



HIGH-LEVEL POLITICAL FORUM ON SUSTAINABLE DEVELOPMENT

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2019 HLPF review of SDG implementation:

SDG 16 – Promoting peaceful and inclusive societies for sustainable development, providing access to justice for all, and building effective, accountable and inclusive institutions at all levels

Friday, 12 July 2019 from 3:00 – 6:00 PM

Background Note¹

Introduction

Sustainable development cannot be realized without peace and security; and peace and security will be at risk without sustainable development. The 2030 Agenda recognizes the need to build peaceful, just and inclusive societies that provide equal access to justice and that are based on respect for human rights, on effective rule of law and good governance at all levels and on transparent, effective and accountable institutions. SDG 16 – promoting peaceful and inclusive societies for sustainable development, providing access to justice for all, and building effective, accountable and inclusive institutions at all levels – has been identified at the Conference on SDG 16 as a Goal that is both an outcome and an enabler of sustainable development. SDG 16 is closely interlinked with other SDGs. Without peace, justice and inclusion, achieving goals such as ending poverty, ensuring education promote economic growth can be difficult or impossible. At the same time, various SDGs can help or hinder the achievement of SDG 16, for instance climate change can act as a threat multiplier, aggravating additional social, environmental and political stressors, conditions that could possibly lead to violence.

Progress towards SDG 16 is a universal challenge, which requires action for implementation and follow up in both developing and developed countries, albeit in different ways. In many countries,

¹This background note has been prepared based on the SDG 16 Conference entitled “Peaceful, Just and Inclusive Societies: SDG 16 implementation and the path toward leaving no one behind” co-organized by the United Nations Department of Economic and Social Affairs (UNDESA) and the International Law Development Organization (IDLO) with the Government of Italy - held in Rome, Italy from 27-29 May 2019.





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capacity needs and gaps represent a critical barrier to meaningful SDG 16 implementation and follow-up. These capacity issues are often, though not exclusively, felt in countries that are post-conflict, transitioning out of conflict, fragile, or least developed. At the same time, in many developed and emerging countries (though again not exclusively so), violence against women and children continues to threaten their well-being and pose obstacles to realizing their full potential. Issues such as social cohesion, illicit financial flows, corruption and many forms of discrimination remain grave challenges.

Member States and the international community need to do more in preventing and eradicating conflict, even as they support to improve lives of those living in conflict affected regions by reducing the drivers of violent conflict and improving ways to reach marginalized populations affected by conflict and making progress on the SDGs.

As enshrined in SDG 16, the 2030 Agenda calls for transparent, effective, inclusive and accountable institutions to advance poverty eradication and sustainable development. It aims to ensure responsive, inclusive, participatory and representative decision-making at all levels. SDG 16 emphasizes the central role of institutions and effective decision-making in reaching the SDGs.

As with the rest of the 2030 Agenda, while governments have a leading role to play, the achievement of SDG 16 depends on a whole-of-society approach. Civil society organizations are involved in multiple ways, as implementers and as advocates for underrepresented parts of the population such as women, youth and marginalized groups. For its part, the private sector can also make an important contribution to efforts towards peacebuilding, inclusion, advancing the rule of law and eliminating corruption as fundamental to creating an environment conducive to development where business can thrive. Local governments, parliamentarians and the academia are other critical stakeholders in the implementation of SDG 16 and the 2030 Agenda as a whole.





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Status and Trends²

Throughout the world, advances in ending violence, promoting the rule of law, strengthening institutions and increasing access to justice are uneven. Millions of people live in insecurity and continue to be deprived of, rights and opportunities. Specific indicators associated with individual targets support this picture.

Although many regions have reached universal or near universal birth registration, globally the average is just 73%. Fewer than half (46%) of all children under five in sub-Saharan Africa have had their births registered. This is alarming, since birth registration plays an instrumental role in ensuring individual rights and access to justice and social services.

According to the Report of the Secretary-General on Progress towards the Sustainable Development Goals, the number of intentional homicides per 100,000 population ticked up from 6.0 in 2015 to 6.1 in 2017. This slight increase was largely the result of an increase in the homicide rate in Latin America and the Caribbean and in some countries in sub-Saharan Africa.

Various forms of violence against children persist. In 83 countries (mostly from developing regions) with recent data, nearly 8 in 10 children from 1 to 14 years of age had been subjected to some form of psychological aggression and/or physical punishment at home. In all but seven of these countries, at least half of children experienced violent disciplinary methods. Sexual violence is perhaps the most disturbing of children's rights violations. Based on the limited data available, in 14 of 46 countries with comparable data, at least 5% of women between the ages of 18 and 29 experienced sexual intercourse or any other sexual acts that were forced, physically or in any other way, for the first time before 18 years of age.

According to the Report of the Secretary-General on Progress towards the Sustainable Development Goals, there has been an overall increase in the detection of victims of trafficking in persons which could reflect either a positive (enhanced efforts by authorities to identify victims) or negative (larger trafficking problem) development. The vast majority (70%) of

² Data on status and trends in this section is referenced from the Report of the Secretary-General on Progress towards the Sustainable Development Goals 2019.





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detected victims of human trafficking are females, most of whom were trafficked for sexual exploitation.

The total prison population in the world has grown in absolute values while remaining constant as a share of the total population. The share of unsentenced detainees in the overall prison population has remained largely constant at 30% in recent years.

Killings of human rights defenders, journalists and trade unionists are on the rise. From 2017 to 2018, the UN recorded and verified 431 additional killings across 41 countries. Every passing week saw at least eight people murdered at the front lines of efforts to build more inclusive and equal societies – a worrying increase from the previous average of one victim per day observed from 2015 to 2017.

Binding laws and policies giving individuals a right to access information (RTI) held by public authorities have been adopted by 125 countries, with at least 31 adopting such laws since 2013.

Among the 123 countries for which data on the legal framework is available, 40 do not have a proper right to appeal to an independent administrative body, assessed as key for proper implementation of this right.

The pace of progress to put in place National Human Rights Institutions (NHRIs) compliant with Paris Principles³ must be accelerated. In 2018, a total of 39% of all countries had in place a NHRI that was fully compliant with internationally agreed standard, seven countries more than 2015. If growth continues at the same rate, by 2030 only a little over one half (54%) of all countries worldwide will have compliant NHRIs.

The difference between the approved and the implemented budget reflects the government's ability to achieve development objectives, including delivering services to the public. Deviation between the approved and actual spending in the period 2006-2017 in 108 countries shows that actual spending was within +/- 5 % of the approved budget in about half of the countries. One

³ The United Nations Paris Principles provide the international benchmarks against which national human rights institutions (NHRIs) can be accredited by the Global Alliance of National Human Rights Institutions (GANHRI). Please find the Paris Principles here: <https://nhri.ohchr.org/EN/AboutUs/Pages/ParisPrinciples.aspx>





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out of ten countries had a deviation of more than +/- 15%. Almost half of low-income economies show more than +/- 10 % deviation in budget execution.

Successes and Challenges

Even though progress exists in some areas, the majority of SDG 16 targets appear unlikely to be achieved by 2030.

The number of internal state-based conflicts—involving state and nonstate forces within the boundaries of a state—has risen sharply. After peaking at 50 in 1991, the number of these conflicts declined for some years but then shot up again. In 2016, 47 internal state-based violent conflicts were recorded⁴. In 2017, the number of people forcibly displaced from their homes worldwide came at a record rate of 44,400 every day, raising the cumulative total to 68.5 million at the year's end⁵.

In addition, frequency and size of climate-related disasters have increased, reversing development gains and aggravating risk of conflicts. Those risks are also intertwined with global dynamics such as migratory and demographic pressures, illicit flows of drugs and arms, disaster risk and other environmental stresses.

Addressing drivers of crisis, conflict and instability includes building inclusive and capable justice and security institutions and systems. These can address the underlying perceptions of unequal access to power and resources and mitigate the impacts to population groups feeling marginalized and excluded from decision making processes. Transitional justice and advancing the state's ability to secure human rights are important parts of sustaining peace.

Central to SDG16 is strengthening social cohesion between citizens and the state as well as within and across individuals and social groups. Declining trust between citizens and government, and polarization of society along political, social, and economic lines, threatens peace. Strengthening

⁴ United Nations and World Bank. 2018. Pathways for Peace: Inclusive Approaches to Preventing Violent Conflict. Washington, DC: World Bank.

⁵ UNHCR, Global Trends Report on Forced Displacement in 2017; <https://www.unhcr.org/5b27be547.pdf>





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social cohesion and conflict mitigation through dialogue and consensus building is crucial for achieving sustainable, peaceful societies. Learning how to live together in a world of increasing diversity has emerged as one of the pressing challenges of our time.

Access to justice and rule of law can play a catalyzing role in accelerating progress towards all seventeen SDGs, but progress towards goal 16, including target 16.3, has been uneven. Closing the justice gap requires a transformation in ambition – a sustained effort to greatly multiply provision of access to justice in order to meet extensive legal needs. The burden of injustice is not randomly distributed, with women, children, and marginalized groups finding it hardest to get access to justice. And yet, access to justice is often critical for addressing some of the fundamental drivers of poverty and inequality, and for reducing risks of outbreak of violent conflict.

Providing access to justice and establishing the rule of law more than just a technical exercise in drafting legislation, building courts and training police. It is a complex and long-term endeavor that requires navigating power dynamics, identifying potential sources of conflict and changing mindsets. To be successful, reforms must be politically-sensitive, locally owned and grounded in a solid understanding of the needs and the lived reality of justice seekers. This is especially true for those most vulnerable, marginalized and at risk of being left behind, such as children, for whom specialized services and outreach may be necessary to enable equitable access to justice.

Corruption, organized crime and illicit financial flows erode sustainable development outcomes and undermine the rule of law. There is a strong international legal framework for fighting corruption and economic crime, money laundering and the financing of terrorism. In addition, there are well established international standards and a responsive set of best practices as well as peer review mechanisms. However, in the absence of agreement on a definition of illicit financial flows and a final statistical methodology for measuring them, it appears that, five years into the 2030 Agenda and the Addis Ababa Action Agenda, real progress is slow. For example, studies have shown that the volume of assets flowing from Africa may be over USD 50 billion a year. Of this amount over 40% is estimated to be the proceeds of crime.

The confluence of economic, social and environmental trends – such as demographic shifts, growing inequalities, evolution of the digital economy, rapid urbanization and climate change –





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are reshaping the governance landscape at all levels. Building strong institutions for achievement of all SDGs in the context of rising public expectations poses major challenges and opportunities. Bold public sector transformation for peaceful, just and inclusive societies will be essential, along with serious efforts to combat corruption which gets at the heart of public confidence in government and the rule of law, and significantly limits the beneficial impact institutions can have on the everyday life of individuals.

Ensuring participation and inclusiveness in decision-making adds a procedural dimension to the principle of “leaving no one behind”, by ensuring that those left behind have a voice in government decisions that affect them.

For example, the 2030 Agenda recognizes youth as ‘critical agents of change’. This recognition should translate into bold actions that governments and other stakeholders take to respond to young people’s specific needs and to recognize, promote and support young people’s role as partners in the SDG implementation, monitoring and review - including those most likely to experience discrimination and exclusion.

Civil society in many countries are often underutilized as key players for accelerating progress around SDG 16, particularly in places that lack overall capacity to consult and engage with stakeholders outside of official consultation processes.

Gender equality and women’s political participation are important markers of inclusive peacebuilding and governance. This point has been recognized not just in the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) but also with the adoption of Security Council Resolution 1325 (A/RES/1325 of 31 October 2000), which urges the inclusion of women’s perspectives, priorities and capacities in peacebuilding and governance processes. Security Council resolution 1325 bridges SDGs 16 and 5 reinforcing UN Member States commitments to ensure that women are included and represented in decision-making at all levels in society.

However, civic space, fundamental freedoms and the conditions for meaningful participation are shrinking drastically in countries around the world. This makes it harder for governments to





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identify challenges, enact solutions and build the trust, legitimacy and mutual understanding that are the basic building blocks of effective, equitable and inclusive governance.

Building effective institutions for achieving the SDGs at all levels is not an aspirational idea. Rather it requires close attention to:

- 1) Ensuring that institutions are equipped with sufficient expertise, resources and tools to carry out their mandates, inter alia, through public sector workforce and leadership development, performance management, effective financial management, revenue administration and investment in digital government;
- 2) Pursuing evidence-based policymaking in an increasingly interconnected world with a focus on strengthening policy coherence, foresight, impact analysis, data and statistics, monitoring and evaluation, science-policy interface and risk management;
- 3) Enabling and sustaining cooperation among diverse constituencies so that institutions at all levels of government and in all sectors work in harmony with one another and with non-State actors including through coordination and collaboration mechanisms, stakeholder engagement, SDG awareness-raising, multilevel governance and partnerships;
- 4) Strengthening transparency, accountability and corruption prevention efforts with a focus on independent oversight mechanisms, access to and freedom of information, social audits, participation and consultative processes.

The role of SDG audits encompassing not only financial readiness but also overall performance assessment per SDG and SDG target should be highlighted. Although recommendatory in nature, periodicity of audits combined with their oversight function, exercised together with institutions such as parliaments, public account committees and national human right institutions can make them a powerful tool for SDG implementation.

As a result of these and other challenges, overall implementation and follow-up and review efforts around SDG 16 may fall short of meeting pre-stated objectives, including ensuring that no one is left behind. Given the diversity of issues within SDG 16, identifying where critical capacity gaps exist remains essential, but also a complex task. Some of the key gaps include but are not





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limited to: i) weak institutions and service delivery; ii) trust deficits and lack of partnerships across sectors; and iii) lack of bridges and links between formal and informal processes and institutions.

At present, critical gaps also continue to exist in terms of the coverage and the quality of data available on various targets under Goal 16. Major focus areas of Goal 16, such as conflict, organized crime (including trafficking in persons, cultural objects, and firearms), illicit financial flows, corruption, and public access to information remain largely unmeasured, or inadequately measured in national statistical systems. Further, data and statistics that are available on goal 16 often lack the granularity to assess gender disparities and typologies of problems to allow a better targeting of programmes and policies, and more broadly the ability to assess other marginalized groups (refugees, internally displaced people, migrants, disabled people, etc.), which is important for operationalizing the principle of “leaving no one behind”. Gaps also exist in terms of facilitating coordination on data collection, and public access to information between national statistical systems and Right-to-Information (RTI) oversight bodies on issues of SDG reporting.

National statistical offices have, in principle, the ability to coordinate all actors producing statistics on SDG 16 inside a country, including the private sector, civil society and academic institutions. Their independence and autonomy are essential to create reliable information related to the SDGs. While a great deal has been done, it is critical that national statistical offices are able retain their independence and to invest more resources in the establishment and strengthening of data collection systems at the national and sub-national levels for measuring SDG16.

Recommendations for Action: Mechanisms and Partnerships to Accelerate Progress⁶

Broad consultation indicates the following actions that are necessary in different contexts to achieve SDG 16 targets.

⁶ Recommendations for action draw from the outcome of the Conference in preparation for HLPF 2019: “Peaceful, Just and Inclusive Societies: SDG 16 implementation and the path towards leaving no one behind” co-organized by the United Nations Department of Economic and Social Affairs (UNDESA) and the International Law Development Organization (IDLO) with the Government of Italy – held 27-29 May 2019 in Rome, Italy.



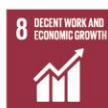


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- a) Countries need to increase investments in peace, dialogue and reconciliation as a foundation for achieving sustainable development. The risks of failure to invest in SDG16 are worsening violence, injustice and exclusion which will reverse development gains across all SDGs.
- b) Lifelong approach to preventing and ending violence is needed, and such approach should include education for a culture of peace and non-violence, as well as equipping children and youth with conflict resolution and life skills.
- c) There is a need to empower those left furthest behind and particularly women and girls as key actors of development. However, empowering individuals to advocate for their rights requires that they are protected and not subject to threats and harassment.
- d) Children and youth should be brought into the ongoing dialogue among stakeholders with regards to the implementation of Goal 16. Specific means and platforms are needed to involve youth and to effectively integrate youth issues into SDG implementation.
- e) Specific measures are required to safeguard children, who are by definition the most vulnerable, with some more vulnerable than others, including refugee children, survivors of violence and sexual exploitation. Children without legal identity are more vulnerable to trafficking or exclusion from public services.
- f) Increased efforts are needed to achieve the target on non-discrimination and discriminatory laws, especially in the context of populations whose conduct is stigmatized and/or criminalized, such as drug users and sex workers.
- g) There is a need to build local and national capacities in countries to ensure security forces are well trained and operate within a normative human rights framework.
- h) Action is needed to preserve civil society's space, increase voice of those defending human rights and the rule of law, and foster civic participation.
- i) Ensuring access to justice for all and rule of law requires mobilizing greater political support, making a case for increased investment and being smarter and more effective about how we use existing resources, including through the use of inclusive and people-centred innovation and new technologies.

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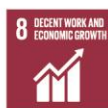


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- j) Actions could focus on access to justice and rule of law interventions on the most vulnerable groups. There is a need to engage and consider alternative forms of dispute resolutions, including customary justice and out of court mechanisms, while seeking to align them with human rights standards.
- k) International cooperation among judicial and law enforcement systems for information sharing is key. Greater access to systematic information on beneficial ownership and recognition that cross-border flows due to tax evasion must also be addressed as part of the interlinkages between SDG 16 and the Addis Ababa Action Agenda.
- l) Ensuring synergies between the concluding observations and recommendations of human rights mechanisms, such as the treaty bodies, the Universal Periodic Review (UPR), and special procedures on the one hand, and the Voluntary National Reports (VNRs) on the other can strengthen implementation.
- m) Human resource development and continuous training of government officials is needed to enable and empower them to effectively implement the full scope of the SDGs. Additionally, empowerment of local governments is also vital provided that real-time collaboration between national and subnational authorities is ensured.
- n) There is a need for increased transparency and accountability and a need to invest in open governments and open parliaments. There is a need to create enabling environments that foster participation and partnerships, including through using tools and approaches that facilitate stronger civic space for journalists, trade unionists, and human rights advocates.
- o) The ECOSOC-endorsed “Principles of effective governance for sustainable development”, developed by the UN Committee of Experts on Public Administration (CEPA), provide a framework for strengthening governance in a manner that is consistent with the 2030 Agenda.
- p) Increased attention should be given to target 16.8 on broadening the participation of developing countries in the institutions of global governance. There is a need to enhance the proportion of membership from developing countries across a range of international organizations, as well as the proportion of voting rights each country is allocated across such organizations.

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- q) Civil society involvement in data collection and indicators, jointly with government institutions, can contribute to reliable, good quality comparable data. Collaboration with the private sector also needs to be stepped up, and governments could focus on finding incentives for private sector partners to collaborate in data gathering for the SDGs and ensure long-term solutions.
- r) Methodologies for data collection on SDG 16 should be harmonized. In this regard, the time has come to move beyond the traditional methodologies and to use available data and collect new data in creative and innovative ways. In many cases data already exists in multiple domains but it is not being utilized. There is also the potential to develop innovative data collection tools that consider ways to include youth, refugees and other vulnerable groups.

Key Questions to be Discussed at the HLPF

1. *What are the specific policy reforms, local actions and strategies adopted to support national and local processes to strengthen resilience of communities and institutions to best deliver on SDG16? These could include actions in the spheres of strengthening social cohesion, dialogue and reconciliation, access to basic services including justice and security and conflict/dispute resolution.*
2. *How can SDG 16 targets and indicators leverage human rights norms, standards and analytical approaches to inform the measurement, monitoring and implementation of the 2030 Agenda?*
3. *What are the key interventions and specific policies that can help reach the furthest behind first, especially those who are left behind due to violence, injustice, and exclusion?*
4. *What are some of the primary and urgent capacity needs and gaps of governments and other stakeholder groups around SDG 16 and how can those gaps be filled? Do they differ from the longer-term capacity needs for the achievement of SDG 16?*

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5. *What innovative methodologies and partnerships, including the use of data, technology and expertise from the private sector, civil society and academia can be harnessed to strengthen national systems to track and report on progress related to targets under Goal 16? What tools and support do member states require for strengthening disaggregated data availability?*





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ANNEX 1: SDG 16 Targets

SDG 16	Targets under SDG 16	
Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels	16.1	Significantly reduce all forms of violence and related death rates everywhere
	16.2	End abuse, exploitation, trafficking and all forms of violence against and torture of children
	16.3	Promote the rule of law at the national and international levels and ensure equal access to justice for all
	16.4	By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime
	16.5	Substantially reduce corruption and bribery in all their forms
	16.6	Develop effective, accountable and transparent institutions at all levels
	16.7	Ensure responsive, inclusive, participatory and representative decision-making at all levels
	16.8	Broaden and strengthen the participation of developing countries in the institutions of global governance
	16.9	By 2030, provide legal identity for all, including birth registration
	16.10	Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements
	16.A	Strengthen relevant national institutions, including through international cooperation, for building capacity at all levels, in particular in developing countries, to prevent violence and combat terrorism and crime
16.B	Promote and enforce non-discriminatory laws and policies for sustainable development	

