Rule of Law in the New Sustainable Development Agenda

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Rule of Law

- A principle of **governance**
- **Accountability** of all, including the State, public and private entities, individuals
- Consistent with international **human rights** norms and standards
- **participation** in decision-making,
- legal **certainty**,
- and procedural and legal **transparency**

Report of the Secretary-General: The rule of law and transitional justice in conflict and post-conflict societies (S/2004/616).

From MDGs to 2030 Agenda

MDGs	2030 Agenda
Limited coverage excluding goverance and rights	**Comprehensive, integrated agenda** including governance and rights
Limited targets of aggregate achievement	**Achieved for all** – leave no one behind, and inequality as a cross-cutting goal
Implemented and monitored by governments	Implemented and monitored **by all** – multi-stakeholder partnership of governments, parliaments, civil society and private sector

Four dimensions of ROL in Agenda 2030

1. A human rights-based agenda:
   - Substantively - human rights are comprehensively reflected in the Goals
   - Equality and non-discrimination: Leave No-One Behind
   - Based on principles of participation, transparency and accountability, inalienability, indivisibility and universality
   - Right to a remedy – Access to Justice

Four dimensions of ROL in Agenda 2030

- 2. ROL, justice peace and security
  - Freedom from violence for all, including women, children, victims of trafficking
  - Transitional justice as an integral component of peacebuilding

Four dimensions of ROL in Agenda 2030

- 3. Anti-corruption, Illicit financial and arms flows, Anti-trafficking, organized crime

Four dimensions of ROL in Agenda 2030

4. Role of private sector:
   - Private sector as a critical factor for the success or failure of the SDGs, especially in Asia
   - Business and Human Rights agenda is key for achieving the SDGs, to level the playing field and give States the tools to ensure that private sector activities have a positive impact on sustainable development

Governance of the 2030 Agenda

- Multi-stakeholder partnerships of governments, civil society, private sector, academia, development partners: implementation and monitoring:
  - Global Alliance – “Friends of SDG 16”
  - Regional – APFSD? ASEAN?
  - National?
  - Sub-national?

Opportunities and Challenges of a Transformational Agenda

- **Culture (transforming awareness)**: generating a common understanding among government, private sector, civil society and public of the role of a "culture of lawfulness" (accountability, transparency, participation) across all development goals
- **Partnerships (transforming ways of working):** Building representative multi-stakeholder partnerships including civil society, academia and business that can effectively monitor progress and promote accountability
- **Business and human rights**: How to make private sector fully accountable for its impact on sustainable development and rights?
- **Measurement (the data revolution)** how to measure the contribution of governance and rule of law across the agenda?

THANK YOU FOR YOUR ATTENTION!