

THE JUSTICE GOAL OF THE UNITED NATIONS' SUSTAINABLE DEVELOPMENT GOALS (SDGs): AN INVITATION TO EXCELLENCE FOR JUSTICE SYSTEMS¹

Ingo Keilitz, Ph.D.²

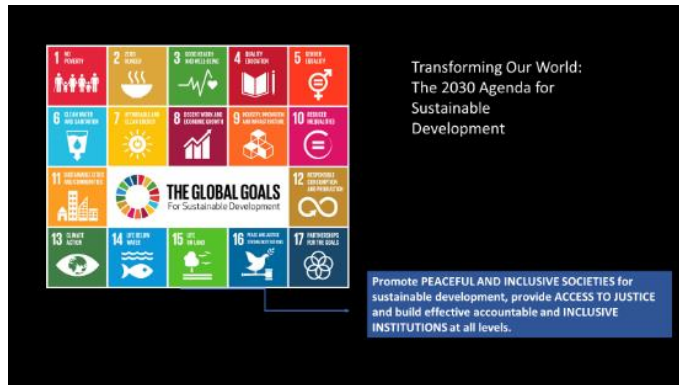
A Presentation to the Joint International Conference of the International Organization for Court Administration (IACA) and the National Conference for Court Management (NACM), July 9 – 13, 2017, Washington, DC.



1. The key point of my presentation is reflected in the title of my presentation. The SDGs are an invitation to excellence, an invitation that I recommend you accept.

¹ This is a script and slides of the presentation, which may differ slightly from the final oral presentation at the Conference.

² Principal, CourtMetrics; Lecturer of Public Policy, Public Policy Program, and Research Associate, Institute for Theory and Practice of International Relations, and Lecturer of Public Policy, Public Policy Program, William & Mary, U.S. Email: ikeilitz@courtmetrics.org
The College of William & Mary



2. The UN Sustainable Development Goals (SDGs), officially known as **“Transforming Our World: The 2030 Agenda for Sustainable Development,”** including Goal 16, the “peace, justice, and inclusive institutions,” , became effective on January 1, 2016. The SDGs are the successor to the Millennium

Development Goals which ended in 2015 and which by most accounts were successful in promoting human prosperity, eradicating poverty, health, and education.

The **SDGs** were hailed by **former UN Secretary General Ban Ki-moon as nothing less than “a defining moment in human history.”** Critics found them vague and ill defined. The Economist called them “a mess.”

3. There’s much agreement on both accounts. Yes, on the one hand, the SDGs are **lofty, ambitious, and inspirational.** One commentator called them “wonderfully audacious.” And, yes, on the other hand, they are **vague, ill-defined, and not SMART – specific, measurable, achievable, relevant, and time-bound.**



This gap, this discrepancy, provides an opportunity. It **opens the door for justice systems and their stakeholders** across the globe **to leverage the SDGs** to serve their **national priorities and goals** as well as **help shape international norms and**

goals.

My name is Ingo Keilitz. Since they were adopted by the 193 member states of the UN last year, I’ve been urging countries, institutions including courts, and organizations like NACM and IACA, **to engage with the SDGs and to leverage** them to achieve their own domestic country-led and country driven or institutional goals and objective .

4. Before we explore how you could leverage the SDGs, let's answer a fundamental question

Why should we care about the SDGs?

that may have been on your mind as you were considering being here at this session. If you are not part of bilateral aid agencies such as USAID, or international multilateral development institutions such as the United Nations and the World Bank **why should you care about the SDGs, and in particular, Goal 16? The short answer: you can leverage the world's attention showered on the SDGs for**

the good of your country or state, your institution, or your organization.



Sir Paul Collier
Professor of
Economics and
Public Policy at
Oxford University

5. Sir Paul Collier, *who* is on everyone's list of top global thinkers, answers this question for us. He says that although it's **possible for all societies nowadays to become prosperous**, to lift themselves out of poverty and to get on the path of economic growth and prosperity, it's a tough struggle. **In fact, he says, it's four different struggles – and the fourth is an international struggle much like that involved in the engagement and leveraging of the SDGs by people like you and the countries, states, and organizations you represent.**

Struggle 1

EFFECTIVE INCLUSIVE INSTITUTIONS. Build a legitimate authority, a political structure, a strong, and inclusive state.



6. The first fundamental struggle is the building of **strong and inclusive institutions**, like courts, that are **free of oppression and corruption where no one is left behind**. An

inclusive state = a state whose policies are directed towards addressing the needs of all of its citizens and creating equal opportunities for all. **Leave no one behind is the overarching theme of the SDGs.** This is the struggle at the heart of achieving Goal 16 of the SDGs.

Struggle 2

CULTURE, NORMS, NARRATIVES. Build a culture, a set of norms, narratives, networks, and shared beliefs that don't trap people into dysfunction.



7. Struggle 2 is long hard haul. **Escaping from beliefs and attitudes that trap people into restricted lives. CULTURE, NORMS, NARRATIVES.** The stories we tell ourselves, our mental models of how the world works. The struggle is building a culture, a set of norms, narratives, networks, and shared beliefs that don't trap people into dysfunction.³

Struggle 3

3. ECONOMIC STRUGGLE. The struggle of productivity and economic growth, harnessing them by scale and specialization.



8. The third struggle is an **ECONOMIC STRUGGLE**. The struggle of productivity and economic growth, harnessed by **scale and specialization**. Tapping into the natural endowments of a country, its valuable natural resources. Getting from individual small-scale activity that dooms people to poverty to the prosperous modern world of scale, connectivity,

and specialization.

Struggle 4

INTERNATIONAL RULES AND INSTITUTIONS. Develop international norms and rules (and international institutions to support them) that make it easier for societies to meet their domestic goals and overcome their own internal struggles.



9. The last of four struggles gets to our fundamental question. It is an international struggle. **Although he did not speak to the SDGs directly, he would strongly encourage countries to leverage the SDGs to advance their own domestic priorities and strategic goals, as they deal with the first three struggles.** Specifically, he said that countries and institutions should help

develop international norms and rules (and international institutions like the UN to support

³ The struggle requires us to find what unites society and how it might help us in the first struggle of building effective inclusive institutions. Regardless if you are a transnationalist – a citizen of the world who can go anywhere, work anywhere, or you are a staunch nationalist, someone who believes the nation-state is the only political vehicle to counter the problems of globalization, I strongly believe, as do global thinkers like Oxford's Sir Paul Collier and French philosopher Pierre Manent, that we need a common life and community to achieve a fully human life.

them) because it enables and makes it easier for societies to meet their domestic goals and overcome their own internal struggles.



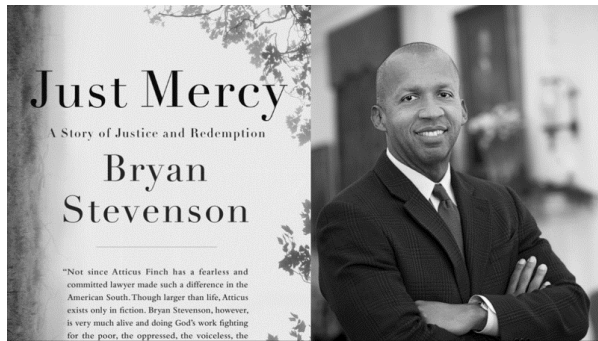
10. Why should you care about the SDGs? Because we can leverage the SDGs and make it easier to deal with national and subnational, institutional and organizational struggles and challenges.



11. Let us take a quick look at the SDGs as a whole and then particularly Goal 16. Overall, the SDGs are a **sprawling package** of 17 goals that can be categorized into **six essential unifying elements**. Note that justice, at the bottom right, is one of the six essential elements. The others are, going counterclockwise: prosperity, dignity, people, planet, and partnerships.

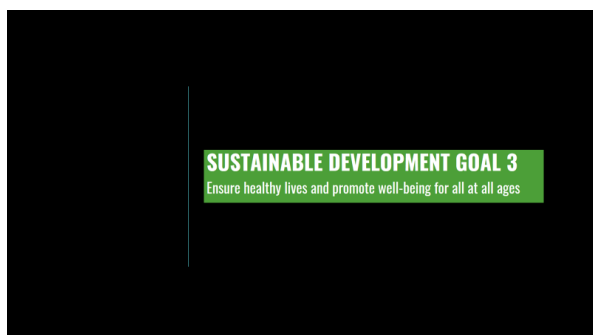
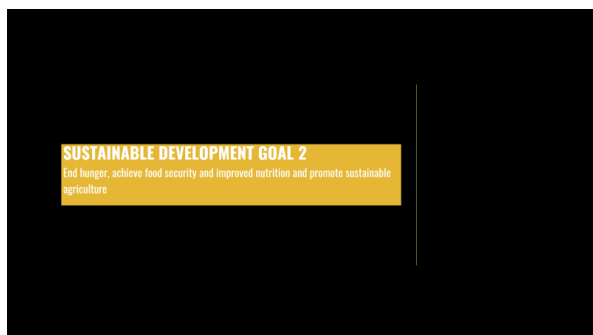
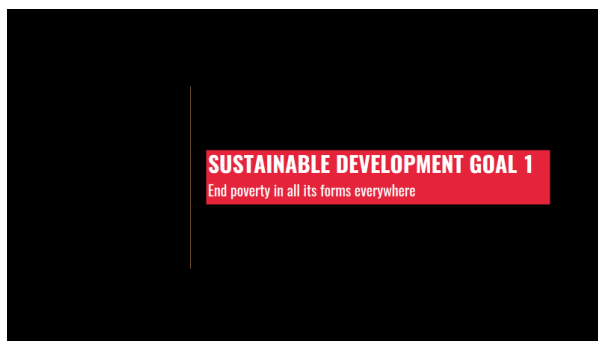


12. Here's a graphic depicting the 17 goals. Note that justice has now been "demoted" to Goal 16. It's no longer recognized as an essential unifying element.



13. However, I think the UN is making a mistake by not making justice a central unifying theme. As Bryan Stevenson has said in his best seller, *Just Mercy: A Story of Justice and Redemption*, “The opposite of poverty is not wealth. The opposite of poverty is justice.” It is at the heart of the unifying theme of the SDGs: LEAVE NO ONE BEHIND.

Let’s look at the language of a couple of the goals.



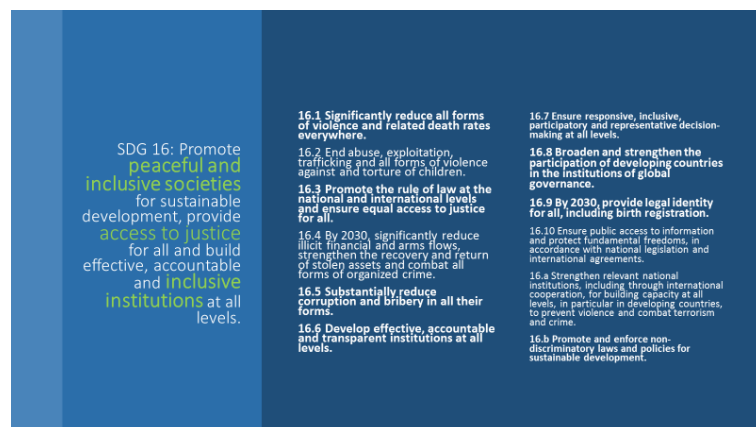
SUSTAINABLE DEVELOPMENT GOAL 4
Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all

SUSTAINABLE DEVELOPMENT GOAL 10
Reduce inequality within and among countries

SUSTAINABLE DEVELOPMENT GOAL 13
Take urgent action to combat climate change and its impacts*

SUSTAINABLE DEVELOPMENT GOAL 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



Each of the goals are associated with targets (sub-goals), as well as provisional indicators or measures of success.



21. Here is the justice Goal 16, and its associated 12 targets sub-goals – I’ve highlighted four of the 12 in the first column.

TARGETS	INDICATORS
16.1 Significantly reduce all forms of violence and related death rates everywhere	16.1.1 Number of victims of intentional homicide per 100,000 population, by sex and age 16.1.2 Conflict-related deaths per 100,000 population, by sex, age and cause 16.1.3 Proportion of population subjected to physical, psychological or sexual violence in the previous 12 months 16.1.4 Proportion of population that feel safe walking alone around the area they live
16.2 End abuse, exploitation, trafficking and all forms of violence against and torture of children	16.2.1 Proportion of children aged 1-17 years who experienced any physical punishment and/or psychological aggression by caregivers in the past month 16.2.2 Number of victims of human trafficking per 100,000 population, by sex, age and form of exploitation 16.2.3 Proportion of young women and men aged 18-29 years who experienced sexual violence by age 18
16.3 Promote the rule of law at the national and international levels and ensure equal access to justice for all	16.3.1 Proportion of victims of violence in the previous 12 months who reported their victimization to competent authorities or other officially recognized conflict resolution mechanisms 16.3.2 Unsensitized detainees as a proportion of overall prison population

22. And here are the first three targets associated with indicators or measures. I’ve highlighted four indicators/measures associated with the first three targets or sub-goals.

17	Goals	1
169	Targets (Sub-goals)	12
233	Indicators (Measures)	23

23. The 17 SDGs include a mind-boggling 169 associated targets (or sub-goals) and 233 indicators or measures of those main goals and sub-goals. Goal 16 – the justice goal – includes 12 targets and 23 indicators.

SUSTAINABLE DEVELOPMENT GOAL 4

Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all

TARGET 4.7 By 2030, ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture's contribution to sustainable development.

24. As I mentioned at the outset, most of the goals and targets are not SMART – specific, measurable, achievable, relevant, and time-bound. For example –perhaps the most egregious example -- this is the seventh of ten targets or sub-goals of Goal 2. “Try measuring that,” said *The Economist*. While it may be difficult to see how one can incorporate such

targets into national planning processes, policies and strategies, as envisioned by the UN, the **lofty and ambiguous nature of the goals and targets actually makes it easier.**



25. I said earlier that the gap between the lofty goals and ambiguity of the goals and targets is an invitation to excellence, that provides an opportunity, it **opens the door for justice systems and their stakeholders** across the globe **to leverage the SDGs** to serve their **national priorities and goals and perhaps even help shape international norms goals.**⁴

So, specifically, how can a country, state, institution, or organization leverage the SDGs? As I see it, there are three steps:

1. **Tap into and study the database and template** that the UN has devised to elicit status reports on implementation of the SDGs
2. **Identify who you represent**, the category of reports/contributions you fit -- a country, a state, a government body, and so forth -- and what kind of contribution you want to bring to the attention of the United Nations and the world.
3. Finally, Step 3, **write your review and report of progress** following the guidance, templates, and examples provided for the review by the UN.

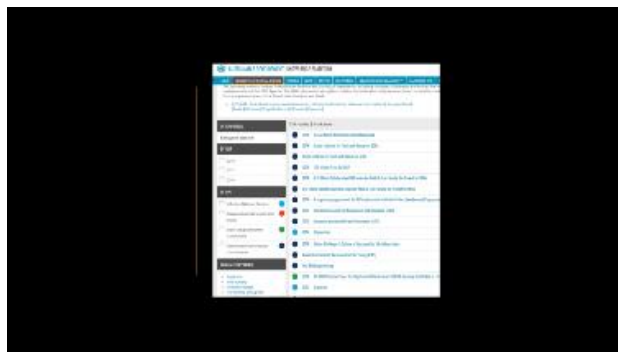
⁴ Earlier this month, Jerry Brown of California, demonstrated how a state can act to further its own agenda, even move away from the national agenda of the Trump administration, by championing the Paris Climate Accord, which mirrors Goal 13 of the SDGs.



26. Step 1 is to access and study the **knowledge platform and database** established by the United Nations to **track activities and progress on implementing the SDGs**.

Note URL address Today more inputs than when slide made about two months ago.

27. The vast database, to which contributions are being added almost every day, **is interactive**



and searchable by type of contribution/initiative and by whom, by year the contribution was made, and by key words.

Inputs to the High-level Political Forum on Sustainable Development	
National Voluntary Reviews (NVRs)	77
Intergovernmental Bodies and Forums	56
Major Groups and Other Stakeholders	20
Partnerships and Voluntary Commitments	122

28. This online review platform includes four input categories defined by the entities making the contribution to the database:

(1) **Voluntary National Reviews (VNRs).** These are **country-led and country-driven reviews** of progress -- including successes, challenges, and lesson learned -- at the national and sub-national levels. There are

today about 41 % of the UN member (79) countries who have made these reviews – and they are available on the site.

The United States is not among them. It is at a disadvantage because it has **no centralized data system** like many European countries due in large part to a constitutionally mandated separation and balance of power between its 50 states and the federal government. But as I suggested, nothing stops a state or even cities (like California) from making contributions on their own.

(2) The **second input category** are reviews by **intergovernmental bodies and forums**. A total of 74 groups with varying interests in the SDGs have submitted reviews including:

- Various Commissions and Committees of the UN
- World Bank
- International Monetary Fund
- Commission on Crime Prevention and Criminal Justice
- Committee of Experts on Public Administration
- Committee on the Elimination of Discrimination against Women.

(3) The third input category include reports by **major groups and non-governmental stakeholders -- business, non-governmental organizations like IACA and NACM, specific partnerships and alliances, large cities, and others** -- who manage significant resources or assets, and therefore play an important role in the achievement of the SDGs. A total of 20 have contributed reviews including, for example, position papers by Persons with Disabilities, the World Wildlife Association, and Soroptimist International.

(4) Finally, the greatest number of contributions – 122 is the latest count – have come from **partnerships and voluntary** commitments and initiatives such as the Anti-Bullying Advocacy, the Climate and Clean Air Coalition, the Action Initiative for Youth and Women on SDGs, and the World Social Capital Monitor.

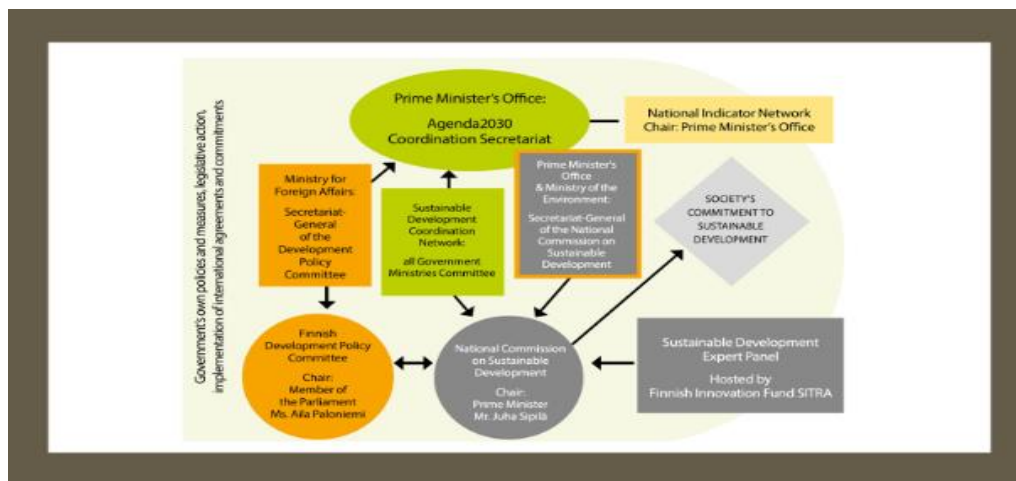
Using this vast database, **Step 2** in leveraging the SDGs is **to decide who you represent** (a country, a state, a government body, or NACM or IACA and what kind of contribution you want to make or initiative you want to bring to the attention of the United Nations and the world – a contribution that would advance the achievement of your domestic or institutional goals, not just those of international institutions and their norms.

Step 3 is preparing the contribution. The **UN provides guidance** in the form of templates and other sources for preparing the contributions, and there are **many examples** of initiatives to draw from.



Alignment of Finland's National Sustainable Development Objectives with the UN SDGs.

29. For just one example, Finland prepared its first Voluntary National Review last year – a baseline report. The report describes **the current status and preparedness** of Finland regarding the implementation of the SDGs. It describes the integration of the SDGs into the Finnish national policies.



30. The report begins with a detailed description of the **key bodies** and **coordination mechanisms** mobilized by Finland in implementing the SDGs.

Finland is **creating local** ownership of sustainable development, both through (1) institutional arrangements and (2) by motivating societal actors to act independently.



31. The report then clearly outlines how the UN SDGs are integrated with Finland's domestic priorities. Here's a graphic of the **Correlation of Finland's eight national sustainable development policy objectives** – called Society's Commitment to Sustainable Development -- identified in the first column on the left and the SDGs to the right of them.

Note that Goal 16 is linked to four of Finland's eight objectives.

The Finland report goes on to describe an innovative comparative analysis – a gap analysis -- of how Finland stacks up against other countries in Europe and the world.

