holders are able to describe and give a direct comprehensive overview on human rights impacts, as well as specific data pertaining to such impacts. For example, rights-holders can provide detailed, qualitative accounts on the water they are provided with in terms of availability, accessibility, acceptability and quality.[9]
Events-based data	Events-based data links with specific incidences relevant to human rights (e.g., forced resettlement of community members or an on-site explosion). This information can be collected through desktop research and fieldwork. Data sources can include testimonies by witnesses and those

Table 2.B: Examples of types of data for HRIA	
Type of data	**Description**
	directly harmed, as well as information from the media, State agencies, NGOs and CSOs, national human rights institutions, academic works and reporting to international human rights monitoring mechanisms (e.g., Universal Periodic Review and relevant treaty bodies).
Socio-economic and administrative statistics	Socio-economic and administrative statistics are data or indicators based on quantitative or qualitative information related to the various living conditions of the population. At the national level, it is the State that compiles this information. At the international level, the UN and international conferences and summits have played an important role in the development of socio-economic statistics. The sources are often referred to as administrative data, statistical surveys and census data.
Perception and opinion surveys	Perception and opinion surveys are considered a necessary source in HRIA because they assist with ensuring the participation of rights-holders and other relevant parties in the process. Qualitative and subjective in nature, these sources of data are key for identifying and analysing the impacts that rights-holders might be experiencing, as well as for discussing, understanding and designing measures to prevent, mitigate and remediate these impacts. This data can be collected through interviews, surveys and consultation with relevant stakeholders such as rights-holders, subject matter experts and intergovernmental organisations. For further guidance, refer to Stakeholder Engagement.
Data from expert judgments and human rights actors	Data based on expert judgements is generated by actors and organisations that are considered to have a certain informed expertise. In the case of HRIA, human rights actors in particular should be drawn on as sources of data. These experts might include organisations, institutions, individuals and mechanisms working in the field of human rights, such as: human rights NGOs and CSOs; national human rights institutions; academics; and government, regional and UN human rights experts. Human rights actors can play an important role in HRIA, as they have insights into how

Table 2.B: Examples of types of data for HRIA	
Type of data	**Description**
	international human rights norms play out in specific contexts.
Sources: Based on: Office of the United Nations High Commissioner for Human Rights (2012), *Human Rights Indicators: A Guide to Measurement and Implementation,* Geneva and New York: OHCHR, HR/PUB/12/5; Simon Walker (2009), *The Future of Human Rights Impact Assessments of Trade Agreements,* Antwerp: Intersentia.	

2.4 INTRODUCTION TO HUMAN RIGHTS INDICATORS

According to OHCHR, 'A human rights indicator is specific information on the state or condition of an object, event, activity or outcome that can be related to human rights norms and standards; that addresses and reflects human rights principles and concerns; and that can be used to assess and monitor the promotion or implementation of human rights.'[10]

Human rights indicators can be both quantitative and qualitative and should be based on human rights standards and principles. They can be used to measure human rights impacts for both civil and political rights and economic, social and cultural rights. Furthermore, indicators can be applied to describe and compare situations, which can be useful for identifying adverse impacts as early as possible, as well as for measuring change over time.[11]

Where relevant, the phrasing of the indicator should be amenable to disaggregation, in line with a human rights-based approach (see section 2.2). For instance, simply inquiring about number of workers will usually not lead to disaggregated data; instead, assessors should inquire about proportion of workers disaggregated by gender, age, ethnicity and other characteristics. Such disaggregation should be based on the prohibited grounds of discrimination recognised in international law (i.e., race, ethnic origin, sex, age and disability). Other characteristics for disaggregation include language, religion, political opinion, national or social origin, class or economic status, migrant status and marriage status.[12]

In HRIA, selecting a set of indicators based on the scoping phase can be a useful way to frame subsequent data collection and baseline development. The indicators selected can then also be used in mitigation and monitoring to track whether the measures proposed to address impacts are effective or not. The consistent use of specific indicators can also facilitate comparative analysis between different projects or

sites. While the HRIA process may involve the design of specific indicators based on the context, there are a number of existing resources that can be drawn on in the selection of human rights indicators for HRIA. These are outlined in sections 1.2-1.4 of the Data Collection and Baseline Development Practitioner Supplement.

Box 2.4, below, provides some reflections on the rationale for using indicators in HRIA and notes some of the limitations.

Box 2.4: Using human rights indicators to assess the human rights impacts of business: possibilities and limitations

The selection and application of human rights indicators in HRIA can offer a structured way to collect relevant data, thereby also informing the analysis of human rights impacts, subsequent mitigation and ongoing monitoring. According to UN Guiding Principle 20, 'In order to verify whether adverse human rights impacts are being addressed, business enterprises should track the effectiveness of their response.' In addition, '[t]racking should … [b]e based on appropriate qualitative and quantitative indicators.'

The consistent use of relevant human rights indicators in HRIA can help to ensure that the assessment is comprehensive and clearly based on international human rights standards and principles. Indicators can also help human rights experts identify and assess whether a company is meeting its responsibility to respect these standards. Indicators can allow businesses, rights-holders and other stakeholders to assess the corporate policies, procedures and practices regarding human rights that are explored in HRIA, thereby contributing to accountability by offering a way to track business responses to potential and actual adverse human rights impacts.

This being said, it is important to remember that while indicators are a useful tool in HRIA, analysis of human rights impacts cannot rely on indicators and other types of 'measurements' alone, as the analysis of human rights impacts will always require qualitative and description-based analysis. As noted by OHCHR, for example, 'Indicators are tools that add value to assessments with a strong qualitative dimension; they do not replace them.'

Sources: Cathrine Bloch Veiberg, Gabriela Factor and Jacqueline R. Tedaldi (2019), 'Measuring human rights: Practice and trends in the use of indicators for HRIA' in Nora Götzmann (Ed), *Handbook on Human Rights Impact Assessment,* Cheltenham: Edward Elgar; UN Guiding Principles; Office of the United Nations High Commissioner for Human Rights (2012), *Human Rights Indicators: A Guide to Measurement and Implementation*, Geneva and New York: OHCHR, HR/PUB/12/5, p.21.

It should be noted that the use of indicators to measure human rights implementation, impacts and changes over time is still an evolving field. A key reference framework, however, is the human rights indicator framework developed by the OHCHR.[13] This framework has taken a two-step approach to the development of sets of indicators for different rights. The first step involves establishing the normative content of specific international human rights (i.e., the attributes of the right) as they have been elaborated in international human rights treaties and conventions, general comments, the reports of special procedures, and international and domestic human rights jurisprudence (e.g., adjudication of human rights in regional human rights courts, or under legal provisions at the domestic level) and so forth. Based on this normative content, the framework breaks indicators for measuring human rights implementation into **structural**, **process** and **outcome** indicators. The framework is State-based, i.e., it seeks to target measuring human rights implementation by States, rather than businesses.[14]

The structure adopted by the Danish Institute for Human Rights' Human Rights Indicators for Business follows a similar logic while specifying the application to businesses rather than States, by using the structure of policy, process, and impact.[15] Both of these frameworks can serve as useful resources for HRIA practitioners in selecting indicators for HRIA. A number of further sources of human rights indicators are provided in sections 1.2-1.4 of the Data Collection and Baseline Development Practitioner Supplement.

Table 2.C, below, provides an overview of different types of indicators and how they can be applied in HRIA.

Table 2.C: Examples of different indicators for HRIA			
Indicator type	**Description**	**Examples**	**Usage in HRIA**
Quantitative	Quantitative indicators refer to attributes of a situation, process or activity to which a number, percentage, ratio or other statistical descriptor can be attached. They can be drawn from data systems and records that already exist or are specifically collected (e.g., during consultations with community members/groups). This includes indicators that are facts-based and those that are judgement-based.	• Number of workplace accidents disaggregated by job type. • Number of working hour complaints that have been addressed through the human resources system, disaggregated by gender. • Proportion of employees that have completed human rights training relevant to their business unit function. • Number of reported security incidents.	When identifying and assessing human rights impacts, both quantitative and qualitative data are relevant. Quantitative indicators provide numerical evidence, whereas qualitative indicators add context in the form of descriptions, opinions and experiences. This context is often essential in understanding the full nature of a human rights impact. For example, quantitative data may show that all rights-holders have access to water; however, qualitative data can
Qualitative	Qualitative indicators refer to attributes of a situation, process or activity whose status or condition are determined by an experience expressed as a story. Data to measure these indicators may be gathered through	• Proportion of community members that express their access to cultural heritage sites has not been unduly restricted. • Proportion of community members expressing	

Table 2.C: Examples of different indicators for HRIA			
	methods such as interviews or surveys. This includes indicators that are facts-based and those that are opinion-based.	satisfaction with consultation processes. • Proportion of community members expressing concern about the level of human rights compliance of security forces.	provide the context regarding: accessibility (e.g., can all rights-holders access water without physical threats); affordability (e.g., can low-income rights-holders purchase water); and availability (e.g., is the supply of water available on a regular basis).
Source: Adapted from: Rio Tinto (2013), *Why Human Rights Matter: A Resource Guide for Integrating Human Rights Into Communities and Social Performance Work at Rio Tinto,* Australia and United Kingdom: Rio Tinto.			
Indicator categorisation	**Description**	**Examples**	**Usage in HRIA**
Structural (policy)	Structural indicators are commitment indicators that seek to measure level of intent.	• Date of implementation and coverage of corporate policy regarding human rights. • Commitment from top management.	Structural, process and outcome indicators examine different aspects related to human rights impacts, and therefore serve different but interrelated purposes.
Process (procedure)	Process indicators seek to measure the level of effort by	• Company procedures provide that workers are paid in a	

Table 2.C: Examples of different indicators for HRIA			
	the business in respecting human rights.	timely manner and in accordance to work performed. • Net expenditure on implementation and enforcement of human rights policies and procedures. • Existence of a grievance mechanism and information for communities on how to access it.	Outcome indicators are critical in HRIA, as they establish what impacts have occurred or may occur that can be attributed to the business project or activities. Structural and process indicators complete the picture by providing insight to the management commitments and structures that are in place, or need to be put in place, in order to effectively manage the impacts identified. Some process indicators will also speak directly to substantive human rights (e.g., access to remedy, access to information or participation), as well as
Outcome (impact)	These indicators assess impacts, thereby evaluating whether company efforts in meeting their responsibility to respect human rights have been effective or not.	• Proportion of company staff working in precarious employment (disaggregated by sex, disability and other relevant grounds such as membership of an indigenous community). • Percentage of water available for the community as compared to baseline at the start of the project. • Proportion of workers that have been prevented by	

Table 2.C: Examples of different indicators for HRIA			
		management from joining or starting a union (disaggregated by sex and disability or other relevant grounds).	human rights principles such as transparency, non-discrimination and participation. Further examples of the different categories of indicators are provided in the Data Collection and Baseline Development Practitioner Supplement, as well as the Human Rights Indicators for Business.
Source: Adapted from: Office of the United Nations High Commissioner for Human Rights (2012), *Human Rights Indicators: A Guide to Measurement and Implementation,* Geneva and New York: OHCHR, HR/PUB/12/5, p.16.			

ENDNOTES

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[7] International Work Group for Indigenous Affairs (2014*), IWGIA Report 16 - Business and Human Rights: Interpreting the UN Guiding Principles for Indigenous Peoples*, Copenhagen: IWGIA; see also Cathal Doyle (2019), 'Indigenous peoples' rights: Is HRIA an enabler for free, prior and informed consent?' in Nora Götzmann (Ed), *Handbook on Human Rights Impact Assessment,* Cheltenham: Edward Elgar.
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[14] Ibid.
[15] Danish Institute for Human Rights (2019), *Platform for Human Rights Indicators for Business – HRIB*, hosted by the Business and Human Rights Resource Centre [online] https://www.business-humanrights.org/en/platform-for-human-rights-indicators-for-business-hrib.

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