

UN Committee on the Protection of the Rights of All Migrants Workers and Members of their Families

General Discussion on the Role of Migration Statistics for Treaty Reporting and Migration Policies

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Draft intervention, Nicolas Fasel, OHCHR

Dear distinguished members of the Committee on the Protection of the Rights of All Migrants Workers and Members of their Families,

Dear panellists, colleagues,

Ladies and gentlemen,

Statistics matter for human rights. And human rights also matter for statistical work.

The right to have a name, the right to be registered and the right to data protection stated in international human rights law, are key provisions for the compilation of robust population statistics. More importantly, they are critical to the realisation of other human rights. Statistics that can be compiled thanks to these rights are also key accountability tools.

Statistical visibility is essential to the formulation of targeted policy measures and therefore to the realisation of the rights of population groups which have often been ignored from mainstream statistics.

This discussion on migration statistics is therefore particularly important and timely.

As stated by the United Nations High Commissioner for Human rights in her preface in the recent publication of her office "Human Rights Indicators: A Guide to Measurement and Implementation", devising a statistical indicator is not a norm or value-neutral exercise. Policy management, human rights and statistical systems are closely interrelated and need to be in tune with each other for promoting the well-being of people.

The Guide to Human Rights Indicators was launched by the High Commissioner at the last session of the Human Rights Council. The Guide describes a conceptual and methodological framework about statistics for human rights; a framework that was endorsed by all the treaty bodies, gathered at their inter-committee meeting in 2008. The Guide provides a structured approach for the definition, compilation and dissemination of statistical information to further the implementation of human rights.

Among its features, the framework outlined in the Guide adopts a common approach on statistical indicators for all economic, social and cultural rights as well as civil and political rights.

It helps translate the international human rights normative framework into configurations of indicators – referred to as structural, process and outcome indicators - that aim to capture key steps of the implementation of human rights, and the linkage between human rights commitments, efforts and results on the ground.

To enable comprehensive qualitative assessments, the Guide recommends the use of data from various sources, including census, population surveys, administrative records and data collected by national human rights institutions and civil society organisations.

The importance of statistical information in assessing the implementation and follow-up of recommendations adopted by treaty bodies and other international or national human rights mechanisms is also highlighted in the Guide. Indeed, only accurate indicators can permit systematic measurement of progress over the reporting cycles.

The publication provides guidance also on the process for developing the indicators and for data collection. Recalling the protection of specific human rights, ethical and statistical standards for data collection, the Guide encourages participatory processes, including from targeted population groups in the data collection itself, as a way to improve the relevance and quality of statistics.

Such features of the conceptual and methodological framework developed by OHCHR could be useful in considering the needs in terms of statistics on migrant workers, including irregular migrants, and members of their family.

A growing number of countries and organisations have been working on the development of indicators drawing on the methodology development by OHCHR. With its limited resources, OHCHR has been providing technical assistance on human rights indicators and supporting participatory processes in a number of countries and regions, involving for instance government agencies, NHRIs, national statistical offices and NGOs. To my knowledge, no country has applied it yet to measuring the implementation of migrant workers' rights.

In addressing some of the challenges associated with the development of migration statistics, a number of additional issues could be considered further:

- The need to encourage further dialogue at national and international levels between the statistical and human rights communities;
- Keeping in mind the different status of migrant workers, the need for migration statistics to reveal the most deprived migrants and members of their family, and to measure the extent of enjoyment or denial of their rights, such as their rights to health, education, social security and housing, and their rights to liberty, security and fair trial. Measuring the proportion of the different migrants having access to these rights should not be seen as less important than measuring the total number of inflows, outflows and stock of migrant populations;
- While there is a need to improve harmonisation methods in migration statistics, there is a more urgent need for using already available information collected at national level, using different data sources, including data collected by non-governmental organisations;
- The capacity of national statistical offices should however be strengthened to improve the quality of statistics on migrants and their family and expand the range of their data sources;
- Finally, data confidentiality among the different potential data providers, such as education and health institutions must be protected from immigration authorities.

These were just a few considerations that draw upon the on-going work of OHCHR on human rights indicators.

I thank you for your attention.