REPORT OF THE STRATEGY MEETING ON GOAL 16 OF THE SUSTAINABLE DEVELOPMENT GOALS

Date: December 1, 2015

Venue: At National Foundation for India (NFI), Core 4A, India Habitat Centre, Lodi Road, New Delhi 110003

Organizers: Wada na todo Abhiyan, Delhi with technical support from SaferWorld, UK

Overview: A Strategy Meeting on Goal 16 of the Sustainable Development Goals was held in New Delhi on December 1, 2015. The dialogue began with a round of introductions, and an overview of the WNTA was presented. SaferWorld shared Briefing Paper dated September 2015 entitled: From Agreement to Action: Building Peaceful, Just and Inclusive Societies through the 2030 Agenda. Wada Na Todo Abhiyan shared a document entitled "Indian Civil Society Analysis of the Post 2015 UN Processes" dated July 2014 and a brief analysis of the original indicators proposed and the proposed modifications for inviting specific inputs and suggestions on the draft. Since comments were being welcomed till March 2016, the meeting sought to understand the experiences and take further inputs from the ground level experiences of the stakeholders.

> *"GOAL 16: PROMOTE PEACEFUL AND INCLUSIVE SOCIETIES FOR SUSTAINABLE DEVELOPMENT, PROVIDE ACCESS TO JUSTICE AND BUILD EFFECTIVE, ACCOUNTABLE AND INCLUSIVE INSTITUTIONS AT ALL LEVELS"*

The dialogue ensued with an overview of the Goal 16, Targets and Indicators and issues that still worry the stakeholders. From the Indian standpoint, a Constitutional Perspective was outlined in a paper indicating the Article 39 A (The State shall secure that the operation of the legal system promotes justice, on a basis of equal opportunity) and the relevant legislation pertaining to the Goal 16, viz., Legal Service Authorities Act 1987 (An act to constitute legal services authorities to provide free and competent legal services to the weaker sections of the society to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities and to organize Lok Adalats to secure that the operation of the legal system promotes justice on the basis of equal opportunity.

The lead discussants in the Strategy meeting were: Amitabh Behar, Ivan Campbell, Urvashi Sarkar and Radhika Mathur, Nupur Sinha, Jagdeep Chhokar, Mazher Hussain and Annie Namala. The brief presentations were supplemented with open discussions and inputs from the floor of the house. Strategies for effective implementation of the Goal 16 in India were discussed and way forward deliberated during the meeting.

STRATEGY MEETING ON GOAL 16 – PROCEEDINGS AND RECOMMENDATIONS

Amitabh Behar of Wada Na Todo Abhiyan welcomed all delegates on behalf of Saferworld and Wada Na Todo Abhiyan (WNTA). This was followed by a round of introductions. 3 years engagement with WNTA, which has played multiple roles, provided inputs to UN processes, Advocacy with Govt, engaged with civil society, and advocated with and worked closely with UN (India, global). As a campaign organisation, WNTA has had some big wins and some losses. Human Rights, Justice and Southern Perspective are the current focus of WNTA.

- Process – high level panel gave a report, Secy Gen, 3rd Open Working Group from Rio, took inputs from civil society and negotiation process with member states. September 2015 the draft was released.
- Climate change and energy were contentious issues, and fault lines were visible. CBDR principles have been taken, but not enough clarity in articles
- Sexual and reproductive rights – was another contentious issue – truncated now to Sexual and Reproductive Health Rights
- Just governance and access to justice – was contentious in all conversations – GOI position was to leave it to Security Council.

Goal 16 is the bedrock goal, and Goal 17 (financing, means of finance, technology transfer, etc.) provides the means of achieving the earlier15 goals.

Objectives of the Strategy Meeting:

- Clear roadmap to achieve
- Goal 16 and indicators were developed in the first meeting held by WNTA (in alliance with Civicus)
- Maya – Commonwealth Summit – to bring international voices together
- Saferworld is partnering in this conversation
    1. What does goal 16 mean for us in India?
    2. How can we strategically work together in terms of advocacy and grassroots mobilization?

There were Four Overview Presentations made at the Strategy Meeting:

1. Access to Justice by Nupur Sinha, Centre for Social Justice

2. Governance by Jagdeep Chhokar, Association for Democratic Reforms

3. Conflict by Mazher Hussain, Confederation of Voluntary Association

4. Exclusion by Annie Namala, Centre for Social Equity and Inclusion

Ivan Campbell, Saferworld: For the past 25 years, Saferworld as been working with communities affected by violence around the world. Peace and development are closely inter-connected; conversely conflict and underdevelopment are closely linked. Increasingly statistics that back this fact show that by 2030, 62% of all poverty ridden people will be in conflict ridden areas. One in every 122 people are internally displaced or refugees, etc. signifying the level of violence and conflict. In the past five years, the focus has been on inclusion of peace as part of development goals, through new research, and data gathering, evidence has been brought to the notice of the international decision makers.

September 2015 in the UN General Assembly, the Sustainable Development Goals (SDGs) were adopted. It was a clear document that indicated the need to move from agreement to action. Change will happen only with consistent support for implementation at the national level, and will vary based on the conditions of the state, the civil society, and other stakeholders. Saferworld has partnered in India with WNTA to raise awareness, and advocate processes to enable action on the ground.

Saferworld is keen to ensure that discussions not only focus on Goal 16, but also on Goal 10 – inclusion of all and Goal 5 – gender violence.

Saferworld – brought some ideas of options for engagement in the document that was shared. It has already evolved in the last two-three months since its publication in September 2015.

Radhika Mathur and Urvashi Sarkar – 17 goals, 151 targets, and 159 indicators in all; these have not yet been finalized and will be done in March 2016.

The following issues were flagged
- What does peaceful and inclusive society mean? It needs more clarity;
- Disabilities is an issue and needs to be discussed in greater detail in the context of Goal 16
- What are the strategies for reduction of structural inequalities; and
- Need to focus on inequalities due to disabilities – geographic and spatial (NE and J&K)
- 16.3 – unable to lodge an FIR (marginalised people cannot do that), Law enforcement agencies - Chhattisgarh, UP, Haryana, Manipur, J&K are themselves causing violence. 16.4, 16.6.1 – women are elected in Panchayats, but not truly empowered, 16.10 – public access to information (RTI – getting dangerous and difficult)
- 16.9 – important and difficult (Aadhar and Unique Identity (UID))
- Monitoring is an issue, and how do we measure?

How will Government of India (GOI) resonate with the Goals that have now been signed? Niti Ayog is supposed to lead this process in India. 11 goals alignment already exists as per the GOI (stated in the meeting conducted by RIS). Goal 16 does not figure in the 11 goals identified by Niti Ayog. The lead agency in India to report in UN system, and collect data is the Department of Statistics. They do not have the capacity to collect data which is required to track progress under the Goal 16. How do you monitor and report? This continues to be unclear from the Department of Statistics as they do not have the political directions for collecting the data.

Developing Indicators – Suggestions:

Peace and Good Governance are difficult to measure. It has to be multi dimensional basket of indicators with three sets of indicators (demand side) victim statistics (Homicide, etc.); second set of indicators (supply side) - police per 1000 population, no of women police personnel; third set of indicators (qualitative) – based on public perception of safety and security. – these are valuable supplement

We can have a set of Outcome Indicators.

However, it would be useful to outline a set of Process Indicators (institutions, law, budget, etc.) **and Inclusion Indicators** (muslims, dalits, handicapped)

1. *How much conflict is there, and how much we achieved in securing peace?* This could perhaps be represented by the amount being spent on peace (police, army, etc.);
2. *What are the economic losses due to conflict – because of Bandh, etc. what are the economic losses?* It is possible to develop methods to work out the losses.
3. *What processes are there for Tracking of Refugees and Internally Displaced Persons due to conflicts?* This could be good indicator, if there are changes in the numbers. Muzaffarnagar riots, Kashmir Pandits, Naxal Violence areas, etc.
4. *How can we define the positive changes made to bring peace more clearly?* – i.e., nature, form, spread, and track violations?

Presentation on Access to Justice by Nupur:

A2J is a right, and a means to protect other rights. There are various barriers to realizing this right. These include: access, conceptual, physical, psychological, institutional, cultural, economic, etc. There are some possible tools for measuring – legal framework, legal knowledge, advise and representation, access to justice institution, fair procedure, enforceable solution, cost of justice, quality of justice, quality of outcome (adversorial and restorative justice), informational adequacy, etc.

Strategies:

- Promote Pluralism, diversity and socio economic justice
- Civil society voices are encouraged – are we well connected, and share experiences
- Improve Regulatory system for efficient transparent sensitive justice delivery mechanism
- Implement Anti-corruption laws
- Remove barriers to ensure equal access
- Enhance accessibility
- Influence informal mechanism to reach constitutional standards and ethics

Presentation on Governance by Jagdeep:

Government has taken several technological and manpower related improvements in governance. These include administrative governance and reforms, police reforms, judiciary

reforms, etc. It is important to take forward the good work done by others, i.e., in the judiciary, policy reforms, etc.,

There is a dire need to undertake large scale capacity building for reform of the lawyers. This means that we need to review what is taught in law colleges, and provide specific courses on Goal 16. This can create impact.

Another important area to address is corporate governance as it is a huge sector of society. Yet, it is not mentioned here at all. It may be suggested that Governance should include corporate and political governance.

Presentation on Conflict by Mazahar Bhai:

Sharing that the issues of conflict are complex and includes communities, the presentation raised both socio economic and cultural issues and barriers to address resolution of conflicts. The presentation also suggested some mechanisms that can be taken up by Civil Society to engage in.

- Communities are in conflict
- Politics is of identities not of ideologies
- Sacrosanct establishments, excludes people, and in denial of rights, bureaucracy
- Development interventions by civil society organisations
- Conflicts happened because of attitudinal and conceptual issues
- Legitimacy of challenge and questions – family, institutions, state, etc.
- Concept of every citizens' right for entitlements is missing
- Political dividends are the biggest barrier to resolution of conflicts
- Exclusion – systemic, social, economic, and political are also key issues

Civil Society can engage using SDGs in the following ways:

- International conventions signed by governments – civil society could use these to question governments in their discourse
- Awareness with the people, communicating with governments that they are duty-bound –because India is a signatory to SDGs
- An opportunity to secure Peace and Justice – Civil society can use it as a peg to reach their own goals
- Mid-terms (annual reviews can be a process wise analysis) that will make a lot more people aware of the SDGs (not just NGOs, but doyens from different sectors)
- COVA – all members internalize and incorporate it in their agenda – Goal 16 should be adopted by all organisations

Presentation on Inclusion by Annie Namala:

- Exclusion itself is violence, as key challenges are caste and patriarchy. It becomes the basis for inequalities. There are stark inequalities, among the dalits, muslims, etc. Therefore, development inequality can be an indicator.
- There is a direct connect between development and violence - Endemically poor, illiteracy, denial of services, basis for deprivation, violence

- Social exclusion frame defines the basis of exclusion and barrier for development – **NEED TO STENGTHEN THESE COMMUNITIES** to access the Goal 16 and support their voice.

Suggested strategies:

- Anecdotal data, civil society data will help to raise the issue at national and international levels.
- Awareness activities among the deprived communities
- Annual Assessment Reports based on Social Exclusion Framework
- Address issues relating to Political and Corporate Governance
- Need to add the regional/spatial exclusion - Tribal, Muslim, Dalit (Regional specific areas – NE), GETS, disappearance, IDP (refugees) face of conflict; etc.

Challenges that will need to be addressed:

- Profiling of citizens in conflict areas
- Free space to unaccountable actions
- Security concerns in making available information in public domain, etc. will come in way of political will to enact
- Financial Action Task Force – illegal funds vs. NGO support funds

Recommendations:

- What gets measured is what gets done. How do we ensure that data is collected, tracked and reported on critical issues? We need to keep in mind the capacity and human resources gaps within Government Departments
- The most challenging thing is to create awareness for people on the ground – on how they will use Goal 16. We could do some activities that there are some engagement and action items
- Even at the State level, there is little awareness, and activities must be planned to create awareness among various state actors and civil society institutions.
- While it is important to focus across the country, it needs special attention in Kashmir, Red Corridor, North East, … as these are zones of internal conflict…specifically are regions where Goal 16 needs to be explained to various stakeholders.
- Sharing the experience of Commonwealth Human Rights Initiative, it was felt that data around - who is in jail, how long are they in jail, how do they get out, review committees – accountability mechanisms, etc. are important. Such a study undertaken meticulously by CHRI helped to advocate with Chief Justices. This is another strategy that may work with some and not with others based on their sensitivities. It had positive impact in Rajasthan.
- Do this independent of government – etc. technological impetus to build this as an open database. Citizen generated data should be supplemented to verify the government generated data (contest or improve or nuance it). Partners to be engaged with are: National Crime Records Bureau, State data. Civil society should take on this role of bettering the data collection systems.

- Other engagement activities can include – raising questions in Parliament, Assemblies, etc.
- Education and awareness of the people on SDG should be the first priority
- Legal Literacy is an important aspect of action on ground
- **How will we engage with Goal 16?** It should be independent of State (Govt) – civil society is already overstretched and funding support is required to work on data collection on the ground. We cannot focus too much on data. Activities should strengthen the hands of civil society, but not add the data pressure.
- **It would be useful to provide space for dialogues among multiple stakeholders, especially in conflict areas.**
- Civil society may consider various means of engagement – provide alternate report; protest; use existing data on detention, undertrials, legal support available and accessed by the underserved, etc. This may be done through Annual review mechanism (as agreed in UN processes, universal periodic reviews). Civil Society must regularly engage with Ministry of Statistics. It was agreed that more clarity is needed on mechanisms and on role of state, parliament, etc. in democracy, and how does civil society engage, and further, do we engage with them at all or not.
- Radhika of UN reported that the Ministry of Youth had developed in 2010 the Youth Development Index, though not under SDG framework. It would be useful to engage with them also. Definitely, Niti Ayog, State Governments etc. are important stakeholders. Strategically – we can work with government – especially due to international aspirations. Goal 16.3 – rule of law and Constitution are good instruments and further, since GOI is going to fight for presidency of the International Council on Human Rights, this can be a useful strategy.
- Civil society must also engage with UNDESA, UN Statistical Commission, UNDAC, etc. to highlight issues and concerns that are not reported in the Official versions of reports.
- Women are affected more by conflict. The SDG inclusion of Goal 16 helps to negotiate with Government, and highlight concerns of women in conflict.
- It is important to reform the Lawyers and action must be focused on special courses that can be introduced in Law Colleges, this will sow the seeds of improved governance.
- Governance must include corporate and political governance too to ensure that the nexus does not derail processes set forth in the Government and Judiciary.

Should Civil Society Engage with Goal 16 at all, and if so how?

- Audit of cost benefit analysis of previous engagement with multi-lateral processes – on effectively of MDGs (how governmental policy makers used MDGs) - lessons learnt can be documented to promote the priorities of Goal 16

- How can we invest our scarce resources within civil society in furthering Goal 16 implementation?

- If, and how, to engage with local communities around Goal 16, in a way that is meaningful to their lives.

How do we institutionalize third party monitoring of SDGs and links to international level?

- Bring in media, government, people, NGOs, multiple stakeholders for awareness

- See resonance with existing laws, institutions and policies – let's audit them

- Link it to ground realities through qualitative reports from civil society

- Instead of log-frame implementation process, we can pick up specific issues

- Essentially, citizen led, people led – data or seeking accountability

- WNTA was a multi-stakeholder network of networks that worked to hold governments accountable on MDGs and also disseminated widely, besides members in the forum actually taking on activities to implement, monitor or use the MDGs. WNTA can continue to be engaged with SDGs as per the mandate of the group.

Key Partners Interested in Goal 16:

WNTA

- Work closely with UN, and Government – create more awareness - Translate to Hindi and other languages
- Anchor it in Indian constitution, policies and schemes, findings to be taken to State and National Governments
- Accountability framework – how do we really do? = Work in progress
- Regular monitoring – Gender lens, etc.

Wateraid, SCF, Women's groups, CHRI, MARG, etc are working on several SDGs and creating action/momentum

- Continue to work with partners
- Engage different stakeholders

In states like Manipur, there was celebration of Goal 16. It provides a space to openly talk about conflicts and issues relating to it, now, as a development goal, and worth debating – it is a sacred space that has been created.

MGI Education, Peace and Sustainable Development UNESCO) Delhi based – should connect up with them.