

The Eradication of the Poverty: The MDGs from a gender perspective

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Abstract

The Millennium Development Goals (MDGs) provide a shares vision of a much improved world by 2015, where extreme poverty is cut in half, child mortality is greatly reduced, gender disparities in primary and secondary education are eliminated, women are more empowered and health and environment indicators improve within a global partnership for development.

These goals are ambitious and their attainment will require a global effort. Using the normative framework for human rights codified in the 1948 Universal Declaration of Human Rights, is a solid strategy for national and international policy in poverty reduction.

This report establishes that Human Rights and the MDGs have much in common. They share guiding principles such as participation, empowerment and national ownership. They serve as tools for reporting processes that can hold governments accountable and most fundamentally, they share the ultimate objective of promoting human well-being and honouring the inherent dignity of all people.

Therefore, Linking Millennium Development Goals with Human Rights is a good possibility in order to obtain a solid normative framework.

From a gender perspective, the report link the Goal 3 gender equality and empowerment of women, with two treaty bodies, the International Covenant on Economic, Social and Cultural Rights as well as the Convention on the Elimination of all forms of Discrimination against Women in order to give a solid framework to achieve this Goal.

Gender equality is important not only as a goal in itself, but also as a path towards achieving the other goals.

Key Words: Millennium Development Goals, Human Rights, Poverty Reduction, Gender equality, Treaty Bodies, General Comments.

Resumen

Los Objetivos de Desarrollo del Milenio ofrecen una visión compartida de un mundo bastante mejorado para el año 2015, donde la pobreza extrema se reduzca a la mitad, la mortalidad infantil disminuya en gran medida, se eliminen las disparidades de género en la educación primaria y secundaria, se les otorguen más poderes a las mujeres y los indicadores de salud y medio ambiente mejoren dentro de una asociación global para el desarrollo.

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Estos objetivos son ambiciosos y su consecución requerirá un esfuerzo global. Utilizar el marco normativo para los derechos humanos codificado en la Declaración Universal de los Derechos Humanos del año 1948, es una estrategia sólida para la política nacional e internacional en la reducción de la pobreza.

Este informe establece que los Derechos Humanos y los Objetivos de Desarrollo del Milenio tienen mucho en común. Comparten principios rectores tales como la participación, el otorgamiento de poderes y la propiedad nacional. Sirven como herramientas para informar sobre procesos que pueden imputar la responsabilidad a los gobiernos y esencialmente, comparten el objetivo final de promover el bienestar humano y honrar la dignidad inherente de todas las personas.

Por lo tanto, Unir los Objetivos de Desarrollo del Milenio con los Derechos Humanos es una buena posibilidad con el fin de obtener un marco normativo sólido.

Desde una perspectiva del género, el informe une el Objetivo 3 igualdad de género y otorgamiento de poderes de las mujeres, con dos organismos del tratado, la Alianza Internacional sobre Derechos Económicos, Sociales y Culturales así como la Convención acerca de la Eliminación de todas las formas de Discriminación contra la Mujeres al objeto de dotar de un marco sólido para conseguir dicho Objetivo.

La igualdad de género es importante no sólo como un objetivo en sí mismo, sino también como un camino hacia la consecución de los otros objetivos.

Palabras clave: Objetivos de Desarrollo del Milenio, Derechos Humanos, Reducción de la Pobreza, Igualdad de género, Organismos del Tratado, Comentarios Generales.

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Introduction

In September 2000, at the United Nations Millennium Summit, world leaders together undertook the challenge to improve

the condition of humanity throughout the world in different areas of development and poverty eradication.

Placed at the heart of the global agenda, nowadays they are called the Millennium Development Goals (MDGs).

The absolute necessity of advancing the human rights of all people in order to achieve this vision is underscored by the Declaration. In particular, the advancement of women's right to gender equality is recognized as critically necessary for progress.

From the 1975 UN International Year on Women through the Decade on Women (1976-1985) and the global conferences and summits of the nineties, women participated actively to shape economic, social and political development.

In these settings advocates established strategic mechanisms, influenced resolutions and won crucial commitments to set a far-reaching global policy agenda that recognizes gender equality and women's empowerment as essential components of poverty eradication, human development and human rights.

The Millennium Declaration reflects widespread international acknowledgement that empowerment of women and the achievement of gender equality are matters of human rights and social justice.

The MDGs do contain time bound targets for holding governments and International Institutions accountable and they are mutually reinforcing each other. Reaching progress towards one goal affects progress towards the others.

We have take into account that the Millennium Goals have broad support, the 189 UN member states, UN agencies and international trade and financial institutions have committed to the 2015 timeline.

In addition to this, the review and follow-up processes to UN conferences and summits will focus extensively on achieving the goals, providing a critical opportunity to implement the right policy in order to achieve the goals.

The fact that the need to address gender inequality has been emphasized by the Millennium would suggest that the MDGs provide a valuable opportunity for advancing the gender equality agenda.

However, many women's human rights advocates² have noted that gender equality is not well reflected in the global targets and indicators.

Nowadays, in more than 90 countries gender inequality still exists in all sectors .

The women represent, in an analogous way, two thirds of 800 million illiterate adults in the world³.

In addition, there is increased insecurity due to intra-state conflicts that are translated into different forms of violence against women. This includes rape, forced pregnancy and deliberate infection with HIV as common features of conflicts.

One of the reasons which these situations take place is because without an international binding legislation with efficient mechanisms of justice, some countries have not introduced in their legislation the gender equality issue or if they have done it, these have not been translated in a concrete measures.

Linking Millennium Development Goals with Human Rights is a good possibility in order to obtain a solid normative framework.

Using the normative framework for human rights codified in the 1948 Universal Declaration of Human Rights, is a solid strategy for national and international policy in poverty reduction.

This report establishes that Human Rights and the MDGs have much in common. They share guiding principles such as participation, empowerment and national ownership. They serve as tools for reporting processes that can hold governments accountable and most fundamentally, they share the ultimate objective of promoting human well-being and honouring the inherent dignity of all people.

From a gender perspective, the report link the Goal 3 gender equality and empowerment of women, with two treaty bodies, the International Covenant on Economic, Social and Cultural Rights as well as the Convention on the Elimination of all forms of Discrimination against Women.

Might this linkage, through the General Comments and the binding Reports of the Treaty Bodies Committees above mentioned, be the solution of the weakness of this Goal and a reference for another Millennium Development Goals.

1. The Millennium development goals

"The new architecture of help" took place in the early nineties. This architecture is defined, by the establishment of a few universal goals for development and by the birth of new instruments that try to achieve these new goals efficiently. In the following chapter, I will examine the origins and the goals as well as why are important these and their progress nowadays. Finally I will focus in the Goal 3 on last part of the chapter.

1.1. What are the Millennium Development Goals?

In 1995, development ministers from the countries of the Development Assistance Committee (DAC) committed themselves to a year long process of reviewing past experiences and planning policies into the next century. The resulting report, *Shaping the 21st Century: The Contribution of Development Co-operation*⁴, published in May 1996, presented their vision for development progress into the next century. Emphasizing a partnership approach, they formulated a broad strategic framework aimed at realizing seven goals drawn from the resolutions of international conferences and submitted meetings.

Subsequently, a series of expert group meetings jointly sponsored by the Organisation for Economic co-operation and development, United Nations and the World Bank, including representatives of developing countries, NGOs and United Nations funds and programs, helped to establish quantified targets for each goal and identified a set of 21 indicators for the measuring progress. Collaborative efforts at monitoring and reporting on progress toward the goals culminated in the publication of A

² Women's Human Rights Net, Women's International Coalition for economic Justice.

³ UNESCO, *Strong foundations, Early childhood care and education*. Unesco publications, Paris 2006, pp.14

⁴ Development Assistance Committee, "*Shaping the 21st Century: The Contribution of Development Co-operation*", 1996 <http://www.oecd.org/dataoecd/23/35/2508761.pdf>

*Better World for All: Progress toward the International Development Goals*⁵.

The General Assembly of United Nations incorporated most of the international development goals in the Millennium Declaration in September 2000 while setting new targets for reducing the proportion of people suffering from hunger, increasing access to improved water sources, improving the lives of slum and reversing the spread of HIV AIDS, malaria, tuberculosis and other major diseases.

The mentioned Goals are Eight social and environmental goals:

1. To eradicate extreme poverty and hunger.
2. To achieve universal primary education.
3. To promote gender equality and empower women.
4. To reduce Child mortality.
5. To improve maternal health.
6. To combat HIV/AIDS, malaria and other diseases.
7. To ensure environmental sustainability.
8. To develop a global partnership for development.

They are linked to 11 quantified targets and 48 indicators in order to monitoring the progress of the goals (Annex 1).

The first seven goals call for sharp cuts in poverty, disease and environmental degradation. The eighth goal is essentially a commitment of global partnership, a pact of rich and poor countries to work together to achieve the first seven goals. The MDGs wisely recognize that extreme poverty has many dimensions, not only low income, but also vulnerability to disease, exclusion from education, chronic hunger and under nutrition, lack of access to basic amenities such as clean water and sanitation and environmental degradation such as deforestation and land erosion that threatens lives and livelihoods.

The MDGs are the world's time bound quantified targets for addressing extreme poverty in its many dimensions (income poverty, hunger, disease, lack of adequate shelter and exclusion) while promoting gender equality, education and environmental sustainability.

Therefore, the Millennium Development Goals, have become a universal framework for development, a means for developing countries and their development partners to work together in pursuit of a future for all.

1.2. *Why the MDGs were created?*

The Millennium Development Goals could engender some cynicism as well as hope. In many cases, the goals repeated long held commitments of the international community that had not been fulfilled in the past. After all, one of the famous community pledge of *Health past century for All*⁶. Yet the world arrived in 2000 with the AIDS pandemic and malaria, and billions of the world's poor without reliable, or sometimes any, access to essential health services. At the *World Summit for Children* in 1990, the world pledged universal access to primary education by the year 2000, yet 130 million or more primary-aged children were not in school by then. The rich world had famously committed to the target of 0.7 percent of GNP devoted to official development assistance, direct financial aid to poor countries, yet the share of financial aid as a proportion of rich-world GNP had actually decline from 0.3 to 0.2 percent during the 1990s.

With this context, The Millennium Development Goals are the most broadly supported, comprehensive, and specific poverty reduction targets the world has ever established. For the international political system, the Millennium Goals are the base for the development policy is contracted.

At the Millennium Summit in September 2000 the largest gathering of world leaders in history adopted the UN Millennium Declaration, committing their nations to a new global partnership to reduce poverty, improve health, and promote peace, human rights, gender equality and environmental sustainability.

The partnership between rich and poor countries was reaffirmed at the November 2001 launch of the Doha Round on international trade. Soon after, world leaders met again at the

⁵ International Monetary Fund, UN and World Bank group. "A Better World for All: Progress toward the International Development Goals", 2000. <http://www.imf.org/external/pubs/ft/jointpub/world/2000/eng/bwae.pdf>

⁶ Declaration of Alma-Ata. http://www.who.int/hpr/NPH/docs/declaration_almaata.pdf

March 2002 *International Conference on Financing for Development* in Monterrey, Mexico, establishing a landmark framework for global development partnership in which developed and developing countries agreed to take joint actions for poverty reduction. Later, the same year, UN member states gathered at the *World Summit on Sustainable Development* in Johannesburg, South Africa, where they reaffirmed the Millennium Development Goals as the world's time-bound development targets.

The framework established in the Monterrey Consensus describes the nature and importance of a new global partnership as follows:

"Achieving the internationally agreed development goals, including those contained in the UN Millennium Declaration demands a new partnership between developed and developing countries. We commit ourselves to sound policies, good governance at all levels and the rule of law. We also commit ourselves to mobilizing domestic resources, attracting international trade as an engine for development, increasing international financial and technical cooperation for development, sustainable debt financing and external debt relief, and enhancing the coherence and consistency of the international monetary, financial, and trading systems"⁷

While the Monterrey Consensus rightly affirmed that poverty reduction is the primary responsibility of developing countries themselves, it also set forth a balanced approach to economic growth that recognizes the interwoven nature of individual economies and how some countries need more international support. For instance, Monterrey outlined the need for better policies and increased assistance, for more trade and more aid. It also outlined the special development assistance needs of the least developed and landlocked economies. Moreover, it restated the long-standing development assistance target of 0.7 percent of gross national product (GNP). The UN Millennium Project supports these balanced principles and considers the Monterrey Consensus to be the international point of departure for detailing the specific steps to achieve the Goals.

Couched in these landmark Millennium and Monterrey pledges, the Millennium Development Goals drive a new era in the international development.

They are the first international goals to recognize, at the highest political levels, that poverty in the poorest countries can dramatically reduced. It is the first time that there are a common strategy, between the developing and developed countries, ratified by 183 governments which contains targets and deadlines.

Achieving the Goals will mean 500 million people will be lifted out of extreme poverty, safe drinking water for another 350 million people and the benefits of basic sanitation for 650 million⁸.

1.3. *What is the progress at the mid-point of the MDGs?*

The Millennium Declaration set 2015 as the target date for achieving most of the Goals. As I approach the midway point of this 15-year period, data are now becoming available that provide an indication of progress during the first third of this 15-year period.

In years since 2000, when world leaders endorsed the Millennium Declaration, we have seen some gains but not enough.

The MDGs will be only attained if the countries take into account the Goals in order to implement their own policies. But without international legislation, and efficient mechanisms, it will be impossible to achieve the targets that the MDGs establishes.

Moreover, the following results are some measures of the progress that has been achieved⁹:

- The proportion of people living in extreme poverty fell from nearly a third to less than one fifth between 1990 and 2004. If the trend is sustained, the MDGs poverty reduction target will be met for the world as a whole and for most regions.
- The number of extremely poor people in sub-Saharan Africa has levelled off, and the poverty rate has declined by nearly six percentage points since 2000. Nevertheless, the region is not on track to reach the Goal of reducing poverty by half by 2015.

⁷ Monterrey Consensus. <http://www.un.org/esa/ffd/0302finalMonterreyConsensus.pdf>

⁸ JEFFREY D. Sachs, *The end of the Poverty*. Penguin books Ltd, London 2005 pp. 214

⁹ UNITED NATIONS, "The Millennium Development Goals Report 2007" pp. 4. <http://www.un.org/millenniumgoals/pdf/mdg2007.pdf>

- Progress has been made in getting more children into school in the developing world. Enrolment in primary education grew from 80 per cent in 1991 to 88 per cent in 2005. Most of this progress has taken place since 1999.
- Women's political participation has been growing slowly. Even in countries where previously only men were allowed to stand for political election, women now have a seat in parliament.
- Child mortality has declined globally, and it is becoming clear that the right life-saving interventions are proving effective in reducing the number due to the main child killers, such as measles.
- The tuberculosis epidemic, finally, appears on the verge of decline, although progress is not fast enough to prevalence and death rates by 2015.

From a global point of view, success is unequally shared, since the decline in global poverty is mostly due to rapid economic growth in Asia.

Eastern and South-Eastern Asia, in particular, experienced impressive reductions in poverty and accelerating growth in India has also put South Asia on track to achieve the goal.

In contrast, poverty rates in Western Asia more than doubled between 1990 and 2005. Extreme poverty rose sharply in the early 1990s in the Commonwealth of Independent States (CIS) and the transition countries of South-Eastern Europe. Poverty rates in those regions are now dropping, and approaching the levels of the 1980s. In sub-Saharan Africa, the proportion of people living in extreme poverty fell from 46.8 per cent in 1990 to 41.1 per cent 2004. Most of this progress was achieved since 2000.

The per capita income of seven sub-Saharan countries grew by more than 3.5 per cent a year between 2000 and 2005, another 23 had growth rates of more than per cent a year over this period, providing a degree of optimism for the future¹⁰.

This optimism is not shared by other sources, among which is *Social Watch*, an international network informed by national citizens' groups.

Their aim is to make sure that all the internationally agreed commitments on poverty eradication and equality, are followed fulfilled.

They affirm that at the current slow rate of progress, once the 2015 has arrived, in many countries the commitments will not be achieved.

This conclusion emerges from watching the evolution of the Basic Capabilities Index (BCI), which is a summary-index that compares and ranks countries according to their social development progress, based on the status of national societies in relation to several minimum basic capabilities.

The BCI numbers for 2007 reveal that half of the countries have a BCI reading of low level, or below, and 25 countries are in critical situation. Without a substantial acceleration in the rate of progress by 2015 the average BCI value for countries in South Asia and Sub-Saharan Africa will not surpass very low and all other regions except Europe and North America will still be far from the acceptable level¹¹.

The MDGs represent a consensus among all countries of the world, a commitment between donors and receivers. But I also know that disparities in progress, both among and within countries, are vast, and that the poorest among us, mostly those in remote rural areas, are being left behind. Much more can and must be done, both by developed countries in increasing their support and by developing countries in using foreign assistance and their own resources more effectively.

1.4. *Gender perspective on the MDGs: Goal 3*

A. BACKGROUND

It is not by chance that the Millennium Declaration and the MDGs identify gender equality and women's empowerment as a one of the most important goals. The work of the gender equality advocates over many decades created a groundswell of programmes and plans of action and global, regional and national levels that committed countries to achieving gender equality.

¹⁰ The World Bank, "Global Monitoring Report 2007" pp. 22-24. <http://web.worldbank.org/WBSITE/EXTERNAL/EXTERNAL.pdf>

¹¹ Social Watch, "Basic Capabilities Index 2007" pp. 2, http://www.socialwatch.org/en/informelmpreso/pdfs/bci2007_eng.pdf

The commitments made in the UN world conferences of the nineties, as well as subsequent UN meetings in early 2000, are central to the vision embedded in the Millennium Declaration and in the Goal 3 of the MDGs.

The fourth World Conference on women (Beijing 1995) played an extremely important role. It produced the Beijing Platform for Action (PFA), an ambitious roadmap for achieving gender equality that highlights 12 areas in which action is urgently needed. Other world conferences of the 1990s, including those on Human Rights (Vienna 1993), population and development (Cairo 1994) and the World Social Summit on Development (Copenhagen 1995), reiterated the call for women's empowerment and rights.

Equally important, 185 countries have ratified the UN convention on the Elimination of all Forms of Discrimination against women (CEDAW), an international women's bill of rights that obligates government to take actions to promote and protect the rights of women.

Progress in implementing the PFA and the CEDAW show some of the complexities in achieving Goal 3 and fulfilling all the commitments made to women.

The five-year review of progress in implementing the PFA, held in June 2000, showed that the path of progress had been bumpy¹². This uneven implementation of the PFA results from a complex set of conditions that are at the heart of women's inequality.

Therefore, the structures that perpetuate gender inequality and discrimination pervade economic, social, political, cultural, legal and civic institutions, norms and practices around the world. The know-how and investments required to achieve gender equality is variable or altogether lacking.

Although there are positive and practical examples in almost every country to improve women's status, according to Beijing +5 Process "*significant challenges remain*".

These Experiences were taken in account for the elaboration of the Goal 3, which tries to implement a new strategy in order to achieve gender equality in all spheres.

B. GOAL 3: PROMOTE GENDER EQUALITY AND EMPOWER WOMEN

In this context and with the precedents that I already mentioned, the Millennium Development Goals must be assessed.

Programmes and plans of actions that emerged from some of the UN world conferences above mentioned, contained a relatively small number of quantitative time-bound targets, many of which were brought together in 1996 by the 21 donor governments of the Organization for Economic Cooperation and Development (OECD) as seven International Development targets (IDTs).

The eight Millennium Development Goals build on and expand the IDTs. The dates by which specified levels of progress for each of the goals are to be achieved, are included in the accompanying 18 targets and 48 indicators (annex 1).

As countries organize to track progress towards achieving the MDGs, there is an opportunity to reenergize gender equality initiatives by insisting on the centrality of Goal 3 and the Millennium Declaration.

In this regard, it is absolutely essential to ensure that tracking progress towards all of the eight goals relies on sex-disaggregated data and gender equality, including the United Nations Development programme (UNDP), the World Bank and numerous academic and non-governmental organizations, are producing reports that will contribute to understanding the gender dimensions of many goals and targets (see annex 2).

Alongside the importance of Goal 3 and incorporating it into public programmes, is the recognition that fulfilling it strictly within the confines of the MDGs presents certain problems. This complex goal has been encapsulated into a single target calling for the elimination of gender disparity in primary and secondary education, preferably by 2005, and in all levels of education no later than 2015.

Education is important, but as the Beijing Platform for Action recognized, there are many other kinds of gender disparity that are equally important and must addressed, disparity in the law, among others¹³.

¹² Beijing+5 Process and Beyond. <http://www.un.org/womenwatch/daw/followup/beijing+5.htm>

¹³ Fourth World Conference on Women. <http://www.un.org/womenwatch/daw/beijing/platform/>

Fortunately, the indicators for Goal 3 are somewhat broader than the target:

- The ratio of boys and girls in primary, secondary and tertiary education.
- The ratio of literate women to men aged 15/24
- The share of women in wage employment in the non-agricultural sector.
- The proportion of seats held by women in parliament.

Thus achievement of the target for Goal 3 should be treated as signpost in reaching the goal, not as a substitute for it, and the indicators can be used to fill in additional details.

The empowerment of women does not just depend on the elimination of numerical gender disparities. It is possible to equalize the enrolment of boys and girls in school at a low level for both, a situation that empowers neither. Equality in deprivation does not represent a genuine fulfilment of Goal 3.

Gender equality and Women's empowerment must be pursued because will produce favourable ripple effects for each of us.

2. Implementations and Monitoring of the MDGs

Millennium Development Goals are a very important global action to provide a common framework for the international development Community.

The challenges of these goals and targets around the world are very demanding and inspiring. The Analysis of their implementation and monitoring is a necessary step in the process towards these targets.

Therefore In this chapter, I will analyse different levels of implementation and monitoring, beginning with a general framework. After, I will explain, in a specific way the international level, analysing the role of United Nations.

Finally, the last part of the chapter are dedicate to the national level and there will be a sub-division between the actions of the government and the civil society focusing on the role of the Ngos.

2.1. General framework

Reaching the Millennium Goals by 2015 will require concerted actions by the developed countries as well as the devel-

oping countries, beginning with a global agreement between both.

Developing countries must take the ending of poverty seriously, and will have to devote a greater share of their national resources to cutting poverty rather than to war, corruption, and political infighting.

The rich countries will need to move beyond the platitudes of helping the poor, and follow through on their repeated promises in delivering more help. All of this needs a framework and the best option is the one proposed by UN Millennium Programme.

A global compact has at least two parties, and therefore responsibilities on both sides. The developing countries must expire with their obligations as well as the developed countries and both must work together.

The UN secretary-general, overseeing the UN agencies and the Bretton Woods Institutions which are also part of the UN family, should oversee the entire effort. Working through the United Nations Development Program, (the economic development arm of the UN system), the secretary-general, on behalf of the member nations, should ensure that the global compact is put into operation.

Much of the work will take place at the level of the individual country, where plans will be devised and investments made on the basis of national financial resources and increased donor aid.

The actions foreseen at international and national level will be connected with one another for coherence and effectiveness but will be designed and implemented primarily according to the particular needs, opportunities and constraints prevailing at each level.

Therefore, in spite of a uniform framework where all levels work towards the same direction, a context specific approach must be taking into account.

Finally, The objective will be to ensure that the MDGs become an integral part of whole strategy from a global, regional and individual point of view.

2.2. International level : The role of United Nations

The MDGs provide a framework for the entire UN system to work coherently together towards a common end.

The UN Development Group, an instrument for UN reform, created in 1997 to improve the effectiveness of UN development at the country level. This will help to ensure that the MDGs remain at the centre of those efforts.

The UN is uniquely positioned to advocate for change, connect countries to knowledge, resources and help coordinate broader efforts at the country level.

The challenges for the global community are to mobilize financial support and political will, re-engage governments, re-orient development priorities and policies, build capacity and reach out to partners in civil society and private sector.

With this context, United Nations has established a three-pillar strategy as part of its support to help countries achieve the Millennium Goals.

The three areas of this framework are:

- Campaigning.
- Reporting.
- Operational activities.

In the first area, we have *The Millennium Campaign* which was initiated in late 2002, as part of the core MDG strategy of the UN system.

Therefore, the Millennium Campaign serves as provider of information and facilitator for networking groups that are campaigning together for the MDGs.

In the second area, the reporting tied to the implementation of the Millennium Goals are based on both an international and national level.

At a country level, MDGs reports provide a systematic and identifiable follow-up to the global conferences and international summits as well as the Millennium Development Goals.

UN Development Programme, in its capacity as chair of the UN Development Group (UNDG), co-ordinates support for preparing these reports, which are submitted by individual member-states .

At the global level, the Secretary-General reports to the General Assembly on progress towards a sub-set of the MDGs, annually.

Additional reporting exercises and country studies on progress of implementation of the MDGs have also emerged outside these two official levels of monitoring. These reports have been produced by UN regional bodies and UN agencies and programmes.

Within, operational activities, we can establish the strategic actions, specially

The UNDG Action Plan (2006-08)¹⁴ that reflects the outcome of a collective effort to address the agreements on development. This plan contained in the outcome document of the 2005 World Summit.

While 189 member states of the UN have signed the Millennium Declaration, not all have yet adjusted their national strategies and plans to reflect a full commitment. The UN system is ideally placed to assist in this task.

Its participation is geared towards supporting national efforts to achieve the MDGs by pulling together the contributions arising from the different strands of its activities. This will facilitate a participatory process which brings together a wide range of stakeholders to establish real ownership or assist the Government to acquire the capacity needed to develop and assess alternative strategies.

The UN Development Group and its strategy provides the instrument for defending a collective and goal-driven response from the UN system to MDGs report and the national priorities.

Finally, UN Agencies have become very active in supporting the MDGs. The United Nations Development Fund for Women (UNIFEM) is a division of the UN Development Programme that works to protect the rights of women in a variety of ways. This agency brings its specific capacity through the common UN system, promoting women's empowerment and gender equality in the areas above mentioned.

UNIFEM has developed a number of global advocacy materials to help women understand and use the MDGs, starting with the 2002 report *progress of the world's women*¹⁵ which examines in detail the links between the goals and gender equality.

¹⁴ The UNDG Action Plan(2006-08). http://www.undg.org/archive_docs/9013-UNDG_Action_Plan_MD_MDGs.pdf

¹⁵ ELSON, D and KEELIK, H, "Progress of the world's women" UNIFEM. 2002. http://www.unifem.org/resources/item_detail.php?ProductID=10

The UN system goes also beyond traditional agency with specific country programmes and prepares joint programmes, reports in selected and strategic areas in order to give practical effect to the collective commitment of the Millennium Development Goals.

2.3. National Level:

A. GOVERNMENT ACTIONS

As the MDGs aim to reverse the growing tide of world poverty, developing countries are expected to be active at a national level.

Developed countries have a corresponding obligation to ensure an international environment conducive to development. As such, developed countries are to focus on stimulating action on aid, trade, debt relief, new technologies and investment flows.

It is therefore understood that developing and developed countries will submit annual progress reports, foster national campaigns and produce country studies and strategies. Usually, the governments takes actions in these three areas.

Each signatory country to the Millennium Declaration is expected to produce an annual progress report or MDG report.

Nowadays, over 128 MDG country reports have been completed by developing countries, twenty-seven have produced their second report, five countries have released their third edition and three their fourth¹⁶.

These reports are a tool for awareness raising, advocacy, alliance building and renewal of political commitments at the Country level, as well as building national capacity for monitoring and reporting the goals and targets.

In order to ensure that a consistent methodology is used by every country, the UN Country Teams (UNCTs) that it is composed of the heads of UN agencies, have been designated to support the preparation of these reports.

UNCTs help countries to produce reports in a way that fosters broad national ownership. These reports are to be public affairs documents targeting a broad audience including the general public, the media, experts, parliamentarians and policy-makers.

The report identifies country needs and monitor progress, but they also serve as a public relations tool that stimulates dialogues and debates within societies.

Several countries have shown flexibility with regard to the current MDG indicators and have modified or added to them. Bulgaria, for example, have decided to use their own measures for Goal 3 and have dropped the target on official policy¹⁷.

According to the second area of action, The National Millennium Campaigns aim for the MDGs to be the centre of the national debates that is conceived managed and owned by local actors.

These Movements accelerate and make more effective the implementation of the MDGs due to they bear in mind the specific circumstances of each country.

One example is South Africa, this country has concentrated its efforts on the creation of a advisory team, the formation of partnerships with journalist and the identification of target groups. The Motto of its campaign *"if you don't change yourself, someone will come and do it for you"*¹⁸, is aimed at adapting a comprehensive message to reach local audience.

Finally, there are the country studies which are essential to develop specific and credible proposals to achieve the MDGs which can be addressed through the dialogue and country-driven strategy setting process envisaged through the national plans.

With the adoption of the MDGs as a tool for national development strategies, questions have arisen regarding possible linkages or overlaps with the Poverty Reduction Strategy Papers (PRSP) introduced by the International Monetary Fund and the World Bank in 1999.

¹⁶ NationalMDGsReports.<http://www.undg.org/index.cfm?P=87&SO=NAME>

¹⁷ Bulgaria MDG Report 2003. pp 36. <http://www.undg.org/index.cfm?P=87&f=B>

¹⁸ Global Call to action Against poverty. <http://www.whiteband.org/>

Governments have expressed fears that the MDGs might complicate existing processes and make it difficult to achieve consistency among development targets. In practice, however, countries have been relating the PRSPs to the MDGs in very different ways.

Some countries consider the PRSP process as a roadmap for MDG implementation, serving as medium term strategy while the MDGs serve as a long-term development vision. Several countries have tried to coordinate the two processes to create synergy and avoid a duplication of efforts.

In Cameroon, monitoring of the progress toward achieving the MDGs has built upon existing PRSP Monitoring and Evaluation Systems¹⁹.

The MDGs constitute a central objective of national policies in some countries. Albania's Parliament for example, adopted a resolution officially endorsing into its National Strategy of Social and Economic Development²⁰.

The experience and expertise gathered through the Global Millennium Project will be for guidance on the analytic framework, methods and tools for these studies to take advantage of possible synergies and help secure a minimum of cross-country comparability.

Efforts to achieve the MDGs will bring together a wide range of government sectors, development partners and civil society organizations in the development of the three areas above mentioned. Areas of action that help governments to introduce the MDGs in their policies and their life.

B. THE CIVIL SOCIETY: THE ROLE OF THE NGOS

The Civil Society Organization (CSOs) have a critical role play in the overall MDG effort, from disseminating their knowledge

of the MDGs, to emphasizing specific issues, to encouraging government accountability.

The CSOs have a very important influence in the community of development, however, they still face obstacles to participation from the outset of decision-making processes and are too often relegated. For this reason, nowadays many organizations are not interested by the Millennium Goals. It has been argued that Non-governmental Organizations (NGOs) are unique in their strong commitment and follow their strategies with appropriate development solutions²¹.

Kofi Annan articulated the now widely accepted view that civil society has an essential role to play in ensuring success in meeting the MDGs²².

A number of new organizations and NGOs networks have been formed by the UN, such as IRENE, in partnership with entities such as the World Federation of UN Associations and the Conference of Non-Governmental Organizations.

NGOs not only work in all of the functional areas of the MDGs, such a health, education, and gender equity, but are also widely understood to play a central role in achieving the eight goal of effective partnership.

Despite their widely recognized labour that defines them by what they are not rather than by what they do, NGOs are directly involved in the broad range of important activities associated with development around the world.

The United States has proposed a new approach to foreign aid in which non-governmental groups join recipient governments in proposing projects funded with aid²³.

Moreover, businesses are increasingly pairing with the NGOs in implementing the *fair trade* and other projects intended to make progress on the MDGs while enhancing their corporate images.

¹⁹ Cameroon MDG Report 2003 (3rd). pp 8. <http://www.undg.org/index.cfm?P=87&f=C>

²⁰ Albania MDG Report 2005, pp 4. <http://www.undp.org.al/?elib,659>

²¹ Secretary General report, "Arrangements and Practices for the Interaction of Non-governmental Organizations in all activities of the United Nations System", UN doc A/53/170, 1998 New York: United Nations Assembly. <http://www.un.org/documents/ga/docs/53/plenary/a53-170.htm>

²² Secretary General report, "Road Map Towards the Implementation of the United Nations Millennium Declaration", UN doc A/56/326. 2001 New York: United Nations General Assembly pp.19. <http://unpan1.un.org/intradoc/groups/public/documents/UN/UNPAN0041152.pdf>

²³ RADELET S. and HERRING S. "The Millennium Challenge Account: Soft Power or Collateral Damage?", Centre for Global Development 2003. <http://www.cgdev.org/content/publications/detail/14144/>

Despite the flurry of activity to incorporate NGOs into global development efforts and programs to achieve the MDGs, few studies have systematically reviewed the potential roles that international and local NGOs can play in this process.

Most of the UN documents, including recent human development reports, note the importance of civil society in terms of advocacy and member states' accountability in complying with foreign-aid commitments necessary to achieve the MDGs.

The World Federation of United Nations Associations' report of 2002²⁴ notes that 90% of surveyed Civil Society Organizations believe the MDGs are relevant to them, yet only 58% of these organizations had launched even a single initiative aimed at the implementation of the specific MDGs.

The report calls for a broad range of roles for NGOs, including developing networks and coalitions in support of implementation, monitoring progress, promoting awareness and disseminating results reports, creating specific proposals for more effective partnerships with the UN, initiating cooperative efforts with governments and promoting institutional reform to democratise global governance.

While this report have offered plausible suggestions, in the absence of a strategic analysis of roles. Accomplish assignments of responsibility it is difficult to asses priorities.

The presence of Goal 3 in the MDGs signifies an important success on the part of women's organizations and women's movement to put gender squarely on the world agenda.

Gender needs to be mainstreamed into all of the MDGs in order to achieve gender equality and women's empowerment. This will require participation in the process on the part of women's organization and NGOs to champion these issues, advocate strongly for this mainstreaming and demonstrate effective approaches for meeting the targets. While governments and some NGOs may have comparative advantages in these activities, it is not clear that women's organization will feel compelled to use MDGs as a platform for advocacy and action.

The experience of local NGOs and women's organizations in the national PRSP processes confirms that when these organizations are invited to participate, their contributions are not often reflected in the final PRSP.

On much more operational level, these organizations do not have sufficient funding to effectively press for accountability with respect to gender and the MDGs.

The experience of the NGOs and the CSOs in general have a crucial role to achieve the MDGs. Their knowledge must be taken into account in the local, national and international levels and in the areas above mentioned.

3. The legal analysis of the MDGs

The Millennium Development Goals and the Human Right are driven by the same objectives, using very similar means, facing common obstacles, and relying on closely related constituencies and political dynamics in order to make progress.

The last part of this paper, tries to link the strategy of these two frameworks. Firstly with an explanation about the space where the Human Rights are developed and secondly, I will analyse the role and influence of Human Rights on the MDGs strategy.

Finally, I will focus the chapter in two Treaty Bodies, the ICESCR and the CEDAW, versus Goal 3 of the MDGs.

3.1. Human Right Framework and the MDGs

The normative framework for human rights, codified in the 1948 Universal Declaration of Human Rights, is the basis for national and international policy setting for poverty reduction.

It provides the crucial set of norms and values to guide policy making through the respect of human rights, that are inherent to the person and belong equally to all human beings regardless of their race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status²⁵.

²⁴ World Federation of United Nations Associations (WFUNA), "We the Peoples 2002: A Call to Action for the UN Millennium Declaration". <http://www.wfuna.org/docUploads/We-People2002.pdf>

²⁵ UNESCO, *Human Rights. Institutions, Standards, Procedures*. Ed. Policrom, Paris 2003, pp 140

The international community has developed a comprehensive legal framework for the protection and promotion of human rights.

The International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, together with the Universal Declaration of Human Rights constitute the International Bill of Rights. Alongside these, specific conventions were drafted to protect the rights of certain vulnerable groups, such as women and children, and to address certain specific rights, such as the elimination of racial discrimination. States become parties to these covenants and conventions voluntarily.

Each Covenant has a Committee that are composed by independent experts of recognised competence in the field of human rights who are elected by States Parties, monitor the implementation of the core human rights treaties. Common to all the Committees, is to monitor implementation of the relevant treaty by States report which detailing their implementation of the treaty provisions in the country concerned. In addition to this reports, the Committees elaborate General Comments or General Recommendation, which help to understand treaty provisions and to organize discussions.

Overall, the treaty bodies can have an important impact within a State, helping to ensure more effective implementation of Human Rights. The extent of the impact depends not only on the Government, but also on other factors capable of influencing the way in which human rights are protected and promoted within the country, including national and regional parliaments.

All countries have ratified at least one of the major six United Nations Human Rights Conventions and 80 per cent of States have ratified four or more.

Under international Human Rights Law, states Parties have specific obligations to²⁶:

- 2 Respect.
- 3 Protect.
- 4 Fulfil the rights contained in the conventions.

Failure to perform any one of these three obligations constitutes a violation of such rights.

States are obliged to move as expeditiously and effectively as possible towards the implementation of these obligations. Constraints due to the limits of available resources cannot be interpreted as a reason for inaction. The 1993 World Conference on Human Rights states, *“While development facilitates the enjoyment of all human rights, the lack of development may not be invoked to justify the abridgement of international recognised human rights”*²⁷. It is important to distinguish inability from unwillingness. Any deliberate retrogressive measures require the most careful consideration and need to be fully justified by reference to the totality of the rights provided for in the treaty concerned and in the context of the full use of maximum available resources.

The entire UN system, including the funds, programmes and specialised agencies, has a responsibility to support State Parties in these efforts: *“States have to undertake steps, individually and through international assistance and cooperation, to the maximum of their available resources with a view to achieving progressively the full realisation of the rights recognised”* (article 2.1 ICESCR).

Since human development means expanding people's choices and enhancing their freedoms, empowering people goes beyond the development of human resources as means to economic growth and generation of income.

With this legal framework, Human rights and the MDGs share guiding principles such as participation, empowerment and national ownership. They serve as a tools for reporting processes that can hold governments accountable and most fundamentally, they share the ultimate objective of promoting human well-being and honouring the inherent dignity of all people.

Nevertheless none of the treaty bodies appears to make any significant use of any part of the MDGs which includes the specific commitments mentioned previously for their achievement.

[unhcr.ch/huridocda/huridoca.nsf/\(Symbol\)/A.CONF.157.24+\(PART+I\).En?OpenDocument](http://unhcr.ch/huridocda/huridoca.nsf/(Symbol)/A.CONF.157.24+(PART+I).En?OpenDocument)

²⁶ EIDE, A, *Economic, Social and Cultural Rights* 2nd ed, 2001 Kluwer Law International, Netherlands pp. 22-24

²⁷ Report of World Conference on Human Rights, Vienna 1993 (point 10 of Vienna declaration and programme of Action). <http://www.>

From a gender equality and empower women point of view, a review of some General Comments and General Recommendations, that I am going to analyse in the following chapters, adopted by each of the Treaty Bodies as the principal reflection and interpretation of various provisions of the Covenant, reveals no references to the MDGs and no attempts to encourage governments to attach any particular importance to their MDG commitments.

3.2. *The influence of the Human Rights in the MDGs*

In the Millennium Declaration, Member States stated that they would spare no effort to promote democracy and strengthen the rule of law, as well as respect for all internationally recognized human rights and fundamental freedoms²⁸.

A human rights approach is essential to achieving the MDGs. There is an organic linkage between the Goals and human rights, embodied particularly in Millennium Declaration which includes, in addition to the eight Millennium Goals, six commitments for promoting human rights, democracy and good governance²⁹.

Despite the international mandate for a human rights approach to poverty eradication, such an approach, though based on venerable antecedents, has tended to be neglected in justifications for eradication of poverty.

From the human right point of view, the ideal of free human beings enjoying freedom from fear and want can be achieved only if conditions are created whereby everyone may enjoy his or her economic, social and cultural rights, as well as his or her civil and political rights. In this regard, article 25 of the Universal Declaration of Human Rights stipulates that:

“Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability...or other lack of livelihood in circumstances beyond his control...”³⁰

²⁸ United Nations Millennium Declaration, General Assembly resolution 55/2, NY 2000. <http://www.ohchr.org/english/law/millennium.htm>

²⁹ JEFFREY D. Sachs, *The end of the Poverty* Penguin books Ltd, London 2005 pp.224-225

³⁰ Universal Declaration of Human Rights, General Assembly resolution 217 A (III), 1948. <http://www.un.org/Overview/rights.html>

Therefore, the eradication of widespread poverty, including its most persistent forms, and the full enjoyment of economic, social and cultural rights remain interrelated goals. Human rights may not only be used as an approach to attaining the goods entailed in the MDGs. They are entailed in the goals set by the MDGs themselves in so far as they seek the attainment of a certain minimum way of life.

Through the Millennium Declaration, governments commit to respect and fully uphold the Universal Declaration of Human Rights, to strengthen the capacity of all countries to implement the practices of democracy and human rights. Nevertheless it does not characterize poverty as a human rights violation, It does, however, resolve to “*spare no efforts to free [people] from the abject and de humanizing conditions of extreme poverty.*”³¹

Although the MDGs reflect many parts of human rights agenda, most of the strategies to achieve the Goals currently operate in a predominantly economic framework.

It is encouraging to see that The 2000 Human Development Report avoided characterizing poverty as a violation of human rights but instead noted that “*Poverty eradication is not only a development goal – it is a central challenge for human rights in the 21st century*”³².

According to the Human Development Report 1997, poverty limits human freedoms and deprives a person of dignity³³. The Universal Declaration of Human Rights, the Declaration on the Right to Development and large body of other human rights instruments make this clear.

Human Development Reports take the view that poverty is broader than lack of income, that it is deprivation across many dimensions. Indeed Human Development Report 1997, on poverty, defined it as deprivation in the valuable things that a person can do or be. The term “*human poverty*” was coined to distinguish this broad deprivation from the narrower income poverty a more conventional definition limited to deprivation in income or consumption.

³¹ United Nations Millennium Declaration, General Assembly resolution 55/2, NY 2000. www.ohchr.org/english/law/millennium.htm

³² UNDP, Human Development Report 2000, “*Human rights and human development*” p. 29. <http://hdr.undp.org/en/reports/global/hdr2000/>

³³ UNDP, Human Development Report 1997, “*Human Development to eradicate poverty*” p. 26. http://hdr.undp.org/en/media/hdr_1997_en.pdf

The Millennium Project took into account this term which give us three possibilities of meaning :

- 1. Income poverty, as typically defined by lack of private household income (so-called dollar-a-day poverty).
- 2. Social service poverty, including the lack of public provision of education, health, water and other services.
- 3. Environmental poverty, including the lack of, or degradation of, core environmental resources needed for human well-being.

The report notes that this usage is broader than that adopted in the Human Development Reports, which, as I already mentioned, rely mainly upon non-income poverty.

With “*human poverty*”, the Human Rights approach should focus on vulnerable groups: women bearing a disproportionate burden of poverty, children, older people, indigenous people, refugees and internally displaced persons. All these groups are more vulnerable to the consequences of disasters and conflicts, their access to services is limited because of the poverty.

In order to improve their access, the Human Development Report 2003, makes reference to the human rights dimensions of the MDGs in relation to a wide range of issues. As a general rule it asserts that “*National programmes must ... respect human rights, support the rule of law and commit to honest and effective implementation.*”³⁴ It goes on to argue that “*Without sound governance – in terms of economic policies, human rights, well-functioning institutions and democratic political participation – no country with low human development can expect long-term success in its development efforts or expanded support from donor countries*”³⁵ And in identifying six crucial policy aspects which are essential if countries are to succeed in breaking out of poverty traps, it includes the need to emphasize human rights and social equity through the promotion of democratic governance.

Therefore, through a good governance which implements among others a social policy, the vulnerable groups ,already mentioned, might come out of the extreme poverty.

The Human Development Report for 2005 includes a detailed analysis of the value-added of human rights framework in achieving the MDGs and the multiple connections between the Goals, human development and human rights³⁶. These connections were reaffirmed at the World Summit on Sustainable Development in Johannesburg, where the NGO participants acted under the motto: “*No sustainable development without human rights*” as well as in the report of the Commission on Human Security, which links human rights and development with human security³⁷.

With this context and according with one of the vulnerable groups, the MDG3, promote gender equality and empower women. Equality, including the “*equal rights and opportunities of women and men*”, is one of the core values of the Declaration, in which member states of the UN resolved to “*respect all internationally recognized human rights and fundamental freedoms*”, and to strive for the “*full protection and promotion in all our countries of civil, political, economic, social and cultural rights for all*”³⁸, as well as to combat all forms of violence against women and to implement the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

Through the Millennium Development Goals, I can affirm that a development agenda for economic and social goals cannot be separated from an agenda for the promotion and protection of human rights and of gender equality through the Treaty Bodies.

If we look at the MDGs in terms of women’s human rights, MDG3 refers to the promotion of equality and empowerment of women as principles of delivery which should frame the development goals in and themselves.

The Goals then go on to address a range of economic and social rights, to income, health, education environmental sustainability and the rights to development which should all be delivered to people within a framework of gender equality.

³⁴ UNDP, Human Development Report 2003 . “*Millennium Development Goals: A compact among nations to end human poverty*”, p. 15. <http://hdr.undp.org/en/reports/global/hdr2003/>

³⁵

³⁶ UNDP, Human Development Report 2005. “*International cooperation at a crossroads: Aid, trade and security in an unequal world*”, p. 18-25. <http://hdr.undp.org/en/reports/global/hdr2005/>

³⁷ UN, Commission on Human Security, “*Human Security Now*” ,NY 2003, p. 9-12. www.humansecurity-chs.org/

³⁸ United Nations Millennium Declaration, General Assembly resolution 55/2, NY 2000. www.ohchr.org/english/law/millennium.htm

With this overview, The Millennium Development Goals and the Human Rights system have to join their forces for a common Goal because the MDGs are a universal strategy for the end of the poverty, meanwhile the Human Rights represent a powerful moral claim. However a rights framework does not provide automatic answer to achieve all the goals, they can act as a source of empowerment and mobilization, creating expectations and enabling poor people to expand their entitlements through legal and political channels, and through claims on the resources of national governments and the international law.

3.3. Goal 3 as core obligations under ICESCR

Economic, social and cultural rights provide principles and operational strategies to address the problems which are at the centre of the MDGs: poverty, hunger, slum, dwellers, education, gender inequality and disempowerment of women, child mortality, maternal ill health, HIV/AIDS and other communicable diseases and the need for environmental sustainability, including safe drinking water.

As Annex 3 shows, the Goals are strongly tied with the rights that come from the ICESCR, for example the MDGs set a goal of halving the proportion of people who suffer from hunger. Article 11 of the ICESCR defines a right to an adequate standard of living, including adequate food, and a right to be free from hunger.

Article 13 of the ICESCR establishes a right to education, and the MDGs set a goal that boys and girls will be able to complete a full course of primary schooling. Goal 5 about maternal mortality is mirrored in the ICESCR, which codifies a right to special pre and post-natal protection for mothers (10), a right to the enjoyment of the highest attainable standard of physical and mental health (12), and a right to benefit from scientific progress and its applications (15).

Economic, social and cultural rights have a particular significance for women because as a group, women are disproportionately affected by poverty and by social and cultural exclusion.

The systems and assumptions which cause women's inequality in the enjoyment of economic social and cultural rights are often invisibles.

However the statistics confirm, for example, that women in industrialized countries receive only 60-70% of wages of men employed in similar positions. In other countries, lack of inheritance or land rights undermines economic security for women. acknowledging this systemic and entrenched discrimination is an essential step in implementing guarantees of non-discrimination and equality.

In today's global economy, gender inequality remains a significant issue as evidenced by the increasing poverty of women and the re-emergence of sweatshops and other forms of economic exploitation.

Some trends such as increased economic migration, tend to have mixed and complex result for women. Other trends, such as the spread of HIV/AIDS, often disproportionately impact on women due to related inequalities present in many communities.

Trends such as ongoing gender-based violence, are worsened by women's lack of economic, social and cultural rights, including lack of access to housing or land, unequal and inadequate wages, and historical patterns that exclude personal relationships from government protection of human rights.

As a result of this situation, there is a pressing need to improve understanding, recognition and implementation of women's economic, social and cultural rights in community, national, and international contexts.

All regional and global instruments which the rights already mentioned, contain guarantees of non-discrimination and of equal enjoyment for women of these rights³⁹. An expression of this consensus is found in Article 3 and 2(2) of the ICESCR.

According to the draft guidelines on Human Rights and Poverty Reduction, the concepts of progressive realization and resource availability enshrined in the ICESCR are important guidelines of any strategy which aims at meeting the MDGs⁴⁰.

³⁹ International Covenant on Economic Social and Cultural Rights, Articles 2(2) and 3; European Convention for the Protection of Human Rights and Fundamental Freedoms, Article 14; African Charter on Human and Peoples' Rights, Article 2.

⁴⁰ United Nations, *The Draft Guidelines on human Rights approach to poverty reduction*, 2002. <http://www.unhcr.ch/development/SwissSummary1.doc>

But, however practical speaking, the mutual support between the Millennium Goals and the Committee of the ICESCR does not exist.

If I study the General Comments that have been elaborated by this Committee from the signature of the MDGs ,(it means 5 from 2000) none of these General Comments (GC) mention the Goals.

Nevertheless, the majority of them are related with the Millennium Goals, such as the GC 15, *The Right to water* with the Goal 7.Target 10.Indicators 30 and 31 (see Annex 1), GC 14 *The Right to the highest attainable standard of health* with the Goal 5 (see Annex 1).

Finally there are two General Comments which concerns to promote gender equality and empowerment of women , GC 18 *The Right to work*, and the most important, (related with gender), GC 16 *The equal Right of men and women to the enjoyment of all Economic, Social and Cultural Rights*.

The Committee has decided to update its General Comment on article 3 of the Covenant in 2005, five years after of the Millennium Declaration.

The present revision seeks to take account of the important impact of this article, on the enjoyment by women of the human rights protected under the Covenant.

Article 3 implies, that all human beings should enjoy the rights provided for in the Covenant on an equal basis and their totality.

The full effect of this provision is impaired whenever any person is denied the full and equal enjoyment of any right. Consequently, States should ensure to men and women equally the enjoyment of all rights provided for in the Covenant.

In the MDGs framework, as I mentioned in chapter 2, gender equality is multidimensional and that progress in one domain to the exclusion of the others will not lead to gender equality and women's empowerment.

Accordingly, the framework outlines six priorities for action, one of this priorities is, gender equality in terms of the equality under the law.

Related with this affirmation, General Comment 16 establishes that the enjoyment of human rights on the basis of equal-

ity must be *de jure* and *de facto*. The first one, establish that equality is achieved if a law treats men and women in a neutral manner. Meanwhile, *de facto equality* is related with the effects of the law.

The obligation to ensure to all individuals the rights recognized in the Covenant, establish in articles 2 (2) and 3 of the ICESCR, requires that parties take all necessary steps to enable every person to enjoy those rights.

According to the General Comment already mentioned, The equal right of men and women in the ICESCR is a mandatory and immediate obligation of States parties.

These obligations imply, as we already know, the obligation to respect, to protect and to fulfil.

If this rule is taken in account in the area of the MDGs, achieving the Goals would be probably more effectively.

This General Comment also establishes, that States parties must provide information regarding the actual role of women in society so that the Committee may ascertain what measures in addition to legislative provisions, have been or should be taken to give effect to these obligations, what progress has been made, what difficulties are encountered and what steps are being taken to overcome them.

Once the Committee has all this information, the General Comment establish how the strategies should be. None of these recommendations make reference to the MDG strategy.

Finally, the Committee includes the removal of obstacles to the equal enjoyment of such rights, the education of the population and of State officials in human rights, and the adjustment of domestic legislation so as to give effect to the undertakings set forth in the Covenant.

All to achieve the effective and equal empowerment of women, the same, therefore, that Goal 3 of the Millennium Development Goal establishes.

3.4. Goal 3 as core obligations under CEDAW

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) is one of the legal tools to raise awareness among governments and society in general, to

trace regularly the country's progress on gender-related development.

The Convention was adopted by the General Assembly in December 1979 and nowadays, 185 countries have ratified it.

The CEDAW requires States Parties to eliminate discrimination against women in the enjoyment of civil, political, economic and cultural rights.

There are also programmatic measures for States to pursue equal enjoyment of their human rights for both men and women.

States are obliged not only to work for equality in public life, for example, in the realm of legal status and political participation, but also in private life.

The Convention covers *de jure* as well as *de facto* equality. The thirty articles of the Convention cover a broad array of social issues. Many articles address economic and political inequalities between men and women while others talk about educational disparities, political participation, employment, health and special difficulties faced by rural women.

Since gender equality has been declared as a Goal on itself in the Millennium Declaration, the MDGs represent the consolidation of important international documents like the CEDAW .

The MDGs are an entry point for up-scaling national measures towards implementation of the Convention already mentioned, not only through Goal 3 on gender equality and empowerment of women, but also by mainstreaming gender in all MDGs.

We have to take into account, States that ratify CEDAW have to introduce appropriate measures into their domestic legislation to eliminate discrimination against women without delay. This contrasts with other conventions, such as the ICESCR, which obliges states to progressively take steps to accomplish them.

The MDGs could be used as strategy for both possibilities, right now with the CEDAW and in the near future the ICESCR.

As we can see in annex 3, all Goals are related with the articles of the Convention, such as Goal 2 with article 10, about

equal rights education, and article 14.2.b about rural women's rights to obtain training and education. Or Goal 5 with article 12 that deals with the elimination of all forms of discrimination in the field of health care among others, to ensure equality in access to health care services.

However there have been initiatives attempting to increase national capacity for CEDAW monitoring and advocacy. It a gap remains between theory and practice, requiring search for innovative approaches that will increase effectiveness of the Convention for guarding women human rights.

MDGs, becoming a powerful political tool, does not bring a new agenda, but reinforces member states commitments CEDAW, thus turning these processes into mutually beneficial ones.

The global character of the MDGs which raised concerns among the gender equality, advocates that far-reaching obligations and commitments of CEDAW have been poorly represented.

In this context, CEDAW can be used to find MDG agenda at the national level or vice versa, as I above mentioned. One of the possibilities that the Convention could use (as the ICESCR with their General Comments), are the General Recommendations (GR).

Such Recommendations interpret the Convention's issues that go beyond the discrimination framework and focus more on social and economic development.

There are several GR related with the Goal 3, with regard to public life; the GR 23 about *political and public life* is related with the Goal 3 target 4 Indicator 12.

While this Indicator deals with the presence of women in the national parliaments, the GR makes reference to the rules in order to achieve the presence already mentioned.

This General Recommendation takes into consideration the Beijing Platform for Action in order to emphasize the difference between *de jure* and *de facto* women's participation⁴¹.

According to the labour sector, there are two General Recommendations that are related with Goal 3 target 4 indicator 11, about women's wages in the non-agricultural sector.

⁴¹ General Recommendation N.º 23, point 16. http://www.bayefsky.com/general/cedaw_genrecom_23.php

The first one is GR 13 that deal with *Equal remuneration for work of equal value*, and the second one, GR 16 about *Unpaid women workers in rural and urban family enterprises*.

This General Recommendation is more specific because it takes into account the high percentage of women who work without salary, social security and social benefits in enterprises usually owned by a male of the family.

From a private life point of view, we have the GR 21 about *Equality in marriage and family relations*. This General Recommendation is related with Goal 3 in general.

Finally, the GR 19 about *Violence against women*, affect women in public and private life and deals with Goal 3 in general.

Related with Violence against women, at least eight articles of the CEDAW are based indirectly on this issue, including those on gender stereotypes, trafficking in women, prostitution, disruptions of employment through sexual harassment, women's health in rural areas as well as urban and position of women within the family.

The Committee encourages reporting states to recognize the close relationships among discrimination against women, gender-based violence, violations of human rights and fundamental freedom in order to achieve positive measures to eliminate all forms of violence against women⁴².

The GR 19 about Gender-based violence includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and any other deprivations of liberty.

The Recommendation specifies all the rights and freedoms that gender-based violence infringes, such as the right to equality in the family and the right to equal protection under the law.

The Millennium Declaration resolves to *combat all forms of violence against women*⁴³. However, Goal 3 does not make reference to Gender-based violence when this is one of the most important aspect to achieve gender equality and empowerment of women. Therefore, while there is violence against women, there is no gender equality.

With this five General Recommendations, which were established during the nineties, the strong linkage between the Mil-

lennium Goals and the CEDAW are necessary in order to work to the same direction and achieve the targets proposed.

Conclusion

This report has proved that the linkage of the MDGs with the Human Rights framework opens a new strategy in order to achieve the poverty reduction around the world.

However, the position of the international community remains incoherent in practice. On the one side, it announces bold goals, like the Millennium Development Goals, and even ways that the goals can be achieved, such as the pledged of increased donor assistance made in the Monterrey Consensus. Yet when it comes to real practice, the MDGs are expressed only as vague aspirations rather than operational targets in the poverty reduction plans.

Using a human rights lens to address development challenges, including those under the MDG framework, changes the way that I look at the problem.

As this report explains, the strategy to implement and to monitor the Millennium Goals looks like the system of work that Human Right normative used to follow.

According to this strategy, human rights can be enforced through law, both international and national level.

At international level, citizens can hold governments accountable for the human rights established in the International Human Rights Conventions that they have ratified, such as CEDAW and ICESCR.

At a national level, governments may have incorporated these standards into their constitution, laws and policies. Since human rights are legally binding obligations translating a Goal into a right empowers people to demand accountability of the state.

Along the report, I affirm that Gender equality is a cross-cutting concern for all of the MDGs, but its rightfully place still needs to be clearly articulated in targets, indicators and strategies to achieve the Goals at a national level.

⁴² General Recommendation N.º 19 point 4 http://www.bayefsky.com/general/cedaw_genrecom_19.php

⁴³ United Nations Millennium Declaration, General Assembly resolution 55/2, NY 2000. <http://www.ohchr.org/english/law/millennium.htm>

Fortunately, ICESCR and CEDAW provide good guidance on the full range of relevant gender equality issues and this can be used in the MDG agenda.

The first step in making use of the CEDAW and ICESCR for this purpose, is to identify the specific ways in which these two Covenants with the MDGs correspond and support each other, the General Comments and General Recommendations give us the clue in order to reinforce the MDGs from a legal point of view.

Therefore, International Human Rights Treaties can provide some of the normative guidance, analysis and authority required to identify concrete measures that should be taken at the country level.

For every area covered by the MDGs there is a direction on gender equality that exists in the core human rights treaties. Through the concluding recommendations of the treaty bodies and special reports this direction has already been in many cases fine-tuned to the circumstances of individual countries. This Human Rights input can serve as an invaluable gender-mainstreaming tool when governments, civil society and the UN are working together developing country level strategies.

In this way, the Treaty Bodies could encourage not only the NGOs working in the human rights field but also those dealing with development issues.

The target of this warning would be in order to devote more attention to the MDGs and to try to reach out to different constituencies, building more broad-based local campaigns focused on specific Goals

From an operational point of view, there are processes in place that can be used to give support to the integration of gender equality, in the form of women's human rights, especially into country level strategies. Perhaps most important is the fact that commitments to gender equality in the Millennium Declaration and under international human rights standards are overlap.

In relation to every aspect of the MDGs that need to be engendered, States are already under formal, legal human rights obligations to achieve gender equality. Not only does this give support for advocacy, the established monitoring and enforcement procedures of the international human rights system are in place to further stimulate national action. This connection

should need to be enhanced through the development of closer connections between MDG reporting and the GC, GR or reports progress that are established by the Committee of the Treaty Bodies.

In conclusion, my last thought goes with Wangari Maathai, the first African woman who received the Nobel Peace Prize in 2004, who affirm that Poverty is the absence of Human Rights. Therefore, to achieve the Millennium Development Goals would mean to recover the Rights that nowadays, million of people do not enjoy because you, me and world are not sufficiently aware of the potential consequences on people lives.

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ANNEX 1: Linkages between MDGs and Gender Equality

Database workshop about Gender and development by Karen Mason 2005, the World Bank group

Millennium Development Goals	Importance of Gender Equality for MDGs
Goals 1 and 2 Eradicate extreme poverty and hunger	<ul style="list-style-type: none"> • Gender equality in capabilities and access to opportunities can accelerate economic growth. • Equal access for women (as primary users) to basic transport and energy infrastructure can lead to greater economic activity. • Gender equality in interventions helps increase agricultural production since women farmers form a significant proportion of the rural poor. • Equal investment in women's health and nutritional status contributes to reduce chronic hunger and malnourishment.
Goal 3 Achieve universal primary education	<ul style="list-style-type: none"> • Interventions to reduce the differential burden of household work on young and adolescent girls is necessary to allow them to attend primary and secondary schools.
Goal 4 Reduce child mortality Goal 5 Improve maternal health	<ul style="list-style-type: none"> • Mothers education, income and empowerment has a significant impact on lowering child and maternal mortality.
Goal 6 Combat HIV/AIDS, malaria and other disease	<ul style="list-style-type: none"> • Greater economic independence for women, increased ability to negotiate safe sex, awareness about the need to alter traditional norms about sexual relations and access to treatment, as well as support for the care function that women perform is essential for halting and reversing the spread of HIV/AIDS and other epidemics.
Goal 7 Ensure environmental sustainability	<ul style="list-style-type: none"> • Gender equitable resource ownership policies enable women (as primary users of these resources in many cases) to manage their resources in a more sustainable manner.
Goal 8 Develop a Global Partnership for Development	<ul style="list-style-type: none"> • Greater gender equality in the political sphere may lead to higher investments in development cooperación.

ANNEX 2: Linkages between MDGs and Human Rights

Database: Painter R.G, "Gender, the Millennium Development Goals, and Human Rights in the context of the 2005 review processes". Gender and Development network. Montreal 2004, pp 67.

Goals and targets from the Millennium Declaration	Human Rights Articles from CEDAW [Right to ...]	Human Rights Articles from the ICESCR [Right to ...]
Goal 1: Eradicate extreme poverty and hunger		
<i>Target 1:</i> Halve, between 1990 and 2015, the proportion of people whose income is less than one dollar a day.	(11.1) work (11.1.e) social security (13.a) right to financial credit (14) rights of rural women (15) equal rights in respect of contracts and property (16) prohibition of early and forced marriage [on the basis that EFM is often linked to and contributes to women's poverty] (16) equality in marriage regarding property rights [on the basis that inequality in inheritance and land rights are linked to women's poverty]	(6) work (9) social security (11) adequate standard of living (10) protection of children from economic and social exploitation [on the basis that poverty motivates child labour]
<i>Target 2:</i> Halve, between 1990 and 2015, the proportion of people who suffer from hunger.	(2) elimination of discrimination by any person (5) social and cultural patterns of conduct	(11.1) adequate standard of living, including adequate food (11.2) be free from hunger [General Comment 12]
Goal 2: Achieve universal primary education		
<i>Target 3:</i> Ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling.	(10) equal rights education (14.2.d) rural women's rights to obtain training and education	(13) education [General Comment 13]
Goal 3: Promote Gender Equality And Empower Women		
<i>Target 4:</i> Eliminate gender disparity in primary and secondary education, preferably by 2005, and in all levels of education no later than 2015.	The whole Convention is about empowerment of women, but note in particular: (2) policy of eliminating discrimination (3) measures to ensure full development and advancement of women on basis of equality with men (5) modify social and cultural patterns of conduct (10) education (7), (8) participation in political and public life, at national and international levels (6) suppress trafficking and exploitation of women (General Recommendation 19) protect women from all forms of violence, as VAW is a form of discrimination	(2.2) non-discrimination (3) equal rights of men and women (13.1) education for everyone (13.2) equal access and availability of education (6) work ICCPR – (25) – participation in government

Goals and targets from the Millennium Declaration	Human Rights Articles from CEDAW [Right to ...]	Human Rights Articles from the ICESCR [Right to ...]
Goal 4: Reduce child mortality		
<i>Target 5:</i> Reduce by two thirds, between 1990 and 2015, the under-five mortality rate	(12) eliminate discrimination in field of health care in order ensure equality in access to health care services (* Note that this is weaker than right to health in ICESCR) (14) rights of rural women	(12) enjoyment of highest attainable standard of physical and mental health
Goal 5: Improve maternal health		
<i>Target 6:</i> Reduce by three quarters, between 1990 and 2015, the maternal mortality rate	(12) eliminate discrimination in field of health care in order ensure equality in access to health care services (14) rights of rural women	(10) special protection for mothers before and after childbirth (12) enjoyment of highest attainable standard of physical and mental health (15) right to benefit from scientific progress and its applications.
Goal 6: Combat hiv/aids, malaria, and other diseases		
<i>Target 7:</i> Have halted by 2015 and begun to reverse the spread of HIV/AIDS	(5) modify social and cultural patterns of conduct (12) health (16) equality in marriage and family relations, including family planning (General Comment 19) violence against women	(12) enjoyment of highest attainable standard of physical and mental health (15) right to benefit from scientific progress and its applications
<i>Target 8:</i> Have halted by 2015 and begun to reverse the incidence of malaria and other diseases.	(12) health (14) rights of rural women	(12) enjoyment of highest attainable standard of physical and mental health (15) right to benefit from scientific progress and its applications
Goal 7: Ensure environmental sustainability		
<i>Target 9:</i> Integrate the principles of sustainable development into country policies and programmes and reverse the loss of environmental resources.	(14) role of rural women in survival of their families (7), (14) participation in political and public life	(11) right to continuous improvement of living conditions
<i>Target 10:</i> Halve, by 2015, the proportion of people without sustainable access to safe drinking water and basic sanitation.	(14) rural women – adequate living conditions, including water supply (7), (14) participation in political and public life	(11) adequate standard of living (12) health [General Comment 15]
<i>Target 11:</i> By 2020, to have achieved a significant improvement in the lives of at least 100 million slum dwellers.	(14) rural women – adequate living conditions (15) equal rights regarding contracts and property	(11) adequate standard of living
Goal 8: Develop a global partnership for development		
<i>Target 12:</i> Develop further an open, rule-based, non-discriminatory trading and financial system.	(7), (8), (14) right of women to participate	ICCPR – (25) – participation in government

Goals and targets from the Millennium Declaration	Human Rights Articles from CEDAW [Right to ...]	Human Rights Articles from the ICESCR [Right to ...]
<i>Target 13:</i> Address the special needs of the least developed countries	(7), (8), (14) right of women to participate	ICCPR – (25) – participation in government
<i>Target 14:</i> Address the special needs of landlocked countries and small island developing States	(7), (8), (14) right of women to participate	ICCPR – (25) – participation in government
<i>Target 15:</i> Deal comprehensively with the debt problems of developing countries through national and international measures in order to make debt sustainable in the long term.	(7), (8), (14) right of women to participate	ICCPR – (25) – participation in government
<i>Target 16:</i> In cooperation with developing countries, develop and implement strategies for decent and productive work for youth.	(11) equality in work and protection of health and safety	(6) work (7) enjoyment of just and favourable conditions of work
<i>Target 17:</i> In cooperation with pharmaceutical companies, provide access to affordable essential drugs in developing countries.	(12) equality in access to health care services	(15) right to benefit from scientific progress and its applications
<i>Target 18:</i> In cooperation with the private sector, make available the benefits of new technologies, especially information and communications.	(2) non-discrimination (3) ensure full development and advancement of women	(15) right to benefit from scientific progress and its applications

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