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Strengthening Civil Society

The World Bank has adopted and developed a definition of civil society, which states: “The term civil society refers to the wide array of non-governmental and not-for-profit organizations that have a presence in public life, expressing the interests and values of their members or others, based on ethical, cultural, political, scientific, religious, or philanthropic considerations. Civil Society Organizations (CSOs) therefore refer to a wide array of organizations: community groups, non-governmental organizations (NGOs), labor unions, indigenous groups, charitable organizations, faith-based organizations, professional associations, and foundations.”¹

Over the past two decades, due to globalization and the increased emergence of democracies, telecommunications, and economic integration, the importance of civil society has increased dramatically around the globe. CSOs have come to play a key role in the development, implementation, and delivery of both social services and development programs, especially in regions where government is weak, and in post-conflict situations.

CSOs have had an extremely valuable influence on shaping global public policy over the last two decades. The impact that these organizations have had can be seen in the thousands of people around the world that have successfully mobilized to achieve goals such as the banning of land mines, debt cancellation, and environmental protection. Some major results of these movements for civil societies include the World Social Forum (WSF), and the Global Call to Action Against Poverty (GCAP).

¹ Defining Civil Society. (n.d.). Retrieved July 28, 2017, from <http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/CSO/0,,contentMDK:20101499~menuPK:244752~pagePK:220503~piPK:220476~theSitePK:228717,00.html>

The WSF was started in 2001 in Brazil and is “the largest gathering of civil society to find solutions to the problems of our time by building concrete alternatives to the neoliberal economic model and to politics based on the exploitations of human beings and nature.”² GCAP’s mission statement is: “The GCAP is a growing alliance bringing together trade unions, INGOs, the women’s and youth movements, community and faith groups and others to call for action from world leaders in the global North and South to meet their promises to end poverty and inequality. GCAP’s main aim is to achieve policy and practice changes that will improve the lives of people living in poverty. GCAP adds to existing campaigning on poverty by forming diverse, inclusive national platforms that can open up civil society space and advocate more effectively than individual organizations would be able to do alone. It also organizes global mass mobilizations that express solidarity between the global North and South, allow tens of millions of ordinary people to make their voices heard and bring pressure to bear on world leaders³.”

Commission of Human Rights

The United Nations Commission of Human Rights was established in 1946 and was created to ensure the international legal protection of fundamental rights and freedoms. Commission on Human Rights procedures are mandated to examine, monitor, and publicly report either on human rights situations in specific countries or territories or on major phenomena of human rights violations worldwide⁴. The Human Rights Council (UNHRC) replaced the former United Nations Commission on Human Rights in 2006, largely in part to distrust between activists and governments alike. One of the biggest problems with the

² Information. (n.d.). Retrieved July 28, 2017, from <https://fsm2016.org/en/sinformer/>

³ Global Call to Action against Poverty (GCAP). (2013, December 01). Retrieved July 28, 2017, from <http://www.globaleducationmagazine.com/global-call-action-poverty-gcap/>

⁴ UNITED NATIONS COMMISSION ON HUMAN RIGHTS. (n.d.). Retrieved from <http://www.ohchr.org/EN/HRBodies/CHR/Pages/Background.aspx>

Commission was that it allowed states that had bad human rights records, like Saudi Arabia and Zimbabwe, to have membership, which was being used as a shield against scrutiny, and creating a bureaucratic and ineffectual organization⁵.

The new Human Rights Council has allowed for a greater amount of member-states to participate, currently 47. These member-state selections are distributed by region, and are voted in by a majority vote through the General Assembly; furthermore, collaboration ensures that the human rights records of incoming members are considered. The new structure has improved the credibility of the reports issues by the HRC, but civil society groups continue to press for greater transparency and pressure be placed on human rights violators through the HRC. The recent case of Saudi intervention in the Yemen civil war illustrates this tension. While civil rights groups loudly argued that Saudi Arabia be listed as a human rights violator due to its behavior in Yemen, the HRC resisted for many months. When the HRC finally did include Saudi Arabia in its Yemen report, the Secretariat amended the report to after the Saudi's threatened to withdraw their funding from all UN efforts.

Despite such controversies, the work of the HRC in other areas tends to be characterized by consensus and cooperation. Below should give an insight to some grassroots and locally run organizations that were created to engage youth and encourage the strengthening of community ties as well as work towards meeting goals set by the Sustainable Development Goals of 2015.

Latin America and the Caribbean

Some of the greatest social, civic, and democratic changes in the past two decades have occurred in Latin America. During the 1970s, this region of the global community saw major breakdowns

⁵ James Paul - Global Policy Forum. (n.d.). Global Policy Forum. Retrieved July 23, 2017, from <https://www.globalpolicy.org/un-reform/un-reform-topics/human-rights-council.html>

in democracies across many countries, a significant rise in military dictatorships, economic collapse and a wave of debt. At the beginning of the 1990s, Latin America found itself regaining stability socially, politically, and economically. Politically, democracy and respect for human rights had been restored in virtually the entire continent; moreover, to recapture the economic balance, a consensus had emerged among Latin American countries and international finance and development institutions, that the principal objectives should be macro-economic stability, the rescheduling of debt, and the opening up of economies⁶. Latin America, over the past couple decades, has only built on these policies and solutions and these efforts have proven valuable in their regional growth. One of the greatest priorities in the Latin American and Caribbean region has been youth engagement, education, and participation. This creates new generations of forward-thinking, involved, and educated citizens that only prove to enrich the future of these nations and their impact in the global community.

Chile

Chile is one of the most stable countries in Latin America. “During the 1990’s, after a 17-year military dictatorship from 1973-1990, Chile began to restore its democracy with special attention given to Chile’s “social debt,” that is, the outstanding commitment of the state to those citizens who experienced especially high social and economic costs. Despite being one of the more prosperous countries in South America, the Government of Chile faces many issues critical to its citizens: poverty, poor quality of education, inadequate healthcare, and housing shortages among other areas and its Youth Civic Participation programs as well as the efforts of various civil society organizations are a tool for combating such issues.”

⁶ (n.d.). Retrieved July 26, 2017, from <http://interactioncouncil.org/node/74>

Chile has many programs to increase civic participation and eliminate poverty. In 1994, the nonprofit El Fundacion Superacion de la Pobreza (FSP, the Poverty Eradication Foundation) was created. Its mission is to help overcome poverty by promoting greater equity and social integration in Chile⁷. There are many organizations that FSP operates, including Servicio Pais (Country Service), and Servicio Pais Rural (Rural Country Service). Servicio Pais partners with local businesses and volunteers to offer a year program that focuses on work, education, habitability, and health as it relates to overcoming poverty in vulnerable communities. Servicio Pais Rural gives young professionals the chance to use their knowledge and skills to pursue development goals by volunteering and serving in rural communities throughout the country. Both being founded in 1997, Un Techo Para Chile (A Roof for Chile), and Un Techo para mi Pais seek to combat homelessness and poverty and provide decent housing and opportunities to improve the lives of families in the nation. These organizations engage youth and adult volunteers alike to build transitional and permanent housing for the homeless. The YMCA in Chile also provides opportunities for youth civic engagement.

The Caribbean

There are both triumphs and struggles that the Caribbean Islands have faced in civil society through the last two decades. Also known as small island developing states (SIDS), these nations and their citizens acknowledge that strengthening civil society organizations and partnerships is paramount to achieving success in sustainable development. While the further development of programs throughout civil society have been slow, the international community

⁷ Chile. (2014, August 20). Retrieved July 23, 2017, from <http://www.icicp.org/resource-library/icp-publications/global-youth-service-database/americas/south-america/chile/>

has recognized these efforts, and the nations in the region have received global reassurance that these efforts are making significant contributions to global sustainable development.

At the SIDS Inter-Regional Preparatory Meeting held in 2013 in Barbados, an NGO group identified four priority areas that must be addressed for sustainable development in the SIDS: participatory governance, economic development, ocean governance, and building resilience to risks⁸. There have been many programs put in place to meet these goals.

In Jamaica, an organization known as the Public Youth Service (PYS) was established in 1973 by the Jamaican government's Ministry of Education, Youth, and Culture. The purpose of PYS was to develop and implement youth programs and policies that lead to development and promotion. The program halted, but then was reintroduced in 1995 to combat growing levels of youth unemployment, academic underachievement, and increasing violence and crime among Jamaica's youth. Through their Corps Program, troubled and impoverished youth are given job training, where, upon completion, are placed in a public-sector job. These youths are given the opportunity to reengage with their communities, and have had remarkable success. According to a study commissioned by the International Development Bank (IDB) in 2003, 60.1% of program graduates either obtained full-time job status, or continued to higher education⁹.

Haiti is one country that has faced great natural disasters, resulting in many challenges to the development of their society, and creating a major struggle in the fight against poverty. Following an earthquake in 2010 which killed thousands and left entire cities in ruins, the civil society of Haiti has been left dispersed, unable to efficiently cooperate and communicate. Because of this, Haiti relies quite a bit on international organizations and CSOs to help create

⁸ Caribbean News Now! (2013, September 3). Retrieved July 28, 2017, from http://www.caribbeannewsnow.com/features.php?news_id=17501&start=228&category_id=16

⁹ Jamaica. (2014, August 20). Retrieved July 28, 2017, from <http://www.icicp.org/resource-library/icp-publications/global-youth-service-database/americas/caribbean/jamaica/>

sustainable development. NGOs such as the Salvation Army, Catholic Relief Services, and Compassion International have provided essential supplies and education to the nation while they recover. There are also organizations within the country that have been established to provide disaster relief and education. One that stands out is called Blue Ridge Haiti, which has built schools, pays for its students and their supplies, and even offers grants for programs to further involve the education of young girls. While there are initiatives, the country still suffers from past disasters, and has a long way to go before really playing a key role in giving back to the international community.

African States and the Middle East

African states face a unique situation when it comes to civil society. A huge part of strengthening civil society is to help strengthen democratization and create economic stability. The problem with that in Africa lies in its past dealing with democracies and government. Many states see democracy as a means to encourage political corruption, and others feel threatened by the idea of a civilian regime that would demand authority and massive popular support, especially those involved in illegal businesses. There are also many nations in Africa that lack the time, resources, and technology to allow citizens to actively pursue goals of consensus-building¹⁰. It is also noteworthy to mention that there is a stark contrast in civic participation between different regions in the African states.

Perhaps one of the most troubled regions of the globe, the Middle East and North Africa (MENA) region has a serious history of constant massive political transitions, many of which still affect the region dramatically today. In a post-cold war setting, with the global belief in the

¹⁰ Robinson, M. (n.d.). Strengthening Civil Society in Africa: The Role of Foreign Political Aid. Retrieved July 29, 2017, from <http://bulletin.ids.ac.uk/idsbo/article/view/2810/ONLINE%20ARTICLE>

importance of civil society for the abolition of authoritarian regimes, and the examples of success in the Latin American and Eastern European nations in democratization through civil engagement and services, there was a dramatic increase in the number of civil society organizations in MENA. The 1995 Euro-Med partnership with the European Union believed that security in the Mediterranean could be achieved through increased political engagement. United States and European involvement in MENA was only increased after the September 11 attacks in 2001, and a much more extreme prioritization was placed on democratization in the Arab states. The objective of the 2006 European Instrument for Democratization and Human Rights (EIDHR) was “to strengthen the role of civil society in the promotion of human rights, political pluralism, and democratic participation and representation.” Likewise, the United States created the Middle East Partnership Initiative (MEPI) with the objective of strengthening civil society.

Despite the efforts of civil society organizations both external and internal, democratization and political reform throughout the MENA region made little headway. The Arab region uprisings in 2011 were thought to be a re-emergence in the prioritization of the civil society movement in the region, but failed for many reasons. First, the beginning stages of the uprisings, rather than being led by established civil society organizations, were led by disorganized, leaderless groups that lacked the organizations to create sustainable social and political movements. Second, none of the uprisings had any sort of clear democratic outcomes, except for Tunisia. Third, again, giving an exception to Tunisia, nowhere in this region has civil society created a democratic outcome. A prime example of these failures lies in the 2013 Tamarod movement, where a democracy was overthrown by a military government to get rid of an elected, deeply unpopular president. This further drove back the hopes of creating a democratic government in this country.

The problem with the continued attempts to build civil society for democratization in this region is that it rests completely on a flawed, normative, and general understanding on civil society and what it means. It has been proven repeatedly through failed attempts in the global community that civil society in the Arab region cannot fall on the same definition for the rest of the world. Civil society movements that have worked for the rest of the world are extremely unlikely to work for this region. Both internal and external civil society organizations to the MENA regions are beginning to understand this impasse and create organizations and movements that are better suited to the culture, preferences and beliefs of this region of the world.

With the separation of the ideologies that have linked civil society and democracy, key political players in this region have begun to understand that a deeply rooted aspect of the Arab civil society is the tension that lies between liberal groups and the Islamic groups. However, this has been exploited by regimes in recent years and has been used by authoritarian regime leaders to maintain power. This keeps a clear wedge between the people of these nations, and have dramatically slowed the progression of issues such as women's rights, religious freedom, education, and poverty. While progress has been slow, there is still work being done in this region to resolve the strife that affects the entire global community¹¹.

While certain governments and government policies limit the civic participation of its people, there are still organizations throughout this region that have been essential. Most of these organizations rely on outside funding and support, and do not have the resources of the organizational capabilities to grow and prosper.

¹¹ Durac, V. (2015, October 15). A Flawed Nexus?: Civil Society and Democratization in the Middle East and North Africa. Retrieved July 29, 2017, from <http://www.mei.edu/content/map/flawed-nexus-civil-society-and-democratization-middle-east-and-north-africa>

Southern Africa

While the potential for peace and a united civil society in the North Africa region remains unseen, the southern region of Africa has turned much of its attention towards issues of poverty and removing corrupt leaderships from society. Most of the nations in this region are still developing, and the population in this region is taking great strides toward improving upon many of the challenges that face the region.

The challenges that the Southern African Development Community (SADC) faces include “democratic deficits, youth unemployment, xenophobia, weakening social protection mechanisms, poor health delivery systems, self-centered and captured political elite and state, increasing risk of political instabilities and social unrests, climate change, food insecurity, high poverty levels, underdeveloped economies as well as fiscal deficits to sustainably deliver social services to all citizens. The Southern African Civil Society Forum (CSF) is a platform for civil society to dialogue and reflect on issues affecting the regional community, the Southern Africa Development Community (SADC), and the constituencies, organizations and movements of civil society at regional and national level¹².”

South Africa is a notable example of the region, as it struggles to diminish corruption in its government through civil society organizations. The government of South Africa held its first anti-corruption summit in 1999, and has held other major summits since. In its 2006 report on South Africa’s efforts on good governance, the African Peer Review Mechanism (APRM)—a self-monitoring mechanism founded in 2003 by African leaders—noted that “the development of key partnerships between the government, civil society and the private sector in fighting

¹² (n.d.). Retrieved July 31, 2017, from <http://www.satucc.org/12th-civil-society-forum-in-mbabane-swaziland/>

corruption” is one of the central aspects of the country’s effort¹³. Despite the effort of both South Africa and the region, in recent years that has been a severe spike in anti-corruption protests, and a severe loss in the trust of the people in this region for their governments. Much of this is believed to be related to oil exploitation, and due to secrecy bills created in countries such as Uganda, to keep government acting out of the public sector. This has had a detrimental effect on the African community. The good news, however, is that new civil society groups are emerging that are creating movements in which this region can unite on.

Asian-Pacific

One of the most visible cases of CSO involvement in post-disaster relief occurred in Asia during the post-Tsunami reconstruction after 2006. This focus on disaster relief in reduction is what defines a major and unique role in the civil society of the Asian region, particularly in Southern Asia. Many of these programs, among others are funded in Asia and the Pacific through the Asian Development Bank (ADB). Composed of 67 members, 48 of which are from the Asia and Pacific regions, this organization was created in 1966 with the sole purpose of fostering economic growth and strengthening cooperation and participation in what is considered one of the poorest regions in the world¹⁴. In the civil society sector, ADB works on a grassroots level with CSOs, both nationally and internationally, to help increase the effectiveness, quality, and sustainability of these organizations. Three quarters of ADB projects include some level of CSO involvement, and has greatly contributed to the United Nations’ Sustainable Development Goals.

¹³ Essoungou. (2013, December). The rise of civil society groups in Africa | Africa Renewal Online. Retrieved August 3, 2017, from <http://www.un.org/africarenewal/magazine/december-2013/rise-civil-society-groups-africa>

¹⁴ E. (2017, June 07). Who We Are. Retrieved August 2, 2017, from <https://www.adb.org/about/main>

Recently, a CSO organization that was supported by the ADB became an international organization, working now with the United Nations Development Program (UNDP). This organization is called United Nauro-Gor Inc., which is “a community-based organization that works to promote peace, unity, and sustainable development¹⁵,” and is the first CSO from Papua New Guinea to join the Global Environment Facility (GEF-CSO Network). United Nauro-Gor Inc. has successfully implemented a number of environmental and peacekeeping projects that include education and reducing deforestation, and have plans to continue to strengthen New Guinea, and the international communities in their work towards a better future and the achievement of the Sustainable Development Goals.

Another note-worthy country in this region is Nepal. This nation has made amazing socioeconomic progress in recent years, starting with a new constitution that was put into power in 2015. This new constitution has set a new era into motion, setting the future of this country up for sustainable peace and stability. The challenge that this country now faces is the implementation of this new constitution and some of its provisions.

Nepal, much like Haiti, experienced a devastating earthquake in 2015. This pushed a large percentage of the population below the poverty line. The government is now working with the ADB and the Earthquake Emergency Assistance Project to rebuild roads, schools, and vital infrastructure. Nepal also is working on increasing the sustainability of people’s access to water through the Melamchi Water Supply Project. The country has also worked openly with its

¹⁵ Tleof, A. (2016, November 17). PNG Organization becomes a member of the global civil society network. Retrieved August 2, 2017, from http://www.pg.undp.org/content/papua_new_guinea/en/home/presscenter/pressreleases/2016/11/17/png-organization-becomes-a-member-of-the-global-civil-society-network.html

regional partners to quickly and efficiently recover from and prevent future disasters from their devastating aftermath¹⁶.

Eastern European States

The 1980s saw the end of communism for most Central and Eastern European (CEE) states. Many states found that they had to begin to rethink the meaning of civil society, and build a stronghold that created an empowering and inclusive society for its people. Today, more than 25 years after the fall of communism, these countries have made substantial progress on their societies. CEE has made a re-emergence with the European Union and their Western European neighbors, but still struggle with issues such as the rising refugee populations, Yugoslav wars, and major ethnic conflicts.

Hungary, for example, has a history of strict government regulations and even police raids of their active NGOs. The Hungarian Parliament recently passed a bill that greatly stigmatizes the work of NGOs in the country, creates unjust sanctions and imposes excessive regulations. “Cosmetic changes to the law in response to the Venice Commission have not altered the law’s true intent; it seeks to suppress democratic voices in Hungary just when the country needs them most. It attacks Hungarians who help fellow citizens challenge corruption and arbitrary power, and who stand up for free and independent media and for open debate,” said Goran Buldioski, director of the Open Society Foundations’ work in Europe¹⁷. Despite events like this, there is still hope that the established democracy in Hungary and this region will remain, and that civil and human rights of its citizens will be upheld.

¹⁶ Bank, A. D. (2017, June 14). Asian Development Bank and Nepal: Fact Sheet. Retrieved August 2, 2017, from <https://www.adb.org/publications/nepal-fact-sheet>

¹⁷ A New Hungarian Law Targets Civil Society Groups in a Serious Attack on Democracy. (2017, June 13). Retrieved August 3, 2017, from <https://www.opensocietyfoundations.org/press-releases/hungary-s-new-law-targeting-civil-society-organizations-attack-democracy>

In contrast, Estonia has made significant strides towards the strengthening of their civil society. With CSOs and NGOs included in major legislative decisions, participation in programs that strengthen the country and empower its people has become almost an integrated part of the culture. Everything in the media makes a point to show the vitality of non-government participation, education, and community engagement, and often ties these important community projects to the roles that community organizations play in them. The country of Estonia will only continue to improve and its people continue to prosper.

Western European States and Others

Perhaps one of the greatest examples of the importance of civil society is Germany. Around 23 million Germans volunteer in their spare time, and this country has one of the highest numbers of foundations in Europe. These organizations and groups truly allow people to be a part of their country and its culture, and to shape policies that best meet their own needs. Because there are so many organizations and opportunities, NGOs are finding it increasingly difficult to find committed volunteers. In 2011, the Federal Volunteer Service helped begin to connect people through an international network of peers, allowing citizens to find opportunities to engage in their communities based on their interests and availability.

Much of Western Europe, the United States, and Canada have extremely developed and integrational civil societies, where citizens are able to freely participate in their communities and even provide outreach for regions that struggle to maintain their own populations. The focus for this region of the world is placed more on what these nations are doing for other countries today, through providing the relief, aid, and assistance that weaker states so desperately need. Without

these countries' help, the achievement of the Sustainable Development Goals would not be possible.

Conclusion

The global community has agreed on the importance of the role that civil society plays in the reduction of poverty, the upholding and creation of democracy, education, youth participation, and many other aspects of nations and their people. Each region of the world faces unique challenges in the strengthening of their societies and governments, and this is reflected in the programs that exist within their respective regions and countries. The world has come a long way, but cannot continue to grow unless all its inhabitants equally contribute to these issues. Society must be upheld and prioritized if there is ever to be a hope of achieving the Sustainable Development Goals.

Questions to Consider

1. What region of the global community does your country belong to? Does your country experience the same regional challenges as everyone else?
2. What are some youth and educational services provided in your country aimed at improving the participation of civil society?
3. Does your country provide essential civil society services to other state within its region, or to the global community?
4. What international organizations, besides the United Nations, does your country belong to in an effort to improve the development of its economy and society?
5. Are there any struggles that your country faces that are unique to its geographic region?
6. What are your country's specific focuses in civil society organizations to help further the success of the Sustainable Development Goals?

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Protecting Freedom of Expression

The Universal Declaration of Human Rights established in Article 19 the freedom of opinion and expression. The declaration states, "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."¹ Most Member States have national laws or constitutions protecting the freedom of expression, but the specifics of what this includes and the legal protections for freedom of expression varies greatly. For example, while many ASEAN countries provide formal legal criteria regarding freedom of expression, several countries do not fully implement these protections through legislation. There is no clear correlation between legal and constitutional guarantees of freedom of speech and actual practices among Asian nations. While Vietnam, Cambodia, and Thailand support the freedom of expression, there is a history of severe crackdowns against bloggers and journalists². This is directly contrasted by States that constitutionally guarantee the freedom of expression, such as Canada, Brazil, and Japan, with limited ability to legal inhibit forms of expression.

In 1993, the United Nations Commission on Human Rights established a mandate to appoint a Special Rapporteur to protect the right to freedom of opinion and expression, whose duty was to gather all relevant information on cases where the right to freedom of expression has been violated in the form of harassment, discrimination, or intimidation. In 2008, after the Human Rights Council replaced the United Nations Commission on Human Rights, the mandate

¹ "Universal Declaration of Human Rights." *United Nations*, United Nations, 10 Dec. 1948, www.un.org/en/universal-declaration-human-rights/.

² Harry Roque Jr. (7 November 2013). "Freedom of expression in Asean". *Manila Standard Today*. <http://manilastandardtoday.com/2013/11/07/freedom-of-expression-in-asean/>

was extended for three more years. It has continuously been extended in three-year terms since then with the most recent being in March 2017.³ The Special Rapporteur submits annual reports on instances where the freedom of expression is threatened. These reports detail the background, the instances and the ways in which similar instances can be prevented. The Special Rapporteur is required to seek, receive and relay information of these acts to governments, non-governmental organizations and any party affected by these acts, and to consult an effective recommendation and provide technical support to create better ways to promote and protect the right to freedom of opinion and expression.⁴ The former United Nations Commission on Human Rights had placed a high priority to cases involving journalists whose rights were being infringed upon, and the Human Rights Council continues with a sense of urgency.

Throughout history, journalists have been censored, abused, or even killed by governmental and non-governmental groups attempting to retain public order, protect an image or prevent ideas from being spread. Today, the internet has given people access to information from every region of the globe. This makes the protection of the right to freedom of expression vital. Nevertheless, governments continue to crack down on those who attempt to bring light to issues that violate human rights using anti-terrorism efforts and claiming treason as a reason to imprison journalists and public activists.⁵

Legislation of Article 10

The freedom of expression stands as a fundamental right in European democratic societies. Article 10 of the European Convention on Human Rights provides the right to freedom

³ “Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression.” *OHCHR*, www.ohchr.org/EN/Issues/FreedomOpinion/Pages/OpinionIndex.aspx.

⁴ *Ibid.*

⁵ “China.” *Human Rights Watch*, 27 Jan. 2016, www.hrw.org/world-report/2016/country-chapters/china-and-tibet#caa21f.

of expression and information, including the freedom to hold opinions to receive and impart information and ideas, and subject to certain restrictions that are in accordance with law and necessary in a democratic society.⁶ In specific instances, in relation to the implementation of Article 10, the freedom of expression has temporarily prevented news sources from publishing newspaper articles contained sensitive national security information. Based upon a case of a book in publishing that provided information regarding British national intelligence, courts set two major principles in regard to the freedom of expression and national security. The first principle states that once in the public arena, information on national security may not be prohibited, withdrawn, or the authors of dissemination punished. The second principle institutes a prohibition on the states to unconditionally define as classified information around national security and, consequently, to establish a prior limitation on the access to such information.⁷ Certain information may indeed be classified where there are serious reasons to believe that its release into the public arena will pose a threat to national security.

Legislation prohibiting in absolute and unconditional terms the dissemination of all information in national security, eliminating the public control over the intelligence services' activities, would constitute a breach of Article 10. These principles are to be upheld by all nations in the European Union. Being a multifaceted topic, the freedom of expression varies in legislation and implementation among European nations as well as other democratic nations throughout the world; there is no one specific agreement when it comes to the freedom of expression. In terms of morality, the European Union provides a wider margin of interpretation for states to determine moral judgments. Article 10 does not specify what is considered moral

⁶ "Article 10 Freedom of Expression." *Liberty Human Rights*, 31 Aug. 2010, www.liberty-human-rights.org.uk/human-rights/what-are-human-rights/human-rights-act/article-10-freedom-expression.

⁷ Bychawska-Siniarska, Dominika. "PROTECTING THE RIGHT TO FREEDOM OF EXPRESSION UNDER THE EUROPEAN CONVENTION ON HUMAN RIGHTS." *Council of Europe*, July 2017, edoc.coe.int/en/index.php?controller=get-file&freid=7425.

expression, but rather shifts to responsibility of these determinations onto national courts. In relation to religious expression, the European Court of Justice considers the right to believe separate from the right to express one's beliefs, but nations implement different laws in relation to religious expression⁸. In March 2017, the Court ruled that a company's wish to project a neutral image was legitimate and allowed internal rules banning political, philosophical or religious symbols specifically related to the hijab worn by Muslim women⁹.

The expression of religious beliefs and the display of political and religious symbols continues to spark a powerful debate throughout the international community. The European Court ruling prompted dismay from some religious groups. The Conference of European Rabbis, which comprises 700 Jewish leaders across Europe, said Europe was sending a clear message that its faith communities were no longer welcome. Other groups, such as the right-wing Germany group, Alternative für Deutschland, hailed the decision as the right signal for Germans. The veil issue is part of a wider debate about multiculturalism in Europe, as many politicians argue that there needs to be a greater effort to assimilate ethnic and religious minorities¹⁰.

Turkey

The continued judicial rulings of European courts regarding freedom of expression conform to the original legislation constituted in Article 10, but examples of censorship in Turkey dramatically contrast to the promotion of the freedom of expression in Western nations. In September 2016, Nils Muižnieks, the Council of Europe Commissioner for Human Rights,

⁸ Nickel, James. "Human Rights." *Stanford Encyclopedia of Philosophy*, Stanford University, 8 Nov. 2014, plato.stanford.edu/entries/rights-human/.

⁹ Rankin, Jennifer, and Philip Oltermann. "Europe's Right Hails EU Court's Workplace Headscarf Ban Ruling." *The Guardian*, Guardian News and Media, 14 Mar. 2017, www.theguardian.com/law/2017/mar/14/employers-can-ban-staff-from-wearing-headscarves-european-court-rules.

¹⁰ "The Islamic Veil across Europe." *BBC News*, BBC, 31 Jan. 2017, www.bbc.com/news/world-europe-13038095.

expressed his regret that tangible progress concerning media freedom and freedom of expression which was painstakingly achieved by Turkey in cooperation with the Council of Europe, was halted and reversed in recent years, leading to an already alarming situation at the time of the Commissioner's visit in April 2016. The Commissioner stated that legitimate dissent and criticism of government policy is vilified and repressed, thus shrinking the scope of democratic public debate and polarizing society. This situation has significantly worsened under the ongoing state of emergency which confers almost limitless discretionary powers to the Turkish executive to apply sweeping measures, including against the media and NGOs, without any evidentiary requirement, in the absence of judicial decisions and based on vague criteria of alleged "connection" to a terrorist organization¹¹.

The 2016 coup d'état attempt in Turkey enlightened the international community to the fact that even governments thought to be strong allies and proponents of democracy can violate the right to expression. Journalists who were known to be strong critics of Turkish President Erdogan and his government found themselves imprisoned with the officers and officials behind the coup. The Turkish government claims that these extreme measures are necessary to combat terrorism rising from the PKK (Kurdish Workers Party) and the influx of refugees from the neighboring civil war¹².

Since 15 July 2016, reports indicate that at least 177 media outlets around the world have been closed, 231 journalists have been arrested, nearly 10,000 journalists and media workers have been dismissed, and the press cards of at least 778 journalists have been cancelled¹³. The

¹¹ *Urgent Measures Are Needed to Restore Freedom of Expression in Turkey*. Council of Europe, 23 Feb. 2017, www.coe.int/az/web/commissioner/-/urgent-measures-are-needed-to-restore-freedom-of-expression-in-turkey.

¹² "Who Are Kurdistan Workers' Party (PKK) Rebels?" *BBC News*, BBC, 4 Nov. 2016, www.bbc.com/news/world-europe-20971100.

¹³ "UN Report: Radical Backsliding from Turkey's Democratic Path." *Kurdish Info*, 10 June 2017, www.kurdishinfo.com/un-report-radical-backsliding-turkeys-democratic-path.

Turkish government has charged journalists with acts of terrorism and imprisoned them without family visitations and very little evidence to prove their collaboration with terrorist groups.

The Turkish government continues to demand the extradition of foreign journalists who criticize President Erdogan; furthermore, many arrest warrants have been issued for German-Turkish writers residing in Germany who have criticized the Turkish government or written historical pieces on the Armenian genocide, which the Turkish government denies ever happening. One German-Turkish writer was held in Spain while on vacation until the Turkish extradition request could be processed. The Special Rapporteur explains cases like these to be evidence of a shrinking civil society space that signals a radical backsliding from Turkey's democratic path¹⁴.

Russia

It is not only member and non-member states that have been found in violation of the UNHRC's policies on the freedom of expression. Members of the P5 countries in the United Nations have had many issues with freedom of expression; moreover, since 2012, there have been a spike in acts against the right to freedom of expression in the Russian Federation. The crackdown is directly related to Vladimir Putin effectively changing places with Dmitry Medvedev from Prime Minister to President of the Russian Federation. Since this change of parliamentary positions in Russia, the Russian government has passed laws that censor what Russian citizens can say on social media. The Russian government claims these laws were implemented to protect the sanctity of the Russian State from extremist expression, as well as prevent the offending of religious believers¹⁵.

¹⁴ "UN Report: Radical Backsliding from Turkey's Democratic Path." *Kurdish Info*, 10 June 2017, www.kurdishinfo.com/un-report-radical-backsliding-turkeys-democratic-path.

¹⁵ "Online and On All Fronts." *Human Rights Watch*, 3 Aug. 2017, www.hrw.org/report/2017/07/18/online-and-all-fronts/russias-assault-freedom-expression.

In Russia, these new laws have enabled the state to prosecute people based on their Facebook posts and information found in their online storage in relation to topics the Russian government deems unlawful or immoral, such as same-sex marriage. The Russian government claims that combating extremism and putting bloggers and journalists in jail is necessary for state security. A series of new laws released since 2012 have resulted in Russian journalists, bloggers and everyday citizens with different social and political views being thrown in prison for acts of expression, beginning with Federal Law 139 FZ¹⁶. The State Duma created a blacklist run by a Federal agency called the Roskommadzor; furthermore, websites which are deemed to contain harmful material are added to a registry where they are blocked until the material is removed by the owner or the hosting company. If neither remove the content declared harmful to the Russian children and youth, then both can be fined or face jail time as a result.

Both governments recognize the importance that social media has on political tension and dissent, but both choose to create laws and stigmas to punish citizens who express themselves. While Turkey disregards its own legislation protecting the rights of expression and focuses on censorship, Russia has taken steps to make specific acts of expression illegal, especially in relation to homosexuality and same-sex marriage – these laws have been deemed illegal by European courts¹⁷.

These instances in Turkey and Russia serve as examples related to the freedom of expression versus the crackdown on extremist thought. Compared to Turkey, Russia has focused more on creating the legal means in their parliament to suppress expression for the safety of its citizens and the security of the nation. Turkey, on the other hand, has used its civil unrest as the

¹⁶ “Online and On All Fronts.” *Human Rights Watch*, 3 Aug. 2017, www.hrw.org/report/2017/07/18/online-and-all-fronts/russias-assault-freedom-expression.

¹⁷ Chan, Sewell. “Russia’s ‘Gay Propaganda’ Laws Are Illegal, European Court Rules.” *The New York Times*, The New York Times, 20 June 2017, www.nytimes.com/2017/06/20/world/europe/russia-gay-propaganda.html.

reason for arresting journalists regardless of whether it is backed by existing legal parameters. Prison and jail time seem to be a common ground for Turkish and Russian governments regarding journalists who are not aligned with state agendas. The debate continues whether the freedom of expression should be limited in times of severe civil unrest or when a government deems specific social or political views a threat to national or international security.

Additional Challenges and Conclusion

The freedom of expression remains pertinent within the past year with claims of disinformation circulating amidst the recent United States presidential election. The United Nations Human Rights Office of the High Commissioner and The Representative on Freedom of the Media issued a joint declaration on freedom of expression and “fake news”, disinformation, and propaganda¹⁸. The declaration acknowledged the transformative role played by the Internet in the administering of information as well as recognized that the human right to expression is not limited to “correct” information. States may only impose restrictions on the right to freedom of expression in accordance with international law, meaning restrictions to websites, articles, and news outlets may only be restricted when related to international law stating the allowance of such an action¹⁹. General prohibitions on the dissemination of information based on vague and ambiguous ideas, including “false news” or “non-objective information”, are incompatible with international standards for restrictions on freedom of expression.

The human right to the freedom of expression does not rest solely on individuals, it also rests with journalists, news sources, and government. States have a positive obligation to

¹⁸ “JOINT DECLARATION ON FREEDOM OF EXPRESSION AND ‘FAKE NEWS’, DISINFORMATION AND PROPAGANDA.” *OSCE*, United Nations Human Rights Office of the High Commissioner, 3 Mar. 2017, www.osce.org/fom/302796?download=true.

¹⁹ “The Right to Freedom of Expression: Restrictions of a Foundational Right.” *GLOBAL TRENDS IN NGO LAW*, vol. 6, no. 1. <http://www.icnl.org/research/trends/trends6-1.pdf>

promote a free, independent and diverse communications environment, including media diversity, which is a key means of addressing disinformation and propaganda, and is key in supporting the freedom of expression and disseminating correct, supported information to individuals. While States take measures to censor news outlets and journalists under the guise of “false news”, there is no international law backing this censorship. As it stands, the freedom of expression is an irrevocable human right. There is a responsibility on independent news outlets to monitor and verify the information provided. There is also a responsibility among States to uphold the right to the freedom of expression even in times of civil unrest. There are many aspects of the freedom of expression that remain ambiguous and are addressed by national courts and Member States through different interpretations which is their obligation so long as these States remain in accordance to international law and these interpretations do not discriminate against specific groups.

It remains crucial for the international community to support the freedom of expression and work to remove barriers and discriminatory systems in place that prevent the spread of information. The ongoing struggle between censorship for the sake of national security and expression regardless of intentions continues. It is the duty of the United Nations to create resolutions that address the concerns of censorship and media diversification throughout regions and independent nations for information to be more accessible to all without the limitations of governmental intervention. The freedom of expression has the power to bring about positive change in local communities and regional governments.

Questions to Consider

- How have recent global elections (i.e. Germany, United States) shaped the conversation regarding the freedom of expression?
- What has your State done to protect the right of freedom of expression? What challenges does your State face in relation to this human right?
- What stance has your State taken in relation to censorship or the revoking of the right to freedom of expression? In what circumstance does your State justify revoking the rights of expression from media outlets or individuals, if at all?

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Prioritizing Human Rights in the Implementation of the Sustainable Development Goals

The Sustainable Development Goals (SDGs) were established in 2015 by 193 United Nations' Member States as part of the *Transforming Our World: the 2030 Agenda for Sustainable Development* (A/RES/70/1). As implied by the name, the 17 Goals were put in place to ensure prosperous and equitable sustainable development for all while protecting our planet and biosphere. The 169 targets encompassed by the 17 SDGs are the direct successors of the Millennium Development Goals (MDGs), which were a set of 8 international development goals set to be completed by 2015. The SDGs are a direct attempt to more efficaciously address the issues and shortcomings of the MDGs which aimed to create a more comprehensive set of ambitious targets. The SDGs' targets were set to be achieved by the end of the year 2030. The issue of human rights is of extreme importance in the process of achieving the Sustainable Development Goals as the shortcomings of the MDGs have demonstrated. The poor and marginalized will not benefit as they could from development without a strong focus on human rights, which was categorically lacking in the Millennium Development Goals. By failing to include some of the core values of human rights and good governance in the agenda, the MDGs were not able to effectively impose any incentive or accountability mechanism for national governments, bilateral donors, or international financial institutions to address inequality and/or discrimination. Therefore, it is important to assess how the SDGs build upon the MDGs shortcomings to provide a much more effective and ambitious set of targets that prioritize human rights. Additionally, it is pivotal to analyze how prioritizing Human Rights has a direct effect in the achievement of all the seventeen goals and its targets.

Comparative Analysis

The Millennium Development Goals failed to address human rights as a core component and catalyst to the completion of its targets. It fell short because it used human rights as a “symbol instead of an instrument”¹⁸. On the other hand, The Sustainable Development Goals are the outcome of one of the most inclusive and groundbreaking process in international politics and diplomacy in the history of the United Nations and the world¹⁹. The 2030 Agenda was strongly based on the principles of human rights, thus, in contrast to the MDGs, it based most of its goals on the premises agreed upon international human rights law, instead of the MDGs approach of socially acceptable outcomes. Hence, the SDGs shifted from the MDGs timid “half-way” targets to a “zero-target” approach, meaning targets that aimed to completely eradicate conditions that are perceived as human rights violations, such as hunger and preventable child deaths.

This shift is crucial, because it reaffirms and emphasizes the push towards a planet where every single human being has the right to live a “decent” life in accordance to the parameters of international human rights law. The 2030 Agenda for Sustainable Development affirms in its preamble that the Sustainable Development Goals’ intention is to “realize the human rights of all”²⁰. It also notes in paragraph 19 of the document that it is “the responsibilities of all States... to respect, protect and promote human rights and fundamental freedoms for all, without distinction of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, disability or other status”. Furthermore, it is emphasized in paragraph 18 that the 2030 Agenda is “to be implemented in a manner that is consistent with

¹⁸ “Sustainable Development Goals and Human Rights.” *OHCHR*, United Nations, www.ohchr.org/EN/Issues/MDG/Pages/The2030Agenda.aspx.

¹⁹ *Ibid.*

²⁰ A/RES/70/1 “Transforming our world: the 2030 Agenda for Sustainable Development”

the... obligations of states under international law.”²¹. These paragraphs are crucial to understanding the human rights scope by which this document was written which dictates that any discrepancies or violations will be treated and resolved in the premises of international human rights law – a large leap forward from the Millennium Development Goals’ soft approach to human rights and international development.

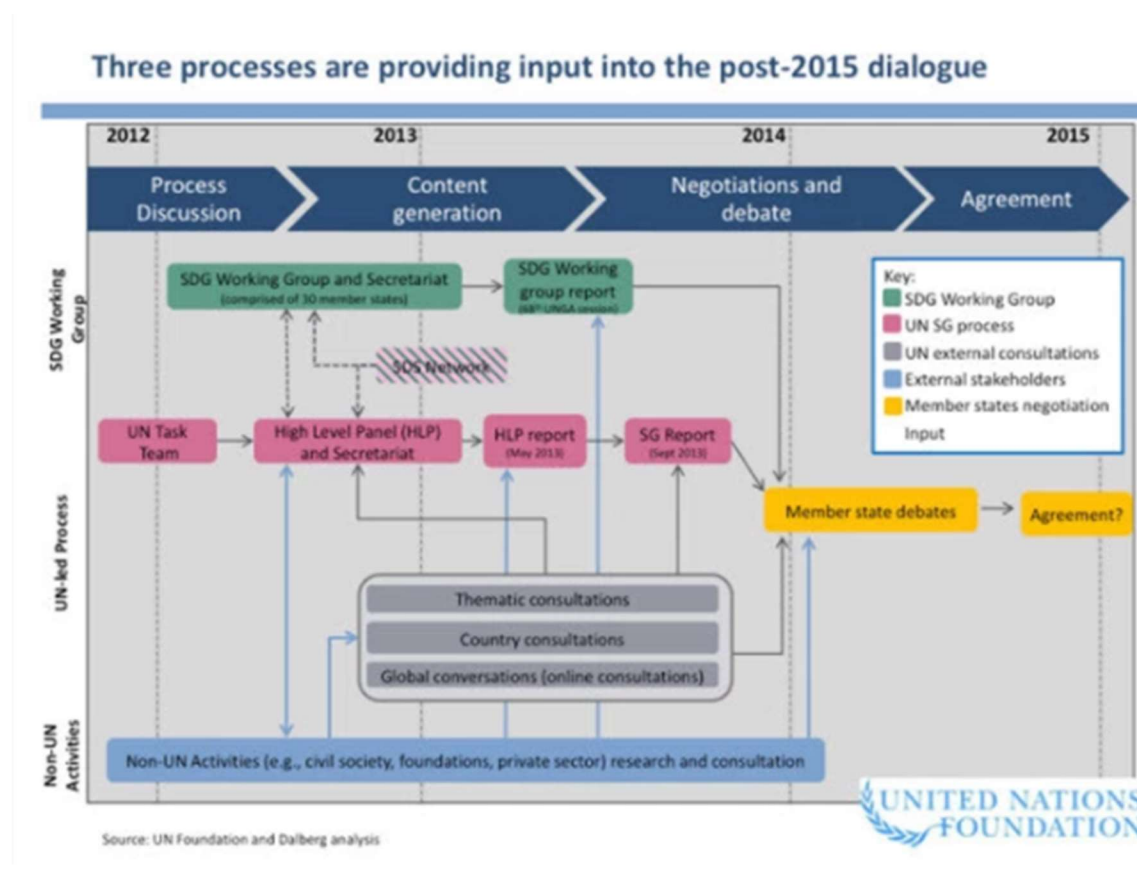
The MDGs were not only limited in scope – with nine less goals than the SDGs – but they were limited in their ability to ensure equitable development by lacking not only a variety of specific mechanisms to account for Member States’ specific progress, but also a viable and effective procedure to solution. The MDGs used aid-flows as the main mechanism to achieve its international development targets; that is, rich and industrial countries providing financial assistance to poor and less developed countries. This approach largely dismisses the unsustainability and lack of development experienced by many developed and developing nations because it fails to address the root causes of poverty and inequality. Furthermore, the MDGs, through its top-down approach to international development, largely dismissed the role and input of local governments and civil society have in the progress towards complete target completion. Over the last two decades, multiple reports from the World Bank and The United Nations Development Programme have emphasized the importance of civil society and local government to development²². An active and empowered civil society is a pivotal player in the completion of the goals because it maintains policy-makers accountable, empowers human rights movements, and increases governmental inclusiveness. On the other hand, local governments are extremely important development partners because many impactful decisions, especially with

²¹ A/RES/70/1 “Transforming our world: the 2030 Agenda for Sustainable Development”

²² Veltmeyer, Henry. (2008). Civil Society and Local Development. *Interações (Campo Grande)*, 9(2), 229-243. <https://dx.doi.org/10.1590/S1518-70122008000200010>

regards to education and inclusiveness, are made at the local level²³. Thus, the lack of universality and effective mechanisms in the MDGs approach to a solution, failed to provide the most efficient result to most Member-States.

Contrastingly, as already mentioned, the *Transforming our World: the 2030 Agenda for Sustainable Development* was built upon the many lessons learned from the MDGs and created a set of targets and goals that were broadly discussed alongside not only federal representatives, but also civil society, foundations, and the private sector (See table 1). This inclusive process also took in consideration and was drafted with considerable influence from cornerstone documents such as the Universal Declaration of Human Rights (A/RES/3/217) and the 2012 Rio+20 Conference outcome document, The Future We Want (A/RES/66/288). This broader and



²³Morgan, Jonathan Q. *The Role of Local Government in Economic Development: Survey Findings from North Carolina*. UNC School of Government, 2009.

more inclusive approach helped lead the creation of targets that focused on the root causes of poverty and inequality, establishing human rights as a central piece of the Agenda.

Human Rights as a Priority

It is evident that the 2030 Agenda for Sustainable Development “marks a paradigm shift towards a more balanced model for sustainable development aiming to secure freedom from fear and freedom from want for all, without discrimination”²⁴, though it is important to understand the essence of this positional shift and how it can catalyze equity through more efficient and sustainable development. The SDGs are different than the MDGs because they are universal, transformative, comprehensive, and inclusive²⁵. The 2030 Agenda attempts to create “more peaceful, just and inclusive societies which are free from fear and violence”²⁶ and human rights are at the centerpiece of it, not as a symbol, but as an instrument to optimize development by making it truly sustainable.

The pivotal role sustainable development is to have towards human rights improvement is categorized in paragraph nineteen, where Member States reaffirm their commitment to “respect, protect and promote human rights, without distinction of any kind as to race, colour, sex, language, religion, political or other opinions, national and social origin, property, birth, disability or other status”. The 2030 Agenda aims to do so by adding more and further comprehensive targets than the Millennium Development Goals had. Two of them are explicitly aimed at fighting discrimination and inequality: Goal 5, which focuses on gender equality; and Goal 10 which focus on reducing the inequality between Member States. As previously

²⁴ A/RES/70/1 “Transforming our world: the 2030 Agenda for Sustainable Development”

²⁵ “Sustainable Development Goals and Human Rights.” *OHCHR*, United Nations, www.ohchr.org/EN/Issues/MDG/Pages/The2030Agenda.aspx.

²⁶ A/RES/70/1 “Transforming our world: the 2030 Agenda for Sustainable Development”

mentioned, all goals are focused on reaching “those further behind first”²⁷, which increases the efficacy of the process.

Furthermore, despite the document being non-binding, the follow-ups on Member States’ progress towards the Sustainable Development Goals are much more precise and effective than the MDGs processes were. Member-States are also more accountable due to the universality of the process and greater overall internet access. The review processes of Member-States will be done using data that is disaggregated by “income, gender, age, race, ethnicity, migratory status, disability, geographic location and other characteristics relevant in national contexts”²⁸. The ability to measure progress by disaggregating marginalized or underprivileged parts of society is pivotal in ensuring development is equitable and sustainable because one can measure the growth discrepancies between marginalized and non-marginalized groups; moreover, making it easy to assess and address the problem quicker and more efficiently. Lastly, the 2030 Agenda includes possibly the largest group of specific groups and communities that should be given special attention throughout the process. Including people with HIV/AIDS, the youth, people with disabilities, indigenous people, people of age, refugees, and migrants and internally displaced people. Which even though not optimal, it is still a large leap towards progress.

Conclusion

There is wide agreement that immense progress was made from the Millennium Development Goals to the Transforming our World: the 2030 Agenda for Sustainable Development and the Sustainable Development Goals. The new set of targets is built upon universal, comprehensive, inclusive, and transformative principles that are strongly grounded in international human rights

²⁷ A/RES/70/1 “Transforming our world: the 2030 Agenda for Sustainable Development”

²⁸ *Ibid.*

law. Furthermore, the shifting from aid-flows and usage of human rights as a symbol to a bottom-up strategy that utilizes human rights as an instrument, makes the Sustainable Development Goals much more efficient and universal, and increases developed states accountability to unequitable development back home.

Although better than the Millennium Development Goals, it is important to emphasize that there are still gaps and improvement points in the 2030 Agenda. Despite a greater focus on specific groups of people, the LGBTI community and other minorities were left out of that list. Also, due to the non-binding nature of the document, there is a crucial need for greater accountability mechanisms from the local to the global level. The implementation of such mechanisms is inextricably vital to the success of the SDGs. Furthermore, there is a continuous need to maintain and further increment the developmental aid amount to ensure the complete financing of international development and the completion of the SDGs. Special attention should be paid to the Addis Ababa Action Agenda (A/RES/69/313), which established a global framework for financing development in the Third International Conference on Financing Development in 2015.

Questions to Consider

1. Are the financial mechanisms in place sufficient to ensure human-rights focused sustainable development?
2. How can Member-States address human-rights gaps, if any, in the implementation of the SDGs?
3. Has your state attempted to or succeeded in creating effective accountability mechanisms directed to increase the completion time of any of the SDGs targets?
4. What types of progress-check or accountability mechanisms can be created to ensure international human rights law is being respected throughout the process of completion of the SDGs?
5. What are other effective manners in which Member-States can combat human-rights violations through international development and vice-versa?