



Goal 16 - National Human Rights Institutions as an indicator of Sustainable Development¹

Note for consideration of the members of the Inter-Agency Expert Group on SDG Indicators.

The Inter-Agency Expert Group on SDG Indicators (IAEG-SDGs) is finalising the list of global indicators for the Sustainable Development Goals (SDGs), but 80 indicators remain under discussion. As the work enters the final stages, the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC) **encourages the IAEG-SDG members to consider integrating the following indicator** concerning National Human Rights Institutions (NHRIs) as an indicator under target 16.a:

“Existence of independent National Human Rights Institutions in compliance with the Paris Principles”²

1. Match between target 16.a and the NHRI indicator

Measuring the strength of NHRIs is a multipurpose indicator that provides an effective metric for assessing the strength of national institutions and will have a catalytic impact on the implementation and monitoring of the entire 2030 Agenda for Sustainable Development.

NHRIs are State bodies with a constitutional and/or legislative mandate to protect and promote human rights. NHRIs address discrimination in all its forms, and promote the protection of civil, political, economic, social and cultural rights. They are part of the State apparatus and are funded by the State. However, they operate and function independently from government. Therefore, **NHRIs are crucial elements of the good governance and institutional accountability architecture that is necessary for ensuring peaceful and inclusive societies and access to justice for all.**

In December 2015, through the adoption of resolution A/70/489/Add.2, **the UN General Assembly reaffirmed the important role of NHRIs** in promoting and protecting human rights and fundamental freedoms, strengthening participation, promoting the rule of law and developing and enhancing public awareness. The Resolution further encourages NHRIs to specifically participate in and contribute to discussions on the implementation of the 2030 Agenda for Sustainable Development. Concretely, NHRIs are in a position to provide independent qualitative and contextualised analysis and guidance on the

¹ Note prepared by the Working Group on Sustainable Development of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights. For technical questions, please contact: Ms. Birgitte Feiring, Programme Manager on Sustainable Development, bife@humanrights.dk

² There are currently two proposed NHRI indicators with slightly different wording. In our view, the “existence of NHRIs in compliance with the Paris Principles” would allow for monitoring two dynamic variables, namely the numbers as well as the status of NHRIs, measured against the internationally agreed Paris Principles.



implementation of the vast majority of targets SDGs at national level³. Further, they can use their reporting mandate to elevate these recommendations to the regional and international levels⁴.

Target 16.a aims at strengthening relevant national institutions and building capacity at all levels to prevent violence and crime. The current proposed indicator for target 16.a measures crime reporting rate with regards to physical and/or sexual crime, which is a proxy indicator for citizens' trust in law enforcement agencies. However, the indicator measures a specific sub-set of crime reporting, while crime reporting rate for all violent crimes is already measured by proposed indicator 16.3.1. Hence, proposed indicator 16.a does not provide substantially new data, as similar data could be generated under indicator 16.3.1. by disaggregation by types of crime. **The NHRI indicator should thus be considered as an indicator to measure the broader dimensions of target 16.a.**

2. Methodology and data availability

The NHRI indicator is fully consistent with international human rights standards and mechanisms. Reliable metrics to determine how to measure the strength of NHRIs already exist in the form of the Paris Principles. The Paris Principles require NHRIs to a) protect human rights, including by receiving, investigating and resolving complaints, mediating conflicts and monitoring activities; and b) Promote human rights, through education, outreach, the media, publications, training and capacity building, as well as advising and assisting the Government. The Paris Principles also serve to regularly assess the independence, investigatory powers, mandate and capacity of NHRIs. The regular assessment of NHRIs' compliance with the Paris Principles is undertaken by a Sub-Committee of the International Coordinating Committee of National Human Rights Institutions, in cooperation with the Office of the High Commissioner for Human Rights (OHCHR). Based on the assessment, NHRIs are awarded with either A or B status, depending on their capacity to undertake their mandate effectively. Hence, the proposed NHRI indicator is not a "yes/no" indicator but will change over time, according to a transparent, periodic and internationally agreed peer review procedure.

The NHRI indicator qualifies as a "Tier One indicator", with agreed methodology, institutionalised monitoring mechanism and existing baseline. **Data is already available, gathered by the OHCHR**, with status updated every six months. Further, meta data has been provided by OHCHR earlier in the process.

The relevance of NHRIs as a multipurpose indicator is also reflected in the fact that different proponents have suggested the indicator under different targets. For example, at the second meeting of the IAEG-SDGs on 26-28 October 2015, France suggested the NHRI indicator under Target 16.1. (to significantly reduce all forms of violence and related death rates), whereas a number of actors in the latest round of comments have suggested the NHRI indicator under targets 16.a (strengthen relevant institutions for building capacity to prevent violence and combat terrorism and crime). It would, however, be equally relevant under, inter

³ See the ICC Mérida Declaration for an overview of the potential role of NHRIs in the context of sustainable development:

<http://nhri.ohchr.org/EN/ICC/InternationalConference/12IC/Background%20Information/Merida%20Declaration%20FINAL.pdf>

⁴ For an example of how the Danish Institute for Human Rights has linked its recommendations to the Danish Government to the SDGs, see:

http://www.humanrights.dk/files/media/dokumenter/sdg/sdgs_and_human_rights_monitoring.pdf



alia, target 16.b (to promote and enforce non-discriminatory laws and policies for sustainable development) and targets 5.c, 10.3 and 16.10.

3. Broad support of the NHRI indicator, but omission from latest list of proposed indicators.

Unfortunately, the NHRI indicator is not reflected in the latest list of proposed indicators, presented by the IAEG-SDGs on 17th December 2015⁵.

Thereby, **the list disregards the latest comments from UN agencies, observer states, civil society and other stakeholder on the proposed indicators⁶, which indicate broad support for the NHRI indicator.** For example, the co-chairs of the Inter Agency Group on Goal 16, namely the United Nations Development Programme (**UNDP**), the UN Executive Office of the Secretary General and the Rule of Law Unit (**EOSG/RoLU**), the UN Peacebuilding Support Office (**PBSO**), along with **OHCHR** are all strong supporters of the NHRI indicator

This omission can partly be explained by a problematic sequencing of the IAEG-SDG working process: while the deadline for comments on the debated indicators (the so-called “grey” indicators) was 15th December, the IAEG-SDGs published its list of proposed indicators on 17th December. Hence, the list does not take into account the substantive input received from agencies, states and organisations from across the globe and may contribute to narrow the options being considered. While this may raise procedural concerns, it may also work counter to the objective of adopting a smart, viable and strategic indicator framework that upholds the vision of the 2030 Agenda.

As the IAEG-SDGs prepares to submit an additional background document to the Statistical Commission in February 2016, it can still take into account the comments and suggestions coming from actors with strong experience, knowledge and mandates in the areas covered under Goal 16.

In that context, the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC) calls for a reconsideration of the inclusion of the NHRI indicator in the global framework, and reaffirms our commitment to work closely with IAEG-SDGs members concerning any additional information or clarification that may be needed.

⁵ See <http://unstats.un.org/unsd/statcom/47th-session/documents/2016-2-IAEG-SDGs-E.pdf>

⁶ See <http://unstats.un.org/sdgs/iaeg-sdgs/open-consultation-3/>