

**Submission to the  
International Development Committee**

**MILLENNIUM DEVELOPMENT GOALS  
UN REVIEW SUMMIT 2010**

**Amnesty International UK  
October 2010**

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**Summary**

Amnesty International believes that human rights must be put at the heart of the MDGs. The Millennium Declaration promised to strive for the protection and promotion of civil, political, economic, social and cultural rights for all. However, the MDGs are largely silent on human rights and the targets they set are in some cases less than what states are already obligated to do under international law.

The UN MDGs Review Summit has in many ways failed to remedy this omission. Negotiations on the Outcome Document demonstrated that governments still view their development commitments as disconnected from their obligations under international human rights law. They have in doing so, failed to uphold human rights.

Amnesty International contends that the Review Summit failed to address the issue of human rights in a number of particular ways: through failing to make the MDGs consistent with human rights and through failing on discrimination, national targets, participation and accountability. Key steps must be taken by governments and by bilateral and multilateral donors in these areas if efforts to achieve the MDGs are to reach the poorest and most disadvantaged.

Welcome emphasis has been placed on women's rights. Gender equality and the empowerment of women is recognised as important for the achievement of the MDGs.

The UN Secretary-General's "Global Strategy for Women's and Children's Health" is a concrete outcome of the Review Summit. While welcoming this Strategy, Amnesty International highlights the lack of systematic integration of human rights of women and children within it. Developing countries and donors should address gender discrimination in law, policy and practice, including in relation to women's sexual and reproductive rights.

A new or revised global framework post 2015 must give attention to the need to reflect states' existing obligations under human rights law. Any such framework must be based on, and consistent with, human rights standards. People living in poverty must be enabled to participate meaningfully in MDGs planning, implementation and monitoring at all levels; and equal participation by women in these processes must be ensured.

## **Amnesty International**

1. Amnesty International is a worldwide movement of people who campaign for internationally recognised human rights to be respected and protected. Our vision is of a world in which every person enjoys all of the human rights enshrined in the Universal Declaration of Human Rights and other international human rights standards. In pursuit of this vision, Amnesty International's mission is to undertake research and action focused on preventing and ending abuses of these rights.

## **Introduction**

2. On 20-22 September 2010, world leaders gathered at the United Nations in New York for a Review Summit of progress towards achieving the Millennium Development Goals (MDGs). Drawn from the Millennium Declaration adopted 10 years ago by all UN members states, the MDGs represent commitment, at the highest political level, to translate the high hopes and ambitions of the Millennium Declaration into real improvements in the lives of people living in poverty.
3. The MDGs have played a pivotal role in helping to concentrate international attention on issues of development and poverty reduction. They have also provided a focal point for civil society which has mobilised nationally and internationally around the MDGs to challenge poverty and exclusion. However, the extent to which they reflect and help advance the promise of the Millennium Declaration remains uncertain. Progress has been uneven and the UN issued a clear warning prior to the Review Summit that many of the global targets will not be met by 2015 unless efforts to achieve them are radically stepped up.
4. Amnesty International believes that human rights standards – and the duty of governments to fulfil them – must be put at the heart of efforts to achieve the MDGs. The Millennium Declaration promised to strive for the protection and promotion of civil, political, economic, social and cultural rights for all. States' obligations under international human rights law are however, not adequately reflected in the MDGs; indeed the MDGs are largely silent on human rights – including economic, social and cultural rights – and the targets they set are in some cases less than what states are already obligated to do under international law.
5. In this short submission Amnesty International UK aims to highlight how MDG efforts following the UN Review Summit in September 2010 and the implementation of the action agenda for achieving the MDGs by 2015, agreed in the outcome document, must be consistent with states' obligations to respect and promote human rights – including economic, social and cultural rights.

## **Outcomes from the UN Review Summit in September 2010**

6. The Outcome document acknowledged the link between human rights and development, including the need for more efforts to reduce inequality and tackle exclusion and discrimination, the promotion of universal access to public and social services and references to the importance of the rights to education, health and food. However, the Summit's Action Agenda did not make a necessary and explicit commitment to ensuring that all MDG efforts are consistent with human rights obligations. It did not identify the concrete steps that governments are to take to address discrimination, exclusion, and the specific barriers many groups face in accessing basic services, despite evidence that this is why the poorest people in the world are being left out of progress on the MDGs. It also did not commit to identifying effective national and international accountability mechanisms to ensure that all MDG efforts are consistent with human rights standards. In doing so, the Review failed to make concrete commitments in terms of policies, programmes and actions to address some of the root causes of lack of progress and to ensure that their efforts across all the MDGs do not leave out the poorest and most marginalised.

### *Non-discrimination*

7. International human rights law requires all states to guarantee equality and non-discrimination. Grounds include gender, race, caste, ethnicity, disability and Indigenous status. The MDGs contain no explicit requirement for states to comprehensively identify and redress exclusion and discrimination however, despite the fact that discrimination is closely linked to poverty. This failure to address discrimination is reflected not only in the actual goals and targets, but also in the MDG planning, monitoring and reporting framework.
8. The Review Summit failed to remedy this shortcoming. While the Outcome document recognised the need for more efforts to reduce inequality and tackle exclusion and discrimination, it does not identify concrete steps that governments will take to address discrimination, exclusion and the specific barriers many groups face in accessing basic services. The Outcome document contains some welcome but limited measures to reduce inequality, such as use of reliable and disaggregated data. However, there are no commitments to specific actions needed to address the forms of discrimination faced by, among others, Indigenous Peoples which often prevent them from having access to public programmes and services. Measures to address this would include the adoption of specific national targets for groups facing discrimination and developing appropriate indicators to monitor progress towards these objectives.

### *National targets*

9. International human rights law requires that minimum essential levels of economic, social and cultural rights for all people in all countries must be provided for. Yet whilst the MDGs establish global targets, these were not developed based on an assessment of countries' levels of progress or the

resources available to them and may set the bar too low for some countries and lower than that required by international human rights law.

10. The Review Summit failed to remedy this shortcoming. The Action Agenda of the Outcome document makes reference to the importance of the rights to education, health and food, but does not commit governments to set and implement time-bound national targets to realise the rights to food, education, health, housing, water, work and sanitation, taking into account existing levels of progress and resources available.
11. As a result, the global targets set can be considered arbitrary benchmarks in many contexts. In some cases, countries have adopted national targets above the MDG level; Latin American countries, for example, have decided to expand their MDG commitments on education to include secondary education. On the whole however, the setting of global targets serves to give a distorted picture of progress. For example, the MDGs aim to halve the proportion of people living on less than \$1 a day between 1990 and 2015; this target will probably be achieved on the basis of progress in only two countries, China and India, as a result of policies that predate the MDGs.

#### *Participation*

12. The UN Committee on Economic, Social and Cultural Rights has stressed that the right to participation must be an integral part of government policies, programming and strategies. In order for participation to be meaningful, states must also fulfil a number of other rights and duties, including the rights to freedom of expression and association and the duty to ensure the conditions in which human rights defenders can carry out their work. The current MDG framework does not explicitly recognise the right to participate actively and meaningfully. As a result, people living in poverty are rarely involved in developing, implementing or monitoring efforts to meet the MDGs.
13. The Outcome document of the Review Summit recognises that full participation of all segments of society, including the poor and disadvantaged, can help achieve the MDGs. However, the Action Agenda does not address the need to ensure freedom of expression, association and assembly and there is no reference to the right to information and to the need to promote and protect the rights of human rights defenders.
14. Indigenous Peoples, for example, are amongst those commonly excluded from decision-making around development processes. Indigenous Peoples' input is commonly not included in national MDG monitoring and reporting. Mechanisms are also commonly lacking through which to ensure the input and participation of Indigenous Peoples in the design, implementation and monitoring of policies designed to achieve the MDGs. Though the Review Summit did recognise the need to respect the rights of Indigenous Peoples, it did not identify the actions governments would take to do so. This is despite evidence that Indigenous Peoples are disproportionately represented amongst people living in poverty, their levels of access to health and

education are well below national averages and they are especially vulnerable to the consequences of environmental degradation.

### *Accountability*

15. International human rights law provides for national and international accountability mechanisms. These apply human rights standards which can strengthen MDG efforts by giving people living in poverty, and civil society acting on their behalf, greater opportunities to hold governments to account. With the exception of women's rights, there is no reference to specific accountability mechanisms to ensure enforcement of human rights in national and international MDG efforts.
16. The two accountability mechanisms which the Outcome document instructs to monitor progress on the MDGs are themselves inadequate; the ECOSOC Development Cooperation Forum and the Annual Ministerial Review have been identified as bodies which will monitor progress on the MDGs. They are ill-equipped to monitor compliance with states' human rights obligations and are voluntary, rather than mandatory processes. Similarly, an annual review process provided by the General Assembly is unlikely to incorporate a human rights focus.
17. Amnesty International's research in Burkina Faso highlights the importance of accountability. The government's policy to provide subsidised health care for pregnant women has been undermined by illegal charges demanded by hospitals. Women faced with such charges did not have anywhere to lodge their complaints. There is a lack of mechanisms – either within the hospital, via a medical regulatory body or through the courts – to ensure accountability. Such mechanisms would help enhance the delivery of the government's policies and programmes and empower women and their families to claim what they are entitled to under such policies.

### **Gender and women's rights**

18. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) condemns discrimination against women and dictates that signatories pursue a policy of eliminating discrimination. Action in all spheres – political, social, economic and cultural – is called for in order to ensure the full development and advancement of women and to ensure their exercise and enjoyment of human rights and fundamental freedoms on the basis of equality with men. Unfortunately, the MDGs do not reflect this commitment to realise the full range of women's human rights. Gender equality and women's empowerment feature very poorly in the MDGs as a whole, and gender sensitive targets and indicators are both limited and inadequate.
19. The Outcome document and Agenda for Action placed emphasis on gender equality and women's human rights, and reference existing commitments to women's rights. This emphasis is apparent in the Outcome document which recognises that gender equality and empowerment of women are important for the achievement of the MDGs and welcomes the establishment of UN

Women. It commits to addressing gender discrimination and to taking action to improve women's participation in political and economic decision-making processes; also to strengthening national laws and enhancing accountability to address all forms of violence against women and girls. In addition, it includes welcome references to improving national capacity to monitor and report on progress through use of sex- and age-disaggregated data; and to enhancing the impact of development assistance in advancing gender equality and empowerment of women and girls through capacity-building and gender mainstreaming.

20. However, the Action Agenda did not set out concrete actions that governments must take to address gender inequality and discrimination – in law, policy and practice - across *all* the MDGs.
21. Particular attention has been paid amongst others, to MDG 5, the MDG target on improving maternal health. This remains the most off-track, despite the fact that most deaths in pregnancy and childbirth are preventable. The number of women dying due to complications during pregnancy and childbirth is 358,000 a year; a drop of less than half of that needed to achieve the MDG target of reducing maternal mortality by 75% between 1990 and 2015. Governments are not addressing many of the root causes of why women are dying or being injured during childbirth and pregnancy. These include early marriage, denial of sexual and reproductive rights and services to women, and discrimination. As estimated 68,000 women die each year from unsafe abortion but some governments are criminalising all forms of abortions.
22. The UN Secretary-General's "Global Strategy for Women's and Children's Health", with pledges and commitments of over \$40 billion dollars in funding over the next five years, was one of the concrete outcomes of the Review Summit. This reflects the consensus on the need for a coordinated and joint effort by the international community to deliver vital healthcare services for women and children, who continue to face the greatest barriers in realising their right to health. While welcoming this Strategy, Amnesty International highlights the lack of systematic integration of the human rights of women and children within it. Many women, particularly women living in poverty, continue to face a range of barriers (financial, legal, social and other) to accessing the healthcare services they need. Difficulties in accessing services are closely linked to state failure to guarantee non-discrimination, equal access to care, and other dimensions of the human rights to life and health. The global strategy does not adequately reflect this reality.
23. Amnesty International also highlights the need to specifically address key human rights issues that contribute to women dying in pregnancy and childbirth – such as the denial of sexual and reproductive rights, gender discrimination and inequality, gender-based violence (including sexual violence); all of which must be addressed in the context of efforts to prevent maternal deaths.
24. For example, the issue of unsafe abortion is left largely unaddressed, despite it being a leading cause of maternal deaths, especially among young women.



The criminalisation of abortion and the devastating consequences for women and girls is also not addressed in the Global Strategy.

25. Additional initiatives have also been launched including an alliance to support reproductive, maternal and newborn health of USAID, DFID, AusAid and the Bill and Melinda Gates Foundation; and by the UK Government directly, with a pledge to saving the lives of at least 50,000 women in pregnancy and childbirth by 2015. More details are awaited on both of these.

**The role of DFID, developing countries, multilateral development agencies and international financial institutions:**

26. Amnesty International believes that there are key steps that must be taken by governments and by bilateral and multilateral donors, to ensure equitable progress on the MDGs and to ensure that MDG efforts reach the poorest and most disadvantaged people. DFID, other donors, developing countries, multilateral agencies and international financial institutions should ensure that their national and international policies, strategies and programmes aimed at reaching and surpassing the MDG targets are consistent with universally recognised human rights standards – including those on economic, social and cultural rights.
27. Human rights standards provide a legal and policy framework that should underpin the analysis of the problem, the process for addressing the problem and the intended outcomes of development policy and practice.
28. In the next five years leading up to 2015, DFID and its partner countries in the developing world, as well as multilateral institutions – including the European Commission, the World Bank and UN agencies – should take the following steps going forward:

*Ensure that their MDG efforts are consistent with human rights standards*

29. Consistency with human rights standards requires at the state level a review of national policies and strategies for achieving the MDGs to reflect human rights obligations – including in relation to economic, social and cultural rights. It also requires states to identify and abolish discriminatory laws and practices and ensuring that governments do not violate human rights, including economic, social and cultural rights. For example, Amnesty International and other NGOs have documented the mass forced evictions of people living in slums and informal settlements, where governments destroy homes and livelihoods, often with little or no notice and due process, and without offering alternatives, with devastating consequences for the affected communities, most of which were already living in poverty.
30. For bilateral and multilateral donors and institutions, this requires their policies and strategies to be consistent with, and guided by, human rights standards, in line with the commitment in the Accra Agenda for Action that: “Developing countries and donors will ensure that their respective development policies and programmes are designed and implemented in ways

consistent with their agreed international commitments on gender equality, human rights, disability and environmental sustainability.”<sup>1</sup> This requires them to explicitly recognise and integrate human rights standards in development assistance policies and programmes to ensure that assistance does not result in or contribute to a negative human rights impact, and that there are adequate safeguards, monitoring and accountability mechanisms to ensure that development assistance complies with human rights standards.

#### *Fight exclusion and discrimination*

31. While the MDG framework does not include an explicit requirement for states to comprehensively identify and address exclusion and discrimination, tackling these is key to achieving progress on the MDGs. Human rights standards require all states, in national and international efforts, to take necessary measures to end discrimination, to guarantee gender equality and to prioritize the most marginalised groups in policies and strategies to tackle poverty and exclusion. Tackling gender inequality and discrimination – in law, policy and practice – should be included in efforts across *all* the MDGs and not restricted to MDG 3.
32. Likewise, DFID and its development partners should work together to ensure that their efforts towards all the MDGs address all forms of discrimination – including gender discrimination - and give adequate priority to particularly marginalised groups.

#### *Set and implement national targets for progress*

33. The MDG targets were intended to be adapted to national contexts, and some countries have added to, or amended, the global targets, to reflect specific national concerns. Developing countries should set and work towards time-bound national targets that reflect their obligation to prioritise the meeting of at least minimum essential levels of economic, social and cultural rights (water, housing, healthcare, education, food and sanitation) for all, within the shortest possible time, going beyond the MDG targets as necessary. Developing countries must take into account the resources available to them nationally and through international cooperation and assistance. Their targets should be reflected in national plans of action, laws and policies, budgets, and frameworks which identify appropriate monitoring mechanisms, institutional responsibilities, time-frames, benchmarks and indicators for progress.
34. For DFID and other donors – bilateral and multilateral – this means aligning international cooperation with partner countries’ human rights obligations to ensure the realisation of at least minimum essential levels of economic, social and cultural rights for *all*, as a step towards the full realisation of these rights, giving adequate priority to the most marginalised and ensuring non-discrimination.

*Guarantee full and informed participation*

35. Developing countries should ensure free, meaningful and informed participation of people living in poverty in the planning, implementation and monitoring of MDG efforts at all levels, in order to help guarantee that these efforts benefit people – including the poorest and most marginalised. States must also ensure freedom of expression, association and assembly, and the promotion and protection of the rights of human rights defenders.
36. DFID, multilateral development agencies and international financial institutions can support the effective participation of local communities (including the most marginalised and vulnerable), civil society organisations, parliaments and national human rights bodies in national plans and strategies. This should include support to ensuring participation in developing local and national priorities and monitoring the use of development assistance at the local and national levels, and holding states to account for their use of development assistance resources.

*Strengthen national and international mechanisms for accountability*

37. There must be effective accountability mechanisms - at the local, national and international levels – to hold governments accountable for ensuring that their efforts towards the MDGs are consistent with human rights standards. At the national level, mechanisms such as courts, national human rights institutions and regulatory bodies should play an important role in this regard and can provide effective remedies for human rights violations. At the international level, all states should report on their national and international implementation of the MDGs in their reports to the Universal Periodic review of the Human Rights Council and international human rights mechanisms; any new MDG monitoring processes and accountability mechanisms should incorporate a human rights focus.
38. DFID and other donors (bilateral and multilateral) should promote mutual accountability in development assistance by working with partner countries to ensure that development assistance is guided by human rights principles and standards – including adequate focus on the most marginalised and non-discrimination - and that human rights standards are used to inform and guide policy dialogue and choices, poverty reduction strategies and the identification of priorities. Ensuring transparency and access to information on the provision and use of development assistance is also critical to promoting accountability.

*Ensure that women's rights are put at the centre of all efforts to achieve and surpass the MDGs*

39. Developing countries and DFID and other donors should identify and address gender discrimination in law, policy and practice, including in relation to women's sexual and reproductive rights. Women's rights to participate equally and fully in all levels of decision-making and in education, economic and public life should be respected and promoted. Human rights issues such

as early and forced marriage, female genital mutilation, unsafe abortion and violence against women must receive particular attention.

### **Looking ahead to post-2015**

40. Any discussions and considerations regarding a possible new or revised global framework post-2015 must give attention to the need to reflect states' existing obligations under human rights law. Any such framework after 2015 must be based on, and consistent with, human rights standards. It must address discrimination comprehensively and establish global and national targets and timelines to fulfil minimum essential levels of economic, social and cultural rights for all, and ensure that there are effective national and international accountability mechanisms to monitor the realisation of goals aimed at addressing poverty and exclusion and their consistency with human rights obligations. People living in poverty must be enabled to participate meaningfully in MDG planning, implementation and monitoring at all levels; and equal participation by women must be ensured. The work of human rights defenders must be guaranteed through allowing for people's rights to information, freedom of expression and association.

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<sup>i</sup> Third High Level Forum on Aid Effectiveness, September 2-4 2008, para. 13 (c), Accra Agenda for Action, Accra, Ghana, available at [www.undp.org/mdtf/docs/Accra-Agenda-for-Action.pdf](http://www.undp.org/mdtf/docs/Accra-Agenda-for-Action.pdf), last accessed 24 May 2010.