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**REPORT ON INDICATORS FOR PROMOTING AND MONITORING THE  
IMPLEMENTATION OF HUMAN RIGHTS \*\***

**Summary**

This report was prepared by the Office of the United Nations High Commissioner for Human Rights in response to a request from the inter-committee meeting of treaty bodies (ICM) in June 2006 asking the Secretariat to undertake validation of the approach on the use of statistical information in States parties' reports (HRI/MC/2006/7), develop further list of indicators and submit a report on this work to the seventh ICM in 2008. This report outlines the adopted conceptual and methodological framework for identifying the relevant quantitative indicators as it has evolved over the last two years. It discusses the relevance of using the configuration of "structural-process-outcome" indicators for the said framework and highlights some considerations in the selection of the illustrative indicators on different human rights. It outlines the results from regional and country-level consultations and feedback from the validation exercises undertaken for this work. It also reflects on some issues relevant for taking this work forward at country level. The last section sums up the current status of the work and suggestions for a follow-up.

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\* Reissued for technical reasons.

\*\* Annexes are reproduced as submitted in the language of submission only.

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**USING INDICATORS TO PROMOTE AND MONITOR THE  
IMPLEMENTATION OF HUMAN RIGHTS:**

**REPORT ON THE WORK OF THE OFFICE OF THE UNITED NATIONS  
HIGH COMMISSIONER FOR HUMAN RIGHTS ON INDICATORS FOR  
THE TREATY BODIES**

**Introduction**

1. The present report has been prepared by the Office of the High Commissioner for Human Rights (OHCHR) in response to a request from the Inter-Committee Meeting (ICM) of treaty bodies in June 2006. That meeting considered a report (HRI/MC/2006/7) outlining a conceptual and methodological framework for identifying indicators for monitoring compliance with international human rights instruments. It also requested the Secretariat to undertake validation of the identified illustrative indicators, including through piloting by the relevant committees, and develop further lists of indicators, where appropriate, in collaboration with United Nations entities. It also called on the Secretariat to submit a report on those activities to the seventh ICM in 2008 and to provide information, including expert advice, on the progress achieved to each of the treaty bodies during 2006 and 2007 (see A/61/385). This report reflects the progress in the work since June 2006, in particular, the results from the validation exercises undertaken over the last two years in refining the framework presented in the earlier report.

2. The work on indicators at OHCHR was initiated at the request of the ICM to help them make use of statistical information in States parties' reports in assessing the implementation of human rights.<sup>1</sup> OHCHR undertook an extensive survey of literature and prevalent practices among national and international organizations on the use of quantitative information in monitoring human rights.<sup>2</sup> Having taken stock of the state of the art, steps were taken to develop a conceptual and methodological framework, in consultation with a panel of experts, for identifying operationally feasible human rights indicators.<sup>3</sup> This was presented to the ICM in June 2006. Based on the articulated approach, lists of illustrative indicators were elaborated on a

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<sup>1</sup> In June 2005, the Secretariat was requested by the chairpersons of the human rights treaty bodies at their seventeenth meeting (A/60/278, point g. on p. 9) to pursue the work it had initiated to provide assistance to the treaty bodies in analysing statistical information in State parties' reports and to prepare a background paper for the ICM in 2006 on the possible uses of indicators.

<sup>2</sup> See Malhotra and Fasel, "Quantitative Human Rights Indicators - A survey of major initiatives"; paper presented at the Turku expert meeting on 10-13 March 2005.

<sup>3</sup> The report on indicators for monitoring compliance with international human rights instruments (HRI/MC/2006/7) defines human rights indicators as specific information on the state of an event, activity or an outcome that can be related to human rights norms and standards; that address and reflect human rights concerns and principles; and that are used to assess and monitor promotion and protection of human rights.

number of human rights - both civil and political rights as well as economic, social and cultural rights.<sup>4</sup> These indicators were then subjected to a validation process involving, at the first stage, discussions with an identified panel of experts, including experts from treaty bodies, human rights special procedure mandate-holders, academia, non-governmental organizations and relevant international organizations. At the second stage, discussions were held with national level stakeholders, including human rights institutions, policy makers and agencies responsible for reporting on the implementation of the human rights treaties, statistical agencies responsible for data collection and representatives from relevant non-governmental organizations. These consultations were held in the context of regional and country level workshops. The workshops provided a platform for sensitizing the stakeholders on the potential use of available statistical information for promoting and monitoring the implementation of human rights at the country level. It also helped in collating the feedback from the stakeholders on the relevance of and the application of the work undertaken by OHCHR at the country level.

3. Section I of the report outlines, the adopted conceptual and methodological framework for identifying the relevant quantitative indicators as it has evolved over the last two years.<sup>5</sup> Section II discusses the relevance of using the configuration of structural-process-outcome indicators for the said framework and highlights some considerations in the selection of the illustrative indicators on different human rights. Section III outlines the results from regional and country level consultations and feedback from the validation exercises undertaken for this work. It also reflects on some issues relevant for taking this work forward at country level. The concluding section sums up the current status of the work and suggestions for a follow-up on this work for the consideration of the treaty bodies.

## **I. THE CONCEPTUAL AND METHODOLOGICAL FRAMEWORK**

4. The basic objective in developing a conceptual and methodological framework was to adopt a structured and consistent approach for translating universal human rights standards into indicators that are contextually relevant and useful at country level. The need for an adequate conceptual basis for this work lies in having a rationale for identifying and designing the relevant indicators and not reducing the exercise to a mere listing of possible alternatives. It is important that such indicators are explicitly and precisely defined, are based on an acceptable methodology of data collection and presentation, and are or could be available on a regular basis. It is also important that indicators are suitable to the context where they are applied. In the absence of

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<sup>4</sup> The human rights on which indicators have already been elaborated are the right to life, the right to liberty and security of person, the right to participate in public affairs, the right not to be subjected to torture or cruel, inhuman or degrading treatment or punishment, the right to freedom of opinion and expression, the right to a fair trial, the right to enjoyment of the highest attainable standard of physical and mental health, the right to adequate food, the right to adequate housing, the right to education, the right to social security, and the right to work.

<sup>5</sup> Though qualitative and quantitative indicators are both relevant in the work of treaty bodies, this report focuses on quantitative indicators and statistics in view of the specific request of the ICM.

these considerations being addressed, it may not be feasible or even acceptable to the States parties as well as the committees to use quantitative indicators in the reporting and follow-up process.

### **Some conceptual concerns**

5. To begin with, for the framework to be conceptually meaningful, it is necessary to anchor indicators identified for a human right in the normative content of that right, as enumerated in the relevant articles of the treaties and general comments of the committees. Secondly, the primary objective of human rights assessment is in measuring the effort that the duty-holders make in meeting their obligations - irrespective of whether it is directed at promoting a right or protecting it. While it is this facet of measurement that helps in bringing out the value-added of the approach, it is equally important to get a measure of the “intent / commitment” of the State party, as well as the consolidation of its efforts, as reflected in appropriate “result” indicators. Such a conceptualization also helps in putting all the human rights on an equal footing, thereby emphasizing the interdependence and indivisibility of civil, cultural, economic, political and social rights. Thirdly, the adopted framework should be able to reflect the obligation of the duty-holder to *respect, protect* and *fulfil* human rights. Finally, it is necessary to recognize and reflect cross-cutting human rights norms and principles (such as non-discrimination and equality, indivisibility, accountability, participation and empowerment) in the choice of indicators, as well as in the process of undertaking an assessment. These concerns were addressed in the following manner.

### **Identifying attributes**

6. As a starting point for each human right, the narrative on the legal standard of the right was translated into a limited number of characteristic attributes that facilitate a structured identification of appropriate indicators for monitoring the implementation of that right. Indeed, the notion of attributes of a right helps in concretizing the content of a right and makes explicit the link between identified indicators of a right, on one hand, and the normative standards of that right, on the other. Often, one finds that the enumeration of the standards on a right in the relevant articles and its elaboration in the concerned general comments are quite general and even overlapping, not quite amenable to the process of identifying indicators. By selecting the attributes of a right, the process of identifying suitable indicators or cluster of indicators is facilitated as one arrives at a categorization that is clear, concrete and, perhaps, more “tangible” in facilitating the selection of indicators.

7. For most human rights for which indicators were identified, it was found that, on average, about four attributes were able to capture reasonably the essence of the normative content of those rights. Thus, in the case of right to life, taking into account primarily article 3 of the Universal Declaration of Human Rights (UDHR), article 6 of the International Covenant on Civil and Political Rights (ICCPR) and General Comment 6 of the Human Rights Committee, four attributes of the right to life, namely “arbitrary deprivation of life”, “disappearances of individuals”, “health and nutrition” and “death penalty” were identified. In addition, articles 10-12 of the International Covenant on Economic and Social Rights (ICESCR), articles 5(b) and 5(e-iv) of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), article 12 of the Convention on the Elimination of All Forms of

Discrimination against Women (CEDAW), articles 1-16 of Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (CAT), article 6 of the Convention on the Rights of the Child (CRC), article 9 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW) and article 10 of the Convention on the Rights of Persons with Disabilities (CRPD) also informed the selection of the attributes on the right to life. Similarly, in the case of the right to health, five attributes namely: sexual and reproductive health, child mortality and health care, natural and occupational environment, prevention, treatment and control of diseases, and accessibility to health facilities and essential medicines were identified. These attributes were based primarily on a reading of article 25 of the UDHR, article 12 of the ICESCR and General Comment No. 14 of the Committee on ESCR, General recommendation No. 24 of the Committee on the Elimination of Discrimination against Women, and General Comments No. 3 and 4 of the Committee on the Rights of the Child. Articles 6, paragraph 1, of ICCPR, articles 5(e-iv) of ICERD, articles 12 and 14 (2-b) of CEDAW, article 24 of CRC, articles 28 and 43(e) of ICRMW and article 25 of CRPD were also useful in identifying these attributes. Thus, the relevant articles from the Universal Declaration of Human Rights and the core international human rights treaties, as well as the elaborations in respective general comments of the committees were used for reading the normative content of the 12 human rights on which indicators were enumerated.<sup>6</sup> The choice of the 12 rights (see annex I), in the first instance, was guided by their recognition in the UDHR and the consideration that these rights would be major building blocks for putting together, in due course, a treaty specific list of illustrative indicators. In that context, there may be a need for further refinement or re-clubbing of the identified attributes of human rights to better reflect the treaty-specific concerns.

### **Measuring human rights commitment-efforts-results**

8. A key concern in developing the framework was to ensure that it did justice in reflecting the inherent complexity of human rights, particularly in the context of their implementation and, at the same time, had a sufficiently operational structure for supporting the identification of quantitative indicators. It was necessary to measure the commitment of the duty-bearer to the relevant human rights standards, the efforts that were undertaken to make that commitment a reality and results of those efforts over time as reflected in appropriate summary indicators. Accordingly, the framework opted for using a configuration of structural-process-outcome indicators, reflecting the need to capture a duty-bearer's commitment, efforts and results, respectively. In other words, by identifying structural-process-outcome indicators for each attribute of a human right, it becomes possible to bring to the fore an assessment of steps taken by the States parties in meeting their human rights obligations. The rationale for the three categories of indicators and the logic of selecting indicators in each category is elaborated in the next section.

9. A related issue is the extent to which the use of structural-process-outcome indicators for each human right attribute reflects the State obligations to *respect*, *protect* and *fulfil* human rights, and whether the use of such a configuration of indicators in "unpackaging" the narrative

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<sup>6</sup> See footnote 4 above for details on the rights selected for elaborating indicators.

on the normative content of a right is a better option than identifying indicators for the three obligations outlined in respect of each right. There are at least two good reasons for choosing the former categories of indicators in the framework. First, these are categories of indicators that have a wide use already in the development policy context and are likely to be more familiar to policy makers/implementers and development/human rights practitioners who are, in some sense, the main focus of this work. In fact, the use of structural, process and outcome indicators in promoting and monitoring the implementation of human rights will help demystify the notion of human rights and take the human rights discourse beyond the confines of legal and justice sector discussions, but also facilitate the mainstreaming of human rights standards and principles in policy making and development implementation. Secondly, it may not always be possible to identify a quantitative indicator that reflects uniquely one of the three types of obligations. Often, an indicator based on the commonly available administrative and statistical data, may end up reflecting more than one kind of obligations, which may not be very desirable if the intention is to build a structured, common and consistent approach for elaborating indicators across all rights, covering the different human rights treaties. Having said this, in the selection of indicators for each attribute of a human right, attempt was made to include all such indicators that reflect explicitly and uniquely the State obligations to respect, protect and fulfil human rights. In addition, an appropriate combination of structural, process and outcome indicators, particularly the process indicators were identified with a view to facilitate an assessment of the implementation of the said State obligations.

#### **Indicators for cross-cutting human rights norms**

10. The indicators that capture the cross-cutting human rights norms or principles cannot be exclusively identified with the realization of a specific human right, but are meant to capture the extent to which the process to implement and realize human rights is, for instance, participatory, inclusionary, empowering, non-discriminatory or accountable. It is worth noting that there is no easy way to reflect these cross-cutting norms and principles explicitly in the selection of indicators. In capturing the norm of non-discrimination and equality in the selection of structural, process and outcome indicators, a starting point is to seek disaggregated data by prohibited grounds of discrimination such as sex, disability, ethnicity, religion, language, social or regional affiliation of people. For instance, if the indicator on the proportion of children enrolled in primary school, given that primary education should be available free of costs, is broken down by ethnic groups or religious minorities for a country, it would be possible to capture some aspect of discrimination faced by the concerned groups or minorities in accessing education and enjoying their right to education in that country. In some instances, this cross-cutting norm, like some others could be addressed as a “procedural right” that has a bearing on the realization of a specific “substantive right”, hence is defined in reference to that right.<sup>7</sup> Thus, compliance with the norm of non-discrimination in the context of the right to education, as a substantive right,

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<sup>7</sup> Substantive rights have a relatively clear content and may also have a “level/progressive” component in realizing them, such as the right to education or the right to life. More procedural rights like the right not to be discriminated or the right to remedy are critical to the process of realizing the substantive rights and may be easier to define in the specific context of substantive rights.

could be captured using an indicator like the proportion of the girls in school-going age-group enrolled in school to the proportion of the boys in the same age-group enrolled in the school. Similarly, the proportion of the accused who are requesting/availing themselves of legal aid, if broken down by ethnic groups or minorities, could help in capturing non-discrimination and equality in the implementation of the principle of effective remedies and procedural guarantees. More importantly, in reflecting the cross-cutting norm of non-discrimination and equality the emphasis has to be on indicators that capture the nature of access, and not just availability, to such goods and services that allow an individual to enjoy her rights.

11. Similarly, in the case of the human rights principle of participation, the attempt is to reflect whether the vulnerable and marginalized segments of population in a country have been consulted in the selection of indicators included in the reporting procedure of country, or the extent to which they have participated in identifying measures that are being taken by the duty-holder in meeting its obligations. At a more aggregative level, indicators like the Gini coefficient, which expresses the distribution of household consumption expenditure or income, to assess whether the development process in a country is encouraging participation, inclusion and equality in the distribution of returns, have been used. Indicators on work participation rates and educational attainment of the population, in general, and of specific groups, in particular (for instance women and minorities) also help in providing an assessment of the extent to which the principle of empowerment is being respected and promoted by the duty-bearer. Finally, the first steps in the implementation of the principle of accountability are already being taken as one translates the normative content of a right into quantitative indicators. Indeed the availability of information sensitive to human rights, and its collection and dissemination through independent mechanisms using transparent procedures, reinforces accountability. Moreover, as we shall see in the next section, by identifying a process indicator as a measure that links a State's effort to a specific "policy action - milestone relationship", the framework takes an important step in enhancing a State's accountability in implementing human rights.

### **Some methodological concerns**

12. To be useful in monitoring the implementation of human rights treaties, quantitative indicators have to be explicitly and precisely defined, based on an acceptable methodology of data collection, processing and dissemination, and have to be available on a regular basis. The main methodological issue relates to the sources of data and data generating mechanisms and the criteria for selection of indicators. There is also the issue of amenability of the framework to support contextually relevant indicators.

### **Sources and data generating mechanisms**

13. In the context of this work it was found useful to focus on two complementary sources of data, namely socio-economic and other administrative statistics and events-based data on human rights violation. Socio-economic statistics refers to quantitative information compiled and disseminated by the State, through its administrative records and statistical surveys, usually in collaboration with national statistical agencies and under the guidance of international and specialized organizations. For the treaty body monitoring system, this category of indicators are of primary importance given the commitment of States, as parties to international human rights



instruments, to report on their compliance and the fact this data source is based on the record of administrative authorities (duty-bearer) at the level of their interface with the public (rights-holders). Socio-economic statistics provide information on issues not only related to economic, social and cultural rights, but also on civil and political rights, such as on issues of administration of justice and rule of law (e.g. executions carried out under death penalty, prison population and incidence of violent crimes). The use of a standardized methodology in the collection of information, whether it is through census operations, household surveys or through civil registration systems, and usually with high level of reliability and validity, makes indicators based on such a methodology vital for the efforts to bring about greater transparency, credibility and accountability in human rights monitoring.

14. Events-based data consists mainly of data on alleged or reported cases of human rights violations, identified victims and perpetrators. Indicators, such as alleged incidence of arbitrary deprivations of life, enforced or involuntary disappearances, arbitrary detention and torture, are usually reported by NGOs and are or can also be processed in a standardized manner by, for instance, national human rights institutions and special procedures of the United Nations. In general, such data may underestimate the incidence of violations and may even prevent valid comparisons over time or across regions, yet it could provide some indication to the treaty bodies in undertaking their assessment of human rights situation in a given country.<sup>8</sup> Though recent attempts have shown that this method can also be applied for monitoring the protection of economic, social and cultural rights, it has been mainly and most effectively used for monitoring the violation of civil and political rights only.<sup>9</sup>

#### **Criteria for the selection of quantitative indicators**

15. The foremost consideration in adopting a methodology for identifying and building human rights indicators, like any other set of indicators, is its relevance and effectiveness in addressing the objective(s) for which the indicators are to be used. Most other methodological requirements follow from this consideration. In the context of the work undertaken by the treaty bodies in monitoring the implementation of human rights, quantitative indicators should ideally be: relevant, valid and reliable; simple, timely and few in number; based on objective information<sup>10</sup>

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<sup>8</sup> Problems of over-estimation are also possible. In general, it would be desirable to have indication on error margins or confidence intervals specified for such data, to facilitate their use as valid and reliable indicators.

<sup>9</sup> In the paper referred in footnote 2 above, two other data generating mechanisms were identified, namely household perception and opinion surveys and data based on expert judgements.

<sup>10</sup> The information content of the indicators should be objects, facts or events that can, in principle, be directly observed or verified (for example, weight of children, number of casualties, and nationality of the victim), as against indicators based on perceptions, opinions, assessments or judgements made by experts/individuals.

and data-generating mechanisms;<sup>11</sup> suitable for temporal and spatial comparison and following relevant international statistical standards; and amenable to disaggregation in terms of sex, age, and other vulnerable or marginalized population segments. The production of any statistical data also has implications for the right to privacy, data protection and confidentiality issues, and may, therefore, require appropriate legal and institutional standards.<sup>12</sup> In the context of this framework, these methodological considerations in the selection of indicators are being addressed through the preparation of meta-data sheet that is being prepared for each indicator included in the illustrative list. See annex II to this report for some examples of meta-data sheets on identified indicators. The annex covers different categories of indicators across civil and political rights as well as economic, social and cultural rights.

### **Contextual relevance of indicators**

16. The contextual relevance of indicators is a key consideration in the acceptability and use of indicators among potential users. Countries and regions within countries differ in terms of their level of development and realization of human rights. These differences are reflected in the nature of institutions, the policies and the priorities of the State. Therefore, it may not be possible to have a set of universal indicators to assess the realization of human rights. Having said that, it is also true that certain human rights indicators, for example those capturing realization of some civil and political rights, may well be relevant across all countries and their regions, whereas others that capture realization of economic or social rights, such as the rights to health or adequate housing, may have to be customized to be of relevance in different countries. But even in the latter case, it would be relevant to monitor the minimum core content of the rights universally. Thus, in designing a set of human rights indicators, like any other set of indicators, there is a need to strike a balance between universally relevant indicators and contextually specific indicators, as both kinds of indicators are needed.

## **II. RELEVANCE AND SELECTION OF STRUCTURAL, PROCESS AND OUTCOME INDICATORS**

17. In opting for the use of structural, process and outcome indicators in the conceptual framework adopted for this work, the primary objective has been to consistently and comprehensively translate the narrative on human rights standards with the help of indicators that can reflect the commitment-effort-results aspect of the realization of human rights through available quantifiable information. Working with such a configuration of indicators simplifies the selection of indicators, encourages the use of contextually relevant information, facilitates a more comprehensive coverage of the identified attributes of a right, and, perhaps, also minimizes

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<sup>11</sup> Indicators should be produced and disseminated in an independent, impartial and transparent manner and based on sound methodology, procedures and expertise.

<sup>12</sup> See, for instance, the 10 United Nations Principles of Official Statistics (<http://unstats.un.org/unsd/dnss/gp/fundprinciples.aspx>).

on the overall number of indicators required to monitor the realization of the concerned human right standards.

### **Structural indicators**

18. Structural indicators reflect the ratification and adoption of legal instruments and existence of basic institutional mechanisms deemed necessary for facilitating realization of a human right. They capture commitments or the intent of the State in undertaking measures for the realization of the concerned human right. Structural indicators have to focus foremost on the nature of domestic law as relevant to the concerned right - whether it incorporates the international standards - and the institutional mechanisms that promote and protect the standards. Structural indicators also need to look at policy framework and indicated strategies of the State as relevant to the right. This is particularly important from the human rights perspective. A national policy statement on a subject is an instrument that is expected to outline a Government's objectives, policy framework, strategy and/or a concrete plan of action to address issues under that subject. While providing an indication on the commitment of the Government to address the concerned subject, it may also provide relevant benchmarks for holding the Government accountable for its acts of commission or omission concerning that subject. Moreover, a policy statement is a means to translate the human rights obligations of a State party into an implementable programme of action that helps in the realization of the human rights. Thus, while identifying structural indicators on different rights and their attributes, an attempt was made to highlight the importance of having specific policy statements on issues of direct relevance to that human right attribute. It was seen that many potential structural indicators were common to all human rights and that others were relevant to specific human rights or even to a particular attribute of a human right.

### **Process indicators**

19. Process indicators relate State policy instruments with milestones that cumulate into outcome indicators, which in turn can be more directly related to the realization of human rights. State policy instruments refers to all such measures including public programmes and specific interventions that a State is willing to take in order to give effect to its intent/commitments to attain outcomes identified with the realization of a given human right. By defining the process indicators in terms of a concrete "cause-and-effect relationship", the accountability of the State to its obligations can be better assessed. At the same time, these indicators help in directly monitoring the progressive fulfilment of the right or the process of protecting the right, as the case may be for the realization of the concerned right. Process indicators are more sensitive to changes than outcome indicators and hence are better at capturing progressive realization of the right or in reflecting the efforts of the State parties in protecting the rights.

20. Two considerations guided the selection and formulation of process indicators. The first was to ensure that the articulation of process indicators reflected a causal relationship with the relevant structural as well as outcome indicator. Thus, for instance, a process indicator of the right to health - proportion of school-going children educated on health and nutrition issues - was chosen so that it could be related to the corresponding structural indicator, namely "time frame and coverage of national policy on child health and nutrition", as well as with the outcome indicator "proportion of underweight children under 5 years of age". The second consideration in

giving shape to a process indicator was to bringing out explicitly some measure of an effort being undertaken by the duty-holder in implementing its obligation. Thus, indicators such as “proportion of requests for social security benefits reviewed and met in the reporting period” or “proportion of the population that was extended access to improved sanitation in the reporting period” were included in the category of process indicators. At times, this meant reformulating a commonly available indicator (in the latter case an MDG indicator), and/or requiring some additional estimation on the basic information of the indicator.

### **Outcome indicators**

21. Outcome indicators capture attainments, individual and collective, that reflect the status of realization of human rights in a given context. It is not only a more direct measure of the realization of a human right but it also reflects the importance of the measure in the enjoyment of the right. Since it consolidates over time the impact of various underlying processes (that can be captured by one or more process indicators), an outcome indicator is often a slow-moving indicator, less sensitive to capturing momentary changes than a process indicator would be.<sup>13</sup> For example, life expectancy or mortality indicators could be a function of immunization of the population, education or public health awareness, as well as of availability of, and access of individuals to, adequate nutrition. It is therefore instructive to view the process and outcome indicators as “flow” and “stock” variables, respectively,<sup>14</sup> with a caveat that often more than one

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<sup>13</sup> There is some similarity in process and outcome indicators which comes from the fact that any process can either be measured in terms of the inputs going into a process or alternately in terms of the immediate outputs or outcomes that the process generates. Thus, a process indicator on the coverage of immunization among children can be measured in terms of the public resources or expenditure going into immunization programme (which is the input variant) or in terms of the proportion of children covered under the programme (which is an outcome or impact variant). In terms of the definition outlined in this note, both these indicators are process indicators. They contribute to lowering child mortality, which is an outcome indicator as it captures the consolidated impact of the immunization programme over a period of time and it can be more directly related to the realisation of the right to health attribute on the child mortality and health care. It is desirable that the process indicator be measured in terms of the physical milestone that it generates rather than in terms of the resources that go into the concerned process. This is because experience across countries and across regions within the same country reveals that there is no monotonic relationship between public expenditure and the physical outcome that such expenditure generates. The physical outcome is a function of resources and other institutional and non-institutional factors that vary from place to place and thereby make it difficult to interpret indicators on public expenditure. For instance, it is possible that a lower per capita public expenditure produces better outcomes in one region in comparison to another region within the same country.

<sup>14</sup> A stock variable is a variable measurable at one particular time (for example, the number of persons in detention at the end of the reporting period), whereas a flow variable is a variable measured over a prolonged amount of time (for example, the number of entries into detention during the reporting period).

process may be responsible for the same outcome and on other occasions the same process may be impacting more than one outcome.

22. It is important to note that process and outcome indicators may not be mutually exclusive. It is possible that a process indicator for one human right can be an outcome indicator in the context of another right. The guiding concern being that, for each right or rather attribute of a right, it is important to identify at least one outcome indicator that can be closely related to the realization or enjoyment of that right or attribute. The process indicators are identified in a manner that they reflect the effort of the duty-holders in meeting or making progress in attaining the identified outcome. Having said this, there is an attempt in the list of illustrative indicators (see annex I) to use a consistent approach to differentiate process indicators from outcome indicators.

### **Additional common indicators**

23. The illustrative list of indicators has to be seen in the context of some background information that each State party to the international treaties is expected to provide as a part of their general reporting guidelines.<sup>15</sup> This background information, reflected through appropriate indicators, is expected to cover population and general demographic trends, the social and economic situation, the civil and political situation, and general information on the administration of justice and the rule of law. In addition, it is envisaged that information on certain structural indicators such as the proportion of international human rights instruments ratified by the State (from a list of selected human rights treaties, protocols, relevant articles, ILO conventions, etc.), the existence of a domestic bill of rights in the Constitution or other forms of superior law, the type of accreditation of national human rights institution by the rules of procedure of the International Coordinating Committee of National Institutions, and the number of non-governmental organizations and other personnel (employees and volunteers) formally involved in the protection of human rights at domestic level is relevant for monitoring the implementation of all human rights. Hence this information needs to be reflected in the preamble to the tables on the illustrative indicators. Some of these indicators have been reflected in the 12 tables to make them self-explicatory.

### **Some other consideration in indicators selection**

24. In general, for all indicators it is essential to seek disaggregated data on the human rights situation of vulnerable and marginalized population groups vis-à-vis the rest of the population.<sup>16</sup>

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<sup>15</sup> See, Compilation of Guidelines on the form and content of reports to be submitted by States Parties to the International Human Rights treaties (HRI/GEN/2/Rev.2).

<sup>16</sup> General Comment No. 19 of the Committee on Economic, Social and Cultural Rights sets out an exhaustive listing of grounds for non-discrimination, which may require disaggregation of data, if feasible. Thus, it argues (para. 29, E/C.12/GC/19) for prohibiting any discrimination, whether in law or in fact, whether direct or indirect, on the grounds of race, colour, sex, age, language, religion, political or other opinion, national or social origin, property, birth, physical or mental disability, health status (including HIV/AIDS), sexual orientation, and civil, political or

A second consideration, related to the principle of the indivisibility of human rights, makes it necessary to look at indicators in their totality across all rights and not merely in terms of sectoral frameworks anchored in the normative content of the specific human rights. This is notwithstanding the fact that, in the course of identifying indicators, for instance for the right to life, it may be necessary to identify indicators on the health attribute of that right within the confines of its normative content and not in the light of the normative content of the right to health. At the same time, some aspects related to the right of an individual to control one's health and body may have to be elaborated in indicators on the right not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment, and not in the context of the right to health, both for analytical convenience and overall manageability of the number of indicators. Ultimately, at the level of a convention or in the context of theme-based assessment of human rights (e.g. violence against women, rights in early childhood), one may need to rationalize the list of indicators in view of the need to respect the principle of indivisibility and interdependence.

25. In certain instances, as in case of the right to health, it may not be possible to have outcome indicators exclusively dependent on efforts within the framework of State obligations under the right to health. However, it may still be worthwhile to include such indicators because of their importance to the realization of that right and to facilitate priority-setting and targeting of effort. There is also the consideration that selection of all indicators has to be guided by the empirical evidence on the use of those indicators. If identified indicators do not fare well on the criteria of empirical relevance, they will not be useful as monitoring tools. An important consideration in this regard has been to put the selected indicators on a technically rigorous foundation. Accordingly, meta-data sheets highlighting key information on identified indicators, including terminology and common name of the indicator, standard international or national definition, data sources, availability, level of disaggregation and information on other related and proxy indicators are being prepared. A sample set of these meta-data sheets is annexed to this report.

26. It is important to note that a generic formulation was adopted for the indicators reflected in the tables (annex I). Where applicable, an alternative or a more specific formulation that may be relevant to only certain contexts, like the developing countries or the developed countries, has been indicated in the relevant meta-data sheet for the concerned indicator. Similarly, a general terminology of "target group" was adopted to refer to specific population groups, like women, children, ethnic or religious minorities or vulnerable and marginal segments of the population, which may require a focused attention in keeping with the country context. Finally, while putting together the illustrative tables, care was taken to highlight the role of the primary duty-holder in the implementation of the right concerned. In this context, besides indicators that reflect the scope and recourse to judicial remedy, the framework identifies indicators on potential role of non-judicial (administrative), judicial and quasi-judicial (e.g. national human rights institutions) actors in implementing human rights. Attempt was also made to identify, through suitable structural and process indicators, the role of non-governmental organizations and international cooperation in furthering the implementation of human rights.

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other status, which has the intention or effect of nullifying or impairing the equal enjoyment or exercise of human rights.

### III. VALIDATION AND FEEDBACK ON THE WORK

27. In undertaking this work, OHCHR had set up an informal expert group with part of its membership changing as per the requirements of the agenda for the consultations. This expert group peer reviewed all proposals made by the secretariat on the concept, methodology, the choice of illustrative indicators, as well as the process for validating the results at country level. The expert group met five times over the last three years.<sup>17</sup> It brought together experts and practitioners working on indicators for human rights assessments, including from academia, international agencies, non-governmental organizations, human rights treaty bodies as well as special procedures mandate-holders. This was done with a view to developing a common understanding of the conceptual and methodological approach to identifying indicators for monitoring compliance with international human rights instruments and benefit from each other's expertise and experience. Experts from a number of international organizations participated in these consultations or were consulted. These included the World Health Organization (WHO), UN-Habitat, UNESCO, the United Nations Economic Commission for Europe (UNECE) statistical division, the Food and Agriculture Organization of the United Nations (FAO), the World Bank, the United Nations Office on Drugs and Crime (UNODC), and more recently, the International Labour Organization (ILO) and the United Nations Statistics Division (UNSD).

28. A number of workshops were organized with a view to consulting and validating the work undertaken with country-level stakeholders. It included participants from national human rights institutions, policy makers and agencies responsible for treaty reporting or with implementation mandates related to specific rights, statistical agencies responsible for data collection and dissemination, non-governmental organizations and staff from United Nations country teams.

29. OHCHR collaborated with FAO to validate illustrative indicators on the right to adequate food in country-level consultations at regional workshops in Uganda (October 2006) and Guatemala (December 2006). As part of follow-up workshops on the implementation of treaty bodies' concluding observations at the national level, a module on illustrative indicators on the right to health and the right to judicial review of detention was presented in a workshop in Uganda in November 2006. In 2007, OHCHR organized sub-regional validation workshops in Asia (New Delhi, July 2007) and Africa (Kampala, October 2007).<sup>18</sup> In addition, the work on indicators was shared in an international workshop in Brazil (Sao Paulo, June 2007), a Latin American regional workshop in Chile (Santiago, June 2007) and a national level consultation in Rio de Janeiro (December 2007). The work was also shared with the Paris 21 (Partnership in statistics for development in the 21st century) Metagora initiative; at an

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<sup>17</sup> The consultations were held in Geneva in August 2005, March 2006, December 2006, December 2007 and April 2008.

<sup>18</sup> Participants to the sub-regional workshop in New Delhi were from Afghanistan, Bangladesh, Bhutan, India, Indonesia, the Islamic Republic of Iran, Malaysia, Maldives, Nepal, Pakistan, Philippines, Sri Lanka and the Asia Pacific Forum. In Kampala, participants were from Burundi, Ethiopia, Kenya, Rwanda, Somalia, Sudan, Uganda and the United Republic of Tanzania.

international conference on human rights impact assessment (The Netherlands, November 2006), with Canadian International Development Agency-organized consultations in Canada (Ottawa, March 2006 and May 2007), with the Organization for Economic Cooperation and Development (Dublin, April 2007) and at the ninth European Union NGO Forum, organized under the presidency of Portugal (Lisbon, December 2007).

30. During 2007-08, briefings were organized for the Committee on Economic Social and Cultural Rights, the Committee against Torture, the Committee on the Rights of a Child, the Committee on the Elimination of Racial Discrimination, the Human Rights Committee and the Committee on Migrant Workers. It is expected that, in the coming months, additional briefings will be organized for the treaty bodies. Provisions have also been made to have a consultation involving other stakeholders and United Nations organizations before going into the next stage of this work.

31. Based on the feedback received from the participants at these consultations there has been a continuous attempt at refining the framework and improving the selection of illustrative indicators. The stakeholders consulted at country level were very supportive of the work. The relevance of the adopted framework and the identified indicators were repeatedly emphasized. The participatory methodology adopted for the workshop sessions helped in overcoming the initial scepticism that was expressed by some of the participants at the beginning of the workshop regarding the apparent complexity of the conceptual framework adopted for the work on human rights indicators. Participants appreciated the working sessions wherein they were requested to identify, first, the main content or characteristic attributes of the rights considered. Secondly, participants identified contextually relevant indicators on the attributes of the rights, to capture aspects of commitments and efforts on part of the States parties, as well as outcomes of those efforts. This enabled an assessment of the implementation of human rights obligations of the duty-bearer(s) in the realization of these rights in the respective countries. The result of this exercise was a striking consistency between the attributes and indicators identified by the participants for the rights concerned and the tables prepared by OHCHR (tables that were circulated to the participants only at the end of each working session) and helped, thereby, in validating the OHCHR framework and the list of illustrative indicators.

32. The participants at the various workshops endorsed the conceptual and methodological framework presented at the workshop. They highlighted the practicality and transparency of the approach in unpackaging the normative content of the rights. The illustrative indicators were seen as concrete tools to promote accountability and appropriate policy response from the duty-bearers in furthering the implementation of human rights. The majority of indicators identified to assess the implementation of the rights, derived primarily from administrative records, were considered as being generally available, although occasionally lacking sufficient coverage. The application of the human rights indicators framework and its value added to the Millennium Development Goals (MDGs) was recognized and welcomed by the participants, who underlined a certain arbitrariness in the choice of MDG indicators, the insensitivity of the corresponding targets and indicators to capture contextual concerns, the fixation with averages rather than inequality or distribution adjusted indicators and a general lack of attention to strategies and the processes for meeting the targets.



33. The need to further simplify the conceptual framework, or more specifically to improve its communication and accessibility so that it can be appreciated by a wider audience of human rights stakeholders, including human rights, development and statistical practitioners, was underlined during the consultations. In this context the proposal to develop a user's manual and a tool-kit for use of the stakeholders at country level found an across the board support. Interests were expressed by several participants to organize follow-up country-specific events, including workshops or training courses.

#### **Some considerations in taking this work forward at country level**

34. During consultations, an issue that was raised by stakeholders more than once related to the nature of the process envisaged for applying and developing this work further at the country level. And whether the indicators identified in the context of this work for the treaty bodies could also help in building and refining the methodology for undertaking rights-based monitoring.

35. Rights-based monitoring (RBM) is not divorced from other existing monitoring approaches such as those followed by any administrative agency at national or sub-national level to monitor, for instance, agricultural production and food security, or administration of justice, or even project level outcomes and impacts. It, however, necessitates a certain institutional arrangement for collection of information and a focus on specific data that embodies and reflects realization of human rights for the most vulnerable and marginalized population groups, referred to as target groups in the context of this work. A shift in focus from national averages to status of target groups, ideally going down to the individual level, permits an assessment of the extent of discrimination or lack of equality or even violation of the right for some - a principal concern in monitoring the realization of human rights. This, however, does not mean that RBM is all about disaggregated information and indicators. Indeed, RBM requires use of an appropriate set of indicators that are explicitly embedded in the human rights normative framework, as tools to facilitate a credible assessment of the realization of human rights. It is the objective of the work undertaken by OHCHR for the treaty bodies to identify relevant quantitative indicators that could be used in undertaking human rights assessments. To that extent this work can help build and strengthen a rights-based approach to monitoring in general.

36. It is essential that the RBM process be country-owned and implemented, and is sufficiently decentralized as well as inclusive for the different stakeholders to reflect their concerns. In setting up an RBM at the country level or strengthening an existing mechanism to monitor the realization of a particular human right, one can identify, among others, the following considerations.

#### **A. Identification of monitoring stakeholders**

37. As a first step, it would be necessary to identify the various institutional and non-institutional stakeholders who would be contributing to the monitoring process either as information providers, or as independent interpreters of the available information, or as the ultimate users of that information for articulating their claims and monitoring the realization of human rights. This may involve, inter alia, the national human rights institution (NHRI), the administrative agencies including the relevant line ministries as data providers, relevant

non-governmental organizations engaged in monitoring human rights, consumer groups, other social groups, including parliamentary committees and claim-holders at large. Once the monitoring stakeholders have been identified at the country level, it would be necessary to bring them together in a participatory process where their respective competencies and perspectives, based on complementarities in objectives (such as a focus on different aspects of the right) and methods of information collection, contribute to the monitoring process. An important element of this process is the identification of an independent institution that takes a lead in interpreting the available information from a human rights perspective and perhaps also coordinating the assessment of other partners. It could well be a NHRI or human rights non-governmental organization. This would facilitate the creation of a country-owned monitoring mechanism.

### **B. Identification of major vulnerable groups**

38. It is possible that one could identify different segments of the population as target groups who are vulnerable on different attributes or elements of the core content of a specific human right. For instance, considering the right to adequate food, in some cases children could be more likely to suffer from dietary inadequacy or malnutrition, whereas a working or migrant population may be more vulnerable to food safety and consumer protection issues. Thus, in each country, it would be desirable to assess the population groups and regions for identifying the target groups. The process of identifying the target groups using appropriate criteria also has to be based on cross-cutting human rights norms and principles of participation and transparency, allowing for potential self-identification by individuals, if required. This would yield the target group for RBM and, at the same time, help in assessing the disaggregation requirement of information for the identified indicators.

### **C. Focus on non-discrimination and accessibility indicators**

39. Given that human rights are universal and inalienable, it is imperative in the context of undertaking RBM that special attention be given to indicators that capture the extent to which discrimination of individuals and population groups influences the level of realization of their human rights. Thus, the notion of “accessibility” as against mere “availability” has a particular importance in the human rights framework and in the context of RBM. Accordingly, in undertaking RBM or human rights assessments it is necessary to identify relevant information on discrimination and tailor the data-generating mechanisms to collect, compile and present such information as appropriate indicators.

### **D. Reporting periodicity, publication, access to information and follow-up**

40. Given that the realization of human rights is not a one time event, both protection and promotion of human rights have to be continuously pursued, it would be necessary to have information to monitor the concerned human right, at least, at different points of time or ideally through an appropriate time-series of observations. This would facilitate monitoring of the progressive realization of the right and the incidence of violation of the right over time. An RBM mechanism also requires access of all stakeholders, in particular the claim-holders, to available information and data relevant to the enjoyment of human rights. This necessitates a framework with a schedule of publication and dissemination of relevant information. As a follow-up to the monitoring process, it also implies a framework that enables use of available information as an

advocacy tool - to raise awareness on entitlements and duties, help in better articulation of claims by the rights holders and in monitoring the progress in discharge of obligations by duty bearers.

#### IV. CONCLUSIONS

41. This report has tried to summarize the main elements of a conceptual and methodological framework developed over the last three year through a structured consultation process involving a number of experts and human rights practitioners at the international and national levels. Crucially, the report presents a list of illustrative indicators for 12 human rights and the approach to the selection and contextualization of indicator with a view to encourage the application of the work at country level and in the treaty bodies. It also presents examples of meta-data sheets for some identified indicators.

42. There are several features of the conceptual and methodological framework that has been adopted to elaborate indicators for different human rights. First of all, it follows a common approach to identify indicators for promoting and monitoring civil and political rights, and economic, social and cultural rights, thereby strengthening the notion of the indivisibility and interdependence of human rights. Secondly, the framework comprehensively translates the narrative on the normative content of human rights (starting with the related provisions of international human rights instruments and general comments by treaty bodies) into a few characteristic attributes and a configuration of structural, process and outcome indicators. The identified indicators bring to the fore an assessment of steps taken by the State party in addressing its obligations - from commitment to international human rights standards (structural indicators) to efforts being undertaken by the primary duty-bearer, the State, to meet the obligations that flow from the standards (process indicators) and on to the results of those efforts from the perspective of rights-holders (outcome indicators).

43. Thirdly, the framework facilitates an identification of contextually meaningful indicators for universally accepted human rights standards. It seeks neither to prepare a common list of indicators to be applied across all countries irrespective of their social, political and economic development, nor to make a case for building a global measure for cross-country comparisons on the realization of human rights. Rather it enables the potential users to make an informed choice on the type and level of indicator disaggregation that best reflects their contextual requirements for implementing human rights or just some of the attributes of a right, while recognizing the full scope of obligations on the relevant human right standards. Indeed, the framework allows a balance between the use of a core set of human rights indicators that may be universally relevant and at the same time retain the flexibility of a more detailed and focused assessment on certain attributes of the relevant human rights, depending on the requirements of a particular situation.

44. Fourthly, the framework focuses on two categories of indicators and data-generating mechanisms: (a) indicators that are or can be compiled by official statistical systems using statistical surveys and administrative records; and (b) indicators or standardized information more generally compiled by non-governmental sources and human rights organizations focusing on alleged violations reported by victims, witnesses or NGOs. The intention being to explore and exhaust the use of commonly available information, particularly from objective data sets, for tracking human rights implementation. Finally, the framework focuses primarily on quantitative and some qualitative indicators, to support a transparent assessment of the implementation of

human rights. Efforts have been made to keep the identified indicators simple, based on standardized methodology for data collection and, to the extent feasible, with an emphasis on disaggregation of information by prohibited grounds of discrimination and by vulnerable or marginalized population groups, who have to be the target for public support in furthering the realization of human rights.

45. Discussions with the potential users of this work, in particular the country-level stakeholders, has highlighted considerable unmet demand for appropriate resource materials, including a users' manual and other tool-kits on the application of quantitative information in supporting the implementation of the human rights obligations of States parties. This work undertaken by OHCHR for the treaty bodies could potentially meet a large part of this demand and help stakeholders in promoting and protecting human rights at the country level. While there is a need to further validate and pilot this work, especially among users who are as yet not fully informed of this initiative, it would be desirable for the ICM to consider ways and means to help improve dissemination of the results of this work. It would facilitate the work of treaty bodies in monitoring the implementation human rights.

**ANNEXES**

**Annex I**

**LISTS OF ILLUSTRATIVE INDICATORS**

**List of illustrative indicators on the right to life (UDHR, Art. 3) (\* MDG related indicators)**

	<b>Arbitrary Deprivation of life</b>	<b>Disappearances of Individuals</b>	<b>Health and Nutrition</b>	<b>Death Penalty</b>
<b>Structural</b>	<ul style="list-style-type: none"> <li>International human rights treaties, relevant to the right to life, ratified by the State</li> <li>Date of entry into force and coverage of the right to life in the Constitution or other forms of superior law</li> <li>Date of entry into force and coverage of domestic laws for implementing the right to life</li> </ul>			
	<ul style="list-style-type: none"> <li>Date of entry into force and coverage of formal procedure governing inspection of police cells, detention centres and prisons by independent inspection agencies</li> </ul>	<ul style="list-style-type: none"> <li>Date of entry into force and coverage of <i>habeas corpus</i> provision in the Constitution</li> </ul>	<ul style="list-style-type: none"> <li>Time frame and coverage of national policy on health and nutrition</li> </ul>	<ul style="list-style-type: none"> <li>Number of sub-national administrative entities that have abolished death penalty</li> </ul>
<b>Process</b>	<ul style="list-style-type: none"> <li>Proportion of received complaints on the right to life investigated and adjudicated by the national human rights institution, human rights ombudsperson or other mechanisms and the proportion of these responded to effectively by the government</li> <li>Type of accreditation of National Human Rights Institutions by the rules of procedure of the International Coordinating Committee of National Institutions</li> </ul>			
	<ul style="list-style-type: none"> <li>Proportion of communications sent by the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions responded to effectively by the government in the reporting period</li> <li>Proportion of law enforcement officials (including police, military and State security force) trained in rules of conduct concerning proportional use of force, arrest, detention, interrogation or punishment</li> <li>Proportion of law enforcement officials formally investigated for physical or non-physical abuse or crime that caused death or threatened life in the reporting period</li> <li>Proportion of formal investigations of law enforcement officials resulting in disciplinary actions or prosecution in the reporting period</li> <li>Proportion of identified perpetrators of reported cases of arbitrary deprivation of life pursued, arrested, adjudicated, convicted or serving sentence in the reporting period</li> </ul>	<ul style="list-style-type: none"> <li>Proportion of communications sent by the UN Working Group on Enforced or Involuntary Disappearances responded to effectively by the government in the reporting period</li> <li>Proportion of cases where pre-trial detention (before being brought before a court) exceeded the legally stipulated time limit in the reporting period</li> <li>Number of <i>habeas corpus</i> and similar petitions filed in courts in the reporting period</li> <li>Proportion of identified perpetrators of reported cases of disappearances pursued, arrested, adjudicated, convicted or serving sentence in the reporting period</li> </ul>	<ul style="list-style-type: none"> <li>Proportion of population using an improved drinking water source*</li> <li>Proportion of births attended by skilled health personnel*</li> <li>Proportion of population below minimum level of dietary energy consumption*</li> <li>Proportion of targeted population covered under public nutrition supplement programmes</li> <li>Proportion of population using an improved sanitation facility*</li> <li>Proportion of one-year-old immunised against vaccine-preventable diseases (e.g. measles*)</li> <li>Proportion of disease cases detected and cured (e.g. tuberculosis* )</li> </ul>	<ul style="list-style-type: none"> <li>Number of convicted persons on death row in the reporting period</li> <li>Average time spent by convicted persons on death row</li> <li>Proportion of accused persons facing capital punishment provided with access to a counsellor or legal aid</li> <li>Proportion of convicted persons facing capital punishment exercising the right to have their sentence reviewed by a higher court</li> <li>Reported cases of expulsion or imminent expulsion of persons to a country where they may face death penalty</li> </ul>
<b>Outcome</b>	<ul style="list-style-type: none"> <li>Number of homicides and life threatening crimes, per 100,000 population</li> <li>Number of deaths in custody per 1,000 detained or imprisoned persons, by cause of death (e.g. illness, suicide, homicide)</li> <li>Reported cases of arbitrary deprivation of life (e.g. as reported to the UN Special Rapporteur on Extrajudicial, summary or arbitrary executions)</li> </ul>	<ul style="list-style-type: none"> <li>Reported cases of disappearances (e.g. as reported to the UN Working Group on Enforced or Involuntary Disappearances)</li> <li>Proportion of cases of disappearance clarified, by status of person at the date of clarification (at liberty, in detention or dead).</li> </ul>	<ul style="list-style-type: none"> <li>Infant and under-five mortality rates*</li> <li>Life expectancy at birth or age 1</li> <li>Prevalence of and death rates associated with communicable and non-communicable diseases (e.g. HIV/AIDS, malaria* and tuberculosis*)</li> </ul>	<ul style="list-style-type: none"> <li>Proportion of death penalty sentences commuted</li> <li>Number of executions (under death penalty)</li> </ul>
24.4.08	<i>All indicators should be disaggregated by prohibited grounds of discrimination, as applicable and reflected in metasheets</i>			

**List of illustrative indicators on the right to liberty and security of person (UDHR, Art. 3)**

	<b>Arrest and detention based on criminal charges</b>	<b>Administrative deprivation of liberty</b>	<b>Effective review by court</b>	<b>Security from crime and abuse by law enforcement officials</b>
<b>Structural</b>	<ul style="list-style-type: none"> <li>• International human rights treaties, relevant to the right to liberty and security of person, ratified by the State</li> <li>• Date of entry into force and coverage of the right to liberty and security of person in the Constitution or other forms of superior law</li> <li>• Date of entry into force and coverage of domestic laws for implementing the right to liberty and security of person</li> <li>• Time frame and coverage of policy and administrative framework against any arbitrary deprivations of liberty, whether based on criminal charges, sentences or decisions by a court or administrative grounds (e.g. immigration, mental illness, educational purposes, vagrancy)</li> <li>• Type of accreditation of National Human Rights Institutions by the rules of procedure of the International Coordinating Committee of National Institutions</li> </ul>			
	<ul style="list-style-type: none"> <li>• Legal time limits for an arrested or detained person before being informed of the reasons for the arrest or detention; before being brought to or having the case reviewed by an authority exercising judicial power; and for the trial duration of a person in detention</li> </ul>	<ul style="list-style-type: none"> <li>• Time frame and coverage of policy and administrative framework on security, handling of criminality and abuses by law enforcement officials</li> </ul>		
<b>Process</b>	<ul style="list-style-type: none"> <li>• Proportion of received complaints on the right to liberty and security of person investigated and adjudicated by the national human rights institution, human rights ombudsperson or other mechanisms and the proportion of these responded to effectively by the government</li> <li>• Proportion of communications sent by the UN Working Group on Arbitrary Detention responded to effectively by the government</li> <li>• Proportion of law enforcement officials (including police, military and State security force) trained in rules of conduct concerning proportional use of force, arrest, detention, interrogation or punishment</li> </ul>			
	<ul style="list-style-type: none"> <li>• Number/proportion of arrests or entries into detention (pre- and pending trial) on the basis of a court order or due to action taken directly by executive authorities in the reporting period</li> <li>• Number/proportion of defendants released from pre- and trial detentions in exchange for bail or due to non-filing of charges in the reporting period</li> </ul>	<ul style="list-style-type: none"> <li>• Number/proportion of arrests or entries into detention under national administrative provisions (e.g. security, immigration control, mental illness and other medical grounds, drug addiction, financial obligations) in the reporting period</li> <li>• Number/proportion of releases from administrative detentions in the reporting period</li> </ul>	<ul style="list-style-type: none"> <li>• Proportion of cases where the time for arrested or detained persons before being informed of the reasons of arrest; before receiving notice of the charge (in a legal sense); or before being informed of the reasons of administrative detention exceeded the respective legally stipulated time limit</li> <li>• Number of <i>habeas corpus</i> and similar petitions filed in courts in the reporting period</li> <li>• Proportion of bail applications accepted by the court in the reporting period</li> <li>• Proportion of arrested or detained persons provided with access to a counsellor or legal aid</li> <li>• Proportion of cases subject to review by a higher court or appellate body</li> <li>• Reported cases where pre- and trial detentions exceeded the legally stipulated time limit in the reporting period</li> </ul>	<ul style="list-style-type: none"> <li>• Proportion of law enforcement officials formally investigated for physical and non-physical abuse or crime, including arbitrary arrest and detention (based on criminal or administrative grounds) in the reporting period</li> <li>• Proportion of formal investigations of law enforcement officials resulting in disciplinary actions or prosecution in the reporting period</li> <li>• Number of persons arrested, adjudicated, convicted or serving sentence for violent crime (including homicide, rape, assault) per 100,000 population in the reporting period</li> <li>• Proportion of law enforcement officials killed in line of duty in the reporting period</li> <li>• Firearms owners per 100,000 population / Number of firearms licences withdrawn in the reporting period</li> <li>• Proportion of violent crimes with the use of firearms</li> <li>• Proportion of violent crimes reported to the police (victimisation survey) in the reporting period</li> </ul>
<b>Outcome</b>	<ul style="list-style-type: none"> <li>• Number of detentions per 100,000 population, on the basis of a court order or due to action by executive authorities at the end of the reporting period</li> <li>• Reported cases of arbitrary detentions, including post-trial detentions (e.g. as reported to the UN Working Group on Arbitrary Detention) in the reporting period</li> </ul>	<ul style="list-style-type: none"> <li>• Proportion of arrests and detentions declared unlawful by national courts</li> <li>• Proportion of victims released and compensated after arrests or detentions declared unlawful by judicial authority</li> </ul>		<ul style="list-style-type: none"> <li>• Proportion of population feeling 'unsafe', (e.g. walking alone in area after dark or alone at home at night)</li> <li>• Incidence and prevalence of physical and non-physical abuse or crime, including by law enforcement officials in line of duty, per 100,000 population, in the reporting period</li> </ul>
24.04.08	<i>All indicators should be disaggregated by prohibited grounds of discrimination, as applicable and reflected in metasheets</i>			

**List of illustrative indicators on the right to adequate food (UDHR, Art. 25) (\* MDG related indicators)**

	<b>Nutrition</b>	<b>Food Safety and Consumer Protection</b>	<b>Food Availability</b>	<b>Food Accessibility</b>
<b>Structural</b>	<ul style="list-style-type: none"> <li>• International human rights treaties, relevant to the right to adequate food, ratified by the State</li> <li>• Date of entry into force and coverage of the right to adequate food in the Constitution or other forms of superior law</li> <li>• Date of entry into force and coverage of domestic laws for implementing the right to adequate food</li> <li>• Number of registered and/or active non-governmental organizations (per 100,000 persons) involved in the promotion and protection of the right to adequate food</li> </ul>			
	<ul style="list-style-type: none"> <li>• Time frame and coverage of national policy on nutrition and nutrition adequacy norms</li> </ul>	<ul style="list-style-type: none"> <li>• Time frame and coverage of national policy on food safety and consumer protection</li> <li>• Number of registered and/or active civil society organisations working in the area of food safety and consumer protection</li> </ul>	<ul style="list-style-type: none"> <li>• Time frame and coverage of national policy on agricultural production and food availability</li> <li>• Time frame and coverage of national policy on drought, crop failure and disaster management</li> </ul>	
<b>Process</b>	<ul style="list-style-type: none"> <li>• Proportion of received complaints on the right to adequate food investigated and adjudicated by the national human rights institution, human rights ombudsperson or other mechanisms and the proportion of these responded to effectively by the government</li> <li>• Net official development assistance (ODA) for food security received or provided as a proportion of public expenditure on food security or Gross National Income</li> </ul>			
	<ul style="list-style-type: none"> <li>• Proportion of targeted population that was brought above the minimum level of dietary energy consumption* in the reporting period</li> <li>• Proportion of targeted population covered under public nutrition supplement programmes</li> <li>• Coverage of targeted population under public programmes on nutrition education and awareness</li> <li>• Proportion of targeted population that was extended access to an improved drinking water source* in the reporting period</li> </ul>	<ul style="list-style-type: none"> <li>• Disposal rate or average time to adjudicate a case registered in a consumer court</li> <li>• Share of public social sector budget spent on food safety and consumer protection advocacy, education, research and implementation of law and regulations relevant to the right</li> <li>• Proportion of food producing and distributing establishments inspected for food quality standards and frequency of inspections</li> <li>• Proportion of cases adjudicated under food safety and consumer protection law in the reporting period</li> </ul>	<ul style="list-style-type: none"> <li>• Proportion of female headed households or targeted population with legal title to agricultural land</li> <li>• Arable irrigated land per person</li> <li>• Proportion of farmers availing extension services</li> <li>• Share of public budget spent on strengthening domestic agricultural production (e.g. agriculture-extension, irrigation, credit, marketing)</li> <li>• Proportion of per capita availability of major food items sourced through domestic production, import &amp; food-aid</li> <li>• Cereal import dependency ratio in the reporting period</li> </ul>	<ul style="list-style-type: none"> <li>• Share of household consumption of major food items for targeted population group met through publicly assisted programmes</li> <li>• Unemployment rate or average wage rate of targeted segments of labour force</li> <li>• Proportion of targeted population that was brought above the poverty line in the reporting period</li> <li>• Work participation rates, by sex and target groups</li> <li>• Estimated access of women and girls to adequate food within household</li> <li>• Coverage of programmes to secure access to productive resources for target groups</li> </ul>
<b>Outcome</b>	<ul style="list-style-type: none"> <li>• Prevalence of underweight and stunting children under-five years of age*</li> <li>• Proportion of adults with body-mass index (BMI) &lt;18.5</li> </ul>	<ul style="list-style-type: none"> <li>• Number of recorded deaths and incidence of food poisoning related to adulterated food</li> </ul>	<ul style="list-style-type: none"> <li>• Per capita availability of major food items of local consumption</li> </ul>	<ul style="list-style-type: none"> <li>• Proportion of population below minimum level of dietary energy consumption* / proportion of undernourished population</li> <li>• Average household expenditure on food for the bottom three deciles of population or targeted population</li> </ul>
	<ul style="list-style-type: none"> <li>• Death rates, including infant and under-five mortality rates, associated with and prevalence of malnutrition (including under-, overnutrition and inadequate intake of nutrients)</li> </ul>			
24.4.08	<i>All indicators should be disaggregated by prohibited grounds of discrimination, as applicable and reflected in metasheets</i>			



**List of illustrative indicators on the right to enjoyment of the highest attainable standard of physical and mental health (UDHR, Art. 25) (\* MDG related indicators)**

	<b>Sexual and reproductive health</b>	<b>Child mortality and health care</b>	<b>Natural and occupational environment</b>	<b>Prevention, treatment and control of diseases</b>	<b>Accessibility to health facilities and essential medicines</b>
<b>Structural</b>	<ul style="list-style-type: none"> <li>• International human rights treaties, relevant to the right to enjoyment of the highest attainable standard of physical and mental health (right to health), ratified by the State</li> <li>• Date of entry into force and coverage of the right to health in the Constitution or other forms of superior law</li> <li>• Date of entry into force and coverage of domestic laws for implementing the right to health, including a law prohibiting female genital mutilation</li> <li>• Number of registered and/or active non-governmental organizations (per 100,000 persons) involved in the promotion and protection of the right to health</li> <li>• Estimated proportions of births, deaths and marriages recorded through vital registration system</li> </ul>				
	<ul style="list-style-type: none"> <li>• Time frame and coverage of national policy on sexual and reproductive health</li> <li>• Time frame and coverage of national policy on abortion and foetal sex-determination</li> </ul>	<ul style="list-style-type: none"> <li>• Time frame and coverage of national policy on child health and nutrition</li> </ul>	<ul style="list-style-type: none"> <li>• Time frame and coverage of national policy on physical and mental health,</li> <li>• Time frame and coverage of national policy for persons with disabilities</li> <li>• Time frame and coverage of national policy on medicines, including list of essential medicines, measures for generic substitution</li> </ul>		
<b>Process</b>	<ul style="list-style-type: none"> <li>• Proportion of received complaints on the right to health investigated and adjudicated by the national human rights institution, human rights ombudsperson or other mechanisms and the proportion of these responded to effectively by the government</li> <li>• Net official development assistance (ODA) for the promotion of health sector received or provided as a proportion of public expenditure on health or Gross National Income*</li> </ul>				
	<ul style="list-style-type: none"> <li>• Proportion of births attended by skilled health personnel*</li> <li>• Antenatal care coverage (at least one visit and at least four visits)*</li> <li>• Increase in proportion of women of reproductive age using, or whose partner is using, contraception (CPR)*</li> <li>• Unmet need for family planning*</li> <li>• Medical terminations of pregnancy as a proportion of live births</li> <li>• Proportion of reported cases of genital mutilation, rape and other violence restricting women's sexual and reproductive freedom responded to effectively by the government</li> </ul>	<ul style="list-style-type: none"> <li>• Proportion of school-going children educated on health and nutrition issues</li> <li>• Proportion of children covered under programme for regular medical check-ups in the reporting period</li> <li>• Proportion of infants exclusively breastfed during the first 6 months</li> <li>• Proportion of children covered under public nutrition supplement programmes</li> <li>• Proportion of children immunised against vaccine-preventable diseases (e.g. measles*)</li> </ul>	<ul style="list-style-type: none"> <li>• Proportion of targeted population that was extended access to an improved drinking water source*</li> <li>• Proportion of targeted population that was extended access to improved sanitation*</li> <li>• CO2 emissions per capita *</li> <li>• Number of cases of deterioration of water sources brought to justice</li> <li>• Proportion of population or households living or working in or near hazardous conditions rehabilitated</li> <li>• Number of prosecutions under domestic law on natural or workplace environment</li> <li>• Proportion of driving licences withdrawn for breaches of road rules</li> </ul>	<ul style="list-style-type: none"> <li>• Proportion of population covered under awareness raising programmes on transmission of diseases (e.g. HIV/AIDS*)</li> <li>• Proportion of population (above age 1) immunised against vaccine-preventable diseases</li> <li>• Proportion of population applying effective preventive measures against diseases (e.g. HIV/AIDS, malaria*)</li> <li>• Proportion of disease cases detected and cured (e.g. tuberculosis*)</li> <li>• Proportion of population abusing substances, such as drug, chemical and psychoactive substance, brought under specialised treatment</li> <li>• Proportion of mental health facilities inspected in the reporting period</li> </ul>	<ul style="list-style-type: none"> <li>• Per capita government expenditure on primary health care and medicines</li> <li>• (Improvement in) Density of medical and para-medical personnel, hospital beds and other primary health care facilities</li> <li>• Proportion of population that was extended access to affordable health care, including essential drugs*, on a sustainable basis</li> <li>• Proportion of people covered by health insurance in reporting period</li> <li>• Proportion of persons with disabilities accessing assistive device</li> <li>• Share of public expenditure on essential medicines met through international aid</li> </ul>
<b>Outcome</b>	<ul style="list-style-type: none"> <li>• Proportion of live births with low birth-weight</li> <li>• Perinatal mortality rate</li> <li>• Maternal mortality ratio*</li> </ul>	<ul style="list-style-type: none"> <li>• Infant and under-five mortality rates*</li> <li>• Proportion of underweight children under-five years of age*</li> </ul>	<ul style="list-style-type: none"> <li>• Prevalence of deaths, injuries, diseases and disabilities caused by unsafe natural and occupational environment</li> </ul>	<ul style="list-style-type: none"> <li>• Death rate associated with and prevalence of communicable and non-communicable diseases (e.g. HIV/AIDS*, malaria*, tuberculosis*)</li> <li>• Proportion of persons abusing harmful substances</li> <li>• Life expectancy at birth or age 1 and health-adjusted life expectancy</li> <li>• Suicide rates</li> </ul>	
24.04.08	<i>All indicators should be disaggregated by prohibited grounds of discrimination, as applicable and reflected in metasheets</i>				

**List of illustrative indicators on the right not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment (UDHR, Art. 5)**

	<b>Physical and mental integrity of detained or imprisoned persons</b>	<b>Conditions of detention</b>	<b>Use of force by law enforcement officials outside detention</b>	<b>Community and domestic violence</b>
<b>Structural</b>	<ul style="list-style-type: none"> <li>International human rights treaties, relevant to the right not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment (RtnT), ratified by the State</li> <li>Date of entry into force and coverage of the RtnT in the Constitution or other forms of superior law</li> <li>Date of entry into force and coverage of domestic laws for implementing the RtnT, including code of conduct on medical trials and scientific experimentation on human beings</li> <li>Type of accreditation of National Human Rights Institution by the rules of procedure of the International Coordinating Committee of National Institutions</li> </ul>			
	<ul style="list-style-type: none"> <li>Date of entry into force of code of conduct for law enforcement officials, including on rules of conduct for interrogation of arrested, detained and imprisoned persons</li> <li>Date of entry into force and coverage of formal procedure governing inspection of police cells, detention centres and prisons by independent inspection institutions</li> <li>Legal maxima for <i>incommunicado</i> detention</li> <li>Time frame and coverage of health policy for detention centres and prisons</li> </ul>	<ul style="list-style-type: none"> <li>Date of entry into force and coverage of specific legislations on community and domestic violence</li> <li>Number of rehabilitation centres for victims of domestic violence including women, partners and children</li> </ul>		
<b>Process</b>	<ul style="list-style-type: none"> <li>Proportion of received complaints on the RtnT investigated and adjudicated by the national human rights institution, human rights ombudsperson or other mechanisms and the proportion of these responded to effectively by the government</li> <li>Proportion of communications sent by the Special Rapporteurs on torture and on violence against women responded to effectively by government in the reporting period</li> <li>Proportion of law enforcement officials (including police, military, specialised investigation agencies and custodial staff) trained in rules of conduct concerning proportional use of force, arrest, detention, interrogation or punishment</li> </ul>			
	<ul style="list-style-type: none"> <li>Proportion of detained or imprisoned persons in facilities inspected by an independent body in the reporting period</li> <li>Proportion of custodial staff formally investigated for physical and non-physical abuse or crime on detained or imprisoned persons (including torture and disproportionate use of force) in the reporting period</li> <li>Proportion of formal investigations of custodial staff resulting in disciplinary action or prosecution</li> </ul>	<ul style="list-style-type: none"> <li>Actual prisons occupancy as a proportion of prison capacity in accordance with relevant UN conventions on prison conditions</li> <li>Proportion of detained and imprisoned persons in accommodation meeting legally stipulated requirements (e.g. drinking water, cubic content of air, minimum floor space, heating)</li> <li>Number of custodial and other relevant staff per inmate</li> <li>Proportion of detention centres and prisons with facilities to segregate persons in custody (by sex, age, accused, sentenced, criminal cases, mental health, immigration related or other cases)</li> </ul>	<ul style="list-style-type: none"> <li>Proportion of law enforcement officials formally investigated for physical and non-physical abuse or crime (including torture and disproportionate use of force) in the reporting period</li> <li>Proportion of formal investigations of law enforcement officials resulting in disciplinary action or prosecution</li> <li>Proportion of arrests and other acts of apprehending persons where a firearm was discharged by law enforcement officials</li> </ul>	<ul style="list-style-type: none"> <li>Proportion of public social expenditure on campaigns to sensitise people on violence against women &amp; children (e.g. violence by intimate partners, genital mutilation, rape)</li> <li>Proportion of healthcare and community welfare professionals trained in handling domestic violence issues</li> <li>Proportion of teaching staff trained against the use of physical violence against children</li> <li>Proportion of teaching staff subjected to disciplinary action, prosecuted for physical and non-physical abuse on children</li> <li>Proportion of women reporting forms of violence (physical, sexual or psychological) against self or her children initiating legal action or seeking help from police or counselling centres</li> <li>Number of persons arrested, adjudicated, convicted or serving sentence for violent crime (including homicide, rape, assault) per 100,000 population in the reporting period</li> </ul>
<b>Outcome</b>	<ul style="list-style-type: none"> <li>Incidence and prevalence of death, physical injury and communicable and non-communicable diseases (HIV/AIDS, malaria/tuberculosis*, mental illness) in custody</li> <li>Proportion of detained or imprisoned persons held <i>incommunicado</i> or in prolonged solitary confinement</li> <li>Reported cases of inhuman methods of execution and treatment of persons sentenced to death/incarcerated in the reporting period</li> <li>Proportion of detained or imprisoned persons with body mass index &lt; 18.5</li> </ul>			
	<ul style="list-style-type: none"> <li>Reported cases of torture or cruel, inhuman or degrading treatment or punishment perpetrated by an agent of the State or any other person acting under government authority or with its complicity, tolerance, or acquiescence, but without any or due judicial process (e.g. as reported to the UN Special Rapporteur on Torture/ Violence against Women ), in the reporting period</li> <li>Proportion of victims of torture or cruel, inhuman or degrading treatment or punishment who received compensation and rehabilitation, in the reporting period</li> </ul>		<ul style="list-style-type: none"> <li>Incidence of death and physical injury resulting from arrests or other acts of apprehending persons by law enforcement officials in the reporting period</li> <li>Proportion of children or pupils per 1000 enrolled and patients who experienced corporal punishment in teaching and medical institutions</li> <li>Incidence and prevalence of deaths and crimes related to community and domestic violence (including homicide, rape, assault) in the reporting period</li> </ul>	
24.04.08	<i>All indicators should be disaggregated by prohibited grounds of discrimination, as applicable and reflected in metasheets</i>			

**List of illustrative indicators on the right to participate in public affairs (UDHR, Art. 21) (\* MDG related indicators)**

	<b>Exercise of legislative, executive and administrative powers</b>	<b>Universal and equal suffrage</b>	<b>Access to public service positions</b>
<b>Structural</b>	<ul style="list-style-type: none"> <li>• International human rights treaties, relevant to the right to participate in public affairs, ratified by the State</li> <li>• Date of entry into force and coverage of the right to participate in public affairs in the Constitution or other forms of superior law</li> <li>• Date of entry into force and coverage of domestic laws for implementing the right to participate in public affairs, including freedom of opinion, expression, information, media, association and assembly</li> <li>• Date of entry into force of universal suffrage, right to vote, right to stand for election, legal provisions defining citizenship and limitations (including age limits) on permanent residents with respect to the right to participate in public affairs at national and local level</li> <li>• Quota, time frame and coverage of temporary and special measures for targeted populations in legislative, executive, judicial and appointed bodies</li> <li>• Type of accreditation of National Human Rights Institutions by the rules of procedure of the International Coordinating Committee of National Institutions</li> <li>• Number of registered and/or active non-governmental organisations (per 100,000 persons) involved in the promotion and protection of the right to participate in public affairs</li> </ul>	<ul style="list-style-type: none"> <li>• Periodicity of executive and legislative elections at national and local level</li> <li>• Date of entry into force and coverage of laws establishing an independent national electoral body</li> </ul>	<ul style="list-style-type: none"> <li>• Date of entry into force and coverage of legal provisions guaranteeing access to public service positions without discrimination</li> <li>• Date of entry into force and coverage of administrative tribunals or dedicated judicial redress mechanism for public service matters</li> </ul>
<b>Process</b>	<ul style="list-style-type: none"> <li>• Proportion of received complaints on the right to participate in public affairs investigated and adjudicated by the national human rights institution, human rights ombudsperson or other mechanisms and the proportion of these responded to effectively by the government</li> <li>• Number of suffrages (election, referendum and plebiscite) at national and local level held during the reporting period</li> <li>• Number of legislations adopted by national and sub-national legislatures during the reporting period</li> <li>• Proportion of elections and sessions of national and locally elected bodies held as per the schedule laid down by constitutional or statutory bodies</li> <li>• Proportion of election campaign expenditure at national and sub-national level met through public funding</li> <li>• Proportion of elected personnel whose term of service was interrupted, by cause of interruption</li> <li>• Proportion of women and target groups included in the membership of national political parties or presented as candidate for election</li> </ul>	<ul style="list-style-type: none"> <li>• Proportion of the voting-age population registered to vote</li> <li>• Reported irregularities (intimidation, corruption or arbitrary interference) with registration, maintenance and review of electoral rolls</li> <li>• Number of complaints per elected position recorded and addressed in the election process by national and sub-national electoral authorities</li> <li>• Share of public expenditure on national and sub-national elections spent on voter education and registration campaigns</li> <li>• Number of political parties registered or recognised at national level</li> <li>• Proportion of voting age population not affiliated to political parties</li> </ul>	<ul style="list-style-type: none"> <li>• Proportion of vacancies in (selected) public authorities at national and sub-national level filled through selection of women and candidates from target population groups</li> <li>• Proportion of cases filed in administrative tribunals and dedicated judicial redress mechanism for public service matters adjudicated and finally disposed during the reporting period</li> <li>• Proportion of positions in the public service reserved to nationals or citizen</li> </ul>
<b>Outcome</b>	<ul style="list-style-type: none"> <li>• Proportion of seats in parliament*, elected and appointed bodies at sub-national and local level held by women and target groups</li> </ul>	<ul style="list-style-type: none"> <li>• Average voter turnout in national and local elections, by sex and target groups</li> <li>• Proportion of invalid and blank votes in elections to national and sub-national legislatures</li> </ul>	<ul style="list-style-type: none"> <li>• Reported cases of denial of access to public service or position on account of discrimination</li> <li>• Proportion of public service positions held by women and members of target groups</li> </ul>
24.04.08	<i>All indicators should be disaggregated by prohibited grounds of discrimination, as applicable and reflected in metasheets</i>		

**List of illustrative indicators on the right to education (UDHR, Art. 26) (\* MDG related indicators)**

	<b>Universal Primary Education</b>	<b>Accessibility to Secondary and Higher Education</b>	<b>Curricula and Educational Resources</b>	<b>Educational Opportunity and Freedom</b>
<b>Structural</b>	<ul style="list-style-type: none"> <li>International human rights treaties, relevant to the right to education, ratified by the State</li> <li>Date of entry into force and coverage of the right to education in the Constitution or other form of superior law</li> <li>Date of entry into force and coverage of domestic laws for implementing the right to education, including prohibition of corporal punishment, discrimination in access to education, making educational institutions barrier free and inclusive education (e.g. children with disabilities, children in detention, migrant children, indigenous children)</li> <li>Date of entry into force and coverage of domestic law on the freedom of individuals and groups (including minorities) to establish and direct educational institutions</li> <li>Number of registered and/or active non-governmental organisations (per 100,000 persons) involved in the promotion and protection of the right to education</li> </ul>			
	<ul style="list-style-type: none"> <li>Time frame and coverage of the <i>plan of action</i> adopted by State party to implement the principle of compulsory primary education free of charge for all</li> <li>Stipulated duration of compulsory education and minimum age for admission into school</li> </ul>	<ul style="list-style-type: none"> <li>Time frame and coverage of national policy on education for all, including provision for temporary and special measures for target groups (e.g. working and street children)</li> <li>Time frame and coverage of national policy on vocational and technical education</li> <li>Date of entry into force and coverage of regulatory framework including standardised curricula for education at all levels</li> <li>Proportion of education institutions at all level teaching human rights / number of hours in curricula on human rights education</li> <li>Proportion of education institutions with mechanisms (student council) for students to participate in matters affecting them</li> </ul>		
<b>Process</b>	<ul style="list-style-type: none"> <li>Proportion of received complaints on the right to education investigated and adjudicated by the national human rights institution, human rights ombudsperson or other mechanisms and the proportion of these responded to effectively by the government</li> <li>Public expenditure on primary, secondary and higher education as proportion of gross national income; Net official development assistance (ODA) for education received or provided as proportion of public expenditure on education *</li> </ul>			
	<ul style="list-style-type: none"> <li>Net Primary Enrollment ratio* by target groups, including children with disabilities</li> <li>Drop out rate for primary education by grades for target groups</li> <li>Proportion of enrolled children in public primary education institutions</li> <li>Proportion of students (by target groups) covered under publicly supported additional financial programmes or incentives for primary education</li> <li>Proportion of public schools with user charges for services other than tuition fees</li> <li>Proportion of primary education teachers fully qualified and trained</li> <li>Proportion of children getting education in their mother tongue</li> <li>Proportion of students in grade 1 who attended pre-school</li> </ul>	<ul style="list-style-type: none"> <li>Transition rate to secondary education by target groups</li> <li>Gross enrollment ratio for secondary and higher education by target groups</li> <li>Drop out rate for secondary education by grades for target groups</li> <li>Proportion of enrolled students in public secondary and higher education institutions</li> <li>Share of annual household expenditure on education per child enrolled in public secondary or high school</li> <li>Proportion of students (by target groups) receiving public support or grant for secondary education</li> <li>Proportion of secondary or higher education teachers fully qualified and trained</li> <li>Proportion of students enrolled in vocational education programmes at secondary and post secondary level</li> </ul>	<ul style="list-style-type: none"> <li>Proportion of schools or institutions conforming to stipulated national requirements on academic and physical facilities</li> <li>Periodicity of curricula revision at all levels</li> <li>Number of educational institutions by level recognized or derecognised during the reporting period by relevant regulatory body</li> <li>Average salary of school teachers as percentage of regulated minimum wages</li> <li>Proportion of teachers at all levels completing mandatory in-service training during reporting period</li> <li>Ratio of students to teaching staff, in primary, secondary, public and private education</li> </ul>	<ul style="list-style-type: none"> <li>Proportion of education institutions engaged in "active learning" activities</li> <li>Proportion of adult population covered under basic education programmes</li> <li>Proportion of students, by level, enrolled under distance and continuing education programmes</li> <li>Number of institutions of ethnic, linguistic minority and religious population groups recognized or extended public support</li> <li>Proportion of labour force availing retraining or skill-enhancement at public or supported institutions</li> <li>Proportion of higher learning institutions enjoying managerial and academic autonomy</li> <li>Personal computers in use per 100 population*</li> </ul>
<b>Outcome</b>	<ul style="list-style-type: none"> <li>Ratios of girls to boys in primary education* by grades for target groups</li> <li>Proportion of students starting grade 1 who reach grade 5 (primary completion rate)*</li> <li>Proportion of out of school children in primary education age group</li> </ul>			
	<ul style="list-style-type: none"> <li>Youth (15-24 years)* and adult (15+) literacy rates (i.e. reading, writing, calculating, problem-solving and other life skills)</li> </ul>	<ul style="list-style-type: none"> <li>Ratio of girls to boys in secondary or higher education* by grades</li> <li>Proportion of children completing secondary education (secondary completion rate)</li> <li>Number of graduates (first level University degree) per 1000 population</li> </ul>	<ul style="list-style-type: none"> <li>(Improvement in) Density of primary, secondary and higher education facilities in the reporting period</li> </ul>	<ul style="list-style-type: none"> <li>Proportion of women and targeted population with professional or university qualification</li> </ul>
24.4.08	<i>All indicators should be disaggregated by prohibited grounds of discrimination, as applicable and reflected in metasheets</i>			

**List of illustrative indicators on the right to adequate housing (UDHR, Art. 25) (\* MDG related indicators)**

	<b>Habitability</b>	<b>Accessibility to Services</b>	<b>Housing Affordability</b>	<b>Security of Tenure</b>	
<b>Structural</b>	<ul style="list-style-type: none"> <li>• International human rights treaties, relevant to the right to adequate housing, ratified by the State</li> <li>• Date of entry into force and coverage of the right to adequate housing in the Constitution or other forms of superior law</li> <li>• Date of entry into force and coverage of domestic laws for implementing the right to adequate housing</li> <li>• Type of accreditation of National Human Rights Institutions by the rules of procedure of the International Coordinating Committee of National Institutions.</li> <li>• Number of registered and/or active non-governmental organizations (per 100,000 persons) involved in the promotion and protection of the right to adequate housing</li> </ul>				
	<ul style="list-style-type: none"> <li>• Time frame and coverage of national housing policy or strategy for the progressive implementation of measures, including special measures for target groups, for the right to adequate housing at different levels of government</li> <li>• Time frame and coverage of national policy on rehabilitation, resettlement and management of natural disaster</li> </ul>	<ul style="list-style-type: none"> <li>• Date of entry into force and coverage of legislation on security of tenure, equal inheritance and protection against forced eviction</li> </ul>			
<b>Process</b>	<ul style="list-style-type: none"> <li>• Proportion of received complaints on the right to adequate housing investigated and adjudicated by the national human rights institution, human rights ombudsperson or other mechanisms and the proportion of these responded effectively by the government</li> <li>• Number of and total public expenditures on housing reconstruction and rehabilitation by evicted/displaced persons during the reporting period</li> <li>• Net official development assistance (ODA) for housing (including land and basic services) received or provided as proportion of public expenditure on housing or GNI*</li> </ul>				
	<ul style="list-style-type: none"> <li>• Proportion of habitations (cities, towns and villages) brought under the provisions of building codes and by laws in the reporting period</li> <li>• Share of public expenditure on social or community housing</li> <li>• Habitable area (sq. m) added through reclamation, including of hazardous sites and change in land use pattern in the reporting period</li> <li>• Habitable area (sq. m per capita) earmarked for social or community housing during the reporting period</li> </ul>	<ul style="list-style-type: none"> <li>• Share of public expenditure on provision and maintenance of sanitation, water supply, electricity and physical connectivity of habitations</li> <li>• Proportion of targeted population that was extended sustainable access to an improved water source*, access to improved sanitation*, electricity and garbage disposal in the reporting period</li> </ul>	<ul style="list-style-type: none"> <li>• Proportion of households that receive public housing assistance, including those living in subsidised rented housing and households subsidised for ownership</li> <li>• Proportion of targeted households living in squatter settlements rehabilitated in the reporting period</li> <li>• Proportion of homeless population that was extended the use of public and community based shelters in the reporting period</li> </ul>	<ul style="list-style-type: none"> <li>• Average time taken to settle disputes related to housing and land rights in courts and tribunals</li> <li>• Number/proportion of legal appeals aimed at preventing planned evictions or demolitions ordered by court in the reporting period</li> <li>• Number/proportion of legal procedures seeking compensation following evictions in the reporting period, by result after adjudication</li> <li>• Number and proportion of displaced or evicted persons rehabilitated or resettled in the reporting period</li> </ul>	
<b>Outcome</b>	<ul style="list-style-type: none"> <li>• Proportion of population with sufficient living space (persons per rooms or rooms per household) or average number of persons per room among target households</li> <li>• Proportion of households living in permanent structure in compliance with building codes and by-laws</li> <li>• Proportion of households living in or near hazardous conditions</li> </ul>	<ul style="list-style-type: none"> <li>• Proportion of urban population living in slums*</li> <li>• Proportion of population using an improved drinking water (public / private) source, sanitation facility, electricity and garbage disposal</li> <li>• Proportion of household budget of target population groups spent on water supply, sanitation, electricity and garbage disposal</li> </ul>	<ul style="list-style-type: none"> <li>• Proportion of households spending more than 'X' percent of their monthly income or expenditure on housing or average rent of bottom three income deciles as a proportion of the top three</li> <li>• Annual average of homeless persons per 100,000 population ('X' being defined normatively for the country context)</li> </ul>	<ul style="list-style-type: none"> <li>• Reported cases of "forced evictions" (e.g. as reported to UN special procedures), in the reporting period</li> <li>• Proportion of households with legally enforceable, contractual, statutory or other protection providing security of tenure or proportion of households with access to secure tenure</li> <li>• Proportion of women with titles to land or property</li> </ul>	
24.4.08	<i>All indicators should be disaggregated by prohibited grounds of discrimination, as applicable and reflected in metasheets</i>				

**List of illustrative indicators on the right to social security (UDHR, Art. 22) (\* MDG related indicators)**

	<b>Income security for workers</b>	<b>Affordable access to health care</b>	<b>Family, child and adult dependent support</b>	<b>Targeted social assistance schemes</b>
<b>Structural</b>	<ul style="list-style-type: none"> <li>• International human rights and ILO treaties relevant to the right to social security ratified by the State</li> <li>• Date of entry into force and coverage of the right to social security in the Constitution or other forms of superior law</li> <li>• Date of entry into force and coverage of domestic laws for implementing the right to social security, including in the event of sickness, old age, unemployment, employment related injury, maternity, paternity, disability or invalidity, survivors and orphans, health care (including reproductive health care), and family and child support</li> <li>• Time frame and coverage of policy for universal implementation of the right to social security</li> </ul>			
	<ul style="list-style-type: none"> <li>• Date of entry into force and coverage of insurance or tax-based social security scheme</li> <li>• Legally prescribed qualifying period, rate of contribution, duration (e.g. length of maternity / leave) and rate of benefits under different schemes</li> <li>• Date of entry into force and coverage of international agreements on export of social security benefits (including on double taxation) to country of origin for migrant workers and families</li> </ul>	<ul style="list-style-type: none"> <li>• Date of entry into force and coverage of regulation on mandatory health insurance</li> <li>• Time frame and coverage of national policy on health and access to health care, including for reproductive health and for persons with disabilities</li> <li>• Time frame and coverage of national policy on drugs, including on generic drugs</li> </ul>	<ul style="list-style-type: none"> <li>• Date of entry into force and coverage of public support for family, including single-parent family, children and dependent adults</li> <li>• Legally prescribed qualifying period, rate of contribution, duration and rate of allowances</li> </ul>	<ul style="list-style-type: none"> <li>• Timeframe and coverage of social assistance programmes and non-contributory schemes for persons in specific situation of needs (e.g. IDP, refugees, war victims, long-term unemployed, persons, homeless)</li> <li>• Time frame and coverage of national policy on unemployment</li> </ul>
<b>Process</b>	<ul style="list-style-type: none"> <li>• Proportion of received complaints on the right to social security investigated and adjudicated by the national human rights institution, human rights ombudsperson or other relevant mechanism and the proportion of these responded to effectively by the government</li> <li>• Proportion of targeted population appropriately informed on its entitlements and benefits (in cash or in kind) under the applicable social security schemes</li> <li>• Net official development assistance (ODA) for implementing this right, received or provided as a proportion of public expenditure on social security and Gross National Income</li> </ul>			
	<ul style="list-style-type: none"> <li>• Number of workers newly registered as participant in the social security scheme in the reporting period</li> <li>• Proportion of requests for benefits (e.g. unemployment, pension benefits) reviewed and met in the reporting period</li> <li>• Proportion of cases or complaints, concerning social security obligations of enterprises, effectively responded to by government or relevant social security agency</li> <li>• Proportion of enterprises covered under domestic social security regulations and proportion thereof subjected to administrative action or prosecution</li> </ul>	<ul style="list-style-type: none"> <li>• Per capita public expenditure on primary health facilities (including for reproductive health care) and essential medicines</li> <li>• Number of targeted individuals newly registered as participant in the health insurance system in the reporting period</li> <li>• Proportion of household expenditures on health goods and services covered by health insurance / public support</li> <li>• Proportion of births attended by skilled health personnel*</li> <li>• Proportion of target population within X hour of medical and para-medical personnel and relevant health care facilities</li> </ul>	<ul style="list-style-type: none"> <li>• Public expenditure on family, children and adult- dependent allowance or benefit schemes per beneficiary</li> <li>• Proportion of household expenditure (food, health, day care, education, housing) on children and adult- dependent covered by public support</li> <li>• (Improvement in) Density of nursery/child care centers and old age homes for the targeted population or regions in the reporting period</li> </ul>	<ul style="list-style-type: none"> <li>• Public expenditures for targeted social assistance schemes per beneficiary</li> <li>• (Improvement in) Density of administrative offices and personnel providing targeted social assistance</li> <li>• Proportion of requests for social assistance (e.g. income transfer, subsidized housing, calamity relief) reviewed and met</li> </ul>
<b>Outcome</b>	<ul style="list-style-type: none"> <li>• Proportion of labour force participating in social security scheme(s)</li> <li>• Proportion of workers covered under social security who availed and received stipulated social security benefits in the reporting period</li> </ul>	<ul style="list-style-type: none"> <li>• Proportion of population covered by health insurance (public or private)</li> <li>• Proportion of persons with affordable access to health care, including essential drugs*, on a sustainable basis</li> </ul>	<ul style="list-style-type: none"> <li>• Proportions of entitled families, children and dependents receiving public support</li> </ul>	<ul style="list-style-type: none"> <li>• Proportion of population in specific situations of needs receiving social assistance for food, housing, health care, education, emergency or relief services</li> </ul>
	<ul style="list-style-type: none"> <li>• Proportion of individuals in the formal or informal economy below national poverty line before and after social transfers*</li> </ul>			
24.4.08	<i>All indicators should be disaggregated by prohibited grounds of discrimination, as applicable and reflected in metasheets</i>			

**List of illustrative indicators on the right to work (UDHR, Art. 23) (\* MDG related indicators)**

	<b>Access to decent and productive work</b>	<b>Just and safe working conditions</b>	<b>Training, skill upgradation and professional development</b>	<b>Protection from forced labour and unemployment</b>
<b>Structural</b>	<ul style="list-style-type: none"> <li>• International human rights and ILO treaties relevant to the right to work ratified by the State</li> <li>• Date of entry into force and coverage of the right to work in the Constitution or other forms of superior law</li> <li>• Date of entry into force and coverage of domestic laws for implementing the right to work including regulations to ensure equal opportunities for all and eliminate employment-related discriminations as well as (temporary) special measures for target groups (e.g. women, children, indigenous, migrants)</li> <li>• Number of registered and/or active non-governmental organisations (per 100,000 persons), including trade unions, involved in the promotion and protection of the right to work</li> </ul>			
	<ul style="list-style-type: none"> <li>• Time frame and coverage of a national policy for full and productive employment</li> <li>• Date of entry into force and coverage of regulations and procedures to ensure safe and healthy working conditions, including an environment free of sexual harassment, and establishing an independent monitoring body</li> <li>• Maximum number of working hours per week stipulated by law</li> <li>• Minimum age for employment by occupation type</li> <li>• Duration of maternity, paternity and parental leave and leave entitlements on medical grounds and proportion of wage paid in covered period</li> </ul>	<ul style="list-style-type: none"> <li>• Time frame and coverage of national policy on vocational education and skill upgradation</li> <li>• Proportion of administrative regions with specialised public agencies to assist individuals in finding employment</li> </ul>	<ul style="list-style-type: none"> <li>• Time frame and coverage of awareness raising programme on labour standards</li> <li>• Time frame and coverage of policy for the elimination of forced labour, including child labour, migrant worker and of domestic work</li> </ul>	
<b>Process</b>	<ul style="list-style-type: none"> <li>• Proportion of complaints on the right to work, including just and safe working conditions, investigated and adjudicated by the national human rights institution, human rights ombudsperson or other mechanisms (e.g. ILO procedures, trade unions) and the proportion of these responded to effectively by the government</li> </ul>			
	<ul style="list-style-type: none"> <li>• Proportion of target population receiving effective support for their (re-) entry into the labour market</li> <li>• Annual employment growth (job creation rates), by education level</li> <li>• Average time spent on unpaid domestic family care work as well as in unpaid work of family business by women, men and children</li> <li>• Proportion of requests by parent or guardian for certified child care arrangements reviewed and met in the reporting period</li> <li>• Proportion of workers who moved from precarious to stable contracts during the reporting period</li> </ul>	<ul style="list-style-type: none"> <li>• Proportion and frequency of enterprises inspected for conformity with labour standards and proportion of inspections resulting in administrative action or prosecution</li> <li>• Proportion of inspected enterprises conform with labour standards</li> <li>• Proportion of employed persons, including domestic workers, whose salary level is covered under legislation (e.g. minimum wage) and/or wage setting procedures involving social partners (unions)</li> </ul>	<ul style="list-style-type: none"> <li>• Proportion of labour force undergoing some training during their employment</li> <li>• Proportion of unemployed persons involved in skill upgradation and other training programmes, including publicly financed jobs</li> <li>• Improvement in secondary and tertiary enrolment ratios in the reporting period</li> </ul>	<ul style="list-style-type: none"> <li>• Proportion of informal sector workers shifted to formal sector employment in the reporting period</li> <li>• Proportion of economically active children</li> <li>• Estimated number of labour force in the informal sector receiving some public support</li> <li>• Proportion of targeted unemployed persons covered by unemployment / social security benefits</li> </ul>
<b>Outcome</b>	<ul style="list-style-type: none"> <li>• Employment-to-population ratios*, by sex, target group and education level</li> <li>• Proportion of voluntary part-time workers to total part-time employed population</li> <li>• Share of women in wage employment in the non-agricultural sector*</li> <li>• Proportion of workers in precarious employment (e.g. short, fixed term, casual, seasonal workers etc.)</li> </ul>	<ul style="list-style-type: none"> <li>• Incidence of accident at work and occupational diseases</li> <li>• Ratio of women to men wages, by sector and by other target groups</li> <li>• Proportion of identified positions (e.g. senior officials, managerial positions in public/private service) held by women and other target groups</li> </ul>	<ul style="list-style-type: none"> <li>• Proportion of workers employed after skill upgradation and other training programmes, including publicly finance jobs</li> <li>• Long-term unemployment rates (1 year or more of unemployment), by sex, target groups or regions</li> <li>• Distribution of labour force by level of education</li> </ul>	<ul style="list-style-type: none"> <li>• Unemployment rates, by sex, target groups and level of education (LFS/registered)</li> <li>• Incidence of forced labour, including worst forms of child labour and of domestic work</li> <li>• Reported cases of violations of the right to work, including forced labour, discrimination, worst forms of child labour and of domestic work and unlawful termination of employment and proportion of victims who received adequate compensation</li> </ul>
	<ul style="list-style-type: none"> <li>• Gini indices and ratio of lowest/highest income quintiles or consumption expenditures (before and after taxes)</li> </ul>			
24.4.08	<i>All indicators should be disaggregated by prohibited grounds of discrimination, as applicable and reflected in metasheets</i>			

**List of illustrative indicators on the right to freedom of opinion and expression (UDHR, Art. 19) (\* MDG related indicators)**

	<b>Freedom of opinion and to impart information</b>	<b>Access to information</b>	<b>Special duties and responsibilities</b>
<b>Structural</b>	<ul style="list-style-type: none"> <li>• International human rights treaties, relevant to the right to freedom of opinion and expression (RFoE), ratified by the State</li> <li>• Date of entry into force and coverage of the RFoE in the Constitution or other forms of superior law</li> <li>• Date of entry into force and coverage of domestic laws for implementing the RFoE, including availability of judicial review of any decision taken by the State to restrict RFOE</li> <li>• Number of registered and/or active non-governmental organisations (per 100,000 persons) involved in the promotion and protection of the RFoE</li> <li>• Date of entry into force and coverage of code of conduct/ethics for journalists and other media persons</li> <li>• Date of entry into force and coverage of legislation for the protection of the freedom of the media, including decriminalization of libel, defamation and slander</li> <li>• Date of entry into force and coverage of domestic law for the protection and safety of journalists and any other media persons, including protection against disclosure of sources</li> <li>• Date of entry into force and coverage of domestic law for equal opportunity of access to radio concessions and TV broadcast frequencies</li> <li>• Time frame and coverage of national policy on education for all, including provisions for temporary special measures for target groups, human rights curricula and “active learning”</li> </ul>	<ul style="list-style-type: none"> <li>• Date of entry into force and coverage of legislation on access to information</li> <li>• Date of establishment of an independent monitoring mechanism (e.g. Information Commissioner)</li> <li>• Date of entry into force and coverage of statistical legislation to protect independence and quality of official statistics</li> <li>• Timeframe and coverage of national policy to promote access to information technology</li> </ul>	<ul style="list-style-type: none"> <li>• Date of entry into force and coverage of domestic law prohibiting propaganda for war</li> <li>• Date of entry into force and coverage of domestic law(s) prohibiting advocacy of national, racial, religious or sexist hatred constituting incitement of discrimination, hostility or violence</li> </ul>
<b>Process</b>	<ul style="list-style-type: none"> <li>• Proportion of received complaints on RFoE investigated and adjudicated by the national human rights institution, human rights ombudsperson or other mechanisms and the proportion of these responded to effectively by the government</li> <li>• Proportion of communications sent by the UN Special Rapporteurs (e.g. Special Rapporteur on the promotion and protection of RFoE), responded to effectively by the government</li> <li>• Number of newspapers, magazines, radio stations, TV broadcasts, internet sites by ownership (public or private) and audience figures</li> <li>• Number of mergers or buying by the media companies investigated, adjudicated and refused by an independent competition commission in the reporting period</li> <li>• Number of newspapers, articles, internet sites and other media broadcasts closed or censored by regulatory authorities</li> <li>• Proportion of complaints filled by journalists or any other media persons investigated, adjudicated and approved by court or other competent mechanisms</li> <li>• Number of media institutions of ethnic, linguistic minority and religious population groups recognized or extended public support</li> <li>• Proportion of requests for holding demonstrations accepted by administrative authorities</li> <li>• Proportion of schools engaged in “active learning “ activities, giving children the opportunity to express themselves freely</li> </ul>	<ul style="list-style-type: none"> <li>• Proportion of information requests by the media responded to effectively by government</li> <li>• Subscriptions and average daily sales of national and main regional newspapers</li> <li>• Proportion of population with access to TV and radio broadcasts</li> <li>• Number of personal computers in use with internet access per 100 population*</li> <li>• Number of internet domains registered per 1000 population</li> </ul>	<ul style="list-style-type: none"> <li>• Proportion of judicial actions on alleged libel, defamation and slander investigated and resulting in conviction</li> <li>• Proportion of judicial actions against propaganda for war investigated and resulting in conviction</li> <li>• Proportion of (quasi-) judicial actions against advocacy of national, racial, religious or sexist hatred investigated and resulting in conviction</li> </ul>
<b>Outcome</b>	<ul style="list-style-type: none"> <li>• Number of journalists and any other media persons who reported sanctions, political or corporate pressure for the publication of information</li> <li>• Reported cases of killing, disappearance, detention and torture against journalists, human rights defenders or any other persons who exercised her/his RFoE, perpetrated by an agent of the State or any other person acting under government authority or with its complicity, tolerance or acquiescence, but without any or due judicial process (e.g. reported to UN special procedures)</li> </ul>	<ul style="list-style-type: none"> <li>• Reported cases of non-disclosure of documents, archives and administrative or corporate data of public interest (e.g. justice records, arms exports, environmental data, asylum seekers)</li> <li>• Proportion of linguistic population having access to media broadcasts in their own language</li> </ul>	<ul style="list-style-type: none"> <li>• Proportion of victims of libel, defamation and slander who received compensation and rehabilitation</li> </ul>
24.4.08	<i>All indicators should be disaggregated by prohibited grounds of discrimination, as applicable and reflected in metasheets</i>		



**List of illustrative indicators on the right to a fair trial (UDHR, Art. 10-11)**

	<b>Access to and equality before courts and tribunals</b>	<b>Public hearing by competent and independent courts</b>	<b>Presumption of innocence and guarantees in the determination of criminal charges</b>	<b>Special protection for children</b>	<b>Review by a higher court</b>
<b>Structural</b>	<ul style="list-style-type: none"> <li>International human rights treaties, relevant to the right to a fair trial, ratified by the State</li> <li>Date of entry into force and coverage of the right to a fair trial in the Constitution or other forms of superior law</li> <li>Date of entry into force and coverage of domestic laws for implementing the right to a fair trial, including on procedures for appointment, remuneration, dismissal of persons exercising judicial functions</li> <li>Number of registered and/or active non-governmental organisations (per 100,000 persons) involved in the promotion and protection of the right to a fair trial</li> </ul>				
	<ul style="list-style-type: none"> <li>Date of entry into force and coverage of legislation guaranteeing non-discriminatory access to courts (e.g. for unaccompanied women, children and migrants)</li> <li>Date of entry into force and periodicity of review of civil and criminal procedure codes</li> </ul>	<ul style="list-style-type: none"> <li>Timeframe and coverage of national policy on judicial services, including on court strengths, against extortion, bribery or corruption</li> <li>Date of entry into force and coverage of regulatory bodies for judicial and legal profession</li> </ul>	<ul style="list-style-type: none"> <li>Identified/prescribed time limits to guide pre- and trial stages in the determination of charges against a person</li> <li>Timeframe and coverage of national policy on the provision of legal aid to specific population groups</li> </ul>	<ul style="list-style-type: none"> <li>Date of entry into force and coverage of juvenile court</li> <li>Date of entry into force and coverage of rehabilitation systems for children involved in crime</li> <li>Legal age of criminal responsibility</li> </ul>	<ul style="list-style-type: none"> <li>Date of entry into force and coverage of the right to appeal in a higher court and full review of legal and material aspects of person's conviction and sentence</li> </ul>
<b>Process</b>	<ul style="list-style-type: none"> <li>Proportion of received complaints concerning the right to a fair trial investigated and adjudicated by the national human rights institution, human rights ombudsperson or other mechanisms and proportion of these responded to effectively by the government</li> <li>Number of communications sent by the Special Rapporteur on the independence of judges and lawyers and proportion responded to effectively by the government</li> <li>Proportion of judges, prosecutors and lawyers trained on human rights and related standards for the administration of justice</li> </ul>				
	<ul style="list-style-type: none"> <li>Proportion of population covered within X hour of a fully functioning court or number of persons with judicial functions per 100,000 population</li> <li>Proportion of requests for legal assistance and free interpreters being met (criminal and civil proceedings) annually Number/proportion of cases referred to alternative dispute resolution (ADR)</li> <li>Proportion of crimes (e.g. rape, physical assaults, domestic violence) reported to the police (victimisation survey)</li> <li>Proportion of crime victims in cases sent to court by police who confirm charges or appear at proceedings with the court or prosecutors</li> </ul>	<ul style="list-style-type: none"> <li>Proportion of persons with judicial functions (e.g. judges and prosecutors) formally investigated for breach of duty, irregularity, abuses (e.g. corruption)</li> <li>Proportion of formal investigations of persons with judicial functions resulting in disciplinary action or prosecution</li> <li>Number/proportion of civilians tried by military courts or special courts</li> <li>Average number of cases assigned/completed by person with judicial functions at different levels of judiciary</li> <li>Share of public expenditure on courts and prosecution system</li> <li>Average salary of persons with judicial functions as percentage of regulated minimum wages</li> </ul>	<ul style="list-style-type: none"> <li>Proportion of cases where the time for arrested persons before receiving notice of the charge (in a legal sense and in language they understand) exceeded statutory or mandated timeframe</li> <li>Proportion of public attendees at court who rate services and court as highly accessible in their own language (court user survey)</li> <li>Proportion of defendants with access to adequate facilities and counsellor for their defence</li> <li>Proportion of pending cases and average duration of criminal trials</li> <li>Proportion of cases where time between arrest and trial exceeded statutory or mandated timeframe</li> <li>Reported cases of killing, assault, threat and arbitrary dismissal of persons with judicial functions</li> </ul>	<ul style="list-style-type: none"> <li>Proportion of prosecutors and defence lawyers working on juvenile cases with specialized training in juvenile justice</li> <li>Proportion of juvenile detainees provided with free legal assistance within 24 hours of the start of custody</li> <li>Proportion of juveniles in custody receiving education/vocational training by trained teachers for same hours as student that age at liberty</li> <li>Proportion of courts adapted to handling juvenile cases</li> <li>Proportion of convicted juveniles sentenced to imprisonment</li> <li>Proportion of juveniles accessing rehabilitation services after release</li> </ul>	<ul style="list-style-type: none"> <li>Proportion of convictions for serious offences in which the person convicted received legal assistance to consider seeking review by higher court/tribunal</li> <li>Proportion of cases appealed by defendants or by prosecutors</li> <li>Proportion of cases where the right to appeal is excluded or restricted to specific issues of law</li> </ul>
<b>Outcome</b>	<ul style="list-style-type: none"> <li>Conviction rates for indigent defendants provided with legal representation as a proportion of conviction rates for defendants with lawyer of their own choice</li> <li>Proportion of crimes (e.g. rape, physical assaults) brought before judicial authorities</li> </ul>	<ul style="list-style-type: none"> <li>Proportion of total hearings opened to general public</li> <li>Proportion of adjudicated cases for which at least one irregularity in the pre-trial determination of charges was noted by the courts</li> </ul>	<ul style="list-style-type: none"> <li>Proportion of convictions obtained in absentia (in whole or in part)</li> <li>Reported cases of guilt presumption and prejudgment by a court or public authorities (e.g. adverse public statements)</li> </ul>	<ul style="list-style-type: none"> <li>Number of children arrested/detained by 100,000 child population</li> <li>Recidivism rates of juveniles</li> </ul>	<ul style="list-style-type: none"> <li>Proportion of criminal convictions in which sentence was reduced or a criminal conviction vacated or returned for retrial or resentencing</li> </ul>
	<ul style="list-style-type: none"> <li>Conviction rates by type of adjudicated crimes (e.g. rape, homicide, physical assaults) and characteristics of victims and perpetrators (e.g. sex, juvenile)</li> <li>Reported cases of arbitrary detentions in the reporting period</li> <li>Reported cases of miscarriage of justice and proportion of victims who received compensation within a reasonable time</li> </ul>				
24.4.08	<i>All indicators should be disaggregated by prohibited grounds of discrimination as reflected in metasheets</i>				

## Annex II

### SAMPLES OF META-DATA SHEETS ON IDENTIFIED INDICATORS

<b>Indicator 1</b>	<b>International human rights treaties, relevant to the right to life, ratified by the State</b> (see structural indicators in the table on the right to life)
<b>Definition</b>	Proportion of international and regional human rights treaties, with direct reference and/or relevance to the realisation of the right to life, that have been ratified by the State. ‘International human rights treaties’ is used as a generic term embracing all instruments binding under international human rights law, regardless of their formal designation (e.g. Covenant, Convention or Optional Protocol). The reference to the ‘right to life’ follows primarily the formulation used in article 3 of the Universal Declaration of Human Rights, article 6 of the International Covenant on Civil and Political Rights and its elaboration in General Comment No. 6 of the Human Rights Committee.
<b>Rationale</b>	Ratification of an international human rights treaty reflects a certain acceptance of concerned human rights standards by a State and gives an indication, notably at international level, of a State’s commitment to undertake steps that help in the realisation of those rights. When the State has ratified a treaty it assumes a legal obligation to respect, protect and fulfil the human rights standards reflected in that treaty. The indicator is a <i>structural indicator</i> that captures the ‘commitment’ of a State to implement its human rights obligations.
<b>Method of computation</b>	The indicator is computed as a ratio of the actual number of treaties ratified by the State to the reference list of treaties. A reference list of core international human rights treaties, including optional protocols, adopted and opened for ratification by the General Assembly of the United Nations is available at <a href="http://www2.ohchr.org/English/law/index.htm#instruments">http://www2.ohchr.org/English/law/index.htm#instruments</a> .
<b>Data collection and source</b>	The main source of data on the indicator is administrative records at the depository authority, namely the United Nations Office of Legal Affairs (see <a href="http://untreaty.un.org/ola/">http://untreaty.un.org/ola/</a> ). The OHCHR website also presents this information and updates it periodically.
<b>Periodicity</b>	The indicator database is reviewed periodically and information can be accessed on a continuous basis.
<b>Disaggregation</b>	Disaggregation of information is not applicable for this indicator.
<b>Comments and limitations</b>	The right to life finds its most general recognition in article 3 of the Universal Declaration of Human Rights. Article 6 of the International Covenant on Civil and Political Rights recognizes the inherent right of every person to life, adding that this right “shall be protected by law” and that “no one shall be arbitrarily deprived of life”. The right to life of persons under the age of 18 and the obligation of States to guarantee the enjoyment of this right

to the maximum extent possible are both specifically recognized in article 6 of the Convention on the Rights of the Child, UDHR, article 3, ICESCR, article 12(2-a), CERD, article 5, ICRMW, article 9, CEDAW, article 12 and CRPD article 10 are other examples of provisions relevant to the right to life and this indicator.

The indicator provides information on acceptance by a State of international human rights standards and its intention or commitment to undertake steps to realise human rights in conformity with the provisions of the relevant instruments. It does not, however, capture the actual process of implementation or the results thereof.

Ratification constitutes an act whereby a State establishes its consent to be legally bound by the terms of a particular treaty. At the international level, it requires depositing a formal “instrument of ratification or accession” to the depository authority. At the national level, ratification may require a State to undertake certain steps, in accordance with its constitutional provisions, before it consents to be bound by the treaty provisions internationally. The process of ratifying a treaty is normally initiated with a State signing a treaty as a means of authentication and expression of its willingness to continue the treaty-ratification process. The signature qualifies the signatory State to proceed to ratification. It also creates an obligation to refrain, in good faith, from acts that would defeat the object and the purpose of the treaty. Accession is the term used in situations where the State has not signed the treaty beforehand, but has directly expressed its consent to become a party to that treaty.

The indicator does not reflect possible “reservation” entered by a State on a treaty. A reservation is a declaration made by a State by which it purports to exclude or alter the legal effect of certain provisions of the treaty in their application to that State. A reservation enables a State to accept a multilateral treaty as a whole by providing it with the possibility of not applying certain provisions with which it does not want to comply. Reservations can be made by a State when the treaty is signed, ratified or acceded to and in conformity with the objective and purpose of the treaty itself and the Vienna Convention of the Law of Treaties, 1969.

**Indicator 2**      **Time frame and coverage of national policy on sexual and reproductive health** (see structural indicators in the table on the right to health)

**Definition**      The indicator refers to the date of adoption or the period for which the national policy statement on sexual and reproductive health has been put into effect at the country level. The indicator also captures the population coverage or the spatial administrative scope of the policy statement, such as in countries where there is division of responsibilities between the national government and the sub-national/local governments.

<b>Rationale</b>	A national policy statement on a subject is an instrument that is expected to outline a government's objectives, policy framework, strategy and/or a concrete plan of action to address issues under that subject. While providing an indication on the commitment of the government to address the concerned subject, it may also provide relevant benchmarks for holding the government accountable for its acts of commission or omission concerning that subject. Moreover, a policy statement is a means to translate the human rights obligations of a State party into an implementable programme of action that helps in the realisation of the human rights. The indicator is a <i>structural indicator</i> that captures the 'commitment' of a State to implement its human rights obligations in respect of the 'sexual and reproductive health' attribute of the right to health.
<b>Method of computation</b>	The indicator is computed separately for time frame or period of application and the coverage or administrative scope of the policy. Time frame is the date of adoption (e.g. 1/1/2006) of the policy statement by a country or the time period for which the policy should be implemented (e.g. 1/1/2006 - 1/1/2010). Coverage is computed as a proportion of sub-national administrative units or population covered under the ambit of national policy.
<b>Data collection and source</b>	The main source of data is administrative records at the national and sub-national level.
<b>Periodicity</b>	The indicator database can be normally reviewed and accessed on a continuing basis.
<b>Disaggregation</b>	While disaggregation of information on the indicator is not conceptually feasible, a national policy may focus on specific areas, regions or population groups, in which case it may be desirable to highlight it.
<b>Comments and limitations</b>	The indicator provides information on a State's commitment to undertake steps, outlining its policy framework and programme of action, to realise human rights in conformity with the provisions of relevant human rights standards on sexual and reproductive health. It does not, however, capture the actual process of implementation or the results thereof.

For many countries, national policy on sexual and reproductive health may not be a separate policy document; rather it may well be a part of general policy statement on health or a human rights action plan. Accordingly, a judgment may have to be exercised on the extent to which sexual and reproductive health issues and the relevant human rights standards on reproductive health are reflected in the national policy on health or the human rights action plan.

In its General Comment No. 14 (ICESCR Art. 12) on the right to the highest attainable standard of health, the Committee on Economic, Social and Cultural Rights elaborates on the need to develop comprehensive national

public health strategy and plan of action to address the health concerns of the population, including reproductive health. It underlines that such a strategy should inter alia be devised on the basis of a participatory and transparent process and include indicators and benchmarks relevant to monitor the right to health. The Committee points out that “Reproductive health means that women and men have the freedom to decide if and when to reproduce and the right to be informed and to have access to safe, effective, affordable, and acceptable methods of family planning of their choice as well as the right of access to appropriate health-care services that will, for example, enable women to go safely through pregnancy and childbirth.” Similarly, CEDAW Committee General Recommendation 24 (1999) points out that access to health care, including reproductive health, is a basic right under the Convention on the Elimination of All Forms of Discrimination against Women.

UDHR, article 25, ICESCR, articles 10(2) and 12, ICERD, article 5(e-iv), ICRMW, articles 28 and 43(e), CEDAW, articles 12 and 14(2-b) and CRPD article 25 are examples of provisions relevant to the right to health.

**Indicator 3**      **Date of entry into force and coverage of the right to education in the Constitution or other form of superior law** (see structural indicators in the table on the right to education)

**Definition**      The indicator refers to the date on which provisions of the Constitution or other superior laws relating to the right to education became enforceable. The indicator also captures the spatial or population coverage of the relevant provisions related to the right to education, such as in countries where there is division of legal competencies between the national government and the sub-national or local governments. ‘Constitutional or other form of superior law’ refers to the system of fundamental laws that prescribes the functions and limits of government action and against which other supportive legislation is assessed for its validity. The reference to the ‘right to education’ follows primarily the formulation used in article 26 of the Universal Declaration of Human Rights, article 13 of the International Covenant on Economic, Social and Cultural Rights and its elaboration in General Comment No. 13 of the Committee on Economic, Social and Cultural Rights. The right to education is also developed in other core international human rights treaties, such as in articles 23, 28 and 29 of the Convention on the Rights of the Child.

**Rationale**      Inclusion of the right to education in the Constitution or other form of superior law reflects a certain acceptance of this right by a State and gives an indication, notably at the national level, of a State’s commitment to protect and implement this right. When the State has enshrined a right in its Constitution or other form of superior law, it also assumes a legal obligation to ensure that other legislation (national and sub-national legislation) is in

conformity with and not contradictory to the right. The indicator is a *structural indicator* that captures the ‘commitment’ of a State to implement its human rights obligations in respect of the right to education.

**Method of computation**

The indicator is computed separately for the date of entry into force and the coverage or administrative scope of the law. The date of entry into force is the date on which the law or provision became enforceable. Coverage is computed as a proportion of sub-national administrative units or population covered under the law. Information on the date of entry into force should be provided with a direct and accurate link to the relevant provisions.

**Data collection and source**

The main source of data on the indicator is the legal records of the State.

**Periodicity**

The indicator data can be normally reviewed and accessed on a continuing basis.

**Disaggregation**

Disaggregation of information is not applicable for this indicator, however provisions under the Constitution or other superior law may have particular reference to the protection of the right to education for certain groups (e.g. minorities or girl child), in which case it may be desirable to highlight it.

**Comments and limitations**

This indicator provides information on the extent to which a State protects the right to education in its Constitution or superior laws, demonstrating its acceptance of international human rights standards and its intention or commitment to legally protect this right. It does not, however, capture the extent to which the legal protection of the right to education in the Constitution or superior laws is implemented and upheld at other levels of the legal system, nor how broadly or narrowly the right is applied, or the degree to which the right can be enforced and by whom. This indicator does not capture the actual process of implementation or the results thereof.

This indicator could be difficult to assess if the right to education is not explicitly articulated in the Constitution or superior laws. Moreover, provision for the right to education in the Constitution does not necessarily mean that the right is being protected by law (for example, further judicial interpretations may have rendered the Constitutional protection meaningless). Likewise, a lack of Constitutional protection may lead one to believe that there is no recognition of the right when this may not be the case. For example, in some countries there are only a few rights written into the Constitution or superior laws, and it is left to the judiciary to interpret the rights as being implied. In this instance, a mere reading of provisions may yield an inaccurate conclusion on the enforcement and coverage of the concerned right. A correct reading, in such cases, requires a detailed analysis

of relevant jurisprudence/case law or administrative decisions.

UDHR, article 26, ICESCR, articles 13 and 14, ICERD, article 5 (e-v), ICRMW, articles 30 and 43 (a-c), CRC, articles 23, 28 and 29, CEDAW, articles 10 and 14(2-d), and CRPD, article 24 are examples of provisions relevant to the right to education and this indicator.

<b>Indicator 4</b>	<b>Proportion of births attended by skilled health personnel</b> (see process indicators in the table on the right to health)
<b>Definition</b>	The indicator refers to proportion of deliveries attended by persons trained to give necessary supervision, care and counsel to women during pregnancy, labour and the post-partum period; to conduct deliveries on their own; and to care for newborns.
<b>Rationale</b>	Health and well-being of the woman and the child during and after delivery greatly depends on their access to birth delivery services, the quality of these services and the actual circumstances of delivery. All of these are influenced by the State health policies, public provisioning of health services and regulation of private health care. Indeed availability of professional and skilled health personnel to assist in child birth is essential for reducing mortality - maternal as well as of the child - during and after delivery. The indicator captures efforts being made by the State to promote and provide professional and skilled health personnel to attend to the medical needs of pregnancy and birth. It is a <i>process indicator</i> related to ‘sexual and reproductive health’ attribute of the right to health.
<b>Method of computation</b>	The indicator is computed as a ratio of births attended by skilled health personnel (doctors, nurses or midwives) to the total number of deliveries.
<b>Data collection and source</b>	<p>The main sources of data are country level administrative records maintained by local authorities, registration system for population data, records of health ministries and household surveys, including Demographic and Health Surveys.</p> <p>The World Health Organization (WHO) and the United Nations Population Fund (UNFPA) compile country data series based on these sources. The United Nations Children’s Fund (UNICEF) also provides country data series through the implementation of its Multiple Indicator Cluster Surveys.</p>
<b>Periodicity</b>	In general, the indicator based on administrative records is available annually and the indicator based on household survey every three to five years.

**Disaggregation** Disaggregation of indicator by region or areas, for example between rural and urban areas, is useful in assessing disparities in the availability of health services. In addition, data should be disaggregated by the age of women (at least for women under the age of 18 years) and, as applicable, by relevant demographic groups (e.g. ethnic groups, minorities, indigenous and migrants) and socio-economic status (income or consumption expenditure quintiles).

**Comments and limitations** Skilled health personnel include only those who are properly trained and who have appropriate equipment and drugs. Traditional birth attendants, even if they have received a short training course, are not included.

CEDAW, in its General Recommendation No. 24 (1999), requests States to inform about the “supply of free services where necessary to ensure safe pregnancies, childbirth and post-partum periods for women. Many women are at risk of death or disability from pregnancy-related causes because they lack the funds to obtain or access the necessary services, which include antenatal, maternity and post-natal services. The Committee notes that it is the duty of States parties to ensure women’s right to safe motherhood and emergency obstetric services and they should allocate to these services the maximum extent of available resources.” The CESCR, in its General Comment No. 5 (1994) on Persons with disabilities, states that “Women with disabilities also have the right to protection and support in relation to motherhood and pregnancy.”

UDHR, article 25, ICESCR, articles 10(2) and 12, ICERD, article 5(e-iv), ICRMW, articles 28 and 43(e), CEDAW, articles 12 and 14(2-b) and CRPD article 25 are examples of provisions relevant to the right to health.

This is a [Millennium Development Goal indicator](#).

**Indicator 5** **Proportion of received complaints on the right not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment investigated or adjudicated by the national human rights institution, human rights ombudsperson and other mechanisms, and the proportion responded to effectively by the government in the reporting period** (see process indicators in the table on the right not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment)

**Definition** The indicator refers to the proportion of received individual complaints on the right not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment that were investigated or adjudicated by made to the national human rights institution, human rights ombudsperson and/or other officially recognised independent mechanisms during the reporting period. Where the mechanism transmits complaints to the government, or communicates in respect of the complaints, the indicator includes the proportion of such transmissions or communications that have received an



effective response from the government. Useful guidance on what ought to be included in a complaint can be found on the OHCHR website, notably in the model complaint form for communications to the Human Rights Committee, Committee Against Torture, Committee on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination Against Women.

<b>Rationale</b>	The indicator captures to an extent the effort required of States to respect, protect and fulfil the right not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment, in conformity with article 7 of the International Covenant on Civil and Political Rights, the provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the provisions of other international laws. States parties must ensure that individuals have access to effective remedies to vindicate their right. States Parties should make appropriate reparation, take provisional or interim measures as necessary, as well as measures to prevent a recurrence of violations of the right, and ensure that those responsible are brought to justice (Human Rights Committee General Comment 31, CCPR/C//Rev.1/Add.13). It is a <i>process indicator</i> that reflects the willingness of States to take steps towards the realisation of the right.
<b>Method of computation</b>	The number of complaints is calculated as the sum of individual complaints on the right not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment received by all relevant independent bodies at national level. The proportion investigated or adjudicated is calculated as the ratio of the number of complaints received during the reporting period which were investigated or adjudicated to the total number of complaints received. The proportion effectively responded to by the government is calculated as the ratio of the number of complaints to which an effective response was made by the government to the total number of complaints communicated to the government during the reference period.
<b>Data collection and source</b>	The main sources of data are administrative records maintained by the national human rights institution, human rights ombudsperson and other mechanisms.
<b>Periodicity</b>	The information is normally compiled and published annually.
<b>Disaggregation</b>	To enable detection of the pattern of abuse against particular groups or in particular areas, the indicator should be disaggregated by region and the characteristics of the alleged victim (sex, age, ethnic/racial/national/religious/political affiliation, disability, sexual orientation, profession, whether or not detained at the time of the alleged abuse). Similarly, the indicator should be disaggregated according to whether the abuse is alleged to have been committed by a State agent, with the complicity/tolerance/acquiescence of a State agent, or by a private individual or individuals.

To have an overall assessment of the effectiveness of investigation and adjudication procedures, data related to this indicator should be disaggregated by the end result of the procedure.

**Comments and limitations**

Where there is a communication with a government, the indicator will require a judgement to be made on what constitutes an “effective” response. While an official denial without supporting evidence or investigation of the alleged facts will not meet the criterion of effectiveness, the precise application of the criterion may vary from case to case. An assessment of the effectiveness of the response is best carried out by the national human rights institution, human rights ombudsperson or other mechanism in a transparent manner and may involve considerations like timeliness and completeness of the response, its adequacy in responding to specific questions posed or suggestions for action, as well as the effectiveness of action initiated by the government, which may include investigation, release or changes in the treatment of a detained or imprisoned person, payment of compensation, amendment of legislation, etc.

The basic source of information for this indicator comes from *events-based data on human rights violations*. Such data may underestimate (or sometimes, though rarely, even overestimate) the incidence of torture or cruel, inhuman or degrading treatment or punishment, if used in a casual manner to draw generalised conclusions for the country as a whole. Moreover, in most instances, the number of cases reported to independent bodies depends on the awareness, access to information, motivation and perseverance of the alleged or potential victim, his or her family and friends, or civil society organisations in the country concerned.

The Human Rights Committee, in its General Comment No. 20 (1992) states, in its paragraph 14, that “the right to lodge complaints against maltreatment prohibited by article 7 must be recognized in the domestic law. Complaints must be investigated promptly and impartially by competent authorities so as to make the remedy effective. The reports of States parties should provide specific information on the remedies available to victims of maltreatment and the procedure that complainants must follow, and statistics on the number of complaints and how they have been dealt with.”

UDHR, article 5, CAT, articles 1-16, ICERD, article 5(b), ICRMW, articles 10 and 11, CEDAW, articles 2 and 16, CRPD article 15 and CRC articles 37 and 39, are examples of provisions relevant to the right not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Model questionnaires for complaints are available on the OHCHR website at <http://www2.ohchr.org/english/bodies/question.htm>.

<b>Indicator 6</b>	<b>Ratio of students to teaching staff in primary and secondary, public and private, education institutions</b> (see process indicators in the table on the right to education)
<b>Definition</b>	The ratio of students to teaching staff or the pupil-teacher ratio is the average number of pupils per teacher at the level of education specified in a given school- year, based on headcounts for both pupils and teachers. Teachers or teaching staff include the number of persons employed full time or part time in an official capacity to guide and direct the learning experience of students, irrespective of their qualifications or the delivery mechanism, i.e. face-to-face and/or at a distance. This excludes educational personnel who have no active teaching duties (e.g. headmasters, headmistresses or principals who do not teach) and persons who work occasionally or in a voluntary capacity.
<b>Rationale</b>	The ratio of students to teaching staff is an important indicator of the resources that a country devotes to education. To a limited extent, the indicator can also be interpreted as reflecting a qualitative aspect of education infrastructure in a country. Teachers are the most important resource in an educational environment, particularly at the primary and secondary levels. The student-teacher ratio provides a measure of students' access to teachers, and thus reflects an important element of the provisioning that the State may have to make for meeting its obligations on the realisation of the right to education This indicator is a <i>process indicator</i> related to the 'curricula and educational resources' attribute of the right to education.
<b>Method of computation</b>	The indicator is computed by dividing the number of full-time equivalent students at a given level of education by the number of full-time equivalent "teachers" at that level and in similar types of institutions, in a given school year. Some data collection methods include counts of all teaching staff, and since all teaching staff includes staff with administrative duties and both full- and part-time teachers, comparability of these ratios may be affected as the proportion of part-time teachers may vary from one country to another.
<b>Data collection and source</b>	<p>The main source of data at the country level is administrative records on school enrolments and staff strengths maintained by the relevant public agencies.</p> <p>The UNESCO Institute for Statistics (UIS) compiles and provides national level information on the pupil-teacher ratio for both primary and secondary education, based on data reported by national education ministries or national statistical agencies. The information is gathered through questionnaires sent annually to countries and is made available by UIS with a two years lag with respect to the reference year.</p>

While information on this indicator is not currently collated on a disaggregated basis for public and private schools at the international level, it should generally be available at the national level and could be useful to report in instances where there may be significant differences in the quality of public and private education at the primary and secondary levels.

- Periodicity** For most countries the pupil-teacher ratio is available annually.
- Disaggregation** Beyond the disaggregation referred to in the indicator itself (primary/secondary, public/private) further disaggregation may be necessary for this indicator, for instance, by region or areas. A break-up for rural and urban areas, is useful in assessing possible disparities across different regions. In addition, it may be useful to disaggregate the data for teaching staff and students by sex and, as applicable, by relevant demographic groups (e.g. ethnic groups, minorities, indigenous, migrant children, children with disabilities).
- Comments and limitations** Teachers are the most important resource in an educational environment, particularly at the primary and secondary levels. The student-teacher ratio provides a measure of students' access to teachers, and thus reflects an important element of the provisioning that the State may have to make for meeting its obligations on the realisation of the right to education.

Because of the difficulty of constructing direct measures of quality of education being imparted, this indicator is also used as a proxy for assessing the education quality, on the assumption that a smaller ratio of students to teaching staff means better access by students to teaching resources. A lower ratio would generally imply that a teacher can potentially pay more attention to individual students, which may, in the long run, result in a better performance of students. There may be situations where such a conclusion may not be true due to accountability issues and ineffective use of teaching resources. However, a very high ratio of students to teaching staff certainly suggests insufficient professional support for learning, particularly for students from disadvantaged home backgrounds.

“Teaching staff” refers to professional personnel directly involved in teaching students. The classification includes classroom teachers; special education teachers; and other teachers who work with students as a whole class in a classroom, in small groups in a resource room, or in one-to-one teaching inside or outside a regular classroom. Teaching staff also includes chairpersons of departments whose duties include some amount of teaching, but it does not include non-professional personnel who support teachers in providing instruction to students, such as teachers' aides and other para-professional personnel.

The concept of a ratio of students to teaching staff is different from that of class size. Although one country may have a lower ratio of students to teaching staff than another, this does not necessarily mean that classes are smaller in the first country or that students in the first country receive more teaching inputs. The relationship between the ratio of students to teaching staff and average class size is influenced by factors like differences between countries in the length of the school year, the annual number of hours for which a student attends class, the annual time teachers are expected to spend teaching, the grouping of students within classes, and the practices related to team learning.

This indicator does not take into account differences in teachers' qualifications, pedagogical training, experiences and status, teaching materials and variations in classroom conditions, factors which could affect the quality of teaching/learning.

UDHR, article 26, ICESCR, articles 13 and 14, ICERD, article 5 (e-v), ICRMW, articles 30 and 43 (a-c), CRC, articles 23, 28 and 29, and CEDAW, articles 10 and 14(2-d) are examples of provisions relevant to the right to education and this indicator.

<b>Indicator 7</b>	<b>Reported cases of forced evictions in the reporting period</b> (see outcome indicators in the table on the right to adequate housing)
<b>Definition</b>	This indicator refers to the number of reported individual cases of forced eviction during the reference period. "Forced eviction" is defined as "the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of and access to appropriate forms of legal or other protection" (General Comment No. 7, ICESCR).
<b>Rationale</b>	The Committee on Economic, Social and Cultural Rights has observed that all persons should possess a degree of security of tenure which guarantees legal protection against forced eviction, harassment and other threats. It has argued that forced evictions are <i>prima facie</i> incompatible with the requirements of the ICESCR (General Comment No. 7). Moreover, given the interdependence of all human rights, forced evictions frequently violate other human rights. Thus, while manifestly breaching the rights enshrined in the ICESCR, the practice of forced evictions may also result in violations of civil and political rights, such as the right to life, the right to security of the person, the right to non-interference with privacy, family and home and the right to the peaceful enjoyment of possessions. It is an <i>outcome indicator</i> intended to analyze the degree to which States protect the security of tenure.
<b>Method of</b>	The indicator is computed as a head count of all reported cases of forced

<b>computation</b>	eviction in a specific period of time.
<b>Data collection and source</b>	The main data source for this indicator is records maintained by national human rights institutions, non-governmental organisations and in certain instances records of administrative agencies responsible for or monitoring rehabilitation.
<b>Periodicity</b>	Information on the indicator should be available on a periodic basis. It is often reported annually by organisations monitoring security of tenure.
<b>Disaggregation</b>	In order to be meaningful, the information on this indicator should be disaggregated by sex and age (at least for children or young people under the age of 18 years) and, as applicable, by relevant demographic groups (e.g. ethnic groups, minorities and migrants) and socio-economic status (income or consumption expenditure quintiles).
<b>Comments and limitations</b>	The indicator can be one good summary measure of the realisation of the right to adequate housing. Yet like all indicators that are based on <i>event-based data on human rights violations</i> and depend on multiple information sources, the indicator may suffer from reliability issues. It may underestimate (or sometimes, though rarely, even overestimate) the incidence of forced evictions, if used in a casual manner to draw generalised conclusions for the country as a whole. Moreover, in most instances, the number of cases reported would depend on the awareness, access to information, motivation and perseverance of the civil society organisations agencies and the media in following the relevant events.

The term “forced evictions” is, in some respects, problematic. This expression seeks to convey a sense of arbitrariness and of illegality. For many observers, the reference to “forced evictions” is a tautology, while others have criticized the expression “illegal evictions” on the ground that it assumes that the relevant law provides adequate protection of the right to housing and conforms with the Covenant, which is by no means always the case. Similarly, it has been suggested that the term “unfair evictions” is even more subjective by virtue of its failure to refer to any legal framework at all. The international human rights community, especially in the context of the UN human rights system, has opted to use “forced evictions”, primarily because all suggested alternatives also suffer from certain ambiguities. The prohibition on forced evictions does not, however, apply to evictions carried out by force in accordance with the law and in conformity with the provisions of the International Covenants on Human Rights.

Women, children, youth, older persons, indigenous people, ethnic and other minorities, and other vulnerable individuals and groups all suffer disproportionately from the practice of forced eviction. Women in all groups are especially vulnerable given the extent of statutory and other forms of discrimination which often apply in relation to property rights (including

home ownership) or rights of access to property or accommodation, and their

particular vulnerability to acts of violence and sexual abuse when they are rendered homeless. The non-discrimination provisions of articles 2.2 and 3 of ICESCR impose an additional obligation upon Governments to ensure that, where evictions do occur, appropriate measures are taken to ensure that no form of discrimination is involved.

UDHR article 25, ICESCR article 11, CERD article 5, CEDAW article 14, CRC article 27, CMW article 43 and CRPD article 28 have references of relevance to the indicator. The CESCR also recognizes legal security of tenure under its General Comment No. 4 (1991) on the right to adequate housing: “Notwithstanding the type of tenure, all persons should possess a degree of security of tenure which guarantees legal protection against forced eviction, harassment and other threats”.

Some institutions, such as the World Bank and the Organisation for Economic Cooperation and Development (OECD) have adopted guidelines on relocation and/or resettlement with a view to limiting the scale of and human suffering associated with forced evictions. Such practices often accompany large-scale development projects, such as dam-building and other major energy projects.

<b>Indicator 8</b>	<b>Conviction rates for indigent defendants provided with legal representation as a proportion of conviction rates for defendants with lawyers of their own choice</b> (see outcome indicators in the table on the right to fair trial)
<b>Definition</b>	The indicator measures the ratio of conviction rate of defendants who were provided with free legal representation to that of defendants who had legal counsel of their own choice, in the reporting period. Though the indicator could be used separately for the two conviction rates, it is more useful when used as a ratio of the two.
<b>Rationale</b>	Article 14(3)(d) ICCPR provides that defendants should have legal assistance assigned to them, in any case where the interests of justice so requires, and without payment if they do not have sufficient means to pay for it. The Human Rights Committee, in its General Comment 32, states that “Counsel provided by the competent authorities on the basis of this provision must be effective in the representation of the accused”. Furthermore, blatant incompetence by assigned counsel may entail the responsibility of the State. The indicator is an <i>outcome indicator</i> that relates to the access to and equality before the courts attribute of the right to a fair trial. As such, it measures the extent to which equality is achieved in practice.

<b>Method of computation</b>	The indicator is computed separately for defendants provided with legal representation and for defendants with a lawyer of their own choice before taking the ratio of the two. For each group, the indicator is calculated as the ratio of the number of defendants in that group who were convicted to the total number of defendants in that group who stood trial during the reporting period.
<b>Data collection and source</b>	The main sources of data are court records and reports of the office of the prosecutor at the national or sub-national level.
<b>Periodicity</b>	The data, if compiled, should be available on an annual basis.
<b>Disaggregation</b>	The indicator should be disaggregated by type of crimes (e.g. homicide, rape, assault, robbery, etc.), stage of proceedings (first hearing or appeal), and by region or administrative unit. It should also be disaggregated by characteristics of the defendant, in particular by sex, age (at least for children or young people under the age of 18 years), and, as applicable, by relevant demographic groups (e.g. ethnic groups, minorities, migrants, persons with disabilities, sexual orientation).
<b>Comments and limitations</b>	<p>The indicator is a good measure of the relative level of competence of assigned lawyers, and thus of the effective implementation of the right to a fair trial regardless of economic status of the defendant. However, particularly in regions or States with a small number of cases, the indicator should not be over-analysed; each case must be assessed on its own merits. It may also be useful to use this indicator jointly with an indicator on the nature and average length of sentences for indigent defendants and defendants with lawyers of their own choice.</p> <p>UDHR articles 10-11, ICCPR articles 14-15, ICERD article 5(a), CEDAW article 2, CRC articles 12(2), 37(d) and 40, ICRMW articles 16(5-9) and 18, and CRPD article 13, are examples of references of relevance to the right to a fair trial.</p>
<b>Indicator 9</b>	<b>Infant mortality rate</b> (see outcome indicators in the tables on the right to life, the right to adequate food and the right to health)
<b>Definition</b>	The indicator refers to infants dying before reaching the age of one year per 1000 live births during the specified period.
<b>Rationale</b>	As a measure of child survival, the infant mortality rate is a key socio-economic statistic for many human rights, including the right to life, the right to health and the right to adequate food. The level of this indicator can be potentially influenced by a wide range of economic, social, political and environmental determinants. As a consequence, the indicator will be



particularly important in the monitoring of the results of State parties' actions in fulfilling their obligations in creating favourable and necessary conditions in which infant mortality rates are minimised. In the tables of indicators, it has been identified as an *outcome indicator* for the right to life, the right to health and the right to adequate food.

<b>Method of computation</b>	The indicator is computed as number of deaths of infants under one-year of age per 1000 live births in that year. The number of deaths is divided by the number of births and the result is multiplied by 1000.
<b>Data collection and source</b>	<p>The main sources of data at the country level are national administrative records, including the vital statistic registration system and records of statistical agency, sample surveys, population censuses and household surveys, including Demographic and Health Surveys.</p> <p>The World Health Organisation (WHO) compiles aggregate country data series based on administrative and survey data. The United Nations Children Fund (UNICEF) also provides country data series in its Multiple Indicator Cluster Surveys.</p>
<b>Periodicity</b>	In general, the indicator based on administrative records is available annually, and the indicator based on household surveys every 3 to 5 years.
<b>Disaggregation</b>	Disaggregation of indicator by geographic or administrative regions, for example between rural and urban areas, is essential in assessing disparities in the infant mortality pattern across different regions. In addition, the indicator should be disaggregated by cause of death, by sex and, as applicable, by relevant demographic groups (e.g. ethnic groups, indigenous, minorities, migrants) and socio-economic status (income or consumption expenditure quintiles).
<b>Comments and limitations</b>	<p>The indicator is widely used and can be a good summary measure of the realisation of the right to life, the right to highest attainable standard of physical and mental health and the right to adequate food. The infant mortality rate is considered to be a more robust estimate than the under-five mortality rate if the information is drawn from vital statistics registration covering at least 90 per cent of vital events in the population. For household surveys, infant mortality estimates are obtained directly (Demographic and Health Surveys) or indirectly (Multiple Indicator Cluster Surveys). When estimated indirectly, the under-one mortality estimates must be consistent with the under-five mortality estimates.</p> <p>Girls have a survival advantage over boys during the first year of life, largely based on biological differences. This is especially so during the first month of life when perinatal conditions are most likely to be the cause or a contributing cause of death. While infant mortality is generally higher for</p>

boys than for girls, in some countries girls' biological advantage is outweighed by gender-based discrimination. However, under-five mortality better captures the effect of gender discrimination than infant mortality, as nutrition and medical interventions are more important after age one.

In its General Comment No. 14 (ICESCR Art. 12) on the right to the highest attainable standard of health, the Committee on Economic, Social and Cultural Rights interprets that “the provision for the reduction of the stillbirth rate and of infant mortality and for the healthy development of the child” (Art. 12.2(a)) may be understood as requiring measures to improve child and maternal health, sexual and reproductive health services, including access to family planning, pre- and post-natal care, emergency obstetric services and access to information, as well as to resources necessary to act on that information.

In its General Comment No. 6 (ICCPR Art. 6) on the right to life, the Human Rights Committee noted that the right to life has been too often narrowly interpreted. The expression “inherent right to life” cannot properly be understood in a restrictive manner, and the protection of this right requires that States adopt positive measures. In this connection, the Committee considers that it would be desirable for States parties to take all possible measures to reduce infant mortality and to increase life expectancy, especially in adopting measures to eliminate malnutrition and epidemics.

Administrative and household survey data may underestimate infant mortality. It is also important that the main causes of mortality be carefully investigated to ascertain the extent to which it is caused by poor healthcare services, poor health conditions of infants and health problems of their mothers and/or due to some other extraneous reasons that are difficult to anticipate so that policy measures may be suitably formulated to address the problem.

UDHR articles 3 and 25, ICESCR articles 10-12, ICCPR articles 6, ICERD article 5, CEDAW article 2, 12 and 14, CRC articles 6, 27 and 24, ICRMW article 9, 28 and 43, and CRPD article 10, 28 and 25 are examples of references of relevance to the indicator.

This is a [Millennium Development Goal indicator](#).

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