

Chapter 1

Setting the Scene: Justice and the SDGs

A BRIEF HISTORY OF THE SDGS

In September 2015, all national governments belonging to the UN adopted the 2030 Agenda for Sustainable Development (2030 Agenda) and its accompanying 17 SDGs. The SDGs seek to end extreme poverty, fight inequality and injustice, and reverse climate change by 2030. It is the first global agenda to recognise that sustainable development cannot be achieved without equal access to justice for all.

TIP

It is important to understand the history of the SDGs. During your advocacy, some decision makers and members of civil society may see the SDGs as an “outside agenda” being pushed onto countries by the UN. If you understand the history, you will be able to explain that this is not the case. Unlike the Millennium Development Goals (MDGs), which were developed by a small number of technical “experts,” the SDGs were developed in an inclusive and participatory way.

Many events led to the adoption of the 2030 Agenda. Here is a timeline of the key events:³

2000

- The UN launches its Millennium Agenda to address extreme poverty in all of its forms by 2015, particularly in the developing world. Although the world as a whole makes great progress toward achieving the agenda, which includes eight MDGs, many countries continue to experience increases in extreme poverty.

2012

- The UN High-Level Panel on Post-2015 is established to guide the development of a new agenda to address extreme poverty after the UN Millennium Agenda comes to an end in 2015. The new agenda will address the successes and failures of the MDGs and seek to go beyond them.⁴
- At the UN General Assembly in 2013, it is decided that the Post-2015 framework will be a universal agenda. It will combine sustainable development with poverty eradication and ending climate change and apply to all countries.

³ For more on the history of the goals, please visit: “Sustainable Development Knowledge Platform,” (United Nations). Accessed August 31, 2016. <https://sustainabledevelopment.un.org/?menu=1300> or “The Global Goals for Sustainable Development.” Accessed August 31, 2016. <http://www.globalgoals.org/>.

⁴ About Rio+20” (United Nations). Accessed June 15, 2016. <http://www.uncsd2012.org/about.html>.

2013–2014

- The Open Working Group (OWG) is established and tasked with developing a set of Sustainable Development Goals.⁵ This group of 70+ UN Member States meets several times from 2013-2014 to design and debate the SDGs.⁶
- Through national consultations and the My World survey by the OWG, 11 million people share their views and priorities. All countries list an honest and responsive government as one of the top priorities of the new agenda.⁷

2014

- The Justice 2015 Campaign is launched to advocate for including justice, the rule of law and legal empowerment in the SDGs.⁸ The campaign begins with an open letter to Ban Ki Moon and the UN General Assembly that is endorsed by more than 300 legal empowerment organisations and a number of notable individuals.
- In July 2014, the OWG concludes its work with an outcome document, *The Future We Want*, which proposes 17 SDGs and 169 targets. Goal 16 supports “access to justice for all.” The SDGs build upon the MDGs and seek to correct their failures. They are more ambitious⁹ than the MDGs and apply to both developed and developing countries alike.
- In December 2014, the Secretary General’s Synthesis Report brings together the results of the different work streams on the SDGs and identifies justice as one of the six essential elements for achieving sustainable development.

2015

- Throughout 2015, the UN Member States hold a series of Intergovernmental Negotiations to debate the Declaration, Preamble, and Means of Implementation for the 2030 Agenda.
- In August 2015, the 2030 Agenda, including the SDGs, is formally adopted by 193 UN Member States.

2016

- In January 2016, the 2030 Agenda is formally launched.



WHY JUSTICE NEEDED TO BE IN THE SDGS

MDGS FAILED TO ADDRESS THE LINK BETWEEN JUSTICE AND DEVELOPMENT

Sustainable development can only be realised when people are able to understand and use the law to defend their rights, secure justice and ensure that their basic needs are met. Yet, today, approximately 4 billion people live outside the protection of the law.¹⁰ For these people, the law is broken. It’s an abstraction—or worse, a threat—but not something they can use to protect their basic rights.

Access to justice was not included in the MDGs. During the fifteen years governments worked to achieve the MDGs, it became clear that injustice was a major reason why many development interventions failed to bring people out of poverty. Studies have shown that MDG commitments would have been better met had there been a focus on the needs of the most vulnerable and on increasing their access to justice.¹¹

The development of a new, post-2015 agenda was an opportunity for governments, civil society, and the UN to address the failures of the MDGs. It was chance to affirm the crucial role of access to justice and legal empowerment in achieving sustainable development.

5 Open Working Group Proposal for Sustainable Development,” (United Nations). Accessed June 15, 2016. <https://sustainabledevelopment.un.org/focussdgs.html>.

6 Ibid.

7 “My Analytics, My World Survey,” (United Nations). Accessed September 9, 2016. <http://data.myworld2015.org/>.

8 *An Open Letter to the UN*, (Namati: 2015), <https://namati.org/wp-content/uploads/2014/11/Justice2015Appeal1.pdf>.

9 “Co-Chairs’ Summary Bullet Points from OWG-2.”

10 Laura Goodwin and Vivek Maru, *Working paper: What do we know about legal empowerment? Mapping the Evidence* (Namati: May 2014), 8, <https://namati.org/wp-content/uploads/2014/05/Evidence-Review2.pdf>.

11 See generally Rosie Wagner, *The Rule of Law and the Post-2015 Development Agenda* (March 26, 2013), <https://www.innovations.harvard.edu/sites/default/files/2807279.pdf>.