The Art of the Impossible:

Measurement Choices and the Post-2015 Development Agenda

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Abstract. Despite the many recognised weaknesses of the Millennium Development Goals the embedment of indicators within a simple global measurement framework has proved compelling and communicable. The result is a surge of interest in the design of the post-2015 agenda. This has produced innumerable and innovative proposals for new goals and targets and a backlash from those wishing to maintain a focused, statistically robust and politically feasible framework. This paper argues that a third perspective is soon needed – the criteria for making choices between different options. This choices will and should be ultimately political choices but it is worth considering on what basis they should be made. The Rio Declaration 2012 establishes a number of criteria for this purpose but they remain at a general level and gloss over some hard trade-offs. This paper begins by surveying the context for the post-2015 discussion (Section 1), considers the potential functions and purposes of the post-2015 agenda in light of the impact of the MDGs (Section 2); proposes criteria for both thematic selection and measurement (Section 3); and applies these criteria to a seemingly hard case of human rights and governance (Section 4).

1. INTRODUCTION

The Millennium Development Goals (MDGs) are emblematic of the global turn to metrics. Embedding indicators within a simple global measurement framework has proved both compelling and communicable.[1] Compelling because these 'audit'-like tools provide a mutually acceptable means of assessing performance in a climate of distrust.[2] Communicable because quantification is a "technology of distance" that is "well suited for communication that goes beyond the boundaries of locality and community".[3] While the debate over the impact of the MDGs is on-going (for an overview see Sumner and Melamed, 2010; Yamin and Falb, 2012),[4]

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[1] Note that it was the *combination* of targets and indicators that proved influential. For each target, there are a range of orphan indicators are included with a loose connection to the overall goal but without any clear target. These indicators have largely gone unnoticed.
[2] For a discussion of this role of indicators, see Rosga and Satterthwaithe (2009).
[3] Porter (1995), pp. viii, ix.
[4] Assessing the impact of the MDGs a few years before their end date seems premature and key data on some targets will not even become available before 2017-2019. Moreover, evaluating a single intervention like the MDGs in isolation risks all the familiar problems of impact analysis: what do we mean by impact? What are the baselines for non-target impacts? How do we address attribution and identify relevant evidence? But the task is not unfamiliar to the social sciences and international regime evaluation is increasingly common: e.g., Young (2001, Simmons

the surge of interest in the post-2015 agenda demonstrates the patent or latent power of the underlying approach.

A decade ago, such unanimity on the importance of quantifiable global commitments was unthinkable. For supporters of the MDGs, reaching the targets by 2015 was all that mattered: success would breed further success – without the need for new goals. For detractors, the MDGs represented a diversion – a "Most Distracting Gimmick" in the words of Antrobus (2003: 14). The framework was faulted in three ways.

The first was normative *ambition*. Critics pointed to an array of targets that were modestly framed. This range from reducing various poverty gaps by fifty per cent or a mere 11 per cent in case of slum dwellers. A transformative sounding goal on gender equality and empowerment was reduced to eliminating gender disparity in education while the lone universal target was only concerned with access to primary education. While some targets incorporated the quality of services (e.g., health targets were measured by outcomes), others only focused on access (like education and partly water).[5] This cautiousness was reinforced by the choice of a 1990 baseline, which allowed many States to reach the targets shortly after, or even before, the goals were announced. The exclusion of certain themes was questioned. There was no mention of civil and political rights, indigenous peoples, persons with disabilities, social protection, governance and so on.[6] However, ambition-based critiques were not unidirectional. Some faulted the MDGs for their lack of modesty: they ignored long-term historical trends (Clemens, Kenny and Moss, 2007).

The second was *effectiveness*. The framework was pilloried as a planning tool as it bore no relation to national priorities or economic feasibiliy (Fukuda-Parr and Greenstein, 2010). It was further hampered by a weak accountability framework: compliance was predicated on the communicative effects of the public monitoring of indicators (UN-OHCHR and CESR, 2013). According to the UN Secretary General, the weak progress on achieving the targets so far (see

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(2009). However instead of discussing the different material, political and symbolic effects of the MDGs separately, the discussion will be taken up as relevant in the paper.

[5] World Bank and IMF (2011: 2) note that greater progress has been achieved on access rather than outcome targets, suggesting that the two types of targets are not comparable.

[6] Interestingly, even when civil society organisations prepared shadow reports on MDG progress, they found citizens raising other issues. In Bangladesh's Peoples' Progress Report, it is notable that concerns over evictions and lack of use of expropriation powers for the landless registers prominently – topics not included in the MDGs. Peoples' Forum on MDG, *Millennium Development Goals: Peoples' Progress Report on Bangladesh*: Main Report, December 2005.

Figure 1) has been partly caused by "a lack of accountability".[7] According to the World Bank and IMF (2011), the world and a majority of countries are only 'on track' for targets on income poverty, gender equality and water. Effectiveness was also questioned in more subtle ways. Targets based on averages permitted cherry-picking to the disadvantage of the poorest of the poorer or excluded minorities (Langford, 2010); falsely promised technocratic solutions when the root causes of the problems were the lack of political space for transformative development (Fischer, 2013; Yamin, 2010); or created moral hazards by encouraging the wrong sequencing of social investments (Black and White, 2004) and even human rights violations such as slum clearances (Huchzermeyer, 2010).

The third was *legitimacy*. This was partly a matter of process: The Millennium Declaration targets were agreed on amongst governments without wider consultation and the subsequent MDGs were finalised in 2001 by a small UN inter-agency group (Bissio, 2003). This process encompassed backsliding by States on earlier commitments to address income poverty, nutrition and reproductive rights (Antrobus, 2003; Pogge, 2004) while the UN inter-agency group quietly omitted some Declaration targets, such as affordable water, fair trade and support to orphans (UN-OHCHR, 2008). Moreover, the goals were haunted by a lack of threshold output legitimacy. It was difficult to justify the design to all States and individuals.[8] Africa and less developed countries were set up for failure (Easterly, 2009) middle- and high- income countries could boast easily of being 'on-track' (OHCHR, 2010) and the global compact in Goal 8 was notable for the lack of any meaningful and quantifiable targets for wealthier countries (Alston, 2005; Caliari and Darrow, 2013). This was compounded by a lack of clear guarantees that the efforts to realise the goals would respect human rights and comply generally with international law.

Despite the weight of these critiques, the MDGs ship did not sink. Instead, it has achieved a certain discursive dominance (Malloch-Brown, 2004: xviii). Constituting an attractive canvas on which global visions and commitments could be shared (or projected), the MDGs were ambitious, effective and legitimate *enough*. The ability of the framework to shift the behaviour of some actors, particularly international donors, awakened some to the political capabilities of the MDGs - the declaratory power of time-bound, outcome-based and monitorable commitments. With relatively simple phraseology, each MDG target simultaneously carried an idea, an indicator and an incentive for action (Sumner and Melamed, 2010). As the offspring of the

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[7] Ban Ki-moon, *Unmet Commitments, Inadequate Resources, Lack of Accountability Hampering Achievement of Millennium Development Goals*, Says Secretary-General, UN Department of Public Information, UN Doc. SG/SM/12789-GA/10923-DEV/2791, 16 March 2010.
[8] On legitimacy, see Buchanen and Keohane (2008).

Millennium Declaration, they also possessed, in sufficient degree, the elusive quality of international political legitimacy.[9]

The rise of the MDGs is perhaps best represented by attempts to adapt, contest and appropriate the agenda. For instance, a significant number of countries adopted a MDG-plus approach: targets were made more ambitious or inclusive or new goals were added such as democratic governance and access to secondary education (OHCHR, 2010).[10] Early critics, particularly in the 'human rights community', also began to shift towards more pragmatic approaches and the promotion of more rights-sensitive interpretations.[11] To adapt Scheingold (1974), there was a movement beyond the view that the MDGs were a deceptive myth that masked technocracy and conservatism to a cautious optimism that they could present a "political resource".

This interest has piqued in the emerging post-2015 discussions. The objective of many groups and movements is not to mobilise to close down the discussion but rather ensure that the new agenda foregrounds their concerns. In 2010, the General Assembly set in train a process for their adoption. In June 2012, UN member States at the Rio+20 Summit agreed to establish an Open Working Group (OWG) composed of representatives of member States to develop "Sustainable Development Goals" (SDGs). The fierce competition between States and regional groups for seats on the OWG demonstrate the stakes perceived to be involved in this context. In 2012, the UN Secretary-General appointed a High-Level Panel on the post-2015 development agenda to provide him with inputs for a proposal and the UN Development Group began facilitating a multi-million dollar process of global thematic and country level consultations. The themes were identified were governance; inequalities; health; education; growth and employment;

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[9] Earlier attempts at target setting were primarily driven by donors. For instance, the OECD's 1996 International Development Goals. See also the 1992 UN Conference on the Environment and Development (UNCED) and the 1995 World Summit on Social Development. There are of course exceptions like the UNICEF goals and the General Assembly's Water Decade in the 1980s. However, it should be noted that the General Assembly only formally approved the MDGs in 2005.

[10] The Latin American region added a more ambitious goal for secondary education while locally-defined MDGS have been added in a number of countries – Afghanistan, Albania, Azerbaijan, Benin, Bhutan, Cambodia, Cook Islands, Kenya, Kosovo, Mongolia, Thailand and Vietnam. Even in a developed country like Australia, there has been a recent demand to set "MDG-like" targets for different poverty outcomes.

[11] Human rights advocates such as Philip Alston, who have previously flailed reductionist agendas, like the ILO's Declaration on Core Labour Standards, was won over. He called on the human rights community to recognise the inherent potential in the MDGs (2005). Soon came manuals, guides, and campaigns in order to bridge the two agendas; seeking to better integrate participation, gender, accountability within the discourse and practice of the MDGs Undp (2007, Amnesty (2010, Un-Ohchr (2008). It was made easier as some targets such as women's reproductive rights were added to the list during the course of the decade promising that the owners of the MDGs were receptive while as late as 2010, during the Millennium Summit, the General Assembly began to emphasise the importance of rights in realising the MDGs. *Keeping the promise: united to achieve the Millennium Development Goals*, UNGA Resolution, U.N. Doc A/65/L.1, 17 September 2010.

environmental sustainability; food security and nutrition; conflict and fragility; and population dynamics.[12]

The growing enthusiasm for a post-2015 agenda does not imply its materialisation. It is not a universally-felt need. There is a Faustian bargain made in process. Target-based frameworks can serve as powerful tools but they also become masters. Excluded themes may be considered unimportant; the framework may be more depoliticising than transformative; and the wrong action may be encouraged if indicators are poor proxies or insufficiently robust. Moreover, if a final proposal asks too much of either Southern or Northern countries, it is likely to go the way of the Doha trade round – debated, deferred and ultimately ducked. But the renewal of the MDGs paradigm is a relatively good bet.[13] It may even prove attractive to the rising BRICS-like powers, providing an opportunity to burnish their foreign policy and development aid credentials.

Politics will ultimately determine the final result. Geopolitical machinations, civil society mobilisation, business lobbying and the more subtle interventions of UN agencies and various consultants will all be determinative. Thus far, the space is relatively open for different approaches although it will soon start to narrow. States have communicated only general criteria. In the 2012 Rio Declaration, they set parameters concerning process and substance for establishing SDGs, which can be read as applicable for the post-2015 agenda. The framework should be "action-oriented, concise and easy to communicate, limited in number, global in nature and universally applicable to all countries while taking into account different national realities, capacities and levels of development and respecting national policies and priorities".[14] It should also "be consistent with international law", incorporate all dimensions of sustainable development in a balanced and coordinated manner and be implemented "with the active involvement of all relevant stakeholders".[15]

The Declaration is clearly studious in avoiding the content or ambition of future agendas. It is tantalisingly brief. It simply sets a clear limit to its breadth - any goals and targets must be *limited* in number with a *balance* in the themes. However, broad sectoral conceptions are likely to dominate the framing of goals: e.g. we might have broad goals for growth and employment, food, health, sustainable development, and even on cross-cutting issues such as equality,

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[12] Further guidance from member States is awaited, on how proposed SDGs, and commitments from other global conferences, will merge with the outputs of the HLP's work into a single, manageable and coherent post-2015 global development agenda.

[13] Moreover, the existing MDGs arguably suited them quite fine: they were the countries (India partly excluded) receiving the lion share of praise for being 'on track'.

[14] Para. 247.

[15] Paras. 246-7.

governance and ICT. This approach is likely to meet the criteria of universal applicability: within each goal there is negotiating space to develop targets that impose commitments on all states.[16]

Beyond this, the criteria are largely oriented towards legitimacy concerns: the process of deliberation, compliance with international law, respect for national priorities and universal applicability. In addition, there is an implicit preference for inclusion of indicators: the framework must be "concise and easy to communicate". Although, this does not necessarily mean global indicators given the emphasis on "respecting national policies and priorities": States could be required to develop contextually-appropriate measures of performance. Moreover, it must be "action-oriented". The MDGs were designed to prompt action but the measurement framework is largely one of compliance. It rewarded general rather than accelerated progress (Fukuda-Parr and Greenstein, 2010) or sometimes prioritised suspect outcome indictors over UN-endorsed conduct indicators (Yamin and Falb, 2012).[17] This backwards-looking compliance approach is reinforced requirements that indicators come from "well-established data sources" dating back to 1990 (UN, 2003). An action-oriented may suggest preference for targets/indicators that point to necessary steps or provide the best case for spurring reforms.

When one examines the existing post-2015 literature and discussions, two tendencies are evident. The first is creativity. In one conception of a post-2015 agenda, sixteen goals are proposed – ranging from disaster preparedness through to internet connectivity (Insert). In another, the proposal is for IRGs: institutional reform goals to ensure that the global structure is transformed in areas like finance, migration, and intellectual property such that poverty and disease may be tackled (Insert). The second is caution. Here the tendency is to warn of the political infeasibility of proposals or the seeming lack of statistical robustness for many of them. (Quote Jan).

Both of these reflexes are crucial and important. But there is a danger in putting too much emphasis on either. The first risks the negotiations and agenda sinking under its own weight. Practically, there is the question of how to decide between multiple and competing proposals. The UN High Level Panel has already become deluged with proposals after its establishment.

Too much emphasis on the second is particularly dangerous at this stage. Politics is a variable not a binding constraint, particularly in the early stages. Even proposals like democratic

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[16] The number of emerging goals will probably be too big and many are likely to be combined or siphoned off to new and separate processes if considered important. The existence of a limited number of 'super-goals' will shift the content battle downwards to the targets. However, the wording of the goals may be critical in target design: e.g. use of the phrase "all" or relative/absolute terms such as "reduce/eradicate".

[17] This was particularly the case for the maternal health goal.

participation may be feasible if sceptical States win on other issues.[18] A better approach may be to consider a range of options that provide room for negotiating space. Beginning with rigid statistical criteria and assumptions about existing data runs the risk that indicator criteria will constitute an effective veto over target and goal selection. This problem was evident in the development of the MDGs in 2001. One of the architects, Jan Vandemoortele (2011: 4) stated:

> [I]n an age where numbers prevail, it was decided that only those targets with agreed indicators and with robust data were to be included - but not without making some exceptions. This is why the quality of education, the affordability of water, good governance and human rights (i.e. civil and political rights) and several other areas covered in the Millennium Declaration were not included in the MDGs.[19]

This method was formalised in one of the five statistical criteria that were used to select indicators: indicators should be "constructed from well-established data sources" (UN, 2003: 1). However, the approach is partly questionable. Take the exclusion of water affordability: it was identified an important problem by the General Assembly, represents a constituent element of a human right, UN agencies were given a mandate for its measurement and various studies (including by the OECD and UN OHCHR) have demonstrated that it *was* possible to compare the affordability of water across countries and between different groups.[20] This perspective would apply with even greater force today to other themes after an explosion of indicators, including on governance and human rights.

This paper is not primarily concerned with contenders for new goals or its ultimate level of ambition and scope. Instead, it asks what sort of criteria should apply to the numerous competing demands and proposals. It is firstly argued that this requires a closer examination of the different and partly competing purposes of the post-2015. The following section 2 considers these in light of the evidence on the role and impact of the MDGs. It then moves on to examine what sort of criteria might be appropriate for assessing proposals for goals, targets and indicators and suggest

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[18] This pattern of negotiation was evident in the drafting of the Convention on the Rights of the Child during the Cold War. Both the West and East accepted inclusion of different rights on the grounds that their favoured rights were incorporated.

[19] See also Vandemoortele in this volume.

[20] Most countries collect data on the percentage of budget used by households for water services and associated costs. For example, OECD))))))))))))))))))))))))))Oecd (2003)Oecd (2003)Oecd (2003)Oecd (2003)Oecd (2003)Oecd (2003)Oecd (2003)Oecd (2003)Oecd (2003)Oecd (2003)Oecd (2003) analyses household water expenditure against income across a range of OECD countries and disaggregates them according to income classes, regions and size of household. Fankhauser and Tepic (2005)undertook a similar analysis that includes Eastern European countries where they not only found significant differences across countries for mean affordability, but that poorer households in some countries (e.g., Hungary, Russia and Tajikstan) expended significantly high amounts on water services. The authors put this down to poverty and/or price reforms as part of water reforms and privatisation. Smets (2009) extends the sample to include Latin American and African countries and separates out poorer households in the analysis. Hutton (2012)in his report for the UN Office of the High Commissioner for Human Rights (OHCHR) confirms the viability of setting such a target for water affordability.

a set of criteria and analytical framework that might help in navigating these choices. The final section applies the analysis to what some consider to be a difficult issue in political and statistical terms: human rights and governance.

2. THE PURPOSE(S) OF THE POST-2015 AGENDA

An important issue that is often lost in post-2015 discussions is its function. This has important implications for how any goals, targets and indicators should be considered. It is possible to identify four *general* candidates: consensus, prioritisation, planning and accountability. These are not mutually exclusive purposes and they are partly overlapping and synergistic. However, it would be impossible for a single framework to fully contain them all and the preference for one can generate negative consequences for the others.

Achieving/Reflecting Consensus

The first is the reflecting, strengthening or achieving consensus on what is globally important. The original MDGs have often been interpreted in such normative terms. Severino (2007) argues that the MDGs could be understood as "sketching at the global level the social safety net" – a "social counterpart to globalisation". Hulme and Fukuda-Parr (2009) suggest that the primary motivation for the MDGs architects was to bridge ideological divides by focusing attention on the ends rather than the means of development. It was a means of "mobilising consensus" (Hulme, 2007: 31) on "sustainable pro-poor development progress and donor support of domestic efforts in this direction" (Manning, 2009: 13).

If we accept that this was the purpose - the benchmark - what was the impact? From a *legal* perspective, the MDGs have had some effect on global standards. It has supported claims that the minimum core of each international human right has now attained customary law status (Alston, 2005: 774). Moreover, the regular reiteration of the duty of developed states to devote 0.7 per cent of GNI to development in the wake of the MDGs prompted Vandenhole (2007: 101) to argue that this political commitment is "gradually evolving into a legal obligation". Nonetheless, the framework may also have had some negative impacts. Indicators embody a "theoretical claim about the appropriate standards for evaluating actors' conduct" (Davis, Kingsbury and Merry, 2012: 9). An indicator can reshape its parent norm. For instance, the focus on access to primary education may have weakened the authority the treaty rights of children to *free* primary education of a certain *quality* (Darrow, 2012; Langford, 2010). It also elevated the $1 US dollar a day indicator from being one marker of extreme income poverty to being *the* standard of income

poverty despite the questionable relevance of this indicator to both ideas and standards concerning poverty.[21]

As to *political consensus,* the goals pushed poverty reduction closer to the centre of development discourse. It diminished some of the focus on mere economic growth, economic liberalisation and donor self-interest. For many bilateral donor agencies, *official* development objectives were replaced with or modified by the MDGs. In a review of 22 Poverty Reduction Strategy Papers, Fukuda-Parr (2010: 29) found that all but four "emphatically state commitment to the MDGs as a principle" and most include key MDG priority areas.[22] Some governments claim that the MDGs have influenced their spending priorities and policies although these claims require more scrutiny as to attribution and degree (Kenya, 2005). International financial institutions, a key audience, took some heed of the consensus but much less than anticipated (Hulme and Fukuda-Parr, 2009). The World Bank has partly moderated its earlier neo-liberalism and have increasingly acknowledged issues of inequality and the importance of social spending but the MDGs is only possible cause of this; and the reflection of the shift in their programmes varies considerably. Moreover, in the wake of September 11, the most significant rises in development funding were in post-conflict situations (e.g., Iraq, Afghanistan). These allocations were driven by security considerations.

Thus, an attempt to strengthen the normative consensus on poverty eradication amongst governments and international agencies motivated the MDGs but its impact, in politics, law and political discourse, has been moderate and at times counterproductive. Should a future agenda carry this consensus function? Some think so. For instance, Cheru (2013) advocates a more politicised agenda that not only stimulates progressive action but plays a clear ideational role: "The post-MDG global anti-poverty agenda must be embedded in a new international development consensus that privileges people's economic and social rights over the rights of financial institutions and corporations." The use of the MDGs for this purpose is clearly an attractive one. The salience of the MDGs can provide a powerful reference point in politics and law that may resolve ongoing disputes, in both development and beyond in environment, security, corruption, democratic governance, equality, rule of law, migration and financial and corporate regulation

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[21] But it is far from clear that a dollar a day represents a minimum core of the right to an adequate standard of living given the prevailing prices of basic goods. Indeed, the indicator may conveniently blind us from the fact that the world's poorest would 'grow' in number from approximately a billion to 2.5 billion if we used two dollars a day as a yardstick, and even more if we included health and education costs in actual measurement. T Pogge, 'Millions Killed by Clever Dilution of Our Promise' (CROP Poverty Brief, August, 2010). See also Fischer (2013).

[22] Fukuda-Parr notes that "some were emphasized more than others": "some objectives such as maternal mortality and child survival receive surprisingly limited emphasis".

However, repeating this emphasis on consensus is fraught with danger if it contributes to a regression in existing agreements. This is likely. An agenda with a limited number of goals and targets cannot represent a full global consensus. But if it is understood as such, then excluded and previously agreed-upon issues risk being viewed as outside consensus. It is also questionable whether strengthening normative standards is the best role for target-based frameworks. A better approach may be to emphasise that the consensus is embedded in the broader Millennium Declaration and other standards. However, the post-2015 agenda could be used strategically to strengthen consensus on certain areas or policies where it is most needed.

The 'Booster' Effect: Prioritisation

A second function is prioritisation or the *boosting* of certain areas for action. Here, the objective is to elevate urgent or important issues that currently receive inadequate attention. This purpose is less normatively ambitious. It is more in tune with the modus of public policy: taking action within a medium-term horizon. Whereas normative considerations on what is urgent/important are relevant the booster functions permits more consequentialist considerations: e.g., the empirical extent of disadvantage, the value-added of inclusion and whether alternative institutional or discursive options are available.[23]

If we look at this function through a qualitative lens, we might argue that this is the place where the MDGs have had a significant impact. A number of under-recognised areas were made visible through the MDGs framework – particularly maternal health and sanitation. Progress may be slow but it might have been even slower but for inclusion. For example, EuropeAid officials indicated that the sanitation target motivated them to find various ways to accelerate progress in this area.[24] The creation of the maternal health goal helped galvanise the human rights and development communities to take action on an area that has been largely the concern of health professionals.[25] The booster effect was also evident in enhanced aid allocations on those topics which dominated the MDGs: health and education. As Clemens, Kenny and Moss (2007: 747) put it, "there can be little doubt that the MDGs helped galvanise the aid community and reverse the aid declines". In absolute terms, social sector bilateral ODA spending doubled between 2000 and 2008 from about US$20bn/year to more than US$40bn/year while production-sector ODA has stagnated although the pendulum has swung back to growth and infrastructure in recent years.

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[23] Such a way of reasoning accords well with the social choice approach of Sen (2009) .

[24] Interview with André Liebaert, Water policy officer, EuropeAid Unit C2, Brussels, 2 October 2012;

[25] The UN Special Rapporteur on the Right to Health prioritised maternal mortality during his work in the 2000s and used it to explicate aspects of the right to health; Amnesty International selected maternal mortality as a key priority in its emerging social rights advocacy; local human rights advocates have litigated maternal health cases to establish precedents regarding the legal enforceability of the right to health and other social rights.

The booster effect might also be evident in those MDG targets which have been met or are on track (e.g. income poverty, ozone depletion, water). However, in this case, it is not clear how much progress can be attributed to the MDGs:

> Private sector led growth abetted by government has been the engine in Asia, lifting many of the poor with the benefits of steady employment. Where progress is most needed, in Africa and other low income regions, mobilisation to achieve the MDGs has so far seemed to have modest impact. (Smith, 2007: 1)

One way of testing the booster effect is to see whether progress accelerated after 2000. Fukuda-Parr and Greenstein (2010, 2013) find, however, mixed evidence of acceleration. Although they point out that some of the poorest countries perform best on this metric. Conversely, but following the same line of logic, the slow progress on achieving equity in progress may be attributable to its absence in the MDGs.[26] UNICEF (2010a) note that the bottom income quintile has not gained any of the improvements in access to improved sanitation while the benefits of reductions of infant mortality are regressively distributed in many countries. The correlation of two absences does not signal a causal relation but it explains current efforts to enhance the focus on equality in a future post-2015 agenda. It could prompt greater attention to the issue.

For the post-2015 agenda, the booster or prioritisation rationale is compelling. If freed from the burden of representing a normative and political consensus, a target-based framework can be limited to select issues of significant and contemporary concern. Two caveats should be mentioned though. The function must be clearly communicated and the booster effect may not coincide with the adoption of a specific goal, target or indicator. As to the latter, the exclusion of social protection from the MDGs was heavily criticised, particularly in the wake of the global financial crisis. While this prompted many calls for a target on social protection (CCP, 2010), Barrientos and Hulme argue that a social protection target might have been more harmful since it would have encouraged and legitimated top-down and narrow World Bank-directed initiatives. Instead, the focus on income poverty was sufficient to support new and diverse initiatives which have grown out of "national political processes, local level experimentation and informal south-south learning". Without taking a position either way, it gives pause for thought on how best the booster effect works. What is the nature of causal relation between an international agenda and subsequent domestic and extraterritorial action?

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[26] Moreover, even if the percentage of poor people amongst the overall population falls slightly, levels of absolute poverty can still rise, as (2008) noted for 1990-2005 in Africa and India.

Planning Tool

Initially, the MDGs were interpreted as a planning or policy tool. A body of literature and discourse evolved on determining how to achieve the goals on a country basis. This saw the rise of MDG-based planning and costing with 2015 as the key date. However, the MDGs functioned poorly in this respect. They were global goals. In some countries, costings revealed the targets were unrealistic while in others they were irrelevant as the country had already met the goal or was 'on-track'. The result was that this explicit planning function largely disappeared by the mid-2000s. More problematically was the impact on health policy. The silo-like nature of the MDGs coincided with and contributed to the rise of vertical programming. This favoured disease-based targets (such as those on AIDS, TB and Malaria) rather than support to health systems, which are crucial for maternal health.[27]

The idea of using a post-2015 agenda as a planning tool should be approached with some caution. But it should not be completely discarded. The demand for an 'action-oriented' agenda means that attention to the planning implications of new goals is required. One approach is the introduction of more conduct-oriented targets and indicators that signal the appropriate policies. The original preference for largely outcome targets in the MDGs was understandable – it avoids governments pointing to ineffective or irrelevant policies as evidence of progress. Outcomes are the ultimate benchmark. As will be discussed, the use of selected conduct-oriented targets may be justified on evidential, normative or statistical grounds. Another approach is to require multi-actor country-level assessments or reviews that provide actionable indicators and results rather than just reliance on cross-national data.

Accountability

A fourth function is accountability. Here, the emphasis is on incentivising compliance or sanctioning non-compliance. The MDGs represented a rather soft form of accountability. The duty-bearers were not identified, commitments were not legalised and the monitoring mechanisms were weakly institutionalised - essentially a public reporting mechanism. Despite these features, there is some evidence that the MDGs commitments have functioned as an accountability tool at the domestic and international level. Their authoritative status has encouraged their use in mobilising or justifying the support/rejection of policies and even

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[27] In some cases there has been an even darker side. Huchzermeyer (2012) argues that the slum dwellers target has been blatantly and officially misinterpreted as a target to achieve 'slum'-free cities. This has favoured economic elites and helped facilitated forced evictions. For instance, Vietnam reported slum demolition as a key means of meeting the target: Langford (2010).

political candidates. The MDGs were also built on a system of mutual accountability between North and South. Developing States would accept quantitative targets on poverty if developed countries assisted through ODA, trade reform, debt relief and access to intellectual property.

Nonetheless, the weakness of the framework has been slated. Black and White (2004: 17) concede for instance: "What is missing from discussion of targets … is any theory of accountability. For real accountability, at the very least there needs to be more transparency as to who is responsible for what, and more ownership of goals by those expected to meet them." This weakness covers the developed states. They have only partially or very weakly lived up their part of the mutual accountability bargain (Caliari and Darrow, 2013). One reason may be the very poor and only qualitative specification of their duties.

Accountability could be improved in any future agenda. The UN Secretary-General has signalled that its absence was one cause of slow progress. Improving the *international monitoring function* is one option, for example through a system of peer review or a periodic reporting to an independent body. Proposals for such bodies have emerged already but it is unclear whether such an approach will be effective.[28] The jury is still out on the impact of global and regional peer review systems such as the Human Rights Council's UPR, OECD country reviews, GRECCO anti corruption peer review and the NEPAD African Peer Review Mechanism.

A different way forward is to focus on *domestic accountability* (UN-OHCHR and CESR, 2013; UNDP, 2012). On the demand-side, this recognises that international commitments provide a mobilisation resource for domestic actors (Dorsey, Gómez, Thiele and Nelson, 2011; Simmons, 2009) and partly transnational networks (Risse, Ropp and Sikkink, 1999). However, their resonance is dependent on the power of these actors to organise, communicate and influence. On the supply-side, the ability of the government, courts and other actors to respond to accountability devices is dependent on the level of answerability and enforceability built into accountability mechanisms – whether political, administrative or judicial (UN-OHCHR and CESR, 2013). It also determined by the capacity of these institutions, particularly in terms of their quality and resources. The following section suggests a number of different ways domestic accountability could be integrated into targets.

A final approach is to strengthen the *mutual accountability* between States so that the inter-State system for compliance is self-reinforcing (Langford, 2010). Commitments by Northern and

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[28] The treaty-based reporting mechanisms and universal periodic review in the Human Rights Council provide templates but also cautionary lessons: there is a real risk that the process would be delayed and the level of deliberation and inquiry superficial.

Southern states could be structured in such a way that unilateral compliance by one state triggers benefits or compliance by other states. This modus of accountability has been successful with the EU and WTO accession process but much less so with the Oslo peace accords for the Occupied Palestinian Territories - the process halts if one party refuses to act. In the context of development, it is partly evident in the Monrovia 'New Aid' for fragile states where development aid is made conditional commitments to legitimate politics, security, economic foundations, access to justice and revenues and services management rather than the MDGs. It has been used with the US Millennium Challenge Account at a bilateral level – aid funding is provided for the MDGs on the basis of developing country performance, including political rights, civil liberties and voice/accountability. However, the indicator-driven approach to this method has been the subject of controversy although there have been various refinements and recommendations to incorporate greater discretion in the process.[29] Moreover, there is a real danger that such mechanisms morph into unilateral accountability of developing to developed states, as has occurred with the Paris Declaration on Aid Effectiveness (Caliari and Darrow, 2013; UN-OHCHR and CESR, 2013). Thus, any improvement to mutual accountability mechanisms would need to consider if various trigger points could be incorporated and function as intended. This may be too complex for the post-2015 agenda at a global level but worth considering for specific goals or targets.

3. SELECTION CRITERIA

The above analysis suggests that the strongest benefit of a post-2015 agenda might lie in its boosting function. It could constitute the primary means for determining the selection of goals as well as targets and indicators, helping identify where global attention and action is needed. Although, this would mean that the agenda would need to be rooted in a clear medium-term framework of 10 possibly 15 years. However, this is one view. And this is not to ignore the other functions of consensus, accountability and planning. These should be integrated where appropriate in shaping the design of the framework, the shaping of targets and the criteria for indicator selection and development.

Clearly any new agreement will have a normative and ideational effect and the MDGs made a somewhat distinctive contribution to enhancing consensus around a human development paradigm. It is less clear though that a single narrative will be possible in the post-2015 agenda given wider participation (from civil society through to transnational corporations) and the

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[29] http://www.cgdev.org/content/publications/detail/1425322 and see discussion in Wilde (2011).

Rio+20 demand by states for thematic balance. However, here the booster function may be use. The agenda could be used to prioritise consensus building or strengthening where it most needed: e.g. on issues like equality and environmental protection.

There are also a range of other criteria that needed to be added to the mix and which could help in narrowing down proposals. This should include a participatory criteria that ensures that the views of the world's citizens are reflected, particularly the most marginalised. In addition, one needs to include the criteria articulated in the Rio Declaration, specific measurement criteria for quantitative indicators as well as issues such as communicability.

In this section, an attempt is made to think about this selection process. It tries to identify some criteria and a means of weighting them. Some thematic criteria are first identified (which primarily relate to goals/targets) and the second are measurement criteria (which relate to the selection of indicators and how they are framed as targets). A number of criteria are drawn from the Rio+20 Declaration and the original methodology for MDG indicator selection but other criteria are also added.

Before doing so it is important to note that these choices can and should be influenced by the general framework the post-2015 agenda. One of the key issues should be the form of general accountability. As discussed above, this could include enhanced international monitoring and mutual accountability. However, it may be also possible to strengthen domestic accountability. There are multiple ways that targets might be framed. For example, a general target to improve or create various domestic accountability institutions relevant to the goals could be included – possibly as part of a goal on enabling environment or governance. For instance the recently established Commission on Information and Accountability for Women and Children's Health (CIAWCH) is empowered to recommend to states that they create national health commissions as independent oversight mechanisms. However, the types of domestic institutions and practices that are needed can vary significantly between countries. This makes it difficult to select a few structural indicators in the abstract that will reflect improvement of domestic accountability. An alternative is to require each state to set in train a process for public deliberation over implementation of the new agenda and how to ensure that there is sufficient accountability (Gauri, 2012; UN-OHCHR and CESR, 2013).[30] Gauri (2012) suggest that global accountability

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[30] The UN OHCHR and CESR (2013) recommend "'Tailoring' the (global) SDGs to the national and sub-national levels should involve the following eight steps:
1. Align national and sub-national goals and targets with the human rights treaty standards applicable in the country concerned;
2. Set national and sub-national goals, targets, indicators and benchmarks through participatory processes, and ensure adequate participation in monitoring progress;

mechanisms should only become operative when this domestic deliberation process fails. A third approach is to adopt targets on well-recognised civil and political rights themes. These are preconditions for accountability or emblematic of it: this might include political participation, freedom of organisation, access to justice and remedial rights. It might also include broader governance themes such as public sector transparency and judicial independence. While these targets are clearly 'ends' in themselves they also function as means for accountability for the entire post-2015 agenda. See further discussion in Section 4 below.

Thematic Selection

The first table sets out a number of criteria for evaluating thematic proposals. Any proposal will score differently across the criteria. But one could weight each answer by ascribing strong, moderate or weak. This way one can obtain an overall sense of each proposal. In its current form, the table gives primacy though to some criteria: in this case the boosting effect, democratic demands and universal applicability. The secondary criteria are important but may be more useful as a further sorting mechanism: examining consistency with international law, the instrumental value of the proposal for accountability or other themes, whether it has an equality focus, has a strong narrative effect and helps ensure an overall thematic balance.

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3. Integrate the principle of non-discrimination and equality, ensuring that the most disadvantaged communities and regions are prioritised;
4. Address major bottlenecks where rights are not being realised and select interventions that multiply positive outcomes;
5. Look for synergies and gaps in the overall framework of goals, and ensure that it reflects an adequate balance of human rights and sustainable development concerns;
6. Define a timeframe and level of ambition consistent with an objective assessment of the "maximum resources" available to the country;
7. Set targets and indicators for fiscal and policy effort, as well as outcomes; and
8. Use a range of indicators and all available information (subjective as well as objective; qualitative as well as quantitative), across the full range of human rights (economic, political, civil, social and cultural), to help monitor progress."

Table 1. Thematic Criteria: Goals/Targets

Primary Criteria	Question
1. Boost	Is it an important/urgent issue that has been under-prioritised in practice and international frameworks?
2. Democratic Legitimacy	Is there strong global and national demand for the goal/target, particularly from the most marginalised?
3. Universally Applicable	Is it a global issue or matter of concern? Does it and incorporate universal or differentiated responsibilities?
Secondary Criteria	Question
4. Consistency with international law	Does the proposal reflect or strengthen international law standards rather than weaken them?
5. Instrumental Value/ Enabling Environment	Will realisation contribute to or create an enabling environment for other targets?
6. Equality-Focus	Is there a focus or potential focus on equity and equality?
7. Thematic Balance/Narrative	Does the proposal help ensure a thematic balance across different areas of global concern? And contribute to the overall narrative of the agenda?

The universal applicability in this context requires some extra comment. It is more than arguing that a particular issue is a global problem or one of global concern. To meet legitimacy concerns it also requires that *all* states must make some contribution to solving the problem. It arguably means that commitments must be *reasonable* for a particular state in terms of ambition, *fair* across states and sufficiently *relevant* to the goal at hand. It can be conceived of in two ways. First, universal applicability can mean a single goal/target with *graduated commitments*. All countries accept the same commitment but it is graduated in such as a way as to make the commitment meaningful for all. The benchmark is made higher for more capacitated countries. For instance, we might expect all upper middle-income and high-income states to provide universal access to piped water by 2025; but provide a lower benchmark for other states – for instance universal access to basic water and the halving of the gap for piped water. Second, and alternatively, there may be different targets for a single goal, which thereby establish *complementary commitments*. Countries accept different types of obligations for a common purpose. For example, if a goal was developed for food security, Northern countries may be under an obligation to reform their trade, agricultural and consumption practices so that food was generally more available and affordable everywhere given the global market. This integration of supply-side problems and targets is likely to be strengthened in the current context where

resources are under strain, particularly water, energy, land and minerals and medicinal ingredients.[31]

It is also important to note what is excluded. The issues do not necessarily have to be ripe for international cooperation. For instance, Melamed (2012) argues that "decent work" – while clearly absent from the MDGs and clearly requiring a boost after the GFC – is not the kind of issue that could easily be furthered through international cooperation under a MDGs-style global agreement. Rather, it is national policies that are determinative. Gore (2013) takes this argument further and advocates only a purely global approach and a focus on the development of new global goods. This would even exclude much of international development aid as it is more likely to do harm to national development. (Although Gore also views a role for the agenda is developing global standards on a comparable adequate standard of living for everyone for example and moving away from a focus on extreme poverty).

However, viewing the post-2015 agenda solely through the prism of instruments (whether international cooperation/aid or global goods) risks seeing poverty and other problems as solely a global problem with global solution. The causes may be domestic. The finding that 72 per cent of the world's poor now live in middle-income countries against 9 per cent in 1990 (Sumner, 2010) suggests that domestic politics has to be part of the vision and equation. A new post-2015 agenda can thus provide a mobilisation tool for domestic actors as other international standards do (Simmons, 2009). The traditional modus of overseas development aid is unlikely to have little impact in these countries and support to human rights, democracy and equality will be crucial (Rawls, 1999). But clearly reform of the international economic order (Salomon, 2007) and global goods such as ASAP's proposal of Institutional Reform Goals (IRGs) need to be part of the agenda. This is inherent in the criteria of universal applicability.

Measurement

Turning to the more fine-grained question of indicator selection and target design, the UN (2003: 1) used the following criteria for indicators. They should:

- "Provide relevant and robust measures of progress towards the targets of the Millennium Development Goals"

- "Be clear and straightforward to interpret and provide a basis for international comparison"

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[31] In this respect, there is a partial return to some pre-2000 indicators which also emphasised the supply-side.

- "Be broadly consistent with other global lists and avoid imposing an unnecessary burden on country teams, Governments and other partners"

- "Be based to the greatest extent possible on international standards, recommendations and best practices"

- "Be constructed from well-established data sources, be quantifiable and be consistent to enable measurement over time."

These standards seem a reasonable place to start. Many of these criteria are useful. Many should be maintained. But they should be adjusted in light of the foregoing analysis and be adapted to the diverse functions of the post-2015 agenda. Moreover, these measurement criteria are too focused on indicator selection. Insufficient attention is given to choices in target design and unintended consequences of indicator selection. Thus the criteria could be reformulated as set out in Table 2 and discussed in turn.

Table 2. Measurement Choices for Themes

Criteria	Questions
1. Relevance of Indicator to Theme	How closely does a proposed indicator reflect the theme?
2. Saliency/ Communicability	Is the indicator and target psychologically salient and simple to comprehend?
3. Data Availability and Comparability	Is the data comparable and well-established globally? Could comparability and coverage be improved with support? If not, would nationally-defined measurement be enough to spur action or even preferred?
4. Robustness	Is the data reliable, valid and externally verifiable?
5. Action-orientation, Accountability National realities	Would the target/indicator signal appropriate policy choices and provide a useful standard for active monitoring?
6. Universally Applicable	Does it require fair progress by all countries or, if not, is a complementary target/indicator available for other countries?
7. Equality-Sensitivity	Does it have an equality focus or disaggregated targets?
8. Perverse incentives	Does it create perverse incentives and, if so, can a complementary target/indicator be adopted to ameliorate this?

Relevance

Relevance primarily refers to whether the indicator offers a good proxy for a chosen goal/target. The multiple choices made in the delineation of an indicator means careful attention needs to be given to the degree of correspondence. Ensuring this 'construct validity' will strengthen the legitimacy of any new agenda and satisfy the Rio+ 20 requirement of consistency with international law when targets are meant to reflect prior

agreement. In interpreting relevance, regard should be had not only to the wording of a goal/target but its overarching function and reason for inclusion. It is now clear for example that some available indicators in 2001 (depth of poverty or literacy rate) may have been more relevant to the actual goals.

Saliency/Communicability

Communicability would seem to reflect the strength of a target-based framework but Gauri (2012) pours some cold water on this common assumption. He argues that if we accept that the primary audience is the general public and civil society organisations, rather than bureaucrats and politicians, the answer may be rather different. If a future framework is meant to support mobilisation and not just monitoring (political not just technocratic accountability) then it must be comprehensible for its users. Targets and goals should be selected and crafted in such a way that they are salient for domestic and transnational mobilisation. They could be more psychologically salient through the use of more simple concepts (literacy and life expectancy rather than access to education: aid dollars given per person rather than percentages of GDP) or the inclusion of universally-accepted narratives as to the cause of poverty such as corruption. Targets could also be more morally salient by bring framed in the negative: e.g. protection from eviction rather than percentage improvement for slum dweller or Pogge's institutional do-no harm principle. Not all of these proposals may be possible but this approach to narrative helps re-focus attention on who are the users of the framework.

Data Availability and Comparability

The original criteria stipulated that it is important to look for well-established data sources and there should be comparability across countries. But these demands should not operate as an automatic veto. If there is sufficient evidence that an indicator will be relevant and robust (see below) then it is important to engage in further consideration:

(a) Are indicators available but the relevant decision-maker is unaware of them?

(b) If current indicators do not meet statistical criteria (e.g. comparability and robustness) could they be improved through international recognition and support?

(c) Could relevant indicators could be developed at the national level that may assist with taking action or measuring compliance?

The justification for targets falling into categories (b) and (c) would be strengthened if the focus is forward-looking action rather than backwards-looking compliance. Indeed, it is widely

recognised, including by Vandemortelle (2013), that one of the greatest contributions of the MDGs was to build statistical capacities. If we want to boost efforts for a particular area, statistical agencies need to make their respective contribution. The resource constraint placed on the selection of indicators is inappropriate for the post-2015 agenda where there is more time available. At the same time, there is a limit as to how much new information can be collected and how many new questions can be added to national/international surveys and census data. If all indicators fell into these two categories then the entire agenda would lose its appeal through loss of comparability and potential reliability. The point is that a more balanced approach could be taken without sacrificing statistical robustness and it may not be necessary for all indicators to be selected or developed through the same method.

Comparison would require measurement across similar *units* and *time* (at regular enough intervals) and exhibit sufficient *equivalence* across different contexts. Equivalence is usually raised as an argument for excluding perception and barometer surveys: even if valid and reliable the vastly varying linguistic, geographic and linguistic contexts make comparison difficult. However, sometimes perception surveys may be the only available measure. It is also notable that missing data for certain countries or points in time is a feature of a number of the existing data sets for the MDGs. However, given the diversity of states in terms of size, capacity and levels of conflict *complete* coverage should not be expected.

There is however a question as to whether structural-type indicators should be included given there is little space for comparison over time and that they mostly tend to be a binary form of a process indicator. They were largely viewed as non-quantifiable in 2001 and were excluded. As discussed in the section on accountability, some structural indicators may be appropriate for the development of national-based targets. They might even be relevant for global commitments. Following the Millennium Declaration itself, one could imagine states committed to ratify important but under-ratified treaties: it should include some which have been poorly committed to by the North (e.g., Migrant Workers Convention) and some by the South (Convention Against Torture protocols) in order to create mutual incentives for ratification.[32]

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[32] Moreover, some recent data sets such as World Policy Analysis Centre provide more sophisticated structural indicators. Heymann et al (2012) collected extensive data across all countries on adoption of legislation for different labour and social security rights but provide it in a contextualised scalar form – depending on the level of protection - which could allow measurement of progress over time or at least represent an indication of conduct that can be interpreted in conjunction with any outcome-based targets.

Robustness

Robustness is defined here in broad terms to include the reliability and validity of data as well as its verifiability. Recorded observations should be *consistent* over time and represent an *accurate* reflection of the reality that a measuring instrument is trying to capture. In the process of data creation, subjectivity enters: whether in classifying events/administrative information, coding qualitative information according to a scale, or in conducting surveys in different cultural or linguistic contexts. Even data that is meant to capture subjectivity – such as perception/ barometer surveys – needs to be used cautiously: an individual's response may not correspond to their behaviour or even their attitudes.[33] Moreover, there are the practical challenges of missing data and technical dilemmas, such as weightings given to respondent groups or indicators in composite indexes.

However, it should not be assumed that data sets that rely on say expert judgment are more unreliable than household surveys or administrative data although there can be are questions over validity if they are based on ad hoc reporting of events. Reducing systemic error can be achieved through various methods such as repetition, using or checking with complementary indicators and lists and testing the measuring instruments under different conditions.[34] Checking consistency with other global lists also provides an important measure of validity.

It is also important that there is some method of external verifiability. For example, individuals and organisations should be in a position to audit/check the collection of data and participate in its collection (Yamin and Falb, 2012).

Universally Applicability

As discussed, the framework must be universally applicable. For global goals with complementary commitments, there is no particular measurement issue. Different indicators will be chosen for domestic and extraterritorial obligations. However, for global goals with graduated commitments, a measurement challenge arises. How to create a metric of progress within a single indicator? There are a number of ways this problem could be overcome:

- The first is to examine whether the rate of acceleration in access has improved since the adoption of the MDGs, a method that could be included in a post-2015 framework. Acceleration provides a standard that is universal for all countries. Thus, we would

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[33] The framing and phrasing of the questions, the nature of the survey instrument and the context in which the questions are being asked can be critical in shaping the responses.
[34] See Cingranelli and Richards (2010) for a defence of their CIRI dataset.

expect that all countries would improve on their historical rate of progress or a new baseline.

- A second approach is to adjust for the resources of the country, which is relevant to at least socio-economic outcomes. One method for doing so is to calculate the highest level of progress achieved for a certain level of GDP (Randolph, Fukuda-Parr and Lawson-Remer, 2010) and use that as the benchmark. An alternative method is to determine the average performance over time for each level of resources (Anderson and Langford, 2012). The former has the advantage of possibly providing a normative benchmark for progress while the latter may more accurately reflect the contextualised resource constraints. The two methods lead to clearly different rankings than the standard MDGs metric, with low-income countries performing better, but they are not uniform. Looking ahead to 2015, one could obviously design a target based on these alternative metrics but relying on coefficients generated by multivariate regression analysis may be politically controversial or technically difficult. A better approach may be to take heed of these quantitative results and design simpler targets that take resource constraints into account: e.g., adjust the targets on a regional or income-bracket approach. For instance, we might expect a halving of a certain gap in low-income countries or Sub-Saharan Africa by 2030, but a 75 per cent or full reduction in all other countries. In other words, one globalises the MDG-pl|us approach for wealthier countries.

- A third approach is to set higher standards for more capacitated countries. A number of current indicators essentially reflect a minimum essential level of a desired outcome or right. Some policymakers in these countries have expressed frustration about the resulting irrelevance of the MDGs framework (Bartram, 2008). Thus, it may be possible to adopt higher standards – an level of adequacy for example – for some regions or certain categories of countries (for examples see JMP, 2012; Langford, 2013). Of course this raises some difficult issues about inclusion and exclusion. But it potentially avoids the data truncation problem: where highly diverse situations are grouped together in a single indicator (Barsh, 1993).

Action-Orientation, Accountability, National Realities

The preference for outcome targets in the MDGs was understandable as discussed. They constitute the ultimate evidence of whether a state has taken its commitments seriously. However, they can point to the wrong action, be inappropriate to national realities or provide a too distant

and abstract form of accountability. In international human rights law most obligations are framed as a mixture of conduct and result and the post-2015 agenda could follow this path. The result is that many have argued that more conduct-oriented targets and consequently indicators should be included in the post-2015 agenda. This demand should be treated with some caution. But there are four situations in which inclusion of conduct targets/indicators seems particularly justified: (a) where there is consensus that a particular intervention is necessary and largely sufficient condition for achieving an outcome; (b) the target is derived or aligned with international standards or obligations concerned with conduct; (c) outcome indicators are less robust than conduct indicators, or (d) an outcome indicator can only be interpreted with the use of a conduct indicator

An example in the current MDGs is maternal health: prevailing maternal mortality ratios are "notoriously unreliable due to a number of factors including the quality of the underlying source data regarding the number of maternal deaths, and varying specifications of statistical models including, but not limited to the selection of covariates and handling of HIV-related deaths." (Yamin and Falb, 2012).[35] These authors acknowledge that an accompanying indicator of skilled birth attendants was included in the MDGs but suggest that the UN's EmOC conduct indicators would constitute a better choice as they more precisely identify the steps needed in terms of availability and accessibility of maternal health care.

Surveying current and candidate targets one could identify areas where conduct-based duties would be appropriate: slum improvement (measuring effective protections against forced eviction rather than tenure security or access to water), climate change (measuring carbon emissions rather than global warming) or freedom of expression (measuring the existence or depth of independent mass media rather than the ability of citizens to express their views).

Equality and Disaggregation

In the current MDGs only one express standard of inequality was included – gender disparities in education. Other equality issues were relegated to accompanying and invisible indicators. There is now significant recognition that a post-2015 agenda requires greater attention to equality. An entire thematic group is devoted to the topic in the current consultations and there are now expectations of a stand-alone goal plus the mainstreaming of equality across goals. Indeed, if one

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[35] Statistical modelling exercises have sought to overcome the problems in countries but the result is contradictory data sets and data that is largely meaningless. The authors give the example of Afghanistan where estimated maternal deaths in one study dropped slightly from 1640 to 1,575 deaths per 100,000 live births between 1980 and 2008. However, the (enormous) confidence interval was largely unchanged (632 – 3,527 deaths), which means that it is "simply impossible to say whether and to what extent levels of maternal mortality have declined in Afghanistan over the past few decades".

took the booster function to its extreme, one might limit the goals to equality and possibly environment.

The need to limit goals could see a mainstreaming approach to equality. If this was adopted, there is a risk is that mainstreaming inequality could lead to more invisible and orphan indicators. Such an approach is unlikely to add much: it is the combination of targets and indicators that has attracted attention.

In moving forward there could be a number of ways to capture equality within a mainstreaming approach:

- Adopt targets that require closure of an entire gap – particularly minimums – so that all individuals and groups are reached.

- Develop equality targets based on differentials such as income and gender that constitute proxies for other forms of discrimination and inequality. Most disadvantaged and disempowered groups are heavily overrepresented in poverty statistics and the majority are women. Thus, a target that directs attention to low-income groups or women will invariably require addressing individuals facing others forms of discrimination. There are various ways in which this could be done. The most appropriate method for income would be to focus on progress for lower income quintiles or deciles.[36] One could simply replace the current average-based target with an equality-based target that requires the gap for a lower-income group (e.g., the bottom quintile) to be halved or eliminated. An alternative approach is to maintain the current average-based targets, but require proportional improvement for lower-income groups.[37] A final approach developed by Luh, Baum and Bartram (2012) examines the rate of progress for minimum standards against adequate/higher standards and require the former be higher or equal to the latter.

- Develop new datasets, global baselines and targets for discriminated groups that are found in every country: e.g. persons with disabilities.

- Develop simple targets for improvement on an equality indicator where specifying a particular standard of achievement may be inappropriate.

- Call on states to develop to refine statistical capacities in the area of inequality as it is relevant to different areas and develop nationally contextual-based equality indicators and targets (JMP, 2012). Some states such as Ecuador and Thailand took such an approach with their MDG-plus models. There is a risk in limiting attention to available

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[36] A target based on a gini coefficient could be adopted but this would be better suited to an income inequality target.
[37] This might be viewed as fairer from some normative or political perspectives, but requires the adoption of two targets. A third approach would be to adopt two targets, but introduce a Rawlsian weighting: improvements at the bottom of the income scale would be more heavily weighted than those in the middle. However, there is likely to be controversy over the weighting and it could be a difficult concept to communicate.

global indicators. Integrating equality from a human rights perspective calls attention to discrimination or inequality on the basis of race, disability, nationality, religion, language, age, birth/caste, sexual orientation, location, health, and property.[38] Many of these factors are not measured in global (or even national) surveys, are interpreted or understood differently at the national level, or play different roles in practices of exclusion. Moreover, some current equality-based indicators that are easily calculated on a global level may not be particularly meaningful- such as the numbers of women in parliament – if it represents high levels of tokenism rather than any real shift of power.

Perverse incentives

The final criteria is perhaps the most important. What are the perverse incentives created by the selection of a target or indicator? Sometimes the danger is readily apparent – the indicator is likely to signal the wrong action. Other times it is only statisticians or the victims of perverse incentives who posses a finely-tuned awareness of how indicators can go wrong. Thus any proposed targets/ indicators need to be subject to incentive checks with different stakeholders. How are they likely to be understood in practice?

4. EVALUATING THE APPROACH

Proposals for Civil and Political Rights/Governance

One way of testing the utility of the criteria is to apply them to new proposals. As discussed above, one line of critique of the MDGs was the exclusion of issues concerning human rights and broader governance. This was partly due to the application of measurement criteria. Issues like the right to affordable water and protection of orphans from HIV/AIDS were viewed as lacking well-established data sources. In relation to civil and political rights, serious proposals were reportedly made in the statistical working groups but were rejected as the envisaged data set from the Heritage Foundation was viewed as too politicised. However, human rights and governance issues are at the forefront of many post-2015 demands and warrant consideration.

 These demands have elicited some negative responses. Vandemoortele (2013) expresses alarm that civil and political rights could be considered in a post-2015 agenda. This could lead to ill-defined global targets without solid indicators and robust data – with the result that all measured progress will be open to interpretation. The individualism of human rights may not be appropriate in development where policies are adopted and trade-offs are made to benefit broad undifferentiated groups. Strategically, the underlying assumption that human rights embody

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[38] See Committee on Economic, Social and Cultural Rights, *General Comment 20, Non-Discrimination in Economic, Social and Cultural Rights* (Forty-Second Session, 2009), U.N. Doc. E/C.12/GC/20 (2009).

universal values will polarise further different actors and states instead of providing consensus on urgently needed action. Whereas Vandemortelle is more open to economic, social and cultural rights, he expresses concern that the inflation of human rights can potentially lead to the cheapening of their inherent value and that the human rights framework provides little assistance in deciding on the questions of hard trade-offs in development and poverty reduction. His recommendation is an implied approach: a focus on equity and equality in designing targets can ensure that the key concerns from a rights perspective are effectively integrated. Along with Manning, he also argues that socio-economic outcomes function as a proxy for governance.

These concerns over human rights or *democratic* governance are somewhat over-played. They are not as controversial as Vandemortelle imagines. The General Assembly's 2010 Summit Outcome on the MDGs references reaffirms the importance of many human rights and in a manner consistent with the jurisprudence of international human rights bodies. The Rio+20 Summit reaffirmed an entire raft of international human rights standards relevant to sustainable development. Even polarising topics such as reproductive rights have a found a place in the MDGs: the General Assembly included reproductive health as a new MDG target in 2005 after it was earlier excluded from the Millennium Declaration. Indeed, it was a Southern country, Mongolia, that included an extra MDG on democratic governance: targets cover conformity with human rights treaties, legal representation and rule of law, independence of journalists, budget transparency, citizen participation and anti-corruption (UNDP, 2012). Since 2000, there has been a continuing cascade of state-generated international and regional standards on human rights and governance, from the Convention on the Rights of Persons with Disabilities, Convention on Enforced Disappearances, the Convention against Corruption, Business and Human Rights Principles through to a raft of optional protocols creating international complaint mechanisms. Regional bodies like the African Union have adopted standards relating to free and fair election, democracy, governance and other areas. Moreover, international human rights law establishes a framework for trade-offs that can mesh with more instrumental economic approaches in practice (Seymour and Pincus, 2008). Thus, Melamed (2012) recognises that while the political challenges integrating these themes in the post-2015 agenda are "acute", she points to the increasing focus on these issues by Southern states in international fora such as the Peacebuilding and Statebuilding goals developed by the G7+ group of countries for fragile states.

Initial global measurement of these themes had undoubtedly a precarious history.[39] The creation of a Human Freedom Index by the UNDP in 1992, which ranked countries across a

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[39] Note.

representative range of rights in the Universal Declaration of Human Rights, met strong opposition from many states. [40] However, various governance indexes have gained greater acceptability – representing a more diffuse concept that ranges from ensuring efficient markets and public regulation, general accountability and rule of law through to democracy, citizen voice, human rights and social justice (Hyden, 2011). There is also a wealth of data sets on civil and political rights, other socio-economic rights and democracy/voice as well as the more institutional features of the governance such as rule of law and public administration – e.g., these include the World Bank's Worldwide Governance Indicators, Freedom House Index, CIRI, Polity, Corruption Perceptions Index, Global and Regional Barometers (see overview in Cingranelli and Richards, 2010; UN-OHCHR, 2012; Wilde, 2011). Moreover, the use of mere socio-economic indicators as a proxy for governance has been found questionable: "some of the most celebrated "MDG success stories" since 2000 are now sites of mass protest decrying wide-spread deprivation, repression and inequalities masked by the narrow models of economic analysis that have characterized development approaches in the pre-2015 period. " (UN-OHCHR and CESR, 2013).

However, the challenge with some of these indicators is that there is little involvement of national statistical agencies (many are generated through mixed methods that include expert coding) while the role of perception surveys for cross-country comparisons has been questioned. Scepticism over the relevance of the data for action has also contributed to a new wave of country-focused democratic governance assessments (Orkin, Naval, Suesser and Miguel, 2011; Wilde and Nahem, 2011). Nonetheless, it may be possible to identify some key global indicators and their very inclusion in the post-2015 agenda could secure them the requisite legitimacy and improved support for meeting statistical criteria. Indeed, one of the major contributions of the MDGs was to improve statistical capacities. The UNDP's Human Development Report for the Middle East and its Governance Indicators Users Guide also show how assessments can be done at a global level that identify key systemic problems.[41]

In terms of the way forward, one approach is to foreground rights. Dorsey, Gómez, Thiele and Nelson (2011) argue that sustainable policy change occurs through "domestic political pressure, buttressed by the support of international human rights" rather than the goodwill and generosity of governments, as is presumed in the MDGs. They propose:

> *Millennium Development Rights (MDRs),* defined as the full body of indivisible human
> rights that contribute to and are necessary for human development, would go far in

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[40] See discussion in ibid. at 87-90.
[41] See http://gaportal.org/sites/default/files/undp_users_guide_online_version.pdf

improving the lives of the poor. This body of human rights includes the obligations to respect, to protect, and to fulfil economic and social rights, as well as the overarching right to participation and right to be free from discrimination (including the obligation to prioritise the needs of the most vulnerable or marginalised populations).

However, this is likely to be a bridge too far and a more moderate approach may be warranted; one that seeks to better align the various paradigms and build on the strengths of each. As Seymour (2013) puts it, "advocate for an approach which incorporates those elements of a human rights perspective which we consider essential while preserving many of the strengths of target-based approaches."[42] This might result in proposals for some new goals or targets and indicators but its primary role is to "modify and refine" the agenda. In this perspective, international development agendas are not viewed as an articulation of human rights standards but rather as a booster to efforts to realise important goals and rights. Seymour argues that the human rights should become the "instrument of a democratised global development process" which would include: linking the targets to human rights standards and mechanisms; making development partners accountable; engaging and providing a role for citizens of both the developed and developing world; and explicitly addressing the distributional nature of development. However, this might require a separate goal to capture those dimensions where key issues not covered by socio-economic goals or environmental goals are not covered. For example a goal on governance, civil and political rights or, more generally, "enabling environment".

Testing Rule of Law/Access to Justice

In order to test the assessment criteria it is useful to take a particular candidate from this rights/governance field for the post-2015 discussions. This way it is possible to see if the approach allows us to helpfully identify strengths and weakness in any proposal in a reasoned and transparent manner. One such candidate is the rule of law or access to justice. It has featured increasingly in post-2015 discussion and there exists a growing body of quantitative measurement on the theme. Indeed, in 2012, the States reaffirmed their commitments to the area in an extensive *Declaration of the High Level Meeting of the General Assembly on the Rule of Law at the National and International Levels.* [43]

The concern with rule of law and the justice sector has grown in recent years. This is for quite diverse reasons – reflecting an emerging consensus on the importance of democratic constitutionalism after the fall of the Berlin Wall, recognition of rights to protection and

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[42] Seymour (2013), p._.
[43] UN Doc. A/67/L.1.

remedies from violations of human rights, a need to ensure fair and predictable rules for markets and property rights and the delivery of public services. It is unlikely though that the rule of law would constitute a stand-alone goal. It could well feature though in the 'headline' of a goal and/or form the thematic basis for a target under a broader goal on governance or enabling environment. Alternatively, it might even be connected to a goal where it might be strong relevant.

The first question concerns how well it might meet the thematic criteria. This is considered in Table 3 at a general level. It is important to note that is partly speculative since the evidence has not been fully examined or global and national consultations have not been yet reported on.

Table 3. Thematic Criteria Assessment: Rule of Law

Criteria	Consideration	Weight
1. Boost	• Rule of law has been under-prioritised in the field of development with limited/selective efforts in the justice sector. • First resolution on Rule of Law by the UN General Assembly only adopted in September 2012. • Post-2015 agenda could provide a needed visibility boost and platform for reforms • There has been poor and patchy performance in this area in many countries and internationally. • But given the diverse themes in the rule of law it is uncertain how effective specific targets might be in compelling overall compliance.	Strong
3. Democratic Legitimacy	• To be seen. • Civil society consultations and shadow MDG reports highlight corruption, impunity, and access to justice problems.	Strong likely
4. Universally Applicable	• The challenge at the domestic level with the rule of law varies dramatically between states • *But* at the global level, all states have a challenge: e.g. respecting rules of armed conflict, transnational corruption and ensuring international rule of law (see UNGA, 2012).	Moderate to Strong
Secondary Criteria	**Question**	
5. Consistency with international law	• States have affirmed that "human rights, the rule of law and democracy are interlinked and mutually enforcing and that they belong to a universal and indivisible values and principles of the United Nations" and have recommitted to fulfill their "obligations" (UNGA, 2012).	Strong
6. Instrumental contributions	• Rule of law clearly adds value elsewhere: "Advancement of the rule of law at the national and international levels essential for sustained and inclusive economic growth, sustainable development, eradication of poverty and hunger and realization of all human rights" (UNGA, 2012). • Including rule of law would ensure that the enabling environment for the post-2015 agenda was stronger since it provides a form of accountability in itself.	Strong to Moderate
7. Equality-Focus	• The rule of law is very broad in its coverage. A number of sub-themes do not focus on equality. However, issues like	Moderate likely

	corruption and legal representation are very important for the poor.	
	• If the only focus on ensuring economic efficiency rather than equal access then this criteria would be weakly met.	
8. Narrative	• Rule of law could be easily incorporated into a broader narrative that included accountability for development outcomes. See UNSG, 2010. • However, the phrase itself tends to be technocratic in nature. Any targets connected with the rule of law would need to be psychologically salient. For example, a target of "eliminating corruption" rather than "transparent governance". • Might be useful to frame some potential targets in the negative: freedom from denial of gross human rights violations, freedom from violence, or right to be recognized as a legal person, fair rules for everyone.	Moderate

If a sufficiently general case can be made for the inclusion of the rule of law, then consideration needs to turn to measurement options. If these criteria are only very weakly fulfilled then the entire case for a place for the rule of law potentially falls way. But if measurement criteria are sufficiently fulfilled, then a strong case for inclusion remains.

However, in moving from a general theme to thinking about measurement involves a highly dialectical process. There are a number of steps to be taken before one can conclusively undertaken a measurement analysis:

- *Step 1: Identify sub-themes*. Most themes are generous in scope and the rule of law is no exception. It covers for instance: crime, land titling, judicial independence, constitutional protections, legal aid, remedial rights, right to legal status, contracts and property certainty, accountability and transparency and anti-corruption, right to information, international protections, rule of law in trade, regulatory capacity. This diversity needs to be spelled out.

- *Step 2: Select initial domestic sub-themes*. In moving forward, one could begin by examining a number of sub-themes that are likely to strongly meet the above thematic criteria in Table 1. This means partly repeating the above exercise or at least contenting oneself with the observation that it would be met.

- *Step 3. Testing different indicators in the sub-theme.* In the present case, a comparison will be made of two potential indicators for the sub-theme of legal identity. See below.

- *Step 4 Ensuring universal applicability at end of process*: In comparing different indictor proposals it is important to reconsider always the degree of universal applicability. If more minimalistic targets/indicators are chosen it is highly likely that specific global targets or developed world targets would be necessary. In the case of rule

of law, this might mean looking at targets on treaty ratifications for example, particularly to ensure better North-South balance of ratifications.

Testing Two Indicators

Birth registration for children is one candidate for this theme. It has been recognised a human right in the Convention on the Rights of the Child[44] and could act as a proxy for the right to legal identity.[45] Currently, seventy per cent of the world's population lives in countries with incomplete registration of births as well as deaths (UNICEF, 2010b: 5).[46] The proportion of unregistered births is highest in South Asia (63%) and Sub-Saharan Africa (55%) but still moderately high elsewhere: C.I.S. and Baltic States (23%), East Asia and Pacific (19%) and Latin America and Caribbean (15%).

Its importance is borne out in practice. Birth registration is often a precondition for accessing formal legal identity documents such as passports and national ID cards and access to social services and benefits, schooling, credit and financial institutions, consular and migration services etc. UNICEF notes that:

> In the many countries battling the HIV/AIDS epidemic, children who are registered are in a stronger position to exercise their rights to inheritance of property and, where applicable, to cash grants, housing, schooling support or food assistance. Registration also helps to protect women and children from exploitation through trafficking and child labor. The civil registration system produces the information that helps countries plan services for the population. Data on numbers of deaths and causes of death are essential if countries are to determine priorities and formulate and monitor policies, for public health care as well other government policy that may be based on such data. Birth registration, although just one key function in a complete civil registration system, has been at the core of the world community's concerns since the Universal Declaration of Human Rights in 1948.[47]

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[44] Article 7 reads: "1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and. as far as possible, the right to know and be cared for by his or her parents. 2. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless."

[45] Article 16 of the ICCPR states for example, that "Everyone shall have the right to recognition everywhere as a person before the law."

[46] Complete means 90 per cent of birth and death events are registered – a benchmark met in Europe and North America and almost South-East Asia. In all other regions, the majority of countries have not achieved this standard. Although, in Eastern Europe the figure is 53 per cent of countries. For Africa, it is 30 per cent, Americas 5 per cent, North Africa 42 per cent and Western Pacific 1 per cent.

[47] The Inter-American Court of Human Rights and the African Committee on Rights and Welfare of the Child have both issued strong decisions on the rights of non-nationals to registration documents so that children can attend school and also access health services.

The following Table 4 gives an example of birth registration. It demonstrates that the indicator scores strongly on more statistically-oriented criteria (except possibly for external verifiability) but more moderately on qualitative-type criteria such as relevance, action-orientation, universal applicability and to some extent perverse incentives.

Table 4. Measurement Choices: Birth Registration

Criteria		Weighting
1. Relevance of Indicator to Theme	• Birth registration is a human right • Represents though a minimalistic conception of right to legal identity • Important for rule of law and freedom from poverty but only indicator of desired outcomes and necessary efforts.	Moderate
2. Salience/ Communicability	• Relatively simple to communicate • But cognitive salience may not be apparent unless one understands the problem of birth registration.	Moderate
3. Data availability and comparability	• Relatively well-established data sets although quality of administrative data varies considerably. • Already a rise in global efforts to better measure birth registration	Strong to moderate
4. Robustness	• Highly robust except for external verifiability in some countries.	Strong
5. Action-oriented Accountability National Realities	• Only action-oriented for promoting birth registration • Not clear how it will motivate other aspects of right to legal identity in practice	Moderate
6. Universally Applicable	• Problem very pronounced in low-income countries and a significant number of middle-income countries. • Not a problem in high-income countries	Moderate
7. Equality-Sensitivity	• Not equality focused but the most marginalized will be the beneficiaries.	Moderate
8. Absence of Perverse incentives	• Could distract attention from contextually more pressing aspects of legal identity • Registering birth can be motivated by security and control rather than legal identity. Possibly dangerous for some politically groups or non-nationals.	Moderate

There are a number of ways to address the potential weaknesses with this proposal. The first is to consider alternative outcomes-based indicators that reflect the actual experience of exercising the right to legal identity. One might be interested in for example whether there is discrimination by administrative and legal institutions on certain prohibited grounds. The problem is that it is highly difficult to construct a relevant global data set to capture the nuances of such treatment. It has been developed in the area of legal recognition of businesses in World Bank datasets: in the

assessments of the ease of doing business, indicators cover the treatment by government institutions of applications (for example in number of days). But given that businesses tend to get more preferential treatment than individuals it would be problematic to only include such an indicator. It would also be likely provide a perverse incentive with attention shifted away from marginalized individuals and communities who face recognition problems.

A second approach is to include structural indicators that may reflect the existence of laws and monitoring institutions that guard the right to legal identity. These might ensure that no one is to be discriminated on prohibited grounds of discrimination and that there exist are simple and efficient means to access legal identity documents. These indicators would score somewhat well on action-orientation but would score low on relevance since it is unknown to what extent these laws and institutions have real effects. A third approach is to look elsewhere for the placement of the indicator. For instance, birth registration could be placed under a health goal. Thus the rule of law is mainstreamed in this respect.

A final approach is to triangulate and ensure inclusion of a complementary indicators in other areas of the rule of such as protection from crime, corruption and access to justice mechanisms. This ensures that the relevance criteria is better met overall and perverse incentives are cancelled out to a certain degree. Table 5 gives the example of crime with the specific example of intentional homicides which is also a leading indicator for the theme of security. CIGI and KDI (2012) present fourteen different candidate indicators for security and on first examination, it appears the most likely to meet the measurement criteria. However, there are some clear weaknesses in terms of robustness and perverse incentives that need to be considered.

Table 5. Violence/Crime – Intentional Homicides

Criteria		Weighting
1. Relevance of Indicator to Theme	• Protection from homicide reflects State's positive obligations in the criminal justice dimension of the rule of law: these include rights to life, security of person, protection from cruel and degrading treatment. • Weaker on civil side of rule of law	Moderate for Rule of Law per se Strong if Security is seen as part of rule of law
2. Salience/ Communicability	• Simple to communicate • Very salient if familiar terms used "Decrease the murder rate"	Strong
3. Data availability and comparability	• Measured by UN Office on Drugs and Crime	Moderate to Strong

4. Robustness	• Quality of data varies between considerably countries	Moderate
	• Underreporting most likely in those countries with the greatest problem	Could be weak
	• Extent of external verification varies between countries: likely to be weakest in countries with greatest problems	
5. Action-oriented Accountability National Realities	• Not particularly action-oriented and wide disagreement over causes of crime	Moderate
	• May produce more research and debate on causes of homicides	
6. Universally Applicable	• Problem pronounced in low-income and middle-income countries: highest rates in the latter.	Strong
	• Also a problem in some high-income countries.	
7. Equality-Sensitivity	• Not equality focused but most victims of homicide are poor.	Moderate
	• Could provide a proxy for violence against women, particularly if disaggregated	
8. Absence of Perverse incentives	• Authorities may discourage reporting, influence coronial conclusions or disappear victims	Weak
	• Carries the same risks as the maternal mortality ratio and would need a complementary effort indicator to lower risk of perverse incentives.	

5. CONCLUSION

The post-2015 agenda must involve the art of the impossible. It needs to be ambitious enough to inspire action but realistic enough not to cause despair. It needs provide a legitimate and mobilising political agenda but remain technically feasible and sufficiently measurable and quantifiable. It needs to provide global goals that are relevant across all nations while prompting action where it is most needed. And it must somehow simultaneously meld the different functions of the MDGs and maximise the ones ultimately worth pursuing. Stitching together these demands in their fullest sense is impossible. It will require an artfulness amongst the 193 states of the United Nations in maximise each of these dimensions.

This paper suggests that part of this art is to settle on relevant selection criteria. This will enable a rigorous assessment of the strengths and weaknesses of the multiple proposals for new goals, targets and indicators. It is clearly difficult to reduce the number of criteria. The different critiques of the MDGs reveal that a holistic and broad perspective is needed. But the proposed framework offers a way of carefully considering each idea. This should hopefully lead to a more informed debate.

REFERENCES

Alston, Philip (2005), 'Ships Passing in the Night: The Current State of the Human Rights and Development Debate Seen Through the Lens of the Millennium Development Goals', *Human Rights Quarterly* 27(3): 755-829.

Amnesty (2010) 'From Promises to Delivery: Putting Human Rights at the Heart of the Millennium Development Goals'. London: Amnesty International.

Anderson, Edward and Langford, Malcolm (2012), *A Distorted Metric: The MDGs, Human Rights and Maximum Available Resources,* Working Paper, available from authors.

Bank, World and IMF (2011), *Global Monitoring Report 2011: Improving the Odds of Achieving the MDGs*; Washington D.C.: World Bank and IMF.

Barsh, Russel Lawrence (1993), 'Measuring Human Rights: Problems of Methodology and Purpose', *Human Rights Quarterly* 15: 87-121.

Bartram, Jamie (2008), 'Improving on haves and have-nots', *Nature* 452: 283-84.

Bissio, Roberto (2003), 'Civil Society and the MDGs', *Development Policy Journal* 3: 151-60.

Black, Richard and White, Howard (eds.) (2004), *Targeting Development: Critical Perspectives on the Millennium Development* (London: Routledge).

Buchanen, Allen and Keohane, Robert (2008), 'The Legitimacy of Global Governance Institutions', in Rüdiger Wolfrum and Volker Röben (eds.), *Legitimacy in International Law* (Berlin: Springer), pp. 25-62.

Caliari, Aldo and Darrow, Mac (2013), 'International Cooperation, MDG 8 and Human Rights', in Malcolm Langford, Andrew Sumner, and Alicia Ely Yamin (eds.), *The MDGs and Human Rights: Past, Present and Future* (Cambridge: Cambridge University Press), pp.

Chen, Shaohua and Ravallion, Martin (2008) 'The Developing World is Poorer than Thought but No Less Successful in the Fight Against Poverty'. Policy Research Working Paper 4703, . Washington, D.C.: World Bank

Cheru, Fantu (2013), 'Goals, Rights and Political Economy: Daring to break out of the Liberal Ideological Box!', in Malcolm Langford, Andrew Sumner, and Alicia Ely Yamin (eds.), *The MDGs and Human Rights: Past, Present and Future* (Cambridge: Cambridge University Press), pp.

CIGI and KDI (2012), *Post 2015 Agenda: Goals, Targets, Indicators: Special Report*; Seoul: CIGI and KDI.

Cingranelli, David and Richards, David (2010), 'The Cingranelli and richards (CIRI) Human Rights Data Propect', *Human Rights Quarterly* 32: 395-418.

Clemens, Michael, Kenny, Charles, and Moss, Todd (2007), 'The Trouble with the MDGs: Confronting Expectations of Aid and Development Success', *World Development* 35(5): 735-51.

Darrow, Mac (2012), 'The MDGs: Milestones or Millstones? Human Rights Priorities for the Post-2015 Agenda', *Yale Human Rights and Development Journal* XV.

Davis, Kevin, Kingsbury, Benedict, and Merry, Sally Engle (eds.) (2012), *Governance by Indicators: Global Power through Classification and Rankings* (Oxford: Oxford University Press).

Dorsey, Ellen, Gómez, Mayra, Thiele, Bret, and Nelson, Paul (2011), 'Falling Short of Our Goals: Transforming the Millennium Development Goals into Millennium Development Rights', *Netherlands Quarterly of Human Rights* 28(4): 516-22.

Easterly, William (2009), 'How the Millennium Development Goals are Unfair to Africa', *World Development* 37(1): 26-35.

Fankhauser, Samuel and Tepic, Sladjana (2005), ' Can Poor Consumers Pay for Energy and Water? An Affordability Analysis for Transition Countries ', *Energy Policy* 35: 1038-49.

Fischer, Andrew (2013), 'The Political within the Depoliticised: Poverty Measurement, Implicit Agendas and the MDGs', in Malcolm Langford, Andrew Sumner, and Alicia Ely Yamin (eds.), *The MDGs and Human Rights: Past, Present and Future* (Cambridge: Cambridge University Press), pp.

Fukuda-Parr, Sakiko (2010), 'Reducing Inequality: The Missing MDG', *IDS Bulletin* 41(1): 26-35.

Fukuda-Parr, Sakiko and Greenstein, Joshua (2010), *How Should MDG Implementation Be Measured: Faster Progress or Meeting Targets?,*. ed. Working Paper; Brasilia: International Policy Centre for Inclusive Growth.

--- (2013), 'Monitoring MDGs: A Human Rights Critique and Alternative', in Malcolm Langford, Andrew Sumner, and Alicia Ely Yamin (eds.), *The MDGs and Human Rights: Past, Present and Future* (Cambridge: Cambridge University Press), pp.

Gauri, Varun (2012), *MDGs that Nudge: the Millnnium Development Goals, Popular Mobilization and the Post-2015 Development Framework,* Presented at Governance and human rights: Criteria and measurement proposals for a post-2015 development agenda, OHCHR/UNDP Expert Consultation, New York, 13-14 November 2012

Gore, Charles (2013), 'Beyond the Romantic Violence of the MDGs: Development, Aid and Human Rights', in Malcolm Langford, Andrew Sumner, and Alicia Ely Yamin (eds.), *The MDGs and Human Rights: Past, Present and Future* (Cambridge: Cambridge University Press), pp.

Heymann, Jody, Barrera, Magda , Vincent, Ilona , and Guzman, Nicolas de (2012), 'Data-Based Accountability Mechanisms for Human Rights: Testing a New Methodology', *Nordic Journal of Human Rights* 30(3).

Huchzermeyer, Marie (2010), 'Pounding at the Tip of the Iceberg: The Dominant Politics of Informal Settlements Eradication', *Politikon* 37(1): 129-48.

--- (2012), ''Slum' Upgrading and 'Slum' Eradication under MDG Seven Target Eleven', in Malcolm Langford, Andrew Sumner, and Alicia Ely Yamin (eds.), *The MDGs and Human Rights: Past, Present and Future* (Cambridge: Cambridge University Press), pp.

Hulme, David (2007) 'The Making of the Millennium Development Goals: Human Development Meets Results-based Management In an Imperfect World '. Working Paper No. 16 Manchester: Brooks World Poverty Institute.

Hulme, David and Fukuda-Parr, Sakiko (2009) 'International Norm Dynamics and "the End of Poverty: Understanding the Millennium Development Goals (MDGs) '. Working Paper No. 96 Manchester: Brooks World Poverty Institute.

Hyden, Goran (2011), 'Making the State Responsive: Rethinking Governance Theory and Practice', in UNDP (ed.), *Making the State Responsive: Experience with Democratic Governance Assessments* (New York: UNDP), pp. 5-28.

JMP (2012) 'Working Group on Equity and Non-Discrimination: Final Report'.

Kenya, Government of (2005), *MDG Status Report for Kenya, 2005*; Nairobi: UNDP, Government of Kenya, Government of Finaland.

Langford, Malcolm (2010), 'A Poverty of Rights: Six Ways to Fix the MDGs', *IDS Bulletin* 41(1): 83-91.

--- (ed.), (2013), *Revising the Metrics of Progress: The Case of Water and Sanitation* (Cambridge: Cambridge University Press).

Manning, Richard (2009) 'Using Indicators to Encourage Development: Lessons from the MDGs'. DIIS Report 2009 01. Copenhagen: Danish Institute for International Studies.

OECD (2003), *Social Issues in the Provision and Pricing of Water Services* Paris: OECD.

OHCHR (2010), *Human Rights and MDGs in Practice: A review of country strategies and reporting*; Geneva: OHCHR.

Orkin, Mark, Naval, Claire, Suesser, Jan Robert, and Miguel, Raul Suarez de (2011), 'Towards the Democratic Monitoring of Governance: the Metagora Experience', in UNDP (ed.), *Making the State Responsive: Experience with Democratic Governance Assessments* (New York: UNDP), pp. 230-50.

Pogge, Thomas (2004), 'The First United Nations Millennium Development Goal: a cause for celebration?', *Journal of Human Development* 5(5): 377-97.

Porter, Theodore (1995), *Trust in Numbers: The Pursuit of Objectivity in Science and Public Life*; Princeton: Princeton University Press

Rawls, John (1999), *The Law of Peoples*; Cambridge M.A.: Harvard University Press.

Risse, Thomas, Ropp, Stephen , and Sikkink, Kathryn (eds.) (1999), *The Power of Human Rights: International Norms and Domestic Change* (Cambridge: Cambridge University Press).

Rosga, AnnJanette and Satterthwaithe, Meg (2009), 'The Trust in Indicators: Measuring Human Rights', *Berkeley Journal of International Law* 27(2): 253-315.

Salomon, Margot (2007), *Global Responsibility for Human Rights: World Poverty and the Development of International Law*; Oxford: Oxford University Press.

Scheingold, Stuart (1974), *The Politics of Rights: Lawyers, Public Policy and Social Change* Ann Arbor: Yale University Press.

Sen, Amartya (2009), *The Idea of Justice*; Cambridge M.A.: Harvard University Press.

Seymour, Dan (2013), 'MDGs and Human Rights: An Agenda for the Future', in Malcolm Langford, Andrew Sumner, and Alicia Ely Yamin (eds.), *The MDGs and Human Rights: Past, Present and Future* (Cambridge: Cambridge University Press), pp.

Seymour, Dan and Pincus, Jonathan (2008), 'Human Rights and Economics: The Conceptual Basis for their Complementarit', *Development Policy Review* 26(4): 387-405.

Simmons, Beth (2009), *Mobilizing for Human Rights. International Law in Domestic Politics*; New York: Cambridge University Press.

Smets, Henri (2009), *De l'eau potable à un prix abordable* Paris: Johanet.

Smith, S. (2007), *The Millennium Development Goals and the Struggle against Poverty Traps,* Eradicating poverty and hunger – Joining forces to make it happen, 2 April 2007

Sumner, Andy (2010) 'Global Poverty And The 'New Bottom Billion': What If Three-Quarters Of The World's Poor Live In Middle-Income Countries?'. IDS Research Summary of IDS Working Paper 349. Brighton: IDS.

Sumner, Andy and Melamed, Claire (2010), 'Introduction - The MDGs and Beyond: Pro-Poor Policy in a Changing World', *IDS Bulletin* 41(1): 1-6.

UN-OHCHR (2008), *Claiming the MDGS: A Human Rights Approach*; Geneva: Office of the UN High Commissioner for Human Rights.

--- (2012), *Human Rights Indicators: A Guide to Measurement and Implementation*; Geneva: OHCHR.

UN-OHCHR and CESR (2013), *The Post-2015 Agenda: Who Will be Accountable?* ; Geneva: OHCHR.

UN (2003), *Indciators for Monitoring the Millenniium Development Goals: Definitions, Rationales, Concepts and Sources*; New York: United Nations.

UNDP (2007), *Making the Link: The MDGs and Human Rights* Oslo: UNDP.

--- (2012), *Measuring Democracy and Democratic Governance in a post-2015 Development Framework,* Discussion Paper, August

UNICEF (2010b), *Strengthening Birth Registration in Africa Opportunities and Partnerships*; New York: UNICEF ESARO.

Vandemoortele, Jan (2011), 'The MDG Story: Intention Denied', *Development and Change* 43(1): 1-21.

--- (2013), 'MDGs and Human Rights in a Historical Context: Intentions and Trajectories', in Malcolm Langford, Andrew Sumner, and Alicia Ely Yamin (eds.), *The MDGs and Human Rights: Past, Present and Future* (Cambridge: Cambridge University Press), pp.

Vandenhole, Wouter (2007), 'EU and Development: Extraterritorial Obligations under the International Covenant on Economic, Social and Cultural Rights', in Margot Salomon, Arne Tostensen, and Wouter Vandenhole (eds.), *Casting the Net Wider: Human Rights, Development and New Duty-Bearers* (Antwerp-Oxford Intersentia), pp. 85-106.

Wilde, Alexandra (2011), 'The Democratization of Governance Assessments', in UNDP (ed.), *Making the State Responsive: Experience with Democratic Governance Assessments* (New York: UNDP), pp. 49-62.

Wilde, Alexandra and Nahem, Joachim (2011), 'UNDP and Democratic Governance Assessments', in UNDP (ed.), *Making the State Responsive: Experience with Democratic Governance Assessments* (New York: UNDP), pp. 49-62.

Yamin, Alicia Ely (2010), 'Toward Transformative Accountability: A Proposal for Rights-based Approaches to Fulfilling Maternal Health Obligations', *Sur – International Journal on Human Rights* 7(12): 95-122.

Yamin, Alicia Ely and Falb, Kathryn (2012), 'Counting What We Know; Knowing What to Count: Sexual and Reproductive Rights, Maternal Health, and the Millennium Development Goals', *Nordic Journal of Human Rights* 30(3).

Young, Oran R (2001), 'Inferences and Indices: Evaluating the Effectiveness of International Environmental Regimes', *Global Environmental Politics* 1(1): 99-120.