

# Equality in the Post-2015 Development Agenda

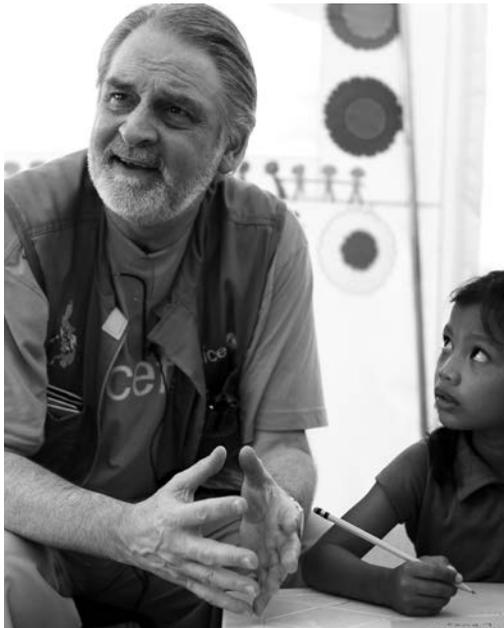
*The Millennium Development Goals (MDGs) encompass eight development goals agreed at a global level with the aim of improving the lives of the world's poorest by 2015. The eight goals – ranging from eradicating extreme poverty and hunger to improving maternal health and ensuring environmental stability – are complemented by 21 measurable targets and 60 indicators of progress.<sup>1</sup> As the 2015 target date for achieving the MDGs approaches, efforts have turned to agreeing a further set of development goals post-2015. These Sustainable Development Goals (SDGs), are intended to build upon the MDGs and apply universally to all countries.<sup>2</sup>*

*The MDGs have been the subject of both praise and criticism. Several of the targets have been achieved at a global level, yet many of the world's poorest regions and countries have been left behind. Extreme poverty has been halved at a global level - 700 million people now no longer live in extreme poverty - but it is anticipated that this goal will not be met in Sub-Saharan Africa.<sup>3</sup> Despite progress in all regions to reduce the maternal mortality rate, it remains 14 times higher in developing countries than in developed countries.<sup>4</sup>*

*ERT spoke with two experts on equality and development to discuss whether and how the post-2015 development agenda will address inequality. David Bull joined UNICEF UK as Executive Director in 1999 having previously been the Director of Amnesty International's UK Section. Gay MacDougall is currently a Distinguished Scholar-in-Residence at the Leitner Center for International Law and Justice at Fordham University. She was the first United Nations Independent Expert on minority issues.*

**ERT: You are widely recognised for your expertise in development and, in particular, working on rights in the context of development. How did you get involved in this work? What life experiences and major influences played a role in getting you to your present position?**

**David Bull:** I think it started with the common understanding that we all have when we're children, that we have this innate sense of fairness and justice. I'm sure everyone can remember things from when they were a child that were not fair. Somehow we are persuaded in adulthood that a certain degree of unfairness and injustice is just life and to be accepted. I don't think I ever got to that point of acceptance and instead decided that I wanted to do something about injustice. My biggest influences were my parents. My father was totally committed to education and its importance because he felt that he never had the education he was entitled to due to the poverty of the family in which he grew



up. I think that my father always felt that this was a terrible injustice and he told me to get the best education I possibly could and take it seriously. My mum started off working as a secretary in a law firm and ended up as a family law professional supporting and protecting women who were victims of domestic abuse. From the outset, they both had an influence on my view that one shouldn't accept injustice, rather one should do something to fight against it.

In terms of getting involved with international development, which has probably been the biggest part of my life, Dudley Seers who was the Director of the Institute for Development Studies at Sussex University at the time that I took my undergraduate economics degree there, was very influential. He told me development studies was where things really mattered and where I could make a difference. As a result of my conversation with him, I did a Masters in Development and everything else followed from there. I hope I have been able to help a few people in the same way. Just one conversation that you have can completely change your life and so I always take it very seriously when I meet young people and talk to them about what they are doing in their lives.

**Gay MacDougall:** I have always seen myself as involved in the human rights and civil rights movement. I grew up in Atlanta in the 1950s and 1960s, in a totally segregated society. I attended completely segregated public schools. My high school was the first (and for many years the only) public high school in Atlanta or even perhaps Georgia for African American kids. When I graduated from that school in 1965, the *Brown v Board of Education*<sup>5</sup> Supreme Court decision was just a faint rumour. Atlanta's schools were as segregated as ever. And so was the city.



More importantly, Atlanta had become the headquarters of the nation's civil rights movement. And, because of the historic "Black Colleges" (Spelman, Morehouse, Clark, Atlanta University and Morris Brown) and the talent they had attracted over the decades, it had a long legacy of Black intellectual opposition to racial oppression. By his own telling, W.E.B. DuBois turned radical while he was teaching at Atlanta University during the 1906 riots and was stunned by how the white community regaled in the lynchings. We lived around the corner from Martin Luther King's family. My aunt was one of the Young Women's Christian Association (YWCA) organisers who, in the 1940s, moved around through the south trying to build a youth movement for inter-racial justice. The headquarters of Student Non-violent Coordinating Committee (SNCC) were down the street and around the corner. The Southern Christian Leadership Conference (SCLC) headquarters were on the other side of town on Auburn Avenue, a historic Black Atlanta business street.

During "the Atlanta Movement," my family and I, and everyone else in my community walked miles while we were boycotting the buses. We refused to shop where the owners would not let us try on clothes or sit at the lunch counters. Throughout the 1960s, I participated in sit-ins, protest demonstrations, voter registration drives and community rallying projects in Georgia, South Carolina and Alabama. In 1965, I was chosen by community leaders to integrate into a previously all-white college in Georgia. It was an assignment, not an honour.

For as far back as I can remember, my own thinking and my focus was on poverty – on economic and social rights, as we would say today. While I never thought of myself or my family as poor, living in what would be called a township in apartheid South Africa, poverty was always around and very close to me. Racial segregation meant that one could not be a stranger to what that kind of hardship means in daily life. My community was still just two steps away from slavery. Limited life choices defined the entire community.

**ERT: How do you see the relationship between development and human rights in general? More specifically, what does the concept of development have to say about equity and equality?**

**Gay MacDougall:** Human rights and development as concepts are inter-related and inextricably linked. To fully enjoy the right to life, one must have both civil and political rights and economic and social rights.

Discrimination on the basis of an individual's ethnic, religious or linguistic identity is usually a potent causal factor in the disproportionate poverty experienced by many minority groups and a key impediment in preventing minorities from benefiting from

mainstream poverty reduction and social inclusion strategies. The dynamics of poverty are more complex for minority groups. Racism often defies the rationality of a common denominator development policy, conceived to benefit all.

The chronic poverty of many minorities is frequently structurally and causally distinct from poverty experienced by other groups. Discrimination compounds the effects of other impediments, such as residence in remote regions or language barriers. The gender dimensions of economic deprivation then overlap with other identity-based discrimination. Many minorities have historically been excluded from full participation in the economy for generations, making their impoverishment more entrenched. Further, even when societies may have successfully suppressed intentional acts of discrimination, the legacy of bias remains embedded because institutional factors operate automatically to exclude certain groups. Discrimination does not disappear without proactive intervention.

**David Bull:** I would add the third area of environment to that. I've always felt that these three issues are really the same issue, they are all really about how you make sure that people can have a decent life and live reasonably well with freedom, justice and the opportunity to fulfil their potential. People's livelihoods depend on the environment in which they live and the resources that flow from that environment. Development is making sure that people can have access to the resources that they need to develop as an individual, a family, a community and a society. People cannot develop if they're suffering from oppression, abuse and discrimination. So, for me, those three things – environment, human rights and development – are so in-

terconnected that it is very difficult to unravel them. Rights and development begin with children. If children don't have their right to education and protection and the opportunity to fulfil their potential, that damages the whole of society and prevents development for everyone.

I think the fact that we are talking about sustainable development goals is enormous progress and very positive. At the time that I was doing my Master's degree at Bath University I decided to write about the connection between development and the environment and I found only one book on the subject. At that time, these things were not seen in the connected way that they are now. I think the fact that we are talking about sustainable development goals is enormous progress and very positive.

**ERT: What are the particular challenges around equity in relation to vulnerable groups, in particular children and minorities?**

**David Bull:** I think the problem that we always have is that it's easy to support and develop programmes of development that are picking off the low hanging fruit, if you like, to reach the easiest to reach people. That means that the hardest to reach people always get left out. That may be because they live in a remote geographical location. It may be because they are very poor and they don't have a voice. It may be because they are disabled. It may be because they come from a minority community that suffers discrimination. For all those reasons there are people that are living at the margins of our society who are simply not being reached. Statistics in the world of development almost always refer to a certain percentage of people being reached and the MDGs were largely

constructed in this way (with the important exception of the goal of education for all). If we set our objectives in terms of reducing a problem by a certain percentage, we will inevitably leave out those who it is most challenging to reach, but they are the ones most in need of support.

I think that there has been a shift in the thinking about the post-2015 goals and it is recognised now that the goals have to be universal. It's a shift which is incredibly important and that we must work hard to maintain. The goals should not only be universal in the world but universal in terms of the people that they are reaching. It's about eliminating poverty rather than just taking a certain percentage of people out of poverty and leaving the remainder to suffer. I think that is the big challenge. I recently saw a map of Brazil that details the achievement of the MDG on child mortality. The first map was of the continent and Brazil appeared green because the goal had been achieved. The next map then broke down the achievement by region and the north east of Brazil was red. So although Brazil seems to have reached the goal of reducing child mortality, the north east hasn't because they're still suffering levels of child mortality that are not much different from some of the countries in Africa. When the statistics are broken down further to district and municipal level, you find that even in the wealthiest districts and in cities like Rio there are patches of red within the green. I think that map really explains the importance of equity; we are not achieving the goals that we set ourselves if we are still leaving out significant numbers of people who, even in the midst of relative prosperity, are suffering levels of child mortality which are not acceptable. You see this even in our own society. Districts of Glasgow within a mile

or two of each other are seeing levels of life expectancy which are radically different by as much as 20 years.

UNICEF has worked to examine the results of a more equity based approach, looking at health particularly. We found that it would actually be in the interests of even the wealthier segments of the population if we were focusing our efforts on building access to health infrastructure and services for the poorest and most excluded. We know now that, thankfully, the number of developing countries is declining and that most of the people who are poor in the world are living in middle income countries, or in fragile states where there's a different set of issues. In middle income countries, governments are able to afford some degree of social protection to the poorest and the most excluded, but it's not always happening. The equity issue is therefore becoming more and more significant and it's a human rights as well as a development issue.

**Gay MacDougall:** Both government and non-governmental constituencies have been reluctant to recognise differentiations within the broad class of "poor and marginalised." Despite attempts to focus attention on the rights of indigenous peoples, there are only two fleeting references to them in the goals set out in the final draft text of the SDGs, both of which fall within lists of other groups.<sup>6</sup> Similarly, race and ethnicity are also only mentioned twice and religion only once.<sup>7</sup>

One possible reason for the relative absence of reference to specific groups has been their absence from the drafting process. Participating in this UN process has been time-consuming, costly (it is being held in New York City) and demands a degree of attention to detail that is hard to sustain as the text

changes almost daily. This formula excludes minorities and indigenous peoples.

On the other hand, there has been a clear recognition of the importance of addressing the barriers faced by women in gaining full inclusion in the development process. There is a broad consensus that national development policies cannot leave over half of the population excluded. Women are the great untapped resource in nearly every country. The Women's Major Group of non-governmental organisations has been sizeable and well organised. The Group's success has benefited from the leadership of the recently established agency, UN Women.

The draft post-2015 Development Agenda includes a free-standing goal on gender equality and empowering women.<sup>8</sup> While the statistics on women and education have been improving over the past decade, cultural constraints, religious and traditional practices and stereotypes have proven to be the most intractable obstacles to the realisation of women's full participation in the life and progress of their countries. Ending violence against women, respect for sexual and reproductive rights, enabling women to control assets and the means of economic production and to play equal and meaningful roles in decision-making are recognised in the draft agenda as minimum requirements for unleashing the power of women to advance national economies.

**ERT: To what extent do you think the MDGs have been successful in addressing these challenges related to vulnerable groups? How would you assess the performance of the MDGs more generally on matters of inequality?**

**Gay MacDougall:** The discussion was launched by former Secretary General Kofi

Annan in 2000 with his successful effort to get world leaders and heads of state to commit to implementing the MDGs. The MDGs charted a fifteen-year plan to cut poverty in half and to advance human and economic development, chiefly in the "under-developed" world.<sup>9</sup>

The achievements under the MDGs have been impressive. For the first time since records on poverty began, the number of people living in extreme poverty has fallen in every developing region, including sub-Saharan Africa. Preliminary estimates indicate that the proportion of people living on less than \$1.25 per day fell in 2010 to less than half the 1990 rate. During the same period over 2 billion people gained access to improved drinking water sources. The share of slum dwellers in urban areas declined from 39% in 2000 to 33% in 2012, improving the lives of at least 100 million people. The rate of primary school enrolment in sub-Saharan African has increased from 60 to 78%.<sup>10</sup>

One notable flaw in the MDGs was that there was no policy on how societies should address an uneven distribution of wealth within their nations, or how discrimination between certain groups within a population might result in entrenched inequalities. Countries reported on progress toward achieving the MDGs in terms of aggregate statistics, which did not reveal inequalities between population groups. As a result, some countries have moved from developing country status to middle income country status and achieved some of the goals without improving the life circumstances of the most marginalised communities. This was most often the case in countries where there were communities that suffered discrimination based on their race, ethnicity, religion or caste.<sup>11</sup>

**David Bull:** The MDGs have been great. I have never taken the view that the MDGs were a waste of time or too simplistic. I think that persuading the international community to make firm and clear commitments to achieving specific outcomes, many of which are really about improving the lives of children, was amazing and historic. A great deal has been achieved and real progress has been made in increasing access to education, reducing infant and young child mortality and so on. Achieving those things has also led to important realisations, including revealing the inequity of those achievements. It has also revealed the need to look at other areas such as outcomes. The focus in education was on getting children into school rather than on the quality of the education that the children were receiving.

I think now is the time that we look at the outcomes for children and also at secondary education. I was incredibly moved by a conversation I had when I visited Uganda with a young girl who was about 11 years old. She had just finished her primary school and she was looking forward to secondary school. Her family were affected by the HIV/AIDS pandemic and they were very poor and she wasn't sure whether they were going to be able to afford to send her to secondary school. I asked why going to secondary school was so important to her. She said if I don't go to secondary school I'll die. I asked what her thinking was. She replied if I don't get secondary education then the only job I'm going to be able to get in my community is in domestic service. When I'm working in domestic service the men in the household are going to abuse me and I'm going to be raped and I'll probably get HIV and then I'll die. I thought afterwards that we have been so wrong not to take secondary education as seriously as we should. To give people that

opportunity is so important to development and to the lives, rights and protection of children, especially girls.

**ERT: What is the most memorable example you have witnessed or heard about of development in action?**

**Gay MacDougall:** I think this is an interesting question. I have no answer to it now, but I hope that by 2030 there will be a great many examples that will come to mind.

**David Bull:** There are so many, so I will mention a very recent one. My last field visit was to Bangladesh and was one of the most inspiring visits I've been on. It was just before the recent Girls Summit<sup>12</sup> and one of the issues that we were looking at was child marriage because it's a big problem in Bangladesh. We went to an area deep in the south of Bangladesh in the delta. It was really remote and accessible only by boat. We went to a community where they had suffered quite a lot of flooding and disaster because of climate related sea-level rise and typhoons. I met a family who had recently been considering the marriage of their 15 year old daughter. I asked why they had thought it was a good idea for their daughter to marry at 15. The father said that because of all the flooding the land had become salty and they could not grow as much crop as they used to. Their income had reduced so, they could not afford to keep their daughter in school and could hardly afford to feed themselves. They thought the best thing for her would be if she married somebody from a family that was better able to look after her than they could. You can understand where they were coming from. This is a case where the effects of climate change were having a direct impact on the development prospects of a community and on the rights of a child. This was a

dramatic illustration of how direct the connection can be between climate change and child protection.

In the same community we met a 16 year old girl who was absolutely inspirational. She was well known in her community because she had disappeared during one of the floods when she was 12 and been presumed drowned. She managed to find her way home around a week later when the floods receded. In a way she was seen by the community as a special gift because they thought she had drowned and she hadn't. She has used that in a very positive way to become a leader among the young people and indeed among the older people in her community. She is a very tough and determined young woman and formed a small group of adolescents who defend the rights of girls in the community, particularly in respect of child marriage.

When she heard that the girl I mentioned earlier was in danger of being married, she and some of the others in the group visited the family. They convinced the family that their daughter should not be married because she should be in school, it would be too dangerous for her if she became pregnant and she didn't know this man. They managed not only to convince the family that it was not a good idea but because UNICEF had been supporting their adolescent group, a small stipend was also secured for the family to ensure that they could keep their daughter in school. I think this example illustrates one of the things that is most important and often forgotten in the world of children's rights and development, which is how powerfully children can advocate for themselves and each other if we give them the support that they need.

I've met so many inspirational young people. When the G8 was in Gleneagles in Scot-

land in 2005, we at UNICEF UK organised a children's summit, the C8.<sup>13</sup> Children from eight of the poorest countries attended, including a 12 year old from Sierra Leone who was running her own radio show on children's rights in Freetown in the aftermath of the civil war. She stood on a platform with Gordon Brown, who was the Chancellor at the time, and told him very clearly and precisely what he should be doing for children and young people in the world. There are so many young people who are so strong and determined and use their sense of justice and fairness to make a difference in the world. Our job really is just to support them as best we can.

We can't do anything unless we get public support. The amount of public support that we get is great. UNICEF UK's income in 2013 was around £80 million. You can do a lot with that amount of money because helping children in many cases is not very expensive. It doesn't cost much for an immunisation, to educate a child or to provide support for a child protection programme. These things become expensive because there are so many children who need that help in so many parts of the world. There are so many different situations of humanitarian need right now. We have got those on the verge of famine in South Sudan, conflict in Syria, Iraq, Gaza and the Central African Republic and ebola in West Africa. I can't remember so many of these dire emergencies previously happening simultaneously. So we need all the help we can get. In this country people are incredibly generous and we value that enormously.

**ERT: What is your impression so far of how the process of agreeing the next set of post-2015 development goals has progressed? What needs to happen next to ensure that**

## children's rights and equal rights more broadly are properly reflected?

**David Bull:** The progress on the post-2015 goals is quite encouraging and there is a sense of acceptance of the integration of environmental considerations with development. There also appears to be a commitment to the universality of the goals; that they apply to people in the UK as much as they apply to people in Africa. At the moment there is a specific goal on climate change which is important. It is very important to us in UNICEF UK that there is a specific target on ending violence against children. We were quite concerned that the MDGs did not include child protection as a goal. There are so many children around the world who are suffering from violence, exploitation and abuse which sets back their prospects for achievement connected to all the other goals. In my view, we need to ensure that we retain those features of the open working group draft in the final form of the goals and targets.

**Gay MacDougall:** The post-2015 process has merged three otherwise discrete streams, which had distinct assumptions, language, understandings, objectives and players.<sup>14</sup> One stream was a continuation of the fairly top-down approach used to develop the MDGs. The 2010 MDG Summit mandated the Secretary General to initiate a process to develop goals for the 2015-2030 era.<sup>15</sup>

A second stream was grounded in the series of UN World Conferences that took place in the 1990s, starting with the Vienna Conference on Human Rights in 1993, the Beijing Conference on Women in 1995, the Copenhagen Social Development Summit and the Durban World Conference on Racial Discrimination in 2001. The 2012 Rio+20 United Nations Conference on Sustainable Develop-

ment was a part of the tradition of world conferences as forums for global policy making.

The Rio+20 meeting generated a global consensus to take urgent action on issues of climate change. It built momentum around the concept of "sustainability" and "green economy policies" in development approaches, focused critical attention on the urbanisation of the global poor and drew new attention to the voices of regional groups such as the Group of Small Island Developing States.

The players who have come to the post-2015 process from this stream have had an expectation of a high level of civil society input in all stages of the process and have championed a rights-based approach to all aspects of the post-2015 Development Agenda contents. The Rio+20 Outcome Document emphasises the critical role of citizens and other stakeholders in developing and implementing sustainable development policies. It urges broad participation by civil society and highlights that access to relevant information is a requirement for realising that effective participation. The Rio+20 Outcome Document called for coherence across institutional initiatives and structures addressing development issues. This effectively merged the MDG process with the Sustainable Development process.<sup>16</sup>

The third stream came out of the more traditional development processes that had always been under the UN Economic and Social Council (ECOSOC) and the various agencies dealing with development, social and environmental issues. Development initiatives have always been the weakest of the three pillars of the UN - peace and security, human rights and development. In order to avoid duplication of efforts, achieve system-wide coherence and increase synergies, it was de-

cided that all such efforts would be coordinated by a strengthened ECOSOC. For practical reasons, the structures used to organise the process were based on those routinely used by this sector to negotiate the development policies of the General Assembly. The Secretary-General established the post of Special Advisor on post-2015 Development Planning, and staffing support has been provided by UN Department of Economic and Social Affairs (UN DESA). One consequence of this was that the traditional institutional mechanisms gave relatively limited space for civil society input.

Finally the Rio+20 Outcome Document calls for the establishment of a new body, the high-level political forum that will apparently replace the Commission on Sustainable Development. This is the body into which all streams and rivers will flow. It will provide political leadership and oversight to all related processes and encourage mainstreaming of the SDGs and approaches by those institutions, such as financial institutions, that are independent of the system. The process is led entirely by member states, with a supporting role played by the secretariat which will supply “evidence-based inputs, analytical thinking and field experience”. However, the Secretary-General will, of course, continue to play a critical role.<sup>17</sup>

The Zero Draft<sup>18</sup> that will commence the negotiations in September 2014 is the product of a historic consultation among global civil society, economists, development specialists, climate scientists, human rights experts and politicians. Consultations with over a million stakeholders have been ongoing in numerous forums, both virtual and actual. Civil society has played a critical role in this exercise by bringing expertise to the table and by articulating the aspirations of ordinary people.

But as the serious business began of condensing all of the inputs into a draft agenda, some of the aspirations clearly articulated by civil society disappeared. The space for civil society input also became hyper-formalised in ways that marginalised and excluded some important voices. During the hearings of the Open Working Group of governments, NGO input was managed through the organisation of major stakeholder groups (Major Groups).<sup>19</sup> For practical reasons, the Major Groups were dominated by New York based development and humanitarian assistance groups. In addition, the human rights caucus was an *ad hoc* formation whose communications were primarily online.

**ERT: If you could guarantee that one target was included in the final post-2015 development agenda, what would it be?**

**David Bull:** Violence against children is the one I would highlight. It’s so important. It’s highlighted right now by the situation in Gaza. I think everybody has been moved incredibly by seeing the suffering that children have faced there. Violence isn’t only in situations of conflict, it’s also in everyday life unfortunately and we need to ensure that children have places of safety and protection. In particular, schools must be safe places for children to be. The Girls Summit highlighted the issue of female genital mutilation as one form of violence against children. However, violence against children has still not got the profile that it should and so that is something that we must see as a specific target in the post-2015 agenda.

**Gay MacDougall:** If there was only one target in the post 2015 agenda that applied across all goals, it should be that by 2030 there must be an elimination of discrimination as that term is defined in the Interna-

tional Convention on the Elimination of All Forms of Racial Discrimination. To achieve that target, governments should be required to produce and publish socio-economic data on their populations that is disaggregated to reveal horizontal inequalities across social groups. This information would empower non-governmental organisations and community groups to take action and governments would be put under pressure to take steps to address inequalities.

**ERT: How, if at all, can the post-2015 development agenda be used to shape states' responses to addressing equity issues and inequalities affecting children and vulnerable groups more broadly?**

**Gay MacDougall:** As the process began of drafting the new development agenda, the nations of the world committed to “strive for a world that is just, equitable and inclusive (...) to promote sustained and inclusive economic growth, social development and environmental protection (...) to benefit all”.<sup>20</sup> The High Level Panel of Experts, convened by UN Secretary General Ban Ki-Moon to initiate the discussion, urged that the slogan “leave no one behind” must be the core concept for the post-2015 Sustainable Development Agenda.<sup>21</sup> At the same time, global civil society organisations pledged to press for an approach that is truly transformative. The first challenge was to understand the extent to which these broadly framed objectives overlapped, were mutually exclusive or conflicted.

The MDGs had a clear aim of reducing global poverty and elevating certain aspects of social development worldwide. In contrast, there has been a broader range of aspirations vying for inclusion in the post-2015 Agenda. To accommodate that broad set of objectives, the process has permitted a degree of

ambiguity in the discussions among both governmental and non-governmental constituencies about whether the objective is to achieve an end to poverty, an end to extreme poverty (the definition of “extreme” would need agreement), a reduction of income inequality, and/or the realisation of economic and social rights.

There has been a lot of discussion about inequality within countries but a lack of clarity about whether the desired objective is equality of opportunity or equality of outcome, or whether it is the equal ability to have one's life choices realised. If we choose equality of opportunity, questions arise as to how this would be measured. If the target is a reduction of inequality – rather than seeking absolute equality – then a decision must be made about how we would quantify the degree of inequality that is acceptable.

A UN taskforce suggested that addressing inequalities should be “the heart of the post-2015 agenda”.<sup>22</sup> The World Bank announced its own two central goals, which are intended to guide its work in the years to come. The first goal is to effectively eradicate extreme poverty by reducing it to no more than 3% of the world's population by 2030. The second goal aims to promote “shared prosperity” through growth in the incomes of the poorest 40% of the people in each country.<sup>23</sup>

The High Commissioner for Human Rights stated that any new development paradigm would lack legitimacy if it does not advance “equity (fairness of distribution of benefits and opportunities), equality (that is, substantive equality of both opportunity and result, under the rule of law), and non-discrimination (prohibition of distinctions that are based on impermissible grounds and that have the effect or purpose of impairing the enjoyment or

rights).<sup>24</sup> The High Commissioner's statement of the requirements for legitimacy is thrilling and sweeping. The conclusions from the worldwide consultations that took place with broad sectors of civil society would clearly agree with the High Commissioner, although some legal experts might quibble about its grounding in current interpretations of international legal obligations. Questions would be raised particularly about the exact sources of the "equity" or "fairness of distribution" standards. How do we measure "fairness"? There is certainly a growing consensus that extreme poverty violates principles of human rights law, so using that standard, is the World Bank's proposal to leave 3% of the world's population in extreme poverty acceptable?

The Zero Draft, which was produced by the Open Working Group of governments, will be presented to the General Assembly and takes a middle ground approach. It is an important symbol that it includes a stand-alone goal on inequality within and among countries. This emphasises the importance attached to this issue in the debates over the development agenda. The provision targets the bottom 40% of the population for special measures to accelerate their income growth faster than the norm. Political inclusion of marginalised groups is highlighted along with the need to ensure equal opportunity and reduce inequality of outcomes by reforming the framework of discriminatory laws, policies and practices. While wage and social protection issues are addressed, other goals deal with social disparities in areas like health, malnutrition and education.<sup>25</sup>

It is important to remember that the current text may change in the state-centered negotiations during the General Assembly.

**David Bull:** Goals only take us so far. It's positive that states sign up to strong, univer-

sal and equity based goals but there are two more tasks that we have. One is to make sure that we are measuring properly whether those goals are being achieved by measuring what progress is being made where. The collection of data, reporting and the publicity about progress is going to be absolutely vital. The data needs to be disaggregated as it has been in Brazil on child mortality. It also must be disaggregated by gender and poverty so that we can see that equity is really being delivered.

The second thing we have to do is to hold our governments to account. We must make sure that the goals are going to be delivered in practice. For our government in the UK that obviously involves doing the right thing for children in the UK, but it also involves supporting the capacity and the efforts which are being made in other parts of the world. For example, it is extremely important that our 0.7% aid target is maintained so that our government can continue to provide the kind of support that it does at the moment for children in need.

**ERT: Do you think that the current division between the global North and the global South should be reconsidered to make the post-2015 goals universal, ensuring that all people everywhere are covered and not just those in developing countries?**

**David Bull:** I think the distinction between North and South in many respects has already gone. A Swedish statistician, Hans Rosling, has created a website<sup>26</sup> which allows you to see how various statistics have moved over time in different countries. If you looked at those statistics on poverty or on access to education, child mortality and so on around 50 years ago, there were two

very distinct groups of countries - developing countries that were poor and industrialised countries that were rich. If you look at those same graphs now the results are mixed and there are so many countries in the middle income group. The statistics for poverty, child mortality and educational access and so on now show that there are people in all of those different societies that fall within the different categories of disadvantage. Rosling argues that the distinction between the developed and the developing world no longer exists in reality, it only exists in our conversation and imagination. That may be putting it slightly strongly but I think that the statistics do indicate that we now have to look at poverty and injustice wherever it exists. We can no longer think it's about one part of the world being poor and the other not.

**Gay MacDougall:** Universal standards are the *sine qua non* of a human rights based approach. The MDGs were created around a traditional framework that saw the world divided between under-developed and highly-developed countries, the North and the global South, the rich and the poor countries. The MDGs then set goals and objectives for the developing countries to meet in order to receive development assistance from donor countries in the global North. This paternalistic model is not appropriate for current thinking and realities. The human rights culture that we now seek is centred around universal principles and obligations that must apply to all nations and all people.

Further, income inequality in the most developed countries in the global North is beginning to look similar to the patterns of inequality in developing countries. In addition, the movement of economic migrants from the global South to the industrialized global

North has created an indivisible pool of people on the margins of the global economy.

Poverty within countries is fundamentally linked to macro-economic dynamics that must be addressed. As Navi Pillay, the UN High Commissioner for Human Rights said, today's poverty is not simply a consequence of history: "Poverty is being created every day (...) [h]arms are being done to the rights of many by the economic activities that create wealth for others."<sup>27</sup> Global governance systems of the future must create development-friendly regimes for trade, taxation, science and technology transfers, investments and measures of international cooperation that generate balance and support equality within and between nations. Some of these points are addressed in the most recent draft.

**ERT: Returning to the question of the relationship between human rights and development, would you agree that there has been a certain convergence of these agendas, with development organisations increasingly taking a human rights approach, while the human rights movement increasingly focuses on socio-economic rights?**

**David Bull:** I think you see the convergence possibly more from the human rights side than you do from the development side. I know Amnesty International has moved to a social and economic rights agenda and is dealing with issues that appear more like development issues. Certainly the environmental organisations are much more interested in development issues than they were previously and we're seeing the impact that environmental matters have on human rights and development. I think development organisations still tend to talk too much about need rather than rights. It's perhaps difficult

when you're talking to the general public to use rights language and be able to get your message across in the powerful way that you need to do in order to engage people. We want people to act and to feel empowered to make a difference and sometimes the language of need is more effective at doing that than the language of rights. We struggle with that at UNICEF. We want to work for a better world for children and our main reference point to achieve that is the Convention on the Rights of the Child.

One of the most transformative things that we are doing at UNICEF UK is the Rights Respecting Schools Award.<sup>28</sup> We now have over 10% of schools in the UK involved in the programme, which helps schools use the principles of the Convention on the Rights of the Child as a foundation and an ethos for their school and all of their activities. I think we can expand that so an entire generation of people grow up in our country being taught from the very beginning of schooling what children's rights actually mean and the duties and responsibilities that each person has towards each other person to ensure that those rights are respected. We will have a whole generation running our institutions and making decisions about our society with a full understanding of their rights and the rights of others all around the world. I think in the future we could then be in a situation where we really do achieve the full integration of human rights, development and environmental considerations and also a sense of being part of a world in which all the rights of people in one country are locked together with the rights of people in other countries so that we all work together for a better world. I think that is one of the most exciting things that we're doing domestically.

**Gay MacDougall:** The relationship between human rights and development has been a

historic discussion because for the first time, international development professionals have joined in a global conversation along with human rights professionals. Together they have searched for a common language that would allow them to integrate visions, expertise, and approaches into a human-centric rights-based development model.

However, for the human rights side of the equation, I think the successes have been limited. Over the past decade, as the human rights discourse has focused increasingly on economic and social rights, there has been a natural segue to attempting to fashion a rights based approach to development. But while the theory has consolidated, there has been less progress in shaping an operational model that is sufficiently convincing to development specialists. It has been difficult for a number of reasons. Among them is the distance between the "theatres" in which we work. Human rights professionals are also considered by default to be anti-government, while development actors work with governments. Further, human rights principles are absolutist, while development strategies are pragmatic.

From the beginning of the process to shape the post-2015 development agenda, the High Commissioner for Human Rights along with the human rights caucus of civil society organisations have insisted that an effective road map for human progress must be centred around the international legal obligations of nations to guarantee fundamental rights. Yet, at the current stage, there is little if any reference to human rights in the draft. While a human rights framework would require that certain targets reflect zero levels by 2030, that is not consistently the case in the Draft. The goal on civil and political rights, which was the focus of much con-

troverly among governments, is extremely weak. In particular, the language on the rule of law is disappointing.

Finally, in an era in which transnational corporations command budgets larger than some governments, it is unacceptable that the draft does not address the issue of corporate responsibilities. It does not even refer to the “Ruggie Principles”.<sup>29</sup>

**ERT: What more, if anything, either within or outside of the 2015 agenda process does the international community need to do to ensure that the most disadvantaged groups and children benefit from development?**

**Gay MacDougall:** Governments should be required to collect, analyse and regularly publish disaggregated data to measure and monitor the effective participation of minorities in economic progress. Improved data collection should be made a priority for the areas of employment and labour rights, poverty rates, access to social security, access to credit and other financial services, education and training and property and land tenure rights. Data should be benchmarked and disaggregated by ethnicity, language and religion and cross-tabulated by sex, age and urban-rural and geographical residence. Gathering statistics that specify the race, ethnicity, language or religion of individuals should not be considered an act of discrimination, as it is only when such data is available that it is possible to assess and redress inequalities.

Governments should also be required to adopt affirmative action programmes to close gaps in progress experienced by minority groups. Robust affirmative measures – time limited, monitored and specifically designed to address systematic, historic and

institutionalised discrimination – are often required to address inequality and enable minorities to participate effectively in economic life. The use of these special measures is a fundamental component of the realisation of the right to equality.

Additionally, while the current draft agenda calls on governments to address the legal and regulatory framework for eliminating discrimination, it is important to emphasise that non-discrimination laws should target both government and business sectors. Governments should ensure sufficient allocation of resources to fully implement and monitor domestic and international standards on non-discrimination. Remedies for violations of the right to non-discrimination by public and private sector actors and institutions should be substantial, vigorously enforced and readily accessible to persons belonging to minorities.

Finally, minorities and indigenous peoples must be effectively involved in decision-making regarding all aspects of progress toward the SDGs. Minorities should participate in national as well as international dialogues on the SDGs. Lack of full and effective consultation and participation in decisions about development processes violates the rights of minorities and perpetuates their exclusion. The establishment of appropriate mechanisms for meaningful dialogue with representatives of minority communities is essential. Commonly, minorities lack a voice in government bodies responsible for policy, including in relation to economic life and national budgeting. Consequently the issues and situations of minorities are neglected. At the national level, the creation of statutory bodies composed of representatives of minority communities, which are mandated to review and monitor government policy, has proved useful.

**David Bull:** I've been thinking a lot recently about how the injustices that we see in the world are normally addressed. We make progress through time because people decide that something simply isn't acceptable any longer and they fight against it. That is what happened with slavery, although of course there is still slavery in the world and so we must continue fighting. I think we have also achieved a great deal in women's rights over the years, al-

though again there is still a great deal to be achieved. I think it's time that we said violence, exploitation and the suffering of children and denial of their rights is just as unacceptable. There needs to be a grass roots movement for children's rights. We need broad public support and involvement if we're going to get to a point where everyone in the world feels that the suffering of children is simply something that we can't accept and live with any longer.

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- 1 A full list of the goals, targets and indicators can be found at: United Nations, "We Can End Poverty: Millennium Development Goals and Beyond 2015", 2014, available at: <http://www.un.org/millenniumgoals/>.
  - 2 United Nations, "Sustainable Development Goals", available at: <http://sustainabledevelopment.un.org/index.php?menu=1300>.
  - 3 United Nations, *The Millennium Development Goals Report*, 2014, pp. 3-4, 9.
  - 4 *Ibid.*, p. 29.
  - 5 *Brown v Board of Education of Topeka*, 347 U.S. 483 (1954). In this landmark judgment the Supreme Court held that laws permitting or requiring racial segregation in public schools violate the Equal Protection Clause of the US Constitution.
  - 6 Open Working Group on Sustainable Development Goals, *Outcome Document*, 2014, Goals 2 and 4.
  - 7 *Ibid.*, Goals 10 and 17.
  - 8 *Ibid.*,
  - 9 UN General Assembly, *United Nations Millennium Declaration*, UN Doc. A/RES/55/2, 2014, 2000.
  - 10 See above, note 3, pp. 4, 16-17, 46.
  - 11 See comments made as part of the *Addressing Inequalities: The Heart of the Post-2015 Development Agenda and the Future We Want for All Global, Thematic Consultation*, e.g.: Human Rights Watch, "Discrimination, Inequality and Poverty – A Human Rights Perspective", 2012; Khilji, T., "Looking Beyond Income Inequality", 2012; Mihlar, F., "Voices from the margins: including the perspectives of minorities and indigenous peoples in the post-2015 debate", Minority Rights Group International, 2012.
  - 12 Department for International Development, Cabinet and Home Office, "Girl Summit 2014", available at: <https://www.gov.uk/government/topical-events/girl-summit-2014>.
  - 13 UNICEF, "Young people at C8 children's summit insist world leaders listen", 8 July 2005, available at: [http://www.unicef.org/policyanalysis/index\\_27604.html](http://www.unicef.org/policyanalysis/index_27604.html).

- 14 See: UN Department of Economic and Social Affairs, Division for Sustainable Development, "Post-2015 process", available at: <http://sustainabledevelopment.un.org/index.php?menu=1561>.
- 15 UN General Assembly, *Keeping the Promise: United to Achieve the Millennium Development Goals*, UN Doc. A/RES/65/1, 2010.
- 16 UN General Assembly, *The Future We Want – Rio+20 Outcome Document*, UN Doc. A/RES/66/288, 2012, Paras 44, 58, 76 and 99.
- 17 *Ibid.*, Para 85.
- 18 See above, note 6.
- 19 UN Department of Economic and Social Affairs, Division for Sustainable Development, "Major Groups input", available at: <http://sustainabledevelopment.un.org/index.php?menu=1549>.
- 20 See above, note 6, Para 4.
- 21 The High Level Panel on the post-2015 Development Agenda, *A New Global Partnership: Eradicate Poverty and Transform Economies through Sustainable Development*, 2013.
- 22 UN System Task Team on the post-2015 UN Development Agenda, *Addressing Inequalities: The Heart of the Post-2015 Agenda and the Future We Want for All – Thematic Think Piece*, 2013.
- 23 The World Bank, *The World Bank Group Goals – End Extreme Poverty and Promote Shared Prosperity*, 2013.
- 24 UN High Commissioner for Human Rights, *Open Letter by the High Commissioner Navanethem Pillay on Human Rights in the Post-2015 Agenda*, 6 June 2013.
- 25 See above, note 6, Goal 10.
- 26 See: Gapminder, "Gapminder World", available at: <http://www.gapminder.org/>.
- 27 See Office of the High Commissioner for Human Rights, "New global development goals must fight inequality and discrimination", 13 February 2014.
- 28 UNICEF, "Rights Respecting Schools Award", available at: <http://www.unicef.org.uk/rrsa>.
- 29 UN Human Rights Council, *Report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises, John Ruggie - Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework*, UN Doc. A/HRC/17/31, 21 March 2011.