



HUMAN RIGHTS IN THE DATA REVOLUTION: CATALYST OR CASUALTY?

Dialogue: Data and Accountability for the
Post-2015 Development Framework

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**CENTER FOR ECONOMIC
AND SOCIAL RIGHTS**

WHY ARE HUMAN RIGHTS IMPORTANT IN THE POST-2015 DEVELOPMENT FRAMEWORK?

- **Realizing human rights as the goal of development:** “the ultimate aspiration of the development agenda beyond 2015 is to create a just and prosperous world where all people realize their rights and live with dignity and hope” (*Secretary General’s Report*)
- **Aligning the SDGs with the human rights framework can tackle MDG shortcomings:** inequality-blindness, reductive scope, skewed accountability.
- **Human rights as an accountability framework** for post-2015:
 - universally agreed framework of rights and duties that specify *who* is accountable to *whom*, for *what*, and *how*.
 - Reinforces three dimensions of accountability in development: responsibility, answerability, enforceability (*CESR and OHCHR, 2013*)

WHY IS DATA NECESSARY TO SECURE HUMAN RIGHTS ACCOUNTABILITY IN DEVELOPMENT?

Better data makes it possible to:

- **uncover economic and social rights deprivations** that would otherwise remain invisible
- **assess whether governments are complying with their obligations** to realize these rights progressively using the maximum of available resources, without discrimination
- **Example: Visualizing Rights in Egypt** linked rising poverty to stagnant social policies in post-revolutionary Egypt



HUMAN RIGHTS UNDERPIN A TRANSFORMATIVE DATA REVOLUTION

- Agreement on the need for the data revolution to be **empowering and transformative**. But actually achieving this is much less certain.
- The human rights framework can contribute to a transformative data revolution by **offering guidance on**:
 - **What** data should be prioritized?
 - **How** should data be collected, analyzed and disseminated?
 - **Who** are the users of data, and for what purpose?

WHAT? Prioritize data that measures human rights standards

Obligations of Result

- **Minimum core obligations:** immediate duty to prioritize achieving minimum essential levels of rights enjoyment universally
- **Progressive realization:** move swiftly towards increased levels of rights enjoyment, with **no deliberate retrogression**

- To ensure relevant infrastructure, goods and services are increasingly **available**, **accessible** to all, **acceptable** and of **adequate quality**
- **Non-discrimination:** duty to ensure substantive equality
- To **protect** against violations by non-state actors.

Obligations of Conduct

- To **take steps** (legislative, judicial, budgetary, administrative and other) to fulfill ESCR
- To generate and allocate **maximum available resources** to the realization of rights, including resources provided through international cooperation
- To ensure **participation, accountability and transparency** in the policy-making process

HOW? Ensure rights holders can meaningfully participate in data initiatives

Initiatives to facilitate local data collection

- Great potential to spark grassroots 'demand' for data.
- But must be genuinely participatory, not extractive.

Initiatives to open up official statistics

- Improve data literacy so that methodology for collecting and analyzing data is understood and seen as legitimate by community.
- Acute need to create feedback loops between national statistical offices and people.

Initiatives to harness 'big data'

- Important to counter risk of dehumanization by placing a premium on "experiential" expertise.
- Right to privacy must be a guiding principle.

WHO? Focus on human rights accountability mechanisms as info-mediaries

- Theory of change: data + *in the hands of* affected communities + *translated* into a rights claim + *channeled* through an accountability mechanism = change.
- So strengthening the statistical capacity of these mechanisms needs to be a focus of the data revolution.

National accountability	International accountability
<ul style="list-style-type: none">• Social: e.g. community-based auditing, media, movement building• Political: e.g. parliamentary committees• Administrative: e.g. codes of conduct, citizen consultation groups• Independent oversight bodies: e.g. national human rights commissions and ombuds-offices• Judicial: national courts	<ul style="list-style-type: none">• International human rights mechanisms: e.g. treaty bodies, Human Rights Council• Intergovernmental political bodies:• Transnational regulatory frameworks• Mechanisms of international financial institutions• Global social movements• MDG-specific initiatives

FINAL THOUGHTS

- **High expectations** around a post-2015 framework that serves to advance human rights accountability.
- The post-2015 accountability infrastructure must be **more than a weak system of voluntary monitoring and crowdsourced opinion polls**– it must serve to reinforce a web of accountability mechanisms.
- Fetishizing data risks overstating its capacity to shift power. Real power shift comes from seeing people as **citizens and rights-holders not users and consumers.**