A FOUR STEP FRAMEWORK FOR MONITORING ECONOMIC, SOCIAL AND CULTURAL RIGHTS Fulfillment

OUTCOMES

WHAT CONCEPTS ARE WE MEASURING?

Minimum core obligations: Widespread deprivations suggest obligations of result (e.g. to reach minimum essential levels of a right) are not being met.

Non-discrimination and equality: Differences in the enjoyment of a right raise concerns about possible discrimination or failure to address disadvantage.

Progressive realization and non-retrogression: Identifying trends in the enjoyment of a right over time indicates whether there is progress or backsliding and whether disparities are growing or reducing.

HOW CAN WE MEASURE THEM?

Compare socio-economic outcome indicators to relevant benchmarks and/or analogous countries. Deviations can point to whether or not a country’s performance is reasonable.

Disaggregate socio-economic indicators by relevant social groups (e.g. ethnicity, religion, gender, region, income, etc.) to uncover any particular or intersecting disparities.

Compare the same socio-economic indicators over time (aggregate or disaggregated).

WHAT CONCEPTS ARE WE MEASURING?

Obligation to take steps: Whether the government is taking adequate legislative, judicial, administrative, social and other measures towards the full realization of rights.

A range of techniques can be used to gather primary or secondary data that measure these criteria. Cross-country comparisons, disaggregated and temporal data all help in judging the reasonableness of the state’s performance.

HOW CAN WE MEASURE THEM?

Identify indicators that demonstrate commitments made and analyze the provisions of relevant laws and policies against international standards, guidelines, etc.

Analyze qualitative data (e.g. focus groups, interviews) to gather feedback from particular rights holders. Quantifiable studies (e.g. perception surveys and governance indicators) may provide a general overview.

WHAT CONCEPTS ARE WE MEASURING?

Indivisibility and interdependence: Socio-economic, political and cultural factors may inhibit people’s ability to enjoy their rights or seek redress if they are violated.

Obligations to respect and protect: The capacity of the government (influenced by third parties and structural limitations) is also relevant to explain why its efforts have not been more successful.

Obligations to fulfill: To make a conclusion about a government’s compliance with its obligation to fulfill economic, social and cultural rights.

HOW CAN WE MEASURE THEM?

Identify the state’s main revenue sources (e.g. taxation, borrowing, international assistance). Evaluate relevant fiscal, monetary, and macro-economic policies against human rights principles.

Evaluate channels for participation in budgeting. Assess to what degree people have access to budgetary information. Evaluate administrative, judicial or other avenues for review of budget decisions or redress.

Identify other determinants

Understand state constraints

Determine state compliance

Drawing on tools of budget and economic policy analysis, this step evaluates the state’s fiscal policies to uncover cases where underfunding is related to a failure to efficiently and equitably generate and distribute resources.

RESOURCES

This step addresses the laws and policies that give effect to the state’s human rights commitments. It seeks to determine the extent to which they have translated into adequate goods and services on the ground and to identify the capacity gaps that have led to shortcomings in their implementation.

Policy Efforts

Identify legal and policy commitments

Examine policy content and implementation

Analyze policy processes

Resources

Measure aggregate levels of rights enjoyment

Measure disparities in rights enjoyment

Measure progress over time

Outcomes

The steps of the framework represent four broad dimensions, within which an inventory of relevant issues is grouped. They need not be carried out in a strict sequential order and can be adapted to focus on one step or sub-step over another, depending on the context. For more information visit www.cesc.org.