

COLUMN

FALLING SHORT OF OUR GOALS: TRANSFORMING THE MILLENNIUM DEVELOPMENT GOALS INTO MILLENNIUM DEVELOPMENT RIGHTS

ELLEN DORSEY, MAYRA GÓMEZ, BRET THIELE and PAUL NELSON*

In this column, we argue that one crucial reason why the Millennium Development Goals (MDGs) have not delivered their promise is that they have not integrated the human rights approach to development that both ensures the most marginalised are incorporated into any measure of success and that governments are held accountable for their failures to make progress. With only five years to reach the MDGs, the international community must pursue a two-pronged strategy. First, in the remaining time, governments must be held accountable for realising their MDG commitments while prioritising the most vulnerable and marginalised of their populations. Second, the world must begin preparing now for a development framework in 2015 that fully integrates human rights. In short we must begin now to create the *Millennium Development Rights* for 2015. Without the political and legal power of human rights standards and principles, development goals on paper and corresponding benchmarks cannot produce the deep and enduring changes that the MDGs envision.

This past September, the United Nations Summit on the Millennium Development Goals brought together government officials, donor representatives and non-governmental organisations (NGOs) to engage in an assessment of how far the international community has come in the last ten years, and how far it must still go to achieve the MDGs. This is the largest and most ambitious development programme ever envisioned, and it warrants the most rigorous of analyses. The MDGs seek to make measurable progress in critical areas facing the world today, areas like extreme poverty and hunger; universal primary education; gender equality and women's

* Ellen Dorsey is Executive Director of the Wallace Global Fund and co-author with Paul Nelson of *New Rights Advocacy: Changing Strategies of Development and Human Rights* (Georgetown University Press, 2008); Mayra Gómez is an international human rights advocate who has worked extensively in the area of women's economic, social and cultural rights; Bret Thiele is an international human rights lawyer practicing in the area of economic, social and cultural rights; and Paul Nelson is Associate Professor at the University of Pittsburgh's Graduate School of Public and International Affairs, where he directs the Masters of International Development Program, Pittsburgh, USA.

empowerment; child mortality; maternal health; HIV/AIDS, malaria and other diseases; and environmental sustainability. The MDGs are challenging rich and poor countries alike to do their part to improve the lives of the world's poorest and most marginalised people.

Such ambition for breaking the chains of poverty is desperately needed, yet the prognosis for achieving the MDGs is not good. While the Millennium Development Goals have been widely accepted as the dominant global framework for improving human development in the near term, the international community is falling short of comprehensively achieving their set goals and targets. As the United Nations Secretary-General Ban Ki-moon recently warned: 'With five years to go to the target date of 2015, the prospect of falling short of achieving the Goals because of a lack of commitment is very real.'

While some blame the global food crisis or the global financial downturn for slow progress, the reality is that the obstacles to ending global poverty are not primarily related to the shortage of resources; they are largely political. The MDGs place confidence in the politics of the aid donor countries and the power of goal setting to motivate poor-country governments. But, donor countries have dragged their feet when it comes to reaching their targets for aid and aid-recipient governments have often resisted making the difficult policy changes needed to make development a reality for all.

The fact that the MDGs to date have almost entirely neglected to substantively incorporate a human rights-based approach to development is evidence of this lack of political will. Even investments and increased donor support will not be enough because – despite some measurable progress in the short term – without incorporating a rights-based approach attempts to advance human development have limited power to deeply and meaningfully transform societies over the long run. In fact, we can already see how this is true even for those countries that are able to achieve some of the targets and goals of the MDGs. A few examples help to illustrate this point:

Brazil has already met its targets with respect to Goal 1 on eradicating extreme hunger and poverty. Yet, 45 million people in Brazil still live in conditions of poverty and Afro-Brazilians and indigenous peoples, particularly those living along the Amazon basin, continue to be disproportionately represented amongst the poorest of the poor in Brazil. Brazilian NGOs have noted that progress on achieving Goal 1 has been largely concentrated in the already richer non-Amazonian states of the South East, in effect only leaving the Amazonian states further and further behind.

Thailand has also already achieved most of the MDGs well in advance of 2015, and has even set targets that go beyond the original goals. However, as the United Nations Development Programme (UNDP) has noted 'some regions and groups are being left behind, and disparities are striking'. Concerns have been raised about the quality of programmes being provided in order to meet the goals, like education, which may not be meaningful in practice and which are also not reaching especially vulnerable and marginalised groups within Thai society.

India is having significant problems meeting its MDG targets, yet India also enjoys one of the world's fastest growing economies. According to the United Nations Children's Fund (UNICEF) – India, there are 'two prominent trends in India: impressive economic growth and wealth creation; and stagnation in key social indicators, particularly among disadvantaged populations (that is geographically, by caste, gender)'. Rather than lack of resources, UNDP has cited 'Persistent inequalities, ineffective delivery of public services, weak accountability systems and gaps in the implementation of pro-poor policies' as the 'major bottlenecks' to progress on achievement of the MDGs in India.

Kuwait is on track to achieve most of the MDGs by the 2015 target, with the possible exception of those associated with promoting gender equality and the empowerment of women, as well as on environmental sustainability. Kuwait, which only recently recognised women's suffrage, is nonetheless the highest ranking of all Arab countries on the Human Development Index. This pattern of achievement, and non-achievement, begs the question as to whether achievement of some of the MDGs in the absence of ensuring women's equality can be seen as truly credible, and similarly whether development in the absence of environmental sustainability can be seen as viable over the long term.

Lithuania has already achieved most of its MDG targets, but human rights organisations raise concern about the ongoing inequality of Lithuania's Roma minority, who face routine discrimination in the areas of education, health care, adequate housing and employment (unemployment rate among Roma is several times higher than in the rest of the population). The United Nations Special Rapporteur on contemporary forms of racism and racial discrimination visited Lithuania in 2007, expressing concern about the 'precarity of living conditions' to which the Roma community is exposed, noting lack of electricity and heating, as well as drinking water and sanitation. Roma community leaders have criticised the government for failing to consult with them in the design and implementation of programmes aimed at fostering development.

These examples help to illustrate the fact is that the international community will not be able to make a sizeable dent in global poverty (much less end it), if the structures which make people poor in the first place are not addressed and put right.

A human rights based approach to development would not only tie the MDGs to well-defined human rights standards in theory, it would enforce processes that require non-discrimination and equality, the prioritisation of the most vulnerable and marginalised communities, and the meaningful involvement of those communities in designing and implementing development strategies. These are the qualities of a development approach that would deliver higher quality outcomes for the poor, and more durable results over time.

A human rights framework would signal a new mindset, finally clearing away the illusion that people are passive recipients of development and instead supporting peoples' active involvement in creating development solutions for themselves, and

holding their governments accountable for meeting their internationally recognised human rights obligations. These obligations have been clearly outlined in dozens of international human rights standards, dealing with vital issues such as food, housing, health, water, sanitation, education, and work, among others.

Relying on human rights standards and principles to give moral and legal force to development targets is more politically realistic than relying on goal-setting alone, and there is also good reason to believe that it would yield better results. A human rights-driven approach is realistic because it relies first and foremost not on governments' goodwill or generosity, but on domestic peoples' movements in the poor countries as the driver of lasting change. And betting on the power of domestic politics makes sense: over the past 15 years, major transformations in HIV/AIDS policy (South Africa), nutrition policy (Brazil), national education and income support (Mexico), rural employment (India) and agricultural policy (Malawi) have been driven not by external aid donors but by domestic political pressure, sometimes drawing explicitly on international human rights.

Examples of the positive benefits of the human rights based approach to development are not hard to come by. In a 2007 review by major donor agencies, like Care International, DFID (the United Kingdom's Department for International Development) and Save the Children, of development projects either incorporating a rights based approach to development, or not, revealed that

working with RBAs [rights based approaches] to development adds value and demonstrates a greater range and depth of positive impacts, which are more likely to be sustained over time, than does working with non-RBAs. Working with RBAs enhances the possibility of achieving improved governance, which includes the voice and concerns of poor people and can reach out to the poorest and most marginalized. The strategies employed promote recognition and fulfilment of obligations by both citizens and states. The ways in which voice and response are beginning to be linked are strengthening the chances that services will be appropriate, adequate and accessible. This also strengthens the chances that investments made into technical improvements in services will be sustained, protected and used over time.

On the MDGs specifically, the same donor report highlights that 'the MDGs are only representative of relative achievement. It would be possible to reach the MDGs while still ignoring the "worst" 20% of poor people in the world, that is, the poorest and most marginalized (around 500 million people). This is not acceptable in RBAs, which work to increase equity and improve justice, for all people, without discrimination.'

The plight of the world's indigenous peoples is especially telling here. While indigenous peoples everywhere are amongst the most excluded and live in some of the poorest conditions, there is no mention whatsoever of indigenous peoples in the Millennium Declaration or explicitly in the MDGs themselves. The UN Permanent Forum on Indigenous Peoples notes that most countries' reports simply do not provide data on the realisation of the MDGs when it comes to indigenous peoples,

and that these reports are almost completely silent when it comes to whether the goals are benefitting indigenous women. The Permanent Forum also warns that 'unless the particular situation of indigenous peoples are adequately taken into account, some Millennium Development Goals processes may lead to accelerated loss of lands and natural resources for indigenous peoples, and thus of their means of subsistence and their displacement, as well as to accelerated assimilation and erosion of their culture.'

Unfortunately, however, human rights standards remain almost entirely disconnected from the MDGs framework. While there is reference to human rights in the Millennium Development Declaration, the human rights framework does not permeate the spirit and fabric of the MDGs. Human rights standards and obligations are critically important in the context of development, because these rights and obligations provide real standards and processes for achievement. Under the human rights system, when obligations go unmet and when rights are violated, victims are entitled to accountability and remedies. In other words, the human rights framework allows citizens to hold relevant powers accountable to the goals and targets that are set, something not possible under the current MDGs framework.

This critique is not new. Many governments, NGOs, civil society organisations and researchers around the world have noted the failure to fully connect MDGs to human rights. As the world reviews progress to date on the MDGs, we need to take a two-pronged strategy. First, we must insist that governments, over the course of the next five years, not only step up their efforts to realise the current MDGs, but that in doing so they clearly and demonstrably prioritise the most vulnerable and marginalised in the achievement of the goals. What is needed right now is a concerted and targeted effort by all engaged organisations and advocates ensuring that the MDGs clearly do incorporate the human rights framework, and the clock is ticking. Second, and importantly in the long term, we must also begin charting the course for the second stage of this development enterprise, and for that we must look ahead to 2015. To really end poverty, any post-2015 global framework on human development must be centred on the notion of Millennium Development *Rights*.

Millennium Development Rights (MDRs), defined as the full body of indivisible human rights that contribute to and are necessary for human development, would go far in improving the lives of the poor. This body of human rights includes the obligations to respect, to protect, and to fulfil economic and social rights, as well as the overarching right to participation and right to be free from discrimination (including the obligation to prioritise the needs of the most vulnerable or marginalised populations). Together these human rights standards and principles would contribute to a development framework that would better achieve development targets and goals in a much more timely manner. And, this approach would create a more sustainable pattern of development over the longer term.

To see how the MDGs could be transformed into MDRs, consider a couple of examples. Take Target 11 of Goal 7 which aims 'to improve the lives of at least 100

million slum dwellers by the year 2020'. First, it is an extremely modest goal, and some would say sets the bar quite low considering that over one billion people around the world currently reside in slums (1 out of every 3 people living in a city is a slum dweller) and that slums are growing so rapidly that 100 million are moving to the slums each year, far outpacing the Target. In addition, this Target ignores the transformative potential of simply providing security of tenure, as required by international human rights law, to slum dwellers. The provision of secure tenure has proven to improve the lives of those living in slums, because it gives people the confidence in investing in their own housing stock. As such, even with very limited State resources, improvements in living conditions can begin by simply ensuring that people do not face forced eviction from the only housing they have.

Similarly, Target 10 of Goal 7 aims to halve by 2015 the proportion of people without sustainable access to safe drinking water and basic sanitation. Yet it fails to include measures to ensure non-discrimination, access to information, participation and accountability – all issues dealt with specifically by the human rights framework. People in poor neighbourhoods and settlements pay more for water, and get less adequate and consistent supplies. If the human right to water is used to complement the MDGs, development initiatives would target the most disadvantaged, including the poor, rather than those to whom services can more easily be provided and 'counted'. Furthermore, vulnerable and marginalised groups, such as the poor, racial minorities and women, would be better able to participate in decisions aimed at achieving Target 10 and therefore shape a more effective programme of action.

Setting targets without real accountability will not transform the systems that create discrimination and marginalisation, and goal setting without accountability is a failed methodology. Poverty can be eradicated but only if we bring the rigor of international laws to bear and enforce government obligations to meet fundamental rights meant to be enjoyed by all citizens. Experience across every continent shows that domestic political pressure, buttressed by the support of international human rights, can set real, sustainable policy changes in motion.

The next phase of the MDGs post-2015 can and should be framed as Millennium Development *Rights*. While it is important to ensure that the current MDGs are as successful as they can be, the reality is that development approaches which fail to put human rights at the heart of their efforts will not be able to bring about the transformative change we need. That is why we also need to be working now to build a movement that crosses national boundaries and which forges a new framework of explicit and measurable goals, targets and indicators that fully integrate international human rights standards. We need to demand that those most impacted can fully participate in decisions around informing, planning and implementing human development strategies and be given the tools to hold actors accountable for achieving goals and targets.

We can end poverty. The way to change the structures that make and keep people poor – simply put – is to put into place a development framework that highlights,

calls for and embodies internationally recognised human rights. It is this crucial understanding that has all along been missing from the Millennium Development Goals. It is this fundamental omission that truly stands in the way of fulfilling their promise. We will not end poverty through aspirational goals alone, or through global development frameworks without the full integration of human rights. A human rights approach to poverty is not an abstraction, a fad, or a fantasy. By applying concrete human rights standards, principles and obligations in the interdependent areas of civil, political, economic, social and cultural rights, the world will be able to move much more quickly and with much greater focus towards its development objectives. This is the path to human development we desperately need and we need to prepare now the framework for *Millennium Development Rights for 2015*.