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The Journey from the Millennium Development Goals to the Sustainable Development Goals

Keywords

Sustainable Development, Aids

THE JOURNEY FROM THE MILLENNIUM DEVELOPMENT GOALS TO THE SUSTAINABLE DEVELOPMENT GOALS*

VED P. NANDA**

I. INTRODUCTION

A discussion of this topic will not be complete without at least briefly touching on the meaning of these two terms—development and sustainable development. A marked shift has occurred in our understanding of the meaning of development. Instead of being equated with economic growth, development is now seen as being linked with human development. In 1990, the United Nations Development Program (“UNDP”) issued its first annual *Human Development Report*,¹ introducing the Human Development Index (“HDI”), which measured development not by income alone as traditional economists had done, but by indicators reflecting “life expectancy, literacy and command over the resources to enjoy a decent standard of living.”² In his foreword to the report, then-Administrator of UNDP, William H. Draper III, stated:

[W]e are rediscovering the essential truth that people must be at the center of all development. The purpose of development is to offer people more options. One of their options is access to income—not as an end in itself but as a means to acquiring human well-being. But there are other options as well, including long life, knowledge, political freedom, personal security, community participation and guaranteed human rights. People cannot be reduced to a single dimension as economic creatures. What makes them and the study of the development process fascinating is the entire spectrum through which human capabilities are expanded and utilized.³

*This is an adapted version of my two presentations: 1) on a panel entitled *Sustainable Energy for All* at the Leonard v.B. Sutton conference on “Sustainable Development and Sustainable Energy” at the University of Denver Sturm College of Law on October 10, 2015; and 2) as the chair of a panel on *Sustainable Development as a “Grundnorm” of International Environmental Law & Policy* at the American Branch of the International Law Association's International Law Weekend conference, “Global Problems, Legal Solutions: Challenges for Contemporary International Lawyers,” at Fordham Law School, New York, on November 7, 2015.

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1. U.N. Development Programme, *Human Development Report 1990* (May 1, 1990), http://hdr.undp.org/sites/default/files/reports/219/hdr_1990_en_complete_nostats.pdf.

2. *Id.* at 1.

3. *Id.* at iii.

HDI continues to be a composite measure of indicators along the same three dimensions. For example, in the 2014 *Human Development Report*, the HDI is defined as “[a] composite index measuring average achievement in three basic dimensions of human development – a long and healthy life, knowledge and a decent standard of living.”⁴

This focus on all aspects of peoples’ well-being was aptly captured by Nobel Laureate Amartya Sen’s perspective of development as freedom,⁵ which embodies the concept of human choices, capabilities, freedoms, and empowerment. Meanwhile, in 1996, the Organization of Economic Cooperation and Development (“OECD”) published a paper⁶ suggesting a set of “International Development Goals,” which formed the basis for the Millennium Development Goals (“MDGs”). Also pertinent is a declaration adopted by heads of State and Government at the U.N. Headquarters, the United Nations Millennium Declaration of September 2000,⁷ which enumerates human development goals along with a few targets and a timeframe to measure progress. The world leaders’ commitment to reducing extreme poverty by creating a new global partnership, and setting out a series of time-bound targets for the years 2000-2015 became known as the Millennium Development Goals (“MDGs”). As the MDGs expire at the end of 2015, the U.N. General Assembly adopted their successor, the Sustainable Development Goals (“SDGs”), in September 2015.⁸

A study of the process that created the MDGs and SDGs and their impact on various aspects of peoples’ well-being will follow this introductory section. However, it is appropriate to discuss here the origin and evolution of sustainable development (“SD”), a concept that integrates economic, social, and environmental considerations into the development process and provides a framework for decision making aimed at ensuring human well-being. I have previously written on this topic⁹ and hence will briefly recount the pertinent groundwork to provide a context for the discussion that follows this introductory section.

Almost three decades after World War II, in June 1972 world leaders met in Stockholm at the U.N. Conference on the Human Environment (“Stockholm Conference”) to address the challenge posed by continuing environmental degradation.¹⁰ Although the Stockholm Declaration adopted at the conference did

4. U.N. Development Programme, *Human Development Report 2014*, 163 (2014), <http://hdr.undp.org/sites/default/files/hdr14-report-en-1.pdf>.

5. See generally AMARTYA SEN, *DEVELOPMENT AS FREEDOM* (1999).

6. Org. for Economic Cooperation and Development [OECD], Development Assistance Committee, *Shaping the 21st Century: The Contribution of Development Co-operation*, at 1, (May 1996), <http://www.oecd.org/dac/2508761.pdf>.

7. G.A. Res. 55/2, U.N. Millennium Declaration, (Sept. 8, 2000) [hereinafter Millennium Declaration].

8. G.A. Res. 70/1, U.N. Sustainable Development Goals (Sept. 25, 2015).

9. See VED NANDA, *Sustainable Development*, in *INTERNATIONAL ENERGY AND POVERTY: THE EMERGING CONTOURS* 84 (Lakshman Guruswamy & Elizabeth Neville eds., 2016).

10. U.N. Conference on the Human Environment, *Report on the United Nations Conference on the Human Environment*, A/CONF.48/14/Rev.1, Chapter I (Jun. 16, 1972).

emphasize the importance of economic and social development,¹¹ the conference did not address the relationship between environment and development despite pervasive poverty in many countries. There was a sharp divide between the rich and the poor countries because, while the rich countries were primarily interested in environmental protection, the poor countries did not want development issues to be sacrificed at the altar of environment.¹² Regrettably, this divide still remains as a point of tension between the Global North and South; the pursuit of sustainable development reflects an effort to bridge the divide.

The term sustainable development was first used in a report by the International Union for the Conservation of Nature and Natural Resources (“IUCN”) that explicitly linked conservation and development.¹³ However, the term was popularized by the 1987 *Report of the World Commission on Environment and Development* (“Brundtland Commission”), which defined sustainable development by explaining that “[h]umanity has the ability to make development sustainable to ensure that it meets the needs of the present without compromising the ability of future generations to meet their own needs.”¹⁴ The Commission emphasized the linkage between the environment and development and the integration of economic and environmental considerations in decision-making.¹⁵

The next event that emphasized linking of environment and development was the “Earth Summit,” the U.N. Conference on Environment and Development (“UNCED”) in Rio de Janeiro in June 1992, which marked the 20th anniversary of the Stockholm Conference.¹⁶ The *Rio Declaration on Environment and Development*¹⁷ adopted at the conference clearly set the tone of a human-centered focus, as in Principle 1 it proclaimed that “[h]uman beings are at the center of concerns for sustainable development. They are entitled to a healthy and productive life in harmony with nature.”¹⁸ Principle 5 of the Declaration focused on the eradication of world poverty as it called on all states and all people to “cooperate in the essential task of eradicating poverty as an indispensable requirement for sustainable development, in order to decrease the disparities in standards of living and better meet the needs of the majority of the people of the world.”¹⁹ A detailed action plan entitled Agenda 21²⁰ gave in-depth meaning to

11. *Id.* at Preamble, ¶ 6.

12. *Id.* at Chapter VIII, ¶ 44.

13. INT’L UNION FOR THE CONSERVATION OF NATURE AND NAT. RES., WORLD CONSERVATION STRATEGY: LIVING RESOURCE CONSERVATION FOR SUSTAINABLE DEVELOPMENT, at IV (1980).

14. Chairman of the World Comm’n on Env’t and Dev., *Rep. of the World Commission on Environment and Development: Our Common Future*, § I ¶ 27, U.N. Doc. A/42/427, Annex (Aug. 4, 1987).

15. *Id.* at ch. 1, ¶ 42.

16. U.N. Conference on Environment and Development, UN.ORG (May 23, 1997), <http://www.un.org/geninfo/bp/enviro.html>.

17. U.N. Conference on Environment and Development, *Rio Declaration on Environment and Development*, at 1, U.N. Doc. A/CONF.151/26/Rev.1 (Vol. 1), annex I (Aug. 12, 1992).

18. *Id.* at 1.

19. *Id.* at 2.

sustainable development as it placed high priority on the links between poverty reduction, economic efficiency, and environmental management.

A decade after the Rio Conference, world leaders met in Johannesburg for the World Summit on Sustainable Development in August-September 2002.²¹ They adopted the *Johannesburg Declaration on Sustainable Development* as well as a "Plan of Implementation" that strongly reaffirmed their commitment to the principles adopted at the Earth Summit ("the Rio Principles") and the full implementation of Agenda 21.²² Then, in 2012, twenty years after the Rio Conference, world leaders again met in Rio de Janeiro at the United Nations Conference on Sustainable Development²³ to adopt the successor to the MDGs, the Sustainable Development Goals.²⁴ The final report of the Conference, the Outcome Document, is entitled "The Future We Want."²⁵ And finally, on September 25, 2015, the U.N. Summit adopted Sustainable Development Goals (SDGs) in the Summit's outcome document, "Transforming Our World: 2030 Agenda for Sustainable Development."²⁶

Part II recounts selected highlights of the journey from MDGs to SDGs. Part III provides a bird's-eye view of SDGs with special attention to human rights. Part IV is the concluding section.

II. FROM MILLENNIUM DEVELOPMENT GOALS TO SUSTAINABLE DEVELOPMENT GOALS

A. *The U.N. Millennium Declaration*

After reaffirming in the United Nations Millennium Declaration the fundamental values of freedom, equality, solidarity, tolerance, respect for nature, and shared responsibility,²⁷ world leaders recognized the need for advancing on several fronts: development and poverty eradication;²⁸ environmental protection;²⁹ human rights; democracy; and good governance.³⁰ They resolved that they "will spare no effort to free our fellow men, women and children from the abject and dehumanizing conditions of extreme poverty, to which more than a billion of them

20. U.N. Conference on Environment and Development, *Agenda 21*, U.N. Doc. A/CONF. 151/26, Annex II (Aug. 12, 1992).

21. The World Summit on Sustainable Development, *Johannesburg Declaration on Sustainable Development*, U.N. Doc. A/CONF.199/20, Annex I (Sept. 4, 2002).

22. The World Summit on Sustainable Development, *Rep. of the World Summit of Sustainable Development*, at 8, U.N. Doc. A/CONF.199/20 (Sept. 4, 2002).

23. U.N. Conference on Sustainable Development, *Report of the Conference on Sustainable Development*, U.N. Doc. A/CONF.216/16 (Jun. 22, 2012).

24. *A New Sustainable Development Agenda*, UNDP, <http://www.undp.org/content/undp/en/home/mdgoverview.html> (last visited Mar. 3, 2016).

25. G.A. Res. 66/288, Annex, *The Future We Want* (Jul. 27, 2012).

26. G.A. Res. 70/1, *Transforming Our World: 2030 Agenda for Sustainable Development* (Sept. 25, 2015).

27. Millennium Declaration, *supra* note 7, § I, ¶ 6.

28. *Id.* § III.

29. *Id.* § IV.

30. *Id.* § V.

are currently subjected.”³¹ Thus they resolved “to create an environment—at the national and global levels alike—which is conducive to development and to the elimination of poverty.”³²

World leaders further resolved that by the year 2015, “children everywhere, boys and girls alike, will be able to complete a full course of primary schooling and that girls and boys will have equal access to all levels of education.”³³ By the same time, they resolved “to have reduced maternal mortality by three quarters, and under-five child mortality by two thirds, of their current rates,”³⁴ and to have “halted, and begun to reverse, the spread of HIV/AIDS, the scourge of malaria and other major diseases that afflict humanity.”³⁵ They also resolved to “promote gender equality and the empowerment of women as effective ways to combat poverty, hunger and disease and to stimulate development that is truly sustainable.”³⁶

B. *The Millennium Development Goals*

The MDGs were designed to reflect the Millennium Declaration vision. But when they were finally released something had been lost in translation, as there was a glaring omission of an important component of the Declaration – human rights, democracy, and good governance. As later discussion will show, the lack of a human rights focus in the MDGs has led to severe adverse consequences.

Eight goals with eighteen time-bound targets and forty-eight indicators for quantifiable commitments to be reached by 2015 constitute the MDG framework for securing selected socioeconomic rights.³⁷ These goals are: (1) eradicate extreme poverty and hunger – halve between 1990 and 2015 the proportion of people suffering hunger and living on less than U.S. \$1.25 per day; (2) achieve universal primary education; (3) promote gender equality and empower women; (4) reduce child mortality; (5) improve maternal health – reduce by three-quarters the maternal mortality ratio; (6) combat HIV/AIDS, malaria, and other diseases; (7) ensure environmental sustainability; and (8) create a global partnership for development.³⁸ The targets are set to measure progress in each of these areas. As global partners, the donor countries have made commitments regarding aid, trade,

31. *Id.* § III, ¶ 11.

32. *Id.* § III, ¶ 12.

33. *Id.* § III, ¶ 19.

34. *Id.*

35. *Id.*

36. *Id.* ¶ 20.

37. U.N. System Task Team on the Post-2015 U.N. Development Agenda, Discussion Note, Review of the contributions of the MDG Agenda to foster development: Lessons for the post-2015 UN development agenda, at 3 (Mar. 2012), http://www.un.org/en/development/desa/policy/untaskteam_undf/mdg_assessment.pdf.

38. Dep’t. of Econ. and Soc. Affairs of the U.N. Secretariat, The Millennium Development Goals Report 2015, at 4-7 (2015) [hereinafter 2015 MDGs Report], [http://www.un.org/millenniumgoals/2015_MDG_Report/pdf/MDG%202015%20rev%20\(July%2015\).pdf](http://www.un.org/millenniumgoals/2015_MDG_Report/pdf/MDG%202015%20rev%20(July%2015).pdf).

debt relief, technology transfer, and access to essential medicines.³⁹

Efforts to seek wider support worldwide for meeting the MDGs began in earnest in 2002 with the U.N. Millennium Campaign⁴⁰ and the U.N. Millennium Project.⁴¹ The Campaign extensively used the media, especially videos on poverty, education, women's empowerment, and maternal health, and the environment.⁴² The then-U.N. Secretary-General Kofi Annan commissioned the Millennium Project to develop a concrete action plan to achieve the MDGs with a special focus on reversing poverty, hunger, and disease.⁴³ The outcome was a set of recommendations for action in a synthesis study in 2005⁴⁴ by Professor Jeffrey Sachs, head of the independent advisory body. Subsequently, a Secretariat team worked to support the implementation of the Project's recommendations, especially in support of developing countries' preparation of national development strategies aligned with achieving the MDGs.⁴⁵

Among other efforts toward achieving the MDGs, governments, foundations, businesses, and civil society groups announced about \$16 billion in new commitments at a high-level event at U.N. Headquarters in September 2008.⁴⁶ The President of the General Assembly also announced at that time that an MDG summit would be convened in 2010.⁴⁷ Subsequently at that 2010 MDG Summit, world leaders agreed on a global action plan, "Keeping the Promise: United to Achieve the Millennium Development Goals," in the Summit Outcome Document.⁴⁸

States explicitly recognized the importance of all human rights for achieving the MDGs,⁴⁹ and while identifying successful policies and approaches for

39. U.N. System Task Team on the Post-2015 Development Agenda, Rep. of the U.N. System Task Team on the Post-2015 U.N. Development Agenda, Frequently Asked Questions, at 1 (2015), http://www.un.org/en/development/desa/policy/untaskteam_undf/faqs.pdf.

40. *About: UN Millennium Campaign*, END POVERTY 2015, <http://www.endpoverty2015.org/about/> (last visited Feb. 6, 2016).

41. UN MILLENNIUM PROJECT, www.unmillenniumproject.org (last visited Mar. 3, 2016).

42. *See MDG Success Stories: UN Millennium Campaign*, END POVERTY 2015, <http://www.endpoverty2015.org/about/> (last visited Feb. 6, 2016); *see also Press: UN Millennium Campaign*, END POVERTY 2015, <http://www.endpoverty2015.org/about/> (last visited Feb. 6, 2016).

43. UN MILLENNIUM PROJECT, *supra* note 41.

44. JEFFREY D. SACHS, *THE END OF POVERTY: ECONOMIC POSSIBILITIES FOR OUR TIME I* (2005).

45. UN MILLENNIUM PROJECT, *supra* note 41.

46. Press Release, General Council, At Conclusion of High-Level Event on Millennium Development Goals, General Assembly President Backs Secretary-General's Proposal for Review Meeting, U.N. Press Release GA/10752 (Sept. 25, 2008); *see generally* U.N. Secretary-General, High-Level Event on the Millennium Development Goals 25 September 2008: Committing to Action: Achieving the Millennium Development Goals: Background Note by the Secretary-General (July 25, 2008), <http://www.un.org/millenniumgoals/2008highlevel/pdf/committing.pdf>.

47. U.N. Press Release GA/10752, *supra* note 46.

48. G.A. Res. 65/1, *Keeping the Promise: United to Achieve the Millennium Development Goals*, (Oct. 19, 2010) [hereinafter Summit Outcome Document]. For a detailed analysis of the Summit Outcome Document, *see* Mac Darrow, *The Millennium Development Goals: Milestones or Millstones? Human Rights Priorities for the Post-2015 Development Agenda*, 15 YALE HUM. RTS. & DEV. L.J. 55, 73-105 (2012).

49. Summit Outcome Document, *supra* note 48, ¶ 3.

implementing and achieving the MDGs, they noted the importance of “[r]especting, promoting and protecting all human rights . . . [i]ncreasing efforts to reduce inequality and eliminate social exclusion and discrimination; [and] [e]nhancing opportunities for women and girls and advancing the economic, legal and political empowerment of women[.]”⁵⁰

A number of initiatives to combat poverty, hunger, and disease were also announced at that event, with an emphasis on accelerating progress on women’s and children’s health; and pledges for more than \$40 billion were made by a number of heads of State and Government, along with the private sector, foundations, international organizations, civil society, and research organizations.⁵¹

Finally, on September 23, 2013, the Secretary-General hosted a high-level forum focusing on “concrete examples of scaling up success and identifying further opportunities” to “catalyze and accelerate further action to achieve the Millennium Development Goals (MDGs)[.]”⁵² More financial commitments were made on the occasion.⁵³

In conjunction with this event, another special event was called to follow up on the efforts made toward achieving the MDGs, at which world leaders considered Secretary-General Ban Ki-moon’s report to the Member States, entitled “A Life of Dignity for All.”⁵⁴ The report took stock of the pace of implementation of the MDGs and identified policies and programs that had proven effective toward achieving the goals.⁵⁵ These included emphasizing inclusive economic growth with decent employment and decent wages, allocating more resources for essential services, and strengthening political will.⁵⁶ In the outcome document, world leaders renewed their commitment to the MDGs and agreed to hold a high-level summit in September 2015 to adopt the next phase of Goals that would build upon what the MDGs had accomplished.⁵⁷

These concentrated efforts at all levels—global, regional, national, and local—were unprecedented. The pertinent question is: how far have they succeeded in achieving the MDGs? The outcome, as evidenced in *The Millennium Development Goals Report 2015*,⁵⁸ does show remarkable progress. But the gains have been uneven and the achievements in some areas have fallen short.

To illustrate, on Goal 1, halving extreme poverty, the proportion of the

50. *Id.* ¶¶ 23(j)-(l).

51. See Explanatory Note on Matrix of Commitments and Initiatives, <http://www.un.org/en/mdg/summit2010/pdf/MatrixExplanatoryNote12Nov2010rev.pdf>.

52. We Can End Poverty: Millennium Development Goals and Beyond 2015, UN.ORG, <http://www.un.org/millenniumgoals/mdgpartner.shtml> (last visited Mar. 3, 2016).

53. *Id.*

54. See generally U.N. Secretary-General, *A Life Of Dignity For All: Accelerating Progress Towards The Millennium Development Goals And Advancing The United Nations Development Agenda Beyond 2015*, U.N. Doc. A/68/202 (July 26, 2013).

55. *Id.* at 1.

56. *Id.* § II(B), ¶¶ 33-53.

57. See G.A. Res. 68/3, (Jan. 28, 2014).

58. 2015 MDGs Report, *supra* note 38.

population in the developing world living on less than \$1.25 per day has dropped from forty-seven percent in 1990 to fourteen percent in 2015, as has the proportion of undernourished people in the developing region fallen from 23.3 percent in 1990-1992 to 12.9 percent in 2014-2016.⁵⁹ It should be noted that in the global reduction of poverty, China and India played a central role.⁶⁰ Contrasted with the progress in these two countries, more than 40 percent of the population in sub-Saharan Africa still suffers from extreme poverty in 2015 and the extreme poverty rate is even expected to increase in Western Asia between 2011 and 2015.⁶¹ On Goal 2, achieving universal primary education, in the developing regions the primary school net enrollment rate has risen from eighty-three percent in 2000 to ninety-one percent in 2015, and a similar outcome applies to the global literacy rate among youth aged fifteen to twenty-four.⁶²

On Goal 3, promoting gender equality and empowering women, the target set to eliminate gender disparity in primary, secondary, and tertiary education has been achieved in the developing regions as a whole, while in Southern Asia 103 girls are enrolled in primary school for every 100 boys, as compared with seventy-four girls for every 100 boys in 1990, and ninety percent of countries have more women in parliament since 1995.⁶³ On Goal 4, reducing child mortality, the global under-five mortality rate has dropped from ninety deaths per thousand live births in 1990 to forty-three deaths in 2015.⁶⁴ And, despite population growth in the developing regions, there is a decline in the global number of deaths of children under five from 12.7 million in 1990 to 6 million in 2015.⁶⁵

On Goal 5, improving maternal health, the maternal mortality rate worldwide has declined by forty-five percent, with most of the direction having occurred since 2000; the rate is sixty-four percent in Southern Asia and forty-nine percent in sub-Saharan Africa. The rate of contraceptive use among women aged fifteen to forty-nine worldwide from fifty-five percent in 1990 to sixty-four percent in 2015.⁶⁶ On Goal 6, combating HIV/AIDS, malaria, and other diseases, between 2000 and 2013 new HIV infections fell by approximately forty percent, while globally only 800,000 living with HIV in 2003 were receiving anti-retroviral therapy ("ART"). This number increased to 13.6 million in June 2014⁶⁷ and the malaria incidence rate has fallen by about thirty-seven percent and the mortality rate by fifty-eight percent. The rate of mortality from tuberculosis fell by forty-five percent and the prevalence by forty-one percent between 1990 and 2013.⁶⁸

On Goal 7—ensuring environmental sustainability—147 countries have met

59. *Id.* at 4.

60. *Id.* at 15.

61. *Id.*

62. *Id.* at 24.

63. *Id.* at 5.

64. *Id.*

65. *Id.*

66. *Id.* at 6.

67. *Id.*

68. *Id.*

the drinking water target, ninety-five countries have met the sanitation target, and seventy-seven countries have met both, which amounts to the rate of global population using an improved drinking water source increasing from seventy-six percent in 1990 to ninety-one percent in 2015.⁶⁹ In the developing regions the proportion of urban population living in slums fell to 29.7 percent in 2014 from 39.4 percent in 2000.⁷⁰ On Goal 8—developing a global partnership for development—official development assistance (“ODA”) from developed countries reached \$135.2 billion in 2014, increasing by sixty-six percent in real terms between 2000 and 2014.⁷¹ In 2014, five countries—Denmark, Luxembourg, Norway, Sweden, and the United Kingdom—continued to exceed the U.N.’s ODA target of 0.7 percent of gross national income.⁷² From 738 million people subscribing to mobile-cellular service in 2000, the number has increased to over 7 billion in 2015, a growth of almost ten-fold during this time, while Internet penetration has grown to forty-three percent in 2015 from just over six percent of the world’s population in 2000.⁷³

The Report, however, shows that notwithstanding these successes the poorest and most vulnerable people are left behind. It acknowledges that although significant achievements have been made on many of the MDG targets worldwide, progress has been uneven across regions and countries, leaving significant gaps. Millions of people are being left behind, especially the poorest and those disadvantaged because of their sex, age, disability, ethnicity, or geographic location.⁷⁴ The Report also noted the persistent presence of gender inequality and the huge gaps that exist between the poorest and richest households and between rural and urban areas.⁷⁵

The Report’s conclusions provide a sobering reflection on the enormity of the challenges facing the world community as it strives to implement the newly established Sustainable Development Goals: about 800 million people still suffer from extreme poverty and hunger; because of malnourishment, more than 160 million children under age five have inadequate height for their age; 57 million children of primary school age do not go to school; about 16,000 children under five die each day; the maternal mortality ratio in developing countries is fourteen times higher than in the developed countries; just fifty percent of pregnant women in developing countries receive the recommended minimum of four ante-natal care visits; in 2013 about 36 percent of the 31.5 million people living with HIV in developing countries were receiving ART; almost half of workers globally still work in vulnerable conditions; 2.4 billion people still use unimproved sanitation facilities in 2015; and over 880 million people in the developing world are still

69. *Id.* at 7.

70. *Id.*

71. *Id.*

72. *Id.*

73. *Id.*

74. *Id.* at 8.

75. *Id.*

living in slum-like conditions.⁷⁶

C. *Appraisal of the MDGs*

The lack of transparency in the formulation of the MDGs was one of their shortcomings, for a group of staff members from the U.N., International Monetary Fund, World Bank, and OECD were responsible for the drafting process without any broader participation, especially from civil society.⁷⁷ Thus it was that the MDGs originated in obscurity and lacked a human rights focus, for which they have faced major criticism.⁷⁸ As mentioned earlier, this has led to adverse consequences insofar as the progress has not been more inclusive and equitable.

Ahead of the special event at the U.N. in September 2013 to review progress on the MDGs and to set out a successor 15-year plan to achieve sustainable development after 2015 when the MDGs expire, the then-secretary-general of Amnesty International, Salil Shetty, aptly voiced his criticism:

The poorest, most disadvantaged and marginalised groups are being let down. Governmental drives to meet targets often ride rough-shod over basic human rights. . . . People are being left behind. Governments need to stop paying lip service to human rights and make it central to the sustainable development agenda; otherwise targets are being achieved at the expense [of] deepening inequalities, discrimination and injustice. There is a widening gap between rich and poor and between men and women and those from minority groups.⁷⁹

Shetty added:

Where is the remedy for the millions of women who continue to suffer and, in many cases, die needlessly during pregnancy and childbirth because discrimination and a range of socio-economic barriers prevent them accessing sexual and reproductive health services? Maternal health is a human right. Any development agenda agreed by world leaders cannot leave the poorest, most marginalised and excluded people behind. Unless world leaders commit to placing human rights at the heart of the development agenda, we cannot achieve real change. It is time for world leaders to deliver.⁸⁰

The organization cited data from the United Nations Development Program to show that, while there was a strong possibility that Nigeria would meet many of the MDG targets by 2015, these figures “mask[ed] regional differences and inequalities and disparities between various groups and minorities.”⁸¹

76. *Id.* at 8-9.

77. See U.N. System Task Team on the Post-2015 U.N. Development Agenda, *supra* note 37.

78. *Id.* at 8.

79. *UN Millennium Development Goals: Human Rights Must Not Be Marginalized In Post-2015 Agenda* AMNESTY INT'L (Sept. 23, 2013), <https://www.amnesty.org/en/latest/news/2013/09/un-millennium-development-goals-human-rights-must-not-be-marginalized-post-agenda/>.

80. *Id.*

81. *Id.*

A human rights perspective in the MDG framework would have required countries to measure their progress in light of their human rights obligations under both treaty law and customary international law. Instead, the MDG framework's focus on statistical averages and aggregate numbers has resulted in scant attention being paid to the issues such as inequalities, disparities, discrimination, and injustice to which Shetty referred in the Amnesty International statement. The following review of a few specific MDGs illustrates this point.

Goal 1 is on the eradication of extreme poverty and hunger. This goal focused on the symptoms of poverty and failed to address the underlying causes.⁸² Nor did the poverty standard address the severity and depth of poverty.⁸³ While the 2015 MDGs Report on the progress of Target 1.A, which calls for halving between 1990 and 2015 the proportion of people whose income is less than U.S. \$1 per day, celebrates the decline of the number of people living in extreme poverty by more than half since 1990, it acknowledged that this was mainly due to progress in China and India.⁸⁴ It also acknowledged that over forty percent of people living in sub-Saharan Africa still suffer from extreme poverty in 2015 and in Western Asia the extreme poverty rate is expected to rise between 2011 and 2015.⁸⁵ Moreover, there is uneven distribution of extremely poor people across regions and countries – Southern Asia and sub-Saharan Africa are home to about eighty percent of the global total of extremely poor people.⁸⁶ And out of one billion such people, sixty percent lived in just five countries in 2011— India, Nigeria, China, Bangladesh, and the Democratic Republic of the Congo.⁸⁷ Similarly, there is uneven progress on Target 1.C, aimed at halving between 1990 and 2015 the proportion of people who suffer from hunger.⁸⁸ And halving the world's hunger obviously means that many would still be left behind.

Goal 2 is aimed at achieving universal primary education, and Target 2.A is designed to ensure that children everywhere will be able to complete a full course of primary education.⁸⁹ But the 2014 Report of the U.N. Commission on the Status of Women noted:

[T]he lack of progress in closing gender gaps in access to, retention in and completion of secondary education, which has been shown to contribute more strongly than primary school attendance to the achievement of gender equality, the empowerment of women, and the human rights of women and girls and several positive social and economic outcomes.⁹⁰

82. See 2015 MDGs Report, *supra* note 38, at 14-23.

83. *Id.*

84. *Id.* at 14-15.

85. *Id.* at 15.

86. *Id.*

87. *Id.*

88. *Id.* at 20.

89. *Id.* at 24.

90. Comm'n on the Status of Women, Challenges and Achievements in the Implementation of the Millennium Development Goals for Women and Girls, ¶ 20, U.N. Doc. E/CN.6/2014/L.7 (2014)

The MDGs Report shows that sub-Saharan Africa still remains an exception to other regions where the Target is close to being reached.⁹¹ Also, the Report shows that there are large disparities in primary school enrollment and those who bear the heaviest burden are the poorest and most disadvantaged.⁹²

On Goal 3—promoting gender equality and empowering women—the results are mixed, as gender disparities continue in enrollment ratios and only one developing region—Western Asia—is achieving the Target.⁹³ Also, female participation in the labor force is one-quarter to one-third of the men's rate in Northern Africa, Southern Asia, and Western Asia.⁹⁴ According to the Commission on the Status of Women, “almost 15 years after the Millennium Development Goals were adopted, no country has achieved equality for women and girls and significant levels of inequality between women and men persist”⁹⁵ The Commission also reported that:

[P]rogress has been slow, with persistent gender disparities in some regions in secondary and tertiary education enrollment; the lack of economic empowerment, autonomy and independence for women, including a lack of integration into the formal economy, unequal access to full and productive employment and decent work, . . . and the lack of equal pay for equal work or work of equal value⁹⁶

One striking omission in the MDGs was the failure to pay attention to the persistent issue of violence against women.

On Goal 4—reducing child mortality—the Commission on the Status of Women noted that “targets are likely to be missed.”⁹⁷ It further noted

with deep concern that increasingly, child deaths are concentrated in the poorest regions and in the first month of life, and further expresse[d] concern that children are at greater risk of dying before the age of 5 if they are born in rural and remote areas or to poor households.⁹⁸

Goal 5—on maternal health—has Target 5.A, aimed at reducing by three quarters between 1990 and 2015 the maternal mortality ratio.⁹⁹ The MDGs Report shows that this ratio has dropped by forty-five percent worldwide during that time period from 1990-2013.¹⁰⁰ But it is noteworthy that the maternal mortality ratio in the developing regions is about fourteen times higher than in the developed regions; sub-Saharan Africa and Southern Asia accounted for eighty-six percent of

[hereinafter Status of Women Report].

91. 2015 MDGs Report, *supra* note 38, at 25.

92. *Id.* at 26.

93. *Id.* at 29.

94. *Id.* at 30.

95. Status of Women Report, *supra* note 90, ¶ 12.

96. *Id.* ¶ 21.

97. *Id.* ¶ 22.

98. *Id.*

99. 2015 MDGs Report, *supra* note 58, at 38.

100. *Id.* at 39.

such deaths globally in 2013.¹⁰¹ On access to and use of reproductive health services, the Report shows profound inequalities within and across regions and between rural and urban coverage. And the Report acknowledges that improving maternal health constitutes the unfinished agenda for the post-2015 period.¹⁰² The Commission on the Status of Women also noted that “progress towards its two targets, reducing maternal mortality and achieving universal access to reproductive health, has been particularly slow and uneven, especially for the poorest and rural sectors of the populations, within and across countries.”¹⁰³

Goal 8—on a global partnership for development—lacks any time-bound and quantifiable targets.¹⁰⁴ Thus, no country or donor organization can be held accountable for failure to provide assistance to developing countries for the reduction of poverty.

It is worth noting that as there was no integration of human rights and development frameworks in the MDGs, persons with disabilities, minorities, disadvantaged, and marginalized populations, indigenous peoples, and vulnerable groups cannot claim a right under the MDGs to be fairly treated in an equitable and non-discriminatory way. Also, civil and political rights such as freedom of expression and participation found no place in the MDGs.

In sum, while there has been substantial progress in achieving the MDGs, significant disparities and gaps remain, with the unfinished agenda left for the successor SDGs.

D. The Post-2015 Development Agenda and the Sustainable Development Goals

In addition to stock-taking by states on the progress toward achieving the MDGs, world leaders were concerned about charting the future course for achieving sustainable development beyond 2015, the expiration period for the MDGs. Thus, two years after the 2010 MDG Summit discussed above, world leaders met at the U.N. Conference on Sustainable Development at Rio de Janeiro, Brazil, in June 2012 (“Rio+20”) and endorsed the Conference’s Outcome Document, entitled “The Future We Want.”¹⁰⁵ After renewing their commitment “to sustainable development and to ensuring the promotion of an economically, socially and environmentally sustainable future for our planet and for present and future generations,”¹⁰⁶ they focused on poverty eradication, emphasizing “the need to accord the highest priority to poverty eradication within the United Nations development agenda, addressing the root causes and challenges of poverty through integrated, coordinated and coherent strategies at all levels.”¹⁰⁷

101. *Id.*

102. *Id.* at 43.

103. Status of Women Report, *supra* note 90, ¶ 23.

104. 2015 MDGs Report, *supra* note 58, at 62-68.

105. G.A. Res. 66/288, U.N. Doc. A/RES/66/288 (Sept. 11, 2012).

106. *Id.* at annex, ¶ 1.

107. *Id.* at annex, ¶ 106.

World leaders acknowledged that since 1992 there had been “areas of insufficient progress and setbacks in the integration of the three dimensions of sustainable development”¹⁰⁸ – economic development, social development, and environmental protection. They recognized that people are at the center of sustainable development¹⁰⁹ and renewed their commitment to “assessing the progress to date and the remaining gaps in the implementation of the outcomes of the major summits on sustainable development and addressing new and emerging challenges.”¹¹⁰ They also resolved to establish an intergovernmental process on SDGs and mandated the establishment of an open working group to develop a set of sustainable development goals for appropriate action by the General Assembly at its 68th Session.¹¹¹ They also mandated that the SDGs be coherent and integrated into the U.N. post-2015 development agenda.¹¹²

To review a few other selected developments leading to the establishment of the SDGs, in July 2013 the U.N. Secretary-General submitted a report on progress in the implementation of the MDGs, entitled “A life of dignity for all,”¹¹³ in which he made recommendations for further steps to advance the U.N. development agenda beyond 2015. He highlighted the link between peace, development, and human rights and recommended that the sustainable development agenda be universal, based on human rights, and address economic growth, social justice, and environmental challenges.¹¹⁴ He also called for a review and a comprehensive monitoring framework, which would require new and disaggregated data and measurable goals and targets.¹¹⁵

One of the Secretary-General’s initiatives to promote sustainable development was his launching of the Sustainable Development Solutions Network (“SDSN”) in 2012 to mobilize global scientific and technological knowledge on the challenges of sustainable development, which issued a report in October 2013 entitled “An Action Agenda for Sustainable Development.”¹¹⁶ The report addressed the sustainable development concept in what it called “four dimensions of society: economic development (including the end of extreme poverty), social inclusion, environmental sustainability, and good governance including peace and security.”¹¹⁷ The report identified selected priority sustainable development

108. *Id.* at annex, ¶ 20.

109. *Id.* at annex, ¶ 6.

110. *Id.* at annex, ¶ 12.

111. *Id.* at annex, ¶ 248.

112. *Id.* at annex, ¶ 249.

113. U.N. Secretary-General, *A life of dignity for all: accelerating progress towards the Millennium Development Goals and advancing the United Nations development agenda beyond 2015*, U.N. Doc. A/68/202 (July 26, 2013).

114. *Id.* ¶¶ 73-104.

115. *Id.* ¶¶ 105-107.

116. Sustainable Development Solutions Network, *An Action Agenda for Sustainable Development: Report for the UN Secretary-General* (Oct. 23, 2013), <http://www.comerstone.com.my/sdsn/index.cfm?&menuid=38>.

117. *Id.* at 1.

challenges to be addressed at the global, regional, national, and local levels.¹¹⁸ SDSN issued another report in May 2014 under the same title—*An Action Agenda for Sustainable Development*¹¹⁹—in which it proposed sustainable development goals and targets.¹²⁰

Secretary-General Ban Ki-moon also established a High-Level Panel of Eminent Persons on the Post-2015 Development Agenda, which presented its report in May 2013, “A New Global Partnership: Eradicate Poverty and Transform Economies Through Sustainable Development.”¹²¹ Among the report’s recommendations were a list of priority transformations for a post-2015 agenda¹²² and twelve universal goals and national targets.¹²³

The Organization for Economic Cooperation and Development (“OECD”) submitted two reports on the subject. The message of the first report, “Development Co-operation Report 2013: Ending Poverty,”¹²⁴ was that economic growth is not sufficient to eradicate all dimensions of poverty. It proposed, among other recommendations, that the new international development agenda must address causes of poverty and make environmental sustainability and natural resources a core priority.¹²⁵ The recommendations of the second report, “Gender equality and women’s rights in the post-2015 agenda: A foundation for sustainable development,”¹²⁶ included a stand-alone goal on gender equality, as well as gender-specific targets across all goals.

In March 2013, the Open Working Group (“OWG”) mandated by the Rio+20 started its working sessions and submitted its report in July 2014.¹²⁷ It had during that time received suggestions based upon the studies mentioned above, as well as from civil society, business, think tanks, colloquia, and conferences regarding the sustainable development goals for the post-2015 development agenda.¹²⁸

118. *Id.* at 8-26.

119. Sustainable Development Solutions Network, *An Action Agenda for Sustainable Development: Report for the UN Secretary-General* (May 5, 2014), <http://unsdsn.org/wp-content/uploads/2013/06/140505-An-Action-Agenda-for-Sustainable-Development.pdf>.

120. *Id.* at 28-31.

121. U.N. Secretary General’s High Level Panel of Eminent Persons on the Post-2015 Development Agenda, *A New Global Partnership: Eradicate Poverty and Transform Economies Through Sustainable Development* (May 30, 2013), http://www.un.org/sg/management/pdf/HLP_P2015_Report.pdf.

122. *Id.* at 7-12.

123. *Id.* at 30-31.

124. Erik Solheim, OECD Dev. Assistance Comm., *Development Co-operation Report 2013: Ending Poverty* (Dec. 5, 2013), <http://www.oecd-ilibrary.org/docserver/download/dcr-2013-sum-en.pdf?expires=1450215550&id=id&accname=guest&checksum=191F01F759877F9BB33D8F04CA1A9DA4>.

125. *Id.* at 20.

126. OECD, *Gender equality and women’s rights in the post-2015 agenda: A foundation for sustainable development* (2013), <http://www.oecd.org/dac/gender-development/POST-2015%20Gender.pdf>.

127. U.N. General Assembly, *Report of the Open Working Group of the General Assembly on Sustainable Development Goals*, U.N. Doc. A/68/970 (Aug. 12, 2014) [hereinafter *Report of the OWG*].

128. Ved P. Nanda, *Sustainable Development*, in INTERNATIONAL ENERGY AND POVERTY: THE

The OWG proposed seventeen SDGs accompanied by 169 targets which are to be “further elaborated through indicators focused on measurable outcomes.”¹²⁹ These goals were “action oriented, global in nature and universally applicable . . . [and] take into account different national realities, capacities and levels of development and respect national policies and priorities.”¹³⁰ Building on the foundation laid by the MDGs, they “[sought] to complete the unfinished business of the Millennium Development Goals and respond to new challenges. . . . [and] constitute an integrated, indivisible set of global priorities for sustainable development.”¹³¹ Each government was to set its own national targets, while targets were defined as aspirational global targets and, according to the report, “[t]he goals and targets integrate economic, social and environmental aspects and recognize their interlinkages in achieving sustainable development in all its dimensions.”¹³²

In September 2014, twenty-seven civil society groups from several countries sent a letter to Ban Ki-moon and the President of the General Assembly, Sam Kutesa, asserting that the post-2015 agenda “won’t deliver without human rights at the core.”¹³³ They suggested that a truly human rights-centered approach requires that human rights must be explicitly referenced to ensure that all goals and targets are aligned with the relevant human rights standards; that human rights should be considered in their entirety so that the full spectrum—both economic, social, and cultural rights and civil and political rights—is secured; that gender equality and women’s rights should be embedded throughout the goals, targets, and indicators, along with robust, specific funding for women’s rights and a guarantee of meaningful participation by women’s rights groups in the implementation, monitoring, and accountability mechanisms.¹³⁴

Second, they urged governments to use existing human rights standards as legally binding universal norms, and finally said it was essential that the agenda provide a “robust and inclusive mechanism or series of mechanisms to ensure human rights accountability of all development actors.”¹³⁵

Subsequently, the Secretary-General released his Synthesis Report on the post-2013 sustainable development agenda, entitled “The road to dignity by 2030: ending poverty, transforming all lives and protecting the planet.”¹³⁶ Asserting that “[w]e have a shared responsibility to embark on a path to inclusive and shared

EMERGING CONTOURS 84, 88 (Lakshman Guruswamy & Elizabeth Neville eds., 2016).

129. *Report of the OWG*, supra note 127, § IV, ¶ 18.

130. *Id.*

131. *Id.*

132. *Id.*

133. *The Post-2015 Agenda Won't Deliver Without Human Rights at the Core*, CENTER FOR ECON. & SOC. RTS. (Sept. 29, 2014).

134. *Id.*

135. *Id.*

136. U.N. Security-General, *Synthesis Report of the Secretary-General on the post-2015 sustainable development agenda, entitled the road to dignity by 2030: ending poverty, transforming all lives and protecting the planet*, U.N. Doc. A/69/700 and Corr. 1 (Dec. 4, 2014) [hereinafter *Synthesis Report*].

prosperity in a peaceful and resilient world, where human rights and the rule of law are upheld,”¹³⁷ and drawing from the lessons learned from the discussion of the post-2015 sustainable development agenda,¹³⁸ he stated:

All voices have called for a people-centered and planet-sensitive agenda to ensure human dignity, equality, environmental stewardship, healthy economics, freedom from want and fear and a renewed global partnership for sustainable development. Tackling climate change and fostering sustainable development agendas are two mutually reinforcing sides of the same coin. To achieve these ends, all have called for a transformational and universal post-2015 sustainable development agenda, buttressed by science and evidence and built on the principles of human rights and the rule of law, equality and sustainability.¹³⁹

The Secretary-General added that “[a]ll voices have demanded that we leave no one behind, ensuring equality, non-discrimination, equity and inclusion at all levels. We must pay special attention to the people, groups and countries most in need.”¹⁴⁰ He particularly identified women, refugees and displaced persons, other vulnerable groups, and minorities.¹⁴¹ The Secretary-General further added: “All voices have asked for a rigorous and participatory review and monitoring framework to hold Governments, businesses and international organizations accountable to the people for results, and to ensure that no harm is done to the planet.”¹⁴²

The Secretary-General provided six essential elements to help frame and reinforce the sustainable development agenda and to ensure delivery at the country level: (1) dignity – to end poverty and fight inequality; (2) people – to ensure healthy lives, knowledge and the inclusion of women and children; (3) prosperity – to grow a strong, inclusive and transformative economy; (4) planet – to protect our ecosystems for all societies and our children; (5) justice – to promote safe and peaceful societies and strong institutions; and (6) partnership – to catalyze global solidarity for sustainable development.¹⁴³

The report recommended among the means for the implementation of an integrated sustainable development agenda a framework including financing, technology, and investments in sustainable development capacities.¹⁴⁴ The report also made recommendations regarding the framework to monitor and review implementation, based on the establishment of a comprehensive program of action on data.¹⁴⁵ The Secretary-General welcomed the work of the Open Working Group and took “positive note of the decision of the General Assembly that the

137. *Id.* ¶ 3.

138. *Id.* ¶¶ 36-47.

139. *Id.* ¶ 49.

140. *Id.* ¶ 51.

141. *Id.*

142. *Id.* ¶ 56.

143. *Id.* ¶¶ 66-81.

144. *Id.* ¶¶ 87-132.

145. *Id.* ¶¶ 140-150.

proposal of the Working Group be the main basis for the post-2015 intergovernmental process.”¹⁴⁶

The next step in the process was the General Assembly’s adoption of a plan of action for “people, planet, and prosperity,” and the announcement of the SDGs as the successor to the MDGs, which expire at the end of 2015. This topic is covered in the following section.

III. THE SUSTAINABLE DEVELOPMENT GOALS – A VAST IMPROVEMENT OVER THE MDGS

A. *The Process of Developing the SDGs*

The process of developing the SDGs shows a striking difference as contrasted with that of the MDGs. Instead of being formulated by the staff of the U.N. and a few other international organizations that had developed the MDGs, there was outreach, transparency, and openness in the creation of the SDGs.¹⁴⁷ The U.N. outreach for consultation and review was historic and unprecedented. The Secretary-General summarized these efforts in his Synthesis Report, as he noted that there were “valuable inputs” from a wide range of groups.¹⁴⁸ He reported that people around the world shared their views through the outreach efforts of organized civil society groups and also through the global conversation led by the United Nations development group on “A Million Voices: The World We Want,”¹⁴⁹ “Delivering the Post-2015 Agenda: Opportunities at the National and Local Levels,”¹⁵⁰ and the “My World” survey.¹⁵¹ Millions of people, especially young persons, took part in these processes through national, thematic, and online consultations and surveys as mirrored in the “Global Youth Call”¹⁵² and the outcome of the Sixty-Fifth Annual United Nations Department of Public Information/Non-governmental Organizations Conference.¹⁵³ The direct and

146. *Id.* ¶ 59.

147. See U.N. Development Group, *A Million Voices: The World We Want* (2013), 3-5 https://issuu.com/undevgroup/docs/f_undg_millionvoices_web_full?download [hereinafter *The World We Want*].

148. Synthesis Report, *supra* 136, ¶ 37.

149. *The World We Want*, *supra* note 147.

150. U.N. Development Group, *Delivering the Post-2015 Agenda: Opportunities at the National and Local Levels* (2014), <http://www.ipu.org/splz-e/unga14/post2015.pdf>.

151. MY WORLD SURVEY 2015, Data Overview, <http://data.myworld2015.org> (last visited Feb. 23, 2016).

152. See Office of the Secretary-General’s Envoy on Youth, *Secretary-General’s Envoy invites all youth organizations to endorse Global call on youth in post-2015 ahead of ECOSOC Forum*, UNITED NATIONS, <http://www.un.org/youthenvoy/2014/05/secretary-generals-envoy-invites-all-youth-organisations-to-endorse-global-call-on-youth-in-post-2015-ahead-of-ecosoc-forum/> (last visited Apr. 20, 2016); GLOBAL YOUTH CALL, http://www.un.org/youthenvoy/wp-content/uploads/2014/09/The_Global_Youth_Call.pdf (last visited Feb. 23, 2016).

153. See ECOSOC Civil Society Network, *65th Annual UN DPI/NGO Conference: UNHQ Complex, New York 27-29 August, 2014*, UNITED NATIONS, <http://esango.un.org/irene/?page=viewContent&n=24104&type=8§ion=8> (last visited Apr. 20, 2016); 65th Annual DPI/NGO Conference Outcome Document, 5

active engagement of parliamentarians, business and civil society has also been critical.¹⁵⁴

Next, the Secretary-General mentioned the inputs of the experts groups that he had established and those of academics and scientists, businesses, regional commissions, and the United Nations system, along with those of Member States through various avenues.¹⁵⁵

A few selected studies that informed the eventual development of the SDGs have already been noted above.¹⁵⁶ However, to highlight a couple of civil society efforts in outreaching, there was a broad public survey entitled *A Million Voices: The World We Want*,¹⁵⁷ that conveyed the priorities of people around the world. Similarly, a report entitled *Civil Society Demands for the Post-2015 Development Agenda from 39 Countries*¹⁵⁸ made several recommendations to be given priority in development of the SDGs.¹⁵⁹

B. *The Content of the SDGs*

As to the content, world leaders at the U.N. special summit in September 2015 embraced an ambitious plan of action entitled “Transforming our world: the 2030 Agenda for Sustainable Development.”¹⁶⁰ This is a comprehensive package—a set of seventeen goals and 169 targets—to end poverty, reduce inequalities, and protect the environment, which came into effect on January 21, 2016, replacing the MDGs.¹⁶¹ Building on the MDGs, the leaders’ “new universal Agenda” applies to all countries, contrasted with the reach of the MDGs which was confined primarily to the developing countries.¹⁶² The Agenda is aimed at realizing “the human rights of all and . . . achiev[ing] gender equality and the empowerment of all women and girls,” and the SDGs are “integrated and indivisible and balance the three dimensions of sustainable development: the economic, social and environmental.”¹⁶³

In their *Declaration* introducing the plan, the World leaders pledge that “no one will be left behind,” and that this “Agenda of unprecedented scope and

<http://outreach.un.org/ngorelations/files/2014/08/DPINGOOOutcomeDoc-DeclarationFinal.pdf> (last visited Apr. 20, 2016).

154. Synthesis Report, *supra* note 136, ¶ 37(a).

155. *Id.* ¶¶ 37(b)-(g).

156. See, e.g., Sustainable Solutions Development Network, *supra* note 116; OECD, *supra* note 124; *The World We Want*, *supra* note 147; U.N. Development Group, *supra* note 150.

157. *The World We Want*, *supra* note 147.

158. Beyond 2015, *Civil Society’s Demands from 39 Countries* (August 1, 2013), <http://www.beyond2015.org/civil-society-demands-post-2015-agenda>.

159. Center for Economic and Social Rights, *The Post-2015 Agenda Won’t Deliver Without Human Rights at the Core* (Sept. 29, 2014), <http://cesr.org/article.php?id=1648>.

160. *Transforming our world: the 2030 Agenda for Sustainable Development*, G.A. Res 70/1, U.N. Doc. A/RES/70/1 (Oct. 21, 2015), [hereinafter 2030 Agenda].

161. *Id.*; see also *The Sustainable Development Agenda*, UNITED NATIONS, <http://www.un.org/sustainabledevelopment/development-agenda/> (last visited Apr. 20, 2016).

162. 2030 Agenda, *supra* note 160, at preamble.

163. *Id.*

significance,” with its universal goals and targets, involves all countries.¹⁶⁴ They pay special attention to the vulnerable and disadvantaged, which was not the case under the MDGs. To illustrate, the *Declaration* provides:

People who are vulnerable must be empowered. Those whose needs are reflected in the Agenda include all children, youth, persons with disabilities (of whom more than 80 percent live in poverty), people living with HIV/AIDS, older persons, indigenous peoples, refugees and internally displaced persons and migrants. We resolve to take further effective measures and actions, in conformity with international law, to remove obstacles and constraints, strengthen support and meet the special needs of people living in areas affected by complex humanitarian emergencies and in areas affected by terrorism.¹⁶⁵

To rectify another omission in the MDGs—where instead of focusing on women’s health rights the only reference was a maternal mortality goal and even a formal reproductive health target was only added after a great deal of advocacy effort—the *Declaration* reads:

To promote physical and mental health and well-being, and to extend life expectancy for all, we must achieve universal health coverage and access to quality health care. No one must be left behind. We commit to accelerating the progress made to date in reducing newborn, child and maternal mortality by ending all such preventable deaths before 2030. We are committed to ensuring universal access to sexual and reproductive health-care services, including for family planning, information and education.¹⁶⁶

The leaders also address income inequality, forced labor, human trafficking, and child labor in all its forms.¹⁶⁷ They call for changing unsustainable consumption and production patterns,¹⁶⁸ and pay special attention to climate change¹⁶⁹ as it has serious implications for development. They affirm that sustainable development is closely linked with peace and security:

The new Agenda recognizes the need to build peaceful, just and inclusive societies that provide equal access to justice and that are based on respect for human rights (including the right to development), on effective rule of law and good governance at all levels and on transparent, effective and accountable institutions. Factors which give rise to violence, insecurity and injustice, such as inequality, corruption, poor governance and illicit financial and arms flows, are addressed in the Agenda. We must redouble our efforts to resolve or prevent conflict and to support post-conflict countries, including through ensuring that

164. *Id.* ¶¶ 4-5.

165. *Id.* ¶ 23.

166. *Id.* ¶ 26.

167. *Id.* ¶ 27.

168. *Id.* ¶ 28.

169. *Id.* ¶¶ 31-32.

women have a role in peacebuilding and State-building.¹⁷⁰

They especially focus on means of implementation, discussing in detail the role of the U.N. development system, international financial institutions, official development assistance (“ODA”), governments and the private sector, paying special attention to landlocked developing countries.¹⁷¹

The leaders assert that “Governments have the primary responsibility for follow-up and review, at the national, regional and global levels,”¹⁷² and they recognize how necessary it is to have access to reliable disaggregated data in order to measure progress.¹⁷³

C. *The SDGs*

Finally, the world leaders accepted the goals proposed by the Open Working Group as the new Sustainable Development Goals. These goals are:

Goal 1. End poverty in all its forms everywhere.

Goal 2. End hunger, achieve food security and improved nutrition and promote sustainable agriculture.

Goal 3. Ensure healthy lives and promote well-being for all at all ages.

Goal 4. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all.

Goal 5. Achieve gender equality and empower all women and girls.

Goal 6. Ensure availability and sustainable management of water and sanitation for all.

Goal 7. Ensure access to affordable, reliable, sustainable and modern energy for all.

Goal 8. Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all.

Goal 9. Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation.

Goal 10. Reduce inequality within and among countries.

Goal 11. Make cities and human settlements inclusive, safe, resilient and sustainable.

Goal 12. Ensure sustainable consumption and production patterns.

Goal 13. Take urgent action to combat climate change and its impacts.

Goal 14. Conserve and sustainably use the oceans, seas and marine resources for sustainable development.

170. *Id.* ¶ 35.

171. *See id.* ¶¶ 39-46.

172. *Id.* ¶ 47.

173. *Id.* ¶ 48.

Goal 15. Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss.

Goal 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.

Goal 17. Strengthen the means of implementation and revitalize the Global Partnership for Sustainable Development.¹⁷⁴

D. Analysis

Even a brief look at the SDGs shows that they do reflect universality. For example, Goal 1, on ending poverty in all its forms everywhere, demonstrates that it is not confined primarily to developing countries, as was the case with the MDGs.¹⁷⁵ Also, the goals emphasize the need to pay special attention to the poor and vulnerable. For example, the Targets on Goals 1 and 2, on ending poverty and hunger, refer particularly to the poor and those in vulnerable situations.¹⁷⁶

In marked contrast to the MDGs, Target 3.7 in Goal 3 of the SDGs reads: "By 2030, ensure universal access to sexual and reproductive health-care services, including for family planning, information and education, and the integration of reproductive health into national strategies and programmes."¹⁷⁷ Under Goal 4, on quality education and learning opportunities for all, Target 4.1 calls for ensuring by 2030 that "all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes."¹⁷⁸

In several instances where the MDGs were either silent or vague, the SDGs show a markedly different picture, as the following few examples illustrate.

Under Goal 5—achieve gender equality and empowerment for all women and girls—the Targets call for ending all forms of discrimination against all women and girls everywhere, eliminating "all forms of violence against all women and girls in the public and private spheres," and eliminating "all harmful practices, such as child, early and forced marriage and female genital mutilation."¹⁷⁹

Target 6.1 calls for achieving "universal and equitable access to safe and affordable drinking water for all."¹⁸⁰ Goal 7 is a new addition in the SDGs: ensure access to affordable, reliable, sustainable and modern energy for all.¹⁸¹ Goal 8 calls for promoting "sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all."¹⁸² Under Goal 10—reduce

174. *Id.* at 14.

175. *See id.* (Goal 1).

176. *Id.* at 15-16 (*see* Targets on Goals 1 and 2).

177. *Id.* at 16 (*see* Target 3.7).

178. *Id.* at 17 (*see* Target 4.1).

179. *Id.* at 18 (*see* Targets 5.1-5.3).

180. *Id.* at 18 (*see* Target 6.1).

181. *Id.* at 14 (*see* Goal 7).

182. *Id.* (*see* Goal 8).

inequality within and among countries—Target 10.2 calls for empowering and promoting “the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin and religion or economic or other status.”¹⁸³ Target 13.2 calls for the integration of “climate change measures into national policies, strategies and planning,” and 13.3 calls for improving “education, awareness-raising and human and institutional capacity on climate change mitigation, adaptation, impact reduction and early warning.”¹⁸⁴

Under Goal 16, on promoting peaceful and inclusive societies, providing access to justice for all, and building effective, accountable and inclusive institutions at all levels.¹⁸⁵ Target 16.3 appropriately calls for promoting the rule of law at both the national and international levels and ensuring equal access to justice for all, while Target 16.7 is designed to ensure “responsive, inclusive, participatory and representative decision-making at all levels,” and Target 16.8 calls for broadening and strengthening the developing countries’ participation in the institutions of global governance.¹⁸⁶

Goal 17 on global partnership and implementation is much more detailed than the corresponding provision in the MDGs.¹⁸⁷ Here, the targets discuss finance, technology, capacity building, trade, and several systemic issues such as policy and institutional coherence, multi-stakeholder partnerships, and data, monitoring, and accountability. Earlier, in July 2015, at the Third International Conference on Financing for Development in Addis Ababa, Ethiopia, the Heads of State and Government had adopted the Addis Ababa Action Agenda,¹⁸⁸ which was subsequently endorsed by the General Assembly, and on which Goal 17 is based.

The indicators to measure progress on the achievement of the SDGs and the follow-up and review mechanisms are still under consideration and will be finalized in 2016.¹⁸⁹

After conducting a scientific review of the SDGs and the targets, the International Council for Science and the International Social Science Council issued a report, *Review of Targets for the Sustainable Development Goals: The Science Perspective*.¹⁹⁰ According to the report, the SDGs offer major

183. *Id.* at 21 (see Target 10.2).

184. *Id.* at 23 (see Target 13.2 and 13.3).

185. *Id.* at 14 (see Goal 16).

186. *Id.* at 25 (see Targets 16.3, 16.7, 16.8).

187. Compare *id.* at 14 (see Goal 17) with Millennium Declaration, *supra* note 7, ¶¶ 29-30 (see Goal 8).

188. *Addis Ababa Action Agenda of the Third International Conference on Financing for Development*, G.A. Res. 69/313, U.N. Doc. A/RES/69/313 (July 27, 2015) [hereinafter *Addis Ababa Action Agenda*].

189. See Sustainable Development Goals, *IAEG-SDGs Inter-Agency Expert Group on SDG Indicators*, <http://unstats.un.org/sdgs/iaeg-sdgs> (the indicators will be finalized after the 3rd meeting of the IAEG-SDGs).

190. International Council for Science and International Social Science Council, *Review of Targets for the Sustainable Development Goals: The Science Perspective* (2015), <http://www.icsu.org/publications/reports-and-reviews/review-of-targets-for-the-sustainable-development-goals-the-science-perspective-2015/SDG-Report.pdf>.

improvements on the MDGs by addressing critical systemic barriers to sustainable development that the MDGs had neglected, such as environmental degradation, inequality, unsustainable consumption patterns, and weak institutional capacity.¹⁹¹

IV. CONCLUSION

In both the process and the content the SDGs go far beyond the MDGs. The process was broadly consultative, and the SDGs apply to everyone, everywhere. The lack of a human rights focus in the MDGs framework, which had received wide criticism, is corrected in the SDGs. This is especially acknowledged by the Danish Institute for Human Rights, which, after analyzing the SDGs, published its *Human Rights Guide* on the subject.¹⁹² The *Guide* is designed at helping all those working for the realization of the Goals and for groups of people, such as persons with disabilities, whose rights the SDGs directly address. According to the chief adviser and the *Guide*'s co-author, Birgitte Feiring, "Our analysis shows that the SDGs stand on the shoulders of human rights. This provides support and ties the [G]oals to legally binding agreements."¹⁹³

The SDGs are likely to galvanize worldwide support for their achievement. However, the indicators and the follow-up and review mechanisms, which have a bearing on both the national and international implementation, have yet to be finalized, and implementation indeed is the key to achieving the comprehensive and visionary agenda set by the SDGs. Humanity seeks and deserves fulfillment of the promise of sustainable development.

191. *Id.* at 5.

192. Danish Institute for Human Rights, *The Human Rights Guide to the SDGs* (draft) (Nov. 2015), http://www.humanrights.dk/files/media/dokumenter/human_rights_and_development/human_rights_guide_to_sdgs/SDG-HR-Indicators%20full%20guide.pdf (shows the linkages between internationally recognized human rights instruments and the SDG targets and was prepared to ensuring a human-rights-based approach to the implementation of the SDGs).

193. Danish Institute for Human Rights, *The human rights guide to the SDGs has landed* (Nov. 16, 2015), <http://www.humanrights.dk/news/human-rights-guide-sdgs-has-landed>.