

Parallel reporting to advance Women's Economic, Social and Cultural Rights

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INTRODUCTION

Economic, social and cultural rights (ESCR) are particularly important for women because they directly address issues of poverty and inequality, which have a different and disproportionate impact on the lives of girls and women. When needs are transformed into rights, women are able to demand that these rights be respected, protected and fulfilled, and to hold governments accountable if they fail to do so. The international human rights framework also allows us to connect local or seemingly individual issues to systemic forces and the broader international community working to advance these rights around the world. Through parallel reporting, civil society can take an active role in holding States accountable to their legally mandated obligations, amplify the voices of groups whose rights are being violated and strengthen the visibility of issues that otherwise might not get adequate attention. Effective parallel reporting has a relevant potential as a tool for mobilization, to strengthen jurisprudence and to support ongoing advocacy. Through a common language grounded in human rights, this process also allows us to deepen solidarity and movement-building and increase the impact of our work¹.

Developed by members of the Women and ESCR Working Group (WESCR WG) and the Monitoring Working Group (MWG), this guide provides practical information and tools for using parallel reporting to advance women's economic social and cultural rights and substantive equality. The guide also aims at strengthening an intersectional analysis and approach in parallel reporting around women's ESCR. In line with ESCR-Net's objective to operationalize intersectionality in practice, the guide is the result of a collective effort of our members to raise the attention of United Nations treaty bodies towards issues of substantive equality, including the impact that violations of economic, social and cultural rights have on women.

¹ *Claiming Women's Economic, Social and Cultural Rights, ESCR-Net and IRAW Asia-Pacific. 2013. Available at: <https://www.escr-net.org/sites/default/files/Guide%20on%20Women's%20ESCR%20-%20Final.pdf>*

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This guide is part of the project Altavoz, which supports grassroots groups, communities and NGOs to bring their issues to the attention of United Nations bodies through parallel reporting and increase government accountability to human rights obligations. The project facilitates exchanging learnings and support for communities, grassroots groups and NGOs that want to use parallel reporting in their advocacy and organizing. The project enables ESCR-Net members and allies to both offer and seek support regarding parallel reporting on ESCR, including women's ESCR, with the ultimate aim of building a global movement for social justice, as envisioned in ESCR-Net's Common Charter for Collective Struggle.

Go to <https://www.escr-net.org/parallel-reporting/guide> to find relevant resources, request support from members and learn from the experiences of groups that use parallel reporting to advance human rights



Overview of Parallel Reporting

What is UN Treaty Body reporting?

At the international level, all States have agreed to be bound by one or more of the core international human rights treaties. Within the United Nations, special committees have been set up to oversee, monitor and provide guidance on the implementation of these human rights treaties. Every few years, States are required to report to these UN treaty bodies (UNTBs) about the progress they have made in implementing these treaties.

For example, the Committee on Economic, Social and Cultural Rights (CESCR) treaty body – a group of 18 independent experts – monitors implementation of the International Covenant on Economic, Social and Cultural Rights (ICESCR) human rights treaty.



This reporting process involves:

- **Official State reports:** relevant information submitted by the State under review;
- **Parallel reports:** relevant information submitted by civil society (any person or group within civil society) to supplement or counter the official State report;
- **List of issues, LOIs (in some cases this is called list of issues prior to reporting, LOIPRs, see p.11):** UN committees decide a list key topics and questions, relevant to the related treaty, that states and civil society should report on.
- **Formal dialogue (or constructive dialogue):** This is a substantive discussion between the committee and representatives of the state under review on the list of issues previously agreed on. The dialogue is held in public and open to civil society participation. It is webcast live at <http://webtv.un.org/>
- **Concluding observations:** written recommendations issued by the treaty body to the State, outlining the key steps the State should take to comply with its human rights obligations; and
- **Follow-up process:** some UN committees, like the CESCR, establish a process for following-up on the implementation of key concluding observations 24 months after they are issued. Civil society organizations can also submit reports.

What are States' obligations regarding economic, social and cultural rights?

States have a number of general obligations in relation to all economic, social and cultural rights (as laid out in Art.2 of the ICESCR). These include:²

- **Progressive realization and non-retrogression:** human rights treaties recognize that not all States are able to immediately guarantee full enjoyment of all ESCR to their citizens (however, they do have obligations to provide a core minimum standard, see below). For this reason, States are mandated to 'progressively realize' ESCR by taking positive steps to fulfil a right. In practice, this means that people should have improved enjoyment of their rights over time, better access to services etc. It also means that States should not introduce regressive measures such as budgetary cuts or legislative limitations, which restrict access to a certain right for everybody or specific categories of people.
- **Use of maximum available resources:** in progressive realizing a right, States should use the maximum of their available resource, both domestic and international (e.g. seeking resources from the international community). For instance, comparing countries' expenditure towards specific sectors (health, food, education) in relation to their Gross Domestic Product (GDP) may be useful to gain a sense of how much the country is investing in ESCR. See [here](#) for more information on undertaking budget analysis around ESCR.

² For a comprehensive explanation of States' ESCR obligations and examples related to the right to education see pages 135-146 of Murphy, E..2019. *Right to Education Handbook, Right to Education Initiative and UNESCO*: <https://unesdoc.unesco.org/ark:/48223/pf0000366556?posInSet=2&queryId=N-EXPLORE-1d489ce4-6b89-4ce7-bc52-050515d5ef0c>

- **Minimum core obligations:** Governments, no matter what level of resources are at their disposal, are obligated to make sure that people living under their jurisdiction enjoy at least essential levels of protection of each of their economic, social, and cultural rights. Minimum obligations are usually laid out in human rights treaties and in General Comments.
- **Non-discrimination and substantive equality:** States have the immediate duty to ensure that women are not directly or indirectly discriminated against in access to, or fulfillment of, a substantive right. States must eliminate both *formal or de jure discrimination*, (discrimination that exists in States' legal and policy frameworks), and *substantive or de facto discrimination* (discrimination suffered in practice, when an apparently neutral law, policy or practice disproportionately and adversely affects certain groups because of biological difference and/or socially and culturally constructed gender, ethnic, class, and other intersecting identities or circumstances). Both CEDAW and CESCR have interpreted this obligation as not only requiring states to prevent discrimination but also to take positive steps to remedy past and structural discrimination that goes beyond legal or formal equality to encompass substantive or de facto equality.

Ensuring a comprehensive implementation of the non-discrimination principle requires an understanding of the subordination, stereotyping, and structural disadvantage that women experience. To fully realize women's economic, social and cultural rights it is necessary to apply a substantive equality approach, which encompasses: **redressing disadvantage** (based on historical and current social structures and power relations that define and influence women's abilities to enjoy their human rights); **addressing stereotypes, stigma, prejudice, and violence** (with underlying change in the ways in which women are regarded and regard themselves, and are treated by others); **transforming institutional structures and practices** (which are often male-oriented and ignorant or dismissive of women's experiences); and **facilitating social inclusion and political participation** (in all formal and informal decision-making processes).³

The substantive equality approach requires states to acknowledge the actual impact of policies and practices on women, considering specific circumstances, and taking *positive measures* to ensure equal access and opportunities for women. Therefore, states must play an active role in developing and facilitating the implementation of comprehensive economic and social policies and programs that take into account different needs and circumstances of women.





Under this approach, it is also critical to integrate an **intersectional analysis into the principle of non-discrimination**. Discrimination against women is often multidimensional, compounding other forms of discrimination based

³ ESCR-Net (2016) Women and ESCR Working Group briefing paper: the intersection between land and women's economic, social and cultural rights. https://www.escr-net.org/sites/default/files/briefing_paper_land_0.pdf

on sex, gender, ethnic origin, disability, poverty, sexual orientation and gender identity, migrant status, marital and family status, literacy and other grounds, that position them and their experiences differently. Intersectionality is an approach that helps understand the ways in which the denial of the economic, social and cultural rights is experienced by different women and exacerbated by interconnected forms of oppression and exploitation. As a result, intersectional analysis and a substantive equality approach should also be applied in the context of parallel reporting. The templates and case studies available on our website can help strengthen this approach during the parallel reporting process and its related advocacy.

Why engage in parallel reporting?




Parallel reporting is a strategy that enables civil society to take an active role in holding States accountable to their legally mandated obligations. In essence, parallel reporting helps to ensure that UN treaty bodies are aware of, discuss, and make recommendations to States in relation to important human rights issues that may have been overlooked or omitted in the official State report. In addition to holding States directly accountable for human rights obligations, there are other ways that engaging with UNTBs through parallel reporting advances human rights:

-  The reporting processes of UN treaty bodies constitute an important public, international space where human rights are continually reiterated, interpreted and applied to concrete situations. Parallel reporting can contribute to normative development insofar as new issues can be examined through a human rights lens, and claims regarding these issues can be grounded in human rights.
-  Parallel reporting can amplify the voices of groups whose rights are being violated and who otherwise might not get adequate attention and space on a national level.
-  Parallel reporting can strengthen the visibility of, and advocacy around a specific issue. Securing international recognition of a situation by the UN and States can lead to attention from media and decision-makers on a national level.
-  Parallel reporting also offers a space/process for civil society groups to join forces around key human rights issues, gather relevant and up-to-date data, establish common priorities and develop collective advocacy strategies.

Choosing the relevant treaty body(ies)

In total, there are ten human rights treaty bodies (see below) composed of independent human rights experts who are nominated and elected by States parties to a treaty.

The following criteria may be helpful when choosing the relevant treaty body:

-  Area of focus – Which treaty best addresses the issue you are working on? For instance, women’s rights issues will be more relevant to CEDAW. Most issues related to economic, social and cultural rights fall within the remit of CESCR.
-  Connections with allies and partners involved in a specific review process – collective initiatives and submissions tend to be more effective for gaining traction when engaging with UNTBs.
-  Stage in the reporting cycle – reporting periods range from two to five years depending on the treaty body and the years⁴ of ratification. Find out when your country is being reviewed by a UN treaty body:
 - [Committee on the Elimination of Discrimination against Women \(CEDAW\)](#)
 - [Committee on Economic, Social and Cultural Rights \(CESCR\)](#)
 - [International Labour Organization-ILO. Regular reporting: Ratified Conventions](#)
 - [Human Rights Committee \(CCPR\)](#)
 - [Committee on the Elimination of Racial Discrimination \(CERD\)](#)
 - [Committee against Torture \(CAT\)](#)
 - [Subcommittee on Prevention of Torture \(SPT\)](#)
 - [Committee on the Rights of the Child \(CRC\)](#)
 - [Committee on Migrant Workers \(CMW\)](#)
 - [Committee on the Rights of Persons with Disabilities \(CRPD\)](#)
 - [Committee on Enforced Disappearances \(CED\)](#)

⁴ Murphy, E., 2019, p. 212

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Overview of Parallel Reporting

Overview of Parallel Reporting

To demonstrate the interdependence and indivisibility of all human rights – and to highlight a State’s progress, or lack thereof, in fulfilling its legal obligations – it could be advantageous for advocates to strategically submit **parallel reports to multiple UN treaty bodies**. For instance, while women’s economic, social and cultural rights are most directly addressed under the International Covenant on Economic, Social and Cultural Rights (ICESCR), other core international human rights treaties may also include relevant provisions and/or guidance.

In addition, it would also be useful to consider the advantages of **reporting through regional mechanisms**, which can be more accessible due to factors such as language and location. For instance, reporting to the African Commission on Human and Peoples’ Rights (ACHPR) takes place every two years and allows civil society groups to report in a number of African languages. The Commission relies on international law and refers to treaty bodies, as well as to a protocol dealing specifically with women’s rights in Africa (the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa). Also, for some States it could be seen as more legitimate or authoritative than UN institutions and, therefore, bear more political weight.



How to engage in parallel reporting

How the reporting process works

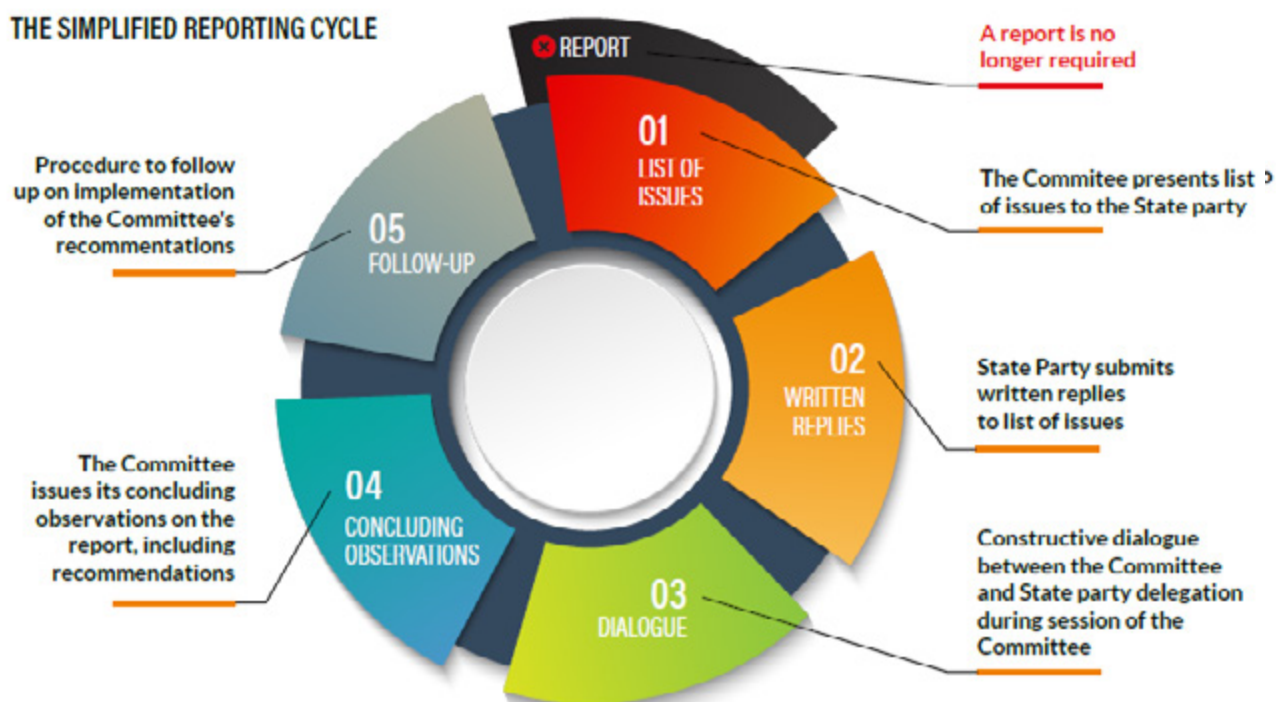
The reporting process can work in two ways: through the normal procedure or through the simplified procedure. The simplified procedure makes it easier for states to report, however it tends to narrow the scope of the review to a few selected issues (however, the Committees still issue some general observations on the implementation of the Treaty). States can choose to use the simplified procedure after undergoing at least one cycle (three in the case of CESCR) of reporting under the normal procedure.

The normal procedure works as follows:

1. The State submits a report to the relevant treaty body detailing progress towards implementation of the obligations set forth in the treaty.
2. Approximately a year later, civil society groups can submit parallel reports.
3. On the basis of reports received by state and civil society, the Committee decides on a List of Issues (LOI) and specific questions that the State should answer in writing. The LOI is decided by a pre-sessional working group (made up of Committee members) that meets a few days before the actual session of the Committee. Civil society groups can submit a short report ahead of the pre-sessional meeting to inform the selection of issues (see p.12 below)
4. Once the State has provided written replies, these are discussed in a constructive dialogue between the State, civil society groups, and the treaty body.
5. Taking into consideration the information submitted by both the State and civil society groups, as well as the constructive dialogue, the treaty body then issues a report with a set of recommendations (concluding observations) outlining what the State must do to respect, protect and fulfill the rights set forth in the treaty.

6. Several treaty bodies (including CEDAW and CESCR) have enacted a follow-up procedure to monitor the implementation of key concluding observations. Under this procedure, States are requested to submit additional information within a set period of time (24 months in the case of CESCR) on a few key concluding observations which the treaty body deemed more urgent and attainable to achieve within the time frame. Civil society and national human rights institutions can also submit information at this stage.

Under simplified procedure, instead, States are no longer required to submit a report (step 1 above). Civil society groups can submit a brief report to suggest issues that the Committee should prioritize (step 2 above). The Committee selects a list of issues and key questions for the State (see examples of questions that CESCR and CEDAW have asked in the previous sessions as per step 3 above). This is called list of issues prior to reporting (LOIPR). The reply of the state to these questions will constitute the main report and will be the basis for discussion during the formal dialogue (step 4 above). Civil society groups can still submit parallel reports that address the issues selected for examination and can participate in the formal dialogue. Steps 5-6 above remain unvaried.



TOOL: Reporting to the UN Committee against Torture

Source: Convention against Torture Initiative. 2017. CTI/UNCAT Implementation Tool 3/2017, Reporting to the UN Committee against Torture, p.2. Reproduced with the permission of the CTI.

Engaging with treaty bodies before, during and after the review cycle:

In addition to submitting a strong parallel report, it is often very useful to find ways to raise the awareness of Committee members regarding specific issues or findings covered in the report.

1. Inform the selection of issues to be examined and questions for the State

A key role that civil society groups play under the simplified reporting procedure is to provide information to the treaty body for selecting issues that should be examined in the review. The selection takes place during pre-sessions meetings. This stage is important because it sets the agenda of what comes later, i.e. on what states will be asked to report about, and consequently the focus of the concluding observations that the Committee will issue. The treaty body has a small degree of flexibility to add new issues at a later stage, but generally speaking, if an issue is not included in the list of issues it is unlikely that it will be examined during the review.

Civil society can submit information ahead of the pre-session and participate at the pre-session (either remotely or in person).

> When submitting information for the list of issues, it is important to make a case for why the treaty body should focus on these issues (e.g. are they serious human rights violations? Who do they affect and how?). It is not so important to provide a detailed or comprehensive picture of a problem, but rather it is preferable to focus on narratives and lived experiences of people affected by a specific issue.

Reports for the pre-session should focus on information particularly relevant to the adoption of the LOIPR and should usually be submitted between 10 and 8 weeks before the beginning of the pre-sessional working group. Each treaty body webpage includes information on parallel reporting, including word limits. Reports to CESCR should be submitted [online](#) and more information is available [here](#).

> Participating in pre-sessions is a great way to engage directly with treaty body members. It provides the opportunity to address potential questions that may arise from the written information submitted and ensure that specific issues are included in the LOIPR and, therefore, discussed with States. It is possible to make oral statements in person during the first morning of the pre-sessional working group meeting. Some treaty bodies, such as CESCR, also allow organizations that have submitted a report to deliver a public statement at a public meeting organized by the treaty body and/or organize a lunchtime briefing.

2. Input to the formal dialogue and inform concluding observations:

Similar to the pre-session, civil society groups can also provide inputs and participate the constructive dialogue between States and treaty bodies. This is the core stage in the review of states. Treaty body members discuss with states on the basis of the reports submitted by states and civil society organizations (parallel reports). Following the dialogue, treaty bodies issue recommendations for states (concluding observations) to ensure respect, protection and fulfillment of the rights under the relevant treaty.

Civil society groups can play a key role in providing a narrative alternative to the one of the state, and countering the information provided by the state by submitting a parallel report ahead of the session and participating in session at the formal dialogue. Reports should be transmitted directly to the secretariat of the treaty body (for example, cedaw@ohchr.org), between 6 and 3 weeks before the session. Each treaty body webpage includes information on parallel reporting, including word limits. Reports to CESCR should be submitted through [an online platform](#). The next chapter of this guide will focus on how to develop a parallel report.

Similar to pre-sessions, civil society groups can participate in the formal dialogue in person or via videoconference. During the formal dialogue, it is possible to make oral presentation on issues that are being discussed, particularly to provide an alternative or different view on how these issues affect women certain groups. Alongside the formal dialogue, civil society groups can also arrange lunchtime briefings – these are more informal and can be used to brief treaty body members about a specific issue.

Here are some tips for planning participation in pre-sessions or sessions:

- Get in touch with ESCR-Net members based in Geneva who can help you identify key treaty body members, other civil society allies, as well as provide guidance and suggestions on how to participate effectively; to do so contact the ESCR-Net Secretariat who will be happy to connect you Geneva-based members.
- If you can travel to Geneva, either for the pre-session or session of the treaty body, try to organize a briefing with treaty body members covering your issue. Generally, a group of three or four experts are in charge of specific rights. To do so you need to get in touch with the Office of the High Commission of Human Rights (OHCHR) Secretariat who coordinates and support the work of the relevant treaty body – for instance, for CESCR: cescr@ohchr.org and for CEDAW cedaw@ohchr.org. OHCHR recommends civil society groups to coordinate between themselves and organize joint briefings. Our members based in Geneva might be able to help you in this process.
- If you cannot travel to Geneva, you may be able to participate via videoconference. To do so, you need to get in touch with OHCHR Secretariat who coordinates and support the work of treaty bodies. Please keep in mind that videoconference may not always be possible due to technical challenges.
- Engage with journalists to encourage coverage of the issue during the session and publish a press release highlighting the concerns and recommendations made by the experts in their concluding observations.

During the parallel reporting process, it can be helpful to think about how affected communities, and others in solidarity with them or in similar situations, might strategically use and build on the treaty body recommendations over time. For example, human rights advocates use concluding observations to lobby for change on a national level, to support strategic litigation, and to educate and mobilize communities around key issues. Generally speaking, an effective implementation strategy would include the following:

- Develop a collective strategy to monitor the implementation of the recommendations. Working collectively can add pressure on the government to implement the recommendations as well as establish consensus among civil society groups around specific issues. Establishing a collective or alliance of groups can also open up opportunities for directly engaging with the government in the implementation of recommendations.
- Raise awareness of the treaty body system with civil society organizations and encourage them to use the concluding observations and recommendations in their own advocacy.
- Write to, or meet with, state representatives in charge of the issue to discuss the measures they plan to take to respond to the issue. This is more effective in partnership with other organizations.
- Engage with parliamentarians and encourage them to question the government and relevant governmental bodies.
- Raise awareness in the media by contacting journalists and making them aware of developments.

3. Monitor and report on the implementation of concluding observations through the follow-up procedure:

Follow up procedures require states to report back to the Committee within one to two years, on the measures taken to give effect to the “follow-up recommendations” that treaty body deemed urgent and attainable in the set period of time. Civil society groups can engage in these processes by submitting their own reports on the progress made by the State in implementing the observations selected for follow-up. This is an important way to maintain pressure on the State, as well as to share concerns and feedback on the steps the State has taken in the first one to two years. States will also be asked to report on their progress in implementing the observations at the beginning of the following periodic reporting process. Therefore, it is important that the implementation of the observations continues to be monitored after the follow-up procedure through the next reporting cycle.

How to engage in parallel reporting

How to engage in parallel reporting

Follow-up procedures of CESCR and CEDAW

Under its [follow-up procedure](#), the [Committee on Economic, Social and Cultural Rights](#) identifies up to three recommendations in its concluding observations that require urgent action and should be attainable within a period of 24 months. The State party is required to respond to the selected recommendations within 24 months. Its replies will constitute the follow-up report and will be made public on the webpage of the Committee. Civil society is also able to submit relevant information. Once CESCR has all the necessary information, it makes a determination as to whether the State has made sufficient progress.

The [follow-up procedure](#) utilized by the [Committee on the Elimination of Discrimination against Women](#) requires the State party to provide information within a period of one or two years on steps taken to implement specific observations ('up to four sub-paragraphs' among the recommendations issued), which are selected based on the perception that their lack of implementation constitutes a major obstacle for the implementation of the Convention, and their implementation is feasible within the suggested time frame. The Committee has a Rapporteur on follow-up and a Deputy Rapporteur who review and assess the follow-up information.

[Read about other follow-up procedures.](#)

How to develop a parallel report

A parallel report is an assessment of the progress a State has made in implementing a relevant human rights treaty. Parallel reports provide an alternative narrative to the official information that the state presents. If you're preparing a report for the pre-session meeting, it will focus on issues that you are asking the relevant Committee to examine during the review process. If you're preparing a report for the main session, it will focus on the list of issues that the Committee has selected.

Gathering data for parallel reports includes a number of steps, such as deciding how to gather the data (e.g. using focus group discussions, surveys, video/photos); developing research tools (e.g. questionnaires or other tools you need) and testing them; collecting the data; analyzing the information gathered; and, subsequently, presenting the methodology, data, and analysis in a report. There are a number of [resources](#) to help you through these steps, and you can also seek support from other members of the Network.

The following section contains some practical tips and information specific to parallel reports and an overview of why and how to gather data through a human rights approach.

5 General Comments provide guidance to governments as to the intent, meaning, and content of the Covenant and emphasize specific issues that States should address in their reporting. See: <https://www.ohchr.org/EN/HRBodies/Pages/TBGeneralComments.aspx>

6 Research conducted by the Asociación Civil por la Igualdad y la Justicia (Argentina) and the Right to Education Initiative (UK) found that despite UNTBs consistently ask States to collect disaggregated human rights data, there are serious gaps in data collection and disaggregation, and a lack of appropriate mechanisms for collecting data systematically and on a regular basis. The research was conducted in 2016-17 and looked at the concluding observations issued by six different UNTBs in relation to 64 countries in Latin America and Europe in 2016-17 from 2006 to 2016.

7 For an example of a submission highlighting gaps in official data, see ACIJ's analysis of the official report of the state of Argentina to the Committee on the Rights of Child in May 2018 (Spanish only): <https://drive.google.com/file/d/14zl-Ysto2xHoip4a-DU-LOGPHZI9TgR0h/view>

Tips for developing your parallel report

Preparing a parallel report is primarily about putting forward an alternative narrative or story to the one that the State is presenting in its official communications. The report should be a way to amplify people's voices and perspectives about their experiences. The report should tie people's experiences and perspectives to specific rights and provisions of the treaty.

1. The report should be **grounded in the lived experiences of people** with whom you interact via your work. It should contain data or evidence that tell the story of the effect and impact an issue has on people (see section above). It is particularly powerful if data based on lived experiences is compared and contrasted with official data available on the same issue.
2. **Stories and experiences should be tied to specific provisions and rights contained in the treaty.** It may be best to organize information per article or section of the treaty. If you need guidance on specific provisions and articles of the treaty, refer to existing General Comments⁵. It may also be useful to look at past concluding observations issued by the Committee you are reporting to or those of other treaty bodies.
3. **Review the State's report** to assess the content in relation to the information you have in order to build an alternative narrative.
4. **Be concise.** it may be helpful to prioritize a few specific issues upon which the Committee should focus its attention, and to include an executive summary that contains language that the Committee can draw on in its concluding observations.
5. Provide clear and concrete **suggestions or recommendations** regarding what the government should do to better respect, protect and fulfill the rights set forth in the treaty. These should be as concrete and specific as possible.
6. Parallel reports are an invaluable opportunity for civil society to **highlight gaps in official data.** States have a duty to gather data on the steps taken and progress made in fulfilling human rights for everyone. This obligation requires states to set up data gathering systems producing timely, reliable and high-quality data disaggregated by income group, age, sex, gender, race, ethnic origin, migratory status, disability, geographic location and socio-economic circumstances. UNTBs often recommend that States fill gaps in the type of data they need to make available. Although gaps persist,⁶ the review process remains a key space to call for more comprehensive human rights data.⁷
7. It is advisable to submit the report **collectively or jointly on behalf of a group of civil society organizations** as a means to create more legitimacy and help you gain more traction in engaging with UN treaty bodies.

Using a human rights-based approach to data collection

As described above, parallel reports aim to create visibility of, and amplify certain experiences and also inform recommendations that advance human rights for all. As such, the process of gathering data must also be grounded in human rights. Too often data used for decision-making does not reflect the perspectives and priorities of the communities most affected by those decisions, particularly more marginalized ones. Using a human-rights based approach can help correct imbalances in power with respect to data collection, analysis and use, with a view to enabling the participation of affected communities; increase data accuracy and, therefore, policy success; center policymaking processes around people's lived experiences and perspectives; protect the security and privacy of rights-holders; and improve accountability. This section addresses key principles for a human rights-based approach to data:⁸

A. Ensuring that communities are at the center of the process

A key consideration related to gathering data on economic, social and cultural rights is that “who” gathers the data and “how” is just as important as “what” data is collected. To ensure that data reflects the perspectives of grassroots communities and helps to advance their visions of justice, people from affected communities need to be at the center of the data collection process. Communities must set the agenda about what data should be collected, how it should be analyzed and used, and what role they might be playing in gathering it. Ultimately, it is about who sets the agenda, rather than (only) about who carries it out.

Communities must be seen as legitimate voices and the main experts on the issues that affect them disproportionately, such as inequality, poverty and injustice. Data gathering is ‘led’ by communities when they are able to inform research questions, gather their own data, make sense of it collectively and use it to support their visions of social justice.

See [here](#) for some examples of how ESCR-Net members involve communities in deciding about key steps of data gathering, and [here](#) for an example of community-led monitoring for parallel reporting.

⁸ This section is adapted from the collective position on ESCR and data developed by the Monitoring Working Group of ESCR-Net: <https://www.escr-net.org/monitoring>. Another useful reference on this issue is OHCHR's Guidance Note on A human rights-based approach to data' 2018, available at <https://www.ohchr.org/Documents/Issues/HRIndicators/GuidanceNoteonApproachtoData.pdf>

B. Ensuring that data is representative and reflects intersectional identities


In everyday life, people's experiences and their enjoyment of basic rights are shaped by their gender, race, ethnicity, marital status, health status, age, religion, class, among other aspects of their identities. Women, as well as people from other marginalized communities, frequently experience multiple and intersecting forms of oppression and discrimination based on these different components – both biological and socially constructed – of their identities. For instance, HIV positive women have different concerns related to their right to health than other women, as well as other HIV positive people, given that they are both women and HIV positive. These different and overlapping identities and characteristics should be captured during data collection and analysis by using an **intersectional approach**. Intersectionality is a vital tool to advance substantive equality because it “helps to understand how different sets of identities impact on access to rights and opportunities” (AWID, 2004). This is key to ensuring that data is representative and, therefore, that any decisions based on the data and analysis address specific human rights issues faced by groups who are experiencing direct and indirect discrimination and are disproportionately impacted by a certain issue.

Ways to incorporate an intersectional approach include the following:


1. When planning the scope of the research, involve groups and individuals with different identities in the design of the methodology so that data is collected about issues that actually matter to them. This means, for instance, identifying the questions/concerns relevant to different identities/social groups, such as young women, elderly women, black/indigenous women, trans women, etc.

How to develop a parallel report

How to develop a parallel report



2. The process of gathering data should be sensitive to the needs of different groups. For example, the time and place of data collection, literacy levels, language barriers, among other factors will all have an impact on who can participate in the data collection process and, therefore, what the data will say. Also, researchers and people involved in data collection should be aware of their own biases and identities and how they might shape the type of data they collect.



3. Analysis of the data should include disaggregation according to different aspects of identity/social groups. Disaggregation is when data is broken down so it is specific to a particular group or characteristic. Disaggregated data can provide evidence of socio-economic inequalities because it enables comparison between groups. Therefore, disaggregated data can provide evidence of discriminatory practices. However, it is important to ensure that categories of disaggregation take account of a person's or group's right to self-identify.

C. Addressing issues related to security and privacy, including self-identification

Risk assessments should be conducted prior to gathering data and should involve groups or individuals who may be directly or indirectly affected by the data. Communities and individuals involved should be in a position to give informed consent regarding crucial aspects of the process, such as the purpose of data collection, what data will be collected and what data should not be collected, how data will be used, who else will have access to the data (whether privately or publicly), and the amount of time the data will be saved. Informed consent does not refer only to written consent, but also involves a more thorough and in-depth discussion with community members around how their lives might be impacted. For instance, parallel reports are publicly available and can be accessed by States and third parties, which may put communities or individuals at risk. Security should be considered and assessed holistically, to include physical and digital security, as well as mental well-being.

Civil society groups developing parallel reports should recognize that communities have the ultimate decision-making power and agency on what data can be collected or if data can be collected at all.

What kind of data to include?

As outlined at the beginning of this guide, States have a number of general obligations in relation to all economic, social and cultural rights (Art.2 of the ICESCR). While it is not compulsory to undertake a thorough assessment on the implementation of these obligations, it may be helpful to keep them in mind when writing your parallel report. You can also reach out to ESCR-Net members who may have specific expertise on these kinds of analysis.




In addition, you should consider the following:

Qualitative and quantitative data

In general, it is good practice to combine qualitative and quantitative data on a certain issue. Quantitative data is useful to give a sense of the scale of an issue (e.g. number of people affected), while qualitative data can explain why a certain issue is happening. Often, civil society groups find it easier to use secondary quantitative data (data coming from other sources) and to collect qualitative data through interviews, focus group discussions, etc. This approach works well for parallel reporting, as Committee members often already have access to secondary, quantitative data, particularly official data produced by States and UN agencies. Therefore, they are more interested in reading first-hand information about how a specific issue affects people in real life. Nevertheless, including official (government) data can, in some cases, help to make the report seem more credible for government officials and could, therefore, be beneficial for national-level advocacy.

Using indicators to measure States' fulfillment of their obligations:

Indicators are measures that give a sense of progress towards a goal, the extent or how much something has been achieved or changed. In general, it is good practice to include different types of indicators:

-  Structural indicators: measure a State's commitment to meeting their obligations, both in terms of results and conduct (as outlined above). These indicators could include ratification of treaties, national legal frameworks, etc.
 -  Process indicators: measure the efforts undertaken to realize a specific right, e.g. budget allocation, programmes and policies developed.
 -  Outcome indicators: measure the actual enjoyment of a right for all citizens. Indicators can also be quantitative or qualitative, and it is generally good practice to combine both. Quantitative indicators can give the idea of the scale of an issue (e.g. access to water), whether a right has been progressively met over the course of time, or the proportion of budget allocated towards a certain right etc. Qualitative indicators instead can give a more nuanced understanding of what is happening and how it is impacting specific groups.
- You can use already existing indicators – as long as they speak directly to human rights standards – as well as generate your own indicators, which can be more meaningful to your context. For instance, the Organization of American States (OAS) has developed a list of ESCR indicators that States should use to report on ESCR under the Protocol of San Salvador.⁹
- Ideally, you should involve communities in setting their own indicators. See [here](#) for an example.

⁹ The document “Progress Indicators for Measuring Rights Under the Protocol of San Salvador”, prepared by the Working Group to Examine the National Reports Envisioned in the Protocol of San Salvador, establishes useful parameters related to the production of information on ESCR. Such guidance can be used to push States to produce and ensure access to information that enables adequate supervision and monitoring of compliance with the obligations established by various human rights instruments: http://www.oas.org/en/sedi/pub/progress_indicators.pdf

Guides, examples and templates to use as a reference for your parallel report on Women and ESCR

Find useful guides that might help you shape your parallel report.

Templates on women and land, housing and natural resources.

Find here **templates for parallel reporting on women's rights related to land, housing and natural resources**. The templates contain **key questions, resources** and **recommendations** on parallel reporting to the Committee on Economic, Social and Cultural Rights and the Committee on the Elimination of Discrimination.

Click on [Parallel Reporting under the CEDAW, on Women and Land, Housing and Natural Resources](#)

Click on [Parallel Reporting under the ICESCR, on Women and Land, Housing and Natural Resources](#)

Guides on parallel reporting

Find useful guides that might help you shape your parallel report:

Claiming Women's Economic, Social and Cultural Rights

[English](#) | [Español](#) | [Français](#)

ESCR-Net, IWRAW-AP (2013)

Using CEDAW to Secure Women's Land and Property Rights: A Practical Guide

[English](#)

The Global Initiative for Economic, Social and Cultural Rights (2014)

Shadow report guidelines on women and work

[English](#)

IWRAW-AP (2019)

Guidelines for Writing on Women's Economic, Social and Cultural Rights in Shadow/Alternative Reports

[English](#)

ESCR-Net, IWRAW-AP (2010)

Holding Government to Account: A Guide to Shadow Reporting on Economic Social and Cultural Rights

[English](#)

Amnesty International (2014)

Guía para la elaboración de reportes alternativos al Comité para la Eliminación de todas las formas de discriminación contra la mujer.

[Español](#)

CLADEM (2010)

Effective Use of International Human Rights Monitoring Mechanisms to Protect the Rights of Persons with Disabilities

[English](#) | [Español](#) | [Français](#) | [Arabic](#)

International Disability Alliance (2010)

UN Human Rights Committee Participation in the Reporting Process: Guidelines For Non-Governmental Organisations (NGOs)

[English](#)

Centre for Civil and Political Rights (2010)

A tool for gender-sensitive agriculture and rural development policy and program formulation

[English](#)

[Food and Agriculture Organization of the United Nations \(FAO\)](#) (2013)

A Toolkit for Reporting to CEDAW on Trafficking in Women and Exploitation of Migrant Women Workers

[English](#)

Global Alliance of Traffic in Women (2011)

Participation in the CEDAW Reporting Process: Process and Guidelines for Writing a Shadow/Alternative Report

[English](#)

IWRAW-AP

The Human Rights Alternative Reporting Cycle: Practical tricks and tips to strengthen the quality and impact of your human rights alternative reporting to the United Nations

[English](#)

Netherlands Helsinki Committee

WUNRN-Shadow Report Learning Module

[English](#)

Women's United Nations Report Network (WUNRN)

Guides, examples and templates to use as a reference for your parallel report on Women and ESCR



Examples of parallel reports

Find below **examples of parallel reports** to the Committee on Economic, Social and Cultural Rights and the Committee on the Elimination of Discrimination against Women. These examples take a gender and intersectional perspective, from both ESCR-Net member organizations and other NGOs. These may be helpful to you in developing your own parallel reports, and in finding out more about ESCR issues currently experienced by women around the world.

Click [here](#) to see parallel reports sent to the Committee on the Elimination of Discrimination Against Women Committee

Click [here](#) to see parallel reports sent to the Committee of Economic, Social and Cultural Rights

If you have other guides or examples of parallel reports focused on women's ESCR, please share these with the Women and ESCR and the Monitoring working groups coordinators, Viviana Osorio, at vosorio@escr-net.org and Francesca Feruglio fferuglio@escr-net.org.

Project Altavoz

Altavoz is a collaborative project of ESCR-Net to enable and improve the use of parallel reporting to advance women's rights and substantive equality. The project seeks to support grassroots, community groups and NGOs that are interested in using parallel reporting in their advocacy and campaigning. To complement this guide, the project facilitates mutual learning and exchange around parallel reporting by:

LEARNING FROM THE EXPERIENCES OF OUR MEMBERS ON PARALLEL REPORTING:

Read about the experiences of members from different regions and the lessons they have learned in using parallel reporting to advance women's economic, social and cultural rights and substantive equality.

Learn from others

SHARING RESOURCES AND TOOLS ON PARALLEL REPORTING

Look at existing guides and examples of parallel reports on different issues related to women's economic, social and cultural rights, and use templates that can help you strengthen your parallel report.

***Guides, examples and templates to use
as a reference for your parallel report on
Women and ESCR***

REQUESTING (AND OFFERING) SUPPORT AROUND PARALLEL REPORTING

Solidarity makes us stronger! If your country has an upcoming review by a treaty body, or if you are considering engaging in parallel reporting to raise a specific issue, members of the Women and ESCR Working Group (WESCR WG) and the Monitoring Working Group (MWG) are also able to support you before, during and after the review cycle by:

- Connecting you with other human rights advocates in your country and provide advice about how to work in a coalition on a parallel report;
- Providing support for human-rights data collection and assessing human rights obligations;
- Providing guidance and support throughout the drafting process to strengthen your parallel report (e.g. reviewing a draft), particularly the integration of an intersectional approach;
- Offering advice on interacting with the treaty bodies during the review itself. If you are unable to participate in the sessions, members could link you with other organizations that will participate and would be willing to collaborate with you;
- Supporting a strong follow-up process to implement the concluding recommendations of the treaty bodies; and Working with others to analyze the impacts of parallel reporting on concluding observations.

Request support***Offer support***

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European Roma Rights Center, Hungary
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FIDA Kenya
Georgian Young Lawyers Association, Georgia
Global Initiative for Economic, Social and Cultural Rights, United States
Hakijamii, Kenya
Initiative on Economic, Social and Cultural Rights, Kenya
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Just Fair, United Kingdom
Legal Resource Center, South Africa
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National Indigenous Women's Federation, Nepal, *a member of AIPP*
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Right to Education Initiative, United Kingdom

الشبكة العالمية
للحقوق الاقتصادية
والاجتماعية والثقافية



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