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The Misnomer of MDGs? When Goals Are Rights

Abstract

That much more must be done to meet the Millennium Development Goals is evident. The proposals put forth by Douste-Blazy and the new pledges announced at the recent UN MDG Summit are steps in the right direction. More fundamentally, what is required is to recognize that the MDGs are not merely “goals” to aim for, hitting or missing as the case may be. Rather, they are about realizing rights which governments, individually and collectively, have pre-existing legal obligations to uphold and ensure.

Keywords

Human rights, United Nations Millennium Development Goals Summit, Global economy, Global community

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The Misnomer of MDGs? When Goals are Rights

by Erin Mooney

That much more must be done to meet the Millennium Development Goals is evident. The proposals put forth by [Douste-Blazy](#) and the new pledges announced at the recent [UN MDG Summit](#) are steps in the right direction. More fundamentally, what is required is to recognize that the MDGs are not merely “goals” to aim for, hitting or missing as the case may be. Rather, they are about realizing rights which governments, individually and collectively, have pre-existing legal obligations to uphold and ensure.

Each of the eight MDGs can be framed in rights-based language. Doing so can be useful, by strengthening accountability for their realization. Ending poverty and hunger (MDG 1) is necessary to ensure the basic right to life as well as the right to food. Universal primary education (MDG 2) is a well-established right under international law, most notably in the Universal Declaration of Human Rights of 1948, the International Covenant on Economic, Social and Cultural Rights, and the Convention on the Rights of the Child (CRC). Gender equality (MDG 3) is the realization of the fundamental human right of non-discrimination. Ensuring child health, maternal health and combating HIV/AIDS (MDGs 4, 5, and 6) are part and parcel of the right to health. Environmental sustainability (MDG 7) is linked to a range of rights, including the right to life, to health, to water, to food and to development. Moreover, a framework for global partnership (MDG 8) to realize these rights is essential, especially when the efforts of individual governments fall short.

Human rights standards also provide important guidance as to how these goals are to be achieved. Consider, for instance, the second MDG, of achieving universal primary education. Human rights standards prescribe that education must exhibit [four essential features](#): (i) availability (in sufficient quantity and functional according to local needs); (ii) accessibility (i.e. open to all persons without discrimination, within safe physical reach, and affordable to all); (iii) acceptability (e.g. relevant, culturally appropriate and of good quality); and (iv) adaptability (responding to the needs of students within their diverse social and cultural settings). At a minimum, and as MDG 2 seeks to achieve by 2015, education is to be free and compulsory at the primary level.

A rights-based approach to the MDGs also serves to strengthen accountability and to underscore that these outcomes are to be expected and pursued at all times, and not limited to a “development” context, as strictly defined. Taking again the example of universal education, this right (and indeed all of the CRC) applies in all circumstances. International humanitarian law reaffirms this right in times of war, including during occupation and evacuations. Deliberate armed attacks against schools may constitute grave breaches of the law of war and even constitute crimes against humanity and war crimes, subject to prosecution under the Rome Statute of the International Criminal Court. In reality, however, of some 75 million school-aged children currently deprived of access to education, more than half— [40 million children](#)-- live in countries beset by conflict.

Achieving the MDGs also can be critical for the realization of other rights. Access to education, for instance, is not only a right essential to the cognitive development and future opportunities of

these children; the daily routine of going to school can provide a critical source of stability and psychological support in the volatile and precarious circumstances facing civilians during war. Education can also be a vital protection tool for children, potentially reducing their exposure to the risks of military recruitment, sexual exploitation, trafficking, and child labor. Schools can also be safe spaces for disseminating life-saving messages about other risks, such as landmines, and when curricula are sensitively designed, education can contribute to the rebuilding of war-torn societies.

However, the terminology of “MDG” reinforces tendencies to consider these rights strictly as “development” needs, to be addressed and funded only once conflict has subsided and major investments in rebuilding the infrastructure of war-torn societies can begin. For instance, [Save the Children](#) has found that only five donors worldwide include education in their funding strategies for responding to humanitarian emergencies. If current trends continue, children in conflict-affected countries will not receive the levels of basic education aid needed to achieve universal primary education (not to mention elementary or secondary education) until at least 2034, well beyond the 2015 MDG deadline.

In reality, progress towards realizing the MDGs need not be contingent upon massive investments in infrastructure and thus await for development funding. Realizing the right to education, for instance, does not necessarily require the building of schools; learning can take place in more informal environments, for instance in tents or even under a tree. UNICEF’s “[school-in-a-box](#)” kits, which contain supplies for a teacher and forty students, are specifically designed to ensure the continuation of children’s education within the first seventy-two hours of an emergency, whether in situations of armed conflict or natural disaster. Often, the key input is cooperation, not cash. In Central African Republic, advocacy by humanitarian actors led to an agreement with rebel forces (which had a history of kidnapping teachers and parents) to create “neutral areas” where the internally displaced children from makeshift “bush schools” set up in their hiding places in the jungle could come to write their national school examinations. In Nepal, community facilitators have negotiated with armed forces codes of conduct recognizing schools as “zones of peace,” mobilized local media to monitor attacks against schools, and provided psychosocial support to students and teachers. These are just some [examples](#) of how even in conflict it is possible to secure children’s access to education. Instrumental to such efforts has been rights-based advocacy underscoring the responsibility of parties to a conflict—states as well as insurgent groups— to uphold their obligations under international law.

Meeting the targets for all of the MDGs is proving challenging enough; complicating these efforts is that “MDGs” is somewhat of a misnomer, and in two important ways. First, the emphasis on development risks distracting from the fact that these objectives need to be pursued in all circumstances, including those outside of the “development phase” as traditionally defined as being pre-conflict and post-conflict. Second, recasting these goals as rights, which entail responsibilities for governments and non-state actors as well as for the international community can strengthen accountability and bolster efforts towards meeting these most basic benchmarks of human welfare.

Erin Mooney is a consultant to the United Nations and the Brookings Institution on issues of human rights and forced migration and Adjunct Professor in International Relations at the University of Toronto (2008-10). The views expressed are those of the author, writing in an independent capacity.