

Center for Economic and Social Rights Submission to the UN Secretary-General's Independent Expert Advisory Group on the Data Revolution for Sustainable Development

This submission seeks to contribute to the IEAG's report from CESR's experience of working on data, [monitoring](#) and accountability processes from a human rights perspective – as well as our work on rights in development contexts and the [post-2015 development agenda](#). We urge the IEAG to adopt a human rights and equality-focused approach to the "data revolution". In short, our core concerns are the need for the data revolution to 1) be participatory and empowering, 2) be linked to accountability processes to drive real lasting change, and 3) enable more effective identification and tackling of inequalities.¹ We also highlight how human rights principles and tools can offer guidance in shaping the data revolution along these lines.

The [human rights framework](#) can help to create a genuinely transformative data revolution, by offering guidance on what data should be prioritized; how data should be collected, analyzed and disseminated; for what purpose; and who the ultimate users of data are. In all the discourse around the data 'revolution', there is a welcome rhetorical commitment to making it empowering; but without strategic thinking about how to achieve this, there is still a real risk of creating yet another top-down, exclusionary technocratic exercise. A human rights approach can certainly help to translate the rhetoric into reality: a data revolution that catalyzes an even more important transformation by sparking greater popular **participation** in policy-making and priority-setting, and more meaningful **accountability** for States' (and other stakeholders') failures to achieve their human rights and sustainable development commitments.

The momentum behind the data revolution idea comes not from a desire for more data for its own sake, but rather a thirst for detailed, objective information about what progress is being made, how resources are being raised and spent, who is benefiting from development initiatives and who is being left behind; information that can ultimately be used to hold decision-makers answerable and to advocate for change, for equality and – where necessary -- for justice. Measurability is of course important for accountability, delivering hard evidence to back up claims that governments and others are falling short of their development and human rights commitments.

As such, it is crucial that the data generated is made widely **accessible**, not left to gather dust in government statistical offices. Effectively implementing **right to information laws** that guarantee prompt and effective access to high-quality information on public policies, including on budget, financial and tax policies is an important component of the paradigm shift necessary. Furthermore, civil society must be empowered and enabled to use and analyze this data, as well as collect their own. We need to move beyond the extractive 'big data' paradigm; a real power shift comes from recognizing people as citizens and rights-holders, not as mere subjects and consumers of data. In particular, individuals and communities facing poverty and deprivation must be enabled to meaningfully participate in data collection initiatives, opening up official statistics and harnessing big data for social justice ends. Some ways to put the participatory human rights approach into effect include: establishing more open and transparent lines of communication and feedback between **official statistical offices** and the public;

¹ Please see also the recent [open letter](#) to the President of the General Assembly by the Post-2015 Human Rights Caucus, arguing inter alia for a *human rights-sensitive 'data revolution'*.

including individuals and communities facing poverty and deprivation as "**experiential experts**" in advisory committees for big data projects; upholding the right to **privacy** and informed consent; improving **data literacy** amongst the population, especially communities living in poverty.

Real change can only come about if data serves to empower those deprived of their rights as a result of development failures to claim their rights through effective mechanisms of accountability. It is therefore critical to strengthen the capacity of human rights **accountability mechanisms** at the local, national and international levels (ranging from National Human Rights Institutions to courts to UN treaty bodies) to use and interpret data. Civil society groups will also need to be supported in their efforts to gather and present data before these accountability mechanisms in ways that can substantiate and illuminate their human rights concerns.

In order to cast greater light on pressing human rights concerns and questions, we must also be more creative, strategic and committed about what we measure - and how. Certain issues² and population groups³ have historically been neglected in public policies and development plans, partly because it was assumed that progress was difficult or impossible to measure (resulting in the tendency to "treasure what we measure" rather than *vice versa*). In recent years, human rights advocates have developed creative methods for using available data and applying it to human rights questions, while experiences of **human rights monitoring** show that it is possible to measure many things traditionally thought of as unquantifiable. However, many fundamental human rights and development goals could be better measured – and therefore policy efforts better targeted and designed – with more comprehensive and detailed data.

Equality and non-discrimination have always been at the centre of the human rights framework, and the ultimate aim of human rights practice. Now, the imperative to **tackle inequalities and 'leave no one behind'** has been resoundingly articulated as a core priority of global and national development agendas moving forward. In order to make real, sustained progress in this regard, we will first and foremost need more **disaggregated data**, focusing on multiple inequalities and various grounds of discrimination such as gender, economic status, disability status, and geographical region.

There is an urgent need for the data revolution to explicitly prioritize measuring inequalities of all kinds, and to assess progress in tackling them. These efforts can usefully be guided and informed by human rights advocates' long history of seeking to better understand, conceptualize and tackle inequalities and discrimination, as well as by more recent efforts to identify rights-based equality metrics in the post-2015 context.⁴ For example, concepts such as **substantive equality** and **intersectional discrimination** (reflecting the reality that many people experience multiple forms of discrimination– for example, they may be discriminated against on the basis of their gender, race *and* poverty, each overlapping with and reinforcing the other) will be important to incorporate. Data collection processes that reveal intersectional discrimination and allow data users to understand which groups in society are doubly- or

² For example: empowerment, discrimination, certain aspects of inequality, and governance-related rights and freedoms.

³ For example: populations living in informal settlements, and minorities and other groups that experience entrenched social exclusion and discrimination.

⁴ See [Final Report](#) of the UNICEF-WHO Joint Monitoring Program Working Group on Equity and Non-Discrimination (2012)

triply disadvantaged in development will help elucidate where further efforts and resources need to be directed – with the ultimate aim of course, to end these wide cumulative disparities. The data produced will highlight gaps in the equal enjoyment of sustainable development, and therefore can create pressure on States and other duty-bearers to dedicate more efforts, resources and political will to realizing those rights. This should be particularly for the case for those groups and individuals who have been excluded from progress under the MDGs, but whose situation has been glossed over or made statistically invisible by aggregate improvement.

Additionally, most current estimates of **economic inequality** suffer from under-reporting by the “invisible rich,” skewing our understanding of who is truly benefitting from sustainable development policies. One concrete first step would be to suggest that household surveys capture the distribution of *effective income and capital*, especially of high-net wealth families. Intra-household data is likewise needed to better understand the gender impacts of sustainable development policies.⁵

Statistical parameters should be the servant rather than the master of people’s legitimate aspirations for their families, communities and countries.⁶ The data revolution will certainly need to embrace, develop and resource different kinds of data sources: both **qualitative and quantitative**. Examples of relevant data sources that should be explored include: events-based data relating to observable backsliding in the achievement of sustainable development; standards-based data expressed in quantitative ordinal scales, national socioeconomic and administrative statistics; and survey-based data (such as time use surveys, which are especially important for monitoring persistent gender inequalities).⁷ Moreover, as human rights monitoring efforts have highlighted, in order to build a holistic picture of progress towards full realization of human rights it is necessary to focus not only on **outcomes** but also on **policy efforts** and the use and generation of **adequate resources**.⁸ The MDGs’ focus on outcomes was intended to facilitate comparison of country performance, but this resulted in weak monitoring of accountability, because countries started off in very different situations with wildly varying levels of efforts needed to achieve the Goals. Therefore, collection of data (both qualitative and quantitative) that can illuminate policy efforts and resources will enable much more comprehensive monitoring of the SDGs and greater potential to hold duty-bearers accountable for failure to take appropriate action. For example, indicators in these areas should address financing, public expenditures, fiscal policies, planning, coordination and human resources policies for the given sector.⁹

Finally, the post-2015 data revolution could in fact be a powerful boost to the availability and accessibility of open, reliable data on fiscal and financial information within and between countries. Provision of accurate data on public revenues lost from illicit financial flows represents a significant challenge. Reliable data on the global distribution of financial assets is needed, in particular those assets unrecorded offshore. Public recording of true beneficial owners of capital assets as well as data on the

⁵ See CESR and Christian Aid, *A Post-2015 Fiscal Revolution: Human Rights Policy Brief* (2014), in particular section III.B ‘Proposals on data and monitoring for a post-2015 fiscal revolution’, p.15.

⁶ See CESR and OHCHR, *Who Will be Accountable? Human Rights and the post-2015 Development Agenda* (2013)

⁷ See *Who Will be Accountable*, p.65

⁸ CESR, *The OPERA Framework: Assessing compliance with the obligation to fulfill economic, social and cultural rights* (2012)

⁹ See *Who Will Be Accountable*, p.34

scale and volume of automatic information exchange needs to be made available as well to evaluate the effectiveness of international efforts to combat tax evasion.¹⁰

Further resources:

- CESR, [The OPERA Framework: Assessing compliance with the obligation to fulfill economic, social and cultural rights](#) (2012)
- CESR and OHCHR, [Who will be Accountable? Human Rights and the Post-2015 Development Agenda](#) (2013)
- CESR [presentation](#) at [UNDP event](#) on Data and Accountability Post-2015 in January 2014
- International [Working Group on ESC Rights Monitoring](#)
- CESR and Christian Aid, [A Post-2015 Fiscal Revolution: Human Rights Policy Brief](#) (2014)
- UNICEF-WHO Joint Monitoring Program Working Group on Equity and Non-Discrimination, [Final Report](#) (2012)

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¹⁰ See *A Post-2015 Fiscal Revolution*