

PARTICIPANT'S HANDBOOK

MODULE 5 – DATA COLLECTION

DESCRIPTION

This module provides participants with guidance on the data that needs to be submitted when reporting to the CRC and CEDAW Committees, and how this data can be collected.

TIME: 1 Hour and 30 Minutes

MODULE AIMS

This module addresses data collection, perhaps the most demanding element of reporting in terms of the time and resources required.

- The module will introduce **why** data collection is an important part of developing a State Party Report, **how** data should be used, **what** data is necessary and **where** it can be obtained.
- The module also addresses potential challenges States may face in collecting data and drafting a report.

KEY LEARNING OUTCOMES

On the completion of this module, participants should have:

1. An understanding of why and how data is important for the Committees.
2. Knowledge of what data is necessary for reporting on each Convention, how data should be used and where it can be accessed.
3. An understanding of what challenges to anticipate in collecting and presenting data and how they can be mitigated.

SECTION HEADINGS

5.1 Introduction to Data Collection

5.2 What Data to Collect? Indicators for Human Rights

5.3 Data for the Common Core Document

5.4 Data for the CRC Report

5.5 Data for the CEDAW Report

5.6 Data Sources: Collecting Data

5.7 Challenges and Issues

5.1. Introduction to Data Collection

According to the CRC Reporting Guidelines, *“The treaty specific report should include specific data and statistics, disaggregated according to age, sex and other relevant criteria, which are pertinent to the implementation of the provisions of the Convention and the Protocols.”*²²⁴ Similarly, CEDAW’s Guidelines on the Form and Content of reports to be Submitted by States Parties states that *“A report should include sufficient data and statistics disaggregated by sex relevant to each article and the general recommendations of the Committee to enable it to assess progress in the implementation of the Convention.”*²²⁵.

Data and statistics relating to CRC and CEDAW provisions are critical to the preparation of a State report to the CRC and CEDAW Committees to:

- Evaluate the extent to which the Convention (and relevant national laws) are being implemented and the progress made by a State party to the fulfilment of its commitments under the Conventions over time;
- Determine the impact of policies and laws,
- Identify gaps in implementation;
- Formulate policies and programmes to ensure the effective implementation of the Convention.

Accurate data on implementation is also essential to the CRC and CEDAW Committees to:

- a. Work with States to identify the Articles of the Convention which are not currently being fully implemented and which deserve closer attention or greater investment; and
- b. Provide more accurate, and hence useful, advice to the State party on how to combat the difficulties of implementation.

²²⁴ CRC Committee, “CRC Treaty Specific Reporting Guidelines, Harmonized According to the Common Core Document,” CRC/C/58/Rev.2, 2010.

²²⁵ HRI Committee, “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.6, 2009.

Without accurate data, the Committees cannot adequately ensure that the Conventions are being successfully implemented or develop recommendations for further action that will lead to implementation.

5.2. What Data to Collect? Indicators for Human Rights

In order for data to be helpful for the Committees and members of government involved in implementing the Conventions, it must be accurate, comprehensive, and meaningful in relation to the content of the Conventions. The Committees require States to provide large amounts of data. The full set of statistical data should be included in an annex to the State report, though statistical data relevant to a particular article, law or policy can be included in the text.

Data should be collected on a continual and where possible, longitudinal basis, so that the progress in implementation can be measured over time. On-going data collection can also help determine the impact of new policies, laws and practices.

Indicators

One vital question to be answered as a State starts to collect data for its State report is ‘*what*’ data to collect. Once a State has determined ‘*what*’ data to collect, it must also determine ‘*how*’ to measure that data in a way that communicates something meaningful to the Committees about the implementation of the Conventions. Indicators are a useful way for States to collect, measure and produce data that is necessary for the Committees. When developing indicators (a 5-step process which will be explored in this session), it is important to ensure that these indicators answer the questions of ‘*what*’ data to collect and ‘*how*’ to measure it.

According to the UN OHCHR “a human rights indicator **is specific information on the state or condition of an object, event, activity or outcome** that can be related to human rights norms and standards; that addresses and reflects human rights principles and concerns; and that can be used to assess and monitor the promotion and implementation of human rights.”²²⁶ Indicators may also be used to determine the impact of policies and programmes, and to assess whether they are achieving their desired outcomes.

The Guidelines on reporting to the Common Core document (included in the training resource pack) contains a list of specific indicators States Parties must include in their reports.²²⁷ However the CRC and CEDAW Committees do not specify indicators States should collect. It will be necessary, therefore, for States to develop their own set of indicators for reporting to the CRC and CEDAW Committees.

²²⁶ United Nations Office of the High Commissioner for Human Rights, *Human Rights Indicators: A Guide to Measurement and Implementation*, HR/PUB/12/5.

²²⁷ HRI Committee, “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.6, 2009.

Disaggregated data

The CRC and CEDAW Committees request that data be disaggregated by a number of background characteristics, including gender, age (UNICEF suggests the categories 0-4, 5-9, 10-14, 15-17), urban v. rural, ethnicity, religion, socioeconomic status and country of origin.²²⁸ This is particularly important for the CRC and CEDAW Committees because it allows the Committees to analyse women and children's experience of particular human rights indicators and identify instances of discrimination. As pointed out by UNICEF, "Disaggregating data lines where feasible helps to assess where there might be discrimination against certain population groups or where supplementary efforts might be required to reach vulnerable groups."²²⁹ During the reporting process, the Committees will determine whether the government is adequately collecting data disaggregated by the categories listed above, and whether this data has been included in the State Party report. If not, the Committee will indicate that this is a step, which must be taken by the State.

How to Develop an Indicator

When developing an indicator it is important first to set out the "object, event, activity or outcome" the indicator is designed to measure or assess. For instance, in evaluating the implementation of CRC article 28 (the right to education) a State Party might develop an indicator to measure: **the percentage of children enrolled in primary school**, in order to determine the extent to which the right to primary education has been fulfilled.

The first step will be to **define** the indicator so that it can be expressed numerically, in this case, "The ratio of the number of primary school age children who are enrolled in primary school to the total population of children who are of primary school age."²³⁰ This indicator can be expressed as a fraction with (number of enrolled children) / (number of children of primary school age).

It is also important to understand the **purpose** of the indicator – what does it tell you and how is this information relevant to reporting to the Committee? This indicator monitors progress toward universal primary education by monitoring the proportion of primary school aged children enrolled in school.

Next, it is necessary to identify **measurement tools** for each indicator. It may also be useful to consider **what data exists** or is accessible before developing indicators (see section on data sources later in the module). Conducting surveys or censuses to keep track of numerical data over time requires significant time and resources: where possible, it is useful for States to develop indicators that draw on existing data sources. Existing data sources on universal

²²⁸ UNICEF, *Draft List of Indicators for Monitoring and Evaluation of the Convention on the Rights of the Child*, p. 2.

²²⁹ UNICEF, *Draft List of Indicators for Monitoring and Evaluation of the Convention on the Rights of the Child*, p. 3.

²³⁰ UNICEF, *Draft List of Indicators for Monitoring and Evaluation of the Convention on the Rights of the Child* p. 31.

primary education are likely to include administrative records, household surveys (such as DHS, the UNICEF MICS) and census data.²³¹

It will also be necessary to determine **how to measure** the indicator. “Data for this indicator are usually recorded by the country ministry of education or compiled from surveys and censuses. Data on the population in the official ages group for the primary level are available from national statistics offices, based on population censuses and vital statistics registration.”²³²

Finally, it is important to consider the **strengths and limitations** of an indicator. For instance, the indicator of net enrolment only accounts for children who are of “official” primary school age. In countries where many children start school late, it may be possible for a country to achieve the goal of universal completion of primary school with an indicator below 100. This could occur if everyone in a particular cohort completed primary school, but some began after the normal starting age and therefore completed school later than the recommended age.”²³³

Monitoring Juvenile Justice Indicators

Article 40 of the CRC, establishes the rights of children in conflict with the law. Consideration will need to be given by the State as to which indicators could be used by the State to demonstrate the implementation of the different elements of article 40. They will also need to decide how indicators will be measured, what data would be necessary to measure them and where could this data be obtained.

Article 40

1. States Parties recognize the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society.

2. To this end, and having regard to the relevant provisions of international instruments, States Parties shall, in particular, ensure that:

(a) No child shall be alleged as, be accused of, or recognized as having infringed the penal law by reason of acts or omissions that were not prohibited by national or international law at the time they were committed;

(b) Every child alleged as or accused of having infringed the penal law has at least the following guarantees:

(i) To be presumed innocent until proven guilty according to law;

²³¹ Ibid.

²³² UNICEF, *Draft List of Indicators for Monitoring and Evaluation of the Convention on the Rights of the Child* p.31.

²³³ UNICEF, *Draft List of Indicators for Monitoring and Evaluation of the Convention on the Rights of the Child*

(ii) To be informed promptly and directly of the charges against him or her, and, if appropriate, through his or her parents or legal guardians, and to have legal or other appropriate assistance in the preparation and presentation of his or her defence;

(iii) To have the matter determined without delay by a competent, independent and impartial authority or judicial body in a fair hearing according to law, in the presence of legal or other appropriate assistance and, unless it is considered not to be in the best interest of the child, in particular, taking into account his or her age or situation, his or her parents or legal guardians;

(iv) Not to be compelled to give testimony or to confess guilt; to examine or have examined adverse witnesses and to obtain the participation and examination of witnesses on his or her behalf under conditions of equality;

(v) If considered to have infringed the penal law, to have this decision and any measures imposed in consequence thereof reviewed by a higher competent, independent and impartial authority or judicial body according to law;

(vi) To have the free assistance of an interpreter if the child cannot understand or speak the language used;

(vii) To have his or her privacy fully respected at all stages of the proceedings.

3. States Parties shall seek to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law, and, in particular:

(a) The establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law;

The following table suggests a set of indicators that States may measure to demonstrate the level of implementation of article 40. The table lays out the purpose of each indicator, how it may be measured and where data to measure it may be obtained.

Purpose	Indicator	How to Measure	Data Source
Demonstrate implementation of article 40.2	Date of entry into force and coverage of juvenile courts	Date juvenile court entered in force, number of juvenile offenders charged and tried in juvenile courts / ²³⁴ total juvenile offenders charged and tried	Juvenile case records in court registries
Demonstrate implementation of article 40.3 (a)	Legal age of criminal responsibility	Age specified in law on age of criminal responsibility	Law on age of criminal responsibility

²³⁴ The “ / ” symbol separates the numerator from the denominator to express a fraction. This could be expressed numerically as a percentage.

Demonstrate implementation of 40.3	Proportion of prosecutors and defence lawyers working on juvenile cases with specialized training in juvenile justice	Number of prosecutors and defence lawyers working on juvenile cases with specialized training in juvenile justice / number of prosecutors and defence lawyers working on juvenile cases	Training rosters from juvenile justice training; juvenile case records in court registries
Demonstrate implementation of 40.2 (a)(ii)	Proportion of juvenile detainees provided with free legal assistance within 24 hours of the start of custody	Number of juvenile detainees provided with free legal assistance within 24 hours of the start of custody / Number of juvenile detainees in custody	Records at juvenile detention centres, polices stations, other locations where juveniles are detained
Demonstrate implementation of article 40.1	Proportion of juveniles in custody receiving education/vocational training by trained teachers for same hours as students that age at liberty	Number of juveniles in custody receiving education/vocational training by trained teachers for same hours as students that age at liberty / Number of juveniles in custody	Records at juvenile detention centres, polices stations, other locations where juveniles are detained
Demonstrate implementation of article 40.3	Proportion of courts adapted to handle juvenile cases	Number of courts adapted to handle juvenile cases /Number of courts handling juvenile cases	Records of adaptations made to courts; Juvenile case records
Demonstrate implementation of article 40.3	Proportion of convicted juveniles sentenced to imprisonment	Number of convicted juveniles sentenced to imprisonment / Number of convicted juveniles	(Court registries) juvenile case records
Demonstrate implementation of 40.3 (b)	Proportion of juveniles accessing rehabilitation services after release	Number of juveniles accessing rehabilitation services after release / Number of juveniles released from custody	Records at juvenile detention centres, polices stations, other locations where juveniles are detained
Demonstrate impact of child rights based juvenile justice policy	Number of children arrested/detained per 100,000 child population	Number of children arrested/detained / 100,000 child population	Records at juvenile detention centres, polices stations, other locations where

			juveniles are detained
Demonstrate impact of child rights based juvenile justice policy	Juvenile recidivism rates	Number of children convicted of a juvenile offence who reoffend / number of children convicted of a juvenile offence	Court registries (juvenile case records)

5.3 Data for the Common Core Document

The Compilation of Guidelines on the Form and Content of Reports to be Submitted by States Parties to the International Human Rights Treaties specified the information to be included in the Common Core Document, including a list of human rights indicators that the document should report on.²³⁵ The following table lays out different categories of data that are necessary for the Common Core Document and possible data sources.

Exercise 5.3.1: Participants will be asked to participate in an exercise: “Data on the Common Core Document



5.4 Data for the CRC Report

In their CRC Reports, States must include statistical data on each of the issues indicated in the Annex to the Guidelines Regarding the Form and Contents of Periodic Reports to be dealt with. This data will be included in the core document, and is relevant for reporting on CEDAW as well as the CRC.

Exercise 5.4.2: Participants will be asked to participate in an exercise: “Data necessary for reporting to the CRC Committee.”



5.5 Data for the CEDAW Report

Unlike the guidelines on the CRC and Core Document, the CEDAW Committee’s guidelines do not request specific data or statistical information. Instead they specify that: “a report should include sufficient data and statistics disaggregated by sex relevant to each Article and the general recommendations of the Committee to enable it to assess progress in the implementation of the Convention.”²³⁶ The fact that the CEDAW guidelines do not specify

²³⁵ HRI Committee, “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.4, 2007, Annex 3.

²³⁶ CEDAW Committee, “Revised Reporting Guidelines,” Annex 1, CEDAW/SP/2004/INF/1.

what data is required leaves States with some discretion as to what they provide, but ultimately this is probably less helpful than the detailed prescriptive requirements of the CRC Committee.

Despite the lack of specificity, States should expect the CEDAW Committee to require a wide range of data, as statistical data is particularly relevant in demonstrating the impact of legal and policy measures taken to promote the implementation of CEDAW. Consider the following examples:

e.g

1. Article 4 allows States to take “temporary special measures” to eliminate existing inequalities. For instance, if discrepancies in male or female rates of higher education exist, a State may take measures to encourage girls to engage in higher education, such as making scholarships available for girls, or putting positive discrimination measures in place. Data is essential to demonstrate the extent to which the numbers of women and/or girls in education have increased as a result of the measures taken by a State.

e.g

2. Article 6 calls on States to address trafficking of women and the exploitation of prostitution. In reporting on Article 6 a State should both describe measures taken on trafficking and exploitative prostitution and present data that demonstrates both the nature of the problem, and any progress made, such as data on the arrest rates of traffickers and numbers of women subject to trafficking.

e.g

3. Article 12 provides for women’s equal access to healthcare, including equal access to sexual and reproductive services, and calls on States to ensure that special services related to pregnancy, child-birth and post natal care are provided to women. States should include disaggregated data on women’s access to various health services, including access to contraceptive services, care received during child-birth and post natal care.

States should expect the Committee to comment negatively in the Concluding Observations if their CEDAW periodic report that does not provide such data.



For instance: in its 2002 Concluding Observations to **Barbados**, the CEDAW Committee noted that the State had provided insufficient disaggregated data with regards to gender, age, and wages, specifying the need for certain information, such as the (estimated) number of prostitutes in the country.²³⁷



For further information, see guidance provided by International Women’s Rights Action Watch Asia Pacific and ESCR-NET on the type of information relevant to reporting on implementation of CEDAW in “Participation in ICESCR and CEDAW Reporting Processes.” This resource can be accessed at:

http://www.escr-net.org/usr_doc/CEDAW_CESCR_reporting_guidelines_FINAL_Oct_6_2010.pdf.

²³⁷ “Concluding Observations of the Committee on the Elimination of Discrimination Against Women: Barbados,” *CEDAW/C/BAR/4*.



Exercise 5.5.3: Participants will be asked to participate in exercise “Data Necessary for Reporting to the CEDAW Committee.”

5.6. Data Sources: Collecting Data

There are a number of different sources of relevant data that could be included in a report. They include:

1. Government Statistics held by central and local government bodies
2. Statistics from NHRIs, research bodies and NGOs
3. Information from relevant government departments
 - Ministry of Justice
 - Ministry of Education
 - Ministry of Health
 - Ministry of Children’s/Women’s Services
 - Ministry of Culture/Sport/Tourism
4. Legal cases
5. Logs and statistics (held by police, courts, schools, hospitals, etc).
6. Individual testimony
7. News clips
8. Academic research



Government data is the most important source for a State Party Report because it ties most closely to government activity relating to the implementation of each Convention. National systems for data collection vary and many countries have standardised agencies responsible for managing data and information. Data is also likely to be held by relevant departments and agencies where it was collected: education, health, social welfare, justice and employment are particularly relevant to reporting on CRC and CEDAW. Finally, data should also be taken from sub-national entities, including hospitals, schools, police stations, prosecution services, the attorney general’s office and detention centres, particularly where a centralised data collection agency does not exist within the State. States Parties may also acquire data from NGOs, Universities, relevant United Nations bodies (particularly UNFPA, the United Nations Population Fund) and other international organisations, such as the IOM, WHO, and UNICEF’s MICS (the multi-indicators cluster survey).

[It should be recognised that data collection takes time and in some cases data can](#) be difficult to obtain. It is vital that the drafters of the periodic report prioritise data collection at the start of the process of preparation of the report and set out a plan and a timeline for what will be collected from whom and who will be responsible for collating and analysing the data.

Permanent institutional structures: An important part of the implementation of the CRC and CEDAW treaties is the development of efficient monitoring and data collection systems on relevant content. According to the harmonised guidelines: “*These institutional structures should develop an efficient system—supported by modern technologies—for the collection (from the relevant ministries and government statistical offices) of all statistical and other data relevant to the implementation of human rights, in a comprehensive and continuous manner. Technical assistance is available from the Office of the United Nations High Commissioner for Human Rights (OHCHR) in collaboration with the Division for the Advancement of Women (DAW), and from relevant United Nations agencies.*”

The Committees will expect States to present information on how they collect and collate data. Thus States should prioritise the development of permanent institutional structures for data collection within government. This will require a financial and time commitment within Government ministries. Where these structures do not exist it will be much more difficult for States to provide reliable information and for the Committees to determine the level of implementation of the Convention in the State. These institutional structures should be developed with the content and data collection requirements in mind so that all necessary data is included in the mechanism.

Collecting statistics and data for reporting

Even where there is a centralised statistics agency, it is unlikely that it will collect all the statistics that are required.²³⁸ Where possible, it is useful if States can draw on existing data sources when reporting, but States should expect that they will need to undertake further data collection for the report to fill in the gaps. The data needed to report on the State’s progress in implementing the Conventions will include both qualitative and quantitative data. Both forms of data are useful in different ways, with quantitative data providing information on *what is* and qualitative data providing information on *why* and *how* that is the case. Qualitative data can often be converted into quantitative data if objective markers of otherwise qualitative data can be defined.

Quantitative data is based upon objective descriptions of data, which can be observed but also measured accurately. Example: *One out of four women in Country X has experienced domestic violence; one out of 10 children in Country X dies before the age of 18.* It is often collected through surveys or government records.

Qualitative data is based upon subjective descriptions of data, which can be observed but not measured. Example: *The police of Country X do not take women’s concerns about domestic violence seriously.*

Qualitative data should be included in order to explain existing statistical data, and ensure that it can be used to report meaningfully on the Conventions. The reasons for a

²³⁸ Carolyn Hamilton and Rachel Harvey “The Role of Statistics and Public Opinion in the Implementation of International Juvenile Justice Standards” pp. 13, in *Heuni Paper No. 21*, 2005.

drafting committee to engage in data collection will be explored further in the section on challenges in data collection and reporting.

There are a range of means by which data can be collected. It is unlikely that a drafting committee will have the time or resources to collect all the relevant data needed itself, but it can either access existing data from studies conducted by other organisations (NGOs, UN Bodies, Government) or commission a study to be conducted by a partner.

Interviews allow for direct communication with those who are implementing the Conventions or are affected by them will produce largely qualitative data. The wide scope of CRC/CEDAW means that most members of society will have information pertinent to the Conventions. For the CRC and CEDAW alike, individuals who could provide useful information include: educators; legislators; judges and clerks; police; civil servants; religious leaders; employers and policy makers. Most importantly it is vital that qualitative data is collected through communications with diverse groups of children and women.

For both Conventions, it is important not to limit research to authority figures or holders of power. This issue is addressed in greater depth in Module 6 on participation. Any interview programme should focus upon all members of society. This means not only focusing upon children and women in stable situations but also those who are in a more vulnerable or distressed position. It is particularly important to consult with excluded or marginalised groups and those who are dependent on support from government services, such as individuals with disabilities, with health problems (including those affected by HIV and AIDS) women and children in conflict with the law; immigrants; members of indigenous communities; children who are not attending school; women who are in employment or who are homeless (in particular ‘street children’; children who are in the care system and women and children subject to commercial sexual exploitation). See Module 6 on participation for more information.

Exercise 5.6.4: Participants will be led in a discussion on the data that their home governments collect and how this data could be useful in reporting to the Committees.

5.7 Challenges and Issues

According to recent analyses, no country has ever delivered statistical data on all the subjects requested by the Committee on the Rights of the Child.²³⁹ Where a State has not provided sufficient data the Committee is likely to note this in the List of Issues or even make a recommendation with regards to this in its concluding observations.²⁴⁰ Establishing monitoring and data collection mechanisms is an important step that States can take steps towards implementing the CRC and CEDAW.

The CEDAW Committee raised data collection as a problem in Concluding Observations for eight out of the nine Eastern Caribbean States and the CRC Committee raised it as a problem


²³⁹ Carolyn Hamilton and Rachel Harvey “The Role of Statistics and Public Opinion in the Implementation of International Juvenile Justice Standards” pp. 13, in *Heuni Paper No. 21*, 2005.

²⁴⁰ Carolyn Hamilton and Rachel Harvey “The Role of Statistics and Public Opinion in the Implementation of International Juvenile Justice Standards” pp. 11, in *Heuni Paper No. 21*, 2005.

in all nine. As explained by a representative from Grenada in its State report to the CEDAW Committee, “*data collection was inherently problematic for small island States...that face challenges such as limited capacity, socio-cultural taboos around reporting crime, and a lack of disaggregated data.*”

Non-existent data:

Lack of data, or the lack of institutionalised systems for monitoring and data collection, is the greatest barrier to States including sufficient information in treaty body reports, and has been noted by both the CRC and CEDAW Committees.



In its concluding observations for Antigua and Barbuda, the CEDAW Committee noted a “*paucity or non-existence of statistical data*” regarding women in the labour force, prostitution, and trafficking.²⁴¹ The Committee also noted the need for disaggregated figures for literacy, and data on school dropout rates and the prevalence of teenage pregnancy. In its 2005 Concluding Observations on Saint Lucia, the CRC Committee noted the lack of and need for a “*body that monitors the situation of children in alternative care.*”²⁴² Similarly, in its 2003 Concluding Observations to Jamaica, the CRC Committee commented that there was a lack of data relating to several issues, including child labour and sexual exploitation.²⁴³ The Committee also noted to Haiti that it was “*concerned at the absence of reliable data and the lack of an adequate data collection system.*”²⁴⁴ This is often due to a lack of financial and human resources which prevents the collection of statistical data and, in turn, the full implementation of CEDAW in many of the Caribbean States.

While resource challenges may affect reporting, effective planning and coordination for data collection and collation prior to report drafting will allow States to collect more information more efficiently and at a lower cost. It is important to invest in this process as soon as possible and long before the report is due. It is also for this reason that UNICEF has focussed on identifying child rights indicators that can be taken from existing data.²⁴⁵

Socio-cultural barriers:

Socio-cultural norms against reporting crime have an impact on the existence and accuracy of data. This is an issue in many countries, the paradox being that hesitancy to acknowledge or report a problem may inhibit the State’s efforts to address it. It may be a particular challenge with sensitive issues related to gender, sexuality, and/or violence. This may also relate to broader social pressure against reporting certain (criminal) activity. For instance, in Saint Kitts

²⁴¹ The Committee on the Elimination of Discrimination Against Women, Consideration of Reports Submitted by States Parties Under Article 18 of the Convention: Antigua and Barbuda,” CEDAW/C/ANT/1-3, 1995.

²⁴² Concluding Observations of the Committee on the Rights of the Child, Saint Lucia, U.N. Doc. CRC/C/15/Add.258, 2005.

²⁴³ CRC Committee Concluding Observations: Jamaica, CRC/C/15/Add.210 (2003).

²⁴⁴ CRC Committee Concluding Observations: Haiti, CRC/C/15/Add.202 (2003), para 15.

²⁴⁵ UNICEF, *Draft List of Indicators for Monitoring and Evaluation of the Convention on the Rights of the Child* p.3

and Nevis women are often unwilling to testify against abusive partners due to economic dependence, or pressure associated with family loyalty.²⁴⁶

Making data meaningful:

When providing data in reports it is essential that States consider and explain how that data is relevant to their implementation of specific provisions of the relevant Convention. Any data presented must be presented in a way to make it meaningful to the Committee.

It is problematic when the data States present to the Committees does not achieve this. Moreover, it is likely to prolong the reporting process for the State. Although it may be tempting to simply collect and present consolidated data when reporting, unless data is used to explain and illustrate the *de jure* and *de facto* implementation of the Convention in a meaningful manner, it will not assist the Committees to understand that progress the State has made towards the implementation of the Conventions. When this occurs the Committee will often request further information from the State, requiring greater effort on the part of the State in the long run.



Consider the data submitted by Lesotho in its report to the CRC Committee regarding children in contact with the law:²⁴⁷

“According to the statistics provided in Lesotho’s Supplementary Report, there were 758 murders committed by children in 1996-1997, 863 in 1997-1998 and 1130 in 1998-1999. Interestingly, only one child was in detention for culpable homicide in 1997, 2 in 1998 and 1 in 1999. The Supplementary Report indicates that as a matter of operational procedure, police do not keep children in custody, but place them back with their parents.”

Lesotho’s reporting demonstrates the problems of incomplete or unexplained statistics. While this information is quite shocking, without additional information and analysis, the Committee will not be able to interpret the data or understand the implication for children’s rights. The Committee would need information on how many children were arrested, tried, charged or convicted of murder, deprived of their liberty, or entered into a diversion scheme in order to understand the treatment of children in contact with the law in Lesotho and whether this is compliant with the CRC. Information on conditions of the trial, detention or diversion process and on what constitutes murder under the law in Lesotho is also critical.

States’ reports should include qualitative information, which can assist the Committee in interpreting and understanding the quantitative data provided. For instance, qualitative data may be useful to understand not just the extent to which deprivation of liberty of children occurs, but when and how. For more information on methods of collecting qualitative data and why it is important, see Module 6 on participation.

In order to make data meaningful, it is also important that States relate the data to legislative, policy and other efforts towards the implementation of the Convention wherever possible. This will help the Committees to understand the impact of measures taken by the State towards

²⁴⁶ Saint Kitts and Nevis, Summary Record of the 537th Meeting CRC/C/SR.537 (1999).

²⁴⁷ Carolyn Hamilton and Rachel Harvey “The Role of Statistics and Public Opinion in the Implementation of International Juvenile Justice Standards” pp. 11, in *Heuni Paper No. 21*, 2005.



implementation, and give credit where credit is due. It is important to keep in mind that presenting data over time can demonstrate improvements in areas of concern to the Committees, even where problems still exist. When reporting on *de facto* implementation, States must strive to explain how progress towards the implementation of the Convention was achieved and/or why it has been difficult to achieve.

FURTHER READING

Human Rights Indicators: A Guide to Measurement and Reporting:

http://www.ohchr.org/Documents/Publications/Human_rights_indicators_en.pdf

Draft List of Indicators for Monitoring and Evaluation of the Convention on the Rights of the Child, UNICEF

Harmonised guidelines for reporting to the treaty bodies:

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G04/413/80/PDF/G0441380.pdf?OpenElement>

“The Role of Statistics and Public Opinion in the Implementation of International Juvenile Justice Standards” Carolyn Hamilton and Rachel Harvey:

<http://www.createsolutions.org/unicef/Documents/resources/theme/mediapublicopinion/roleofstatspublicopinion1.pdf>

United Nations Statistics Division: <http://unstats.un.org/unsd/default.htm>

UNFPA Census Portal: <http://www.unfpa.org/public/home/sitemap/pid/6734>

UNFPA resources on Data for Development:

<http://www.unfpa.org/public/home/datafordevelopment/statistics>