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**THE RELEVANCE OF THE LINKS BETWEEN HUMAN RIGHTS, THE  
BEIJING PLATFORM FOR ACTION AND THE MILLENNIUM  
DEVELOPMENT GOALS**

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The Millennium Development Goals (MDGs) which originated in the Millennium Declaration are an attempt to capture measurable areas of development. They are acclaimed as an international consensus on global development goals. This paper makes the argument that while setting such goals is important, there also needs to be guidance on how the goals are to be achieved. The problem that the paper presenter sees with the MDGS is that they do not take into account normative human rights standards set forth in various treaties to which many governments are parties. In particular they do not take into account the dynamics of gender relations and the attendant inequality between women and men affecting development outcomes and goals. This does not necessarily have to mean that the MDGs in themselves are contrary to human rights principles. They will however be better achieved if the methodology for implementation brings in context and a human rights framework. In the case of var.t-0.23460 Tc( ed)7(e)-Nogyi.-2hum1-m5 0 TDc paper h

adoption of the Universal Declaration of Human Rights. There are many international human rights instruments and their jurisprudence whose norms and standards we can use for our purpose. By ratifying these instruments, member states of the United Nations have voluntarily undertaken certain specific obligations to respect protect and fulfil the human rights of their citizens.<sup>2</sup>

An international human rights treaty therefore creates obligations on States parties to the treaty that are legally binding. Hence human rights can be a powerful language as they clearly pinpoint state accountability under international law. They can be a potent tool for advocacy that effectively changes the dynamics of women's engagement with the state, from a position of needs (subject to the whims of the powers- that –be) to a position of strength premised on rights that women are entitled to and are guaranteed in the first place. Hence a rights approach demands that rights must be enjoyed and exercised. So there must be *de facto* realization of rights and there must be accountability; rights bearers and duty bearers must be identified and there will have to be mechanisms for claiming rights.

Second, a rights approach constitutes international standards against which state actions or inaction, violative of the human rights of woman can be challenged. They can also be used to demand specific actions from the state, including regulations or sanctions against non state actors. Third, the evolving concepts of human rights, vis-à-vis an emerging women's rights advocacy makes room for the infusion of women's perspectives into human rights discourse. This allows women in the process to clarify among themselves what their human rights should mean and should be. In this regard, adopting a rights approach connotes an organizing or mobilizing element to it. Fourth, the idea of women being holders of rights by itself can be very empowering to women.

### **The significance of CEDAW as a human rights instrument**

Our understanding of rights must be based on a set of values and principles that provides a normative framework. Often the rights language is used but without a basis of normative standards. In the arT.7(a)-0.05 -1.1515 -1.0 it3normng of s of righthom75 0 TD-0s of 2e

intended. Under this Convention, a purely formal legal framework is not sufficient. Nor is it sufficient to guarantee women identical treatment with men. Women have to be specifically empowered with enabling conditions that they may have equal access to opportunity and to achieve equality of results.

It is critical to use this understanding of equality, also known as substantive equality as a normative framework to underpin all efforts to respect, promote, protect and fulfil women's rights. Otherwise, even sex disaggregated data that shows disparity between women and men can be interpreted as natural or solutions sought that discriminate against women further. In other words discrimination that exists may not be recognised as a problem or discrimination against certain groups may not be recognised as a problem. To avoid this we need to value all women as full human beings entitled to the highest attainable standard of well being and on a basis of equality and not see women as having lesser entitlements or view them as a means to another goal. But above all taking a human rights approach will allow us to name the disadvantage and discrimination faced by women as a human rights violation. Maternal death related to goal 5 of the MDGs will not merely be a health problem but a violation of the human right to life.

### **The need to address the context of gender relations**

In taking into account the issues of discrimination against women, we need to address the

gender roles and norms established and promoted at all these levels? It is too simplistic to understand gender relations as ‘man dominates woman’. For example, in the area of health,<sup>4</sup> it is essential to move away from a disease model in epidemiology that frames health problems as “de contextualised exposures to risk factors, including the isolated behaviours of individuals.”<sup>5</sup>

So it means more than just considering whethe







women; measures to abolish customs and practices that discriminate against women: the repeal of all discriminatory laws

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