

18. Monitoring MDGs: A Human Rights Critique and Alternative

Sakiko Fukuda-Parr and Joshua Greenstein***

1. Introduction

Human rights scholars and activists have engaged in critical debates about the Millennium Development Goals (MDGs) since their introduction in 2001. These debates have focused almost exclusively on a critique of the design of the MDGs and on proposing human rights approaches to implementation. Surprisingly, the issue of monitoring government compliance with MDG commitments has been neglected. For example, the most comprehensive work in this literature, the Office of the High Commissioner for Human Rights' guidelines on the human rights approach to MDGs (OHCHR, 2008), contains less than one page out of a total of sixty on a critique of current accountability mechanisms and does not mention monitoring methodologies at all.

Yet monitoring is central to the importance of MDGs as a policy tool of the international community. These goals are powerful because they create a framework of accountability by going beyond stating general objectives and set quantitative, time-bound targets against which performance can be measured. It is therefore particularly important to use the correct methodology and metric of monitoring performance.

From the human rights perspective, the principles of progressive realisation, the obligations of conduct and outcome, and the core norms of equality and participation would need to be considered in monitoring government performance. As this paper will explore, these considerations require a complex set of criteria and metrics, focusing on *the rate of progress, resource constraints, and inequality*. However, the current methodology used by the UN, the

* Professor of International Affairs, New School, New York. From 1995 to 2004, she was lead author and director of the UNDP Human Development Reports. This paper draws on collaborative work with David Stewart. We are grateful for comments received at the UNICEF Brown Bag seminar, the Second Annual Workshop on Quantitative Methods in Human Rights and Development, and the Human Development and Capability Association Conference 2011.

** Economics Department, New School for Social Research, New York.

World Bank, and national governments in their monitoring reports, monitor progress from the development planning perspective. The key criterion of performance is ‘will the goals be achieved by 2015’ and the metric is the *level* of achievement for each indicator.¹ For example, the UN Monitor tracks progress by country, region and the world, and applies this method at the country level to assess performance and classify countries in four categories: (i) achieved; (ii) on track, very likely to be achieved; (iii) possible to achieve if some changes are made; and (iv) off track. Similarly, the World Bank’s 2009 *Global Monitoring Report* is structured around whether the goals at the country, regional, or global levels are likely to be achieved by 2015. Countries are rated according to whether the goals are: ‘achieved’, ‘on track’ to be achieved, ‘off track’, or ‘seriously off track’ (World Bank, 2009: 17). All international monitoring reports use this methodology (Fukuda-Parr and Greenstein, 2010).²

¹ The standard method used has been to assess current trends in the indicators in relation to the defined target. The 1990 levels compared to the most recent levels to determine if improvement has occurred, and extrapolations of 1990 to present trends are used to determine if the world or a specific region is likely to meet the mark by 2015. This method focusses on the *level of achievement*. See Fukuda-Parr and Greenstein (2010) for a review of the major monitoring reports published by the UN, World Bank and other international organisations. The review found that they systematically rely on the level of achievement and ignore the *rate of progress*. The UN MDG Report (UN, 2009) analyses trends from 1990 or in some cases 2000 but does not compare pre-1990 trends with post-1990 trends, or 1990-2000 trends with post-2000 trends. For example, the report notes that total deforestation was lower from 2000-2005 than it was from 1990-2000, but includes only average annual net total net loss for each period, with no indication of the year to year trend during these periods, or whether there was a shift in the annual change beginning in the second period (UN, 2009: 43). The report does not acknowledge that when targets are unlikely to be met, there has nonetheless been progress. For example, school enrollment rates have been improving but the universal primary education goal for 2015 is unlikely to be met at the current pace of progress. This analysis is based on a comparison between worldwide and regional 1999 and 2006 data (UN, 2009: 14). There is no discussion of how this improvement compares to historical trends, or whether the rate of improvement has been changing during the most recent period. The report indicates that the goal is not likely to be met, but not whether the MDG declaration has had a positive effect on enrollment. The numerous other monitoring reports from international agencies and national governments apply the same methodological approach.

² Since the MDGs were introduced in 2001, a proliferation of annual reports has been published by national governments and UN agencies to monitor progress at global, regional, and national levels. The UN system as a whole prepares an annual report, ‘The Millennium Development Goals Report’ (UN MDG Report), coordinated by the Statistical Division of the UN Department of Economic and Social Affairs with inputs from numerous organisations that ‘presents the most comprehensive global assessment of progress to date’ and is submitted to the annual UN General Assembly for debate on whether progress has been satisfactory (UN, 2009). These and other reports prepared by other national and multinational organisations have been regularly disseminated widely for public debate on the progress being made to track progress in ending global poverty. Other monitoring reports are regularly prepared by regional organisations such as the Asian Development Bank (ADB, 2007), the African Development Bank (AfDB, 2009). These reports also use the ‘achieving the targets’ method and ignore rates of progress. Success or failure is judged by the hard line of the level of achievement, a black and white standard; assessment of country performance is only shaded by the relative distance from that level. No consideration is given to the pace of progress. Similarly, the World Bank 2009 Global Monitoring report does not ask whether there has been a post-Millennium Declaration change in global trends regarding any of these indicators. In an annex entitled “Monitoring the MDGs” the report contains graphs with trend lines from 1990-2006 for selected indicators

This methodology, which we refer to as the ‘Achieving the Targets’ approach, is conceptually inappropriate for measuring performance, particularly at the national level, because it interprets the MDGs as if they were national economic planning targets. MDGs were not set in a national planning context but in a global norm-setting process. The MDGs derive from the Millennium Declaration and were introduced in 2011 to monitor implementation of the Declaration. They are therefore best interpreted as benchmarks for progressive realisation of the normative commitments made in the Millennium Declaration to end human poverty.

We propose an alternative measure, drawing on the human rights perspective, which asks ‘how much progress has there been towards meeting the goals’ and which we refer to as ‘Pace of Progress’ approach. In a companion paper (Fukuda-Parr and Greenstein, 2010)³ we elaborated on the methodology for measuring progress, and presented the results of calculations that assessed country performance for the 22 MDG indicators for which data were available. The assessment of country performance by this metric differs significantly from results of the conventional approach. In particular, many of the poorest countries which are dubbed ‘failures’ by the conventional approach perform well according to our metric because they have been making robust progress, even if they do not achieve the goals.

Whereas our companion paper presents the methodology and the results of statistical analyses, this paper elaborates on the conceptual underpinnings of this approach that is based on the human rights perspective. We elaborate on the methodology for our proposed metric, ‘Pace of Progress’ measure, as a human rights based monitoring method. The broader aim of this paper is to demonstrate the contribution that human rights concepts and methods can make to development policy in two areas: monitoring for government accountability and clarifying the concept of global goals as normative goals.

alongside its 1990 and 2006 absolute level comparisons. However, even here, the graph is only used to compare the actual trend with the trend line that would be required to meet the goal (World Bank, 2009: 203-209). The focus remains on whether the goal will be met by 2015, and the question of changes in trend in relation to the MDGs remains unasked. The fixation on the goals as economic planning targets is clearly illustrated when, after providing some genuinely disheartening statistics regarding hunger, school enrollment, and other issues, the report makes the seemingly tautological observation that these are “numbers that would be far lower if the world were on track on the MDGs” (Ibid:4).

³ A later version of this working paper is forthcoming, coauthored with David Stewart.

2. Contrasting Monitoring Frameworks: Economic Planning vs. Human Rights

The Achieving the Target method focuses on *levels of achievement* and reflects the logic of the economic planning framework. In that framework, targets are set as a part of a strategy that considers the necessary resources and action needed to achieve them. Progress is monitored in order to ensure that corrective actions can be taken by reallocating resources, shifting policies and programs. The implicit assumption then is that achieving the targets is feasible given the known constraints of resources and other necessary means. Accountability must be understood in this context: Governments made commitments in the full realisation of the feasibility of achieving them, and monitoring is instrumentally useful for taking corrective action for making progress.

The human rights approach to monitoring has a different logic that is framed around normative objectives and entitlements that entail correlate obligations. This framework gives rise to different criteria and metrics for performance evaluation. Government accountability in the context of human rights is based on consideration of State obligations. These contrasts are particularly notable over issues of feasibility, nature of obligations, progressive realisation, and the use of targets, indicators and benchmarks.

2.1 Feasibility

Normative objectives describe a state of the world as it ‘should be’, not what it is or can be. Unlike planning targets, objectives are not defined by scrutinising what would be feasible given resource and other constraints. Normative objectives are defined by the logic of social goals that must command priority attention by government and others, rather than what is feasible. Feasibility is not irrelevant to defining normative objectives, but the process of defining objectives does not build on a calculated assessment of resources and other means required to achieve them. The purpose of monitoring is not to inform the redesign of an action program and resource allocation, but rather to hold governments accountable and to oblige them to take corrective action. However, if targets were set that are not feasible to begin with, nor feasible even with corrective action, it would be unreasonable to hold the government accountable for the failure of goals not being achieved.

2.2 Nature of State Obligations in International Human Rights Law

Monitoring in the human rights framework is construed in the context of the logic of human rights as entitlements that incur obligations. Therefore monitoring is not only about evaluating the well-being of individuals but also about the compliance of duty bearers with their obligations. The consensus understanding of the nature of the obligations draws on the legal instruments of the UN human rights processes. Accordingly, the primary duty bearer responsible for ensuring the fulfillment of human rights is the State. As obligations are set out in the International Covenant on Economic, Social and Cultural Rights 1966 (ICESCR), notably in Article 2.1 as follows:

Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant, by all appropriate means including particularly the adoption of legislative measures.⁴

State obligations have been further articulated over time in several legal instruments, notably in General Comment No. 3 of the Committee on Economic, Social and Cultural Rights (CESCR), the Limburg Principles 1987 and in the Maastricht Guidelines on Violations of Economic, Social and Cultural Rights 1997.⁵ The key elements of State obligations according to these sources include:

- Obligations of progressive realisation – as Alston and Quinn explain, this concept is ‘in many ways the linchpin of the whole Covenant. Upon its meaning turns the nature of

⁴ G.A. res. 2200A (XXI), 21 U.N.GAOR Supp. (No. 16) at 49, U.N. Doc. A/6316 (1966), 993 U.N.T.S. 3, *entered into force* Jan. 3, 1976.

⁵ CESCR, *General Comment 3, The nature of States parties' obligations* (Fifth session, 1990), U.N. Doc. E/1991/23, annex III at 86 (1991); The Maastricht Guidelines on Violations of Economic, Social and Cultural Rights. Guidelines adopted at a workshop sponsored by the International Commission of Jurists, the Urban Morgan Institute for Human Rights and the Center for Human Rights of the Faculty of Law of Maastricht University, Maastricht, Netherlands, 22-26 January, 1997. UN doc. E/C.12/2000/13. See also *The Limburg Principles on the Implementation of the International Covenant on Economic, Social and Cultural Rights*, Guidelines adopted at a workshop sponsored by the International Commission of Jurists, the Faculty of Law of the University of Limburg, and the Urban Morgan Institute for Human Rights, University of Cincinnati, Maastricht, Netherlands, 22-26 January 1997, UN doc. E/CN.4/1987/17.

State obligations. Most of the rights granted depend in varying degrees on the availability of resources and this fact is recognised and reflected in the concept of “progressive achievement” (1987: 172). This concept recognises the reality that fulfilment cannot be achieved overnight, and that Governments face constraints, particularly scarcity of resources and capacity. In the context of the MDGs, progressive realisation is particularly relevant – a point which we will be elaborated in later sections of this paper.

- Obligations to respect, protect and fulfil – States have the obligation not only to refrain from interfering with the enjoyment of rights (to respect), but also to prevent violations of rights by third parties (to protect), and to take appropriate measures including legislative, administrative, budgetary, judicial and other measures necessary for the full realisation of rights (to fulfil);
- Obligations of conduct and obligations of outcome – according to the *Maastricht Guidelines* “the obligation of conduct requires action reasonably calculated to realise the enjoyment of a particular right ... [while the] obligation of result requires States to achieve specific targets to satisfy a detailed substantive standard.” (para. 7). These guidelines are explicit on a process but leave open how to evaluate ‘reasonably calculated’ conduct and how to set specific targets. As later sections will elaborate, these gaps are particularly relevant for the MDGs which could be considered to fill the role of a detailed substantive standard.
- In addition, equality and non-discrimination, as well as participation are two cross-cutting principles that apply across all rights and that require particular attention from States.

2.3 Monitoring Progressive Realisation

Monitoring these obligations poses challenges because the substantive rights as well as the obligations are expressed in qualitative and general terms. Rigorous assessment of outcome and conduct is difficult to implement without objectively observable, aggregated evidence that demonstrate what has been achieved to fulfil rights. Outcome data can be a resource for assessing obligations of outcome, but they need to be interpreted against the obligation of progressive realisation to the maximum of available resources. For example, if the rate of school

completion is 75 per cent does this mean that the State has failed in its duty to fulfil the right to schooling? Even in such cases of minimum core obligations, feasibility does depend on the capacity of the state to build and run adequate schools which requires administrative and financial resources which cannot be assumed to exist in each country⁶. Therefore the answer depends on whether this is reasonable relative to the resources available, and whether progress has been made. Human rights scholars and advocates have struggled with the ambiguousness of these concepts, leading Leckie (1998) to warn that progressive realisation serves to open an ‘escape hatch’ for States, and Robertson (1994) to note that maximum of available resources creates ‘wiggle room’.

However, from the perspective of development economics, ‘progressive realization to the maximum of available resources’ makes sense as a concept. State action towards total fulfilment of economic and social rights requires resources to finance necessary investments such as in schools, roads, salaries, and so on. Empirically, there is a strong observed relationship between GDP per capita and social achievements in areas such as health and education, even though this relationship shows a high level of dispersion amongst countries (Fukuda-Parr, Lawson-Remer, and Randolph, 2009). Moreover, historically, improvements in social conditions have consistently been a gradual process and reaching any given standard has taken decades. In the context of MDGs, this relationship is particularly important. Applying MDG targets as a single set of targets or obligations does not make sense in a world of widely varying starting points and resource levels. As we will elaborate further, for many countries, the achievement of MDG targets between 1990 and 2015 requires progress and underlying economic growth at a rate that is much greater than has ever been realised historically (Clemens, Kenny, and Moss2007).

2.4 Targets vs. Benchmarks

In economic planning logic, performance evaluation is judged against the attainment of targeted levels set for a given time. In human rights logic, the quantitative goal is to achieve right

⁶ General Comments 3 and 11. States have the obligation to demonstrate infeasibility but this does not mean that core obligations such as universal primary schooling can be achieved overnight. It may require building infrastructure, setting up administrative and management personnel, training and recruiting teachers and so on. All this requires time. Many countries struggle with improving schooling, even in well resourced contexts such as in the US.

fulfillment by everyone, or 100 per cent enjoyment, a goal which has no universally applicable time frame. The obligations of progressive realisation require setting the time frame with time bound benchmarks.

Over the last three decades, there has been considerable debate in the human rights community on developing more effective tools and metrics for monitoring to overcome these challenges. In its General Comment No. 1 providing guidance on reporting by State parties, the CESCR states:

A fifth objective is to provide a basis on which the State party itself, as well as the Committee, can effectively evaluate the extent to which progress has been made towards the realization of obligations contained in the Covenant. For this purpose, it may be useful for States to identify specific benchmarks or goals against which their performance in a given area can be assessed.⁷

Furthermore, they note “global benchmarks are of limited use, whereas national or other more specific benchmarks can provide an extremely valuable indication of progress” (para. 6). This has been followed up in each and every General Comment starting in 2000 that calls on States to monitor rights realisation by identifying appropriate indicators and for each indicator, set a national benchmark.⁸ As elaborated by Paul Hunt in his 1998 submission to CESCR, this monitoring approach is conceptualised as a three step process of engagement between the Committee or the ‘international community’ (Hunt 1998:para 8) and the State. The first involves agreeing on a set of appropriate indicators. The second is the agreement on national benchmarks taking account of the goal of progressive realisation and resource availability. The benchmarks would be a projected level of achievement for the indicator to be reached at a future date. The process of agreeing on the benchmarks would involve proposals by the State, commentary by the Committee as well open debates involving NGOs. In this process, the target level of achievement that is assumed to be feasible is the benchmark that is set through consultation taking account of starting point and resource availability. Globally-set goals in this context are not considered to be useful benchmarks (Hunt, 1998).

⁷ CESCR, *Reporting by States parties* (Third session, 1989), U.N. Doc. E/1989/22, annex III at 87 (1989), reprinted in *Compilation of General Comments and General Recommendations Adopted by Human Rights Treaty Bodies*, U.N. Doc. HRI/GEN/1/Rev.6 at 8 (2003), para. 6.

⁸ For the first mention, see CESCR, *General Comment 14, The right to the highest attainable standard of health* (Twenty-second session, 2000), U.N. Doc. E/C.12/2000/4 (2000), paras 57-58.

2.5 Key differences

These contrasts lead to quite different criteria, metrics and assumptions for monitoring as summarised in the following table.

Table 1: Contrasting Monitoring Frameworks: Development Planning and Human Rights Perspectives

	Planning framework	Human rights framework
Criteria of success/failure	Outcome (Achieving the target)	Outcome (Meeting human rights standards; Making adequate progress to the maximum of available resources; Reducing inequality and removing discrimination) Conduct (Taking necessary measures and through participatory process)
Feasibility assumption	Target level	Benchmark level set at national level through consultation ⁹
Metrics for outcome evaluation	Level of achievement	Progress in improving level of achievement (pace of progress) Level of achievement adequate in context of available resource
Unit of measure	Aggregate national average	Aggregate national average. Sub-national groups, especially marginalised and vulnerable groups
Time frame	Time bound targets	100% fulfillment without time frame. Time bound benchmarks to be set at national level.

⁹ Keeping in mind the obligations to realize rights with immediate effect for minimum core rights and the need to demonstrate why the realization may take time.

3. MDG Concept: Benchmarks for Progressive Realisation of Normative Objectives

In the context of these frameworks, there are several possible answers to how the MDGs should be interpreted, how they should be used in influencing government policy efforts, and for what governments should be held accountable:

- as *planning targets* in the context of economic development strategies of governments and donor agencies;
- as *normative objectives* that define long-term visions of what the world should look like, to which world leaders agreed in the context of norm setting processes; or
- as *benchmarks* against which progress is evaluated in the context of ‘progressive realisation’.

The consensus approach to monitoring MDGs builds on the assumption that they were intended to be planning targets at global, regional and national levels. The human rights critique of the MDGs argues that the goals and targets fall short of human rights norms and standards. The implicit assumption is that they are interpreted as normative objectives. Neither interpretation is consistent with the origins of the MDGs. They derive from the Millennium Declaration, a norm-setting process, and not from a national development planning process. Like other UN Declarations, the Millennium Declaration is a normative document, setting out a consensus view of what the world *should* look like in the 21st century, and spelling out long-term objectives and pressing priorities needing both individual and collective action of States. It was adopted through a consensus-building process, with strong political commitment by the Millennium General Assembly, the largest ever gathering of world leaders represented at the level of heads of State or government. World leaders made commitments to do their utmost to end extreme poverty, as stated in paras 11 and 12 of chapter IV (our italics):

11. We *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 are currently subjected. We are committed to making the right to development a reality for everyone and to freeing the entire human race from want.

12. We resolve therefore to *create an environment* – at the national and global levels alike – which is conducive to development and to the elimination of poverty.

3.1 Not Normative Goals

But it would be a mistake to conflate the MDGs with the MDs and consider the MDGs themselves to be normative goals. While the Millennium Declaration defined key objectives and included several quantitative targets, the MDGs structured these as operationally monitorable, quantitative goals. Packaged with that name, they were introduced in the 2001 ‘Road Map’ document presented by the Secretary General to the General Assembly as the implementation plan for the MD (UN, 2001). According to that document, their purpose was to “harmonize reporting on the Millennium Declaration” (Ibid: 56, para, 1). The MDG’s were developed by technocrats drawn from among the development economists and statisticians from development agencies (notably World Bank, OECD Development Division, UNDP) by identifying the best available data series that could be used, not in a normative exercise of defining consensus objectives.

The MDGs are indicators that allow monitoring of progress to the goal of ending extreme human poverty, and help define that goal in tangible and concrete ways. It is the MD, not the MDGs, that sets normative goals. The confusion arises however because the Millennium Declaration includes quantitative goals and the MDGs reproduce and structure them with monitorable targets and indicators. But these numeric goals are not the full articulation of the norms in their full meaning including ethical values that underline priority social and political objectives for the world. The normative content of the Millennium Declaration is not just in those quantitative targets, but the entire document which sets out ending poverty, together with securing peace, democracy and human rights as the normative objectives. The numeric goals are important because they help define and communicate complex social objectives. While the concept of poverty is contested and ambiguous, understood in multiple ways,¹⁰ the quantitative goals

¹⁰ Poverty is a complex concept that means different things to different people. Even amongst development economists, there are controversies over its definition and measurement. The income-based approach measures poverty on incomes beyond a minimum threshold level of consumption. The capability approach defines poverty as lack of basic capabilities that have multiple dimensions. The participatory approach argues that poverty is a lived experience that can only be pinned down in concrete terms by individuals and communities themselves. The social exclusion approach identifies marginalisation from society as a critical aspect of poverty.

communicate these objectives in terms that ordinary people could understand and empathise with, that leaders from around the world could agree on. As Colin Bradford, one of the architects of the International Development Goals which were the antecedents of the MDGs commented, the quantitative goals were set by the OECD DAC because they needed a new rationale of international development aid that would be convincing to the ‘publics and parliaments’ of the rich countries (Bradford quoted in Fukuda-Parr and Hulme, 2011).

Goal setting has become popular in UN fora because they make complex normative objectives concrete, and communicate the urgency and magnitude of the challenge. As Manning (2009) notes,¹¹ the value of quantitative targets was clearly explained in the Agenda for Action of Jomtien Conference as it introduced quantitative, time bound global goals: “Time-bound targets convey a sense of urgency and serve as a reference against which indices of implementation and accomplishment can be compared ... Observable and measurable targets assist in the objective evaluation of progress.” Moreover, targets are deliberately set at high levels of ambition, to mobilise effort: “Targets need not be based solely on current trends and resources. Initial targets can reflect a realistic appraisal of the possibilities presented by the Declaration to mobilize additional human, organizational, and financial capacities within a cooperative commitment to human development” (quoted in Manning, 2009: 79).

Whereas goals help communicate complex social objectives, it would be a mistake to reverse engineer the definition and use the goals to define the social objective. The goals do not define poverty; poverty cannot be reduced to quantitative goals and indicators. Quantitative goals and indicators *help* us observe some aspects of poverty.

3.2 Not Planning Targets

Interpreted as planning targets, it is not surprising that the MDGs have given rise to some sharp criticisms. Four sets of issues have been raised. First, the MDGs are poorly designed and result in bias against the poorest countries. A single target is always more difficult to achieve for countries with starting points farthest away, by definition the countries with highest levels of human poverty (UNDP, 2003). According to Clemens and others (2007) the targets are not

¹¹ He provides a detailed review of the rationale that drove goal setting and the methodologies used in the 1990s, see particularly paras 143 – 150.

feasible as they exceed any historical experience of human development and economic growth. Easterly (2009) explains that the choices made in defining the targets - such as whether to use absolute or percentage changes, change targets versus level targets, and by positive or negative indicators – built in biases against countries of Africa achieving the targets. Both authors argue that the MDGs lead African countries to be dubbed ‘failures’ even when they were to implement sound policies and make good progress. Second, the targets were poorly designed without any logically consistent approach ¹²Easterly, 2009) and are difficult to use as programming tools (Saith, 2006; Easterly, 2009). Saith (2006) has pointed out numerous flaws in the list of goals, targets and indicators, related to both their concepts and data availability, that undermine their potential use as programming tools. Third, some authors have argued that the foreign aid inflows needed to implement the goals would lead to macroeconomic imbalances such as currency revaluation (Gupta and others, 2005).

Finally, a fundamental question that is repeatedly raised is whether the goals should be applied to judge performance at the national level, at least without adaptation. Vandemoortele, who co-chaired the group that formulated the MDGs and led the UNDP support team for MDGs implementation, has been the most persistent critic of applying the MDGs to the country level. He argues that the goals were set on the basis of past global, not national trends and argue that goals should not be ‘adopted’ but ‘adapted’ to national contexts and redefined in the form of country specific targets (Vandemoortele, 2009; see also chapter in this volume).

In a marked departure from earlier goal setting efforts (Manning, 2009), the texts of the 2000 Millennium Declaration and the 2001 implementation document, the ‘Road Map’, which introduced the MDGs, do not address how they should be implemented at the country level. The ‘Road Map’ states, “It is crucial that the millennium development goals become national goals and serve to increase the coherence and consistency of national policies and programmes” (UN, 2001: para. 81). Earlier goal setting efforts were clear in stating that UN goals applied at global levels and needed to be adapted for integration into country strategies. For example, the Action Plan from the World Summit for Children is careful to specifically recommend adaptation of the

¹² With regard to which goals were based on percent change versus absolute levels, and which were positive and negative indicators, for example, as discussed above.

goals to specific national conditions, and to develop national strategies .¹³ The 1990 Jomtien Conference on education explicitly suggested that countries may wish to adapt the goals to their circumstances and introduced the goals with a nuanced discussion of the value of targets in mobilising attention, while also suggesting that the targets needed to be adapted to changing conditions (Manning, 2009).

Adoption of global goals as national goals without adaptation runs counter to the principle of ‘national ownership’. National planning and programming processes are deeply entrenched institutional mechanisms with established procedures and a history of commitments and achievements. MDGs are nothing new to national and local development plans. How can national and local authorities take ownership of a ‘one size fits all’ agenda without relating it to this context? Without adaptation, the MDG targets are biased against countries with the highest level of human poverty. One simple reason is because they have a reverse relationship to the starting point; for example the target to ‘halve’ the income poverty rate can mean cutting a poverty rate of 60 per cent to 30 per cent, or a rate of 10 per cent to 5 per cent. The less resources and capacities countries have, the steeper the mountain they must climb to achieve the goals.¹⁴ For the same reason, the universal MDG standards are under-ambitious in some countries; most countries of Latin America and South East Asia had already achieved universal primary enrolment, and civil society activists dubbed the MDGs the ‘Minimum Development Goals’ and criticised them for taking the poverty reduction agenda backwards. In the poorer countries, they imply achievement levels far beyond the historical record (Clemens, Kenny, and Moss 2007: 742).

For all these reasons, the MDGs cannot be endorsed as targets shaping a sound national development strategy. Interpreting MDGs as planning targets and holding national governments to account for achieving the 2015 targeted levels makes little sense. MDGs can be more appropriately interpreted as global benchmarks for the normative objective of ending poverty at the global level, and if appropriately adapted to national contexts, can be useful benchmarks for monitoring government performance. They are best seen as benchmarks against which progress

¹³ UNICEF, *World Declaration and Plan of Action on the Survival, Protection and Development of Children in the 1990's*, available at <http://www.unicef.org/wsc/plan.htm>

¹⁴ See more explanation in Vandemoortele (2009) and UNDP Human Development Report (2003).

is made towards the achievement of normative goals. They emerged in 2001 for this purpose and the UN continues to represent them as such. For example, in 2005, then Secretary-General Kofi Anan's report on the progress of the Millennium Declaration described the MDGs as "globally accepted benchmarks of broader progress".¹⁵ But the monitoring methodology and the metric used contradicts this purpose by misinterpreting the MDGs as planning goals.

The MDGs are benchmarks for achieving the objective of ending abject poverty, a normative objective. The framework for monitoring State commitments to human rights – the obligations of progressive realisation, obligations of conduct and outcome, country specificity, and the use of country specific benchmarks – are more appropriate than the development planning framework of target achievement. The appropriate metric for evaluating performance is therefore the pace of progress against national benchmarks rather than the level of achievement against the one-size-fits-all global target. MDG progress should then focus on the rate of progress rather than on the level of achievement.

4. Alternative Methodology for Progressive Realisation – 'Pace of Progress'

To monitor government performance with respect to the obligations of progressive realisation requires a new metric. In another paper (2010) we have proposed a methodology for assessing whether countries made faster progress since their 2000 Millennium Declaration commitments – the 'Pace of Progress Method'. Our methodology is relatively simple and compares rates of change between the periods before and after the adoption of the MDGs to determine if since the adoption of MDGs, progress to achieving the MDGs has become faster, which may reflect greater effort on the part of government. This metric speaks directly to the commitments made by governments in adopting the 2000 Millennium Declaration. World leaders pledged to do their utmost to end poverty in that document, as stated in paras 11 and 12 of chapter IV (emphasis added):

11. We *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 are currently subjected. We are committed to making the right

¹⁵ UNGA, *In larger freedom: towards development, security and human rights for all*, Report of the Secretary-General (Fifty-ninth session, 2005), U.N. Doc. A/59/2005 at 10 (2005)

to development a reality for everyone and to freeing the entire human race from want.

12. We resolve therefore to *create an environment* – at the national and global levels alike – which is conducive to development and to the elimination of poverty.

Our empirical analysis revealed national progress trends since 1990 for 22 MDG indicators for all countries with available data. Here, we briefly summarise the methodology and results. The calculations were made using the following formula for each country i , for each indicator x , and each time period post-Millennium Declaration (A) and prior to Millennium Declaration (B):

$$\left[\frac{\Delta x_i}{\Delta t_i} \right]_A > \left[\frac{\Delta x_i}{\Delta t_i} \right]_B$$

Where:

$$\Delta x_i = x(t_{i,end}) - x(t_{i,start})$$

This formula was used to calculate and compare the average rates of change for each period, for each country and indicator, as described above. This formula follows the same approach used by the UNDP and the ADB (2007) in their joint report on the MDGs progress in Asia to estimate trends for increasing indicators and extrapolating those trends linearly into the future to assess if the goals are likely to be met.

Our calculations show vastly different assessments of government performance when compared with the ‘Achieving the Target’ method. We compared our results with the UN’s MDG monitor, which extrapolates current trends to 2015, country by country, to assess the feasibility of achieving the goals and to give a rating between ‘off track’ to ‘achieved’ explained earlier. Our calculations assess the annual rate of change since the MD, and whether it has been faster than the historical record. Overall, the best performing countries by the two metrics did not overlap. The results of the ‘Making progress’ metric do not show statistical correlation with the results of the ‘Achieving the Targets’ assessment. Comparisons at the country level show some stark contrasts. We looked for best-performing countries which showed faster progress across a number of indicators, reflecting general commitment to make effort across the eight goals as

shown in Table 2. Many of these countries are not succeeding according to the MDG monitor – they do not receive the endorsement of being ‘on track’. To illustrate, consider Ethiopia and Senegal. Both are among the top 15 countries in showing evidence of faster progress post-Millennium Declaration on a range of indicators; Ethiopia on 16 out of 22 indicators analysed, and Senegal on 12. Though Ethiopia does receive an “on track” score for several of the goals from the UN monitor, and is mentioned positively in relation to some indicators in the Africa Development Report, it is not listed as ‘on track’ for Goal 1, concerning poverty and extreme hunger. In contrast, four of the sixteen indicators for which we found improved rates for Ethiopia were related to Goal 1. This group includes the indicator of population below \$1 a day, arguably the indicator most closely identified with Goal 1. In the case of Senegal, the UN monitor lists it as ‘on track’ for only Goal 4, related to the reduction of child mortality, and there are very few positive mentions of Senegal in the African Development Bank Report studied. We found improvements in a dozen indicators for Senegal, related to almost all of the goals, including some of the most important indicators such as population below \$1 a day, total primary school enrollment, and access to improved sanitation and water sources. For the goals related to all of these indicators, Senegal is not considered ‘on track.’

Table 2. Top Countries by the number of Indicators on which they have evidence of improved rates.

Country	Region	Number of Indicators for which improved rates of change were calculated in second period (22 indicators studied)
Nigeria	Sub-Saharan Africa	16
Ethiopia	Sub-Saharan Africa	16
Burkina Faso	Sub-Saharan Africa	15
Uganda	Sub-Saharan Africa	15
Rwanda	Sub-Saharan Africa	14
Zambia	Sub-Saharan Africa	13
Pakistan	South Asia	13
Bangladesh	South Asia	13
Madagascar	Sub-Saharan Africa	12
Cambodia	Southeast Asia	12
China	East Asia	12
Central African Republic	Sub-Saharan Africa	12

Colombia	Latin America and Caribbean	12
Senegal	Sub-Saharan Africa	12

Source: Authors' calculations using data from Millennium Development Goals Indicators Website, UN Statistics Division <http://unstats.un.org/unsd/mdg/Data.aspx>.

We also considered which countries were making fastest improvement post-Millennium Declaration commitments across the 22 indicators (see Table 3). For every indicator studied, we calculated the largest improvements in rates between the two periods, and then tallied which countries were among the best improvers for the most indicators. Ethiopia is among the top 15 in 10 indicators and Senegal in 4. Ethiopia is among the top improvers for two indicators related to Goal 1, again including Population below \$US 1 despite, again, not being listed as 'on track' for that goal. Senegal is again calculated as a top improver for several indicators related to goals for which it is not considered 'on track'. This paradox is not difficult to explain. They have *low starting points* and have a very long distance to go to achieve the targets set. For example, in 1995, the first year included in our study for Ethiopia, its poverty rate was 60.5 per cent while for Senegal's earliest data in the sample, 1991, the poverty rate was 65.8 per cent. The two countries have been cutting poverty rates since these dates by an annual average of 2.15 percentage point and 2.3 percentage points respectively. Yet, they will not achieve the goal of cutting this rate by half by 2015 without accelerating further. These countries' progress is much better than many which are in the 'on track' category.

Table 3: Top countries by number of indicators for which country scores among top 15 biggest improvement from first to second period.

Country	Region	Number of Indicators for which country has a top 15 biggest improvement from first to second period (22 indicators studied)
Ethiopia	Sub-Saharan Africa	10
Rwanda	Sub-Saharan Africa	10
Central African Republic	Sub-Saharan Africa	9
Burkina Faso	Sub-Saharan Africa	8
Zambia	Sub-Saharan Africa	8
Cambodia	Southeast Asia	6
Tajikistan	Central Asia	6

Tanzania	Sub-Saharan Africa	6
Lesotho	Sub-Saharan Africa	6
Madagascar	Sub-Saharan Africa	6
Mozambique	Sub-Saharan Africa	5
Malawi	Sub-Saharan Africa	5
Congo	Sub-Saharan Africa	5
Chad	Sub-Saharan Africa	5
Swaziland	Sub-Saharan Africa	5
Botswana	Sub-Saharan Africa	5
Nigeria	Sub-Saharan Africa	5
Iraq	West Asia	4
Senegal	Sub-Saharan Africa	4
Nepal	South Asia	4

Source: Authors' calculations using data from Millennium Development Goals Indicators Website, UN Statistics Division <http://unstats.un.org/unsd/mdg/Data.aspx>

Consider now the countries that do poorly by the Pace of Progress measure. Some of these are categorised as 'on track' and therefore a success in development and poverty reduction, and in compliance with their Millennium Declaration/MDG commitments. To illustrate, consider the record of select countries with respect to reducing child mortality. Comparing the annual rate of reduction in the post-Millennium Declaration years compared with the prior decade, Libya and Mexico did not improve on their progress and in some cases slowed down. Yet, they are 'on track' to achieving the goals and are considered to be successful in poverty reduction. The conclusion is that they are complying with their commitments. In contrast, Gambia, Lesotho, and Malawi are not likely to achieve the targets, yet have substantially improved their pace of progress. It would be grossly unjustified to label Bahrain, Chile, Mexico and Libya a 'success' and honouring their MD/MDG commitments while accusing Gambia, Lesotho, and Malawi of failing to do so.

Table 3. Different conclusions on under five mortality based on different measurement metrics, some examples

Country	Under Five Mortality 1990	Under Five Mortality 2000	Annual Change 1990-2000	Under Five Mortality 2007	Annual Change 2000-2007	Post-2000 Change in Speed of Progress	Annual Change, Entire Period	UN MDG Monitor Classification
Libya	41	22	-1.9	18	-0.57	Decline	-1.35	'On Track'
Mexico	46	29	-1.7	21	-1.14	Decline	-1.47	'Achieved'

Malawi	209	170	-3.9	111	-8.43	Improvement	-5.76	'Possible to Achieve with Changes'
Gambia	153	131	-2.2	109	-3.14	Improvement	-2.59	'Off Track'
Lesotho	102	107	+0.5	84	-3.29	Improvement	-1.06	'Off Track'
Nigeria	230	207	-2.3	189	-2.57	Improvement	-2.41	'Off Track'
Togo	150	122	-2.8	100	-3.14	Improvement	-2.94	'Off Track'
Tanzania	157	143	-1.4	116	-3.86	Improvement	-2.41	'Possible to Achieve with Changes'

Source: Authors' calculations using data from Millennium Development Goals Indicators Website, UN Statistics Division <http://unstats.un.org/unsd/mdg/Data.aspx>

What is striking about these results is the favourable performance of the countries in Sub-Saharan Africa. By these metrics, these countries are not failures, unlike the rating they receive in the official reports using the consensus metric, Achieving the Targets.

Since our calculations were completed, Hailu and Tsukada (2011) introduced a methodology that is conceptually similar to ours (focusing on rate of progress) but uses a different formula that assumes non-linear rate of progress while our formula assumes linear progress. Their results show similar findings to ours; many countries are likely to 'fail' to achieve the targets by 2015 yet are making faster progress.

5. Measuring Level of Shortfalls and Reducing Inequality

The 'Pace of Progress' measure captures the rate of progress but not the level achieved and how far that is from full enjoyment of rights or the full achievement of ending poverty, nor shortfalls with respect to the global MDGs. The Pace of Progress measure should be complemented by a measure of the shortfall from full realisation of rights. As earlier sections of this chapter pointed out, international human rights law and practice propose setting benchmarks and using indicators but leaves open the question of how benchmarks should be set that indicate time bound target levels that should be achieved.

A new methodology for evaluating economic and social rights fulfillment developed by Fukuda-Parr, Lawson-Remer and Randolph, the Social and Economic Rights Fulfillment Index (SERF Index) (Fukuda-Parr, Lawson-Remer, and Randolph, 2009; Randolph, Fukuda-Parr, and Lawson-Remer, 2010) can fill this gap. This Index builds on the concept of the ‘achievement possibilities frontier’ – the maximum level of achievement that has been historically achieved for a right enjoyment at a given level of resources available, as measured by GDP per capita. For each economic and social right, appropriate indicators are selected that reflect the level of enjoyment of a right - for example, the primary school completion rate for the right to education. For each of such outcome indicators, the achievement possibilities frontier estimates the highest level of achievement at a given level of GDP per capita in US\$ PPP. The achievement possibilities frontier values provide an empirically-grounded reference for what is feasible for a country given the overall resource constraints that it faces.

This methodology can be used to estimate the achievement possibilities frontier for each of the MDG indicators to set a national benchmark for each country that is empirically grounded in what is historically feasible. It closes the ‘escape hatch’ and ‘wiggle room’ opened by using subjective judgments to define benchmark targets to evaluate compliance with the obligations of progressive realisation to the maximum of available resources. As with the Pace of Progress method, when this method is applied, it results in different conclusions than the standard Achieving the Targets criteria. The table below provides a few illustrations. India, for example, was judged “Possible to achieve” for MDG 1, and four out of five of the MDGs overall, despite drastically underperforming along these indicators compared to other countries with similar resources, as measured by the SERF. A contrary example is The Gambia, which is off track for the goals, but outperforming most countries at a similar income levels.

Table 4. Differing Outcomes by Achievement of Targets Methods and SERF Scores

Country	MDG 1	SERF Right toWork Score	MDGs overall	SERF Index composite
China	Likely	63.98	On track/likely 5/5	79.73

India	Possible to achieve	27.6	Possible 4/5	56.06
The Gambia	Off track	93.88	Off track 5/7 Likely/poss 2/7	81.65
Viet Nam	On track	58.66	On track/likely 7/8	78.79

Notes: SERF scores are on a scale of 0-100. The Right to Work SERF Index is based on % of population below \$2 a day.

Sources: MDG Monitor; http://www.mdgmonitor.org/country_progress.cfm

Retrieved: November, 2010,

SERF Scores from Randolph, Fukuda-Parr, and Lawson-Remer (2010).

Moreover, monitoring in the human rights perspective requires special focus on whether the rights of the vulnerable and marginalised are being attended to, and whether progress is being made in reducing inequality. Moreover, reducing inequality is a significant gap in the list of goals and targets since it is a major objective of the Millennium Declaration (Fukuda-Parr, 2010, OHCHR, 2008, Nelson, 2007). The official MDG lists States that disaggregated data should be presented in monitoring reports. In reality, the global monitoring reports published by the international organizations do not record trends in inequality.

At the global level, if there were an MDG target for reducing inequality, it would be possible to monitor some key indicators for which internationally comparable data series are available, including the income inequality measured by the gini coefficient and quintile population shares of national income (Fukuda-Parr, 2010). At the national level, availability of data disaggregated by gender is increasingly available for many important indicators. But few countries maintain disaggregated data by identity groups – such as, race, religion, ethnicity, geographic location. Developing metrics for monitoring inequality, exclusion and vulnerability should be an important research priority.

6. Conclusions - Human Rights and the MDG Concept

In its 2005 meeting, Social Watch, the international network of citizens' organisations that monitor poverty and social justice, adopted a declaration that describes the MDGs as “minimum

benchmarks” of human rights entitlements. They state that the MDGs should be “less about meeting targets but more about honoring human rights obligations.” (Social Watch, 2005). Some might argue against this proposition on the grounds that the MDGs fall short of human rights standards and do not reflect core human rights principles. But if the MDGs were merely benchmarks for progress, to be used as tools for analysis of progress for compliance with obligations of progressive realisation and duties of outcome and conduct, there would be no contradiction between MDGs targets and human rights principles. MDGs were introduced to monitor the implementation of the Millennium Declaration which reflect human rights values and norms (Saith, 2007; Fukuda-Parr, 2010; OHCHR, 2008). The Millennium Declaration starts with a statement of commitment to equality, solidarity, dignity and freedom, while it categorically defines ending absolute poverty along with peace, democracy and human rights as the principal objectives for the world. MDGs need not be interpreted as a comprehensive set of benchmarks for all rights but as *minimum* benchmarks for *some* economic and social rights. Whereas the time-bound targets for 2015 might fall short of full realisation of rights, the principle of progressive realisation recognises that at any given point of time, full realisation would not be achieved, particularly in resource constrained countries.

There is much confusion about what the MDGs are. The international community monitors them and evaluates the performance of countries as if they were planning goals. Ironically, the UN does see the MDGs as benchmarks of progress, and its development agencies such as UNICEF and UNDP encourage national adaptation of goals, emphasising the importance of national ownership as a key factor in successful MDG implementation. Yet, as we have documented, the organisation is systematically contradicting itself by judging success or failure by whether each country is achieving the level of goals set globally. This has real consequences. The misinterpretation of the MDGs is leading to assessments that are incorrect and biased against the poorest countries. Rather than fixating on achieved levels, it would be more worthwhile to consider whether government efforts are effective in speeding up progress to ending poverty.

Evaluating the performance of governments in implementing normative commitments is complex. Normative commitments are expressed in general terms that are hard to pin down into specific performance measures. Setting quantitative targets such as the MDGs facilitates the task of monitoring progress. But such global goals set a single standard for the world that does not

take account of the fact that countries around the world confront vastly different levels of constraints to achieving global goals. The human rights approach is to conceptualise State obligations as progressive realisation.

It is possible to devise alternative metrics that speak directly to the commitments made by world leaders and that build on human rights concepts of monitoring normative goals. The Pace of Progress measure of progress, the SERF Index measure of outcome levels, and inequality data all provide practical tools for monitoring MDGs from the rights perspective. They offer measures that are not biased against countries with the highest level of poverty in multiple dimensions.

Whereas this paper has challenged the conventional methodology used in assessing MDG implementation, it was motivated by a broader purpose to demonstrate how human rights can contribute to development practice. MDGs are monitored in the development planning framework because of a knowledge gap between development practice and human rights. By referring to the conceptual framework of human rights monitoring, this paper uses the principles of progressive realisation, conduct and outcome, and equality as central building blocks for monitoring MDGs. This is an example of inter-disciplinary work involving development economics and human rights that can make a contribution to advancing both fields.

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