

alternative or traditional dispute resolution mechanism and who feel the process was effective and just.

- Proportion of citizens who can access effective and independent legal aid.

Unfortunately, these indicators were not adopted. However, the UN has outlined the need for indicators to be reviewed and updated over the coming years so there will be opportunities to advocate for more inclusive justice indicators. As an interim solution, the SDG 16 Data Initiative will monitor and compare progress more inclusive Goal 16 data on access to justice for all.⁵⁴

TIP

The current global indicators must not limit your national efforts for measuring justice. If you are meeting with your government, you should be prepared to discuss why these global indicators are limited and why, based on your own national experience, more inclusive justice measurement is required. In addition, you should highlight examples from countries where justice needs and services are effectively measured, the technical methodologies used for this measurement, and the benefits of having this data for policy making.

You can influence the global process by advocating for and encouraging national statistic representatives to push for more inclusive justice indicators at the UN. You can also influence the process by drafting and signing onto global civil society coalition positions.

TIP

Find out who represents your country at the UN Statistical Commission and/or on the IAEG. These representatives and the offices they represent have been tasked with a huge mandate, to report on all 17 SDGs. Statistical departments are meant to be apolitical and independent from government, and as a result they are often open to support to build capacity and develop methodologies to effectively measure justice. They can be a good ally for national reform.

GLOBAL REVIEW

The 2030 Agenda promises a systematic review process “to support accountability to our citizens”. At the first HLPF in 2016, global indicators had not been officially adopted and were not discussed in detail. Qualitative reviews were also limited and mostly focused on discussing the progress that was made towards attaining the MDGs. Many countries simply focused their reviews simply

on the work they had done in setting up structures and coordinating mechanisms for implementing the 2030 Agenda. While these implementation processes are important, it is still not clear how they will help address political, development or social challenges at the national level. Countries were reluctant to discuss challenges in a meaningful way.

On a more positive note, some countries did take steps to include civil society. National civil society actors spoke during official government presentations and posed critical questions to their governments. In some countries civil society were consulted by their governments ahead of its review, although in most countries civil society were only able to comment on almost-finalised drafts of official national reports.⁵⁵

At time of publication it is difficult to know how useful a space the HLPF will prove to be. However there is still time to influence how it functions. To be successful, the HLPF needs to become a dynamic forum for genuine and honest conversation between and among member states, civil society and other stakeholders about progress made, challenges ahead and ways to overcome them.

GLOBAL MONITORING AND REVIEW SUPPORTING NATIONAL ADVOCACY AND REFORMS

REFLECTION

Global reporting must be used as a time for genuine reflection and for real problem solving around the world. At the national level, you can use the annual HLPF to reflect on national progress made on justice and legal empowerment, critique official narratives against your own experiences, and discuss challenges to progress. It is important that civil society do not let governments control this narrative. Civil society must influence and monitor what governments are saying at the UN and ensure any facts or commitments are publicised at the national level. You should incorporate time for this annual reflection and use it to reignite discussions on justice in your country, this is particularly useful if these discussions have stalled.

CIVIL SOCIETY CONSULTATIONS

Every country has committed to civil society consultations as part of their HLPF review. These consultations should be a space to ensure government plans are setting the right priorities and proceeding in the right way. During the first HLPF, this happened to varying degrees. Civil society from Sierra Leone spoke of how they were pleased that their government had involved them in the drafting of

⁵⁴ “SDG16 Data Initiative.”

⁵⁵ *Crowding Out Accountability: The Follow-Up and Review of the 2030 Agenda.*

their national review. Others spoke of token consultations. If you are involved in HLPF reporting, avoiding tokenism is crucial to meaningful accounting.

Find out who is responsible for leading your national review process and ensure meaningful consultations are built into the process. Work with them to agree timelines for civil society to make submissions, review drafts and ensure stakeholders have access to official government documents and statistics. Where consultation is not happening, governments should be reminded they have signed up to produce progress reviews that “draw on contributions from indigenous peoples, civil society, the private sector and other stakeholders.” If your government has not yet undertaken its own justice consultations, you can use this platform to push for them to happen. This data can feed upward to the global review but more importantly for your national justice plan.

CO-REPORTING

Ambitious governments should go further and actually co-produce national progress reports with other stakeholders including civil society. Evidence has shown that co-reporting of government and civil society can add credibility and legitimacy to international commitments.⁵⁶ The OGP reviews are a good example of co-reporting. Show your government how existing civil society data and push for it to feed into this process.

SHADOW REPORTING

If your government is not allowing for meaningful consultations or if you do not agree with their findings, you can consider submitting your own reports directly to the UN and other relevant bodies. This is already very common in the human-rights sector, where many NGOs submit their own reports on treaty implementation to relevant human-rights treaty bodies in order to provide different or supplemental perspectives on the government’s official treaty report. National civil society organisations could develop simple Goal 16 or Access to Justice Reports to track how well countries are delivering their justice commitments. If you are struggling to make headway at the national level request that UN agencies and other international governments ask your government critical questions from the findings of your report.

There are benefits and drawbacks to submitting a shadow report. The benefits are (1) publicising and making an official record of a more accurate assessment of a State’s progress toward one or

more SDGs, (2) pressuring the government to be accurate in their reporting going forward, and (3) showcasing your expertise. The primary drawback is potentially creating or exacerbating a hostile relationship between your organisation and the government. Shadow reports can reflect poorly on governments, exposing them to the perception in the international community that their official report was done either incompetently or dishonestly. The best case scenario following a shadow report would be the government understanding that it needs to improve its efforts going forward, and that collaborating with expert stakeholders is necessary to do so; however, many governments will instead try to exclude, discredit, or dismantle shadow report authors, and before publishing you must carefully consider the benefits and drawbacks.

A GLOBAL STAGE FOR YOUR JUSTICE ISSUE

Aside from written submissions, the HLPF is also an opportunity to give voice to your justice issue. At the 2016 HLPF, Germany and Finland both invited national civil society actors to speak during their official presentations. This allowed civil society to pose some critical questions to their governments and shine a spotlight on issues. Consider lobbying your government for a similar speaking role when they report to the UN. This will help you to build strong national allies and you can use global exposure to raise awareness at the global and national level for your work developing your country’s national justice plan.

Box 31: Recap: After reading this chapter, you should:

- understand how you can use global indicators and the global review process to monitor your country’s efforts to increase access to justice.

⁵⁶ May Miller-Dawkins, *Global Goals and International Agreements: Lessons for the Design of the Sustainable Development Goals* (Overseas Development Institute: November 2014), <https://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/9295.pdf>.