

## Building International, Regional and National Consensus

Policy Brief #3

March 2016

# “Leaving No-one Behind” Strengthening Civil Society’s Role in the Implementation of Goal 16 of the UN 2030 Agenda for Sustainable Development



## EXECUTIVE SUMMARY

This policy brief derives from proceedings of a multi-stakeholder workshop hosted by the Southern African Liaison Office (SALO) in collaboration with the National Alliance for the Development of Community Advice Offices (NADCAO) and African Monitor on the 22<sup>nd</sup> of March 2016. The workshop explored how civil society can leverage on the complementarity between the Open Government Partnership (OGP), the African Peer Review Mechanism (APRM) and the AU's Agenda 2063, to play a more meaningful role in the implementation of the UN's 2030 Agenda. There was particular emphasis on access to justice as articulated in Goal 16.

Mr Thokozani Thusi, the Chief Director for Public Participation and Social Dialogue at the Department of Public Service and Administration, gave the keynote address on behalf of Deputy Minister Ayanda Dlodlo. There were

other speakers\* from the African Peer Review Mechanism (APRM), South African judiciary, Chapter 9 institutions and civil society from South Africa and the region. The dialogue attracted a broad range of participants including members of civil society, policymakers, academics and the public.

While not easily defined, access to justice refers broadly to the access that citizens have to dispute resolution tools of justice including, but not limited to, courts. It engages the wider social context of the justice system and the systemic barriers facing different sectors of society. Effective access to justice does not only refer to reductions in cost and greater access to lawyers and courts. Many barriers are interrelated, and efforts to eliminate one barrier can exacerbate problems elsewhere. Therefore, holistic solutions are necessary, as alluded to by Goal 16.

## **ANALYSIS OF KEY ISSUES**

### **The importance of Meeting Goal 16 Targets**

Agenda 2030 is a plan that establishes a set of global priorities which aim to achieve the eradication of extreme poverty, and to shift all countries towards inclusive, sustainable development. Adequate access to justice independent of privilege or wealth is critical, if poverty and inequality are to be tackled meaningfully. Goal 16 is therefore essential, as it encourages states to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, sustainable and inclusive institutions at all levels. These attributes have led Goal 16 to be regarded by some as pivotal to the achievement of other goals.

### **Identify opportunities for Civil Society Organisations (CSOs) to leverage on the AU Agenda 2063, the Open Government Partnership (OGP) and African Peer Review Mechanism (APRM) to ensure effective implementation of SDG 16**

The 2030 Agenda on Sustainable Development entails the integration of three complex systems, namely, the world economy, the global society and its physical environment. It is a way to foster the architecture for a well-functioning society; one that delivers well-being for current citizens as well as future generations. CSOs have a role to play in advancing a human rights-based approach to sustainable development programming, in the implementation as well as in the follow-up review, monitoring, evaluation and reporting. There needs to be a holistic framework, which collectively aims to sustain the environment and achieve inclusive social justice. It is, therefore, important to build on and synergise with pre-existing platforms and to harness convergences needed for the successful implementation of Agenda 2030.

### **Opportunities to strengthen Agenda 2030 Implementation by synergising with the AU Agenda 2063**

Africa is implementing Agenda 2030 concurrently with Agenda 2063 (the African Union (AU) vision for the implementation of sustainable development in the region for the next fifty years). Therefore, assessing the areas of actual convergence and divergence between the two development strategies is important, in order to avoid duplication and double reporting.

## **Opportunities to strengthen SDGs Implementation through the Open Government Partnership (OGP).**

There are a lot of challenges that come with the implementation of sustainable goals. States require mechanisms for accountability, monitoring and evaluating, and implementing. Pre-existing processes that may be utilised to address these challenges include the OGP. The OGP provides for the promotion of transparency, accountability, empowering citizens and civil society, fighting corruption and harnessing new technologies through the National Action Plans (NAPs). The OGP provides for the active participation of CSOs in public governance and policy formulation, and thus serves as an important starting point for participatory implementation of Agenda 2030. It is thus, essential to take advantage of the similarities between the OGP and Agenda 2030 to achieve transparency, civic participation, efficient and accountable public institutions, to tackle corruption, to implement technological innovations that act as enablers to sustainable development for just and peaceful societies, and promoting the rule of law.

## **Opportunities to strengthen SDGs Implementation through the APRM**

Some of the cross-cutting challenges across African states include corruption, managing diversities, youth unemployment, land, and natural resource management. The importance of fostering democracy, good governance, and socio-economic development in Africa cannot be over-emphasised. The APRM is best-placed to achieve these for African states, because the APRM is African-initiated and driven. It intersects with home-grown development initiatives, and can help translate the Agenda 2030 into NAPs, and assign responsibilities in a manner that respects country priorities while encouraging international cooperation. The APRM allows for the active participation of all national stakeholders including parliament, media, government bodies, the private sector and CSOs and women and children. CSOs, therefore, have space to participate in APRM process, to provide valuable information and to assist in the implementation of its recommendations.

## **Other spaces that can be utilised**

Other initiatives that are encouraged and advocated for in order to achieve optimum success in the implementation of Agenda 2030 include:

- ❖ Institutionalised structures; which will oversee sustainable development implementation
- ❖ National development commissions; that are to include all of these initiatives together to make one centralised strategy or action plan at national levels
- ❖ National follow-up and monitoring frameworks; which will provide spaces to be able to influence what gets to be monitored, what sort of indicators are going to be used and how they are going to be monitored
- ❖ Local government authorities; to be incorporated in the national implementation plans
- ❖ Sustainable development oversight committees; to be established in the national parliaments, in terms of offering an oversight role regarding monitoring and evaluation and so that sustainable development becomes a key component of our parliaments' functions. This will ensure budgetary allocations and advocacy in Parliament
- ❖ Resource-mobilisation; that would assist the Africa Working Group in securing funds that come directly from Africans to support African initiatives

## **Streamlining CSOs advocacy and identifying spaces for advocacy that exist through other global platforms**

It has been recognised that CSOs in Africa are not sufficiently coordinated. Efforts to build coherence among CSOs can be hindered by the fact that they are diverse in nature, and they have different constituencies and programs. CSOs need to work towards complementing each other. To attain complementarity, a formation of national civil society has been established which aims to coordinate the work of CSOs and to provide a platform for engagement with government institutions and entities at the national level. To achieve this at the continental level, an all-inclusive regional platform for African CSOs has been formed to facilitate the sharing of learning, best practices, innovations, experiences and expertise. The African civil society platform offers technical support and advice on systemic issues and engages regional initiatives and partnerships, as well as amplify African voices and seeking to claim spaces in the global platforms.

## **Implementation process of the Agenda 2030 in South Africa (SA)**

SA is committed to reducing inequalities, building peaceful, just and inclusive societies, protecting human rights, promoting gender equality and empowering women and girls, ensuring lasting protection of the planet and its natural resources, creating conditions for sustainable, inclusive and sustained economic growth, shared prosperity and decent work for all. In complementarity with Agenda 2030, SA's Third NAP is innovative and progressive as it seeks to link the OGP and the SDGs in some of its commitments. SA is guided by the APRM and the OGP as it leads a government that is transparent, people-centered and responsive to the needs of millions of our people, as these instruments continue to provide opportunities for governments and civil society to collaborate.

## **Regional Experiences**

In South Africa and the Southern African region, violence, conflict, stark inequality and continuing injustice make both democracy-building and sustainable development impossible to achieve. There is a need to look at the role and relative contribution of all major players from the local, sub-national, national, regional and international levels. There is a need to empower institutes and the constituencies they represent and to ensure that there is a coordinated multi-stakeholder engagement.

## **RECOMMENDATIONS**

On the whole, there is a need to look at the role and relative contribution of all major players, from the local, sub-national, national, regional and international levels to macro-economic policies and structural reforms that can secure nominal and real convergence. There is, therefore, the need to empower institutes and the constituencies they represent and to ensure that there is a coordinated multi-stakeholder engagement.

In addition to global frameworks and structures, the following are needed at national and regional levels in order to achieve optimum success in the implementation of Agenda 2030:

- ❖ Institutionalised structures that will oversee sustainable development implementation

- ❖ National development commissions that will include all of these initiatives together in one centralised strategy or action plan at the national level
- ❖ National follow-up and monitoring frameworks that will provide spaces able to influence what gets to be monitored, what sort of indicators are to be used and how they will be monitored
- ❖ Local government authorities to be incorporated in the national implementation plans
- ❖ Sustainable development oversight committees, to be established in national parliaments to offer a oversight role regarding monitoring and evaluation, so that sustainable development ends up as a key component of our parliaments' functions and to ensure budgetary allocations and advocacy in Parliament
- ❖ Resource mobilisation to assist the Africa Working Group in securing funds that come directly from Africans, to support African initiatives.

## \*LIST OF SPEAKERS

1. Mr Thokozani Thuswerei, the Chief Director for Public Participation and Social Dialogue at the Department of Public Service and Administration.
2. Ms Kira-Leigh Kuhnert, the Regional Advocacy Officer: Open Democracy Advice Centre, (ODAC)
3. Mr Ferdinand Katendeko, African Peer Review Mechanism (APRM)
4. Judge President Dunstan Mlambo, Chairperson of Legal Aid, South Africa
5. Advocate Mohammed Shafie Ameerma, Commissioner of the South African Human Rights Commission
6. Mr Busani Sibindi, Matebeleland Development Trust, Zimbabwe
7. Mr Steven Chacha Tumbo, Together 2030

*The analysis and recommendations included in this Policy Brief do not necessarily reflect the view of SALO or any of the donors or conference participants, but rather draw upon the major strands of discussion put forward at the event. Participants neither reviewed nor approved this document. The contents of the Policy Brief are the sole responsibility of SALO, and can under no circumstances be regarded as reflecting the position of the donors who provided financial assistance for this policy dialogue session.*

