

Implications of the “Post-2015 Sustainable Development Goals” for Access to Justice in the United States

What are the Post-2015 Sustainable Development Goals (“SDGs”)?

In September 2015, the United Nations will finalize the “Post-2015 Sustainable Development Goals” (SDGs). The SDGs set priorities and benchmarks that constitute an agenda for ending poverty around the world by 2030. Grounded in human rights, the SDGs apply universally to all UN member states (“countries”), including the United States. They go into effect in January 2016.

What concerns do the SDGs address?

The SDGs are still being finalized, although their form and content are largely set. The latest proposal identifies 17 Goals and 169 Targets. The SDGs cover access to justice, as well as gender equality, climate change, education, hunger, health, clean water and sanitation, sustainable energy, economic growth, employment, urban development, housing, inequality in and between countries, and more.

Why is access to justice included in the SDGs?

The international community has come to the view that access to justice is essential to ending poverty. Access to justice enables and empowers people to retain their homes, inherit property, secure safety from domestic violence, establish legal identity and citizenship, obtain and retain health care, and qualify for government benefits. The inclusion of access to justice in the SDGs is consistent with the SDGs’ grounding in human rights. The UN Secretary General has written that justice is essential to ending poverty and is among the core concepts undergirding the SDGs.

How do the SDGs promote access to justice?

In its current near-final form, Goal 16 of the SDGs calls on countries to “[p]romote peaceful and inclusive societies for sustainable development, provide access to justice for all, and build effective, accountable and inclusive institutions at all levels.” The Targets make clear that Goal 16 is comprehensive, covering access to justice in civil and criminal justice systems, governance, legal identity, and the rule of law, among other issues. Target 16.3 asks countries to “[p]romote the rule of law at the national and international levels and ensure equal access to justice for all.” The UN is also developing “indicators” to promote data gathering that will allow comparisons of progress by countries in accomplishing the SDGs and Targets, including Goal 16 and Target 16.3. Countries will develop indicators to take into account their own unique features and contexts.

How will the SDGs, including Goal 16, be implemented globally and in the United States?

The UN will develop global indicators for the SDGs during the next year, and countries (including the United States) will be expected to draw on those indicators to form their own national-level indicators.

The UN’s Statistical Commission has established an Interagency Expert Group on Sustainable Development Goal Indicators to develop the global indicators. The U.S. Office of Management and Budget (OMB) participates as an “observer” in this expert group and is able to provide considerable advice and guidance. In addition, the UN is developing a global reporting mechanism that will call on countries to voluntarily submit data to track progress in light of the indicators. The UN’s High Level Political Forum will facilitate the global review process.

The process for implementing the SDGs and monitoring progress within the United States has not been finalized by the United States government, but the following is known:

- Department of State (DOS) will coordinate implementation of SDGs in the United States.
- Department of Justice (DOJ) will have a role in helping to implement Goal 16 in the United States.
- U.S. OMB will have primary responsibility both in establishing national-level SDG indicators, and in transmitting data to the UN once a global reporting mechanism is established.
- DOS and DOJ intend to draw on federal agencies and nongovernmental organizations (NGOs) to help form the national-level indicators that will apply uniquely in the United States.

What are the potential impacts of Goal 16 in the United States?

Because Goal 16 is novel, its impact in the United States (and around the world) is difficult to predict. However, it would appear to offer many opportunities to NGOs, government entities, and philanthropic institutions to increase access to justice for people and for communities in the United States.

Goal 16 offers opportunities for NGOs to:

- raise the profile of access to justice as a goal in the United States, and in turn attract the interest and dedicated efforts of academics, advocates, reporters, government officials, and other stakeholders;
- increase financial support from government and philanthropy for research on access to justice and for policy reform initiatives to increase access to justice;
- establish data, indicators, and indexing systems that can serve as incentives for officials to accomplish justice system reform and that can also provide a platform for advocacy;
- promote a broad vision of access to justice for all (“100% access”), extending beyond the traditional call for lawyers for only a portion of the most poor, by relying on many categories of providers and a wide array of strategies and means;
- promote new alliances between advocates in the United States and in other countries, and draw on cross-global learning to increase access to justice in the United States;
- pursue a coordinated national plan of action to increase access to justice;
- strengthen reporting on United States access to justice concerns in human rights treaty reviews and the Universal Periodic Review; and
- provide additional support for criminal justice system reform.

Goal 16 offers opportunities for government entities to:

- advance federal agency support for civil and criminal legal aid, including through DOJ’s Office for Access to Justice and its Legal Aid Interagency Roundtable (LAIR);
- deepen the National Science Foundation’s support for research on access to justice, and expand support in federal agencies and institutes for research on access to justice; and
- support legislation to increase access to justice, including but not limited to legislation to increase funding for courts, court reform initiatives, and civil and criminal legal aid.

Goal 16 offers opportunities for philanthropy to:

- adopt a comprehensive framework and priorities for grantmaking to reduce poverty;
- prioritize funding for research on access to justice strategies to reduce poverty; and
- prioritize funding to reduce poverty by supporting civil legal aid and criminal justice reform.

Where can I learn more?

For more information, visit the UN’s [“Sustainable Development Knowledge Platform”](#). See also [“Transforming our World: The 2030 Agenda for Global Action, Final draft of the outcome document for the UN Summit to adopt the Post 2015 Development Agenda \(July 2015\)”](#)

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