



Issue Paper for the Session: Rights-based Approaches Tools and Indicators – Update on Indicators Work

Defining the Issue

1. In line with UNAIDS priorities, one of the Reference Group's terms of reference is the development of indicators, including those to monitor risk, vulnerability and impact mitigation, which sufficiently capture human rights concerns. The Reference Group Secretariat has been engaged with UNAIDS through the Monitoring and Evaluation Department in a project to review existing indicators in order to identify ways that these indicators can be used as they are, rearranged or grouped, and if necessary modified to capture human rights issues. This issue paper outlines the steps of this process, the status of work so far, and key findings from the pilot review of National Composite Policy Index (NCPI) indicators.

Background

2. The Reference Group continues to carry forward the work on indicators. This process consists of several steps:
 - i. Carry out a preliminary review of indicators, and determine the overall objectives of this work on indicators [this has been completed].
 - ii. Design a matrix for analysis of existing indicators ensuring that this will meet the desired objectives, and carry out a pilot review of some of the core UNGASS indicators, namely the National Composite Policy Index (NCPI) [this has been completed and conclusions are being presented at this meeting].
 - iii. Based on discussion with UNAIDS and Reference Group members' input, revise the matrix for analysis, and review all of the 2006 core UNGASS indicators for human rights sensitivity. [To be discussed at this meeting.]
 - iv. Based on the results of the review described in step 3 above, design a tool for data collection at the country level.
 - v. Apply the tool to selected countries.
 - vi. Explore options for carrying out evaluative research that brings together the different data collected at country level.

Step 1 was completed in 2004, and the results were shared with the Reference Group at the fifth meeting.

Analysis of NCPI Indicators

3. The Supporting Document included with this Issue Paper provides the methodology and documentation of the analysis conducted so far. The overall aim of this initial exercise was to apply a human rights analysis to the NCPI indicators to determine the extent to which human rights concerns were captured. Ultimately, it is anticipated that the methodology will be refined leading to a comprehensive approach for analysis of all of the UNGASS indicators, and potentially all indicators currently endorsed by UNAIDS.

Comments on Process

- Although the definitions of each right as found in the international documents were used as a general guide, the application of these principles to each indicator was subjective using our collective judgment to ascribe values rather than basing the analysis on the legal interpretation of these principles. As requested, we were over-broad in inclusion of rights and indicators at this stage. This process requires further refinement, and it is anticipated that the discussion with the Reference Group will facilitate this process.

- Each right listed may be relevant to a specific indicator but the indicator itself is not sufficient indication of overall fulfillment of the right. For example, accountability in relation to the provision of IEC services is only one indication of governmental accountability for addressing HIV.
- A next step to this analysis may be grouping the indicators by topic to assess the extent to which different human rights principles are addressed in order to identify gaps in data necessary for a human rights analysis; supplement the indicators with other UNAIDS indicators where there are gaps in information; and assess the potential for grouping or modifying existing indicators to paint a clear overall picture for a human rights analysis. For example, for provision of IEC, indicators could be grouped to address accountability, non-discrimination, accessibility, etc. for this issue. This may paint a clearer picture of governments' commitment to human rights in relation to this specific area and help identify gaps to better set up policies and programs.

Preliminary Lessons Learned and Questions Raised

- A major weakness in using existing HIV indicators to measure human rights compliance is how to determine their value for this purpose. The NCPI indicators, for example, are yes/no questions, and therefore the information collected on the legal and policy environment is an indication of the existence of these policies and does not include an assessment of the quality, content and level of implementation of laws and policies. Therefore, the indicators can only give a small indication of what is happening in human rights terms.
- Taken as a whole, the NCPI appears to be a useful tool, to assess overall accountability of governments towards addressing HIV. This is because there are indicators that determine the existence of laws and policies, the key stakeholders involved, the resources allocated, and the existence of monitoring and evaluation mechanisms. It remains to be determined, however, which aspects of accountability raised through this human rights analysis are and are not found to be addressed through the NCPI. Once this is done, additional indicators may be needed to fill the gaps.
- There are two indicators at the end of each section that request governments to rate their progress overall from 0-10 in 2003 and 2005. The responses to these questions could be analyzed separately, as they attempt to assess the section as a whole and to address quality and, in some cases, progressive realization of laws and policies. The lessons learned from how countries reported on these indicators may provide useful insights for future analysis.

Question for discussion:

- 1) How should the overall analysis be presented?
- 2) What criteria should be used to narrow the selection of rights relevant to the indicators presented?
- 3) What criteria should be used to narrow the selection of indicators used in this analysis?
- 4) How can the quality, content and level of implementation of laws and policies be assessed? Can this be addressed at this stage? If so, how?
- 5) What other key principles and issues need to be included in the analysis? organizations or sources that should be included?

This issue paper was prepared by the Reference Group Secretariat to facilitate discussion at the Reference Group's April 2006 meeting.