SUSTAINABLE DEVELOPMENT GOALS (SDGS) ARE NOT ANY DIFFERENT FROM THE MILLENNIUM DEVELOPMENT GOALS (MDGS) GIVEN THEIR OBVIOUS DISCONNECT FROM HUMAN RIGHTS STANDARDS.

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Abstract

This research work evaluates the gap between the human rights obligations of the United Nations member states to which they have voluntarily committed themselves against the backdrop of the International development agendas that they have adopted in the form of the Millennium Development Goals (MDGs) and the Sustainable Development Goals (SDGs). The aim was to contribute to the International legal scholarship on Human Rights and the MDGs/SDGs with a view to achieving a better understanding of the convergences and incongruences between the two fields that ordinarily ought to cooperate more harmoniously towards the common aim of improving human well-being. Using the doctrinal legal research methodology, this research examines the obvious disconnect between the MDGs and SDGs on one hand, and human rights on the other. It was found that although both the MDGs and the SDGs that subsequently replaced them both made peripheral references to the need to protect and preserve human rights, with the latter being more ambitious and precise in so doing, the duo curiously failed in practical terms to address the non-existence of actual and enforceable human rights obligations on the part of States, particularly in view of the fact that their focus were at variance with International Human Rights standards. It was recommended *inter alia* that given the situation as demonstrated above, the United Nations Member States should, with a view to main-streaming human rights into the practical realization of the SDGs: adopt and adequately implement laws, policies, regulations, and national strategies that will promote equality and non-discrimination which is in conformity with international and regional human rights standards; and, Recognize that human rights are central to addressing the underlying grievances that foster violent extremism and terrorism and must be protected thereby countering terrorism by extension.

Keywords: Accountability, Human Rights, Millennium Development Goals, MDGs, Sustainable Development Goals, SDGs.

Introduction

It is no longer in dispute that the Sustainable Development Goals (SDGs) are in reality a revised edition of the Millennium Development Goals (MDGs) with no significant difference regarding the likelihood of successful implementation. Practically speaking therefore, the Sustainable Development Goals are a new, universal set of goals, targets, and indicators that United Nations (UN) member states agreed to use to frame their agenda and political policies from 2016 to 2030[1] as a global successor to the MDGs which expired in 2015. However, the process leading to its emergence was clearly more participatory, involving stakeholders from Civil Society, the Scientific community, and the United Nations itself.[2] The global consultation was indeed unprecedented, unlike the case with the MDGs.

Historically, the Millennium Development Goals, otherwise referred to as 'MDGs' were established following the Millennium Summit of the United Nations in 2000 wherein the United Nations Millennium Declaration was adopted. The MDGs are actually international development

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[1] The Guardian, "Sustainable Development Goals: All You Need to Know", [2015], https://www.theguardian.com Accessed, 15th July, 2023.

[2] UNGA, 2012.

goals to which all the 189 United Nations member states at the time[3], and at least 23 International Organizations committed to help achieve the set targets. Each goal has specific targets, and dates for achieving those targets. To accelerate progress, the G8 Finance Ministers agreed in June, 2005 to provide enough funds to the World Bank, the International Monetary Fund (IMF), and the African Development (AfDB) to cancel $40 to $55 billion in debt owed by members of the Heavily Indebted Poor Countries (HIPC) to allow them to redirect resources to programs for improving health and education and for alleviating poverty.[4]

The Sustainable Development Goals follow and expand on the Millennium Development Goals, which were agreed by governments in 2000 and which expired at the end of the 2015. The rationale for this paradigm shift is predicated on the broad agreement that, while the Millennium Development Goals provided a focal point for governments - a framework around which they could develop policies and overseas aid programmes designed to end poverty and improve the lives of poor people, as well as a rallying point for NGOs to hold them to account, the MDGs were indeed too narrow. Its commitments echoed the obligations of the countries under the United Nations Charter to take joint and separate action with the United Nations to promote higher standards of living, full employment, and universal respect for, and observance of human rights.[5] In reality however, the MDG framework unfortunately sidestepped, rather than aligned with Human Rights obligations.

The Millennium Development Goals, which were compartmentalized into eight major subheads to wit: Eradicate extreme poverty and hunger; Achieve Universal Primary education; Promote gender equality and empower women; Reduce child mortality; Improve maternal health; Combat HIV/AIDS, Malaria and other diseases; Ensure environmental sustainability; and Develop a global partnership for development; failed to consider the root causes of poverty and overlooked gender inequality as well as the holistic nature of development. Besides, the goals made no mention of Human Rights and did not specifically address economic development.[6] This is in addition to earlier concerns regarding the apparent lack of participation by most poor countries in the selection of the Goals, and lack of transparency in view of the fact that some indicators failed to measure progress towards their targets.[7] Nevertheless, the MDGs had some positive impacts particularly on certain dimensions of poverty and indeed enjoyed significant legitimacy having derived from the Millennium Declaration.[8] They equally created a unified global development framework.[9]

In any case, while the MDGs in theory applied to all countries, in reality they were considered targets for poor countries to achieve, with financing expected from wealthy States. Conversely however, unlike the MDGs, the aim is that every country will be expected to work towards achieving the Sustainable Development Goals. For a clear understanding of the issues and with a view to juxtaposing the MDGs and SDGs, it is pertinent to itemize the Sustainable Development

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3   There are currently 193 members states.
4   Background page, United Nations Millennium Development Goals website, https://www.un.org/millennium goals/ Accessed, 22nd July. 2023.
5   Art. 55-56, Charter of the United Nations, 1945.
6   *Ibid.*
7   Langford, M., "A Poverty of Rights: Six Ways to fix the MDGs", *IDS Bulletin*, Vol. 41, 2010, 83-91; Mac-Naughton, G., and Frey, D. F., 'Decent Work, Human Rights, And the Millennium Development Goals', *Hastings Race and Poverty Law Journal*, Vol.7, 2010, 303-352.
8   Fukada-Parr, S., "Economic Policies for Human Rights in the Market Economy", In CESR, Twenty Years of Economic and Social Rights Advocacy: Marking the Twin Anniversary of CESR and the Vienna Declaration and Program of Action, [2015], available at >http://cesr.org/download/cesr_20years_escr.pdf<, accessed, 20th August, 2023.
9   *Ibid.*

Goals for easy reference and assessment. Altogether, seventeen (17) goals are proposed in the SDGs. They are, to:

1. End poverty in all its forms everywhere.
2. End hunger, achieve food security and improved nutrition, and promote sustainable agriculture.
3. Ensure healthy lives and promote wellbeing for all at all ages.
4. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all.
5. Achieve gender equality and empower all women and girls.
6. Ensure availability and sustainable management of water and sanitation for all.
7. Ensure access to affordable, reliable, sustainable and modern energy for all.
8. Promote sustained, inclusive and sustainable economic growth, full and productive employment, and decent work for all
9. Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation.
10. Reduce inequality within and among countries
11. Make cities and human settlements inclusive, safe, resilient, and sustainable.
12. Ensure sustainable consumption and production patterns.
13. Take urgent action to combat climate change and its impacts (taking note of agreements made by the United Nations Framework Convention for Climate Change forum.
14. Conserve and sustainably use the oceans, seas and marine resources for sustainable development
15. Protect, restore and promote sustainable use of terrestrial ecosystems sustainably manage forests, combat desertification and halt and reverse land degradation, and halt biodiversity loss.
16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable, and inclusive institutions at all levels.
17. Strengthen the means of implementation and revitalize the global partnership for sustainable development.

As the Millennium Development Goals deadline approached, about 1 billion people were still living on less than $1.25 a day, and more than 800 million people did not have enough food to eat, an indication that the programme was in fact not successful, even though pockets of positive milestones were recorded in certain areas.[10] Women were still fighting hard for their rights, and millions of women still died during childbirth.[11] It is comforting however to note that unlike the MDGs, which were drawn up by a group of men in the basement of the UN Headquarters (or so the legend goes), the UN has conducted the largest consultation programme in its history to guage opinion on what the Sustainable Development Goals should include.[12]

Establishing the Post – 2015 goals was an outcome of the Rio + 20 summit in 2012 which mandated the creation of an Open Working Group to come up with a draft Agenda. Alongside the open working group discussions, the UN conducted a series of 'global conversations' including 11 thematic and 83 national consultations, and door-to-door surveys. The result of the consultations

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[10]   McArthur, J., and Rasmussen, K., "How Successful were the Millenium Development Goals?", [2017], available at >https://www.theguardian.com< accessed, 23rd July, 2023.

[11] Taylor, D.C., Taylor, C.E., and Taylor, J. O., *Empowerment on an Unstable Planet: From Seeds of Human Energy to a Scale of Global Change*, London: Oxford University Press, 2012, 25-33.

[12]   *Ibid.*

were fed into the working group's discussions.[13] Indeed, many of the criticisms that were earlier raised against the MDGs particularly: lack of universality, participation, transparency, equality, non-discrimination, and accountability were central in the global consultation which lasted for 3 years. Unfortunately however, as we reach the midpoint-review of the 2030 Agenda, it is clear that multiple crises are placing tremendous pressure on the 17 Sustainable Development Goals.[14]

Discussion

Despite the laudable ideals behind the MDGs and the SDGs, the two sets of goals have been criticized for several inherent shortcomings which have become clogs in the wheels of progress for them.

With particular reference to the Millennium Development Goals for instance, it was contended that there was a perceived lack of analytical power and justification behind the chosen objectives.[15] The MDGs lacked strong objectives and indicators for within-country equality, despite significant disparities in many developing nations.

Further critique of the MDGs was that the mechanism used was such that they sought to introduce local change through external innovations supported by external financing. Ideally, these goals are better achieved by community initiative, building from resources of solidarity and local growth within existing cultural and government structures. The idea is that iterations of proven local successes can scale up to address the larger need through human energy and existing resources using methodologies such as Asset Based Community Development, SEED-SCALE, or Participatory Rural Appraisal.[16]

According to Deneulin and Shahani, the MDGs under-emphasized local participation and empowerment, other than women empowerment.[17] Thus, FIAN International, a Human Rights organization focusing on the right to adequate food contributed to the Post-2015 process by pointing out a lack of "primacy of Human Rights, qualifying policy coherence, and a Human Rights based monitoring and accountability. Without such accountability, no substantial change in national or international policies can be expected".[18]

This clearly corroborates the proposal for a collective effort of development and Human Rights practitioners, policy makers, relevant institutions, civil society organizations, and the UN funds, to initiate programmes towards integrating Human Rights concerns into national and global efforts to achieve the MDGs. This was in view of the glaring synergy and complementarity between Human Rights and the MDG goals, thus, the need for a Human Rights based approach to the development and national poverty reduction strategies.[19]

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[13]   United Nations, "Sustainable Development Knowledge Platform", [2012], available at >https://www.sustainable development.un.org< accessed, 23rd July, 2023.
[14]   United Nations, "2023 UN World Economic Situations and Prospect Report (WESP)", The Sustainable Development Goals Report, 2023: (Special Edition) Towards a Rescue Plan for People and Planet, https://unstats. un.org/sdgs/ Accessed, 23rd August, 2023.
[15]   *Ibid.*
[16]   Nwosu, U. W., 'The Relationship Between Oil Industries And Their Host Communities in Nigeria's Niger Delta Region', *International Journal of Public Administration and Management Research*, Vol. 4, No.1, 2017.
[17]   Deneulin, S & Shahani, I., *An Introduction to the Human Development and Capability Approach: Freedom and Agency*, London: Earthscan Publishers, 2009.
[18]   *Ibid.*
[19]   United Nations, *Human Rights and the Millennium Development Goals in Practice: A Review of Country Strategies and Reporting* (United Nations Publications, 2010).

The situation calls for a need to ensure that those responsible for the implementation of development programmes are informed by the Human Rights framework and that Human Rights practitioners are cognizant of development goals by insisting on a coherent institutional approach to development by instigating Human Rights in the entire process. The fact remains that at the level of the UN and its specialized agencies, the bodies dealing with Human Rights and development are not only separate from each other, but they also lack any real mechanisms enabling them to coordinate their respective activities.

The recognition of the transversal nature of Human Rights and the requirement of mainstreaming them within the structure of the UN, as stipulated in the organizational reforms of 1997 has resulted in limited change, with its impact restricted to the secretariat of the organization of the UN.[20] This was the reason behind the failure of the MDGs to achieve significant results as at the end of the target deadline of 31st December, 2015.

Regarding the Sustainable Development Goals, granted that the goals now appear broader as against the Millennium Development Goals. This is especially so with particular reference to the inclusiveness, resilience, safety, and sustainability of the cities.[21] Despite this however, stakeholders have expressed reservations as to the likelihood of the Post-2015 goals meeting Human Rights standards. For instance, the Centre for Economic and Social Rights (CESR) has asked whether the Post-2015 development proposal will meet the Human Rights litmus test. The test, established by Post-2015 Human Rights Caucus, a global coalition of different organizations and convened by CESR, is a tool that evaluates current proposals of the Open Working Group according to existing Human Rights norms, standards, and commitments by means of some set parameters.

These parameters are designed by way of eight key questions following which the 'roadmap for embedding Human Rights' sets out detailed criteria linked to each question which help to examine whether the means of implementation, including ideas for financing, monitoring, and accountability, are successfully ensured.[22] For particular goals, there appear to be positive developments with significant synergies in the estimation of scholars especially for SDGs 1, 3, 7, 8, and 9.The practical implication is that poverty alleviation and the need to strengthen the economy via innovation and modern infrastructure are obviously the foundation upon which several other SDGs can be actualized.[23]

Conversely, SDGs 11, 13, 16, and 17 would however appear to have obvious trade-offs and indeed exist independent of other goals in future thus accentuating the necessity of fostering policy guidelines and innovations that are capable of engendering sustainability of our communities and developed cities while strengthening institutions in addition to spurring of climate action.[24] Consequently, the success of the Sustainable Development Goals is primarily dependent on aligning targets and goals with existing international agreements and political processes. This probably led the Secretary-General of the United Nations, Anthonio Guterres to state recently that

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[20] *Ibid.*
[21] Metaxas, I., and Metaxas, T., 'Putting Cities in the Framework of Sustainable Development: Evolution, Evaluation, and Features of SDG 11', *Asers Journal of Environmental Management and Tourism*, Vol. 14, Issu. 4 (68), 2023.
[22] Global Policy Forum, "Sustainable Development & Human Rights – Archive", Open Letter to the Co-Chairs and Member States from Major Groups and Stakeholders' available at >https://www.globalpolicy.org/en/sustainable _development_and_human_rights/archive?page-9< accessed, 15th August, 2023.
[23] Kroli, C., Warchold, A., and Pradhan, P., 'Sustainable Development Goals (SDGs): Are we Successful in Turning Trade-Offs into Synergies?' (2019) 5 (140) *Palgrave Communications*.
[24] *Ibid.*

"unless we act now, the 2030 Agenda will become an epitaph for a world that might have been".[25]
After cataloging some of the more pointed criticisms of SDGs therefore, Jason Hickel an American author concluded:

> "The real problem is that the SDGs are profoundly contradictory, to the point of being self-defeating".[26]

The Human Rights dimension to the 2030 Agenda: The role of the United Nations.
It is instructive that the MDGs which set the International development agenda for the period 2001-2015 were faulted by Human Rights Groups for its failure to address the existence of several Human Rights obligations of States, particularly in view of the fact that their focus were reflective of an obvious disconnect with relevant international Human Rights standards.[27] This is the case, notwithstanding the fact that between 2008 and 2015, in the context of the MDGs, the project focused on the promotion of the right to food to fight extreme poverty and hunger,[28] and on the contribution of UN Special Procedures to the Human Rights and Development dialogue.

It must be recalled that as far back as 1993, during the Vienna Declaration and Programme of Action, the World Conference on Human Rights had agreed that "Democracy, Development, and respect for Human Rights and fundamental freedoms are interdependent and mutually reinforcing". This led the UN Secretary-General, Kofi Annan[29] to ask for Human Rights to be mainstreamed within the activities of all UN specialized agencies, programmes, and funds.[30] By 2012, the UN organized two expert meetings on Economic, Social, and Cultural Rights, and the Millennium Development Goals with the participation of several UN Special Procedures. Ironically, the MDGs were paradoxically described as a missed opportunity to integrate Human Rights into development programming, necessitating a need to better mainstream Human Rights within the Post-2015 framework.[31]

This unfortunate reality led to the apparent paradigm shift whereupon the SDGs adopted by the UN General Assembly on 25th September, 2015 as the blueprint for a global partnership for peace, development, and Human Rights for the period 2016-2030 not only gave priority to many other Human Rights, but indeed made these rights central to their implementation, at least in principle.[32]

To address this gaping gap, certain questions come to mind: what are the ways in which efforts to achieve SDG targets can strengthen the protection and fulfilment of Human Rights?; what are the risks?; how should Human Rights Groups use the SDGs, if at all, and if they do so, what strategies are likely to be successful? This is in view of the trite fact that the SDGs are undoubtedly more ambitious, and in fact, more clearly linked to Human Rights standards. To be specific, their universal scope ensures that all governments assume responsibility towards ending poverty and inequality while striving towards achieving gender equality and the building of a strong judicial sector.[33]

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[25]   United Nations, "The Sustainable Development Goals Report, 2023", *Op cit.*
[26]   Hickel, J., "The Problem with Saving the World", [2015], available at >https://www.jacobin.com< accessed, 16th August, 2023.
[27]   Open Global Rights, "The SDGs and Human Rights: How can Human Rights Remain Central in SDG Implementation", available at >https://www.openglobalrights.org<, accessed, 20th August, 2023.
[28]   MDG 1.
[29]   As he then was.
[30]   Sustainable Development And Economic, Social, and Cultural Rights.
[31]   UN, "The Contribution of UN Special Procedures to the Human Rights and Development Dialogue During the MDG Period", avaolable at >https://sur.conectas.org< accessed, 23rd August, 2023.
[32]   *Ibid.*
[33]   Jensen, L.B., "The UN Human Development Report must go further on Inequality", [2020], available at >https://www.springernature.com<, accessed, 21st August, 2023.

Unfortunately, the SDGs, just like the MDGs which they came to replace, and which were narrower in scope and directed mainly at developing countries have turned out in reality to be political commitments with apparently weak systems to monitor countries' progress to meeting them and ironically with no real accountability framework in instances where there is non-compliance by State parties.[34] Indeed, it is instructive to note that although the SDGs clearly cover inequalities, while the Declaration accompanying the new Goals contains numerous references to Human Rights and International law, in reality, the SDGs themselves do not directly refer to or make specific references to Human Rights.[35]

There is no gainsaying the trite fact that while the MDGs focused primarily on the Economic and Social rights, and in so doing gave little or no attention to the Civil and Political rights, the SDGs on the other hand closed this gap by subtly addressing and indeed reflecting both the Human Rights principles and obligations. The implication is that it is safe to conclude that while the MDGs glossed over the subject of Human Rights almost completely, the SDGs gave attention albeit peripherally to the issue of Human Rights. This is not to suggest however that the SDGs in fact gave significant priority to the subject of Human Rights in specific and practical terms, but it should be borne in mind that the rights in the Universal Declaration of Human Rights[36] apply to all UN Member States, and they are further detailed in subsequent international Human Rights treaties that apply to those countries that have ratified and domesticated them. Two of such treaties that implement the Human Rights in the UDHR are the International Covenant on Civil and Political Rights[37] and the International Covenant on Economic Social and Cultural Rights.[38] The three together are referred to as the International Bill of Human Rights.

Comparatively therefore, notwithstanding the fact that the SDGs are apparently redolent of the MDGs, especially since the former equally does not contain any free-standing human rights goals, explicit mention of Human Rights, nor any express link to Human Rights law obligations, it is not in dispute that the SDGs in reality made obvious efforts in that regard by integrating Human Rights principles such as Participation and Inclusion[39], Accountability[40], as well as Equality and Non-discrimination. These three vectors have in reality become the key principles of a Human Rights-based approach.

Understandably therefore, the SDGs represent a significant advancement on the MDGs with particular reference to Human Rights notwithstanding the fact that the advance is limited to a more implicit integration of Human Rights principles and passive references to Human Rights in certain SDG Targets and Indicators. Thus, despite the occasional references to international agreements, the SDGs strictly speaking cannot be said to be indexed to international law or Human Rights law norms. Indeed, the fact that references to International Human Rights law in the SDG Declaration were not reflected in the actual SDGs themselves is an indication of a repeat of the previous disconnect between the MDGs and the Millennium Declaration in 2000.[41] The implication is that the accountability underpinning in the SDGs is in practical terms diffuse or in fact political rather

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[34]   *Ibid.*
[35]   Mclnerney-Lankford, S., "Human Rights and the SDGs: Progress or a Missed-Opportunity/", [OXHRH Blog, January, 2017], available at >https://ohrh.law.ox.ac.uk< accessed, 21st August, 2023.
[36]   UDHR, 1948.
[37]   ICCPR.
[38]   ICESCR
[39]   SDG 16.
[40]   *Ibid*. See also: Goals 4, 8, 9, 10, & 11.
[41]   Mclnerney-Lankford, S., *Op cit.*

than legal, reflecting once again, the fragmentation of International law and the absence of international policy coherence between Human Rights and development.[42]

Consequently, while the SDGs reflect the concept of Human Rights in some significant ways, especially to a greater extent than the MDGs, they do not however embody any Human Rights obligations. Thus, the question as to whether the concept of Human Rights have been effectively integrated into the new SDG framework and whether it can help advance the full realization of Human Rights in development will depend on the implementation and operational modus.[43] Despite the obvious challenges, it is heart-warming that although the prospects for the effective integration of Human Rights in the SDG framework have remained uncertain till date, its realization is not without promise. Indeed, the 2030 Agenda also places a strong emphasis on ensuring that its implementation, follow-up, and review processes are participatory, rights based, and effective, with a call for the active participation of the United Nations System.[44]

Without a doubt, there is a strong convergence between the 2030 Agenda's approach to ensuring that no one is left behind, and the Human Rights-based approach to addressing inequality and discrimination among and within countries. Consequently, the 2030 Agenda emphasizes 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.[45]

Thus, from a Human Rights perspective, lack of access to education, health, food security, employment, housing, health services, and economic resources may often amount to a failure to achieve internationally agreed Human Rights.[46] Consequently, to ensure that no one is left behind, the Human Rights Council has called for the adoption of comprehensive anti-discriminatory legislation. Such legislation should be in conformity with international and regional Human Rights standards. Indeed, it should protect against direct and indirect discrimination in law as well as in practice, and should promote equality both in terms of opportunities and outcomes. Against this background, effective implementation of the SDGs requires that national laws and policies should be complemented by adequately resourced national action plans to combat discrimination.[47]

To achieve this in practical terms, the Human Rights Council had as far back as 2015 adopted basic principles and guidelines on remedies and procedures on the right of anyone deprived of their liberty to bring proceedings before a court. There is no gainsaying the trite fact that the Human Rights Council has recognized that social protection floors, when used as a baseline, have the potential to facilitate the enjoyment of economic, social, and cultural rights and to reduce poverty and inequality.[48]

With particular reference to the arena of commerce, it is worthy of note that marginalized groups are especially vulnerable to Human Rights abuses linked to business activities. Consequently, the 2030 Agenda includes a commitment to foster a dynamic and well-functioning business sector in

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[42]   *Ibid.*
[43]   *Ibid.*
[44]   United Nations, "Sustainable Development And Economic, Social, And Cultural Rights", [2022], available at >https://www.geneva-academy.ch< accessed, 19th August, 2023.
[45]   Human Rights Council Submission by the President of the HRC to the High-Level Political Forum on Sustainable Development (HLPF), available at >https://sdgs.un.org/< accessed, 19th August, 2023.
[46]   *Ibid.*
[47]   Human Rights Council, *Op cit.*
[48]   *Ibid.*

accordance with the UN Guiding Principles on Business and Human Rights.[49] These Principles, and the related Principles for Responsible Contracts integrating the management of Human Rights into States-Investor Contract negotiations Guidelines for Negotiators provide global standards for preventing and addressing the risk of adverse impacts on Human Rights linked to business activity. These Principles contain three chapters or pillars: protect, respect, and remedy, each of which defines concrete and actionable steps for governments and companies to meet their respective duties and responsibilities towards preventing Human Rights abuses.

Against this background therefore, the Human Rights Council has called upon States to combat impunity by investigating and pursuing accountability for all attacks and threats by both State and non-State actors against any individual, group, or organ of society that is defending Human Rights, including against family members, associates, and legal representatives, and by condemning publicly all cases of violence, discrimination, intimidation, and reprisals against them. To this end, the Special Rapporteur on Promoting and Protecting Human Rights and Fundamental Freedoms while Countering Terrorism had urged countries not to lose the valuable rights and freedoms of their citizens in the rush to find new measures to protect them.[50]

Furthermore, the Human Rights Council has reaffirmed the imperative to protect Human Rights and Fundamental Freedoms while countering terrorism and preventing and countering violent extremism, climate change, *et cetera.* In this regard, its Special Procedures mechanisms have consistently drawn attention to the links between Human Rights and climate change. It is indisputable that sustainable development, and the protection of the environment contribute to human well-being and to the enjoyment of Human Rights. Human Rights therefore must be respected, protected, and fulfilled for all without discrimination.

Understandably therefore, the Human Rights Council in 2016 devoted its annual high-level panel discussion on main-streaming Human Rights into the UN System with the theme: "The 2030 Agenda for Sustainable Development and Human Rights" with an emphasis on the right to development.[51] In the meantime, the Human Rights Council has been consistently making a link to the 2030 Agenda in a large number of the Resolutions it adopts. The Council equally requested the office of the High Commissioner for Human Rights to put a particular emphasis on the SDGs in several of the Reports which it has mandated.[52]

Conclusion

In conclusion, many achievements can be guaranteed by the incorporation of a human rights based approach to the new SDGs. This calls for strategic adjustment in the design and application of the Goals. Among these are: A recognition of the importance and advantages of applying this approach for development; Its incorporation in the theoretical and political discourse by stakeholders from both Human Rights and development fields; The analysis and understanding of the elements underpinning the gap between theory and practice when it comes to an implementation of a Human Rights approach to the SDGs; and The formation of strategies to overcome the gap integrating Human Rights and the Sustainable Development Goals approaches.

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49 A Working document unanimously endorsed by the United Nations Human Rights Council in 2011. This document describes the mandate of the UN Working Group on Business and Human Rights which was established to aid in its implementation.

50 *Ibid.*

51 Clark, H., "Mainstreaming Human Rights in Development", [2017], United Nations Development Group: Stories from the field, availabe at >http://www.un.org/News/Press/docs/< accessed, 20th August, 2023.

52 *Ibid.*

Whatever the official discourse may be, there is no consensus among countries or other Human Rights/development practitioners about the position that Human Rights activities and development should hold within the UN. This remains the main obstacle to the establishment of a coherent Human Rights/development approach at institutional level and thus the obvious disconnect of the models from Human Rights standards. The different value and status attached to the Human Rights agenda and the development agenda are projected onto the UN structures set up to address both realms of activities.

The 2005 reform has accentuated this divide by dispensing with the link between the Economic and Social Council[53] and the new Human Rights Council. While this is arguably of little practical relevance, it nonetheless highlights that the stakeholders involved in the reform have not fully considered how the creation of a Human Rights Council could be achieved while maintaining links with the work performed with the ECOSOC with a view towards realization of the SDGs through a Human Rights framework or prism. In any case, the proclaimed interdependence between security, peace, development, and Human Rights remains merely rhetorical presently for many states who instead appear to more clearly support and advocate a compartmentalized consideration of these areas and their associated standards and activities.

Recommendations.
Given the situation as demonstrated above, the United Nations member states should, with a view to main-streaming human rights into the practical realization of the SDGs:

- Adopt and adequately implement laws, policies, regulations, and national strategies that will promote equality and non-discrimination which is in conformity with International and regional human rights standards.
- Use human rights education and training as well as awareness raising initiatives as a vehicle to address all forms of discrimination.
- Recognize that human rights are central to addressing the underlying grievances that foster violent extremism and terrorism and must be protected thereby countering terrorism by extension.
- Reaffirm that parties should respect, promote, and consider the respective obligations on human rights; the rights of indigenous peoples; local communities; migrants; children; persons with disabilities, and people in vulnerable situations; as well as gender equality; empowerment of women; and intergenerational equity.
- Call upon all States to invest in the disaggregation of data, which should be closely linked to the list of prohibited grounds of discrimination under international human rights law, and use data from non-traditional sources including civil society.

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[53] ECOSOC.